



Board Meeting Minutes

Date: 5-7 May 2015

Location: Gamètì, NT

Board Members:

Edward Chocolate (Tłìchq Appointee)

Steven Matthews (GNWT Appointee)

Jonas Lafferty (Tłìchq Appointee)

Grant Pryznyk (Federal Appointee) – May 5-6 only

Suzanne Carriere (GNWT Appointee)

Translators:

James Rabesca

Violet Mackenzie

Guests:

Alphonse Apples

Charlie Gon

Joe Mantla

Staff:

Jody Pellissey

Boyan Tracz

Susan Beaumont

Call to Order 1:35 p.m.

Opening Prayer: Alphonse Apples

1.0 Agenda and Previous Minutes

1.1 Approval of Agenda

Motion #421-05-05-2015 *To approve the agenda as presented*

Moved:

Steven Matthews

Second:

Jonas Lafferty

Motion Approved

1.2 Approval of Minutes

21-22 January 2015

Motion #422-05-05-2015 *To approve the 21-22 January 2015 minutes as presented*

Moved:

Jonas Lafferty

Second:

Edward Chocolate

Motion Approved

16 April 2015

Motion #423-05-05-2015 *To approve the 16 April 2015 minutes as presented*

Moved: Steven Matthews
Second: Suzanne Carriere

Motion Approved

ACTION #263-05-05-2015 (ED): To recommend to ENR and Tłıchq Government that additional meetings and educational workshops are required when implementing new and/or amended regulations.

1.3 Review of Action Items

Outstanding action items listing was tabled and reviewed.

ACTION #264-05-05-2015 (ED): To review, with Board Members, the Species at Risk Committee Status Report for Barren-ground Caribou in the NWT and make a determination whether barren-ground caribou should be assessed as a whole or by herd.

2.0 Business

2.1 Bathurst and Bluenose-East Caribou Herds Update

In March 2015, 31 collars were deployed on caribou (20 on bulls and 11 on cows) assumed to be from the Bluenose-East (BNE) herd. There were 40 collars deployed on caribou (20 bulls and 20 cows) assumed to be from the Bathurst herd. Currently the BNE herd is estimated to have approximately 52 collars, and the Bathurst approximately 47. Out of the 96 collars deployed (BNE, Bathurst, and 23 on the Beverly herd), two mortalities occurred during collaring. The caribou were butchered and the meat distributed in Wekweètì. To date, there are also two apparent post-capture related mortalities.

The late winter calf survival / spring recruitment survey to measure annual calf survival for the BNE herd occurred March 3 to 5, 2015. The total number of caribou classified was 2105 over 94 groups; results indicate a calf:cow ratio of 23:100 ratio for BNE herd. The Bathurst survey occurred March 5 to 6, 2015, and 2742 caribou were classified over 84 groups; results indicate a calf:cow ratio of 24:100 ratio. These ratios are consistent with the low numbers observed during the October 2014 sex-ratio survey.

The photo surveys to obtain population estimates for the Bathurst and BNE herds are planned for June 1 to 10, 2015, with WRRB participation.

ACTION #265-05-05-2015 (ED): To request a presentation about the Bathurst and Bluenose-East Caribou herd monitoring (collars and surveys) from ENR during the next Board Meeting.

2.2 WRRB Proceedings Review

a) Rules of Procedure and Joint Hearings

John Donihee Legal Opinion, entitled “*WRRB Authority to Hold Joint Hearings with Other Boards*”, tabled

Action item #210-2-4-2014 requested that a legal opinion be sought to determine whether or not the WRRB has the power to conduct joint hearings with other wildlife management boards with jurisdiction to make decisions about migratory wildlife species.

Through the Tłı̨ch̨ Agreement and Rule 5 of the WRRB’s Rules of Procedure, the WRRB can create a rule that would allow the WRRB to form a joint hearing in collaboration with another board. It follows that if the WRRB creates such a rule, the joint board would have to do the same.

ACTION #266-05-05-2015 (ED): To complete a legal review of the Rules of Procedure as well as amend the Rule to provide for joint hearings. Further, the legal opinion and amended Rules of Procedure should be shared with the Members of the Advisory Committee for Cooperation on Wildlife Management (ACCWM), especially the Sahtú Renewable Resources Board.

b) Rule for Management Proposals

John Donihee Legal Opinion, entitled “*Précis of Makivik Corp. v Quebec (2014 QCCA 1455)*”, tabled

Action item #206-2-4-2014 requested that Staff review the types of actions in Section 1 of the Rule for Management Proposals and propose any actions that could reasonably be changed to notifications as set out in Section 2. In addition, action item #253-22-01-2015 requested that the Interim Chair and Executive Director meet with the Deputy Minister of Environment & Natural Resources (ENR) to discuss communication issues related to the submission of management proposals.

