

To WRRB
Information requests
Karen McMaster
November 23, 2009

ENR

1. What is actually being proposed in the joint proposal? From reading the paper and speaking with others, it seemed that the Tlicho government and the GNWT were onside and that members of the public were invited to comment. However, there are many differences of opinion in the joint proposal and there are many uncertainties and future actions to be decided. Why has this report been distributed to the public as a joint report with joint recommendations when there is so much uncertainty and disagreement as to action to be taken?
2. My understanding is that the ENR was of the view that wolves were going after the caribou and therefore wolf tags continued to be allocated over the last year and increasingly so. Has the ENR compared the annual data of total caribou harvests to total wolves over the years and if not, why not?
3. **Do the Environment Minister of the GNWT and Tlicho believe that Canada has a constitutional duty to ensure the caribou are around for aboriginals? I believe the Minister of the Environment said the reason for the actions is we need to ensure a supply to the aboriginal community. This goes directly against the Tlicho land claim agreement which specifically does not guarantee the supply of wildlife. What is the basis of this? Please refer to court decisions.**
4. **Is the WRRB currently** composed of 50 % Tlicho and 50% federal/territorial representatives? The website seems to indicate that there are more Tlicho representatives. **Why has the government (gnwt/federal) not appointed another representative to balance the board for such an important issue ?**
5. **Have you obtained a legal opinion that the proposed action plans do not infringe re the Charter of Rights?**
6. What are the costs to carry - out all of the activities in this proposal? Is the GNWT going to be responsible for paying for all these jobs and new activities and how does the GNWT justify this during a recession, when many NWT residents are without work and there are very important social issues in the

- NWT, many of which are put forth as key social issues for all people within the NWT. In recent surveys of concerns by NWT residents, were the caribou listed as a top priority or social issue? Is food a concern for all NWT residents during this recession?
7. Do you think it is administratively prudent to have individuals within a community overseeing reporting/enforcement etc. of their own community members?
 8. You refer to no mining activities on calving or post calving grounds. What are post calving grounds? Are you planning on allowing oil and gas and tourism activities on these grounds? Why was mining singled out as an activity?
 9. Do you have a specific map that outlines the land claims areas for the Tlicho and other aboriginal communities in NWT, including those with fee simple lands, those that are traditional territory and those that are lands identified for a special purpose or protection from activity. Please advise as to the routes of the caribou throughout these areas and where the calving grounds are on these areas.
 10. Have you had any meetings with community groups and individuals other than the Tlicho in preparing this joint proposal? Have other aboriginal and Inuit groups been involved? Were NWT residents involved when this joint proposal went before the Tlicho community in the summer of **2009**? Were any organizations or individuals consulted in preparation of this joint proposal?
 11. Do you think it prudent to rely on statistical information and information obtained from one individual/study? I have heard the ENR **had** been instructed not to speak to the public about the caribou. Is this correct?
 12. **Do you think** it is prudent to only allow 15 minutes for interveners to express concerns about an issue that affects so many animals and the lives of NWT citizens? Will every member of the board be required to read every written presentation? Will board members be required to identify any conflict in their ability to review presentations? Will individual board member conclusions be available to the public?
 13. The Alberta report recommended clarifying various statistics and information to the public such as rates of decline. Have these recommendations been implemented? Was the GNWT Minister of the Environment in contact with the Alberta researchers directly?
 14. Re the Bluenose Herd, you note that despite lack of success in June 2009, biologists reported seeing lower numbers. Could you please explain the number of biologists involved, how this conclusion was reached and what the number was.

