



SEP 26 2016

Mr. Michael Neyelle
Chair
?ehdzo Got'ine? Gots'é Nákedı
Sahtú Renewable Resources Board
PO BOX 134
TULÍT'A NT XOE OKO

Dear Mr. Neyelle:

SRRB Report July 28, 2016: Hearing Decisions and ENR Responses

The Government of the Northwest Territories (GNWT), Department of Environment and Natural Resources (ENR) would like to thank the Sahtú Renewable Resources Board (SRRB) for their report of July 28, 2016 (the Report) and decisions on the study and management of Bluenose-East (BNE) caribou.

The Minister, following section 13.8.25 of the *Sahtú Dene and Metis Comprehensive Land Claim Agreement*, has reviewed the Report and is providing his responses in the attachment, following the SRRB decisions.

Please note that our approach to management of this herd has taken into consideration the SRRB's hearing, the Report, the *Belare wílé Gots'é ?ekwé - Caribou for All Time* proposal (the Délıne? Plan) and the hearing and June 13, 2016 report from the Wek'èezhıı Renewable Resources Board (WRRB) on BNE caribou management. We have also considered the hearing in June 2016 under the Nunavut Wildlife Management Board (NWMB) on a possible Total Allowable Harvest (TAH) for BNE caribou in Nunavut (NU). The NWMB has not yet released its report and recommendations, however a TAH of 340 BNE caribou in NU was proposed by the Government of Nunavut (GN) and a community-based self-regulation plan from the Kugluktuk Hunters and Trappers Association (KHTO) similar to the Délıne? caribou conservation plan was reviewed at that hearing.

In general terms, we support the approach taken by the SRRB and we would like to thank the community of Délıne? for their leadership in developing a comprehensive community-based plan for BNE caribou management in the Délıne? area. Management of a caribou herd, including the very sensitive management of Aboriginal harvest, is most likely to succeed if it is rooted in ways of managing that are community-based, consistent with traditional laws, and broadly supported.

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We are however asking for some changes to harvest management proposed for the Sahtú Settlement Area to place the highest priority on conservation for future generations and to ensure overall consistency of harvest management for this herd in the Northwest Territories (NWT).

ENR is requesting that the SRRB vary its recommendations on harvest and is asking that all NWT harvest of BNE caribou be bulls-only, with the exception of a very limited numbers of cows (up to 5) to be used for ceremonial purposes, as set out on pages 8 and 9 of the Délı̄nę Plan. We are making these requests for three reasons:

1. The results of the June 2016 calving ground reconnaissance survey suggested a further significant decline in the BNE herd from 2015.
2. In Wek'èezhì, the WRRB has issued determinations for a herd-wide harvest limit (TAH in Wek'èezhì) of 750 BNE caribou and all bulls. While the WRRB has no jurisdiction outside Wek'èezhì, the Tłı̄chų Government (TG) and ENR are bound by these determinations for Wek'èezhì, including an all-bull harvest. In the interests of fairness, consistency, and the precautionary principle, ENR believes it is appropriate for all NWT harvesters of the herd to follow the same harvest regime and that migratory caribou, like the BNE herd, need to be managed consistently on a herd-wide basis. Variable herd harvest management would allow one user group to potentially negatively affect the herd and thereby impact other user groups with equal rights to harvest that herd and equal interests in conservation and food security. Additionally, it would be difficult to rationalize and manage harvest of 80% bulls in the Sahtú region and 100% bulls in Wek'èezhì for the same herd, particularly as harvesters from the two land claim areas may be harvesting in the other land claim area. ENR asks that the community of Délı̄nę modify its plan to include 100% yáręgo kanáts'ezé (smaller male caribou harvest), except for the limited ceremonial harvest of up to 5 cows. The WRRB determinations mean that the BNE caribou available to Tłı̄chų harvesters are lower by a ratio of 750/950 from the number proposed by TG and ENR in December 2015 to WRRB, and by ENR in December 2015 to SRRB, when a herd-wide harvest limit of 950 caribou was proposed (295 caribou vs. 373 allocated to the TG).
3. In the *Taking Care of Caribou* management plan (which includes the BNE herd) recommended to the government by the Member Co-Management Boards, the Advisory Committee for Cooperation on Wildlife Management identified the need to develop a cooperative approach to managing the herds and making decisions on the shared harvest in an open and fair manner.

