

Porcupine Caribou Management Board Minutes of Meeting

Inuvik, NT

February 11, 2019

In attendance

Members/Staff

Joe Tetlich, Chair
Alice McCulley, Tr'ondëk Hwëch'in
Billy Storr, Inuvialuit Game Council
Harold Frost Jr., Vuntut Gwitchin First Nation
Ian McDonald, Government of Canada
Robert Charlie, Gwich'in Tribal Council
Karen Clyde, Government of Yukon
Marsha Branigan, Government of the Northwest Territories
Jackie Clarke, Na-Cho Ny'ak Dun (Alternate)
Kirby Meister, Government of Yukon (Alternate)
Deana Lemke, Executive Director
Matthias Lemke, Assistant

Presenters/Guests

Mike Sutor, Environment Yukon
Kelly Milner, Communications Consultant
Lindsay Staples, WMAC (NS)
Catherine Gagnon, University of Québec Centre for Northern Studies

Welcome and Opening Prayer

Joe Tetlich called the meeting to order at 9:10 a.m. and opened the meeting with prayer.

The agenda for the meeting was reviewed and accepted.

Motion to accept agenda

Moved by Billy Storr

Seconded by Ian McDonald

Carried

Review Minutes

The minutes of the September 20 and 21, 2018 meeting were reviewed and approved.

Motion to approve minutes of September 20 and 21, 2018 meeting

Moved by Billy Storr

Seconded by Ian McDonald

Carried

Chair's Update

Joe Tetlichy informed the Board that he attended the fall International Porcupine Caribou Board meeting in Kaktovik, AK.

He attended the caribou summit on December 11, 2018. The summit was one of a series of meetings initiated by the YG Minister of Environment to discuss what Canadian Parties will do in response to the United States' proposal to open the Arctic National Wildlife Refuge to oil and gas development.

Joe also attended the North American Caribou Workshop held in Ottawa on October 30 and 31, 2018 with the theme "Working Together." In recognition of the steep declines of most caribou populations across North America, the workshop was intended to serve as a forum for knowledge-sharing and collaboration. The program included an aboriginal component and a panel that discussed the significance of caribou to First Nation people. Joe noted that a good discussion took place about how scientists can better work with First Nation communities when conducting research.

Joe related that he attended an Inuvialuit Game Council (IGC) meeting in December 2018 to address concerns raised by IGC regarding tensions among harvesters during caribou harvesting along the Dempster Highway. He noted that some individuals don't understand the relationship between the PCMA and the IFA. He therefore reviewed this relationship at the IGC meeting and also discussed some of the challenges that arise when caribou are near the Dempster Highway. Joe will also be participating in future discussions around the commercialization of wildlife and sale, trade and barter principles, as well as concerns about letting the leaders pass in the event that the PCH approach the Dempster Highway again in the future.

Administrative and Financial Report

Deana Lemke reviewed and updated the status of outstanding action items and the current status of the Board's funding agreements.

Deana informed the Board that STEP funding has been approved for the next fiscal year and that positive support for the Board's Traditional Knowledge (TK) study has been received from the Climate Change and Health Adaptation Program (CCHAP).

Herd Update

Government of the Northwest Territories Update

Marsha Branigan stated that her department has primarily been focused on responding to Alaska's Bureau of Land Management's Environmental Impact Statement (EIS) for the Coastal Plain Oil and Gas Leasing Program. No check station has been necessary and no body-condition samples have been collected.

Government of Yukon Update

Mike Sutor provided the following update:

- No additional monitoring has been conducted since the last herd update.
- There was a small harvest on the Dempster. Temporary signs were posted at Windy Pass and a media campaign will start mid-February.
- The department has primarily been focused on the EIS.
- Adult female survival studies were conducted.
- The check station did not need to open as the herd was not in proximity of the Dempster Highway.
- A large portion of the PCH is currently close to the Dalton Highway and some small groups are near Arctic Village, Ogilvie and Whitestone.
- The upcoming monitoring program will be the same as it has been in previous years. Most of the work will take place in Alaska.
- BBC has requested accompanying the biologists during the upcoming caribou capture work. The request is being considered in light of additional publicity around the issues related to the Arctic National Wildlife Refuge. BBC is also interested in filming the migration and creating a segment about subsistence use.
- CBC Nature of Things would like to film caribou on the North Slope when they migrate through the area. CBC's footage would be completely available for use by the Board.

