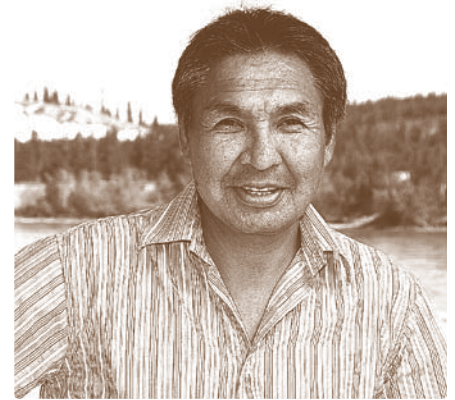


SPECIAL 25TH ANNIVERSARY EDITION

2010-11 ANNUAL REPORT

PORCUPINE CARIBOU MANAGEMENT BOARD

I would like to thank all the members of the Porcupine Caribou Management Board for their hard work over the past year. As a co-management board, the PCMB's most important feature is the work that the Board members do to bring forward ideas and concerns from their communities and their governments. By sharing the thoughts of all stakeholder groups and working together, the PCMB has the best opportunity to make



JOE TETLICH
Whitehorse - Chair

CHAIR'S MESSAGE



effective decisions in finding ways to protect the herd and the habitat. In this way, we are protecting caribou traditions by ensuring there are plenty of caribou for hunters in the future generations.

One of the Board's major accomplishments this year was the finalization of the Harvest Management Plan for the Porcupine Caribou Herd in Canada (HMP). The HMP lays out a process for the eight Parties to come together each year and agree on how harvest of the herd will be managed. The management actions respond to the status of the herd (population size and trend). By finalizing the plan, the Parties have already made many hard decisions in case the herd begins to decline again. The Board appreciates the long days and hard discussions by the working group to draft the plan and by the senior officials.

As always, working to protect the caribou and its habitat is deeply rewarding. It is also challenging to balance the needs and perspectives of all the stakeholders. This challenge is part of what can make this work so rewarding. It is gratifying to see so many groups come together to work for a common goal: to ensure there will be plenty of caribou around for future generations to continue our caribou hunting traditions.

Our website continues to be used as a very effective communication tool. If you haven't yet had the opportunity, I encourage everyone to visit our site at <http://www.taiga.net/pcmb> to access current information about the herd and the Board's work.

Mahsi cho,

A handwritten signature in black ink that reads "Joe Tetlich". The signature is written in a cursive, flowing style.

Joe Tetlich
CHAIR

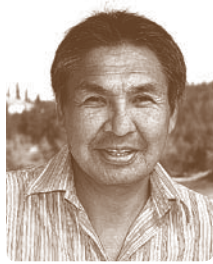
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**PORCUPINE
CARIBOU
MANAGEMENT
BOARD**

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JOE TETLICH
Whitehorse - Chair



DEANA LEMKE
Whitehorse - Secretariat



FREDRICK (SONNY) BLAKE
Tsiigehtchic (member)
Gwich'in Tribal Council



LIZ WRIGHT
Fort McPherson (alternate)
Gwich'in Tribal Council



STEVEN BUYCK
Mayo (member)
Na'cho Ny'ak Dun



JIMMY JOHNNY
Mayo (alternate)
Na'cho Ny'ak Dun



LANCE NAGWAN
Old Crow (member)
Vuntut Gwitchin First Nation



DAVID FROST
Old Crow (alternate)
Vuntut Gwitchin First Nation



**PORCUPINE
CARIBOU
MANAGEMENT
BOARD**

Reporting Period: April 1, 2010 to March 31, 2011



STEVEN TAYLOR
Dawson City (member)
Tr'ondëk Hwëch'in

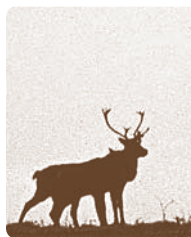


ROBERTA JOSEPH
Dawson City (alternate)
Tr'ondëk Hwëch'in

2010-2011 BOARD



BILLY STORR
Aklavik (member)
Inuvialuit Game Council



CHUCK GRUBEN
Tuktoyaktuk (alternate)
Inuvialuit Game Council



DOUG LARSEN
Whitehorse (member)
Government of Yukon



DOROTHY COOLEY
Dawson City (alternate)
Government of Yukon



MARSHA BRANIGAN
Inuvik (member)
Government of the NWT



STEPHEN CHARLIE
Inuvik (alternate)
Government of the NWT



IAN MCDONALD
Whitehorse (member, outgoing)
Government of Canada



MIKE GILL
Whitehorse (member, incoming)
Government of Canada
No alternate appointed

Co-management is about working together for a common goal. The Porcupine Caribou Management Board brings representatives of all First Nations and Inuvialuit groups together with governments in the range of the herd to discuss in person their concerns and ideas. The PCMB was established by the Porcupine Caribou Management Agreement in 1985. The Porcupine Caribou Management Agreement gives the Board its mandate and describes its responsibilities.

For the PCMB, co-management was originally shared among the Government of Canada, the Government of Yukon, the Government of Northwest Territories, Council of Yukon Indians, the Dene Nation and the Métis Association of the Northwest Territories, and the Inuvialuit Game Council.

Each organization chooses its own members to represent it on the PCMB. Board members are responsible for consulting with their sponsoring organizations and their community members. At meetings, the Board members debate the issues and report decisions back to their communities. The comprehensive membership of the Board pools the collective knowledge and experience of the member organizations as well as ensures there is consistency in efforts to protect the herd. With members representing all the interested groups, a co-management board ensures each group's needs are considered.

Sometimes, because Board decisions affect communities differently, it is difficult for Board members to justify decisions to their own communities. This is where the cooperative aspect of co-management is emphasized. It is

CO-MANAGEMENT



imperative that the Board do what it can to protect the herd and allow it to grow, so that the future generations can continue to use the herd. As the Board continues to meet, it searches for new ways to help the herd yet reduce the hardship for the herd's users.

The PCMB makes recommendations to the governments. These recommendations are not binding, but they are taken very seriously. After all, the recommendations come from the collective position of all the Board's member organizations through their appointed representatives, which gives them a great deal of weight.

Over the years since the Agreement was first signed, all the First Nations involved settled their land claims. The membership of the PCMB changed to reflect the new organizations with authority in the herd's range. Council of Yukon Indians has changed to Council of Yukon First Nations, and this body appoints a member for the Vuntut Gwitch'in First Nation and a member for Na Cho Nyak Dun. A member of the Gwich'in Tribal Council sits in place of the Dene/Metis representative. With Government of Yukon's agreement, Tr'ondek Hwech'in occupies one of Government of Yukon's seats to ensure Tr'ondëk Hwëch'in is represented on the Board.

Compromise is often required, but all members are loyal first to the herd, because protecting the herd best protects their own organization's interests in the long term. In addition, all sponsoring organizations recognize that occasional compromise is preferable to having separate management regimes for each of the jurisdictions in the range of the herd. Cooperation, then, is the key to co-management.

Traditional knowledge as well as scientific research guides the PCMB. This ensures the Board is guided by the best, most comprehensive information available from all its members as well as outside organizations.



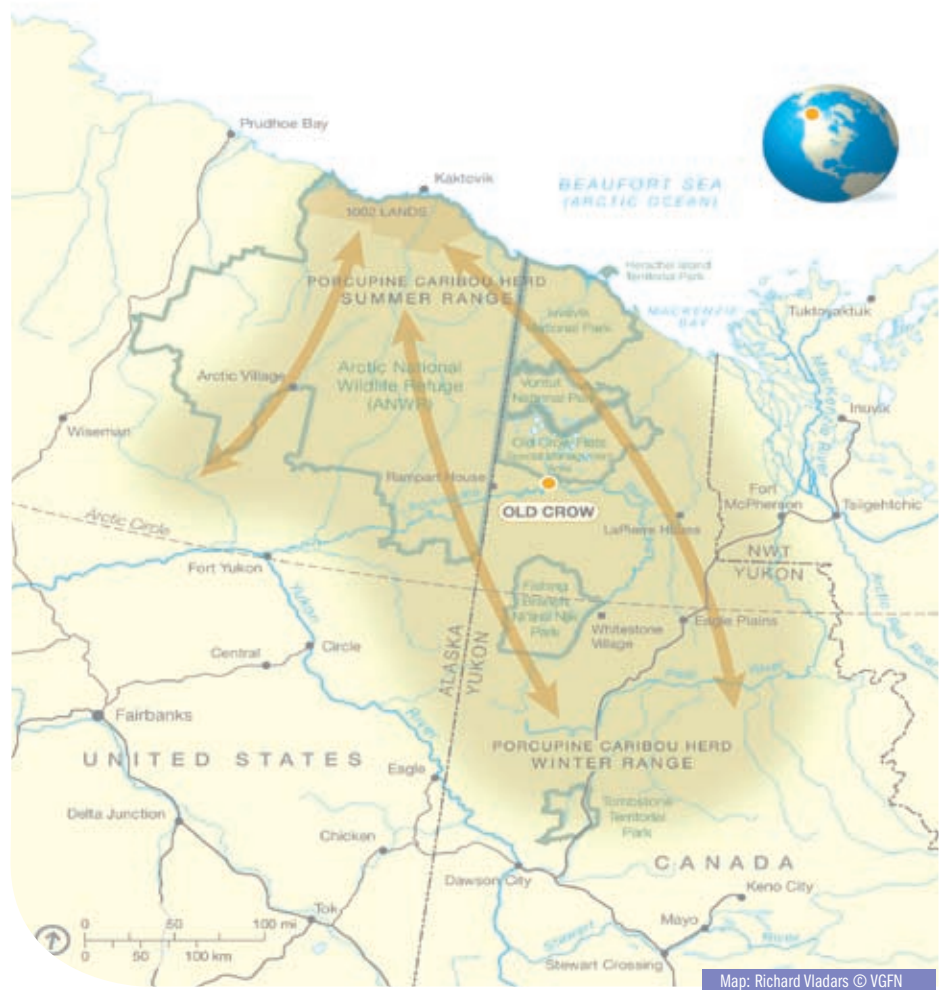
The range of the Porcupine Caribou herd covers approximately 260,000 square kilometers of the northern parts of Alaska, Yukon and Northwest Territories. This area includes 12 different management regimes in two countries. The herd migrates between its winter ranges in Northeastern Alaska, the Northern Yukon and the Richardson Mountains in the Northwest Territories and its summer range in northern Alaska and northern Yukon.



PHOTO ©PETER MATHER, 2010, ALL RIGHTS RESERVED

MIGRATORY RANGE

The primary calving ground of the herd is on the coastal plain in the Arctic National Wildlife Refuge and Ivavik National Park. This area provides the best combination of nutrient rich food, relief from biting insects and protection from predators. In years when the cows are unable to reach their preferred calving grounds, the calf survival rate has declined significantly. The caribou often continue their migration to the coastal plain after calving, and many calves drown along the way. Many more calves and weakened cows fall to predators outside the calving grounds. If development displaces the herd from this vital calving area, the consequences for the herd could be devastating.



Map: Richard Vladars © VGFN

If development displaces the herd from this vital calving area, the consequences for the herd could be devastating.



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SCIENTIFIC STUDY OF THE PORCUPINE CARIBOU HERD

LATE WINTER CAPTURES AND COMPOSITION COUNT

March 2010

Yukon and Alaskan biologists cooperated to do the annual late winter field work. A total of 28 new collars were deployed on the herd (eight satellite, 20 conventional), giving a total of 126 collars now deployed (21 bulls and 105 cows).

