



Shoshone Wilderness Adventures Team Sportsmen, Inc.

S.W.A.T.S.

P.O. Box 520
 1555 Skalkaho Highway
 Hamilton, MT 59840
 (406) 375-8400
www.shoshonewilderness.com

Wek'heezhi Renewable Resources Board
 June 19, 2010

Dear WRRB,

I would urge the WRRB to take as much time, and to investigate as deeply as possible, the information it is receiving from ENR. This is an unfortunate role the WRRB has been placed in, one for which it was never intended, and for which its members were never trained. Acting in the public interest, does not necessarily equate to acting in concert with ENR. Additionally, using the best available science, which, by law, is provided by ENR, does not necessarily equate to agreeing with ENRs interpretation of that science, which is clearly politically motivated.

To the holdover board members from the 2007 hearings, ask yourself: "What happened to the scientific approach to game management? What happened to the 4% management harvest goal put forth in 2006? What happened to being told wolf numbers were very low? What happened to all the caribou being harvested in Wek'heezhi (5774) being 100% Bathurst caribou? If the people in charge of managing caribou have overseen the greatest wildlife crash in the history of North America, far exceeding even the great buffalo crash, why should these guys still be employed? Exactly which numbers have these guys gotten right? Which definition of a herd are we using today? Why are we allowing the harvest of Bluenose East caribou, when we were told they are down? Why harvest more wolves, when their numbers, according to ENR, have dropped with the caribou numbers. Why does ENR refuse to survey the Ahiak caribou, which are clearly calving on the traditional Bathurst calving ground? What happened to road closures and tag systems? What happened to the hundreds of thousands of dead caribou, claimed by ENR? What happened to ENRs earlier statements blaming climate change?"

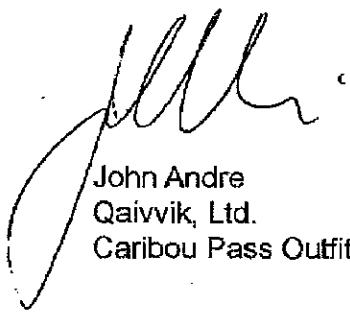
Attached is a list of documents I would like to see produced. Given the nature of the new joint proposal, I am of the opinion that a new hearing must be held. Since this error is the fault of the Tlicho Government and the Government of the Northwest Territories failing to agree on an original joint proposal, I believe one or both governments should be held accountable for intervener expenses. The \$25,000 per intervener recently granted in Nunavut, for a far less important hearing, seems to me to be an appropriate starting point.

This hearing affects my ability to feed my family, and the personal loss of millions of dollars. Other interveners are there to fight for their aboriginal harvesting rights. Still other interveners are there to fight for their hunting rights, and the miscarriage of justice they see happening in the Northwest Territories. Ardour and passion eventually subside, and the bureaucrats that have created this mess go on with their everyday lives, receiving their government paychecks. These governments bureaucrats know, that without compensation, the interveners will eventually disappear, and they, the bureaucrats, and their agenda, will prevail.

A speedy hearing, back in 2007, was in everyone's best interest, particularly the outfitting industry. That industry, with the government delay of three years, for all intents and purposes, has already been destroyed. No industry can reasonably be expected to endure a government mandated 58% reduction in sales volume. That ENR goal, the destruction of non-resident hunting, has clearly been achieved. The urgency is no longer.

I hope you will all do your very best to seek the truth. If that means taking more time, so be it. A rush to judgment, at this point, serves no one.

Sincerely,



John Andre
Qaivvik, Ltd.
Caribou Pass Outfitters, Ltd.

Relevancy

All of the documents requested below may be relevant. It is impossible to know the exact extent of a document's relevancy, until it can be carefully examined. ENR has continually refused to produce requested documents and data, citing such excuses as "they are still in draft", "private correspondence", "In Press", etc. etc. These documents include, but are not limited to, critical collaring information, as well as research documents and data presented to the Alberta Research Council. Intervenors have continually been promised a transparent process, by both the G.N.W.T., and the W.R.R.B. Intervenors have no power to coerce these possibly critical documents from the G.N.W.T., but the W.R.R.B. does have such power. In order to ensure a fair process going forward, this intervenor respectfully requests that the W.R.R.B. exercise its power, and insist on the production of these requested documents. This intervenor then requests a reasonable period of time to examine all the produced documents, so that their relevancy may be properly determined.