Section 1 Actions

The Rule for Management Proposals has been revised as per Motion #370-2-4-2014. Staff have conducted a review of the types of actions in Section 1 and recommend that no changes be made at this time, due to the uncertainties of the details of some of the types of actions listed, i.e. to date, the Board has not received management proposal submissions for all of the types listed and, therefore, it is premature to determine whether actions should be moved to Section 2.

Meeting with Deputy Minister of ENR

Grant Pryznyk and Jody Pellisse met with Ernie Campbell, Lynda Yonge, Director of Wildlife, and Evan Walz, Senior Advisor, on April 22, 2015. Discussions focused on the January 2015 management proposal submission and the unrealistic timelines for the Board to make a decision. It was recommended that the Barren-ground Caribou Technical Working Group (membership: ENR,

Tłıchǵ Government and WRRB) be re-established to assist with earlier sharing of information.

Précis of *Makivik Corp. v Quebec* (2014 QCCA 1455)

The Quebec Court of Appeal held that the provincial government had violated treaty rights when it unilaterally set caribou sport hunting quotas and dates for the 2011-12 season in the territories covered by the treaty. Aside from failing to consult, the Quebec government also ignored procedural steps set out to guide wildlife management decision-making under the James Bay Agreement. The Court ruled that compliance with the process set out under the land claim agreement was legally required.

The decision demonstrates that the courts will not only insist on consultation when wildlife management decisions are made but that they will step in to ensure that the processes set out in the land claims are also honoured.

ACTION #267-05-05-2015 (ED): To continue to educate Parties about the Rule for Management Proposals.

ACTION #268-05-05-2015 (ED): To present about the Rule for Management Proposals during the annual ENR Biologist's meeting.

ACTION #269-05-05-2015 (ED): To complete a legal review of the Rule for Management Proposals.

2.3 Bluenose Caribou Herds Action Planning – ACCWM Working Group Update

The Advisory Committee for Cooperation on Wildlife Management (ACCWM) has drafted and submitted a Management Plan, entitled "*Taking Care of Caribou: the Cape Bathurst, Bluenose-West, and Bluenose-East barren-ground caribou herds management plan*" to the governments of the Northwest Territories and Nunavut as well as Aboriginal governments, including the Tłıchǵ Government.

The ACCWM has decided to prepare three separate Action Plans for the Cape Bathurst, Bluenose-West and Bluenose-East Caribou herds. To date, the ACCWM Working Group has finalized its revised Terms of Reference, completed a literature review of existing Action/Implementation Plans, developed a framework/structure for the Action Plans and begun developing content for the Action Plans, including a management actions table and communications plan. The Action Plans will be completed in the following order: Bluenose-East, Bluenose-West and Cape Bathurst Caribou herds.

ACTION #278-06-05-2015 (ED): To provide an update on the Bathurst Caribou herd long-term management planning process.

2.4 CMA/SARC Proposed Meeting Schedule

Draft three-year CMA/SARC Schedule tabled

At the January 2015 Conference of Management Authorities (CMA) meeting, the

CMA discussed shifting the CMA/Species at Risk Committee (SARC) meeting schedule to accommodate a shift towards fall consultation (August to November), in lieu of the current summer consultation schedule (May to August). The biggest change that comes from a shift to a fall consultation period is that SARC will shift from two face-to-face meetings per year (May & December) to just one per year (March). However, SARC will still be able to complete all of its work with this reduced meeting schedule.

As the WRRB holds a Board meeting in November/December and February/March annually, the proposed shift to a fall consultation period will still allow for the Board to make a final decision prior to the consensus agreement deadline.

Motion #426-06-05-2015 *To approve the proposed CMA/SARC meeting schedule to accommodate a fall consultation period*

Moved: Edward Chocolate
Second: Jonas Lafferty

Motion Approved

ACTION #271-06-05-2015 (ED): To write a letter to SARC approving the proposed CMA/SARC meeting schedule to accommodate a fall consultation period.

2.5 Draft NWT Boreal Caribou Recovery Strategy

PowerPoint Presentation, entitled “*Boreal Caribou in the Northwest Territories: Draft Proposed Recovery Strategy*”, and Boreal Caribou Fact Sheet tabled

The boreal caribou is listed as *threatened* both federally and territorially. It has been listed federally since 2003. The federal government produced a national boreal caribou recovery strategy in 2012. In NWT, the boreal caribou was listed as *threatened* in March 2014, which means an NWT recovery strategy must be completed by February 2016.