The calf-to-cow ratio recorded in the composition count was very low (19.5 calves per 100 cows). This is the lowest count on record. How it will affect the herd is uncertain. Normally, a ratio for a stable or increasing population is 30 to 35 calves per 100 cows.

CALVING GROUND CENSUS

June 2010

Because of the lack of success in doing a “traditional” post-calving census, plans were made to estimate herd size using a different method: a calving ground census. This method (used to count the Bathurst Herd in NWT) is also a photo census but it is done over the peak of calving. The census results in an estimate of the number of breeding females on the calving grounds, which is then corrected for the number of males and non-breeding females to give an estimate of total herd size.

The field work was scheduled for the calving period in early June. As the time drew nearer, it became clear that there were a significant number of caribou in the high mountains where the planes cannot safely fly low and slow to get photographs. The field work was cancelled on very short notice.

PHOTO CENSUS

July 2010

According to the management plan, the size of the herd should be estimated approximately every three years. Cooperating biologists had been trying to conduct a photo census each year since 2003. For seven years, efforts were not successful because caribou failed to form the large groups after calving as is necessary to get a good census, or the caribou moved into the mountains. In 2004, smoke from forest fires prevented the census planes from flying.

Without a recent estimate of herd size, concern about the size of the herd increased. Had the herd continued to decline at the same rate seen between 1989 and 2001, it could have numbered 100,000 or fewer by 2010.



In 2010, the caribou moved into the mountains again but biologists were still able to fly and took the photos. The estimate for the July 2010 census was 169,000 caribou in the herd, the second highest count ever. The large herd size was a great relief to all.

PCH RUT COUNT

October 2010

The caribou were split between Yukon and Alaska during mid-October. The vast majority of collared caribou were in Alaska close to Arctic Village. One field team from Alaska (Alaska Department of Fish and Game) counted caribou in Alaska. A Yukon team counted the caribou located east of the international border, north of Old Crow. Overall, 58 of the 100 or so collars were counted by both teams combined. Estimated bull ratio was 57 bulls per 100 cows this year. This is similar to the 1980 estimate of 60 per 100. This information will feed into the caribou computer model.

RESEARCH NEEDS LIST

The PCMB requested that the Porcupine Caribou Technical Committee (PCTC) put together a list of research needs to guide researchers interested in undertaking projects related to the herd or its habitat. The Board had an initial list of questions and the PCTC will discuss and possibly expand the list to present to the Board for their consideration.

CARMA

The annual Circum-Arctic Rangifer Monitoring and Assessment (CARMA) network meeting was held in Vancouver in November/December 2010. The Board and agency staff continues to participate in CARMA, as it is a rare opportunity for researchers and managers to gather and exchange information on various experiences in caribou management across the north.

CARMA's funding under Canada's International Polar Year program ends in March 2011. As such, CARMA network partners will be writing the synthesis of the research conducted under CARMA. These documents are due to the Rangifer journal by the end of March as they will be running a special issue on CARMA. More information can be found on CARMA's website at <http://caff.is/carma>.

ARCTIC BORDERLANDS

The annual gathering of the Arctic Borderlands Ecological Knowledge Co-op was held March 19 and 20, 2011 in Fort McPherson. The Board and agency staff continue to participate in Borderlands because their focus on collection of information from expert local users makes their data very valuable in the management of the herd and its habitat.

Arctic Borderlands has been working on synthesizing data for the past few years, analyzing what the gathered data indicates. Following up on his first report in 2008, Don Russell is working on a further caribou data report that links the caribou data to other data gathered outside of Borderlands interviews.



Another part of the synthesis was a full review of the survey questions. The new questionnaire is quite a bit shorter, taking less time to complete and making it more repeatable. The old database has been archived and a new database is being built to house information gathered with the new questionnaire. Data from almost all of the caribou related questions in the new questionnaire will feed into the PCMB's Harvest Management Plan process.

CUMULATIVE EFFECTS PROJECT

Shawn Francis was originally contracted by the Board to do work on a Cumulative Effects Project. Shawn obtained the vegetation map from the Canadian Center for Remote Sensing which covers most of the herd's range in Alaska and Canada, and produced a map of surface disturbance.

The project has now been transferred to the oversight of Don Russell, formerly of the Canadian Wildlife Service and currently with CARMA. The Board agreed with Don's proposed approach to advance the project over the next year. Similar to a project for the Bathurst Caribou Herd, the general approach for PCH will be to determine the current use of different habitats for caribou, "change" the habitat use by applying different development scenarios as recommended by the Board, run the body condition model to estimate the effect on productivity of individual caribou, and extrapolate to effects on herd size using the population model. This will be repeated for all the different development scenarios requested by the Board.

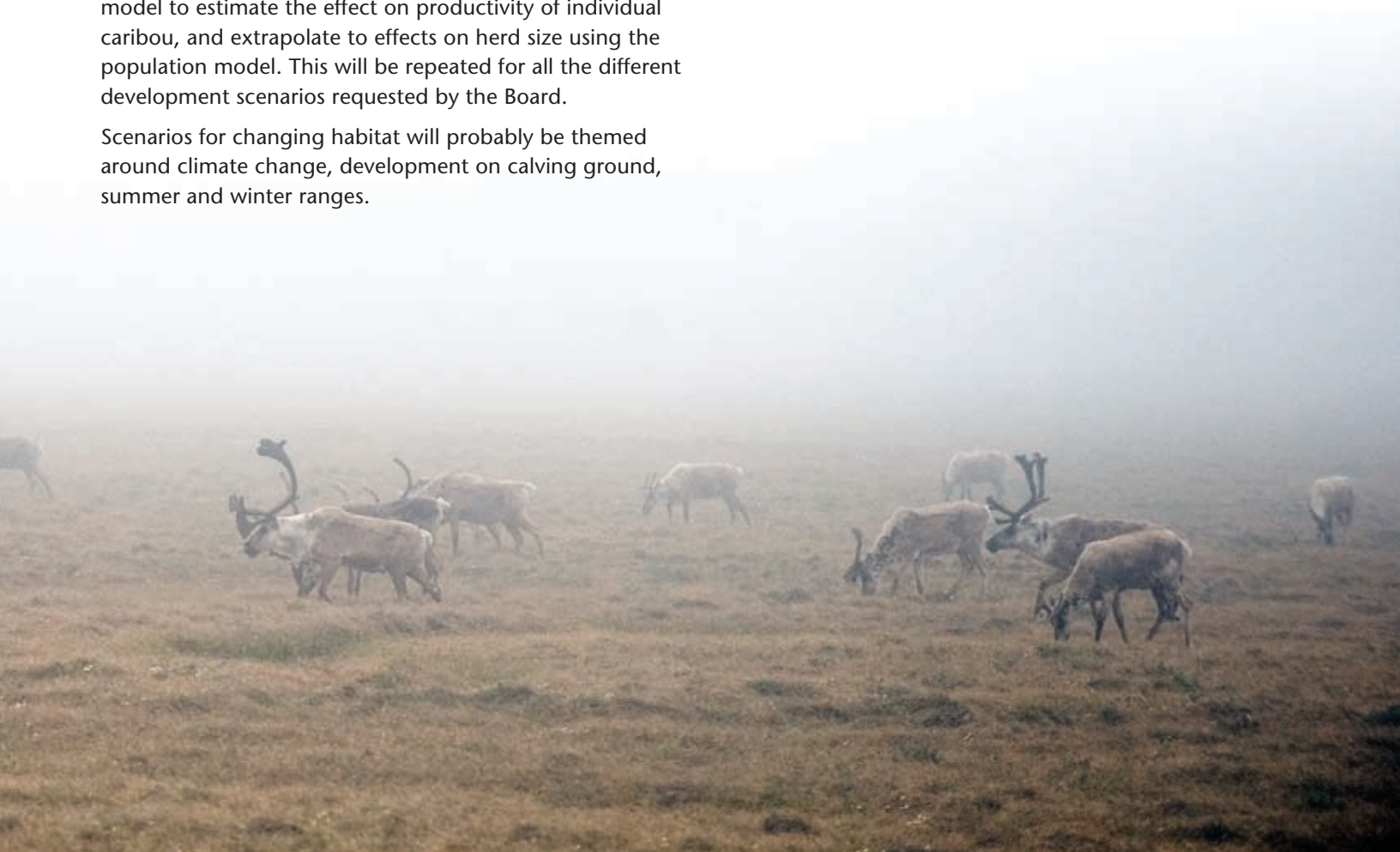
Scenarios for changing habitat will probably be themed around climate change, development on calving ground, summer and winter ranges.

CARIBOU CALCULATOR REVISIONS / CARIBOU ESTIMATOR

Craig Nicholson was contracted by Government of Yukon on behalf of the PCTC to revise the Caribou Calculator. The Caribou Calculator will be broken down into two parts: a "caribou herd size estimator" and "risk analyzer". The further away we are from a photo census, the less certainty there will be in the estimate from the Herd Size Estimator, and potentially the more risk associated with determining which zone the herd is in. The new models provide a range of estimated population sizes and present the uncertainty of the estimates more honestly and appropriately than the previous Caribou Calculator did.

The herd size estimator will be used in the HMP process in years when we don't have a census. The risk analyzer will be designed for use by the PCMB to run different harvest scenarios during the HMP Annual Harvest Meeting.

Once the Herd Size Estimator has been fully tested and reviewed, PCMB can start using a risk-assessment framework to evaluate future scenarios in harvest management planning.



SOUTH DEMPSTER CHECK STATION

The south Dempster check station closed for the 2009/10 season on March 31, 2010.

For the 2010-11 season, the station opened on September 15, 2010, manned by Government of the Yukon's long-term staff. Again this year few caribou were accessible to hunters along the highway; seven caribou were reported by south-bound hunters throughout the season. The south station closed on November 30, 2010.

NORTH YUKON DEMPSTER CHECK STATION/ OFFICER PATROLS

For the 2009-10 season, the north check station opened on October 31, 2009. Four casual employees manned the mobile station to record caribou harvest. A total of 212 caribou harvests were recorded at the station for the season. This information will be combined with other data collection programs so that duplicate reports are deleted. The north station closed May 7, 2010.

For the 2010-11 season, rather than operate a check station, a Conservation Officer was hired whose main job was to patrol the Dempster Highway and Old Crow. Other Yukon Officers replaced him during his time off. Officers were based at the Eagle Plains Hotel but patrolling the highway as necessary. A summary report will be produced at the end of the season.

The NWT check station is a cooperative program with the Tetlit Gwich'in Renewable Resources Council, the Gwich'in Tribal Council and the Government of the NWT. The check station was first opened on July 29, 2010 for the Midway Lake Music Festival. After the festival ended, the station was moved to the east side of the Peel River ferry crossing where it stayed until October 20.

From July 30 to the end of October 20, 2010, 407 caribou were reported to have been harvested by 177 harvesters. Of this, nine were cows, 238 mature bulls, 145 juvenile bulls and 15 caribou of unknown sex and age. Three caribou were reported in July, 228 in August, 37 in September and 139 in October. The low numbers in September were due to the herd moving west toward the Alaska border. Reporting at the station is voluntary so not all harvest is recorded there.

HART RIVER CARIBOU CLOSURE, SOUTH DEMPSTER

Because there were few Porcupine Caribou in the overlap area with the Hart River Caribou Herd, Environment Yukon closed caribou hunting in those subzones on November 5 to protect the smaller Hart River Herd from the more liberal hunting regulations intended for Porcupine Caribou. This is the fourth closure done since 2006.

