



Mr. Grant Pryznyk
Chair
Wek'èezhì Renewable Resources Board
4504 - 49th AVENUE
YELLOWKNIFE NT X1A 1A7

APR 22 2016

Dear Mr. Pryznyk:

Final Written Submissions to the 2016 Bluenose-East Caribou Herd Proceeding

The Department of Environment and Natural Resources (ENR), Government of the Northwest Territories (GNWT) would like to submit to the Wek'èezhì Renewable Resources Board (WRRB) the attached final written submission to the 2016 Bluenose-East Caribou Herd Proceeding.

We look forward to the WRRB's decisions and recommendations on this matter.

Sincerely,

foz Fred Mandeville
A/Assistant Deputy Minister
Environment and Natural Resources

Attachments

- c. Honourable Wally Schumann, Minister, ENR
Grand Chief Eddie Erasmus, Tł̨chq̨ Government
Ms. Laura Duncan, Executive Officer, Tł̨chq̨ Government
Mr. Gary Bohnet, Principal Secretary, Premiers Office
Mr. Martin Goldney, Deputy Minister, Aboriginal Affairs and Intergovernmental Relations
Mr. Ernie Campbell, Deputy Minister, ENR
Mr. Roger Fraser, A/Regional Superintendent, North Slave, ENR
Mr. Jeff Walker, Regional Superintendent, South Slave, ENR
Ms. Lynda Yonge, Director, Wildlife Division, ENR
Ms. Jody Pellisey, Executive Director, WRRB
Mr. Sjoerd van der Wielen, Manager, Lands Section, Tł̨chq̨ Government

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**Government of the Northwest Territories
Environment and Natural Resources
Final Written Submissions to the WRRB's 2016 Bluenose-East Caribou Herd
Proceeding**

The following are the final submissions of the Government of the Northwest Territories, Department of Environment and Natural Resources (ENR) for the 2016 Bluenose-East Caribou Herd Proceeding, following the Wek'èezhìi Renewable Resources Board (WRRB) public hearing held in Behchokò April 6-8, 2016.

ENR will also submit under separate cover a response to undertaking #1 from the public hearing to provide the WRRB with a report regarding ENR and community-based monitoring plans, as well as joint ENR and Tłı̄chų Government (TG) input on how a Total Allowable Harvest (TAH) and allocation for the Bluenose-East herd might be implemented.

Jurisdiction:

The Tłı̄chų Agreement ("the Agreement") includes specific provisions regarding wildlife harvesting management, set out in Chapter 12 of the Agreement.

12.1.1 The objective of this chapter is to recognize the importance of wildlife and its habitat to the Tłı̄chų First Nation well-being, way of life, and land-based economy.

Section 12.1.2 of the Agreement creates the WRRB as an institution of public government to perform the functions of wildlife management set out in the Agreement, and requires the WRRB to act in the public interest.

Section 12.1.5 incorporates a series of principles the WRRB is required to apply in exercising their powers in relation to the management of wildlife. Sections 12.1.5(b) and (c) are particularly important when considering the Joint Management Proposal for the Bluenose-East (BNE) Caribou Herd submitted by ENR and TCG. Those principles require the WRRB to:

(b) apply the principles and practices of conservation;

(c) use the best information available, except that, in the absence of complete information, where there are threats of serious or irreparable damage, lack of complete certainty shall not be a reason for postponing reasonable conservation measures;

Section 12.6 of the Agreement grants the WRRB specific authority to make a final determination in relation to a proposal regarding a total allowable harvest level for Wek'èezhìi and the allocation of portions of any total allowable harvest levels for Wek'èezhìi to groups of persons or for specified purposes. Section 12.6.1 of the

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Agreement further provides that a total allowable harvest for Wek'èezhii or Monfwi Gogha De Niitlee shall be determined for conservation purposes only and only to the extent required for such purposes.

