

CHAPTER W: WILDLIFE HARVESTING

Reviewed by Main Table March 8, 2011

Definitions

In this Agreement,

Cabin – means a structure used by Dehcho Dene in connection with Harvesting.

Camp - means a site and / or a structure or group of structures, capable of being easily moved or dismantled, without permanent foundation, leaving a minimal impact on the land, incidental to the exercise of harvesting rights under the agreement, including a lean-to, tent frame, facility or building, constructed, used or operated by Dehcho Dene for purposes of Harvesting.

Consult - means to provide:

- (a) to the Person being consulted, notice of a matter to be decided in sufficient form and detail to allow that Person to prepare its views on the matter;
- (b) a reasonable period of time in which the Person being consulted may prepare its views on the matter, and an opportunity to present its views to the Person obliged to consult;
- (c) full and fair consideration by the Person obliged to consult of any views presented; and
- (d) accommodation of the views presented through the modification or, where appropriate, termination or cancellation of the proposed undertaking.

Edible Parts – means any substance that can be used as food.

Furbearers - means bear, beaver, (coyote), ermine, fisher, fox (white/arctic, red, cross, black, silver), lynx, marten, mink, muskrat, otter, rabbit, squirrel, (least) weasel, wolf, woodchuck and wolverine.

Harvest - means the taking or attempted taking of Wildlife, Plants, Fish or Aquatic Plants into possession, and includes fishing, weiring, hunting, trapping, netting, egging, picking, collecting, snaring, gathering, spearing, killing, catching, capturing or taking by any means or method and, with reference to Plants and Trees, includes cutting or digging or attempting to do so. For greater certainty, “harvesting” includes the following activities:

- a) hunting of mammals and birds;
- b) trapping of fur-bearing animals;

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- c) fishing for freshwater and anadromous fish;
- d) gathering of Dehcho Dene foods;
- e) gathering of plants, fish or wildlife;
- f) use or construction of shelter, camps, cabins or other facilities ancillary to the pursuit of the above activities; and
- g) access to lands or waters for any of the above activities.

Non-Edible Parts – means any part of a Plant or Wildlife that cannot be used for food.

Subsistence and Personal Use - means the non-commercial use or consumption of Wildlife, Fish, Trees or Plants by the individual or the family or community of the individual carrying out the hunting, trapping and gathering activity, or anyone receiving Wildlife, Fish, Trees or Plants through gifting or trading as set out in the Dehcho Agreement.

Trade – means to barter, exchange, buy or sell in the context of Harvesting for Subsistence and Personal Use as set out in the Dehcho Final Agreement.

Wildlife - means all species and populations of wild mammals, amphibians and non-migratory birds, and all parts and products thereof, but does not include Fish.