



Board Meeting Minutes

Date: 23-24 September 2015
Location: Behchokò, NT

Board Members:

Edward Chocolate (Tłìchq Appointee)
Steven Matthews (GNWT Appointee)
Charlie Jeremick'ca (Tłìchq Appointee)
Grant Pryznyk (Federal Appointee)
Suzanne Carriere (GNWT Appointee)
Bruce MacDonald (Federal Appointee)
Archie Wetrade (Tłìchq Appointee)

Staff:

Jody Pellissey
Boyan Tracz
Susan Beaumont

Guests:

Bruno Croft, ENR
Fred J. Mandeville, ENR
Samuel Hache, CWS-EC

Translators:

James Rabesca
Violet Mackenzie

Call to Order: 10:02 a.m.

Opening Prayer: Charlie Jeremick'ca

1.0 Agenda and Previous Minutes

1.1 Approval of Agenda

Motion #434-23-09-2015

To approve the 23-24 September 2015 agenda as presented

Moved:
Second:

Bruce MacDonald
Steven Matthews

Motion Approved

1.2 Approval of Minutes

5-7 May 2015

Motion #438-24-09-2015

To approve the 5-7 May 2015 minutes as presented

Moved:
Second:

Steven Matthews
Edward Chocolate

Motion Approved

1.3 Review of Action Items

Outstanding action items listing was tabled and reviewed.

2.0 Business

2.1 Bathurst and Bluenose-East Caribou Herds Survey Update, Bruno Croft, ENR

PowerPoint, entitled "*Bathurst & Bluenose-East Caribou Herds Survey Results – WRRB Meeting*", tabled

Bluenose-East – 2015 population estimate not available as fall composition survey to be completed in October 2015 (expected to be between 35,000 and 40,000); in 2015, poor recruitment/survival; estimated cow survival <80% (require 82-85% consistently for a healthy herd); evidence of low pregnancy rate

Bathurst – 2015 population estimate ~20,000 caribou; in 2015, only 59% breeding cows observed in the high density strata; poor recruitment/calf survival; estimated cow survival rate <80% (require 82-85% consistently for a healthy herd); low pregnancy rate

Board Members asked:

- Reason(s) for low cow survival → condition and/or predation
- Plans to conduct research or partner with universities for research questions
- Habitat indications → decreased forage quality; increased insect abundance; increased growing season (shrubs taking over barrenlands); weather indices (possible dropped coats later in summer)
- Fall hunt → expectation that there will be no fall hunt due to caribou location and numbers
- Mobile Caribou Zone vs. Subzones → subzones work more efficiently if herd is scattered but legally challenging; Tłıchǫ Government perspective is that subzones provide more certainty for management (easier to close a zone as needed)
- Harvest in Nunavut → Bathurst: 75 tags for outfitter, with proposal to increase to 100 tags; Bluenose-East: ~1000 caribou harvested/year; Beverly/Ahiak: mostly Lutsel K'e harvest

2.2 Bathurst and Bluenose-East Caribou Herds 2015/2016 Harvest Recommendations

Board Members reviewed and discussed the first draft reasons for decisions (Day 1); generally supported GNWT /TG recommendations but noted that it is difficult to make decisions and maintain Board credibility and authority with an overload of information and short timelines. Board Member reviewed, discussed and amended cover letter and reasons for decisions (Day 2).

Motion #440-24-09-2015

*Pending legal review, to approve the
Bathurst & Bluenose-East Caribou Herds -*

*2015/2016 Recommendations and Reasons
for Decision on Management Actions as
amended*

Moved:
Second:

Bruce MacDonald
Charlie Jeremick'ca

Motion Approved

ACTION #282-24-09-2015 (ED): To forward cover letter and 2015/2016 Bathurst and Bluenose-East Caribou Herds – Recommendations and Reasons for Decision on Management Actions

2.3 WRRB Proceedings Preparation

a) Review and Approval of Rules of Procedure

John Donihee, WRRB legal counsel, conducted a legal review of the Rules of Procedure (November 6, 2009) and suggested a number of minor amendments as well as adding a clause that allows the WRRB to conduct joint hearings in collaboration with another organization responsible for the management of migratory or shared wildlife. Once approved, the Rule will be posted to the Board's website and will be shared with the Parties to the Tłı̨ch̨ Agreement.