PCH Conservation Plan

Mike Sutor explained that the development of a conservation plan will require a multi-year timeline. Several technical components are being worked on and the overall plan itself will be consolidated in approximately 18 months. The results of the Board's TK project will be also feed in to the SARA conservation plan.

Deana noted that a community tour is not part of the TK project. The Parties and communities agree with PCMB leading the conservation plan.

Work on updating the sensitive habitats information is ongoing and is being organized with multiple universities. The desired outcome is a series of complex layered habitat maps.

Several members stated that it would be advisable to send out a reminder letter confirming that based on the positive responses that have been received from the Parties, PCMB will proceed with the TK project. As well, the letter should explain the difference between the TK project and the conservation plan and inform the communities how their input is being considered and what additional opportunities they have to be included.

Action 19-1: Executive Director to send a letter to Parties confirming that the TK study will proceed and clarifying the conservation plan process.

Arctic National Wildlife Refuge Proposed Development

Development of EIS process

Mike Sutor reminded the Board that in May 2018 the Government of Yukon held a workshop with approximately 40 scientists to collaborate on scientific work that was needed to respond to the proposal to develop oil and gas resources in the Arctic National Wildlife Refuge. The outcome was a comprehensive scientific report that was produced by Don Russell and Anne Gunn. Mike noted that the executive summary of the report does a good job of summarizing the important aspects. He also explained that EIS does not include sufficient science-based analyses. On the other hand, Government of Yukon's effort and the subsequent report has demonstrated that it is possible to perform the necessary analysis in a reasonable amount of time. The full report is now available and can either be included as an appendix in submissions or portions of its content can be quoted or referred to.

Science Report summary

Don Russell explained via teleconference that the report is based on an analysis of how sensitive the PCH is to development, climate, and specifically to the impact of new development in the 1002 area. The adaptive capacity of the herd was studied in terms of the four development alternatives outlined in the EIS. Each development alternative was analyzed individually.

Don pointed out that while a significant amount of data is available about the Central Arctic herd (CAH), very little analysis on the effectiveness of mitigations has been done. Therefore no helpful CAH data is available to assist with predicting impacts on the PCH.

Some of the key science-based concerns with the information contained in the draft EIS are:

- Post-calving aggregations (upward of 120,000 animals) are unprecedented in other studies. Even proponents of development concede that they do not know how such large groups will react to development.
- The purpose of the refuge is conservation; therefore, only the minimum area required by law should be leased.
- The PCH has low productivity; therefore, any factor that impacts the mortality of cows will accelerate the decline of the herd.
- Spring and early summer or the calving and post calving periods are the main driver of herd productivity. Any displacement during that time will have a significant impact on the herd.

Review of PCMB's draft submission

The Board reviewed and discussed the current draft response to the EIS. Members agreed that focusing on the deficiencies and inaccuracies of the draft EIS will have the greatest impact. The international agreement and the impact on Canadian subsistence harvesters should also be highlighted. Members also agreed that only supporting proposed alternative A or not commenting on any alternatives could cause the Board's comments to be dismissed.

Mike Sutor noted that Don Russel's report refers to the HMP, so it is important to refer to it in the Board's submission and quantify potential impacts on subsistence harvest.

Members suggested pointing out that much work has been done in Canada to protect and manage the PCH: the creation of parks, the PCMA, and the annual efforts around implementing the HMP and IP.

Karen Clyde pointed out that the submission could mention that the international agreement states that the Parties are to take appropriate action to conserve the herd and that Canada has done that.

