

Porcupine Caribou Management Board Minutes of Meeting

Whitehorse, Yukon

September 26 and 27, 2019

In attendance

Members/Staff

Joe Tetlich, Chair
Alice McCulley, Tr'ondëk Hwëch'in
Robert Charlie, Gwich'in Tribal Council
Billy Storr, Inuvialuit Game Council
Harold Frost Jr., Vuntut Gwitchin First Nation
Jaqueline Clarke, First Nation of Na-cho Nyäk Dün
Ian McDonald, Government of Canada
Karen Clyde, Government of Yukon
Lila Voudrach, Government of the Northwest Territories
Kirby Meister, Government of Yukon (Alternate)
Dean Arey, Inuvialuit Game Council (Alternate)

Deana Lemke, Executive Director
Matthias Lemke, Assistant

Presenters/Guests

Mike Sutor, Environment Yukon
Kelly Milner, Communications Consultant
Peter Evans, Trailmark
David King, Trailmark
Shannon Stotyn, Canadian Wildlife Service
Liz Staples, VG Caribou Coordinator
Amy Amos, Gwich'in Renewable Resources Board
Jennifer Smith, Wildlife Management Advisory Council (North Slope)
Marsha Branigan, Government of Northwest Territories
Craig Machtans, Canadian Wildlife Service

Welcome and Opening Prayer

Chair Joe Tetlich called the meeting to order at 9:15 a.m. and opened the meeting with prayer and welcomed Lila Voudrach and Dean (Manny) Arey as new members.

The agenda for the meeting was reviewed and approved as amended.

***Motion to approve agenda
Moved by Billy Storr
Seconded by Ian McDonald
Carried***

Review Minutes and Action Items

The minutes of the May 13 and 14, 2019 meeting were reviewed and approved.

***Motion to approve minutes of May 13 and 14, 2019 meeting
Moved by Robert Charlie
Seconded by Ian McDonald
Carried***

Chair's Update

Joe Tetlichy related that considerable effort is being put into public consultation about the commercialization of wildlife in the Gwich'in Settlement Region. While all harvestable species are being considered, the Porcupine Caribou herd (PCH) is a significant greatest focus of discussions and comments; therefore, Joe has taken part in most of the workshops and meetings.

Joe noted that he participated in a Dene Nation meeting at the Midway Lakes festival during the summer. When caribou arrived at the Dempster Highway around the third week of July the community of Fort McPherson tried to influence harvesters via radio announcements and patrols to let the leaders pass. Many supported this initiative but a few insisted on harvesting which caused tension in the community. At the Gwich'in Tribal Council's Annual General Meeting a resolution was made to initiate a harvesting closure on the Dempster Highway when caribou migrate near the highway.

Lila Voudrach related that ENR has received several calls from individuals who wanted assistance with enforcement of letting the leaders pass. She explained that abstaining from harvesting is voluntary and that her department could not interfere with aboriginal harvest.

Administrative and Financial Report

Deana Lemke reviewed the financial variance report. She noted that there had not been a budget allocation for additional Native User Agreement expenses but the Board had previously agreed to assist with funding a celebration. GTC and IGC also agreed to contribute \$5000 each toward the celebration.

Deana related that Environment Canada has just approved \$100,000 of funding toward the Traditional Knowledge (TK) project over four years.

Herd Update

GNWT Update

Lila Voudrach provided the following update:

- Harvesting of PCH occurred this summer due to caribou being near the Dempster Highway.
- Conservation Officers from Fort McPherson conducted some patrols upon request. ENR suggested that the Fort McPherson Conservation Officers start initiating their own patrols and conduct them more frequently.
- Harvesting of caribou took place along the coast. Some harvesters complained that the presence of up to 3,000 passengers from a cruise ship interfered with their harvesting at King Point. The matter will be investigated by IGC as no approval had been sought by the tour operator.
- An investigation related to meat wastage was opened when caribou meat was found at the landfill.
- A sight-in-your-rifle event is being planned in Fort McPherson and Tsiigehtchic. PCMB offered to provide promotional items and prizes for the events.

