



Tłıchǫ Government

Box 412, Behchokǫ, NT X0E 0Y0 • Tel: (867) 392-6381 • Fax: (867) 392-6389 • www.tlcho.ca



Northwest Territories Environment and Natural Resources

APR 22 2016

Mr. Grant Pryznyk  
Chair  
Wek'èezhìi Renewable Resources Board  
4504 49<sup>TH</sup> AVENUE  
YELLOWKNIFE NT X1A 1A7

Dear Mr. Pryznyk:

**Response to WRRB Question about Wek'èezhìi TAH Allocations**

The Tłıchǫ Government (TG) and the Department of Environment and Natural Resources (ENR), Government of the Northwest Territories (GNWT) would like to submit to the Wek'èezhìi Renewable Resources Board (WRRB) the attached input on how a Total Allowable Harvest (TAH) allocation for the Bluenose-East herd might be implemented

We look forward to the WRRB's decisions and recommendations on the "*Joint Proposal on Management Actions for Bluenose-East (BNE) Caribou 2016-2019*".

Sincerely,

Sjoerd van der Wielen  
Manager, Lands Section  
Department of Culture and Lands  
Protection, TG  
BEHCHOKǪ, NT X0E 0Y0

*by* Fred Mandeville  
Assistant Deputy Minister Operations  
ENR, GNWT  
YELLOWKNIFE, NT X1A 2P9

Attachment

c. Grand Chief Edward Erasmus, TG

Ms. Laura Duncan, Tł̨chq Executive Officer, TG

The Honourable Wally Schumann, Minister, ENR

Ms. Lucy Escalante, Executive Secretary to Minister Wally Schumann  
ENR

Mr. Doug Pon, Ministerial Special Advisor to Minister Wally Schumann ENR

Mr. Ernie Campbell, Deputy Minister, ENR

Ms. Lynda Yonge, Director, Wildlife Division, ENR

Mr. Roger Fraser, A/Regional Superintendent, North Slave, ENR

Mr. Jeff Walker, Regional Superintendent, South Slave, ENR

Ms. Jody Pellssey, Executive Director, WRRB

**Joint Response of the Government of the Northwest Territories  
Environment and Natural Resources & Tłı̄chų Government  
Response to WRRB Question at Page 181 of Transcript on Day 2, April 7, 2016**

The GNWT Department of Environment and Natural Resources and the Tłı̄chų Government were asked to answer the following question:

What does ENR and the Tłı̄chų Government suggest the Board should do in order to distinguish the way that the total allowable harvest will work within its area of jurisdiction, from the herd-wide allocation which you have set out for the Board?

In addition to the submission herein, ENR & the Tłı̄chų Government encourage the WRRB to also consider their responses on the issue of allocation which were submitted through the information request process.

Section 12.7.1 of the Tłı̄chų Agreement states that:

When the Wek'èezhìi Renewable Resources Board makes an allocation of a total allowable harvest level, it shall allocate

(a) a sufficient portion

(i) for the Tłı̄chų First Nation to exercise its rights to harvest wildlife in Wek'èezhìi, and

(ii) for any other Aboriginal people to exercise its rights to harvest wildlife in Wek'èezhìi; and

(b) portions of any remainder of the total allowable harvest level among other groups of persons or for other purposes.

Both ENR and the Tłı̄chų Government recognize the allocation provided in the Joint Proposal and during the public hearings were “herd wide”, and that the WRRB can only make allocations for the harvesting in wildlife in the Wek'èezhìi region. Notwithstanding this limitation, ENR and the Tłı̄chų Government submit that consideration of the herd as a whole provides the best opportunity to create effective management recommendations. Such an approach is consistent with the stated goals of the WRRB and the SRRB in engaging in a cooperative approach to public hearings, which are to increase consistency of trans boundary conservation measures and ensure management of the Bluenose East caribou herd is as effective as possible.

In making decisions, it is critical to recognize that the Bluenose-East herd's winter range varies from year to year; it may winter largely north of Great Bear Lake, in the Sahtu region, it may winter primarily in Wek'èezhii, or it may be in both areas.

ENR and the Tłı̨chǫ Government submit that the proposal for a herd wide harvest of 950 animals represents a reasonable harvest limit for the Bluenose-East caribou herd and which limit is required for conservation purposes. By accepting the harvest limit set out in the Joint Proposal, the WRRB has a basis to make findings which can then ground its conclusions on allocation. The Joint Proposal delineates an allocation based on the herd, recognizing its annual range crosses the jurisdictional boundaries established through land claim and self-government agreements, as well as the asserted territories of several groups with unsettled claims.

A comprehensive approach to the BNE harvest should provide for Tłı̨chǫ hunters harvesting in the Sahtu and Sahtu hunters harvesting in Wek'èezhii. Other Aboriginal persons also need to be able to harvest where the herd is found in any given winter. If there is a common TAH and the WRRB accepts the allocation set out in the Joint Proposal, then all other Aboriginal groups with a history of harvesting the BNE herd will have their rights respected. Both ENR and the Tłı̨chǫ Government are of the view that the "herd wide" allocation provided in the presentations represents a reasonable allocation under the circumstances the herd is facing. As reflected in the information responses, there are a significant number of factors that have been taken into consideration in putting forward the proposed allocations, including but not limited to recent harvest data, the fact some users did not harvest in some years and the overall need for an equitable distribution for all users of the BNE herd.

In addition, the Tłı̨chǫ Government, supported by ENR, suggests the "herd wide" minimum allocation of 373 caribou to the "Tłı̨chǫ" be allocated in Wek'èezhii. The Tłı̨chǫ Government is satisfied that such an allocation would meet the requirement in 12.7.1(a)(i).