DEMPSTER HIGHWAY MANAGEMENT



HUNTER EDUCATION

DEMPSTER SHOOTING WORKSHOP

The ferries on the Mackenzie River and Peel River shut down operations for the season on October 28 and November 3, respectively. GNWT opened the Peel River ice crossing to light traffic on November 8. Because the highway was open, the shooting workshop was held during the November long weekend. The few caribou that were around were on the north end so staff set up the workshop just south of the Arctic Circle. Because there were so few caribou around, there were also few hunters — probably less than 10 hunting parties, only one of which stopped in to the workshop. The workshop was open from November 11 to 13. Staff shut down the workshop early due to lack of hunters. The PCMB once again provided participation prizes.

SHINGLE POINT “SIGHT IN YOUR RIFLE” PROGRAM

The Aklavik Hunters and Trappers Committee and GNWT ENR worked together to hold an event at Shingle Point on July 25, 2010. The goal of the event was to stress the importance of sighting in your rifle prior to



hunting caribou. HTC and ENR staff members distributed information on caribou and the Harvest Management Plan, and held several shooting competitions. Twenty-four people from Aklavik, Inuvik and Alaska took part in the target shooting competitions. Another 50 people attended to watch the competitions. Participation prizes were provided by ENR, PCMB and YG.





HARVEST MANAGEMENT STRATEGY

HARVEST MANAGEMENT PLAN FOR THE PORCUPINE CARIBOU HERD IN CANADA (2010)

DEVELOPING THE PLAN

Harvest management of the Porcupine Caribou Herd has always been complicated because of the large herd range. Caribou use lands administered by the U.S., Canadian, Yukon and Northwest Territories governments as well as the traditional lands of the Inupiat, Inuvialuit, NWT Gwich'in, Vuntut Gwitchin, Na Cho Nyäk Dun, and Tr'ondëk Hwëch'in. All aboriginal groups within the range of the herd have land claim agreements which means that First Nations and Inuvialuit have certain authorities to manage their lands and make hunting regulations within their respective settlement areas. In addition, the *Porcupine Caribou Management Agreement* (1985) and the *Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd* (1987) also give some direction on how caribou harvest should be managed.

Initiated in 2004, the Harvest Management Strategy was an effort to bring all Canadian parties together to discuss concerns and ideas and to work out a plan to harmonize harvest management across the Canadian range of the herd. The strategy consisted of three phases:

1. The Harvest Management Protocol Agreement (signed in February 2007);
2. The Harvest Management Plan (released in 2010); and
3. The Native User Agreement (not yet started).

The Board hosted a workshop in Inuvik in October 2007 to bring all interested parties together to discuss ideas for what might be included in a harvest management plan for the herd. The eight parties each appointed representatives to a working group which was tasked with developing a Harvest Management Plan for the herd. Working together on the plan ensured that all user groups had a strong voice in deciding how to protect the herd in a way that satisfies the requirements of all users.

Over the course of numerous meetings, the working group prepared a Public Discussion Draft of the plan in 2008. A community tour was conducted in the fall of 2008 and public feedback was requested through various means including a questionnaire, and postings on the Porcupine Caribou Management Board web site. A summary document of comments received was prepared. The working group revised the draft plan based on the comments received and submitted the plan to the PCMB in May 2009.



The Board then further revised the plan, finalized its recommendations and submitted the recommended Plan to the Parties in June 2009. The Parties held a meeting in January 2010 to discuss the plan and formed a group of Senior Officials to settle some outstanding issues. In April 2010, the eight Parties responsible signed the Harvest Management Plan for the Porcupine Caribou Herd in Canada (HMP). The Senior Officials then drafted the Implementation Plan to accompany the HMP that was finalized in December 2010 and signed by all the Parties by April 2011.

The HMP provides a cooperative, proactive approach to harvest management by the Inuvialuit Game Council, Gwich'in Tribal Council, Vuntut Gwitchin Government, Tr'ondëk Hwëch'in, First Nation of NaCho Nyäk Dun, Government of Yukon, Government of the Northwest Territories and Government of Canada. It is a plan for all times – one that will respond to the status of the herd

whether the population is high or low.

The HMP is a significant achievement that the Board is very proud to have accomplished.

The HMP lays out options for harvest management regimes based on the status of the herd. These options are intended to protect the herd as well as respect harvesting rights.

The HMP involves use of modern scientific studies and the traditional wisdom of community members. Each year, the Porcupine Caribou Management Board (PCMB) will host a meeting of the Parties to review all available scientific, local and traditional knowledge about the current status of the herd and recent harvest information from all Parties. The PCMB will then decide which colour zone the herd is in and will recommend management actions to the Parties to implement. This meeting will take place the second week of February with actions implemented by the next fall hunting season.

HIGHLIGHTS OF THE HMP

Management Goal: We want to try to conserve the Porcupine Caribou Herd by adjusting the number and sex of caribou we harvest based on the changes in the herd size and population trend.

MANAGEMENT OF HARVEST NUMBERS

Herd size	Licensed Hunters	Aboriginal Hunters
GREEN ZONE	Up to two animals each	No harvest limit
more than 115,000 animals	Mandatory bulls only All hunters required to report ①	Cows and bulls may be taken All hunters required to report ①
YELLOW ZONE	1 animal each	No harvest limit
80,000 – 115,000 animals	Mandatory bulls only All hunters required to report ①	Voluntary bulls only with a commitment to strive for 100% bulls harvest ② All hunters required to report ①
ORANGE ZONE	Harvest limit through permit ③	Harvest limit through subsistence allocation ③
45,000 – 80,000 animals	Mandatory bulls only All hunters required to report ①	Mandatory bulls only All hunters required to report ①
RED ZONE	No harvesting	Extremely limited harvesting ④
Up to 45,000 animals		All hunters required to report ①

1. The Parties to the Harvest Management Plan to work out a rigorous and verifiable system for reporting as part of the implementation plan
2. All Parties commit to implementing a bulls-only harvest.
3. Limits will be determined by the Annual Allowable Harvest (0.5 to 3% of herd) that will be reviewed annually in order to respond to population trend. The subsistence allocation will be determined through a 'Native User Agreement' and the licensed hunter allocation in Yukon worked out between the Yukon government and Yukon First Nations.
4. Essentially no harvesting but consideration will be given to allocating up to 0.1% of herd for ceremonial purposes, such as a potlatch.

INFORMATION NEEDED

The following indicators are collected for the Porcupine Caribou Herd on a regular basis:

- Estimated herd size — the number of caribou in the herd from the photo census or Caribou Calculator **.
- Harvest information — The number and sex ratio of caribou harvested by hunters each year.
- Adult cow survival — The percentage of the cows that survive each year.
- Calf birth rate — The percentage of cows that gave birth that spring.
- Calf survival to nine months — The number of calves still alive by late winter, relative to the number of cows.
- Body condition — The fatness of caribou that hunters harvest in fall and winter.

** *The Caribou Calculator is a computer program that uses all of the annual*

monitoring information including harvest data to estimate how many caribou are in the herd. The Plan says that in years where we don't get a photo census, the Caribou Calculator will be used to help make harvest management decisions.

PREDATOR CONTROL

Predator control is not called for in this plan. The Inuvialuit, NWT Gwich'in and Yukon First Nations may independently consider community driven initiatives to reduce predation.

SALE OF CARIBOU

While the trade, barter and sale of Porcupine caribou with other native users is permitted under the Porcupine Caribou Management Agreement (PCMA), commercial harvest of meat is not. Results from the community engagement meetings suggest sale is happening and there is a concern about it. This plan recommends the Board establish guidelines for the

trade, barter and sale of caribou as per the PCMA

ALASKA

About 15 percent of the total reported harvest of the Porcupine Caribou Herd Caribou is taken by Alaskans. Alaskan community and agency participation in harvest management is vital to the plan's overall success.

The Plan says that efforts should be made to revitalize the International Porcupine Caribou Board to "... make recommendations and provide advice on ... cooperative conservation planning for the Porcupine Caribou Herd throughout its range."

Alaskan user communities and governments have been informed about the Canadian harvest planning process and a coordinated effort to include Alaska in harvest management will be undertaken at the earliest opportunity



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EDUCATION AND COMMUNICATION

By adopting this plan it is understood that the parties will support the Porcupine Caribou Management Board in devoting a large portion of its time and resources toward working closely with the communities on education and communication that:

- Improves marksmanship and use of accurate, flat-shooting rifles (reduces the use of underpowered rifles) so that fewer caribou are wounded and die without being found.
- Makes all hunters try their hardest to go after a wounded animal rather than letting it run off.
- Helps hunters identify bulls from cows.
- Makes people aware that it is mandatory to report their harvest.
- Encourages hunters to participate in projects that keep track of the health of the herd.

DEMPSTER HIGHWAY

The plan does not call for regulations but it contains numerous recommended Best Practices for hunting along the Dempster Highway. These will be included in the Hunter Education program.

HARVEST MANAGEMENT ACTIONS

At the time the Plan was finalized, the Parties agreed the Herd was in the Yellow zone for the 2010/2011 season (see June 2010 PCMB Caribou Update). The Parties enacted respective regulation changes to reflect the Yellow zone management regime; licensed hunters are limited to only one bull caribou each and Aboriginal hunters are asked to voluntarily take bulls only with no limit on the number taken. All Parties committed to a target of a 100% bulls-only harvest.

In 2009, the Government of Yukon had enacted interim conservation

measures which limited all hunters to a mandatory bulls-only harvest and required mandatory harvest reporting by all hunters hunting in Yukon. These measures were intended to ensure conservation of the herd while the HMP was being finalized and Yukon government had committed to reviewing these measures once the HMP was implemented.

In the NWT, resident hunters were limited to two bulls each, there was no non-resident hunting and aboriginal hunters were asked to focus their efforts on bulls rather than cows.

Based on the HMP, in February 2011, the first Annual Harvest Meeting was held in Inuvik (see AHM section below) and the Board made recommendations to all the Parties in March 2011 for Management Actions for the 2011-12 season.



HMP IMPLEMENTATION PLAN

The Implementation Plan (IP) for the Harvest Management plan was signed by all Parties in early 2011. The HMP and IP facilitate the coordination of management actions for the Porcupine Caribou herd. The purpose of the IP is to give effect to the requirements of the HMP and the commitments of the Parties. The PCMA and the HMP establish the foundation and framework respectively for the IP. The IP established a coordinated approach and integrated actions of the development and implementation of management activities that should result in effective harvest management outcomes. It consists of three key components:

1. Assessment of the population status of the herd and the annual harvest by hunters;

2. Management activities based on the population and harvest assessment; and
3. Monitoring and evaluation of the reliability of assessment methods, the effectiveness of management measures in achieving the objectives of the HMP and the management (colour) zones, and the modification of the reporting and assessment methods and management measures where necessary.