Question to be addressed by legal counsel about definition of technical consultant and addition of "Board Members, Board Staff and technical consultants" to 84(h).

Motion #435-23-09-2015

*To approve the revised Rules of Procedure
as presented*

Moved:
Second:

Bruce MacDonald
Charlie Jeremick'ca

Motion Approved

ACTION #279-23-09-2015 (ED): To finalize Rules of Procedure as discussed and distribute to all Parties to the Tłı̨ch̨ Agreement as well as post to the Board's website

ACTION #280-23-09-2015 (ED): To follow-up with legal counsel about definition of technical consultant and suggested additions to 84(h)

b) Review and Approval of Rule for Management Proposals

John Donihee, WRRB legal counsel, conducted a legal review of the Rule for Management Proposals (July 14, 2014) and suggested a number of minor amendments as well as a significant reformatting to allow for more consistent flow. Once approved, the Rule will be posted to the Board's website and will be shared with the Parties to the Tłı̨ch̨ Agreement.

Motion #436-23-09-2015

To approve the revised Rule for Management Proposals as presented

Moved:
Second:

Archie Wetrade
Steven Matthews

Motion Approved

ACTION #281-23-09-2015 (ED): To finalize Rule for Management Proposals as discussed and distribute to all Parties to the Tłıchq Agreement as well as post to the Board's website

c) Proposed Collaborative Hearing Process

John Donihee, WRRB legal counsel, prepared an opinion for the Board that provides further analysis of the WRRB joint hearing authority. The opinion addresses details related to Board participation in joint hearings. The suggestion is to develop a memorandum of understanding (MOU) with the SRRB that sets out a framework for the collaborative hearing process.

On September 15, 2015, the SRRB confirmed their interest in participating in a collaborative hearing process and developing a MOU with the WRRB. The SRRB and WRRB (Chairs, Executive Directors and Legal Counsel) have scheduled to meet in October 2015 to develop a MOU and discuss logistics.

d) Public Registry Upgrade – Review and Approval of Website

In order to prepare itself, the WRRB has reviewed its legal requirements for a public registry. In May 2015, Outcrop Communications was contracted to undergo necessary development and programming upgrades on the Board's website (www.wrrb.ca). The upgrades are expected to improve the functionality of the website, thus improving communications with the proponents, intervenors and general public.

Recommendations for website include use of photos from Wek'èezhìi, tag photos with Tłıchq name and photo credit.

Motion #437-23-09-2015

To support the general direction of the website & public registry as presented and to post live on the Internet when complete

Moved:
Second:

Suzanne Carriere
Edward Chocolate

Motion Approved

e) Funding

The Board informed Aboriginal Affairs & Northern Development Canada (AANDC) about the possibility of two public hearings in 2015/2016 on July 7, 2015. Due to the highly sensitive nature of caribou harvest limitations, the

WRRB would initiate separate proceedings, including a public hearing, for each herd at a cost of ~\$75,000/proceeding.

Further, AANDC was informed of the Board's requirement to maintain a public registry; therefore, a budget and workplan for upgrading the Board's website, including its public registry, was also submitted. To date, no reply has been received. Due to the federal election in October 2015, there is a good possibility of a delay in funding availability.

2.4 Advisory Committee for Cooperation on Wildlife Management Update

a) Bluenose Caribou Herds Action Planning

Action planning will continue as planned with herd assessments to be completed following the release of the 2015 population estimates for the Cape Bathurst, Bluenose-West and Bluenose-East caribou herds. It is expected that the Action Plans for each herd will be completed and submitted to Department of Environment & Natural Resources, Government of the Northwest Territories, Department of Environment, Government of Nunavut and other Aboriginal governments for implementation before March 31, 2016.

The Advisory Committee for Cooperation on Wildlife Management (ACCWM) met on August 7, 2015 to discuss outstanding issues, including the ACCWM's future role in wildlife management. The ACCWM reviewed its Memorandum of Understanding (MOU) and Terms of Reference (ToR); the decision was to revise and combine the two documents into one draft MOU. As an accompaniment to the MOU, a correspondence procedure was drafted to be shared with all government partners.