Government of Yukon Update

Mike Sutor provided the following update:

- The majority of the PCH was north and northwest of Venetie, Alaska from March 18 to 25.
- Calving took place in many different areas between May 31 and June 3 during migration to the coastal plain along routes that have never been observed before. A possible reason may be that migration was delayed due to very deep snow. Since the migration started quite late calving happened on the way to the calving grounds.
- From June 17 to 24 the herd converged on the 1002 lands. By the second week of July the herd had moved back to Canada and was located on the south side of the coastal plain.
- Approximately 150,000 caribou moved through Sheep Creek camp at the time when the Firth River was at its peak. Approximately 130 drowned caribou were located after the herd had crossed the river. The drowned animals consisted mostly of three-year-old bulls, calves, and very old cows.
- From July 17 to 19 the herd stayed in a dense group along the divide between the north and south Richardson Mountains between Rat River and the North Slope and along both sides of the Yukon/NWT border.
- Between August 19 and 26 the herd moved westward just north of Old Crow and migrated back to Alaska.
- Between September 9 and 16 large groups of PCH were located west and northeast of Arctic Village.
- Many of the previous year's calves disappeared by March 2019. Since calves are not monitored after June the cause of this loss is unknown.

- Northern Arizona University doctoral student Katie Orndahl is conducting a study on caribou and vegetation structure in the warming Arctic. She is analyzing how much biomass of lichen, shrubs, etc. are present in the herd's habitat and how caribou are influencing the vegetation cover and structure over time.
- Heather Johnson, a biologist with the U.S. Geological Survey, is proposing a project that would generate spatio-temporal models of forage quality, forage abundance and mosquito harassment within the coastal plain portion of the PCH range during the calving and post-calving seasons. The data could potentially be used to project changes to forage quality and abundance under different climate conditions and thus anticipate changes to caribou distribution. The project would also assess the influence of early summer foraging on three-week-old calf survival, neonate survival, parturition and adult female survival.
- Lawrence Carter, a grad student, has been working on analyzing the impact of muskox on caribou by studying the effects of muskox grazing. This is part of ongoing work to determine if muskox compete with caribou for forage and whether muskox/caribou interactions have a detrimental effect on the PCH.
- A composition survey on muskox was completed and GPS collars on muskox were deployed. Muskox numbers have slowly increased over the past few years due to excellent summer range condition, milder winters and high survival rates.

Caribou Leaders

Regarding the issue of letting caribou leaders pass, Mike felt that it would be of interest to discuss collar location data from July 2019. He displayed a location data map with July 22 to 24 GPS collar locations. He noted that for the past several years cows have tended to stay farther north while bulls moved farther south. The group of caribou that has moved south and ranged near the Yukon/NWT border near Fort McPherson has consisted of primarily bull caribou.

Mike noted that since there has consistently been a group of bull caribou moving into this area, this information should be considered when discussing the definition of "caribou leaders." There are other reasons not to harvest during summer, but there is a need to clarify whether these caribou should be considered leaders since the group is consistently bulls in their summer range.

Kirby Meister pointed out that this also raises questions about "letting the leaders pass" to where and for what reason.

Billy Storr noted that some people are losing their opportunity to hunt because they are complying with the messages to leave the leaders alone. The closure used to be one week long but now the requests for abstaining from harvesting seem to be getting longer at times.

Joe stated that he would like to see historical information back to 1979 to see how often Porcupine Caribou crossed the Dempster in the past. Mike acknowledged that this information could be compiled and that it may be useful to have when discussing questions about changing migration patterns with the community of Old Crow, as has been requested.

PCMB summer student Sonny Parker provided an audio/video presentation of highlights of his work over the summer. He thanked the Board for receiving the Johnny Charlie scholarship and the opportunity of working with Mike Sutor and his team as well.

Traditional Knowledge (TK) Project

Kelly Milner provided a brief review about the reasons that the TK project was undertaken by the Board followed by an update on progress to date.