15. Is there a Supreme Court of Canada decision which indicates **TLICHO** have the right to harvest at any cost, without regard to conservation, the cost to NWT citizens and infringement of human rights?
16. Was this proposal reviewed by the GNWT legal advisors prior to its submission to the public?
17. You indicate that consultation and collaboration with the Nunavut Government and co-management groups will be needed to ensure that proper protection is maintained for each calving round, as the Bluenose East, Bathurst and Ahiak calving grounds are all in Nunavut. There are many unknowns whether this can be achieved. Why is the GNWT and Tlicho restricting resident and non resident hunters when it can not be certain that these calving grounds will be protected? Why are precautions not being required in Nunavut at the same time as in NWT? Why is the NWT taking the lead if the calving grounds are in Nunavut?
18. Who funded community hunts of caribou in the past? How many caribou were taken during these hunts? I understand many of these hunts occurred by skidoo or helicopter of **fixed wing**. Is this subsistence hunting and traditional hunting? How may aboriginals rely purely on subsistence hunting these days?
19. You indicate that low numbers of breeding females in the Bathurst herd warrant immediate management. What is the threshold used for science reasons, political reasons? Are they the same?
20. You indicated that “ A limited low number of breeding females may be allowed to be harvested from the Bathurst herd in the winter months for scientific purposes (health and condition and assessment of pregnancy rate). Meat will be distributed to Aboriginal elders. The numbers to be collected are to be discussed further with Tâichô Aboriginal hunters, members of the WRRB and ENR biologist”. How do you think members of the NWT can comment on this proposal when these numbers have not been agreed to? Why is meat only to be distributed to Aboriginal Elders?
21. You indicated “ No harvest of females is to take place when caribou of different herds are mixed together in the winter time to avoid accidental hunt of Bathurst cows. When this situation occurs, it is recommended that males only be hunted (ENR’s position). Consultation between Industry, Tourism and Investment (ITI) and ENR will take place to explore avenues to provide financial support to hunters to access new hunting areas.” What is the Tlicho’s position? What does the consultation aspect really mean? What does access to new hunting areas mean? Who provides financial support and

to whom? This is very confusing. Do people really know the difference between the herds and who will police this?

22. You indicated “ The Diamond Mines’ Wildlife and Environment Monitoring programs (WEMP) will be redesigned to adjust for results and findings acquired through several years of data collection and new proposed monitoring will be presented to the Tâîchô government and communities for their inputs.” What is involved here.? What are the plans that you want people to comment on? How can interveners comment on this proposal when these plans are uncertain? Why are these plans not also presented to NWT residents?
23. During meetings with the Tlicho, did any of the elders indicate that they should also reduce the harvesting of male and female caribou?
24. How many caribou tags were issued to residents in the NWT annually for the last 5 years? Does the GNWT know how many resident **caribou** hunters there are in the NWT and how many families rely on this meat as a substantial portion of their diet?
25. You indicate no direction is required from the Board on this action re compliance, winter road etc. Why is no direction sought here? Why is public interest implication in Wek’eexzhi referred to specifically not the NWT interest? WRRB website says it has to act in the public interest.
26. ENR website indicates “The Department of Environment and Natural Resources promotes and supports the sustainable use and development of natural resources to protect, conserve and enhance the Northwest Territories environment for the social and economic benefit of all residents. This responsibility is shared with Aboriginal, federal, territorial, and municipal governments, boards and agencies and every resident of the Northwest Territories.

Vision

Our children will inherit a secure future that relies on a healthy environment capable of supporting traditional lifestyles within a modern economy built on the strengths of our people and the wise use and protection of our natural resources providing communities and individuals with opportunities to be productive and self-reliant.” Please advise how this proposal is consistent with ENRs values which are about all NWT citizens.

27. Did the Tlicho and GNWT consider instilling means to ensure that all caribou harvesting is being conducted according to the traditional values of Elders and good hunting practices? I say this because I have heard about and seen

- pictures of truck loads of caribou, and animals who are wasted or where only the best meat is taken.
28. You indicated or allowed for Taicho hunters to assess presence/absence of fetuses in 20 cows hunted during winter which is a joint decision but previously indicated that Taicho want unlimited hunting of cows. Please explain.
 29. Do you really need to determine whether wolves are hunting caribou as recommended in this proposal? How would you do this? What cost would be involved in doing so? Would providing incentives to hunters to trap and hunt wolves not be more efficient, fair, effective **and economic** than the actions proposed in this proposal?
 30. Why does the proposal not refer to the Alberta independent peer report but rather photo census data?
 31. What does “tend to support” mean in terms of assessing scientific data? The Alberta report provides for a number of cautions in data interpretation, ambiguous language and weak conclusions. Why is the GNWT using this report to support a declining caribou population?
 32. What does it cost to do photo census?
 33. For calculation of caribou, how do you arrive at the plus or minus?
 34. If the Bluenose herd decreased so much between 2006 and 2000, why was nothing done in 2006.
 35. Why are aboriginal hunters **and resident hunters** not required to report the number of caribou they harvest? Would this be valuable information in understanding the caribou situation in the NWT and whether restricting harvest rates is a reasonable action plan?
 36. Do the elders and the younger population groups of the Tliche agree with this joint proposal? Was there a breakdown of votes? Do all Elders think that conservation does not matter and they should harvest as many caribou as they want? Traditional values of taking what one needs seem at odds with unlimited harvesting.
 37. **When will all information** from the TLICHO AND GNWT be up on the website so interveners have all information to prepare for the hearings?