The WRRB took into consideration the herd's recent rapid and extensive decline and the likelihood of further decline even with no harvest, and the concern about the true harvest likely being higher than the reported harvest.

The Délı̄ne plan similarly raised conservation concerns, stating on page 8, "*some conditions on the land are changing and Dene may need to regulate their harvesting to give them a rest.*" There is uncertainty as to how a changing climate, in particular a warmer and drier climate, may be affecting caribou. We also note from page 24 of the SRRB's report: "*The ʔehdzo Got'ı̄ne Gots'ę Nákedı̄ (Sahtú Renewable Resources Board) finds that a precautionary approach should be adopted in managing Bluenose East ʔekwę.*" In the interests of fairness, taking a precautionary approach, and recognizing the herd's recent rapid decline and uncertainty as to the herd's future, we are asking that all NWT harvesters of the BNE herd reduce their harvest by the same proportionate amount of 750/950 (i.e. 129 caribou for the Sahtú) and harvest bulls only, with the exception of a very limited ceremonial harvest of up to 5 cows. ENR is prepared to work with the SRRB, Délı̄ne and other Sahtú communities on appropriate ways to educate hunters and to continue to build support for caribou conservation, including compliance, using the Délı̄ne plan as the foundation in the Sahtú Settlement Area.

The attachment to this letter details the specific ENR responses to the SRRB hearing decisions. We note that some SRRB decisions are directed to parties other than ENR, so we have focused primarily on the decisions directed to ENR.

We look forward to continue collaboratively working with the SRRB and our other co-management partners for the effective conservation of this herd.

Sincerely,



Robert C. McLeod
Minister
Environment and Natural Resources

Attachment

- c. Mr. Gary Bohnet, Principal Secretary
Dr. Erin Kelly, Acting Deputy Minister, ENR
Ms. Shaleen Woodward, Acting Deputy Minister, DAAIR
Mr. Fred Mandeville A/Assistant Deputy Minister ENR
Mr. Bruno Croft A/ Superintendent North Slave Region, ENR, GNWT
Mr. Jeff Walker, Superintendent Sahtu, ENR, GNWT
Ms. Lynda Yonge, Director Wildlife, ENR, GNWT
Ms. Deborah Simmons, Executive Director, SRRB
Ekwatide Raymond Tutcho, Délı̨nę Got'ı̨nę Government
Chief Wilbert Kochon, Behdzi Ahda First Nation Band Council
Mr. Robert Collinson Ministerial Special Advisor to Minister Robert C. McLeod

Attachment

Hearing Decision 1

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that further Dene náoweré and genetics research is required to address questions regarding ʔekwé herd structure and distribution.

ENR Response: ENR looks forward to seeing the results of the Dene náoweré and genetics research carried out recently by J. Polfus and Sahtú communities, to assess the potential need for further studies of this type.

Hearing Decision 2

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that current evidence supports the distinction made between Bluenose East and Bluenose West ʔekwé herds. The SRRB finds that using this distinction also assists in facilitating cross regional conservation actions and sharing. The SRRB will therefore continue to base current management decisions on the understanding that Bluenose East and Bluenose West ʔekwé should be treated as distinct herds.

ENR Response: ENR thanks the SRRB for continuing to work with the herd-based management adopted in the Advisory Committee for Cooperation on Wildlife Management (ACCWM) Taking Care of Caribou plan, and used generally across the North American range of migratory barren-ground caribou.

Hearing Decision 3

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) will work with tıch'ádı (wildlife) management partners to develop a well-rounded community-collaborative Dene náoweré and science-based research and monitoring program in order to provide greater certainty about the status of Bluenose East ʔekwé based on the ten criteria outlined in the *Taking Care of Caribou* plan developed by the Advisory Committee for Cooperation on Wildlife Management, and approved by the NWT Minister of Environment and Natural Resources.

ENR Response: ENR has adopted the Taking Care of Caribou plan as primary guidance for management of Bluenose-East caribou and looks forward to seeing the Action Plans for this herd and for the Cape Bathurst and Bluenose-West herds.