The project's initial goal was to address PCMB's requirement for TK in the management process. Subsequently, due to COSEWIC's assessment of barren-ground caribou and the requirement of including TK in a Conservation Plan, the project will also meet this need.

When asked for input regarding TK for this project, communities clearly indicated that all of this information has previously been provided and documented and should not need to be collected again. Therefore, in order to respect the work that has already been done, the project will focus on making the best use of existing Porcupine Caribou-related TK information held by First Nation and Inuvialuit agencies. The initial goal is to develop a coordinated data-management and sharing system that will allow PCMB to utilize data from community observations and knowledge in developing a Conservation Plan for the entire range. Trailmark was the software and consulting company chosen to address these requirements.

The second phase of the project may address PCMB's goal of incorporating TK from the entire range of the PCH into management decisions at Annual Harvest Meetings each year.

Each Party's existing data has been assessed. Both GTC and VG had a large amount of data that could be used. Data-sharing protocols are in place with both organizations and the ingesting of digitally available data is in progress. GTC's data is organized in a way that made it easier to ingest and share and was therefore the initial focus of Trailmark's work.

Peter Evans from Trailmark introduced himself and gave an overview of his experience and background. He previously worked with communities in Labrador to create a database that could store TK information and could be used for negotiating with the federal government regarding land use and impacts. Since then, Trailmark has formed partnerships with several indigenous communities to help gather, store, access, and utilize their TK.

Peter provided an overview of the Trailmark software, highlighting the codes and categories that can be used to sort and analyze data. He explained that Trailmark can either ingest or link to many forms and sources of digital data.

An example of successfully using TK data was in reference to the migration of the Ahiak herd. While satellite collar data indicated that only Dolphin and Union herd animals migrate over the ice to Victoria Island, TK held that members of the Ahiak herd also do. When harvest data was included in Trailmark, a subsequent analysis showed that a number of Ahiak animals were in fact harvested on Victoria Island.

Peter explained that the sharing of data within Trailmark can be limited by time, by topic, and by recipient. Parties will have full control of which parts of their data will be shared with others and for how long.

Kelly outlined the next steps in the project:

- Develop data-sharing agreements with remaining Parties (target Dec 2019)
- Upload remaining data (target May 2020)
- Analyze data and review with Parties (target Dec 2020)
- Identify gaps that still need to be filled (target Feb 2021)
- Create products that combine all user data (target 2021)

The initial project scoping is now complete. Additional funding for the work of reviewing and integrating the remaining data will be sought via the federal Climate Change and Health Adaptation Program (CCHAP). Additional funding of \$100,000 is also being made available by Environment Canada.

Kelly noted that once the work of integrating all of the data is complete, there is another significant component of work that needs to be done, namely the analysis of the data. In order to obtain the information that PCMB and the Parties are looking for to inform the Conservation Plan, the ingested TK will need to be analyzed.

Concerns were expressed about the future analysis of the data. Alice McCulley felt that the analysis should be led by representatives from each of the communities with assistance by Trailmark. Mike Sutor suggested that the data-sharing agreements need to anticipate the requirements of doing research and analyses in order to prevent barriers related to utilizing range-wide information.

Ian McDonald and Karen Clyde both stated that the TK project's timeline needs to stay in step with the requirements of the Conservation Plan.

Motion to proceed with the next phase of the project utilizing \$100,000 of funding from Environment Canada

Moved by Ian McDonald

Seconded Billy Storr

Carried

Wildlife Management Advisory Council (North Slope)

Jennifer Smith provided an overview of the draft *Yukon North Slope Wildlife Conservation and Management Plan* and the proposed Indigenous Protected and Conserved Area (IPCA) being proposed in the withdrawn area of the Yukon North Slope.

Jennifer noted that the new draft plan has been completely updated and is different than the previous plan from 2003. The new plan considers the conservation requirements for featured wildlife species, one of these being the PCH. PCH information in the plan was obtained by working with Mike Sutor, RRCs, local TK and other experts, and by using other existing available information.