TLICHO

1. What is actually being proposed in the joint proposal? From reading the paper and speaking with others, it seemed that the Tlicho government and the GNWT were onside and that members of the public were invited to comment. However, there are many differences of opinion in the joint proposal and there are many uncertainties and future actions to be decided. Why has this report been distributed to the public as a joint report with joint recommendations when there is so much uncertainty and disagreement as to what action to be taken?
2. **Do the Environment Minister of the GNWT and Tlicho believe that Canada has a constitutional duty to ensure the caribou are around for aboriginals? I believe the Minister of the Environment said the reason for the actions is we need to ensure a supply to the aboriginal community. This goes directly against the Tlicho land claim agreement which specifically does not guarantee the supply of wildlife. What is the basis of this? Please refer to court decisions.**
3. **Have you obtained a legal opinion that the proposed action plans do not infringe on the Charter of Rights?**
4. What are the costs to carry out all of the activities in this proposal? Is the GNWT going to be responsible for paying for all these jobs and new activities and how does the NWT justify this during a recession, when **NWT residents** are without work and there are very important social issues in the GNWT, many of which are put forth as key social issues for all people within the NWT. In recent surveys of concerns by NWT residents, were the caribou listed as a top priority or social issue? Is food a concern for all NWT residents during this recession?
5. Do the elders and the younger population groups of the Tlicho agree with this joint proposal? Was there a breakdown of votes? Do all Elders think that conservation does not matter and they should harvest as many caribou as they want? Traditional values of taking what one needs seem at odds with unlimited harvesting.
6. Do you think it is administratively prudent to have individuals within a community overseeing reporting/enforcement etc. of their own community members?

7. You refer to no mining activities on calving or post calving grounds. What are post calving grounds? Are you planning on allowing oil and gas and tourism activities on these grounds? Why was mining singled out as an activity?
8. Do you have a specific map that outlines the land claims areas for the Tlicho and other aboriginal communities in NWT, including those with fee simple lands, those that are traditional territory and those that are lands identified for a special purpose or protection from activity. Please advise as to the routes of the caribou throughout these areas and where the calving grounds are on these areas.
9. Have you had any meetings with community groups and individuals other than the Tlicho in preparing this joint proposal? Have other aboriginal and Inuit groups been involved? **Were NWT residents** involved when this joint proposal went before the Tlicho community in the summer of **2009**? Were any **other organizations** consulted in preparation of this joint proposal?
10. **This hearing is taking place** very quickly with tight time lines, and during times of high activity in the GNWT including Geoscience, Christmas and New Years. Timely receipt of information is critical to due process for this hearing. When will all information from the TLICHO AND GNWT be up on the website so interveners have all information to prepare for the hearings?
11. Do you think it prudent to rely on statistical information and information obtained from one individual/study?
12. **Do you think it is** prudent to only allow 15 minutes for interveners to express concerns about an issue that affects so many animals and the lives of NWT citizens? Will every member of the board be required to read every written presentation? Will board members be required to identify any conflict in their ability to review presentations? Will individual board member conclusions be available to the public?
13. Why are aboriginal hunters and resident hunters not required to report the number of caribou they harvest? Would this be valuable information in understanding the caribou situation in the NWT and whether restricting harvest rates is a reasonable action plan?
14. Is there a Supreme Court of Canada decision which indicates the TLICHO have the right to harvest at any cost, without regard to conservation, the cost to NWT citizens and infringement of human rights?