Appendices to the IP deal with the following:

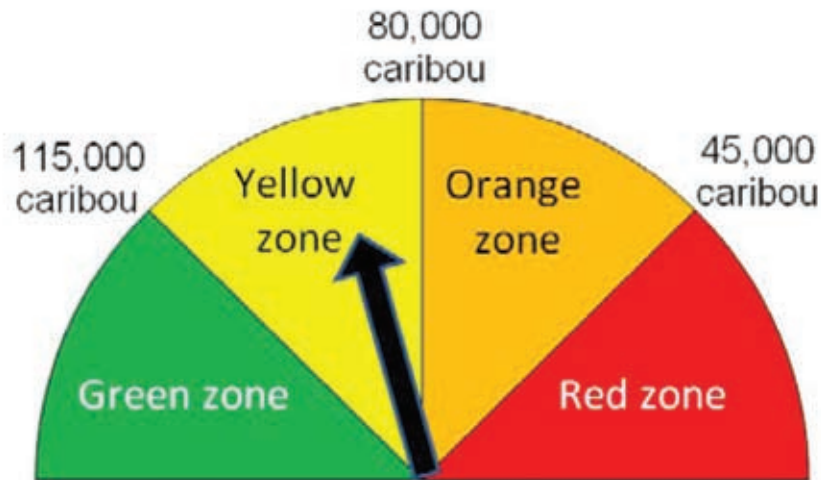
1. Jurisdiction-based harvest reporting programs and harvest management measures/mechanisms;
2. Check station functions and operations;
3. Annual Harvest Meeting Terms of Reference;

4. Template for the annual submission of harvest data to the PCMB;
5. Table of contents of PCTC annual summary report;
6. Summary of table of Implementation Plan tasks and actions;
7. Flowchart of harvest management assessment and recommendations;
8. Milestones calendar or recurring annual activities;
9. A review of the Design of the harvest reporting program; and
10. Implementation Plan development – participating Senior Officials

MILESTONES CALENDAR OF RECURRING ANNUAL ACTIVITIES

January	February	March	April
20 th Parties have provided to the PCMB their comments on the Annual Summary Report, supplementary information, and evaluation of harvest management measures	2 nd week PCMB convenes Annual Harvest Meeting	2 nd week PCMB has submitted harvest management recommendations to Parties 30 th PCMB publicly releases recommendations.	2 nd week Parties have responded to PCMB with written comments or advise when response will be provided.
May	June	July	August
31 st PCMB and Parties complete annual communications plan	1 st YG and GNWT submit summary harvest information to PCMB	15 th All Parties have submitted summary harvest data reports and survey questionnaire to PCMB 15 th - PCMB has forwarded harvest information package to PCTC for review	1 st PCMB and Parties complete communications materials for distribution
September	October	November	December
		15 th PCTC has completed and submitted Annual Summary Report to PCMB	1 st PCMB has distributed Annual Summary Report to Parties and issued invitations to the Annual Harvest Meeting

Harvest Management Colour Chart



COMMUNICATION ON THE HMP

The above graphic was developed as the main communication tool for hunters. This graphic was used to 'brand' the HMP in various communication tools designed to remind hunters of the status of the herd.

Numerous communication tools were developed to inform the public of the HMP. Several newspaper articles were published; a three-page summary of the plan was delivered to all mail boxes within the Canadian range of the herd; freezer magnets, bumper and window stickers were widely distributed; posters were printed and sent to communities to post; information was put on local television rolling as stations; two radio public service announcements were recorded and broadcast on local radio stations; and highway signs were built to install in key places in the communities and along the Dempster Highway.

HMP HIGHWAY SIGNS

The herd status signs as called for in the Harvest Management Plan were designed and built. Plans are to install a sign at the south end of the Dempster, one in Old Crow, one in each of the NWT User Communities

and one at the Peel River crossing. The signs will be revised based on the PCMB harvest recommendations as a result of the first Annual Harvest Meeting scheduled for February 2011.

FIRST ANNUAL HARVEST MEETING

As directed in the HMP, the PCMB developed the Terms of Reference and Operating Procedures for the Annual Harvest Meeting. The Canadian side of the Porcupine Caribou Technical Committee developed the first Annual Summary Report.

The three-day meeting was held February 8 to 10, 2011 in Inuvik. At the first day of the annual meeting, Parties to the Porcupine Caribou Management Agreement and the public shared information and ideas on the status of the Porcupine Caribou Herd and management actions. Presentations were made by most of the Parties and comments were also provided by other stakeholders. Key points raised included improvements to harvest data collection efforts, colour zone recommendations, and continued cooperative implementation of the HMP. A summary of the Annual Harvest Meeting public session will be made available to the public once it is finalized.

The second day of the annual meeting was a closed session for the PCMB and Parties to collectively review the assessment of the status of the herd and harvest management actions, and discuss other related information.

On the third day of the Annual Harvest Meeting, the PCMB held a closed session for the Board to deliberate on information presented and develop harvest management recommendations for the upcoming fiscal year.

On March 10, PCMB sent recommendations to the Parties. Fifteen days later, as per the Terms of Reference, the recommendations were released to the public. Based on the confirmed results from the 2010 photo census, the Board recommended harvest management actions consistent with the Green Zone: licensed hunters limited to a maximum of two bull caribou each and no restrictions on aboriginal hunters

OUTSTANDING WORK RELATED TO THE HMP

As directed in the HMP and the Implementation plan, there are still many activities for the Board and Parties to complete, including:

- Recommend guidelines on the sale, trade and barter of Porcupine caribou
- More education and communication efforts related to the herd, management, hunting and the HMP
- Develop and implement a scientifically sound method of collecting rigorous and verifiable harvest data
- Develop Native User Agreements



- Engage Alaskan agencies and organizations to cooperatively manage harvest on both sides of the international border

For a more complete list of the activities and other documents see the PCMB website at www.taiga.net/pcmb

BOARD MEETINGS 2010-11

In keeping with the communication strategy of the Board, the members try to meet in the Porcupine Caribou herd communities as often as possible. Community members and representatives of stakeholder organizations are encouraged to attend the meeting. The following Board meetings were held during this fiscal year:

- May 26 and 27, 2010 (Dawson City, Yukon)
- June 11, 2010 (teleconference)
- September 18 and 19, 2010 (Inuvik, NWT)
- November 27 and 28, 2010 (Whitehorse, Yukon)
- February 7, 2011 (Inuvik, NWT)
- February 8-10, 2011 (Annual Harvest Meeting, Inuvik, NWT)
- March 29 and 30, 2011 (Whitehorse, Yukon)

Board members meet with their respective community organizations before and after Board meetings to keep abreast of community concerns and share information about PCMB activities.

PCMB REPRESENTATION IN MEETINGS

The Board was represented in other regional, national and international engagements:

- The Chair attended the Caribou Days event in Old Crow from May 21-24, 2010
- The Chair attended the Midway Festival at Midway Lake from July 29-31, 2010

- The Chair attended the Gwich'in Tribal Council General Assembly in Aklavik from August 10-12, 2010
- The Chair attended the North American Caribou Workshop in Winnipeg, MB from October 26-28, 2010
- The CARMA meeting in Vancouver, BC from November 30 to December 2, 2010

In addition, there have been numerous working group and committee meetings that have been held throughout the year in various communities, which have been attended by Board representatives.

2010-11 COMMUNICATION HIGHLIGHTS

Communicating Board activities and information about the herd is an important part of the Board's work. Some highlights of the Board's communications are as follows:

- The Annual Report is a key method to share extensive information about the herd and the Board's activities. The Annual Report is distributed widely, to user organizations in the U.S. and Canada, environmental organizations throughout the world, lobbying groups that advocate for protection of the herd's habitat in Canada and the United States, scientists, universities and libraries.
- The Board's Web site is regularly updated with current information and announcements about Board activities. It also contains information sections on the herd (including sections about the herd's population, migration, uses of the herd and herd health). The Reference Desk section contains downloadable reports and the Porcupine Caribou Schools Program, which can be freely used by educators. This year saw the addition of sections about ethical hunting, human activity in the herd's range, and numerous updates.

- All stakeholders and the general public are invited to attend PCMB meetings to observe the Board's discussions and decisions. Invitations to the meetings are mailed to stakeholders and interested parties. Public Service Announcements of upcoming PCMB meetings are published in newspapers and broadcast over local radio stations.
- Public open houses are held in conjunction with the Board meetings in the communities. This is a time for dialogue among the Board members and the public. PCMB brochures and other printed materials are made available at all PCMB meetings as well as other events that Board members attend.
- Newspaper columns are printed in the Yukon News to distribute detailed information about specific issues for the broader public. The Yukon News is distributed in all Yukon communities, and is read by the general public, caribou users, resident hunters and persons concerned about the environment.
- Community Caribou Update newsletters are distributed to stakeholder organizations and others who have expressed interest.
- To promote hunter safety, blaze orange vests printed with "Think Safety First" are loaned to hunters on the Dempster Highway. Blaze orange toques are given to Dempster Highway and Old Crow hunters.
- Targets were developed to help hunters sight in their rifles. These targets are distributed widely across the range.
- The Board provides door prizes and participation prizes for a variety of events hosted by others such as shooting workshops along the Dempster Highway and youth on-the-land camps.

- The Chair tours Porcupine Caribou herd user communities and attends various other board and community meetings throughout the year.
- Radio and newspaper interviews are done throughout the year.
- The ongoing Satellite Collar Project publishes periodic updates on the movement of the herd on the Taiga Web site. This can be viewed at <http://www.taiga.net/satellite/index.html>
- The Board distributes pamphlets, pins, pens, and t-shirts at community meetings, speaking engagements and public information events.
- One-page information sheets are used in PCMB displays and are distributed at meetings. In addition, they continue to be distributed to all user groups for free copying, display and distribution. There are topics to encourage specific ethical hunting practices such as responsible snow machine use, sparing the cow, and voluntarily avoiding hunting the bull during the rut. Other information sheets are:
 - o Counting the Caribou
 - o Hunting for Porcupine Caribou along the Dempster Highway
 - o Aim for your best when Hunting Porcupine Caribou
 - o Leave the Cows Alone
- Posters describing co-management and the structure of the PCMB were developed and printed. These are used at meetings and other public outreach displays.



INDEPENDENT AUDITORS' REPORT

204-208A Main Street
Whitehorse, Y.T. Y1A 2A9
Phone: (867) 633-5434
Fax: (867) 633-5440

To the Members of Porcupine Caribou Management Board,

We have audited the accompanying financial statements of Porcupine Caribou Management Board which include the statement of financial position as at March 31, 2011, and the statement of operations, statement of changes in net financial assets and cash flow statement for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's responsibility for the financial statements

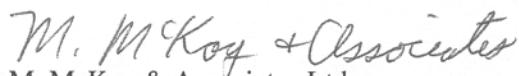
Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian generally accepted accounting principles, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement. An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of Porcupine Caribou Management Board as at March 31, 2011, and its operations and its cash flows for the year then ended in accordance with Canadian generally accepted accounting principles.

