

Porcupine Caribou Management Board Minutes of Meeting

**May 26 and 27, 2010
Dawson City, Yukon**

In attendance

Members

Joe Tetlich, Chair
Lorraine Netro, Vuntut Gwitchin First Nation
Marsha Branigan, Government of Northwest Territories
Doug Larsen, Government of Yukon
Ian McDonald, Government of Canada
Steven Buyck, Nacho Ny'ak Dun
Steve Taylor, Tr'ondëk Hwëch'in
Frederick (Sonny) Blake, Gwich'in Tribal Council

Deana Lemke, Secretariat

Regret

Billy Storr, Inuvialuit Game Council

Also in Attendance

Dorothy Cooley, Government of Yukon (alternate)
Jamie McLelland, Government of Yukon
Don Russell, Consultant

Welcome and Opening Prayer

The Chair called the meeting to order at 9:00 a.m., and welcomed participants to the meeting. Frederick Blake offered the opening prayer.

The Chair spoke about how the Board has come a long way since the 80s when it met twice a year and a significant focus was on protection of the Arctic National Wildlife Refuge and trips to Washington to assist with lobbying. Significant progress has been made on harvest management planning and this should be recognized. The Harvest Management Plan has been signed by most Parties and others have indicated their intention to sign once their internal review and approval processes have been completed.

Jamie McLelland was introduced to members. He works with Government of Yukon as the manager of regional programs for Environment Yukon and is a caribou manager. He will be taking Doug Larsen's place on the Board before the end of this calendar year.

Review Agenda

The Agenda was reviewed by the Board and approved with the addition of the following:

- Arctic National Wildlife Refuge management plan

Motion to accept agenda as presented

Moved by Frederick Blake

Seconded by Doug Larsen

Carried

Review Minutes and Action Items

The Minutes of the February 27 and 28, 2010, meeting were approved by the Board and the action items were reviewed and discussed.

Motion to accept Minutes of the February 27 and 28, 2010, meeting as finalized

Moved by Frederick Blake

Seconded by Steven Buyck

Carried

Status of Action 10:01:

Board wrote letter to VGFN regarding their lack of an alternate member appointment and their lack of representation when their member is not available. VGFN responded that they are aware of the situation and do not intend to appoint an alternate. It is up to each Party to ensure their appointments are made.

Status of Action 10-05: Retired

Status of Action 06-12: Deana will discuss with Lindsay Staples

Status of Action 06-24: Retired; will be addressed in Operating Procedures

Status of Action 10-06:

Digitizing photos — CWS discarded archive files stored on their site. This included old photos, unfortunately.

Action 10-16: Digitizing files — Secretariat to check with WMAC(NS) re the cost and scope of their current project to digitize their files. The Board will consider this at a future meeting when dealing with file storage and archiving.

Chair's Update (Joe Tetlich)

The Chair updated the Board on his activities since the last meeting, as follows:

- Participated with Parties and Co-management Boards in signing of the Harvest Management Plan in April.
- Travelled to the Dempster a couple times when caribou were migrating, to observe hunting and engage with hunters in discussions about ethical hunting. Mostly bulls were taken, but cows have also been harvested; more education is critical, especially focusing on younger hunters.
- Attended Caribou Days in Old Crow last weekend and made a brief presentation on behalf of the PCMB. There are many educational activities that happen during Caribou Days related to traditional harvesting practices.
- Regardless of obstacles or challenges, we still need to walk together as a Board and as Parties in co-management.

Administrative and Financial Report (Deana Lemke)

Secretariat provided an administrative report on activities since the last meeting:

HMP Implementation Plan Working Group

Parties wrote to the PCMB requesting approval for PCMB Secretariat to provide administrative support to the Senior Officials working on the HMP Implementation Plan. The Board agrees in principle with the request but will seek confirmation from the senior officials to outline what the expectations and scope of work would be. Ian will draft letter.

Annual Report – Draft 2008-09

The Board's 2008-09 Annual Report has been distributed. Work will begin on the development of the 2009-10 report over the next while.

FINANCE

A financial update was provided for year-to-date expenditures and variance on budget.

The Financial Audit is currently being done by MacKay and Associates. It should be finalized over the next couple weeks.

Motion to accept budget for 2010-11 as presented

Moved by Steve Taylor

Seconded by Ian McDonald

Carried

Secretariat Contract Fees

Secretariat requested an increase in the contract rate from \$300/day to \$375/day starting this fiscal year.

Motion to agree to provide increase to Secretariat contract wage from \$300/day to \$375/day, commencing April 1, 2010.

Moved by Frederick Blake

Seconded by Steven Buyck

Carried

The Board discussed the role of the Secretariat. Further discussion will take place in the future to determine whether or not the current position description meets the needs of the Board and the advantages and disadvantages of having an employee versus a contractor. Members commended current Secretariat on the good work she has been doing on behalf of the Board for many years.

