

Gwich'in Renewable Resources Board

P.O. Box 2240, Inuvik, NT X0E 0T0
Phone: (867) 777-6600 Fax: (867) 777-6601
<http://www.grrb.nt.ca>

GRRB TELECONFERENCE MINUTES

November 12, 2014 2:00 PM MST (NT) / 1:00 PM PST (YT)

Attendance

- GRRB office: Amy Amos (Staff)
- On call: Ron Allen (Alternate Member), Bobbie Jo Greenland Morgan (Member), Charlie Snowshoe (Alternate Member), Doug Doan (Member), Cindy Allen (Alternate Member), Rob Gau (GNWT-ENR)
- Regrets: Eugene Pascal (Chair)

Pre-Meeting discussion

Eugene was unable to make the call today. Ron Allen agreed to be the meeting chair.

1. Call to order

The meeting was called to order by Ron Allen at 2:08 PM. There was a round table of introductions and confirmation that there was quorum.

2. Agenda

Motion # GRRB 2014-41	To approve the November 12, 2014 teleconference agenda
Moved by: Bobbie Jo Greenland Morgan	Seconded by: Cindy Allen
All in favour.	Motion carried.

3. Minutes

The draft minutes were provided for the September 2014 face to face meeting. It was decided to table a decision on them until the February 2015 face-to-face meeting to allow the members more time to review.

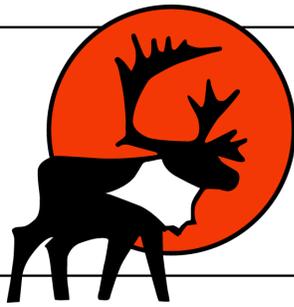
4. Conflict

Conflict will be declared as it arises.

5. Wildlife Act Regulations

Rob Gau, ENR, presented the proposed regulations to the Board.

- 1- Rob started with a summary of the background and how we got to the current point. He highlighted that the main changes to the regulations after the public engagements were (1) ribs were added to the definition of wastage and (2) few administrative tweaks. He also reminded the Board that ENR is seeking the GRRB and GTC's advice on the Special harvesting area provisions to ensure they are in line with the Gwich'in Comprehensive Land Claim Agreement (GCLCA).
- 2- Rob summarized the meeting outcomes in a line by line fashion.
- 3- Amy summarized the comments she took from the Gwich'in Settlement Area engagements



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- 4- Rob highlighted that the regulations that are in front of the Board are the legislative amendments. Once these are approved they will make them public. He also explained that this is phase 1 of the regulation development. It includes only the regulations immediately required to bring the Act into force and ensure people can continue to harvest in a safe manner. The next phase will get into some more detailed new regulations that will require more engagement. Phase 2 will include things like special harvesting areas, defining caribou by eco-types, and wildlife monitoring plans.

Discussion:

Big game hunting regulations

Rob highlighted that the schedules were updated, the application of the special harvesting license was added, and ammunition details were updated. He emphasized that these are not applicable to aboriginal harvesters with an aboriginal right to harvest in their area.

Wastage

Cindy Allen asked for clarification on the ribs and where they come into play under the regulations. Rob explained that the Wildlife Act regulations are taking a minimum standard approach. ENR talked to the public about the list they had as parts that cannot be wasted. It was clear people felt strongly that rib meat should be added to that list. This means that hunters must take the ribs when they harvest big game. Charlie Snowshoe raised a concern about wastage. He indicated that traditionally the Gwich'in people did not waste at all.

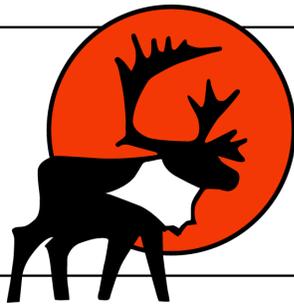
Ammunition standards

Cindy Allen asked for clarification on the change in caliber of ammunition and whether that would apply to aboriginal people. Rob clarified that this does not apply to aboriginal people. Cindy further questioned whether this is also true for bison. Rob responded indicating that aboriginal people exercising their aboriginal right will not have restrictions on what ammunition they use. They are able to use whatever method they chose.

Cindy Allen asked why the new Act is changing the way it handles wastage in its regulations with the minimum standard for ammunition. Rob responded that for wolf and wolverine there is no change. For moose and caribou they are going to .243 caliber which prevents wounding loss. One of the main changes is for bison, **which are .30 caliber now**. It used to be 200 grain bullet with a certain amount of energy produced by the bullet at the muzzle. From an enforcement perspective it is difficult to enforce energy at the muzzle. ENR did not want to over regulate and wanted what was easiest to enforce.

Cindy Allen asked how often cross bows are used in the NWT. Rob replied indicating not much. They have been used but this is rare, to his knowledge.

Harvesting rights



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Charlie Snowshoe asked about what happens if he shoots a moose around Yellowknife. Rob replied that if you hunt in Yellowknife outside of your traditional area then these standards would apply. Charlie was concerned about his rights under Treaty 11. Rob acknowledged this is not his area of expertise but referred to a court case decision that aboriginal people cannot hunt in other areas that they have not traditionally used.