Hearing Decision 4

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that a precautionary approach should be adopted in managing Bluenose East ʔekwé. Dene náoweré and science evidence supports the conclusion that Bluenose East ʔekwé are in the “orange zone,” intermediate and decreasing, as identified in the *Taking Care of*

Caribou plan developed by the Advisory Committee for Cooperation on Wildlife Management. This means Bluenose East Ɂekwé gogha horíla (are at risk), and recovery of the herd is not certain. Based on a precautionary approach, the SRRB finds that a broad range of actions should be taken to support herd recovery and prevent further decline, so that Bluenose East Ɂekwé will be present for future generations.

ENR Response: ENR thanks the SRRB for recognizing the herd's recent rapid decline and the conservation concern for this herd. ENR will continue to work with the SRRB and other partners on actions that support herd recovery.

Hearing Decision 5

The ʔehdzo Got'ıne Gots'é Nákedı (Sahtú Renewable Resources Board) finds that the Dene náoweré and scientific evidence establishes that Ɂekwé undergo natural cycles of decline and recovery, and that new social and ecological factors contribute new and unknown pressures that could accelerate decline or prevent recovery.

ENR Response: As noted by the SRRB, ENR also recognizes that migratory caribou herds fluctuate widely in numbers on a time-scale of decades, based on Dene náoweré and scientific evidence. Similarly, ENR recognizes that there is uncertainty as to the possible further decline and recovery of caribou herds like the Bluenose-East.

Hearing Decision 6

The ʔehdzo Got'ıne Gots'é Nákedı (Sahtú Renewable Resources Board) will work with ıch'ádı (wildlife) management partners to prioritize the research required to address questions about relationships between changing Ɂededáhk'ó goɁekwé (caribou habitat), ıch'ádı interactions and Bluenose East Ɂekwé caribou náts'ezé (caribou harvesting) practices.

ENR Response: ENR has supported research on these subjects and looks forward to working with the SRRB to identify priority areas for further research.

SRRB Hearing Decision 7

The ʔehdzo Got'ıne Gots'é Nákedı (Sahtú Renewable Resources Board) accepts the principle of Ɂekwé Ɂedets'é k'áokerewe (caribou self-regulation), as reflected in community conservation plans, as the best foundation for Bluenose East Ɂekwé conservation at this time.

ENR Response: ENR accepts this recommendation in principle and supports the self-regulation approach that Délıne has taken. However, ENR will vary this recommendation and ask that the proposed harvest for the Sahtu Settlement Area

be 129 BNE caribou, including harvest by Délıne and other Sahtú communities, whether it occurs in the Sahtú Settlement Area or elsewhere, and that this harvest be 100% bulls, with the exception of a very limited ceremonial harvest of up to 5 cows. The number of 129 results from a proportionate reduction (750/950) of all shares for Aboriginal groups harvesting the Bluenose-East herd in the allocation as proposed by ENR to SRRB in December 2015 and by ENR and TG to the WRRB in December 2015.

SRRB Hearing Decision 8

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) recommends that curriculum development in the Sahtú Region related to be based on concepts of asıı godı héDene ts'ıı hé (biocultural diversity) and ʔedets'ę k'áots'erewe (self-regulation) in order to instill new generations with understanding of the basis for hegerıchá (respect), and to forge the way for new leaders in conservation.

ENR Response: ENR supports community-based hunter and public education, including in schools, based on these principles.

Hearing Decision 9

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) will prioritize research that both involves youth and explores youth learning and environmental leadership as a part of robust community conservation initiatives.

ENR Response: ENR supports the involvement of youth in research and environmental leadership and would be interested in working with the SRRB on this initiative.

Hearing Decision 10

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that an approach of community ʔedets'ę k'áots'erewe (self-regulation) is a culturally appropriate and effective mechanism for addressing Bluenose East ʔekwé conservation as required under the SDMCLCA.

ENR Response: ENR supports the approach of community ʔedets'ę k'áots'erewe (self-regulation) as a culturally appropriate and effective mechanism for addressing Bluenose East caribou conservation. However, ENR notes that the approach is relatively new and that its effectiveness needs to be monitored and adapted as needed. In addition, there remains a need for an overall coordinated approach to herd-wide management of harvest and other factors affecting the herd, including being able to quantify community harvest through authorizations controlled by the Sahtú RRCs and reflected in regulations. Community-based self-regulation by a

number of communities may be an effective way of contributing to effective overall management.

