



Gwich'in Renewable Resources Board (GRRB)

September 2020 Minutes

September 8, 2020 to September 10, 2020

Midnight Sun Complex, Inuvik

Attendance

- GRRB Board: Sam Bullock, Doug Doan, Burt Hunt, Margaret Begg, Tracy Davison, William Koe
- GRRB Staff: Amy Amos, Kaytlin Cooper, Sarah Lord, Edouard Belanger, Steve Andersen, Laurence Carter, Cheryl Greenland
- RRCs: John Norbert (GRRC), Eugene Pascal (ERRC), Jessi Pascal (ERRC)
- Other (in-person): Godlove Suh Ngeh (GTC), Marsha Brannigan (ENR), Ernie Francis (ENR), Angie McLennon (DFO)
- Other (video): Kevin Bill (DFO), Michael Svoboda (CWS), Selena Angelo (CWS), Rhiannon Pankratz (CWS), Cory Troth (CWS), Larry Innes (Legal Counsel), Lee Vincent (Consultant), Joe Tetlitchi (PCMB), Deana Lemke (PCMB)

1. Introductions

The meeting was called to order at 9:23 AM by Amy Amos. Chairperson Jozef Carnogursky sends his regrets due to a death in the family. Delegates observed a moment of silence in recognition of the Carnogursky family and for other losses in the communities and people on the land.

The Board discussed the appointment of a meeting chair and agreed to nominate Sam Bullock. A motion was made and approved. Sam provided introductory remarks. John Norbert gave the opening prayer. This was followed by a round table of introductions using the microphones provided. The emergency exits and COVID-19 protocols were reviewed. Instructions on how to use the audio system were also provided.

Motion to nominate Sam Bullock as meeting chairperson

Motion #: GRRB 20-26

Moved by: William Koe Seconded by: Margaret Begg

All in favour Motion Carried

2. Review Agenda

There is one revision to the agenda: proceed this morning and adjourn at noon to respect a funeral service in Tsiigehtchic. Reconvene Wednesday morning. Board to discuss internal business Thursday morning.

Motion to approve the September 2020 meeting agenda with adjusted times as proposed.

Motion #: GRRB 20-27

Moved by: Burt Hunt Seconded by: Margaret Begg

All in favour Motion Carried

3. Minutes

3a. Review and approval of minutes

The July 2020 teleconference minutes were reviewed. See binder for a copy of the draft minutes.

Motion to approve the July 2020 teleconference meeting minutes

Motion #: GRRB 20-28

Moved by: Doug Doan Seconded by: Tracy Davison

All in favour Motion Carried

3b. Review of outstanding action items



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Amy Amos provided an update on outstanding action items, including those arising since the last Board meeting in February. The list of action items is available in the meeting binder.

Action #20-15: add an agenda item for October teleconference for Board to discuss if they want to have any additional next steps regarding moose regulations, to determine whether Board wants to put in any recommendations for amendments to the regulation.

4. Update on current COVID-19 precautions and considerations

Amy gave a brief overview of all the precautions we have been taking for COVID, including re-opening the GRRB office, visitors by appointment only and more. She also went over the considerations being taken for this meeting.

5. Review of GRRB Reports

5a. Chair report

Chair sends his regrets. Report is available in the binder.

5b. Member reports

Members did not have verbal reports. A written reports is available in the binder.

5c. Executive Director report

Amy Amos reviewed her report that is available in the binder.

The Board encouraged Amy to continue her efforts to get funding to hire people in casual positions, to give them exposure to this field. The Board also wants access to the traditional management videos, as they become available.

Action #20-16: Amy to send Board and staff link to traditional practices videos.

5d. Staff reports

No verbal reports and no questions from the Board. Written reports are available in the binder.

6. Agency Reports

6a. GTC Welcome and introduction

Godlove Suh Ngeh, Director of Lands (GTC) provided a verbal report (no binder materials). He gave introductory remarks and greetings from GTC. He thanked Amy for extending invitation to GRRB meetings and for being open to collaborations. Godlove reviewed some GTC actions over this year so far.

6b. Fisheries and Oceans Canada (DFO)

Herb Nakimayak sent his regrets. Kevin Bill to provide the update on the Arctic Region.

Angie McLennan attended in-person and went over DFO's Indigenous Habitat Participation Program presentation (details are available in meeting binder).

GTC is an Indigenous organization and GRRB is a co-management board, so she suggested if the GRRB is interested in applying to this fund that we put an application in under GTC's name, for now. Board could send a letter to Ottawa requesting clarification on whether co-management boards are (or should be) eligible to hold this funding. There were several questions following her presentation.



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Most of the comments related to the communities seeing higher water levels this year and confirming the details and process to apply to this fund. It was noted that concerns with water is an ongoing topic that is brought to the GRRB. GRRB struggles as it does not have a mandate for water. It needs to connect it to wildlife, fish or forest management.

Action #20-17: Consider writing a letter to Ottawa (DFO) to help them understand the Board's role for fisheries and habitat management in the GSA so that we can apply directly to the IHPP fund.

Community concern (Tsiigehtchic, John Norbert): Concern is with high water levels and if it affects the fish. Potential studies DFO could look into to help address this community concern. For example, look at a study that compares low vs high water levels. Note that GTC has proposal to another funding source to look at water levels, flow, quality and quantity. GTC is willing to collaborate.