The plan's recommendations related to PCH are as follows:

- (1) Protect the entire caribou calving and post-calving grounds and summer habitat on the Yukon North Slope;
- (2) Protect core summer habitat and migratory routes frequently used by the herd and those routes that may become important in future;
- (3) Support conservation of caribou habitat across the PCH range, especially the calving grounds in the Arctic National Wildlife Refuge, through collaboration among jurisdictions and parties and by actively supporting research, monitoring, management and mitigation of development impacts to meet the ecological requirements of the herd; and
- (4) Encourage research and monitoring of habitat condition and quality with emphasis on the calving and mid- to late summer periods.

WMAC (NS) recommended an IPCA designation is the best tool available to achieve permanent protection of the withdrawn area. In addition to the withdrawal order an IPCA will increase the recognition of the area, allow for more indigenous control, and potentially attract additional financial resources. WMAC (NS) has received federal funding to facilitate meetings with Parties and move forward with the plan.

The *Yukon North Slope Wildlife Conservation and Management Plan* will remain the guiding document for the Yukon North Slope regardless of whether the IPCA is established.

Jennifer noted that WMAC(NS) will keep PCMB informed about the IPCA process and that comments on the draft plan are being sought before the end of October 2019.

ACTION 19-4: Draft a letter of comment regarding the support of the draft Wildlife Management and Conservation Plan for the Yukon North Slope and the proposed Indigenous Protected and Conserved Area.

Arctic Refuge development

Caribou Coordinator Liz Staples introduced herself and explained that she was hired by Vuntut Gwitchin at the end of April 2019 to assist with coordinating technical and legislative responses related to development in the Arctic National Wildlife Refuge.

Liz highlighted key considerations regarding the content of the Coastal Plain Oil and Gas Leasing Program Final Environmental Impact Statement (EIS) and provided an update and overview of the current status of the process.

She noted that the Final EIS recommended Alternative B which allows for leasing of the entire program area and has the fewest lease stipulations. This is most likely the alternative that will be chosen in a Record of Decision (ROD).

The following are observations regarding the Final EIS with regard to PCH:

- Canadian user groups of the Porcupine Caribou herd were not adequately acknowledged, consulted, or given reasonable opportunities to participate in the EIS process.
- Canadian governments, Canadian user groups of the Porcupine Caribou herd, and the Canadian public were not provided an opportunity to comment on the additional transboundary impact analysis which was added throughout chapter 3. This is a substantive change that should have been reissued for public comment.
- BLM's response to comments about the lack of consideration given to cross-border impacts on Canadian subsistence users was that the *Alaska National Interest Lands Conservation Act* (ANILCA) section 810 only applies to Alaskan resident subsistence use.
- Statements throughout the document acknowledge that a greater degree of development in the calving grounds could increase the likelihood of decreased calf survival rates and declines in herd abundance, and because Alternative B would allow the most development in PCH calving grounds, it would be most likely to cause socio-cultural impacts on Canadian user groups.
- A new appendix entitled *Analysis of Incomplete and Unavailable Information* was added. It lists knowledge gaps and recommended studies that have been identified during the comment period. However, the EIS determines that no new information is required to make a final decision. It states that more specific, quantitative analyses would occur during project-specific analyses as required by the *National Environmental Policy Act*.
- A new leasing stipulation was added which states that construction activities using heavy equipment will be suspended in what the final EIS identifies as primary calving habitat for the Porcupine Caribou herd from May 20 through

June 20 of each year. This does not include cessation of drilling and related activities.

- The final EIS still provides little indication that the proposed mitigations to limit impacts on caribou and/or the subsistence users of caribou have been proven effective or that lease holders would have any requirement to demonstrate their effectiveness.

Craig Machtans stated that Canada will not make a substantial reply until the final decision is released. In the meantime, Canada will submit a brief response focusing on the need for data sharing and highlighting the failure of BLM to communicate with Canadian indigenous organizations. Substantive comments will be submitted and coordinated with a media release once the ROD has been released.