Species at Risk Act – designation of PCH

The Board discussed the draft submission to the Government of Canada regarding the *Species at Risk Act* "Threatened" designation of the PCH. The Board's position reconfirmed its position to support the listing, point out deficiencies in the COSEWIC report, and request no socioeconomic valuation for caribou meat.

Arctic Borderlands

Catherine Gagnon's studies at the University of Quebec are focused on migration. She has conducted some analysis of Arctic Borderlands Ecological Knowledge Society (ABEKS) data from PCH related surveys. She gave a presentation of the work she has done to date, which is based on the indicators

established by Don Russell. Catherine explained that she is working on determining a link between climate and caribou body condition.

Some of the data that can be used for her study are temperature, snow depth, and occurrences of freezing rain. Each of these is connected to a community and an identification number of the person who provided the data. Back fat data is also being used to correlate body condition to the other information. Catherine found a positive correlation between ABEKS and scientific measures despite data gaps.

Studies have confirmed that there are more caribou in poor condition when snow melt is late and temperatures are colder.

Catherine pointed out that a trend in declining body condition was a precursor to the major decline in the George River caribou herd.

Mike Suitor agreed that the body condition data collection is important.

Kelly Milner noted that over the past eight years there have been many modifications to ABEKS questions and to how the data is managed and asked whether Catherine experienced any challenges in combining the data. Catherine agreed that this is a challenge and needs to be investigated.

Kelly noted that the quality of the data also needs to be vetted because some individuals answer survey questions even though they did not harvest PCH.

Ian McDonald stated that in previous years ABEKS has reported increasing or decreasing trends in overall body condition, but that what is really needed is an understanding of the significance of the data values — for example, what the acceptable limits are and when is concern warranted.

Traditional Knowledge Project

Kelly Milner updated the Board on the TK project and the progress that has been made toward engaging Trailmark, a company that specializes in using their software to document and apply indigenous knowledge. A number of potential service providers were evaluated, and Trailmark was assessed as the best company to help meet PCMB's TK project requirements. A recent federal initiative also identified them as the top candidate, which Kelly noted was a good indication of their suitability.

The project's intent is to mobilize existing TK data. Kelly invited any PCMB members who are interested in participating to come to a workshop with community representatives and two members of the Trailmark team in Whitehorse on February 26, 2019. Community representatives will be technical people from heritage and wildlife departments. A reconnaissance visit to specific PCH communities is planned during the week following the workshop, from February 27 to March 8, 2019. A data and digitization assessment is planned for mid-March 2019 and a comprehensive work plan will be completed by the end of March.

Kelly explained that part of the initial assessment and scoping exercise will be to determine how much work is involved in obtaining TK from each community. The outcome will feed into a bigger proposal that will show the timeline, plan, and associated costs and will be used to develop funding proposals. Kelly noted that PCMB will need to create TK data-sharing agreements with each of the Parties, but that the Parties will retain ownership of their data.

The intent of the project will be to try to meet PCMB's TK requirements by using existing data and if possible avoid having to collect additional information. Based on the feedback received from communities so far, it would be appreciated if the project uses existing data as efficiently as possible. Trailmark has much experience and background working with communities regarding environmental impacts. Their previous experience will also help them identify any gaps in the TK data.

PCMB Communications

Kelly Milner reviewed the objectives, audiences, and priorities previously identified in discussions about Board communications and the actions that have been taken.

The Board discussed communications related to the SARA listing of barren-ground caribou in Canada. It was noted that some communities were confused about how the information was presented by Canada, and that some still have concerns that subsistence harvesters might be impacted by a listing.

Marsha Branigan expressed that some stakeholders realize that after a species is listed there is usually an increase in political pressure for a change in wildlife management. A general perception that caribou are a "Threatened" species could result in pressure to curtail harvest.

Potential communication around the importance of the Arctic National Wildlife Refuge and the 1002 area was discussed.