Requested Documents and Data

1. Raw collaring data of all caribou animals since inception of the collaring program in 1996 including, all via individual animal and with assignment to herd and including the Bluenose, Bathurst, Ahiak and Beverly herds

- number of collared animals each year
- locations without deletions
- date of capture
- date of death/failure of collar
- reason for death or reason for failure
- age
- sex
- reproduction status
- assignment to herds
- location of animal when collared
- location of animal upon termination of functioning collar
- length of time on collared info
- identification of collared animals in surveys-which animals are included in ENR surveys
- all raw mortality information from collared and other animals
- calf survival raw data from 2005 and 2006 including video tapes (ENR biologists did not know how to identify yearlings)
- All ENR policies and documents regarding or in any way relevant to collared caribou, including but not limited to all emails internal and external, internal standards, ethics, correspondence with aboriginal groups over the years since inception of the collared caribou system
- All back up files of these collaring movement since 1996

- A description of how collared caribou information is recorded in the field and included in the computer system since 1996
- Computer back up system generation for the collared caribou information since 1996
- Security system in place for collared caribou system since 1996
- Authorizations for data control over the collared caribou system
- Weekly maps of caribou movements since 1996 as was available to the public in the past

2. Surveys

- All surveys, of all relevant herds (Bluenose East, Bathurst, Ahiak, Northeast Mainland, Beverly), from 2006 -2010.
- All reports given to outfitters regarding the status of the herds. In particular, the 2007 and 2008 Outfitter Updates.

3. Wolf and bear data

- all reports on wolf and bear abundance, levels of predation, and estimated harvest levels, since 1986.
- Any wolf collaring data, from Alaska or the Yukon, indicating the migration of wolves from those regions, into the NWT.
- Documentation of outfitter wolf harvest, and number of caribou saved annually, by this wolf harvest.

4. Alberta Research Council

- All correspondence, emails- notes of conversations etc with all officials at ARC and external biologists
- All drafts of the ARC report
- All amendments to the ARC report- via email, fax, phone etc.
- All comments received from other biologists regarding the ARC report, comments and comments that were included and not included in the final report or drafts
- All correspondence with ARC before and after they were hired to produce the report and attend the hearing, including 2009 and 2010
- All correspondence and drafts regarding draft terms of reference
- All correspondence between Larry Roy, Jason Fisher, Anne Gunn, John Nishi, John Nagy, John Boulanger and ENR and officials

5.. Contracts

- All payments from the GNWT and the Tlicho Governments to Mr. John Donihee and Dr. Anne Gunn, since 2005.

- Previous employment record of the current WRRB biologist
- Copy of employment contract between WRRB and Dr. Anne Gunn, their "independent" biologist.
- Compensation arrangements for ARC biologist Larry Roy, listed as a member of the public. If compensated by the GNWT, reasons why he was not permitted to be questioned, and all notes, emails, etc. on this subject.

6. Harvest Data

- all harvest data including all internal memos, emails etc related to harvest
- records of all conversations between ENR and aboriginal groups and residents regarding harvest numbers
- total harvest by Tlicho by sex and age of caribou and season
- total harvest by other first nations of the Bathurst Herd anywhere in their range, by sex and age of caribou and season
- total harvest by residents by sex and age of caribou and season
- total harvest by outfitters by sex and age of caribou and season
- All data regarding wounding rates, by resident, non-resident, and aboriginal harvesters

7. Caribou Harvest March 2010

- all documents, memos, records of conversations regarding the harvest in March of 50 animals including all documents related to ENR management of site and all photos of site
- all information obtained from this hunt

8. Community Hunts

- all documents, correspondence and memos ,records of conversations etc regarding community hunts in NWT since 1996 including harvest data and budget allocations

9. Miscellaneous

- All ENR memos, emails, and correspondence that reference John Andre, Qaivvik, Ltd, or Caribou Pass Outfitters, his research, and directives to ENR personnel regarding communication with Mr. Andre
- All internal reports that discuss the reason for the caribou decline
- All correspondence regarding the creation of the Ahiak herd, or the splitting of the Bathurst calving ground, depending on how one views it.

- All reports, document, notes, records of telephone calls etc. in ENR'S possessions that have not been produced related to caribou (that do not necessarily support their position)
- All communication with Anne Gunn since her departure from the department and all reports and invoices issued by Anne Gunn or a related company/holding company
- List of documents completed by Anne Gunn while at ENR which ENR does not have, but are in Anne Gunn's possession
- All communication between Tlicho government and ENR, including documents, letters, faxes, emails etc
- All documents related to information regarding Tlicho in new Joint Proposal prior to this date
- All correspondence between the Minister of Environment's office and ENR staff, including all briefing notes
- Correspondence with Nunavut regarding Ahiak survey of 2010, including all tendering documents for the contract to do the survey and ENR reasons for not conducting the survey
- All working documents of Jan Adamszeswski at ENR, including those regarding the design of a calving ground survey for the Ahiah Herd
- Map of the Traditional Ahiak Calving Ground, which shows overlap with Traditional Bathurst Calving Ground and Traditional Northeast Mainland Herd, and possibly the traditional Beverly Calving ground
- Current ENR documents on the Northeast Mainland Herd
- Hiring process and date of hire for Susan Fleck's position regarding Director of Wildlife
- All professional affiliations of current and former ENR staff and membership in environmental groups in the past 10 years
- All ENR internal memos, notes etc to personnel regarding interpretation of aboriginal rights, communication with communities and consultation processes
- All correspondence within ENR and Tlicho and other stakeholders whereby ENR indicates we are in an emergency situation with caribou and all supporting documents related thereto
- All communication by ENR with Tlicho in March-May 31, 2010 regarding questions from interveners