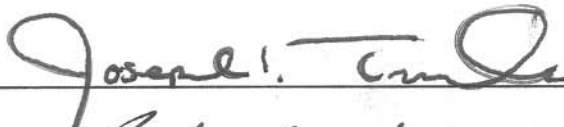

M. McKay & Associates Ltd.
Certified General Accountants


Whitehorse, Yukon
June 30, 2011

**BALANCE SHEET FOR THE YEAR ENDED
MARCH 31, 2011**

	<u>2011</u>	<u>2010</u>
Assets		
Current		
Cash	\$ 60,787	\$ 127,447
Funding holdback receivable	24,624	11,520
GST refundable	6,446	3,100
	91,857	142,067
Capital assets (Note 2)	6,831	6,831
	\$ 98,688	\$ 148,898
Liabilities		
Current		
Accounts payable and accrued liabilities	\$ 4,620	\$ 4,200
Equity		
Investment in capital assets (Note 2)	6,831	6,831
Surplus	87,237	137,867
	94,068	144,698
	\$ 98,688	\$ 148,898

APPROVED ON BEHALF OF THE BOARD:


 _____ Director


 _____ Director

**STATEMENT OF SURPLUS FOR THE YEAR
ENDED MARCH 31, 2011**

	<u>2011</u>	<u>2010</u>
Surplus, beginning of year	\$ 137,867	\$ 131,870
Excess (deficiency) of revenue of expenditures		
General schedule	(3,456)	17,968
"1002" Intervention schedule	(500)	(1,347)
Harvest Management Strategy schedule	(46,674)	(10,624)
	<u>(50,630)</u>	<u>5,997</u>
Surplus, end of year	<u>\$ 87,237</u>	<u>\$ 137,867</u>

**STATEMENT OF CASHFLOWS FOR THE YEAR
ENDED MARCH 31, 2011**

	<u>2011</u>	<u>2010</u>
Operating activities		
Excess of revenue over expenditures	\$ (50,630)	\$ 5,997
Add (deduct) net change in non-cash working capital items	(16,028)	5,736
Decrease in cash	<u>(66,658)</u>	<u>11,733</u>
Cash, beginning of year	127,447	115,714
Cash, end of year	<u>\$ 60,789</u>	<u>\$ 127,447</u>

**STATEMENT OF REVENUES AND
EXPENDITURES FOR THE YEAR ENDED
MARCH 31, 2011**

	<u>2011</u>	<u>2010</u>
Revenue		
Parks Canada	\$ 30,050	\$ 30,050
Government of Yukon	84,000	78,240
Government of Northwest Territories	92,000	78,000
Indian and Northern Affairs Canada	55,056	55,056
Environment Canada	61,000	31,000
Na-Cho Nyak Dun	4,900	-
Tr'ondek Hwech'in	1,500	-
Vuntut Gwitichin Government	5,000	-
Other	-	11,960
	<u>333,506</u>	<u>284,306</u>
Expenditures		
Administration	60,379	52,061
Consultants	61,824	7,254
Cumulative effects management	9,718	6,549
Honoraria	73,040	70,176
Materials and supplies	43,803	25,971
Meetings, workshops and conferences	17,968	30,411
Office	30,695	12,579
Postage	429	-
Professional fees	16,503	15,741
Telephone	4,778	5,715
Travel	64,997	43,101
Wages	-	8,750
	<u>384,134</u>	<u>278,308</u>
Excess of revenue of expenditures	<u>\$ (50,630)</u>	<u>\$ 5,997</u>

NOTES TO THE FINANCIAL STATEMENTS

MARCH 31, 2011

1. Purpose of the organization

The Porcupine Caribou Management Board is a joint management board established under the Porcupine Caribou Management Agreement signed in 1985. The object of the board is to enhance the well-being of the Porcupine Caribou herd in the Yukon and Northwest Territories by studying the herd to determine its condition and to track migration and habits, holding workshops and seminars and publishing information to educate the public.

As a register charity it is exempt from income taxation under S. 149 (1)(f) of the Income Tax Act.

2. Significant accounting policies

Revenue recognition

The Board follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonable assured.

Capital assets

The costs of capital assets are expensed in the year of purchase. Capital assets are capitalized on the balance sheet, and the matching investment in capital assets is recorded. Amortization is not recorded.

Financial instruments

The Board's financial instruments consist of cash, accounts receivable and accounts payable. Unless otherwise noted, it is management's opinion that the Board is not exposed to significant interest, currency or credit risks arising from these financial instruments.

3. Economic Dependence

The Board is dependent upon various government agencies for continued financial support.

4. Contingencies

Final determination of amounts refundable, if any, to the funding agencies is contingent upon reviews by the funding agencies.

**SCHEDULE OF REVENUE AND EXPENDITURES
FOR THE YEAR ENDED MARCH 31, 2011
GENERAL**

	<u>2011</u>	<u>2010</u>
Revenue		
Parks Canada	\$ 30,050	\$ 30,050
Government of Yukon	75,000	78,240
Government of Northwest Territories	78,000	78,000
Environment Canada	31,000	31,000
Other	-	1,873
	<u>214,050</u>	<u>217,290</u>
Expenditures		
Advertising and promotion	2,454	4,316
Bookkeeping	2,834	2,262
Meeting expenses	9,583	12,193
Honoraria	44,154	48,225
Office and miscellaneous	30,636	21,753
Professional fees	1,328	1,254
Secretariat	55,884	52,070
Telephone and internet	3,148	3,233
Workshops	6,004	11,712
Travel and accomodation	47,896	39,357
Payroll	3,867	617
Cumulative effects management	9,718	6,549
	<u>217,506</u>	<u>203,539</u>
Excess of revenue of expenditures	<u>\$ (3,456)</u>	<u>\$ 13,751</u>

**SCHEDULE OF REVENUE AND EXPENDITURES
FOR THE YEAR ENDED MARCH 31, 2011
1002 INTERVENTION**

	<u>2011</u>	<u>2010</u>
Revenue		
Indian and Northern Affairs Canada	<u>\$ 55,056</u>	<u>\$ 55,056</u>
Expenditures		
Administration		
Office and miscellaneous	2,163	1,746
Web maintenance	5,000	5,000
Professional fees	3,500	3,000
Telephone	1,529	2,483
Core honoraria	13,950	13,950
Contractors		
Administration	10,186	6,150
Public information	8,841	9,225
Travel		
Conference participation/Harm mitigation	10,388	14,849
Harm mitigation	-	-
	<u>55,556</u>	<u>56,403</u>
Deficiency of revenue of expenditures	<u>\$ (500)</u>	<u>\$ (1,347)</u>

**SCHEDULE OF REVENUE AND EXPENDITURES
FOR THE YEAR ENDED MARCH 31, 2011
HARVEST MANAGEMENT STRATEGY**

	<u>2011</u>	<u>2010</u>
Revenue		
Government of Northwest Territories	\$ 14,000	\$ -
Environment Canada	30,000	-
Government of Yukon	9,000	-
Na-Cho Nyak Dun	4,900	-
Vuntut Gwitchin Government	5,000	-
Tr'ondek Hwech'in	1,500	-
	<u>64,400</u>	<u>-</u>
Expenditures		
Administration	15,759	2,460
Honoraria	5,250	-
Consulting	61,824	7,254
Travel	6,776	-
Accomodations	5,187	-
Per diems	1,060	-
Meetings and workshops	2,381	-
Postage and freight	429	-
Supplies	1,262	-
Telephone	101	-
Printing and copying	9,020	910
	<u>111,074</u>	<u>10,624</u>
Deficiency of revenue of expenditures	<u>\$ (46,674)</u>	<u>\$ (10,624)</u>

Appendix One

Porcupine Caribou Management Agreement

This agreement made on the 26 day of October, 1985 between:

THE GOVERNMENT OF CANADA, as represented by the Minister of Indian Affairs and Northern Development and the Minister of the Environment, (hereinafter referred to as "Canada"); - and -

GOVERNMENT OF YUKON, as represented by the Minister of Renewable Resources, (hereinafter referred to as "Yukon"); - and -

THE GOVERNMENT OF THE NORTHWEST TERRITORIES, as represented by the Minister of Renewable Resources, (hereinafter referred to as "GNWT"); - and -

THE COUNCIL FOR YUKON INDIANS, (hereinafter referred to as "CYI"); - and -

THE INUVIALUIT GAME COUNCIL, (hereinafter referred to as "IGC"); - and -

THE DENE NATION AND THE MÉTIS ASSOCIATION OF THE NORTHWEST TERRITORIES, (hereinafter referred to as the "Dene/Métis*").

WHEREAS the Porcupine Caribou Herd within Canada historically migrates across the boundary between Yukon and the Northwest Territories;

AND WHEREAS the continued well-being of the Porcupine Caribou Herd and the maintenance of its habitat require co-ordinated management, good will and co-operation between Governments and the traditional users of these caribou;

AND WHEREAS the parties hereto recognize the value of these caribou to Canada generally and that a special relationship exists between native users and these caribou.

NOW THEREFORE this Agreement Witnesseth that the Government parties hereto, under their respective authorities to enter into agreements of this kind, agree to act within their legislative authorities for the management of Porcupine Caribou and the protection and maintenance of Porcupine Caribou habitat, in a co-operative manner together with the other parties to this Agreement, to give effect to its terms as follows.

A. DEFINITIONS

In this Agreement:

1. **"Allowable harvest"** means that level of harvest of the Porcupine Caribou Herd in Canada as set pursuant to the terms of this Agreement.
2. **"Board"** means the Porcupine Caribou Management Board established herein.
3. **"Conservation"** means the management and use of Porcupine Caribou and its habitat which best ensures the long term productivity and usefulness of the Herd for present and future generations.
4. **"Habitat"** means the whole or any part of the biosphere upon which the Porcupine Caribou Herd depends, including all of the land, water and air that it inhabits, crosses or utilizes at any time.
5. **"Harvest"** means to shoot, kill, harm, capture, trap, or collect for any purpose, or to attempt to engage in such activities.
6. **"Management"** means the methods and procedures which are necessary to ensure the health and protection of the Porcupine Caribou Herd and the maintenance of its habitat, which may include but are not limited to the following activities associated with wildlife and land management: law enforcement, research, census-taking, monitoring, public information, education and functions provided for in this Agreement.
7. **"Minister(s)"** means the appropriate responsible Minister of the Government of Canada, Government of Yukon or Government of the Northwest Territories.
8. **"Native user"** means a person whose entitlement to the subsistence harvest of Porcupine Caribou has been recognized by a native user community and who is:
 - (a) an aboriginal person who is a traditional user of the Porcupine Caribou or the descendant of such a person; or
 - (b) an aboriginal person who is a current user of the Porcupine Caribou at the time of signing this Agreement and meets a reasonable residency requirement satisfactory to his native user community; or
 - (c) A Canadian aboriginal person who has not traditionally or currently harvested the Porcupine Caribou but meets a reasonable residency requirement satisfactory to the Board.
9. **"Native User Community"** means any one of the communities of Old Crow, Dawson, Mayo, Fort McPherson, Arctic Red River, Aklavik, Inuvik or Tuktoyaktuk and may also include such other new communities as may be determined through native user agreements in effect from time to time. The native users within these communities shall be represented by a Chief

and Council, a Hunters and Trappers association or other appropriate native leadership body, including those bodies defined through the comprehensive land claims process.

10. **"Parties"** means the parties to this Agreement and may include their successors or assigns, as defined through the comprehensive land claims process or otherwise.
11. **"Porcupine Caribou"** means members of that herd of barren ground caribou which regularly bears its young in north-eastern Alaska and north-western Yukon and historically moves southward within Alaska, Yukon and the Northwest Territories for the winter. Its Canadian range, the limits of which are defined within Yukon by current Yukon game management subzones, is generally depicted for Yukon and the Northwest Territories on the map attached as Appendix I to this Agreement.
12. **"Preferential Right"** means the right to harvest Porcupine Caribou for subsistence usage and to be allocated, subject to conservation and the terms of this Agreement, quantities of Porcupine Caribou sufficient to fulfill the native users requirements for subsistence usage before there is any allocation for other purposes, such right of allocation being provided for by the establishment, when necessary, of the allocation hereinafter referred to as the "native user allocation."

B. OBJECTIVES OF THE PARTIES

1. To co-operatively manage, as a herd, the Porcupine Caribou and its habitat within Canada so as to ensure the conservation of the Herd with a view to providing for the ongoing subsistence needs of native users;
2. To provide for participation of native users in Porcupine Caribou Herd management;
3. To recognize and protect certain priority harvesting rights in the Porcupine Caribou Herd for native users, while acknowledging that other users may also share the harvest;
4. To acknowledge the rights of native users as set out in this Agreement; and
5. To improve communications between Governments, native users and others with regard to the management of the Porcupine Caribou Herd within Canada.