The NWT recovery strategy will recommend objectives and approaches for the recovery and ongoing conservation of boreal caribou. It will be an action-oriented planning tool that identifies how the conservation and recovery of boreal caribou can be accomplished in the NWT. It will assist Management Authorities in deciding what actions to take, how to prioritize their work, and how to allocate their resources. It is being prepared in consultation with wildlife management boards and Aboriginal organizations. By November 2015, the CMA will have to make a decision on accepting (or not) the recovery strategy.

Public consultation sessions, jointly conducted by the Tłı̨ch̨ Government and the WRRB, are being held in Gamètì (May 7), Whatì (May 21) and Behchokò (May 26).

WRRB Public Meet & Greet Session – May 6, 2015, 12:00 to 1:00 p.m.

**** Grant Pryzynek left the meeting to return to Yellowknife**

Motion #427-06-05-2015 To appoint Jonas Lafferty as Chair for the remainder of the meeting, May 6-7, 2015

Moved: Suzanne Carriere

Second: Steven Matthews

Motion Approved

Open Comments from the Public – May 6, 2015, 1:00 to 2:00 p.m.

Elders Alphonse Apples, Joe Mantla and Charlie Gon commented on the following topics: barren-ground caribou, boreal caribou, predators, science and traditional knowledge, and roles and responsibilities of the Board and governments.

2.6 Environmental Assessment Updates

a) Jay Project, Diavik Diamond Mines Inc

Dominion Diamonds Ekati Corporation (DDEC) announced the expansion of the existing Ekati mine to include kimberlite pipes at Lynx, Jay and Cardinal and submitted their land use permit and water licence applications to the Wek'eezhii Land and Water Board (WLWB) in October 2013. On November 21, 2013, Aboriginal Affairs and Northern Development Canada referred the Jay-Cardinal Project to Environmental Assessment (EA) with the Mackenzie Valley Environmental Impact Review Board (MVEIRB).

Technical sessions for the proposed Jay Project were held in Yellowknife April 20 to April 24, 2015. The technical sessions were a forum for dialogue between parties to the environmental assessment and DDEC. The WRRB Biologist attended sessions on April 20-21, which focused on DDEC's EA approach, wildlife (excluding caribou), and caribou. The next stage of the EA process involves public hearings with MVEIRB deciding on the nature of the hearings, and the dates.

b) Chedabucto Mineral Exploration Project, Husky Oil

In December 2014, Husky Oil Operations Limited (Husky) submitted a land use permit (LUP) application to the Wek'eezhii Land and Water Board (WLWB) for the Chedabucto Mineral Exploration project, proposing to conduct exploration activities on its mineral claims in the Whitebeach Point area to delineate and evaluate silica deposits in the area. On January 21, 2015, the NWT Chapter of the Council of Canadians and Yellowknives Dene First Nation both requested that the WLWB refer the application to an Environmental Assessment (EA) with the Mackenzie Valley Environmental Impact Review Board (MVEIRB). The EA is currently in the scoping phase. After issuance of the Final Scoping Document, MVEIRB proposes to hold a community hearing where interested parties can express their views.

2.7 Spring Harvest of Western Arctic Snow Geese

The Canadian Wildlife Service of Environment Canada (EC-CWS) recently designated the western Arctic population of Lesser Snow Geese as overabundant. In an effort to stabilize goose numbers, a spring harvest is being introduced in the NWT and Alberta for the 2015 spring season, and the number of birds that can be hunted daily (daily bag limit) has increased. Input from consultations with numerous groups and organizations across the NWT, including the WRRB, was used to inform the EC-CWS decision.

Aboriginal subsistence harvesters are not affected; these changes pertain to resident non-aboriginal hunters. Non-aboriginal hunters can harvest Snow Geese from May 1 to June 30 on Banks Island, Victoria Island and Queen Elizabeth Islands, and May 1 to May 28 on the NWT mainland, with a daily bag limit of 50 Snow Geese and no possession limit. Non-aboriginal hunting of Snow Geese is still prohibited in Migratory Bird Sanctuaries.

3.0 Financial

3.1 Approval of Financial Statement as of March 31, 2015

Motion #428-06-05-2015 *To approve the financial statement as of March 31, 2015 as presented*

Moved: Suzanne Carriere
Second: Steven Matthews

Motion Approved

4.0 Operations

4.1 Communications Update

Communications Action Item List tabled

ACTION #272-06-05-2015 (ED): To prepare, when possible, meeting summary speaking notes for Board Member use by end of final meeting day.