Deana reminded members that the acronym ANWR should not be used in communication as it is less meaningful. Rather, the name of the refuge should always be spelled out to give it deeper meaning and provide context.

Kelly suggested that the target audience should be all northerners, not only Yukoners. Some of the potential options for communicating are social media, posters, meetings, and radio ads.

Robert Charlie stated that he values the opportunity to have Sarah Jerome provide information in Gwich'in over the radio and that he would also like to see some communication specifically aimed at educating youths.

To reach a Canadian audience, Kelly explained that Google supports virtual reality programs for non-profit organizations. It may be possible to create a virtual reality experience that shows the PCH migration.

Wildlife Management Advisory Council (North Slope)

Lindsay Staples informed the Board that WMAC North Slope is working on updating the *Yukon North Slope Wildlife Conservation and Management Plan*, including considering what an appropriate designation for the withdrawn area in northern Yukon should be. Enhanced conservation measures are being considered with a goal of achieving long-term protection for habitat on the eastern North Slope. The goal is to have a new draft of the *Yukon North Slope Wildlife Conservation and Management Plan* completed by June 2019 with the hope that ministerial approval can be obtained in 2019.

By way of review, Lindsay explained that the establishment of the withdrawn area was guided by the *Inuvialuit Final Agreement* with the intent of conservation, although the specific purpose was unclear at the time. The eastern half of the area was to be researched further, while the western half was made into a park. The area forms an important connection between existing conservation areas. While WMAC (NS) is not a party to the process, the council would be involved in discussions about any changes to the status of the area. Lindsay noted that continuing to refer to it as a “withdrawn area” does not make it clear what the area is important for. He explained that the eastern Yukon North Slope is an important place for PCH during certain times of the year and that it also encompasses the Big Fish watershed.

Since Canada is a signatory to *The Convention on Biodiversity* this conservation initiative would help Canada achieve its objectives. Part of the goal is also to provide an economic opportunity under the Indigenous Protected and Conserved Areas (IPCA) program.

Lindsay concluded by stating that WMAC (NS) is hoping for a letter of support from PCMB to pursue an official designation for the withdrawn area under the IPCA framework. PCMB members expressed support for establishing the greatest protection possible in the withdrawn area.

Action 19-2: Executive Director to send a letter of support for WMAC (NS) regarding the establishment of a form of permanent protecting of the withdrawn area.

Arctic National Wildlife Refuge

WMAC (NS)'s submission regarding the EIS was a collaboration with other stakeholders. Nigel Banks from the University of Calgary had reviewed the public scoping documentation with a view to international law and how Canadian interests could be affected by drilling in the refuge. Now that the EIS has been released, he also considered whether Canadian interests were taken into consideration and helped identify the deficiencies of the EIS, in particular regarding the subsistence rights of Canadian users.

WMAC (NS)'s submission will request that more work be done on the EIS to take into account the neglected Canadian interests. The submission will form a basis for litigation if the request is ignored.

PCH harvest reporting project

WMAC (NS) plans to trial the use of a focus-group technique with experienced PCH harvesters to estimate harvest on a community basis. Currently the council is too occupied with other priorities and obligations, so this project will be deferred.

Native User Agreement update

The key elements of the NUA project have not changed since Lindsay's presentation at the last Annual Harvest Meeting. Parties to the NUA have put the draft out for consultation over the summer and the Working Group met again in September 2018 to make the final adjustments. The Working Group was prepared to recommend the final version for signing; however, some administrative adjustments were recently recommended by Tr'ondëk Hwëch'in. A teleconference is planned for next week and it seems likely that the agreement will be finalized by March 31, 2019. Parties are hoping that the changes suggested by Tr'ondëk Hwëch'in's will not be substantial enough to require another review by the respective governments.

Next meeting

The next meeting was scheduled for May 13 and 14, 2019 in Aklavik, NT.

The meeting adjourned at 5:35 p.m.