Motion #439-24-09-2015

To approve the revised ACCWM Memorandum of Understanding and Correspondence Procedure as presented

Moved:
Second:

Charlie Jeremick'ca
Steven Matthews

Motion Approved

ACTION #283-24-09-2015 (ED): To inform the Member Boards of the ACCWM of the WRRB's approval of the MOU and correspondence procedure

b) Bluenose-East Harvest Allocation Request

Also on August 7, 2015, the ACCWM discussed the need for a proportional harvest allocation for the Bluenose-East caribou herd. While Department of Environment & Natural Resources (ENR), Government of the Northwest Territories, Department of Environment implemented a harvest allocation for the 2014/15 harvest season, this was considered to be a temporary allocation for 2014/15 only as proper consultation was not undertaken.

On August 24, 2015, an email was sent to ENR requesting that a meeting of all traditional NWT and Nunavut harvesters of the Bluenose-East caribou herd as well as wildlife management authorities from the herd range be called to discuss and determine a harvest allocation by no later than the end of September 2015. To date, no reply has been received.

** Suzanne Carriere declared a conflict of interest related to item 2.5 **

2.5 Conference of Management Authorities Items

a) Herd Splitting for Barren-ground Caribou Assessment

The Species at Risk Committee (SARC) has asked the Conference of Management Authorities (CMA) for direction on whether any particular herd grouping is preferred for the assessment of the species. SARC, bound by its own rules, and without different direction from the CMA, will either assess all nine herds together (Porcupine, Tuktoyaktuk Peninsula, Cape Bathurst, Bluenose-West, Bluenose-East, Bathurst, Beverly, Ahik, and Qamanirjuaq) or will assess the eight central/eastern herds together and will assess Porcupine separately, on the basis of geographic distinctness. The CMA, under the *NWT Species at Risk Act*, has the discretion to identify a distinct population other than a biologically or geographically distinct population (Section 26(2)) (e.g., different regional groupings based on management approach) and may direct SARC to assess that species unit.

The Board supported the assessment of the eight central/eastern herds together and will assess Porcupine separately, on the basis of geographic distinctness.

b) SARC Prioritization

SARC submitted a letter to the CMA in July 2015, requesting input on species considered for prioritization. SARC currently prioritizes and considers for assessment all species that are considered 'may be at risk' under the NWT General Status Ranks and those that are being dealt with by COSEWIC. SARC was wondering whether the CMA considers it necessary to continue prioritizing and assessing species considered by COSEWIC but for which few threats exist in the NWT (e.g., Short-eared owl).

The Board supported SARC continuing to assess COSEWIC-ranked species, but those that have few threats in the NWT are considered only on a case-by-case basis.

c) Lesser Known Species

In January 2015, the Board discussed the subject of 'lesser known species'. The Board's position was provided to the CMA. The Species at Risk Secretariat produced an options paper on lesser known species for further discussion on possible paths forward at the 1) prioritization and assessment schedule stage and 2) listing and management/recovery stage.

The Board supported engaging with SARC to review and amend the Checklist for Establishing Assessment Priority and the Guidelines for the Preparation of a SARC Status Report. Further, efficiencies in areas to reduce workload should be considered.

ACTION #284-24-09-2015 (ED): To inform the CMA, at the October 15-16, 2015 meeting, of the WRRB's discussion and support related to herd splitting for barren-ground caribou, SARC prioritization and lesser known species

The WRRB's comments on the draft Boreal Caribou Recovery Strategy, submitted on July 15, 2015, were tabled. The consensus agreement for the recovery strategy was to be signed and submitted in October 2015 for a completion date of February 27, 2016. However, due to the complex nature of their management and the receipt of significant and substantive comments during consultation and engagement that necessitates additional time to address, the completion date of the NWT Boreal Caribou Recovery Strategy is being extended by one year to February 27, 2017, based on the advice of the preparer.

The WRRB's comments on the draft species status report for barren-ground caribou in the NWT, submitted on September 15, 2015, were tabled. Due to the importance of barren-ground caribou in Wek'eezhii, the Board approached the review of the draft in a different manner. In addition to review of both components by the WRRB Wildlife Management Biologist, the Board contracted Dr. Aalice Legat to review the traditional knowledge component. The barren-ground caribou assessment has been changed from December 2016 to March 2017 at the request of the GNWT, and approval of a majority of the CMA members. The WRRB Interim Chair and Executive Director supported this decision following review of the 2016 and 2017 consultation schedules.