Cumulative Effects Project Update

Shawn Francis submitted a written update on the Cumulative Effects Project and the outstanding deliverables. At the Board's request, Don Russell reviewed Shawn's update and maps prepared in conjunction with Jeff Hamm, provided to the Board.

Don discussed the objectives of Shawn's original plan. Steps to complete the current approach include:

- Identify classification system for habitat types
- Determine development scenarios to be modeled
- Map habitat types
- Develop RSF coefficients
- Determine caribou use of landscape strata
- Develop body condition model inputs
- Run the body condition model
- Repeat runs for alternative scenarios
- Project change in population parameters

Don has some concerns about this proposed approach since the scenarios proposed for modelling are all hypothetical situations and all within the wintering range. He feels that scenarios should be modelled in the calving grounds and summer habitat ranges. The footprint map needs a lot of interpretation (we don't know what the stage and status the lines show). Most impacts will be phase-dependent (different impact if herd is growing or declining). Doesn't make sense to make a detailed model of energy implications on the winter range where most scenarios will occur. Largest winter range impact will be on hunting access. There needs to be much greater consideration of climate change in cumulative impact assessment.

Suggestions for future tasks:

- Develop more comprehensive project description
- Provide analysis of successes/limitations of Bathurst pilot project
- Scope other projects that could contribute to Porcupine Caribou Herd and CE project
- Evaluate current thinking on old and the Central Arctic Herd at Prudhoe Bay
- Incorporate caribou calculator, need to better incorporate impacts of access to hunting
- Model impacts under future climate change scenarios
- Take a more strategic approach – model risk. What is the relative contribution of all seasons on the productivity of the herd
- Develop “tools” that the PCMB can use to better understand the relative impact of different “disturbances” or “changes” to Porcupine Caribou Herd environment
- Incorporate into CARMA’s “Managing Abundance” initiative

Funding Strategy:

- PCMB doesn’t need to do it all themselves
- Partner with other co-management boards and regulatory agencies
- Carve out generic components – CARMA (depending on future funding after IPY)
- Develop a “science plan” that identifies what analysis and further research needs to be done (provide the steering wheel)

The Board would like to see the finished products from Shawn and discuss how to use those products effectively, and determine the path to take on this CE project. Don feels that going this direction will likely be of value for the Board within two years.

Don is committed to CARMA IPY projects this year but will try to carve out some time for developing a proposed project description for the CE Project. The Board allocated \$10K to the CE Project line item to cover Don’s costs associated with his work, travel and attendance at meetings.

Herd Update (Dorothy Cooley)

Dorothy Cooley provided the following herd update:

An additional 28 collars were deployed on the herd (8 satellite, 20 conventional). 126 total collars are now deployed.

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

Frederick Blake noted that there has been a significant increase in wolf packs observed.

There will be no summer student this year. Martin Keinzler is away on parental leave for the summer. A student needs to be supervised, and this is not possible for Dorothy to do this in Martin's absence.

The north check station closed May 7. A report will be prepared later in the summer. The south check station closed March 31 as there were not a lot of south-bound hunters.

Calving Ground census

Government of Yukon is working on a herd size estimate using the new method to do a calving ground census. That will be attempted around May 4 or 5. It is anticipated there will be a seven-day window to do this type of survey.

Dorothy met in Old Crow with RRC and First Nation renewable resources staff, where she updated them on the calving ground census.

Sale, Trade and Barter Guidelines

Secretariat sent out draft guidelines on Trade and Barter to Board members to review in their communities and obtain feedback. Responses have been received from Government of Yukon, Gwich'in Renewable Resources Board and Government of Canada. The guidelines were discussed at the NWT regional RRC meeting in late January. The Aklavik HTC has discussed them and will hold a public meeting. IGC is meeting in early March. The Board agreed to wait until next meeting to provide more time for feedback from organizations/members.

The Board agreed to provide further time for responses to be submitted by Parties. After that, a reworked draft will be prepared and provided to Board members to review.

Peel Watershed Plan

Steven Buyck mentioned that he sits on the Yukon Land Use Planning Council. His term will be expiring in August. Steve Taylor sits on the Peel Watershed Planning Commission.

Steven related there is a one-year moratorium on any new development in the Peel Watershed. Right now, the Parties are reviewing the plan and are expected to come out with a statement next year. The Board made a submission on the Peel Watershed Plan.

Eagle Plains RFP – also includes portion of Peel. PCMB made a submission regarding the RFP.

Arctic National Wildlife Refuge management plan review

Arctic Refuge – review period, USGS, updating 22-year old comprehensive land use plan. PCMB will make a submission regarding the importance of the calving grounds to the Gwich'in people and the need to permanently protect the Arctic Refuge.