C. ESTABLISHMENT OF THE PORCUPINE CARIBOU MANAGEMENT BOARD

1. The Government parties to this Agreement shall establish a Board, to be known as the Porcupine Caribou Management Board, to provide advice and recommendations to the Ministers.
 2. Subject to paragraph 3(f) of this Part:
 - (a) The Board will always include representation from each of the parties to this Agreement.
 - (b) The Board will always contain equal Government and native representation and equal representation of native users from Yukon and the Northwest Territories.
 3. Eight voting members shall be appointed within a reasonable time to the Board, as follows:
 - (a) Canada shall appoint one member to represent Canada;
 - (b) (i) Yukon shall appoint two members to represent Yukon;
 - (ii) CYI shall nominate two members to represent the native users of Old Crow, Dawson and Mayo;
 - (c) (i) GNWT shall appoint one member to represent GNWT;
 - (ii) The Dene/Métis* shall nominate one member to represent the Dene/Métis* native users or Aklavik, Inuvik, Fort McPherson and Arctic Red River;
 - (iii) IGC shall nominate one member to represent the Inuvialuit native users of Aklavik, Inuvik and Tuktoyaktuk;
 - (d) Upon receipt of notification from the parties, the Ministers shall confirm the nominations and appointments as required;
 - (e) The members of The Board shall be appointed for a term of five years, subject to the right of the parties to terminate the appointment of their respective appointees at any time and have Board members reappointed in accordance with the above terms of reference
 - (f) If, within a reasonable time, nominations or appointments are not made as provided for in this paragraph, the Board may discharge its responsibilities with those members who have been nominated or appointed.
4. (a) A majority of the members of the Board shall nominate from outside the membership of the Board a Yukon resident as the first Chairman and shall notify the Ministers accordingly;
- (b) The Board shall determine criteria for the nomination of subsequent Chairmen;

- (c) If agreement on nomination of a Chairman cannot be reached within a reasonable time, any party to this Agreement may refer the matter to a Judge of the Supreme Court of the Yukon Territory acting as an arbitrator under the provisions of the Arbitration Ordinance and if the Court shall not provide a Judge, then to an arbitrator under the provisions of the Arbitration Ordinance;
- (d) The majority of the members of the Board shall confirm the acceptability of the Chairman as nominated and shall notify the Ministers of its confirmation;
- (e) The Chairman shall have tenure for a term of five years and may, with the approval of the Board serve additional terms;
- (f) Upon receipt of notification from the Board, the Ministers shall confirm the appointment or dismissal of Chairmen as required.

D. DUTIES OF THE BOARD

1. The Board shall establish and maintain communication with the native users of the Porcupine Caribou, between the native users of the Porcupine Caribou, between native users and Governments, among Governments and with other users, in order to assist in co-ordinated management and conservation of Porcupine Caribou and its habitat.
2. The Board shall determine the actions that are necessary to achieve the objectives described herein and shall recommend them to the Minister.
3. The Board shall hold such public meetings as are reasonably necessary to report on and discuss with native users and others its findings and recommendations and, in any event, shall inform the native user communities in writing of the Board's recommendations to the Minister.
4. The Board shall review technical and scientific information relevant to the management of the Porcupine Caribou Herd and its habitat and may advise the Minister of its adequacy.
5. The Board shall encourage native users and other harvesters of Porcupine Caribou to participate in the collection of statistics and biological information.
6. The Board shall maintain a list of eligible native users for each native user community and up-to-date information on the suballocation of the native user allocation among communities all of which shall be made available to Governments for management purposes.

E. RECOMMENDATIONS OF THE BOARD

Without restricting the generality of Part D of this Agreement, the parties agree that the Board may do the following:

1. The Board may make recommendations to the Minister on any matter affecting the Porcupine Caribou and its habitat, including recommendations related to the making of policy, legislation and regulations regarding:
 - (a) management strategies for the Porcupine Caribou Herd;
 - (b) a herd management plan for the Porcupine Caribou Herd;
 - (c) guidelines for native users' participation in Porcupine Caribou Herd management plans;
 - (d) training required to enable native users to participate in the management of the Porcupine Caribou Herd and the conservation of its habitat;
 - (e) a predator management plan in respect of the Porcupine Caribou Herd, provided that no such plan shall be put into effect until the Minister has consulted with the Board;
2. The Board may also:
 - (a) review and recommend development of Porcupine Caribou research proposals;
 - (b) review available information and recommend further research where there appears to be a need;
 - (c) review and recommend methods of data collection and presentation;
 - (d) review the conservation and management of the Porcupine Caribou Herd and its habitat and make appropriate recommendations so as to ensure that productivity is maintained; and,
 - (e) recommend criteria according to which non-native subsistence users may qualify to share in the native user allocation from the Porcupine Caribou Herd, if the affected native user community approves.
3. (a) Because of the dependence of caribou on its habitat, the Board may make recommendations to other boards and agencies, as well as to the Minister, on land use planning and land management throughout the Canadian range of the Porcupine Caribou Herd or any portion of it. Recommendations of measures to ensure the conservation and protection of habitat shall include, but are not limited to, measures related to specific projects, plans or activities which may:
 - (i) impede, delay or disrupt Porcupine Caribou movements, affect

- behavioural patterns or reduce productivity;
 - (ii) affect Porcupine Caribou habitat; or
 - (iii) affect interactions between native users and Porcupine Caribou;
- (b) The Board may also identify sensitive habitat areas requiring special protection and recommend measures to protect such areas.

F. MINISTER'S RESPONSIBILITIES

1. The Minister shall consider the recommendations of the Board and report his decisions or comments in a timely manner. The Minister shall, within thirty days of receipt of recommendations, either provide the Chairman with his response or, where he is not able to respond fully, he shall so inform the Chairman and advise him when his full response will be provided. When advised by the Board that an emergency situation has arisen and that a decision on a recommendation is necessary forthwith, the Minister shall govern himself accordingly.
2. The Minister may consult with the Board on any matter related to the Porcupine Caribou and its habitat.
3. Recommendations of the Board shall be submitted in writing to the Minister.
4. If the Minister disagrees with a recommendation or any part thereof, he shall refer the matter back to the Board for reconsideration with due consideration for any time schedule imposed by any statutory or regulatory requirements.
5. Where, as the result of a matter being referred back to the Board recommendations are submitted, the Minister may accept or reject the recommendations in whole or in part.
6. Where the Minister rejects a recommendation in whole or in part, he shall provide the Board with reasons therefore.
7. Where it appears to the Minister that an emergency situation has arisen which affects the well being of the Porcupine Caribou or its habitat, and where time does not permit consultation with the Board, the Minister may take such action as is necessary before consulting with the Board.
8. Where emergency action has been taken pursuant to paragraph 7 above, the Minister shall forthwith inform the Chairman and solicit the continuing advice of the Board.

G. PROCEEDINGS OF THE BOARD

The Board shall establish and make known, from time to time, rules and procedures for its functioning, provided however, that:

- (a) thirty days' notice of meetings shall be given by mail, telephone, telegram or other appropriate means;
- (b) the Board shall establish its own quorum;
- (c) decisions of the Board shall be by consensus wherever possible, and shall always require a majority vote in favour, with each member having one vote;
- (d) the Board may decide that alternates be appointed to represent members when they are unable to attend Board meetings and shall establish the terms and conditions of the appointments. If it is decided that alternates are necessary, the parties shall each appoint alternates forthwith according to the terms provided for the appointment of Board members in Part C of this Agreement;
- (e) the Chairman shall, in the event of a deadlock or tie vote, be responsible for resolving the disagreement of the Board and shall, where necessary, cast the deciding vote on any issue which cannot otherwise be resolved;
- (f) the Board shall hold formal meetings at least twice yearly unless it decides otherwise;
- (g) the Board shall keep summary minutes and records of all its meetings and circulate them to its members;
- (h) the Board may establish and instruct such committees as it deems necessary to carry out its functions.

H. BOARD SECRETARIAT

There shall be a secretariat to administer the operations of the Board which shall be responsible to the Board under the direction of the Chairman. The secretariat shall receive and distribute information, prepare and circulate minutes of Board meetings and perform such other functions as the Board requires.

I. FINANCES

1. Subject to the terms and conditions of this Agreement and to funds being appropriated by legislative authority on an annual basis the Government parties



shall fund reasonable costs of the Board and Secretariat in equal portions and in such amounts as agreed annually, to ensure the Board and Secretariat functioning in a manner herein stated.

2. For further clarity, particular expenditures of the Board which are to be shared by the funding parties may include:

- (a) any salary or honorarium, and all travel, accommodation and related expenses incurred while working on Board activities, paid to the Chairman, provided that same is in accordance with Treasury Board guidelines;
- (b) the production of an annual report and its distribution;
- (c) a modest technical review capability in respect of primary research conducted by Governments and other sources;
- (d) the production of information or educational material, such as newsletters; and
- (e) such other costs as the funding parties may agree upon.

3. The Government parties shall be responsible for any salary or honorarium, and all travel, accommodation and related expenses of their Board members. In addition, Yukon shall be responsible for these expenses related to the participation of the Board members for CYI and GNWT shall be responsible for these expenses related to the participation of the Board members for IGC and the Dene/Métis.

4. The Board shall prepare and submit annual budgets for all expenditures under its control to the appropriate Government parties and shall be accountable for the expenditures of the Board and secretariat.

5. The Board shall account annually for all monies received and disbursed by the Board and secretariat and records of this accounting shall be made available to any of the parties to this Agreement for inspection upon thirty days written notice to the Chairman.

J. ALLOCATIONS OF ANNUAL ALLOWABLE HARVEST IN CANADA

1. Any of the parties to this Agreement may provide the Board with information that will, in the opinion of the submitting party, assist the Board in determining its recommendation of the annual allowable harvest from the Porcupine Caribou Herd.

2. (a) After the Board has considered all relevant information, the Chairman shall submit its report to the Ministers to facilitate the enactment of any necessary regulations.

(b) The report of the Board may include, but is not restricted to, recommendations related to the following:

- (i) annual allowable harvest;
- (ii) categories and priorities of harvest allocations;
- (iii) methods of harvest;
- (iv) areas of harvest;
- (v) means of access;
- (vi) seasons;
- (vii) age and sex of Porcupine Caribou to be harvested; and
- (viii) research study requirements related to the harvest.

(c) In determining the native user allocation the Board shall take into account, among other things, the following criteria:

- (i) food and clothing requirements of the native users;
- (ii) usage patterns and levels of harvest by the native users;
- (iii) ability of caribou and other wildlife populations to meet the subsistence requirements of the native users; and
- (iv) projections of changes in caribou populations.

(d) The Board may also include in its report the appropriate principles, considerations and procedures that should be used in order to calculate a total annual allowable harvest and its allocations, and more generally to define the conservation limit for the harvest of the Porcupine Caribou Herd.

(e) If the Porcupine Caribou Herd is healthy and of sufficient numbers to satisfy all reasonable completing needs, the Board may recommend that the setting of an annual allowable harvest is not required.

3. The territorial Governments shall, upon taking into consideration the recommendations of the Board and consistent with the preferential right of native users to harvest:

- (a) establish the total annual allowable harvest of Porcupine Caribou in Canada; and
- (b) determine the allocation of the annual allowable harvest in Canada for native users, taking into account the criteria set forth in paragraph 2(c) of this part and the reservation of two hundred and fifty (250) Porcupine Caribou

referred to in paragraph 4 below.