Accordingly, ENR and the Tłı̨chǫ Government submitted a *Joint Proposal On Management Actions For Bluenose-East (BNE) Caribou 2016-2019* to the WRRB on December 15, 2015. That proposal outlined proposed management actions for the Bluenose-East caribou herd in Wek'èezhì, including the establishment of a total allowable harvest. The Bluenose-East caribou management proposal was developed collaboratively by the TG and ENR after results of the June 2015 calving ground photographic survey showed the Bluenose-East herd had declined by nearly half since 2013. A very similar proposal for this herd was submitted by ENR to the Sahtú Renewable Resources Board (SRRB) on December 15, 2016, and the SRRB held a public hearing on this proposal in Délı̨ne from March 1-3, 2016.

The Need for Conservation: Status of the Bluenose-East herd

In 2014, a calving ground reconnaissance survey suggested that the Bluenose-East herd had declined dramatically since the calving ground survey in 2013.

A calving ground photographic survey in June 2015 confirmed that the total number of breeding cows had declined from an estimated $34,472 \pm 4,363$ (95% Confidence Interval) in 2013 to an estimate of $17,396 \pm 4,616$ in 2015, a decline of about 50%, between 2013 and 2015. The total population estimate fell from $68,295 \pm 18,041$ in 2013 to $38,592 \pm 4,733$ in 2015 – a decline of approximately 43% over two years. In 2010 the herd was estimated at more than 100,000 adult caribou.

The 2015 survey also suggested that 36% of the cows in the Bluenose-East herd were non-breeders, which suggests the pregnancy rate in winter 2014 – 2015 was likely about 64%, well below the 80% normally seen in a healthy herd.

Other vital rates for the Bluenose-East herd are also poor. The cow survival rate between 2013 and 2015 is estimated to have been 71%, below the 80 – 85% associated with a stable herd. Calf recruitment in the last 3 years (2014-2016) has averaged 28 calves:100 cows, well below the 30 – 40 calves:100 cows generally associated with stable herds.

Taken together, these vital rates are consistent with a rapid rate of decline. Unless these vital rates improve substantially, the herd is likely to decline further in the next few years and recovery is uncertain given low productivity over the past few years.

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Main elements of the Joint Bluenose-East Caribou Management Proposal

Given the results of the 2015 calving ground photographic census and the serious state of decline of the Bluenose-East herd, the TG and ENR collaboratively developed a joint management proposal for conservation-based management actions to try to help reverse the Bluenose-East herd's decline and promote an increase in the number of breeding females in the herd. These actions would be undertaken between November 2016 and November 2019 and have the full support of both governments. The next population estimate for the Bluenose-East herd is expected in June 2018, and a new management proposal may be needed thereafter. Management actions will be evaluated annually and may need to be adapted as new information becomes available.

The proposal has three main components:

1. Hunter Harvest

Hunter harvest is one of the few factors directly affecting caribou mortality rates that can be controlled. It is unlikely that harvest is one of the main drivers of the overall caribou cycles or long-term fluctuations in caribou numbers; these cycles or fluctuations occur with or without substantial hunter harvest. However, harvest can become a significant contributor to decline in a herd if the harvest is large relative to herd size, if it is largely made up of breeding cows, and if the herd has an underlying declining natural trend. With the Bluenose-East herd's currently reduced and rapidly declining population size, harvest should be conservative so that it does not contribute to further decline.

To help slow the decline of the Bluenose-East herd and to promote its recovery, TG and ENR recommend limiting harvest of Bluenose-East caribou to a Total Allowable Harvest (TAH) of 950 caribou herd-wide, with all harvest to be bulls and focused on younger, smaller bulls. The proposed TAH of 950 supports protection of the herd while still allowing for an Aboriginal subsistence harvest, and is consistent with the requirements of Section 12.6.3 of the Agreement. This recommendation will continue to be reviewed annually with co-management partners and revised if appropriate, based on any new information, an approach which also continues to be consistent with the provisions of the Agreement. This harvest is approximately 2.5% of the estimated herd size in 2015. This recommendation is consistent with the 2014 management plan for this herd of a TAH accepted by the Advisory Committee for Cooperation on Wildlife Management (ACCWM) if the herd is of intermediate size (20,000-60,000) and declining. If the herd's current rate of decline continues, the herd is likely to be in the red phase (low numbers, below 20,000) by 2018, when the next population survey is planned.