License and permit regulations

Cindy Allen asked about the Minister's decision under the license and permit regulations. She wanted to know if they will be on the public registry. Rob responded that the Minister will do this for hunting licenses except for the special harvesting license where the RRC approves.

Small game hunting regulations

Rob highlighted that the only change to these regulations is that they were updated to better reflect the GCLCA. The GCLCA specifies that Gwich'in have the exclusive right to harvest ground squirrels, red squirrels and mammoth so this is reflected in the new regulations.

Wildlife general regulations

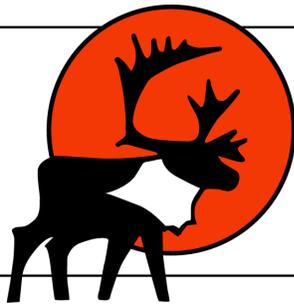
Rob highlighted the following updates:

- 1 year residency requirement, with some exceptions
- If someone is applying for a General Hunting License (GHL) they must be a member of a land claim organization
- Added bigger species
- Minimum standard for what is considered edible parts of wildlife
- What to do if an animal is diseased or rendered inedible
- What a person has to do if they kill an animal in defence of life or property
- People can possess wildlife (E.g. naturally shed antlers)
 - o Some species require certification, then the officer could give back to that person after they are certified.
- What to do if cashing your meat. They were asking for too much personal information. Decision is the person has to leave their name and aboriginal organization then sign it.
- The gifting provision was updated to have no upper limit. This is when an aboriginal person wants to give a gift (E.g. meat) to a non-aboriginal person

Possession of Wildlife

Cindy Allen inquired about section 63.1 where it lists the part or derivative. If you manufacture for a gift is it okay to possess? What about people harvesting illegally (E.g. mass killings of eagles for feathers). Where is this covered? Rob responded that if the harvest is lawful, there are no provisions. With the eagle feather situation, you can be in possession. Regulations can change as and when needed though. Right now we were not aware of any situation like that but if there was an issue that came up they could amend the regulations to deal with it.

Wildlife business regulations



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Rob highlighted that this includes a new appeal process. It mirrors what is in the forest management regulations.

Cindy Allen asked if ecotourism business would be considered a license. She clarified she is thinking about something like grizzly bear viewing and that there could be conservation concerns with disturbing dens. Rob acknowledged this is a good question. He clarified that under the current Act there are no provisions for ecotourism and viewing but the new Act covers this under Section 85. The development of the regulations for this will come in the phase 2 of regulation development. The new Act states that if you go out for any commercial activity you will need a permit. It will be similar to a research permit that gets approval from the RRC and GRRB. He acknowledged again that there are no regulations around that permit right now. In phase 2 of the regulation development they will likely add distances and anything else they come up with would go through the Wildlife Act Working Group and the GRRB.

Rest of the regulations

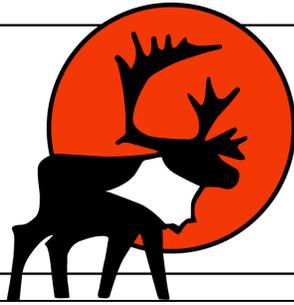
Rob indicated that the rest of the regulations are lists of areas. They have all been separated and put all in one place for the new regulations.

Enforcement

Cindy Allen referred to clause 108 from the plain language document on the website and asked if an officer from another government could be designated as a peace officer or enforcer. She read this section as self government could be the enforcer. She gave an example, if the Gwich'in passed a Self Government Agreement could they pass their own Gwich'in laws for wildlife? She also asked for clarification that if there were conflicts between the Act and the Land Claim if the Land Claim would prevail. Rob agreed that the Land Claim supersedes the *Wildlife Act*. The Land Claim is federal law so held at a higher level. With the Self Governing question, he also agreed that a self-governing aboriginal group could pass laws and they could have their own enforcement officers. He also indicated that ENR officers could also enforce Gwich'in laws.

Cindy Allen referred to section 12 and asked for clarification on when a wildlife officer can take pictures. She indicated this section was hard to read. Rob responded that this is when something is seized. Can take samples or take photos.

Cindy Allen asked for clarification on "harvesting by mismanagement". Rob indicated this is when people go out on a hunting trip but only bring chainsaw. This provision is for non-aboriginal resident hunters to make sure they are prepared when they go out. They could be fined and have their wildlife seized for mismanagement. He clarified that if the individual has an aboriginal treaty right to harvest they can do so however they wish. For them there are no fees or restrictions unless there is a conservation or safety concern.



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Motion # GRRB 2014-42

To approve the following regulation amendments for the NWT Wildlife Act

- Big game hunting
- Bird of prey
- Certificate of wildlife
- Coming into force
- Fees
- General
- Licenses and permits
- Sale of wildlife
- Small game hunting
- Trapping
- Wildlife business
- Wildlife export
- Wildlife management barren-ground caribou management areas
- Wildlife management muskox areas
- Wildlife management outfitter areas
- Wildlife management polar bear areas
- Wildlife management wood bison areas
- Wildlife management zones
- Wildlife regions

Moved by: Bobbie Jo Greenland Morgan
All in favour.