4. Taking into consideration the interests of other users, the territorial Government shall allocate as they see fit from that portion of the annual allowable harvest not allocated under paragraph 3(b) of this Part, which shall consist of no fewer than two hundred and fifty (250) Porcupine Caribou, and shall regulate harvesting pursuant to their respective legislative authorities.

5. (a) The native users shall sub-allocate native user allocation among themselves on a community basis.

(b) The details of the sub-allocation shall be provided to the Board annually by CYI, IGC, and the Dene/Métis* on behalf of the native user communities represented by them respectively so that the necessary information will be available for management purposes.

(c) The respective hunting areas for native user communities are identified on the map attached as Appendix II to this Agreement.

(d) When access to its community hunting area has been granted by a native user community to a native user or users from another community, notice in a form acceptable to the appropriate Governments shall be provided.

6. Where a sub-allocation of Porcupine Caribou is made to the native users of Dawson and Mayo, the Yukon Wildlife Management Board (that is referred to in the Yukon Indian Agreement-in-Principle) and Yukon shall be so informed by the Board.

7. The parties recognize the respective responsibilities of the Yukon Wildlife Management Board for all wildlife south of 65°30' in Yukon and of the Porcupine Caribou Management Board as set out in this Agreement. Therefore, in territorial game management subzones or parts thereof, where the Hart River and Wernecke Caribou or other herds in Yukon mix with the Porcupine Caribou, Yukon may, on the advice of and in consultation with the appropriate board(s), take the necessary measures to protect these herds that mix with the Porcupine Caribou Herd for such periods of time as are required.

8. The parties recognize the special dependence of all native users on the Porcupine Caribou and in particular, the unique dependence of the native users of Old Crow on the Porcupine Caribou.

K. THE RIGHTS OF NATIVE USERS

1. The rights of native users as set out in this Agreement are subject to laws of general application with regard to conservation and public safety.

2. Subject to the terms of this Agreement, native users shall have a preferential right to harvest Porcupine Caribou.

3. Native users shall have the right to harvest Porcupine Caribou without being required to pay fees or obtain licenses, permits or tags except that licenses, permits or tags may be required for conservation and management purposes. In such circumstances any such licenses, permits and tags will be issued locally and without cost.

4. The Government parties to this Agreement shall use their best efforts to enact any laws and regulations to allow native users the right to transport lawfully harvested Porcupine Caribou across any jurisdictional boundary within the Canadian range of the herd.

5. Native users shall have the right to employ traditional and current methods to harvest the Porcupine Caribou and the right to both possess and use all equipment reasonably necessary to exercise that right.

6. The development of lists of eligible native users shall be made in each native user community with the assistance of the appropriate native leadership body. These lists shall be provided to the Board annually by CYI, IGC and the Dene/Métis* on behalf of the native user communities and shall be updated as required.

7. Notwithstanding paragraph 3 of this Part, native users may be required for conservation and management purposes to show evidence that they are native users.

L. COMMERCIAL HARVEST

1. There shall be no commercial harvest of Porcupine Caribou in Canada.

2. Notwithstanding paragraph 1 above, native users may:

(a) barter or trade with other native users for caribou meat; and

(b) subject to paragraphs 2(c) and 2(d) of this Part, sell caribou meat to other native users who are unable to hunt by virtue of age, illness or other disadvantages or where there is an emergency situation when access for the hunting of caribou is not feasible for a native user community, provided that the money received for the sale does not exceed the reasonable expenses incurred.

(c) The Board shall establish guidelines from time to time on:

- (i) the circumstances that qualify a native user as being disadvantaged, for example when a family does not have a provider;

- (ii) categories of costs which may be considered reasonable expenses;
 - (iii) the circumstances that would create an emergency situation when access to the hunting of caribou is not feasible for a native user community.
- (d) The Board shall establish procedures for the expeditious consideration of individual situations contemplated by paragraph 2(b) of this Part which do not fall within the guidelines established pursuant to paragraph 2(c) above.
3. Native users shall be permitted to sell the non-edible parts of legally harvested Porcupine Caribou.
4. This part does not apply to commercial guiding or outfitting activities.

M. INFORMATION

1. All parties to this Agreement agree to use their best efforts to provide the Board with all available information requested by it that is necessary to carry out its functions.
2. The Board may advise the parties on the adequacy of information provided to it by native users and others.
3. Subject to paragraph 4 of this Part, the Board shall provide available information upon request and may distribute its reports and recommendations to the public.
4. The Board will respect the confidentiality of such information provided to it on a confidential basis.

N. GENERAL

1. The parties hereto shall jointly and severally indemnify and save harmless the Board and the individual members thereof, against any and all liability, loss, damage, cost or expenses, which the Board, or its individual members jointly or severally incur, suffer or are required to pay as a consequence of any contract or other obligation lawfully undertaken in accordance with the terms of this Agreement.
2. All public reports, summaries or other documentation prepared or otherwise completed by the Board shall become the joint property of all parties hereto and any and all income derived therefrom shall be jointly shared among the parties in proportion to the expenditures incurred by each party generating such income.
3. The parties hereto agree to be bound by this Agreement, notwithstanding subsection 14(2) of the Northwest Territories Act, R.S.C. 1970, and subsection 17(3) of the Yukon Act, R.S.C. 1970.
4. The Government parties to this Agreement will attempt to enact any laws and regulations that may affect the Porcupine Caribou Herd and its habitat in a manner consistent with this Agreement.
5. This Agreement may be amended following unanimous approval in writing by the parties hereto, and the Government parties agree to attempt to secure passage of any necessary legislation.
6. Those parties to this Agreement which are negotiating parties in comprehensive land claims shall act as soon as possible following the signing of this Agreement to incorporate this entire Agreement by reference, by means of sub-agreement or interim agreement, into the completed or ongoing Yukon Indian, Inuvialuit and Dene/Métis* comprehensive land claims respectively. If any consequential amendments to existing sub-agreements, interim agreements or overall agreements are required as a result of the signing of this Agreement, they shall be made no later than the time of incorporation by reference referred to herein.
7. It is the intention of the parties to this Agreement that its provisions not be used to interpret or derogate from the provisions of any comprehensive land claims settlement and that the provisions of any comprehensive land claims settlement not be used to interpret the provisions of this Agreement.
8. In recognition of the fact that the Porcupine Caribou Herd is an international resource with a substantial part of its habitat in Alaska, the parties agree that it is desirable to negotiate a Porcupine Caribou bilateral agreement following the completion of this Agreement. In recognition of the fact that the provisions of a bilateral agreement might involve aboriginal and treaty rights within the meaning of the Constitution Act, 1982, as well as the Legislative and management responsibilities of the territorial Governments and the Porcupine Caribou Management Board in its role, Canada agrees to consult with the other parties to this Agreement prior to and during the course of any such bilateral agreement negotiations.
9. For greater certainty, and pending compliance with paragraph 6 of this Part, as well as final settlement of the Yukon Indian, Inuvialuit and Dene/Métis* comprehensive land claims, it is intended that this Agreement shall come into full force and effect upon signature by the parties and that the Board shall carry out its functions in accordance with the terms of this Agreement.

Appendix Two

Agreement Between the Government of Canada and the Government of the United States of America on the Conservation of the Porcupine Caribou Herd

Ottawa, July 17, 1987
In force, July 17, 1987

The Government of Canada and the Government of the United States of America, hereinafter called the "Parties":

Recognizing that the Porcupine Caribou Herd regularly migrates across the international boundary between Canada and the United States of America and that caribou in their large free-roaming herds comprise a unique and irreplaceable natural resource of great value which each generation should maintain and make use of so as to conserve them for future generations;

Acknowledging that there are various human uses of caribou and that for generations certain people of Yukon Territory and the Northwest Territories in Canada have customarily and traditionally harvested Porcupine Caribou to meet their nutritional, cultural and other essential needs and will continue to do so in the future, and that certain rural residents of the State of Alaska in the United States of America have harvested Porcupine Caribou for customary and traditional uses and will continue to do so in the future, and that these people should participate in the conservation of the Porcupine Caribou Herd and its habitat;

Recognizing the importance of conserving the habitat of the Porcupine Caribou herd, including such areas as calving, post-calving, migration, wintering and insect relief habitat;

Understanding that the conservation of the Porcupine Caribou Herd and its habitat requires goodwill among landowners, wildlife managers, users of the caribou and other users of the area;

Recognizing that the Porcupine Caribou Herd should be conserved according to ecological principles and that actions for the conservation of the Porcupine Caribou Herd that result in the long-term detriment of other indigenous species of wild fauna and flora should be avoided;

Recognizing that co-operation and co-ordination under the Agreement should not alter domestic authorities regarding management of the Porcupine Caribou Herd and its habitat and should be implemented by existing rather than new management structures;

Have agreed as follows:

1. DEFINITIONS

For the purpose of this Agreement only:

a. "Porcupine Caribou Herd" means those migratory barren ground caribou found north of 64 degrees, 30' north latitude and north of the Yukon River which usually share common and traditional calving and post-calving aggregation grounds between the Canning River in the State of Alaska and the Babbage River in Yukon Territory and which historically migrate within the State of Alaska, Yukon Territory, and the Northwest Territories.

b. "Conservation" means the management and use of the Porcupine Caribou Herd and its habitat utilizing methods and procedures which ensure the long term productivity and usefulness of the Porcupine Caribou Herd. Such methods and procedures include, but are not limited to, activities associated with scientific resources management such as research, law enforcement, census taking, habitat maintenance, monitoring and public information and education.

c. "Habitat" means the whole or any part of the ecosystem, including summer, winter and migration range, used by the Porcupine Caribou Herd during the course of its long-term movement patterns, as generally outlined on the map attached as an Annex.

2. OBJECTIVES

The objectives of the Parties are:

a. To conserve the Porcupine Caribou Herd and its habitat through international co-operation and coordination so that the risk of irreversible damage or long-term adverse effects as a result of use of caribou or their habitat is minimized;

b. To ensure opportunities for customary and traditional uses of the Porcupine Caribou Herd by:



- (l) in Alaska, rural Alaska residents in accordance with 16 U.S.C. 3113 and 3114, AS 16.05.940(23), (28) and (32), and AS 16.05.258(c); and
- (2) in Yukon and the Northwest Territories, Native users as defined by sections A8 and A9 of the Porcupine Caribou Management Agreement (signed on October 26, 1985) and those other users identified pursuant to the process described in section E2(e) of the said Agreement;
- c. To enable users of Porcupine Caribou to participate in the international co-ordination of the conservation of the Porcupine Caribou Herd and its habitat;
- d. To encourage co-operation and communication among governments, users of Porcupine Caribou and others to achieve these objectives.

3. CONSERVATION

- a. The Parties will take appropriate action to conserve the Porcupine Caribou Herd and its habitat.
- b. The Parties will ensure that the Porcupine Caribou Herd, its habitat and the interests of users of Porcupine Caribou are given effective consideration in evaluating proposed activities within the range of the Herd.
- c. Activities requiring a Party's approval having a potential impact on the conservation of the Porcupine Caribou Herd or its habitat will be subject to impact assessment and review consistent with domestic laws, regulations and processes.
- d. Where an activity in one country is determined to be likely to cause significant long-term adverse impact on the Porcupine Caribou Herd or its habitat, the other Party will be notified and given an opportunity to consult prior to final decision.
- e. Activities requiring a Party's approval having a potential significant impact on the conservation or use of the Porcupine Caribou Herd or its habitat may require mitigation.
- f. The Parties should avoid or minimize activities that would significantly disrupt migration or other important behavior patterns of the Porcupine Caribou Herd or that would otherwise lessen the ability of users of Porcupine Caribou to use the Herd.
- g. When evaluating the environmental consequences of a proposed activity, the Parties will consider and analyse potential impacts, including cumulative impacts, to the Porcupine Caribou Herd, its habitat and affected users of Porcupine Caribou.
- h. The Parties will prohibit the commercial sale of meat from the Porcupine Caribou Herd.