Hearing Decision 11

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) requests ʔehdzo Got'ine (Sahtú Renewable Resources Councils) to develop and implement Bluenose East ʔekwé conservation plans following the timelines and including the content listed in Figure 5, page 44 of this Report.

ENR Response: ENR supports the development of these plans by other Sahtú communities in principle. However, ENR is asking that the total harvest of BNE caribou by all Sahtú communities be limited to 129 and all bulls, with the exception of a very limited ceremonial harvest of up to 5 cows, whether that harvest occurs in the Sahtú Settlement Area or elsewhere.

Hearing Decision 12

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) requests that the Federal and Territorial governments and Sahtú Secretariat Incorporated (SSI), and any new self-government institutions, address the resources needed for ʔehdzo Got'ine (Sahtú Renewable Resources Councils) to develop community ʔekwé conservation plans and fulfill their other current responsibilities under the SDMCLA by:

- a) Providing immediate additional funding to ʔehdzo Got'ine to fulfill those responsibilities over the next two years; and
- b) Providing additional funding on an annual long term basis after an assessment, done by the SRRB, ʔehdzo Got'ine and Sahtú Secretariat Inc. by September 2017, to determine long term ʔehdzo Got'ine capacity needs.

ENR Response: ENR supports the development of these plans by other Sahtú communities in principle, but would need to review proposals as to content and financial implications before committing to any type of either short term or long term financial support. In view of current budget restrictions within GNWT, the SRRB may want to consider other potential sources of funding.

Hearing Decision 13

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that there is strong consensus in the Sahtú Region that youth involvement is critical for the success of community ʔekwé conservation plans. The SRRB will prioritize support for regional and local youth environmental leadership initiatives that can support community visions for youth education and participation.

ENR Response: ENR supports community-based hunter and public education, including in schools, and recognizes the importance of educating and involving youth in caribou conservation.

Hearing Decision 14

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) will prioritize support for ʔehéhé ʔeghálats'eda (collaborative) research, community-driven conservation planning, and community environmental leadership development as essential components of robust ʔehéhé ʔeghálats'eda goʔekwé (caribou co-management) in the Sahtú Region.

ENR Response: ENR appreciates the SRRB's dedicated support of robust caribou co-management in the Sahtú Region.

Hearing Decision 15

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) will exercise its power under the SDMCLCA to review and approve community, regional and cross-regional BNE ʔekwé conservation plans, and to contribute to ʔehéhé ʔeghálats'eda (collaborative) implementation of approved plans.

ENR Response: ENR supports this approach in general and agrees that community-based conservation plans can be an effective way of managing harvest and other factors affecting caribou. However, ENR notes that the approach is relatively new and that its effectiveness needs to be monitored and adapted as needed. There also remains a need for an overall coordinated approach to herd-wide management of harvest and other factors affecting the herd across its entire range in the NWT and NU, including being able to quantify the community harvest through authorizations controlled by the Sahtú RRCs and reflected in regulations. ENR is also interested in improving the ability of communities across the range of the herd to contribute to herd monitoring programs and looks forward to further collaborations on this initiative.

Hearing Decision 16

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) recommends that the Governments of Canada and the NWT seek and dedicate additional funds and support for research to understand the known and unknown impacts of ʔehdanagokwı (climate change) over the short term and long term, as it relates to ʔekwé and ededáhk'á goʔekwé (caribou habitat), and that this research involve both Dene náoweré and science perspectives in order to better understand and monitor the impacts of the changing environment on Bluenose East ʔekwé.

ENR Response: ENR has supported research that helps explain the effects of weather and a changing climate on caribou, and is interested in discussing with the SRRB the studies that have occurred to date and possible further studies of shared interest.

Hearing Decision 17

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) will prioritize working with NWT Environment and Natural Resources and other co-management partners to build awareness of the need to prevent collapse of the Ɂılıgu néné (cold climate) asıı godı héDene ts'ılı hé (biocultural) systems that Ɂekwé depend on, and to engage in community, regional, territorial and federal development and implementation of policy on Ɂehdanagokwı (climate change) mitigation.