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Until an allocation formula accepted by all user groups becomes available, the allocation proposed for the harvest in the Northwest Territories is 611 caribou (Tłı̄chǰ 373, Sahtú 163, Dehcho 15, Inuvialuit 8, NWT Métis Nation [NWTMN] 14, Akaitcho 20, and North Slave Métis Alliance [NSMA] 17). While the TG and ENR have no jurisdiction in Nunavut, the suggested allocation for Nunavut in the joint proposal is 339 and is consistent with the submission by the Government of Nunavut to the Nunavut Wildlife Management Board.¹ A public hearing of the Nunavut Wildlife Management Board (NWMB) to consider a TAH for Bluenose-East caribou in Nunavut is scheduled for June 16 and 17, 2016.

TG and ENR would like to acknowledge the leadership shown by the community of Délı̄ne in developing a community-based caribou conservation plan that is focused on younger, smaller bulls, with a limit consistent with the overall proposed harvest limit of 950 caribou for the herd.

Additional effort will be put into promoting respect for caribou, including hunter education on sound hunting practices, including limiting wounding losses and eliminating wastage, promoting reliable harvest reporting, and increased public education on the status and management of caribou herds.

2. Predator Management

Predators are the other factor directly affecting caribou mortality rates that can be managed to some extent. Previous efforts to increase the annual harvest of wolves on barren-ground caribou winter ranges in the NWT through incentives to wolf hunters and trappers have had limited success since 2010. ENR has recently revised its incentives to wolf harvesters to include three options. All harvesters, including resident hunters, are able to access an enhanced fur incentive program for wolf pelts. This program allows harvesters to bring an intact wolf, a wolf pelt prepared to traditional standards, or a Genuine Mackenzie Valley Fur Program wolf pelt to the ENR offices to receive between \$200 and \$800.

We have repeatedly heard about the importance of involving communities in a meaningful way to develop an approach to predator management that is respectful, ethical, and effective. TG and ENR have proposed a collaborative community-based wolf harvesting pilot project for Tłı̄chǰ communities based on recommendations from Tłı̄chǰ elders. Selected Tłı̄chǰ citizens will be trained by experts (an expert in wolf hunting and trapping, a taxidermy/skinning expert, and a Tłı̄chǰ elder) in field techniques for hunting/trapping wolves, skinning, and fur preparation. Mobile wolf-hunter camps will be established in early or late winter, with the initial objective of removing wolves from the Bathurst caribou range. If this project is successful, it could be expanded to other communities and to the Bluenose-East

¹ Submission to the Nunavut Wildlife Management Board by the Government of Nunavut attached as Schedule "A" to this submission.

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caribou winter range. ENR will also work with other interested Aboriginal groups to promote increased wolf harvest in the Bluenose-East range.

In addition, ENR, with the TG, will lead a collaborative review of wolf monitoring methods in the NWT and carry out a feasibility assessment of wolf management options to increase caribou survival rates. While we recognize the urgency of taking whatever action can be taken to help the recovery of the Bluenose-East herd, it is also important to ensure that any wolf management actions are well thought out, effective, and can be monitored and measured.

3. Monitoring

Biological monitoring of the Bluenose-East herd proposed for 2016-2019 would continue and enhance the current program of surveys and satellite radio-collars. Monitoring would include:

1. Annual reconnaissance surveys over the calving ground to provide an index of the numbers of cows on the calving ground.
2. A new calving photo survey to estimate the numbers of breeding females and overall herd size, planned for June 2018. Consideration could be given to moving this survey a year earlier as part of adaptive management.
3. Composition surveys carried out every 3 years during the calving surveys to provide an estimate of the proportion of cows that were breeders that year.
4. Fall composition surveys planned for every 2-3 years; these allow us to track the bull:cow ratio, and provide an index of calf survival to 4 months of age.
5. An annual composition survey in late winter to provide a calf:cow ratio and an estimate of calf recruitment through the first year.
6. Condition assessment of harvested caribou to give us an idea of the shape caribou are in from year to year.
7. An updated estimate of cow survival rate every year that a calving photo survey occurs, using collared caribou data in combination with other demographic information about the herd and using a population model.
8. Complete and accurate harvest reporting from all harvesters and communities.
9. Maintaining 50 GPS satellite collars on the herd (30 on cows and 20 on bulls), with annual additions to replace collars that reach the end of their batteries and or are on caribou that die.
10. Annual wolf harvest by all hunters and trappers will be monitored, along with information about the effort expended by hunters and trappers.