2.6 Forest Bird Monitoring Update, Samuel Hache, CWS

PowerPoint, entitled "*Community-based landbird monitoring program in the Tłı̄ch̄q region*", tabled

A new community-based landbird monitoring program, that got underway this summer in the Tłı̄ch̄q region, will allow researchers to learn more about what and how many breeding landbird species are in Wek'eezhii as well as their status and if there are any possible threats to their populations.

In 2015, the researchers installed Autonomous Recording Units (ARUs) at various sites, and now will be working on analyzing all the recorded data. ARUs can record sound and show frequencies and patterns visually and enable researchers to literally see the song, i.e. provide a snapshot of what is singing in the forest. Those patterns can be interpreted and matched to individual bird species. ARUs also can collect a soundscape of other animals making sounds in the forest.

There are also plans for a long-term community-based monitoring program that can involve community members –from fieldwork installing and retrieving ARU's to using computers to run song recognizers.

2.7 Request to Post Proposed Recovery Documents to the Species at Risk Registry – Little Brown Myotis, Northern Myotis & Tri-coloured Bat and Wood Bison

The WRRB was asked to consider whether or not it approves the recovery document, and whether it supports the posting of the *Proposed Recovery Strategy for Little Brown Myotis (Myotis lucifugus), Northern Myotis (Myotis septentrionalis), and Tri-coloured Bat (Perimyotis subflavus) in Canada* on the Species at Risk Registry for the 60-day public comment period under the federal *Species at Risk Act*.

Environment Canada provided the draft recovery document to the WRRB on May 22, 2015 for the first jurisdictional technical review. A response from the WRRB was received on May 29, 2015 relating to the potential for updating some information presented in the draft. Environment Canada did not receive any comments from the Tłıchq Government or communities during the community consultations.

The WRRB was asked to consider whether or not it approves the recovery document, and whether it supports the posting of the *Proposed Recovery Strategy for the Wood Bison (Bison bison athabasca) in Canada* and on the Species at Risk Registry for the 60-day public comment period under the federal *Species at Risk Act*.

Environment Canada provided the draft recovery document to the WRRB in January 2015 for the first jurisdictional technical review. A response from the WRRB was received on March 3, 2015 relating to the potential for updating some information present in the draft. A meeting was held in Behchoko on May 20, 2015 with Tłıchq Government, and key knowledge holders from the Behchokò community. Key knowledge holders in Whatì determined that a meeting regarding the draft recovery document was not needed in that community. The Aboriginal traditional and community knowledge that was shared during this process has been used to inform this recovery strategy and is referenced throughout the strategy.

Motion #441-24-09-2015

To approve the proposed Recovery Strategy for Little Brown Myotis (Myotis lucifugus), Northern Myotis (Myotis septentrionalis) and Tri-coloured Bat (Perimyotis subflavus) in Canada and the proposed Recovery Strategy for the Wood Bison (Bison bison athabasca) in Canada as presented, and support the posting of these proposed recovery documents on the Species at Risk Registry for a 60-day comment period

Moved:
Second:
Abstain:

Steven Matthews
Edward Chocolate
Bruce MacDonald

Motion Approved

ACTION #285-24-09-2015 (ED): To write letter to Regional Director, Canadian Wildlife Service, to approve both recovery documents (myotis/bat and bison) and support posting to the Species at Risk Registry

2.8 Review and Approval of Boundary, Vision and Management of Proposed Dinàgà Wek'èhodì Protected Area

In October 2014, the Working Group recommended that the GNWT meet with the Tłıchq Government to discuss their land protection tools. The resulting meeting between Minister Miltenberger, Grand Chief Erasmus and members of the Chief's Executive Council took place on May 22, 2015. The Tłıchq Government heard from Minister Miltenberger on GNWT's commitment to an expedited process to establish and provide long term protection for Dinàgà Wek'èhodì using GNWT legislation. Following the meeting with GNWT, the Tłıchq Government relayed to Environment Canada/Canadian Wildlife Service partners their decision to work with the GNWT to assess a territorial approach for Dinàgà Wek'èhodì.