ENR Response: ENR is developing a new Climate Change Strategy in 2016 to replace the Greenhouse Gas Strategy that ended on March 31, 2016. ENR has a number of research partnerships in place with universities to help develop understanding of the impacts of climate change on the Arctic and related topics of research. Mitigating impacts and adapting to change in NWT communities is a key priority for the ENR climate change programs. ENR, particularly climate change staff, is/are interested in engaging with the SRRB on these subjects.

Hearing Decision 18

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) recommends that NWT Environment and Natural Resources, SRRB and ʔehdzo Got'ine (Renewable Resources Councils) work together to develop a plan for community-collaborative Dene náoweré and science research on Ɂededáhk'é goɁekwé (caribou habitat) and nerekwó (wildfire) ecology and management.

ENR Response: ENR has supported past research on the relationships between caribou and fire on their winter range, including work by D. Thomas in the 1980s on the Beverly herd's range and a 2011 MSc thesis study by T. Barrier of Bathurst caribou use of burned and unburned winter range. GNWT is supporting ongoing studies led by J. Baltzer (Wilfrid Laurier University) on ecological effects of the 2014 NWT fires. ENR would be interested in working with the SRRB on possible additional studies, including Traditional Knowledge studies, on this subject.

Hearing Decision 19

The ʔehdzo Got'ine Gots'ę Nákedı (Sahtú Renewable Resources Board) will work with NWT Environment and Natural Resources and ʔehdzo Got'ine (Sahtú Renewable Resources Councils) to review the current nerekwó (wildfire) management policy and develop a new “forest management” plan for the Sahtú

Region, with a focus on determining values-at-risk with respect to ʔedáhk'á goʔekwé (caribou habitat) and encompassing the edge of the treeline to the north of Great Bear Lake.

ENR Response: ENR Forest Management staff would be prepared to meet with the SRRB and Sahtú RRCs to review the current approach to wildfire management in the Sahtú region. ENR notes that in big fire years like 2014, priority in fire-fighting necessarily goes to protecting communities and other human values at risk. In very dry warm conditions, hundreds of fires may burn around the NWT, as in the summer of 2014, and some of these fires will burn despite the best efforts of fire-fighting crews.

Decision 20

The ʔehdzo Got'ine Gots'é Nákedı (Sahtú Renewable Resources Board) will support community-collaborative initiatives to identify, name and conduct baseline assessments of critical ʔededáhk'á goʔekwé (caribou habitat) in the Sahtú Region.

ENR Response: ENR supports this initiative in principle and looks forward to the results of this work.

Decision 21

The ʔehdzo Got'ine Gots'é Nákedı (Sahtú Renewable Resources Board) will work with Délıne and co-management partners to provide input on requirements for establishing né kárla k'ets'edı (conservation areas) during the Sahtú Land Use Plan five-year review scheduled for 2018-2019.

ENR Response: ENR supports this initiative and will assist with the planned review of the Sahtú Land Use Plan.

Decision 22

The ʔehdzo Got'ine Gots'é Nákedı (Sahtú Renewable Resources Board) will work with co-management partners in the NWT to provide input into Nunavut Wildlife Management Board, Nunavut Land Use Planning Board and Nunavut regulatory decisions regarding the importance of protecting the Bluenose East ʔekwé né golek'á (calving ground).

ENR Response: ENR has engaged in all environmental assessment processes that might affect the Bluenose-East caribou herd's range in NWT and NU. ENR has also participated in meetings in NU of the NWMB and the Nunavut Planning Commission (NPC) as they relate to trans-boundary caribou herds like the Bluenose-East, and has opposed all developments at any time of year on calving grounds of migratory caribou herds. ENR would welcome participation of the SRRB in these processes.

Decision 23

The ʔehdzo Got'ıne ʔots'ę Nákedı (Sahtú Renewable Resources Board) will review and evaluate the Wek'èezhı Renewable Resources Board's díga (wolf) control feasibility study when it is complete, and then engage in dialogue with ʔehdzo Got'ıne (Sahtú Renewable Resources Councils) to identify future research needs and whether a díga program should be put in place in the Sahtú Region.