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Increased monitoring of the herd (e.g. annual fall composition surveys, annual composition surveys on the calving grounds, annual assessments of pregnancy rate from fecal collections on the late-winter range, and annual assessments of environmental indicators that may affect caribou condition and feeding conditions) will be considered if resources are available.

ENR and TG will also support research that increases understanding of drivers of change in caribou abundance, and support increased community-based monitoring by monitors from the Tłı̨chǫ communities.

The monitoring described should allow us to track the herd's trend and key variables between now and 2018, when the next calving photo survey is planned.

Given the herd's low numbers and declining trend, TG and ENR suggest that an annual review also occur, so that updated information can be considered and management actions can be re-evaluated. The annual review would include TG, ENR, WRRB, SRRB, and consultation with other Aboriginal governments and organizations that have an interest in the Bluenose-East herd.

What we heard during the public hearing

During the Bluenose-East Caribou Public Hearings of April 6-8, 2016, ENR heard a number of concerns from the public, interveners, board members, staff, and technical experts with respect to the joint management proposal, and other factors affecting the herd. Some of the key points are highlighted below.

Importance of maintaining caribou harvest for Aboriginal cultures

- Caribou are an important source of food for many Aboriginal people in the Northwest Territories, and a highly valued social and cultural resource. Restrictions on caribou harvesting opportunities would affect the people who are most dependent on country food, and least likely to be able to earn income from the wage economy. They also restrict the ability of people to engage in traditional activities that allow Traditional Knowledge to be passed on from one generation to the next.

ENR recognizes that limiting the harvest on the Bluenose-East herd will cause hardship to some communities. During the public hearing, Tłı̨chǫ elders and others spoke about the importance of caribou, not only as a source of food but also as an important means of keeping culture and language alive. These are important values and we all need to work together to find ways to protect culture and language while allowing the Bluenose-East herd to recover. While the proposed annual harvest of 950 animals from a herd with a rapidly declining natural trend does increase the likelihood of further decline to a limited extent, it also maintains some caribou harvesting opportunities for Tłı̨chǫ, Sahtú and other traditional users and communities.

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ENR has committed to helping accommodate Aboriginal governments and organizations that need to shift their harvest to other herds and other species, keeping in mind that those sources of food must also be protected from excess harvest pressure.

The GNWT has also recognized the importance of food security for NWT residents. In its tabled document outlining the Priorities of the 18th Legislative Assembly, the GNWT committed to lowering the cost-of-living by improving food security and encouraging local food production, traditional harvesting, and effective co-management of caribou herds and other wildlife.

Predator management

- During the public hearing, concerns were raised about whether limitations on Aboriginal harvest would be sufficient to increase caribou survival rates. Some people who spoke at the public hearing pointed out that reduction of predators, primarily wolves, was one of the few “management levers” that might have a substantial effect on caribou survival.
- There was also support for full and meaningful involvement of communities in considering and developing an approach to wolf management. The importance of communities being part of the solution, and the importance of working together in a respectful and ethical way, were emphasized.

While ENR recognizes the urgency of the Bluenose-East caribou situation and the desire to move quickly to address predation pressure by wolves, ENR also recognizes the need to do it properly, involve Aboriginal governments and organizations in the development and implementation of any wolf management programs, and make sure the mistakes of the past are not repeated.

ENR and TG will be conducting a collaborative technical feasibility assessment of possible wolf management actions that could be considered. The wolf feasibility study is scheduled to be completed by the end of the 2016 calendar year. Until then, ENR fully supports smaller scale community-based projects to increase wolf harvest. The TG pilot project to train wolf hunters/trappers to harvest wolves on the Bathurst winter range will allow communities to learn as they go and develop an effective way to increase wolf harvest. This approach builds on traditional skills and supports the traditional economy. Implementation of an effective program requires the building of capacity, which in turn requires training and knowledge transfer. ENR encourages other communities to consider similar community-based wolf programs and will work with interested communities to help implement them.