Environment Canada (EC) provided the following clarifications:

- EC respects that the GNWT is now the primary land management manager/authority within the NWT;
- The primary reason the National Wildlife Area establishment had taken so long, was due to the GNWT requested PAS "pause"; and,
- While the Tłıchq Government originally requested the Canadian Wildlife Service to attend the meeting with Minister Miltenberger, the GNWT had requested EC not attend a meeting with the Tłıchq Government until they had an opportunity to meet bilaterally with the Tłıchq Government. EC respected that GNWT request. The GNWT had committed to advise the Tłıchq Government that the GNWT had requested EC not to attend the Chief's Executive Council meeting. EC learned after the meeting that the GNWT had not delivered that message to the Tłıchq Government.

Organizations are requested to provide their support and/or perspective on the boundary, vision and management objectives and goals for inclusion in the Dinàgà Wek'èhodì Working Group's report.

Motion #442-24-09-2015

To support the boundary, vision and management goals and objectives for the proposed Dinàgà Wek'èhodì Protected Area as presented

Moved:
Second:

Edward Chocolate
Steven Matthews

Motion Approved

ACTION #286-24-09-2015 (ED): To write letter to the Manager, Conservation Planning, GNWT to support the boundary, vision and management goals & objectives as proposed

2.9 Review and Approval of Proposed Amendments to the Forest Management Act

The Board learned, via News/North NWT, that the Department of Environment and Natural Resources (ENR) was proposing amendments to the Forest Management Act (Bill 54). The Standing Committee on Economic Development and Infrastructure (SCEDI) was to review Bill 54 and hold a public hearing on September 17, 2015. The Gwich'in Renewable Resources Board and Sahtú Renewable Resources Board were contacted to determine whether or not ENR had consulted with them about Bill 54. As of September 18, 2015, no correspondence had been received.

Based on a suggestion from WRRB Legal Counsel, John Donihee, on September 15, 2015, a letter was forwarded to the Minister of ENR and copied to the SCEDI Chair asking for a formal request to review and comment on the proposed amendments. Per the Board's September 15th letter, the SCEDI postponed its public hearing in order to allow time for the WRRB to review and comment.

Motion #443-24-09-2015

To support the proposed amendments to the Forest Management Act (Bill 54) as presented

Moved:

Bruce MacDonald

Second:

Charlie Jeremick'ca

Abstain:

Steven Matthews

Motion Approved

ACTION #287-24-09-2015 (ED): To write letter to ENR Minister to support the proposed amendments to Bill 54

2.10 Draft NWT Conservation Areas Action Plan

The Board learned, via CBC North online article, that the Department of Environment and Natural Resources (ENR) was seeking review, comment and input on the draft *NWT Conservation Areas Action Plan 2015-2020: Healthy Land, Healthy People*. The Board understands that the draft has been sent to Aboriginal groups, the Chamber of Mines, the Canadian Association of Petroleum Producers and environmental groups, including the Canadian Parks and Wilderness Society, Ducks Unlimited Canada, and Tides Canada. The Gwich'in Renewable Resources Board and Sahtú Renewable Resources Board were contacted to determine whether or not ENR had consulted with them about the draft Conservation Areas Action Plan. As of September 18, 2015, no correspondence had been received.

Based on a suggestion from WRRB Legal Counsel, John Donihee, on September 22, 2015, a letter was forwarded to the Minister of ENR asking for a formal request to review and comment on the draft Conservation Areas Action Plan. Further, Legal Counsel suggested that the Board seek a meeting with the Tłı̨chǫ Government's Chief Executive Council to request support for "the WRRB

being front and center early in GNWT initiatives, not just on wildlife but also on plants, forestry and protected areas.”

ACTION #288-24-09-2015 (ED): To set up meeting with Tłıchǵ Government’s Chief Executive Council regarding the NWT Conservation Areas Action Plan

2.11 Environmental Assessment Updates

a) Jay Project, Diavik Diamond Mines Inc

On April 20, 2015, the WRRB Wildlife Management Biologist attended the Jay Project Technical Session which focused on the project description and alternatives, and wildlife (excluding caribou). On April 21, 2015 the WRRB Wildlife Management Biologist attended the Technical Session which focused on caribou. On June 25, 2015, the WRRB Wildlife Management Biologist attended a workshop on the Jay Project Wildlife Effects Monitoring Program (WEMP) and Caribou Road Mitigation Plan.