ENR Response: The wolf management feasibility assessment being developed for the Bathurst range by WRRB, ENR, the North Slave Métis Alliance, and the TG should be completed in the fall of 2016 and will be made available to SRRB and Sahtú RRCs to consider as a potential model for the Sahtú region.

Hearing Decision 24

The ʔehdzo Got'ıne ʔots'ę Nákedı (Sahtú Renewable Resources Board) accepts Resolution 1.2 of the April 23, 2015 Sahtú Meeting that “the Sahtú region continue the traditional laws of relationship with the ʔekwé through a Sahtú-developed ʔekwé plan including a process of self-regulation, driven by community-based monitoring and decisions.” The SRRB accepts the principle that community-based monitoring and decisions are the most effective mechanism for ʔekwé management and conservation in the Sahtú region.

ENR Response: ENR supports this approach in general and agrees that community-based conservation plans can be an effective way of managing harvest and other factors affecting caribou. However, ENR notes that the approach is relatively new and that its effectiveness needs to be monitored and adapted as needed. There also remains a need for an overall coordinated approach to herd-wide management of harvest and other factors that affect herds across their entire ranges, including being able to quantify community harvest through authorizations controlled by the Sahtú RRCs and reflected in regulations.

Hearing Decision 25

The ʔehdzo Got'ıne ʔots'ę Nákedı (Sahtú Renewable Resources Board) accepts Délıne's *Belare wıle ʔots'ę ʔekwé* plan for ʔekwé náts'ezé ʔeʔa (harvest management), náts'ezé gha k'ınats'eneta (harvest monitoring), and dícho ası k'ets'ene ajá t'á náze gha báts'odi (it's gone down so we're going to let it rest), including the plan for sharing náts'ezé data with the SRRB and NWT Environment and Natural Resources as required by the *Sahtú Dene and Métis Comprehensive Land Claim Agreement*.

ENR Response: ENR supports these parts of the Délıne plan and agrees that accurate, complete harvest reporting is a key component in making implementation

of the plan successful. ENR looks forward to working with the SRRB, the RRC, and the community of Délı̨nę to make the plan successful and to receiving summary information on caribou harvest.

Hearing Decision 26

The ʔehdzo Got'ı̨nę Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that Délı̨nę's *Belare wı̨le Gots'ę ʔekwé* plan for ʔekwé náts'ezé ʔeʔa (harvest management), náts'ezé gha k'ınats'eneta (harvest monitoring), and dícho ası́ k'ets'ęne ajá t'á náze gha báts'odı (it's gone down so we're going to let it rest) is consistent with the intent of the cross-regional *Action Plan for the Bluenose-East Caribou Herd* developed by the Advisory Committee for Cooperation on Wildlife Management (ACCWM) in the *Taking Care of Caribou Plan* process. The SRRB recommends that the ACCWM revise the *Action Plan for the Bluenose-East Caribou Herd* to recognize the Délı̨nę approach.

ENR Response: ENR has not yet seen the Action Plan for the BNE herd so cannot comment on this recommendation.

Hearing Decision 27

The ʔehdzo Got'ı̨nę Gots'ę Nákedı (Sahtú Renewable Resources Board) will undertake an annual review and assessment of the community ʔekwé conservation plans in the Sahtú region, including Délı̨nę's *Belare wı̨le Gots'ę ʔekwé* plan, to determine whether the plans are addressing conservation concerns for Bluenose East ʔekwé.

ENR Response: ENR welcomes this recommendation and would ask that ENR be a participant in these annual reviews.

Hearing Decision 28

The ʔehdzo Got'ı̨nę Gots'ę Nákedı (Sahtú Renewable Resources Board) will assess the need for a Total Allowable Harvest limit if an annual review and assessment of community conservation plans in the Sahtú region demonstrates that conservation concerns for Bluenose East ʔekwé are not being adequately addressed.