Supporting reports/documents

- all original documents/reports and internal reports that are cited in any of ENR reports that ENR is relying on, including all documents that are "in press" or in draft" or listed "internal communication" . Given the shortness in time to prepare this list, we were unable to prepare a full list related thereto. We note that there are many documents cited in the ENR Draft Technical report December 2009

The following documents are cited in the ARC Review, or ENR document #178-Review of Outfitter Concerns. To date, ENR has refused access to these documents.

Gunn, A. 2008. Satellite collaring and calf survival in the Bathurst herd of barren-ground caribou 2003-2005. Manuscript Report (*in press*). Department of Environment and Natural Resources, Government of the Northwest Territories, Yellowknife, NWT.

Gunn, A., A. D'Hont, J. Williams, and J. Boulanger. 2008a. Satellite collaring in the Bathurst herd of barren-ground caribou 1996-2005. Manuscript Report (*in press*). Department of Environment and Natural Resources, Government of the Northwest Territories, Yellowknife, NWT.

Gunn, A. K.G. Poole, and J. Wierzchowski. 2008b. A geostatistical analysis for the patterns of caribou occupancy on the Bathurst calving grounds 1966-2007. Technical Report to Indian and Northern Affairs Canada, Yellowknife, NWT.

Heard, D. C. and M. Williams. 1990. Caribou project summary and review (Part 1). Unpublished report by Department of Renewable Resources, Government of the Northwest Territories. Yellowknife, NWT. 34 pp.

Heard, D. C. and M. Williams. 1991. Caribou project summary and review (Part 2) – Population Dynamics. Unpublished report by Department of Renewable Resources, Government of the Northwest Territories. Yellowknife, NWT. 47 pp.

Johnson, D., J. Nagy and J. Williams. 2008. Calving Ground Surveys of the Ahiak Herd of Barren Ground Caribou June 2006-2008. Manuscript Report (*in press*). Department of Environment and Natural Resources, Government of the Northwest Territories, Yellowknife, NWT.

Nagy, J.A. 2008a. Evidence that the Cape Bathurst, Bluenose-West, and Bluenose-East Calving Grounds are not Theoretical, and, Justification for the Division of the "Bluenose" Herd into the Cape Bathurst, Bluenose-West, and Bluenose-East Herds. Manuscript Report *in press*. Department of Environment and Natural Resources, Yellowknife, NWT.

45

Nagy, J.A. 2008b. Population Estimates for the Cape Bathurst and Bluenose-West Barrenground Caribou Herds Using Post-Calving Photography. Manuscript Report *in press*. Department of Environment and Natural Resources, Yellowknife, NWT.

Nagy, J.A., and D. Johnson. 2007a. Calf:cow ratios estimated at or near the peak of calving for the Bluenose-west herd, 2002-2005. Manuscript Report *in press*. Department of Environment and Natural Resources, Government of the

Northwest Territories, Yellowknife, NWT.

Nagy, J.A., and D. Johnson. 2007b. Calf:cow ratios estimated at or near the peak of calving for the Cape Bathurst herd, 2002-2006. Manuscript Report *In press*. Department of Environment and Natural Resources, Government of the Northwest Territories, Yellowknife, NWT.

Rettie, J. 2008. *Determining optimal radio-collar sample sizes for monitoring barren-ground caribou populations*. Report to the Department of Environment and Natural Resources, Government of the Northwest Territories, Yellowknife, NWT.

Boulanger, J. A. Gunn and M. Campbell. 2004. Survival Rate Estimates for adult female caribou in four herds of barren-ground caribou using radio-collared individuals, Northwest Territories and Nunavut. Unpubl. Report for Department of Resources, Wildlife, and Economic Developemnt, Government of Northwest Territories, Yellowknife, NWT. 10pp.

Raw data for 1986 Ahiak Calving Ground Survey as included in ENR Report 126 and as these numbers form the basis of the Ahiak herd including flight lines and contracts for sub-contractors including all correspondence related thereto.

All raw data for the 1996 Ahiak Survey and 1996 Queen Maud Gulf Muskox Survey. Relevancy: the 1996 Ahiak Calving Ground is exactly the same shape as the 1996 Queen Maud Gulf Muskox Survey. I was requested at the WRRB hearing, by Dr. Anne Gunn, to remove this information from my Powerpoint Presentation.

All emails between ARC, and John Andre, liason between ARC and the Barrenground Caribou Outfitters Association.

=