Action 10-17: Deana to draft submission re the ANWR management plan review, along with Marsha/Dorothy for Board to review and comment on by no later than next Tuesday. Submissions need to be submitted by June 2.

Conflict of Interest Policy

In follow-up to last meeting, a draft conflict of interest policy was distributed to Board members to initiate discussion at this meeting.

Doug Larsen made comments regarding his opinions on conflict of interest and the role of the members, Chair and Secretariat. Joe stated that he regretted Doug not bringing some of his issues directly to Joe to discuss. However, he would like to see the Board move forward.

Marsha Branigan agreed we need to move forward as a Board. She doesn't agree with all comments and feels Chair does a good job. With respect to the Harvest Management Plan process, Joe did good job trying to build consensus throughout this; however, it was not possible in this case. Secretariat did good job providing support to Board and Working Group through the HMP processes. Once a Board decision is made, we all need to support it. Chair and Secretariat support the Board's decisions. Need to clarify responsibilities of members, Chair and Secretariat. The Board does need a conflict of interest policy so there is a process for the Board to deal with issues that arise.

Doug Larsen thanked Joe for his positive opening comments, which reflected how he feels as well. It is a substantial issue and central to who we are and how we function as a board. Some of the things I put in the email are incorrect, as I learned recently from a legal opinion. This is for discussion – it's normal for Boards to question roles and responsibilities and conflict of interest situations. It's an opportunity to clarify how we might need to change things for the future. Need to understand roles and responsibilities before there can be a good understanding of conflict of interest. Situations where there can be financial gain are clearer than others such as what we have dealt with the past year. It was not the intention to make this a personal attack on Joe or anyone else. The process over the last year and challenges should make us think about the role of the Chair and members. This is a learning process.

Doug spoke about a legal opinion Government of Yukon recently received which can be shared with the Board. According to the legal opinion, the Yukon

government member is there to represent Yukon government, as are the GNWT and Canada members. This is different for First Nation representatives. They represent the user communities, not their governments – as the *Porcupine Caribou Management Agreement* (PCMA) is interpreted. There aren't any other boards like this. The PCMA speaks to First Nations being appointed by CYFN as it was implemented prior to land claim agreements. We need to follow the agreement the way it was written. This highlights the need to update the PCMA and make it more reflective of how things have changed.

The Board felt that the role of the Board members, Chair and Secretariat, how they work together, whether or not members are representatives of their nominating/appointing Party, as well as a conflict of interest policy should be discussed further at a future opportunity.

In-camera discussion

Action 10-18: Chair and Secretariat to meet with Government of Yukon officials to discuss issues raised by Doug Larsen and what their actual position is. This will be followed by a Board teleconference to apprise members of outcomes of discussion.

Action 10-19: Board members to review, make comments and suggest revisions to the Board Operating Procedures and Members' Manual, for further discussion at next Board meeting.

Harvest Management Plan

As indicated in the Chair's opening comments, all but two Parties have signed the HMP: Canada and GNWT. GNWT has approved the HMP but they are waiting to physically sign it once Canada has sent it on. They are expected to approve and sign the agreement shortly. The next step is the development of the Implementation Plan (IP). Deana has agreed to work with Lindsay Staples to coordinate the initial Senior Officials IP meeting which is scheduled for next week.

The Board discussed the request of the Senior Officials for the Secretariat to provide administrative support and be the communication link between that group and the Board. It was felt that the role of "link" between the two groups should be more appropriately taken on by the Chair. Deana is not comfortable taking on that responsibility. The Board was supportive of Deana having stepped in immediately to assist with the organization of the initial meeting. This is also indicative of the supportive role the Board has taken to move the HMP and its associated IP along to completion. There is also definitely a role for the Board to be involved in the organizing the implementation actions of the HMP, including communications and education.

The Board will request clarification from the Senior Officials IP group regarding what is being requested/required of the Board – administratively and as a linkage between the groups. In the meantime, the Board will work on outlining a communication plan for the HMP, to be provided to the Senior Officials at their upcoming meeting next week.

Action 10-20: Develop a HMP communication plan for the Senior Officials to review at the upcoming HMP IP meeting.

There will be a teleconference with the communications people to discuss coordination of fall harvest messaging, similar to what was undertaken last year in the NWT. The Board has agreed to take on the coordinating role of the harvest messaging campaign to ensure consistent and organized messaging that will also include HMP key messages.

The Board discussed how messaging should be dealt with about the conflict of the HMP with the current Government of Yukon interim measures (regulations) in place. Doug Larsen clarified that the interim measures will be in place until the HMP is signed off.