ENR Response: ENR recognizes the value and importance of Sahtú community conservation plans for the Bluenose-East caribou herd. This approach to harvest management is not incompatible with a TAH in Wek'èezhı̨ı as determined by the WRRB. It will be important for the SRRB and Sahtú communities to demonstrate that community conservation plans are effective at keeping Bluenose-East caribou harvest within agreed-on limits, and we appreciate SRRB's willingness to consider a TAH if the community plans are not successful. It will be important to ensure that the overall harvest of this herd is managed within accepted limits both at the scale

of land claim areas and at the scale of the entire herd's range. It is ENR's opinion that identifying a TAH (or a number of caribou we agree to harvest from the herd) and community conservation plans are not mutually exclusive. There are different mechanisms possible with the ultimate goal of promoting conservation of the herd across the entire range.

Hearing Decision 29

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) recommends that NWT Environment and Natural Resources amend Schedule 5A of the *Big Game Hunting Regulations* under the Northwest Territories *Wildlife Act* to add a condition for current zone S/BC/03 that requires harvesting authorization from the local ʔehdzo Got'ıne (Renewable Resources Council), and removes the requirement for a tag for Bluenose East ʔekwé.

ENR Response: ENR is prepared to review what may be required to specify in the *Wildlife Act* that an authorization from the local Sahtú ʔehdzo Got'ıne (Renewable Resources Council) addresses *Wildlife Act* requirements for barren-ground caribou harvest.

Hearing Decision 30

The ʔehdzo Got'ıne Gots'ę Nákedı (Sahtú Renewable Resources Board) finds that, based on the evidence, a 0% tsída kanáts'ezé (female caribou harvest) is not appropriate at this time, but that a majority yárego kanáts'ezé (smaller male caribou harvest) is important in order to address conservation needs. The SRRB therefore accepts the Délıne proposal for a majority yárego kanáts'ezé, and requires Délıne to adapt its *Belare wıle Gots'ę ʔekwé* plan to allow for a maximum of 20% tsída kanáts'ezé.

ENR Response: As noted earlier, ENR is varying this recommendation and requesting that all NWT harvest of Bluenose-East caribou be bulls-only, except for a very limited harvest of cows (up to 5) to be used for ceremonial purposes, as set out on pages 8 and 9 of the Deline Plan. In Wek'èezhı, the WRRB has issued determinations for a herd-wide harvest limit (TAH in Wek'èezhı) of 750 BNE caribou and all bulls. While the WRRB has no jurisdiction outside Wek'èezhı, the TG and ENR are bound by these determinations for Wek'èezhı, including an all-bull harvest. In the interests of fairness, consistency, and the precautionary principle, ENR believes it is appropriate for all NWT harvesters of the herd to follow the same harvest regime and that migratory caribou, like Bluenose-East herd, need to be managed consistently on a herd-wide basis. Variable herd harvest management would allow one user group to potentially negatively affect the herd and thereby impact other user groups with equal rights to harvest that herd and equal interests in conservation and food security. Additionally, it would be difficult to rationalize

and manage harvest of 80% bulls in the Sahtu region and 100% bulls in Wek'èezhì for the same herd, particularly as harvesters from the two land claim areas may be harvesting in the other land claim area. ENR asks that the community of Délìné modify its plan to include 100% yárégo kanáts'ezé (smaller male caribou harvest), except for the limited ceremonial harvest of up to 5 cows.

Hearing Decision 31

The ʔehdzo Got'ìné Gots'é Nákedì (Sahtú Renewable Resources Board) requests that NWT Environment and Natural Resources amend Schedule A of the Big Game Hunting Regulations under the Wildlife Act to remove the requirement for a bull only harvest in current zone S/BC/03 and replace this with a condition requiring authorization from the local ʔehdzo Got'ìné (Renewable Resources Council).

ENR Response: As noted above, ENR does not accept this recommendation and asks that the SRRB and Délìné instead accept a harvest of 129 animals for the Sahtu, with a 100% bull harvest, focusing on harvesting smaller males and not the large breeding males, except for the limited ceremonial harvest of up to 5 cows. ENR will amend the *Big Game Hunting Regulations* to reflect the need for an authorization from the local RRC.

Hearing Decision 32

The ʔehdzo Got'ìné Gots'é Nákedì (Sahtú Renewable Resources Board) will work collaboratively with ʔehdzo Got'ìné (Sahtú Renewable Resources Councils) to develop an adaptive approach to ʔekwé náts'ezé gha k'ínats'eneta (caribou harvest monitoring) as a basis for conservation planning.