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Development, and maintaining healthy habitat

- During the public hearing there were a number of questions about development and what was being done to protect important habitats for the BNE herd.

The joint management proposal deals specifically with actions to be taken between 2016 and 2019 to try to help the Bluenose-East herd recover, and to promote an increase in the number of breeding females in the herd. However, the joint management proposal is only one piece in the overall management context for Bluenose-East caribou. The ACCWM plan *Taking Care of Caribou* recognizes the importance of maintaining healthy habitats for the BNE herd.

There are currently no active mines on the BNE range in NWT or Nunavut (NU), although there has been mineral exploration activity on the BNE calving grounds in NU. ENR participates in all environmental assessment (EA) processes in the NWT, and those EAs in Nunavut for developments that may affect trans-boundary caribou herds like the Bluenose-East. TG has also participated in EA processes for projects that may affect the herd's range. GNWT, the Government of Nunavut (GN), and other parties expressed opposition to mineral exploration activities by Tundra Copper on the BNE herd's calving grounds in Nunavut, for example.

ENR has also participated in recent (2015-2016) meetings in Nunavut held by the Nunavut Land Use Planning Commission and the Nunavut Wildlife Management Board focused on caribou habitat protection. At those meetings ENR has opposed all development on all barren-ground caribou calving grounds. Land use planning processes in the NWT (e.g. Tłı̄ch̄o and Sahtú land use plans) can also provide opportunities to protect caribou habitat. As an example, the Edaŋŋla (Caribou Point) area protects caribou range that is often used for more than half the year by BNE caribou.

Community outreach, education and involvement

- Throughout the public hearing, the importance of working together and involving communities in a meaningful way in caribou management issues was heard.
- ENR knows Aboriginal governments and organizations want to be involved in helping to address the Bluenose-East caribou decline.

ENR welcomes all Aboriginal governments and organizations to work cooperatively towards solutions for the Bluenose-East herd. It is only by working together that management actions can be effective. All parties bring something to the table, and by working together and sharing information in an open and respectful way, stronger decisions can be made to help the Bluenose-East caribou long-term.

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Conclusion

The current status of the Bluenose-East herd is of serious concern. Timely conservation-based management actions are needed to help the Bluenose-East herd recover so that it can once again provide sustainable harvests that meet the needs of traditional users and communities. Building on their collaborative approach, the TG and ENR have jointly put forward a management proposal to help the Bluenose-East herd recover with actions that we believe are necessary, and which restrict the exercise of Aboriginal rights to the least extent possible while still addressing the need for conservation. ENR looks forward to the WRRB's decisions and recommendations.



Schedule A to the Final Submission of the GNWT, Department of ENR

SUBMISSION TO THE

NUNAVUT WILDLIFE MANAGEMENT BOARD

FOR

Information:

Decision: **X**

Issue: Recommendation to address the decline of the Bluenose East caribou herd.

Background

- The Bluenose East caribou herd is a shared herd harvested by hunters in the Northwest Territories and Nunavut.
- A harvest monitoring program suggests approximately 3,500 caribou were harvested in 2009 -2010. Subsistence harvest in Nunavut accounted for between 1000–1500 caribou annually, which represents 36% of the overall harvest. There is no commercial or sport harvest on this herd in Nunavut.
- The June 2014 reconnaissance survey suggests that Bluenose East caribou (one year or older) on the calving ground have further declined by approximately 30% between 2013 and 2014. This is higher than the estimated annual rate of decline of 16.4% (CL= 7-29%) between the 2010 and 2013 surveys.
- In the past, the calving ground reconnaissance surveys have been a reliable index of abundance in tracking population trend when compared to full population assessments and trend based on aerial photo-surveys conducted every 3 years.
- In December 2014, the Government of Northwest Territories implemented an interim harvest restriction of 1,800 caribou for the 2014-2015 winter harvest season.
- The Bluenose East Caribou herd has shown a declining trend since 2000, with a continuous decline from 2010 to 2015. During this period, the herd declined from 123,000 to 38,500 caribou (2015).