Terms of Reference – Annual Harvest Meeting

Marsha prepared a draft of the Annual Harvest Meeting (AHM) Terms of Reference for discussion by the Board. This included an outline of what the AHM would look like, how it would be run, etc. Members' general comments included:

- Media attendance has to be discussed. Perhaps open to public, not media; with a media communications release following the Board's recommendations.
- When recording vote, we should not have all the details on who voted, only the number of those in favour, those against, whether a decision was carried by consensus or unanimously.
- The precautionary principle will be followed, erring on the side of caution.
- PCMB Chair will facilitate the AHM.
- A time limit should be set for each party registered, depending on the number of registrants – suggest a 30-minute time limit, followed by Q&A period. Public comments – limit time if at all.
- Response from eight Parties following that.
- Decision on the Board's recommendation will be issued within 30 days; attempt to get out sooner, however.
- For the first AHM, the Board will require two days to deliberate.
- Build in time at the AHM for clarifying questions if required.
- Template needs to be developed outlining format for submissions.

Action 10-21: Steven Buyck agreed to do a preliminary draft of the template that would be used for those making submissions to the Board, for discussion at the next Board meeting.

Action 10-22: Marsha to update draft Terms of Reference for the Annual Harvest Meeting for distribution and further discussion at the next Board meeting.

Communications Guidelines

The Board's Communication Plan format is good. The content will be discussed further at a future Board meeting. It was agreed that a more detailed plan that outlined the increased communication responsibilities associated with the HMP and related communication/education should be developed.

Members' Concerns

Each Board Member provided closing comments/concerns:

Marsha Branigan: concern about rebuilding the Board morale and trying to work better together. Hoping we can work together cooperatively as a Board, expressing opinions and continuing to move forward. There will be significant work the Board will have to focus on in the upcoming year.

Steven Buyck: thank everyone for their open honest perspectives; important to air those, such as at this meeting. When the interim measures first came up, we indicated we did not support them. There were court processes, affidavits, hard challenges among Parties. It has been very challenging and stressful. We are on the right track, working through issues. PCMB needs to take more ownership of the HMP IP once we hear back from the Senior Officials. We need to ensure caribou are around for future. The caribou is the lifeblood of our people and that's what we're all here for.

Lorraine Netro: agree we have done some good work here and dealt with challenging issues over the last couple days. There has to be open and honest dialogue so we can be a strong team moving forward and in addressing what we need to on the HMP and taking part in the IP. That's where a lot of our real work is going to take place. We have faced a lot of challenges in the last year. Sometimes we have to deal with political decisions and need to know how to work with them. How do we move forward with those decisions? Decisions we make at this table can affect our grandchildren so they are very important and we need to keep that in mind.

Steve Taylor: Be mindful of the land use plan coming up in the Dawson region and be prepared to make submissions to that plan. Apologize for not having someone to come and welcome us to traditional territory, no one was available.

Ian McDonald: Interesting times. Nice to see we are working together. At the end of the day, it's about the caribou herd and the people who rely on it.

Doug Larsen: thank the Board for listening to concerns raised. Intent is to strengthen the Board, not fracture it. Thanks for patience. This Board will have to work together. I am confident they will figure out a way to do that in the future. A strength I see in this Board is that we manage to get through these difficult moments and then keep moving on.

Sonny Blake: concern about not getting a photocensus again potentially; hopefully it will work out this year. It is good that we deal professionally when issues come up. We have to leave issues in this setting and try not to take issues home with you. Try not to let it affect your day-to-day activities. Glad to have HMP signed off, overcoming one hurdle. IP is the next hurdle to work through.

Joe Tetlich: thanks to Don Russell and Dorothy Cooley for being here and for being a valuable resource to the Board over the years. Value your input and work you are doing for the Board and on behalf of the caribou. Also thanks to Jamie for coming to this meeting. It is very exciting to come together and talk about caribou. Although it can be sensitive and challenging at times, it is important for everyone to come together. Thanks to Doug Larsen for bringing up your personal views. When those types of issues are brought to the forefront and we work through them, we get stronger as a team. It takes courage to bring tough things up but it can result in the betterment of everyone in the end. It has been a long haul working on the HMP and with the interim measures over the past year. Commend the Board members for not giving up. People are here because they care and the caribou is very important. We should go away from the meeting knowing we achieved something here and not going away having hard feelings. I have to take the lead role and show leadership; that is important for me. I'm looking forward to the meeting with officials from GY. It's good for the Board to talk about where we're at, where we're going and what is expected of me as the Chair. Thanks to Deana for her good work; she has carried a lot of weight with administrative responsibilities and we value her input and being part of the Board. Have a good summer and good fishing.

Next Meeting and Closing Prayer

The next meetings will potentially be held as follows:

- September 1 and 2, 2010, Fort McPherson (Ti'oondih Camp)
- November 27 and 28, 2010, Whitehorse, Yukon (Inn on the Lake).
- February 8 to 10, 2011 – Annual Harvest Meeting, Inuvik, NWT

The meeting was adjourned at 4:30 p.m. and the closing prayer was offered by Lorraine Netro.