ENR Response: ENR welcomes this initiative and would like to assist with this harvest monitoring approach.

Hearing Decision 33

The ʔehdzo Got'ìné Gots'é Nákedì (Sahtú Renewable Resources Board) accepts Délìné's *Belare wíle Gots'é ʔekwé* plan for Bluenose East ʔekwé náts'ezé gha k'ínats'eneta (caribou harvest monitoring).

ENR Response: ENR supports the Délìné plan, subject to the above changes in harvest limitations, and would like to support the community of Délìné in implementing the plan as required, including enforcement. ENR is particularly interested in harvest monitoring data as an indication of the plan's effectiveness.

Hearing Decision 34

The ʔehdzo Got'ìné Gots'é Nákedì (Sahtú Renewable Resources Board) will assess whether the ʔekwé náts'ezé gha k'ínats'eneta (caribou harvest monitoring)

provisions in Délıne’s *Belare wıle Gots’é ʔekwé* plan are meeting the conservation goals of the plan as part of the SRRB’s annual review of plan implementation.

ENR Response: ENR would appreciate an opportunity to work with the SRRB on annually reviewing this harvest monitoring program and would suggest that other users of the herd would be interested in the assessment of effectiveness of the plan in meeting conservation goals.

Hearing Decision 35

The ʔehdzo Got’ıne Gots’é Nákedı (Sahtú Renewable Resources Board) will prioritize community-collaborative research working with and building on existing Dene náoweré map datasets and stories to understand the social-ecological history of Bluenose East ʔededáhk’á goʔekwé (caribou habitat) within and beyond the boundaries of the Sahtú Region as a basis for community conservation planning.

ENR Response: ENR looks forward to the results of this research initiative.

Hearing Decision 36

The ʔehdzo Got’ıne Gots’é Nákedı (Sahtú Renewable Resources Board) will work with NWT Environment and Natural Resources and co-management partners in the Sahtú and Wek’èezhıı Regions to address concerns regarding the current *Big Game Hunting Regulations* zones for caribou, including overlap issues, Dene naming issues, the potential need for subzones and any necessary changes to zone definitions in the *Regulations*.

ENR Response: ENR can work with the SRRB and other partners on these issues, and as an initial step would request clarification from the SRRB on possible changes being suggested.

Hearing Decision 37

The ʔehdzo Got’ıne Gots’é Nákedı (Sahtú Renewable Resources Board) accepts Délıne’s *Belare wıle Gots’é ʔekwé* plan for ʔekwé ʔeʔa hegerıchá gha (enforcement of) Bluenose East ʔekwé kanáts’ezé (caribou harvesting).

ENR Response: ENR accepts the Deline Plan and proposed approach to compliance on Bluenose-East caribou harvest management, and would like ENR officers to work with the community on compliance programs. ENR notes earlier SRRB decisions 27, 28, 32, 33 and 34 about monitoring harvest and annual review by the SRRB as to whether conservation objectives for the caribou herd are being met.

Hearing Decision 38

Déline and the Government of the NWT are requested to immediately begin a process for determining whether and how the restorative justice code for *ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ* (enforcement) in Déline's *Belare wíle Gots'é ᓃᓃᓃᓃ* plan will be recognized as an "Alternative Measures" option under the *Wildlife Act*.

ENR Response: ENR is prepared to work with Déline and other GNWT Departments to explore options which may allow for recognition of restorative justice programs in accordance with the requirements of the *Wildlife Act*.

Hearing Decision 39

The *ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ* (Sahtú Renewable Resources Board) will assess whether the restorative justice code for *ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ* (enforcement) in Déline's *Belare wíle Gots'é ᓃᓃᓃᓃ* plan are meeting the conservation goals of the plan as part of the SRRB's annual review of plan implementation.

ENR Response: ENR agrees that an annual review by the SRRB of the effectiveness of harvest monitoring and the use of the restorative justice code for *ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ ᓃᓃᓃᓃ* (enforcement) in Déline's *Belare wíle Gots'é ᓃᓃᓃᓃ* plan would be helpful, and would like to work with the SRRB on this annual review.