Liz explained that the ROD needs to be released before lease sales can occur. The State of Alaska anticipates a lease sale taking place in mid-December. A call for nominations will be the first step in the leasing process and is required to identify areas to be made available in the first lease sale. This stage will include a formal public comment period of unspecified duration. Any litigation needs to be filed within 60 days of the release of the final EIS; however, litigation will not be able to stop lease sales from occurring.

Ian McDonald recommended that it would be advisable for the Board to submit a light comment while waiting for the ROD. Board members agreed and requested that a response be drafted.

ACTION 19-5: Draft a general response to Bureau of Land Management re final EIS

PCH Conservation Plan

Shannon Stotyn reviewed the reasons a Conservation Plan for all barren-ground caribou (BGC) in Canada will be required in the future and what the main components of the plan need to be. She noted that while BGC are not officially listed as “threatened” yet, it is a worthwhile proactive endeavor for PCMB and Parties to begin work on a plan now.

Shannon explained that much of the information and content for the Conservation Plan already exists and needs to be consolidated and supplemented.

The next steps for moving forward include creating a timeline with key milestones, identifying knowledge gaps, identifying individuals who should be involved, understanding the funding requirements, and learning from similar processes.

Mike Sutor reviewed the following draft timeline of activities:

Timelines	Activity	Details
Immediately – Fall 2020	Initial Consultation	Draft table of contents and consultation plan
Ongoing	Research and Analysis	Traditional knowledge, species information, habitat models, threats
February 2020 – October 2021	Information Gathering	Collate information and share prior to workshops
November 2021	Workshop(s)	Workshop main sections
February 2021 – May 2022	Drafting	Draft sections outlined in table of contents
May 2022 – March 2023	Consultation	Consult on draft document(s)
March 2023	Finalize	Incorporate comments and finalize Conservation Plan

Mike noted that PCMB currently has not identified habitat requirements for the PCH and this is something the Board should do regardless of the need to identify habitat requirements for a recovery strategy.

Deana Lemke suggested that a table of contents, an overview and timelines regarding the Conservation Plan be developed in order to share with Parties to ask for feedback. She noted that the Board’s September 17, 2019 letter updating all Parties about the Conservation Plan advised them that the work will likely be completed over the next 18 months and that Parties and communities will be engaged throughout. Therefore, it may be advisable to ask Parties at the 2020 Annual Harvest Meeting to begin identifying representatives who will take part in the development and review of the Conservation Plan. As well, Deana noted that the Board will need to spend a good portion of the February 2020 PCMB meeting to discuss the next steps.

It was noted that it would be beneficial to hire a contractor to review other plans, provide recommendations, and build a draft table of contents.

ACTION 19-6: Secure a contractor to develop a conservation plan.

Porcupine Caribou Technical Committee (PCTC) update

Mike Sutor related that the PCTC met in Dawson in May 2019. Alaska’s Department of Fish and Game has led recent efforts on the new digital photo census process, including the development of a computerized method to count caribou on digital images. Testing to date shows that the new process currently has a five-percent error rate. Once this new method is fully developed it will greatly increase the speed of producing a survey count.

The International Porcupine Caribou Board (IPCB) asked the PCTC to consider how a monitoring plan in the 1002 area could be created when development starts. The PCTC hopes to engage all of the most qualified individuals to develop

a monitoring framework. This approach will be recommended at the next IPCB meeting.

Heather Johnson, a Ph.D. Research Wildlife Biologist with the Alaska Science Center in Anchorage, Alaska, has been able to access all Central Arctic Caribou herd data. She will also be conducting an analysis on the effectiveness of mitigations in the Prudhoe Bay area. Mike stated that if the PCMB would like specific mitigations to be analyzed for PCH-related concerns, Heather is open to feedback about what to focus on.

Dempster Hunting Brochures

Kirby Meister reminded members that the Dempster hunting brochures are intended to assist hunters and harvester groups understand the rules and regulations for harvesting PCH in the Dempster Highway corridor. The original brochures needed to be updated once the Dempster Highway regulations were rescinded. The updated versions have been through several years of iterations between YG and the Parties. They are almost ready for all Parties to review again.