Seconded by: Charlie Snowshoe
Motion carried.

Action(s):

- Amy Amos to draft a letter from the GRRB for Motion # GRRB 2014-41 for Eugene's signature then send to ENR (as soon as possible, prior to the end of November)

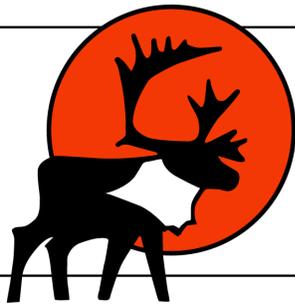
6. Wildlife Act Regulations (Phase 2)

Amy Amos informed the Board that the next phase (phase 2) will be the next steps and made suggestions for which items she saw as priority for this next process.

Discussion:

Special Harvesting Areas

Amy reminded the Board that ENR has asked the GRRB and GTC to review the proposed regulations for adding the Special Harvesting Areas into the regulations. ENR is waiting for a reply from the two organizations before proceeding. It was always intended to have this reflected in the regulations but the current Act and regulations did not do this. ENR would like this fixed but will wait for the support from the GRRB and GTC before implementing this.



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Gwich'in grizzly bear tag allocations

Amy reminded the Board that the tag allocation system in place for grizzly bears in the GSA is not enforceable. Tags are distributed by the regional ENR office because they support the Grizzly Bear Management Agreement but since ENR never officially signed off on that agreement the current system is voluntary. The question is whether there is interest to make it enforceable under the new Act and regulations. Amy suggested to take some time to talk with the communities to see what their interest is first. The Board supported this approach.

Defining commercial use

Amy flagged this to the Board as it requires following the Board's rules and procedures for consultation, the section on traditional use. This was highlighted to ENR during the Wildlife Act Working Group meetings.

Other phase 2 priorities

The Board supported the following as priorities for phase 2 regulation development:

- Wildlife monitoring plans
- Defining Commercial Use
- Thresholds
- Harvester training
- Harvest reporting
- Outfitting and business regulations (E.g. clarity on the right of first refusal)
- Import and release of harmful species

Action(s):

- Amy Amos to follow-up with GTC to let them know they will wait for their direction on this one. ENR will need a letter but a motion is not required.
- Amy Amos and company to work out details on the grizzly bear tag allocation system then bring back to the board when it is ready for review.

7. Updates

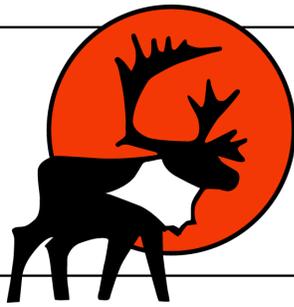
- Amy Amos highlighted the upcoming meetings that are listed on the teleconference agenda.

Discussion:

The board had some concerns about when they should be attending meetings verses staff. Conference attendance needs to be streamlined and perhaps added to a policy. There also needs to be consideration into how attendance is funded.

Action(s):

- Amy Amos to add Geoscience Forum to the list
- Amy Amos to add an agenda item at a future meeting to discuss conference attendance. In preparation for this Amy should consider some policy wording that would help the Board determine when it should be Members versus Staff attending these conferences.



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8. Other Business

There were four items added to other business.

8.1 Surplus

Amy Amos went over the briefing note provided in the meeting binder. The Board discussed the purchase of a skidoo for GRRB work. Jozef Carnogursky provided written support to make this purchase.

Motion # GRRB 2014-43	To approve the purchase of a snowmobile for GRRB work
Moved by: Bobbie Jo Greenland Morgan	Seconded by: Charlie Snowshoe
All in favour.	Motion carried.

8.2 Staffing

Amy Amos and Ron Allen provided an update. Nataalka Melnycky is leaving. There has been a lot of interest in the call for applications. They are working on a schedule for the interviews. The Board supported having telephone interviews rather than face-to-face since it is a term position. They also supported Amy and Ron to continue with their process then just keep them updated.

8.3 Chair

The Board discussed the possibility of selecting an alternate Chair while Eugene is temporarily out of the GSA. Amy provided clarification between chair and meeting chair. The chair has many duties in between meetings and this is working well. The meeting chair is whoever chairs the meeting. The Board agreed that there is no need to select an Alternate Chair and that they will work around selecting a meeting chair as and when it is needed.

Action(s):

- Members agreed to provide as much advance notice as possible if they are unable to attend a meeting.

8.4 Dempster Regulations

Amy Amos provided the Board with an update. The Dempster regulation advice has been implemented. The Board wrote a letter to ENR on November 1, 2013 with their advice to rescind the Dempster Highway regulations. On November 5, 2014, Amy was notified by Marsha Branigan (ENR Regional Wildlife Manager) that the repeal of these regulations has been registered.

9. Adjourn

The meeting was adjourned at approximately 3:00 PM.

Motion # GRRB 2014-40	To adjourn the November 12, 2014 GRRB teleconference
Moved by: Bobbie Jo Greenland Morgan	