Current Status

- The Bluenose East Caribou herd decline is believed to be the result of natural cyclical fluctuation. It is not known if or to what extent harvesting or other human activities like mineral exploration and development may be contributing to the decline.
- Ongoing discussions on short and long term management actions are being held with various Nunavut wildlife management organizations, the public and First Nations governments in NWT, and the GNWT.

Schedule A to the Final Submission of the GNWT, Department of ENR

- The June 2015 aerial photo-plane survey results confirm the herd has continued to decline, with a total population estimate of 38,592 caribou. This is a significant decline from the 2013 population estimate of 68,000 caribou and represents a 21% annual rate of decline.
- Additional observations show conditions indicative of a declining herd: there is a below normal adult female survival rate (0.7) and calf cow ratio (0.2).
- In June 2015, the total preliminary estimate of breeding females is 17,396, which is considerably below the 2013 estimate.
- On January 14-15, 2015, DOE conducted consultations with the Kugluktuk HTO to set a TAH. In the interim, and until new scientific and Inuit Qaujimagatuqangit information became available, a TAH of 1000 Bluenose East caribou was recommended.
- According to the "Taking Care of Caribou" Management plan, accepted by the KRWB, the ACWM on December 18 2015 assessed the herd in the orange zone based on the 2015 population estimate and trend indicators. To minimize harvest risk, a recommended harvest rate for a herd in orange is 2.5%. Assuming there are approximately 38,500 caribou, this represents an overall sustainable harvest of 950 caribou, where the applied historical harvest allocation (36%) results in a TAH of 340 for Nunavut.
- The Kugluktuk HTO has already implemented the following voluntary management actions:
 - No organized community caribou hunts
 - HTO does not support sale/ purchase of caribou under the country food distribution program
 - HTO supports shift in harvest to alternate species like muskoxen
 - No sport or commercial harvest of Bluenose East caribou in Nunavut
 - Increase in educational and public awareness programs by HTO and DOE
- DOE has engaged with and continues to work closely with the affected community and respective co-management partners (NTI, HTOs, KRWB) and the NWT on management actions needed to address the Bluenose East caribou decline.

Consultations:

- Co-management consultations on the decline and conservation concern occurred:
 - September 9, 2014 - Kugluktuk HTO board meeting
 - September 22, 2014 - Kugluktuk community information and consultations
 - October 9-10, 2014 - Technical Meeting 1, GN and NTI participation
 - October 15-18, 2014 - KWRB AGM meeting
 - October 22-23, 2014 - Technical Meeting 2, GN participation
 - October 31, 2014 - Kugluktuk HTO board meeting
- Consultations with the Kugluktuk HTO to specifically discuss a recommended TAH of 1,000 occurred on February 11, 2015. While there was recognition of

Schedule A to the Final Submission of the GNWT, Department of ENR

conservation concerns and the need for harvest limitations, there was no consensus on the proposed TAH of 1000.

- From March 2 to 6, 2015 a caribou educational week was hosted by the HTO with presentations by DOE in Kugluktuk to educate the community about the Bluenose East caribou decline.
- On January 14-15, 2016, following the Nunavut Wildlife Management Process, the HTO of Cambridge Bay, Kugluktuk, Bathurst and Bay Chimo, KRWB, and NTI were consulted on a GN-recommended revised Total Allowable Harvest of 340 caribou.
- Although the new status of the herd was agreed upon, no consensus on the TAH was reached.
- To help the recovery of the herd, all the HTOs were consistent in recommending incentives to increase harvest of predators (mainly wolf) and protection of the calving ground.
- During the January 20, 2016 Bluenose-East Allocation Meeting, the HTO of Kugluktuk recommended an allocation of 35% instead of 36% to allow for a minimal 2% harvest for each of the five small communities of NWT.

Recommendations

- That the NWMB establish a Nunavut TAH of 340 male caribou for the Bluenose East Herd.