It was noted that there is no information about kilometer 140 on the brochures. This will need to be added for clarity. It is not just a matter of noting kilometer 140 on the maps but also explaining its application.

Kirby stated that legal opinions state that the Gwich'in are not considered a Yukon First Nation; therefore, some government-to-government clarification is required to complete some of the brochures.

Caribou Population Model Correspondence review

Members reviewed a letter that was drafted in response to GTC's correspondence about the caribou population model.

Mike Sutor stated that Kelsey Russell has now taken the lead on administering the model. If there is an interest by any of the Parties or by the Board to have another review or to see an additional presentation, YG would be happy to assist. He explained that this specific model is used for several herds in Canada and Alaska. While different models built in various software programs are used in other areas, they use similar processes and content.

Native User Agreement (NUA) process update

Deana Lemke related that the NUA has been officially signed. A Celebration to commemorate the completion of the agreement was held on August 27, 2019, in Inuvik, NT.

The next step will be a discussion between governments and First Nations regarding an agreement on allocation. This is the last remaining component of the Harvest Management Strategy.

It is almost certain that GNWT will not allocate any harvest to licensed hunters if there was a total allowable harvest imposed on the PCH. It is unclear whether Yukon would agree to do the same.

GRRB Update on “Commercialization” consultation

Amy Amos, Executive Director of GRRB, updated the Board on the status of consultations regarding defining “commercialization” of wildlife.

Amy related that one of the biggest issues was advertising on Facebook. While there is a desire to leave it up to harvesters to decide what are reasonable expenses there is also a need to have enforceable rules. Therefore, a recommendation is being considered to disallow advertising unless approval from the RRC has been given. She noted that while the GRRB has the ability to propose specific regulations to govern the sale of PCH meat in the Gwich'in Settlement Region (GSR), the GRRB is requesting direction from the PCMB on how to proceed and how the two boards should work together on this matter.

Deana Lemke explained the collaborative arrangement between the PCMB and the Yukon Fish and Wildlife Management Board (YFWMB). When the YFWMB makes recommendations to the Minister that deal with PCH, these are submitted as a joint recommendation that is supported by the PCMB. Deana suggested that a similar approach could be considered when collaborating with the GRRB on this matter.

Ian McDonald suggested basing potential regulations on PCMB's Sale, Trade and Barter Guidelines. Deana agreed, stating that these are some of the same issues that PCMB worked on for years.

Members discussed the concept of enforceable regulations. Amy noted that for regulations to be enforceable, they need to be added to the *Wildlife Act* and enforced by the Department of Environment and Natural Resources. Members acknowledged that once a regulation is added to the *Wildlife Act* it will be difficult to change and that perhaps a different approach should be utilized.

Billy Storr stated that he would like to get input from IGC and local HTC's and discuss this again at a future meeting.

It was agreed that the GRRB and the PCMB will work together to draft a directive for future consideration. Amy requested that the PCMB provide a letter of support for collaborating on this in the future.

ACTION 19-7: Draft a letter to the GRRB about collaboration re regulating the sale of PCH meat in the GSR.

PCMB Website Upgrade

The status of the Board's current website and website support was reviewed. Marko Marjanovic at Frostbyte Software is no longer interested in retaining the PCMB as a client. He is not able to deliver timely support for website updates and the current content management software does not permit PCMB staff to make changes independently.

Significant changes are required to accommodate communication requirements regarding oil and gas development in the 1002 area and to better handle the growing amount of the Board's documentation related to annual operations.

Deana Lemke has communicated with Kelly Milner and Marko about possible local options which include Aasman or Outcrop. A proposal from a partnership based out of Calgary was reviewed. Members voiced support for moving ahead with the proposal after first obtaining competitive quotes from other organizations for comparison.

Next Meeting and Adjournment

The next meeting was scheduled to correspond with the next Annual Harvest Meeting which will be held from February 11 to 13, 2020, in Dawson City, Yukon. The PCMB will meet February 13 and 14 (travel days: February 10 and 15).

The meeting adjourned at 2:50 p.m.

A closing prayer was offered by Billy Storr.