ACTION #273-06-05-2015 (ED): To prepare meeting summary notes for community distribution, with office and community Board Member contact information provided.

4.2 Approval of Communication Strategy 2015-2018

WRRB Communication Strategy 2015-2018 tabled

A revised Communications Strategy for 2015-2018 has been developed to provide a framework to guide communications focused on creating awareness of the role of the WRRB as a public board in the co-management of wildlife and wildlife habitat. The Strategy will continue to inform the direction of work related

to communications by the Board and Staff, particularly the Communications Officer. Edits include: pg. 1 goals and removal of Appendix 1 title.

Motion #429-07-05-2015 *To approve the WRRB Communication Strategy 2015-2018 as amended*

Moved: Steven Matthews
Second: Edward Chocolate

Motion Approved

ACTION #274-07-05-2015 (ED): To make final edits to WRRB Communication Strategy 2015-2018 and implement.

4.3 Approval of Board Orientation Manual

WRRB Board Orientation Manual tabled

A Board Orientation Manual has been developed to introduce new Board Members to the purpose, organization, processes and activities of the WRRB. The Orientation Manual includes information on the Tłı̨ch̓ Agreement, roles and responsibilities as a wildlife management board and tribunal, decision-making process, board member responsibilities, strategic business plan, operating procedures manual, rule for management proposals, rules of procedure, and communications strategy. Edits include: addition of Board Member insurance information.

Motion #430-07-05-2015 *To approve the WRRB Board Orientation Manual as amended*

Moved: Suzanne Carriere
Second: Steven Matthews

Motion Approved

ACTION #275-07-05-2015 (ED): To make final edits to WRRB Board Orientation Manual and implement.

4.4 Approval of Strategic Business Plan 2015-2018

WRRB Strategic Business Plan 2015-2018 tabled

The WRRB underwent a strategic planning exercise in January 2015, with the help of Elevate Consulting, to revise its *2012/2015 Strategic Business Plan*. A draft Strategic Business Plan 2015-2018 was presented to the Board for review and comment at its April 16, 2015 meeting. Board recommended edits have been made.

Motion #431-07-05-2015 *To approve the WRRB Strategic Business Plan 2015-2018 as presented*

Moved: Suzanne Carriere
Second: Edward Chocolate

Motion Approved

ACTION #276-07-05-2015 (ED): To finalize and implement the WRRB Strategic Business Plan 2015-2018.

4.5 Approval of Operation Procedures Manual May 2015

WRRB Operation Procedures Manual, May 2015, tabled

The WRRB developed and approved an Operating Procedures Manual in May 2013, where all bylaws and policies reside in one place. In July 2014 and January 2015, the Board approved revisions to the Operating Procedures Manual, based on legal reviews by John Donihee and Glenn Tait, McLennan Ross LLP.

Policies related to winter travel and finances have been drafted by Staff and reviewed by legal counsel. A fieldwork safety policy has been drafted by legal counsel with Staff input. Additional review by Michelle Theriault, McLennan Ross LLP, has resulted in further revisions to Section 4 – Staff Member Policies and significant revisions to Section 7 – Harassment.

Motion #432-07-05-2015 *To approve the WRRB Operating Procedures Manual as amended*

Moved: Steven Matthews
Second: Suzanne Carriere

Motion Approved

ACTION #277-07-05-2015 (ED): To make final edits to the WRRB Operation Procedures Manual.

4.6 John McCullum – Outstanding Pension Payment

Motion #424-06-05-2015 *To go in-camera at 9:42 a.m.*

Moved: Jonas Lafferty
Second: Suzanne Carriere

Motion Approved

Motion #425-06-05-2015 *To come out of camera at 10:07 a.m.*

Moved: Jonas Lafferty
Second: Steven Matthews

Motion Approved

ACTION #270-06-05-2015 (ED): To write letter to John McCullum to indicate that no substantive evidence has been given to have the Board change its original decision regarding the requested pension payment.

5.0 Information Items

Information items tabled for review by the Board Members.

6.0 Other Items

6.1 Round Table

Board Members thanked the community of Gamètì, particularly the elders, translators and staff for a good meeting. As well, Board Members noted their pleasure with having good administrative policies in place and good Members & Staff that work well together.

Alphonse Apples thanked the Board for holding its meeting in Gamètì and sharing information about northern wildlife.

6.2 Next Meeting

The next meeting is scheduled for the week of September 7, 2015 in Daring Lake or Whatì, NT.

Closing Prayer: Alphonse Apples

Adjournment 10:46 a.m. (Motion #433-07-05-2015)

Minutes Approved:

Original Signed

September 24, 2015

Chairperson

Date