15. Was this proposal reviewed by the **TLICHO** legal advisors prior to its submission to the public?
16. You indicate that consultation and collaboration with the Nunavut Government and co-management groups will be needed to ensure that proper protection is maintained for each calving round, as the Bluenose East, Bathurst and Ahiak calving grounds are all in Nunavut. There are many unknowns whether this can be achieved. Why is the GNWT and Tlicho restricting resident and non resident hunters when it can not be certain that these calving grounds will be protected? Why are precautions not being required in Nunavut at the same time as in NWT? Why is the NWT taking the lead if the calving grounds are in Nunavut?
17. Who funded community hunts of caribou in the past? How many caribou were taken during these hunts? I understand many of these hunts occurred by skidoo or helicopter **or fixed wing**. Is this subsistence hunting and traditional hunting? How many aboriginals rely purely on subsistence hunting these days?
18. You indicate that low numbers of breeding females in the Bathurst herd warrant immediate management. What is the threshold used for science reasons, political reasons? Are they the same?
19. You indicated that “ A limited low number of breeding females may be allowed to be harvested from the Bathurst herd in the winter months for scientific purposes (health and condition and assessment of pregnancy rate). Meat will be distributed to Aboriginal elders. The numbers to be collected are to be discussed further with Tâichô Aboriginal hunters, members of the WRRB and ENR biologist”. How do you think members of the NWT can comment on this proposal when these numbers have not been agreed to? Why is meat only to be distributed to Aboriginal Elders?
20. You indicated “ No harvest of females is to take place when caribou of different herds are mixed together in the winter time to avoid accidental hunt of Bathurst cows. When this situation occurs, it is recommended that males only be hunted (ENR’s position). Consultation between Industry, Tourism and Investment (ITI) and ENR will take place to explore avenues to provide financial support to hunters to access new hunting areas.” What is the Tlicho’s position? What does the consultation aspect really mean? What does access to new hunting areas mean? Who provides financial support and to whom? This is very confusing. Do people really know the difference between the herds and who will police this?
21. You indicated “ The Diamond Mines’ Wildlife and Environment Monitoring programs (WEMP) will be redesigned to adjust for results and

findings acquired through several years of data collection and new proposed monitoring will be presented to the Tâichô government and communities for their inputs.” What is involved here.? What are the plans that you want people to comment on? How can interveners comments on this proposal when these plans are uncertain? Why are these plans not also presented to NWT residents?

22. During meetings with the Tlicho, did any of the elders indicate that they should also reduce the harvesting of male and female caribou?
23. You indicate no direction is required from the Board on this action re compliance, winter road etc. Why is no direction sought here? Why is public interest implication in Wek’eexhi referred to specifically not the NWT interest? WRRB website says it has to act in the public interest.
24. Did the Tlicho and GNWT consider instilling means to ensure that all caribou harvesting is being conducted according to the traditional values of Elders and good hunting practices? I say this because I have heard about and seen pictures of truck loads of caribou, and animals who are wasted or where only the best meat is taken.
25. ENR website indicates “The Department of Environment and Natural Resources promotes and supports the sustainable use and development of natural resources to protect, conserve and enhance the Northwest Territories environment for the social and economic benefit of all residents. This responsibility is shared with Aboriginal, federal, territorial, and municipal governments, boards and agencies and every resident of the Northwest Territories.

Vision

Our children will inherit a secure future that relies on a healthy environment capable of supporting traditional lifestyles within a modern economy built on the strengths of our people and the wise use and protection of our natural resources providing communities and individuals with opportunities to be productive and self-reliant.” Please advise how this proposal is consistent with ENRs values which are about all NWT citizens.

26. You indicated or allowed for Taicho hunters to assess presence/absence of fetuses in 20 cows hunted during winter which is a joint decision but previously indicated that Taicho want unlimited hunting of cows. Please explain.

27. Do you really need to determine whether wolves are hunting caribou as recommended in this proposal? How would you do this? What cost would be involved in doing so? Would providing incentives to hunters to trap and hunt wolves not be more efficient, fair, effective and economical than the actions proposed in this proposal?