On September 1, 2015, the WRRB provided the MVERIB a description of the Bathurst caribou long term management planning process, per MVEIRB’s August 24, 2015 request to WRRB and GNWT to update on the process. The description was reviewed by GNWT prior to submission, and was submitted under two separate cover letters from the GNWT and WRRB

On Sept 15, 2015, the Executive Director attended the public hearing in Yellowknife, which focused on caribou. The Interim Chair attended the community hearing in Behchokǵ on September 17, 2015.

b) Chedabucto Mineral Exploration Project, Husky Oil

A community hearing in Behchokǵ was scheduled for June 18, 2015. Formal public hearings in Yellowknife were scheduled for June 23-24, 2015. On June 16, 2015, Husky provided a letter to MVEIRB advising the Board that Husky is withdrawing its application for the Project.

On June 16, 2015, the Review Board posted a letter on their on-line registry to participants indicating that Husky had withdrawn its application, that the environmental assessment was closed, and that the community hearing in Behchokǵ and the Yellowknife public hearings were cancelled.

c) Coppermine Exploration Project, Tundra Copper Corporation

On June 4, 2015, Tundra responded to questions and concerns raised during the NIRB’s screening of the Land Use Permit and Water License amendment applications. As part of their response Tundra provided a revised exploration plan with a change to the proposed start date of its exploration programs. Through consultation, advice from the Kugluktuk HTO, and review of the most up to date government information on timing and location of calving in the Bluenose-East Caribou herd, activities were proposed to start after July 5, with any helicopter-supported activity after July 15th, 2015. On July 7, 2015, NIRB distributed a

Notice of Indication and Screening Decision Report on the project proposal, indicating the proposal may be processed without a review under Part 5 or 6.

3.0 Financial

3.1 Approval of Audited Financial Statement as of March 31, 2015

Motion #444-24-09-2015

To approve the Audited Financial Statement as of March 31, 2015 as presented

Moved:
Second:

Suzanne Carriere
Archie Wetrade

Motion Approved

ACTION #289-24-09-2015 (ED): To forward final audited financial statement to Director, Implementation Management Directorate, AANDC

3.2 Approval of Financial Statement as of August 31, 2015

Motion #445-24-09-2015

To approve the financial statement as of August 31, 2015 as presented

Moved:
Second:

Archie Wetrade
Steven Matthews

Motion Approved

4.0 Operations

4.1 Approval of Operating Procedures Manual May 2015

- a) Subsection 4.4.b – Payroll
- b) Section 7 – Fieldwork Safety Policy

Policies related to fieldwork safety and payroll have been drafted by Staff and reviewed by legal counsel at McLennan Ross. The revision to the payroll policy eliminates the need for a salary scale.

Board Members requested the addition of “appropriately trained” to clause 7.5(c) of the fieldwork safety policy. Follow-ups with legal counsel for possible inclusion to the fieldwork safety policy: minimum age limit for carrying firearm, requirement for safety training (basic/wilderness first aid, supervisor/employee safety training), working alone, and procedure if don’t check in.

Motion #446-24-09-2015

To approve the Operating Procedures Manual as amended

Moved:
Second:

Edward Chocolate
Suzanne Carriere

Motion Approved

ACTION #290-24-09-2015 (ED): To update Operating Procedures Manual with subsection 4.4.b and amended section 7

ACTION #291-24-09-2015 (ED): To follow-up with McLennan Ross legal counsel about additions to the Fieldwork Safety Policy

Motion #447-24-09-2015

To require Board Staff to complete Occupational Health and Safety Training (employee and supervisor) courses

Moved:
Second:

Suzanne Carriere
Bruce MacDonald

Motion Approved

ACTION #292-24-09-2015 (ED): To set up Staff training opportunities for Occupational Health and Safety training

5.0 Information Items

Information items tabled for review by the Board Members.

6.0 Other Items

6.1 Round Table

Board Members thanked the community of Behchokò, translators and Staff for a good meeting with lots of good discussion and decisions. Despite public pressure, the Board and Staff remain respectful while working out suitable recommendations for difficult situations.

6.2 Next Meeting

The next meeting is scheduled for late October/early November after receipt of joint management proposal in Yellowknife, NT.

Closing Prayer: Archie Wetrade

Adjournment: 4:23 p.m. (Motion #448-24-09-2015)

Minutes Approved:

Original Signed

January 14, 2016

Chairperson

Date