4. INTERNATIONAL PORCUPINE CARIBOU BOARD

- a. The Parties will establish an advisory Board to be known as the International Porcupine Caribou Board, hereinafter called the Board.
- b. The Parties will each appoint four members of the Board within a reasonable period following the entry into force of the present Agreement.
- c. The Board will:
 - (1) adopt rules and procedures for its operation, including those related to the chairmanship of the Board; and
 - (2) give advice or make recommendations to the Parties, subject to concurrence by a majority of each party's appointees.
- d. The Board, seeking, where appropriate, information available from management agencies, local communities, users of Porcupine Caribou, scientific and other interests, will make recommendations and provide advice on those aspects of the conservation of the Porcupine Caribou Herd and its habitat that require international co-ordination, including but not limited to the following:
 - (1) the sharing of information and consideration of actions to further the objectives of this Agreement at the international level;
 - (2) the actions that are necessary or advisable to conserve the Porcupine Caribou Herd and its habitat;
 - (3) co-operative conservation planning for the Porcupine Caribou Herd throughout its range;
 - (4) when advisable to conserve the Porcupine Caribou Herd, recommendations on overall harvest and appropriate harvest limits for each of Canada and the United States of America taking into account the Board's review of available data, patterns of customary and traditional users and other factors the Board deems appropriate;
 - (5) the identification of sensitive habitat deserving special consideration; and
 - (6) recommendations, where necessary, through the Parties as required, to other boards and agencies in Canada and the United States of America on matters affecting the Porcupine Caribou Herd or its habitat.
- e. It is understood that the advice and recommendations of the Board are

not binding on the Parties; however, by virtue of this Agreement, it has been accepted that the parties will support and participate in the operation of the Board. In particular they will:

- (1) provide the Board with the information regarding the conservation and use of the Porcupine Caribou Herd and its habitat;
- (2) promptly notify the Board of proposed activities that could significantly affect the conservation of the Porcupine Caribou Herd or its habitat and provide an opportunity to the Board to make recommendations;
- (3) consider the advice and respond to the recommendations of the Board; and
- (4) provide written reasons for the rejection in whole or in part of conservation recommendations made by the Board.

5. INTERNATIONAL RESPONSIBILITY

The Parties will consult promptly to consider appropriate action in the event of:

- a. significant damage to the Porcupine Caribou Herd or its habitat for which there is responsibility, if any, under international law; or
- b. significant disruption of migration or other important behavior patterns of the Porcupine Caribou Herd that would significantly lessen the ability of users of Porcupine Caribou to use the Herd.

6. IMPLEMENTATION

Co-operation and co-ordination under and other implementation of this Agreement shall be consistent with the laws, regulations and other national policies of the Parties and is subject to the availability of funding.

7. INTERPRETATION AND APPLICATION

All questions related to the interpretation or application of the Agreement will be settled by consultation between the Parties.

8. ENTRY INTO FORCE; AMENDMENTS

- a. This agreement which is authentic in English and French shall enter into force on signature and shall remain in force until terminated by either Party upon twelve months' written notice to the other.
- b. At the request of either Party, consultations will be held with a view to convening a meeting of the representatives of the Parties to amend this Agreement.

Appendix Three Plan for the International Conservation of the Porcupine Caribou Herd

1. BACKGROUND

A. *The Porcupine Caribou Herd*

The Porcupine Caribou Herd is a population of barren-ground caribou that ranges across two Canadian Territories and the State of Alaska. The herd is of major economic and cultural importance to a number of Alaskan and Canadian communities located on or near its range. The herd is also of great public interest and used by non-local people. Porcupine caribou are a key component of the Arctic National Wildlife Refuge in Alaska and Ivvavik National Park in the Yukon.

B. *The International Conservation Agreement*

Conservation of the Porcupine caribou herd can only be effective through coordination among the various political jurisdictions responsible for its management. In 1987, the Agreement between the Government of Canada and the Government of the United States of America on the conservation of the Porcupine caribou herd (Agreement) was signed by which both countries agreed to cooperate on fundamental requirements to conserve the herd.

C. *The International Porcupine Caribou Board*

The Agreement provided for the formation of an International Porcupine Caribou Board (IPCB). The Agreement established the IPCB's role as one of facilitating coordination, communication, and cooperation between the Parties, and to provide advice and recommendations to the Parties. The IPCB's purpose is to further the objectives of the Agreement and to conserve the Porcupine caribou herd and its habitat.

Clause 4(d)3 of the Agreement empowers the IPCB to make recommendations on "cooperative conservation planning for the Porcupine caribou herd throughout its range."

2. THE CONCEPT OF AN INTERNATIONAL CONSERVATION

PLAN

A. Purpose

The International Conservation Plan (Plan) focuses on identifying and coordinating aspects of Porcupine caribou management that require international cooperation. The Plan outlines IPCB consensus on what areas require coordination, and a mechanism to monitor the Parties support of the Agreement.

B. Operation

The Plan is based upon the four principle objectives of the Agreement. Under each of these objectives, the Plan identifies areas requiring international cooperation and recommends what such cooperation should entail.

For each of the cooperative initiatives, the Plan proceeds to describe the IPCB's role and actions. In most cases, the actions consist of recommendations from the IPCB to the Parties, and often request responses from the Parties. The responses will be used by the IPCB for monitoring support of the Agreement by the Parties and for informing the public.

Above all, the Plan has been designed as a functional document. Thus, all IPCB actions are specific rather than general and recommend a product or undertaking that can be reviewed by the IPCB. It is intended that the Plan be phased in over several years to ultimately establish an operating mechanism composed mainly of background reports and annual updates through which implementation of the Agreement can be guided and assessed.

This Plan may be revised and updated by the IPCB as needed to address changing conditions of the herd, new conservation issues related to the herd or user concerns. Throughout the Plan, the terms conserve or conservation have the meaning as defined in Clause 1.c., of the Agreement (1987).

3. PLAN OBJECTIVES, IPCB ROLES AND ACTIONS

Objective A

To conserve the Porcupine caribou herd and its habitat through international cooperation and coordination so that the risk of irreversible damage or long-term adverse effects as a result of use of caribou or their habitat is minimized.

1. Herd Status

To cooperate in monitoring the status of the Porcupine caribou herd, including population characteristics, health and physical condition, and contaminants.

IPCB Role:

To advise on and recommend programs for monitoring herd status. (Clauses 4(d) and 4(e) of the Agreement)

IPCB Actions:

- a) Recommend a joint technical committee be formed to coordinate and report on research and monitoring of the Porcupine caribou herd.
- b) Recommend an annual herd status statement be prepared by the Parties for the IPCB.

2. Harvest

To collect and share harvest data and to mutually determine harvest limits.

Harvest Data

IPCB Role:

To advise on and recommend actions for the collecting and sharing of harvest data. (Clause 4(d)1 of the Agreement)

IPCB Actions:

- a) Recommend the management agencies, in consultation with users, prepare a report on the methods that have been used to collect harvest data and evaluate their relative reliability.
- b) Recommend the Parties report annual harvests and data collection methods to the IPCB for inclusion in its reports.

Harvest Limits

IPCB Role:

To advise on and recommend overall harvest and harvest limits for each country. (Clause 4(d)4 of the Agreement).

IPCB Actions:

Recommend the management agencies, in consultation with users, jointly prepare guidelines for when harvest limits will be considered.

3. Habitat

To: a) take appropriate action to conserve the herd's habitat; b) ensure the herd's habitat is given effective consideration in evaluating proposed activities; c) notify and consult where an activity is likely to cause a significant impact; d) avoid or minimize activities that would significantly disrupt migration or other important behavior patterns of the herd.

IPCB Role:

To advise on and recommend actions for monitoring and conserving the habitat of the herd. (Clauses 4 (d) and 4 (e) of the Agreement)

IPCB Actions:

- a) Recommend the management agencies monitor habitat quality and land use throughout the range of the herd and report their findings to the IPCB.
- b) Recommend the management agencies submit to the IPCB a summary of proposed activities which may significantly affect the herd's habitat and update the summary in a timely manner.
- c) Review, and comment, if proposed activities have been subjected to appropriate impact-assessment and review, and have adequately considered cumulative impacts and mitigation.

4. Sensitive Habitat

To identify sensitive habitats deserving special consideration for the Porcupine caribou herd and to conserve such habitats.

IPCB Role:

To identify, advise on and recommend actions to conserve sensitive habitats for the Porcupine caribou herd. (Clause 4.d.5 of the Agreement)

IPCB Actions:

- a) Prepare, in consultation with users, a report identifying sensitive habitats and current management regimes, and report to management agencies.
- b) Recommend each management agency, in consultation with users, review for adequacy their management regimes on sensitive habitats and update the IPCB when required.

Objective B

To ensure opportunities for customary and traditional uses of the Porcupine caribou herd.

IPCB Role:

To advise on and recommend ways of ensuring opportunities for customary and traditional uses of the herd. (Clauses 3(b); 3(f); 3(g); 4(d)4 of the Agreement)

IPCB Actions:

- a) Recommend the management agencies, in consultation with users, prepare a report describing the customary and traditional uses of the Porcupine caribou herd.
- b) Recommend each management agency provide statements on laws, regulations and policies affecting the customary and traditional uses of Porcupine caribou.
- c) Review, and comment, if proposed activities have adequately considered the interests of users of Porcupine caribou.

Objective C

To enable users of Porcupine caribou to participate in the international coordination of the conservation of the Porcupine caribou herd and its habitat.

IPCB Role:

To advise on and recommend ways to enable user participation in the international coordination of Porcupine caribou conservation. (Clause 2(c) of the Agreement)

IPCB Actions:

- a) Recommend each Party ensure user representation on, and in the activities of, the IPCB.

Objective D

To encourage cooperation and communication among governments, users of Porcupine caribou, and others to achieve the objectives of the Agreement.

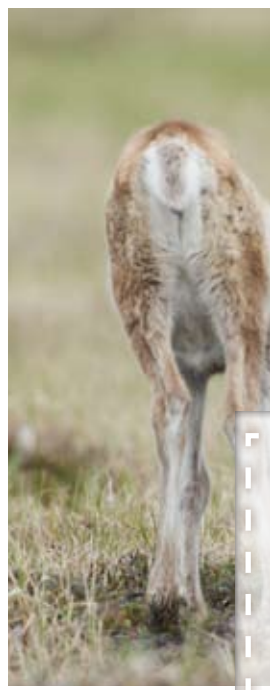
IPCB Role:

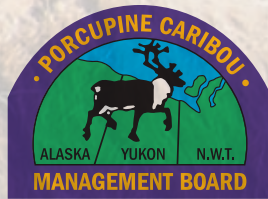
To advise on and recommend ways to encourage, and to facilitate, communication among governments, users and others. (Clause 2(d) of the Agreement)

IPCB Actions:

- a) Recommend each management agency report to the IPCB the content and methods of communications undertaken each year concerning the conservation of the Porcupine caribou herd.
- b) Recommend means for management agencies to achieve effective communication with users.
- c) Summarize and report on the status and conservation of the Porcupine caribou herd as appropriate.
- d) Provide summaries of all IPCB meetings and activities to the public.







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