Action #20-18: Angie will take the question from the Tsiigehtchic community member (John Norbert) back to DFO regarding water levels and if they affect the fish

Action #20-19: Angie to help clarify by connecting us to the appropriate federal and territorial jurisdictions for water management (i.e. quality, quantity, levels, monitoring). This can help the GRRB respond and connect the communities to the right people in the future.

<Kevin Bill joined the video call.>

Kevin Bill provided a verbal update on the Arctic Region and spoke on the Fisheries Management and Science topics (no binder materials, summary of verbal update is below).

Arctic Region transition: COVID-19 safety continues to be our top priority. In October 2018, DFO and Coast Guard announced the creation of the standalone Arctic Region built with Inuit, First Nations, and Metis partners. Our focus has been engagement with Northern partners, discussion of priorities and design of the region. Discussion themes included climate change adaptation, capacity and service delivery in the north, improving research and monitoring. One of the fundamental goals is to advance reconciliation and strengthen our relationships with our Indigenous partners, especially when it comes to Departmental decision-making. As of June 1, the Arctic Region was officially implemented and created. DFO Central & Arctic is now DFO Arctic Region and DFO Prairie Region. Three programs (Marine Planning & Conservation ("Oceans Program"), Arctic Operations and Fisheries Management) are now under Arctic Region as of June. For the remainder of our programs that haven't shifted to the new region we are in the process of developing service agreements (Fish & Fish Habitat, Species at Risk, Science and some of our internal services). The transition is taking some time and the region will continue to evolve. We expect an announcement on the final boundaries of the Arctic Region to come this fall or early winter. It would be inclusive of Inuit Nunangat and other areas including the GSA. The boundary will be the same for both DFO and the Coast Guard.

No questions or comments.

Fisheries Management and Science: We are maintaining our community-based harvesting and survey programs along the Coast and Mackenzie Delta and the Rat River. We received additional funding from SAR Nature Legacy for this season to increase the number of sampling days and hire additional youth at the three Rat River sites. We continue to support the community harvest surveys in Aklavik



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and Fort McPherson. We will do the fall tagging program and the char harvest monitoring program, as we normally would this fall. Ellen and Colin have mentioned fishing conditions are somewhat challenging this year.

This update was followed with clarification questions. The Board expressed its continued interest in having more staffing in the Inuvik DFO office. There was an announcement that the Rat River Working Group be holding a small gathering to recognize John Carmichael's many years of work for the Rat River Working Group, next Thursday Sept 17 at 3pm. There was also a community concern expressed with water levels.

<Adjourned at 12:00 PM on September 8, 2020 for the day to respect funeral services in Tsiigehtchic>

The meeting reconvened on September 9, 2020 at 9 AM with the scheduled agenda items for that morning. The agenda items scheduled for September 8, 2020 afternoon are moved to the afternoon of September 9, 2020. The meeting was reconvened with an opening prayer in Gwich'in by John Norbert followed with a moment of silence.

6c. Government of Northwest Territories, Environment and Natural Resources (ENR)

This agenda item was rescheduled to September 9, 2020 at 1:00 PM. Marsha Branigan and Ernie Francis attended in-person. Written reports are available in the meeting binder.

Marsha reviewed the written report she provided. Highlights included: staffing updates, forest fire season reporting, muskox survey in the Richardsons, wolf and wolverine monitoring, grizzly bears in landfills, porcupine caribou herd, 1002 lands in Alaska, Inuvik-Tuk highway operations and WEMP (including grizzly bear DNA). Questions and answers followed relating to her report. No action items or follow-up were identified.

Ernie reviewed the written ENR report on field operations. Highlights included: COVID-19 response, wastage investigation, patrols for wood cutters and caribou hunters below Aklavik, plans for Sight Your Rifle in 2021 hunting season, school presentations, ITH patrols, DLP kills and more. Questions and answers followed relating to his report. No action items or follow-up were identified.

6d. Government of Canada, Canadian Wildlife Service (CWS)

< CWS crew: Michael Svoboda, Selena Angelo, Rhiannon Pankratz, and Cory Troth joined the call>

This agenda item was rescheduled to September 9, 2020 at 2:15 PM.

Michael Svoboda, Cory Toth and Selena Angelo reviewed their report from ECCC – CWS, "Implementing the pan-Canadian approach to transforming Species At Risk conservation in Canada" which was agreed upon in December 2018. Refer to presentation in meeting binder for details. Questions and answers on the timeline followed the presentation. The Board expressed concerns with the Dolphin-union population of caribou being included in barren-ground caribou, when Dolphin-union is recognized as a separate designatable unit. CWS acknowledged this concern and reassured that they will continue to be managed separately. No action items or follow-up were identified.



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7. RRC Session

This agenda item was rescheduled to September 9, 2020 at 3:00 PM.

Amy briefly reviewed the GRRB's mandate and the RRC roles, asked the RRCs if they had any local concerns, interesting observations, advice on getting community input, things GRRB can improve on.

Amy read an email from Allen Firth (NRRC), which is available in the meeting binder: the NRRC thanks GRRB staff for help with regional RRC meeting in January 2020. A concern brought forward is timelines for updates to management plans – maybe with more staff on board, these can be addressed in the future. Where do the RRCs fit into the GRRB consultation process? For the other RRCs: The RRC manual needs to be updated and we need a regional coordinator to focus on regional concerns.

John Norbert gave a verbal update for Gwichya RRC: Because of COVID-19, things are slow and we don't have our regular RRC meetings. We don't get people from Inuvik hardly. I think we only had one meeting about a week ago and that's since a long time. Maybe the best way is, when we have our meeting we can invite you if we want to get together more. Our elected and appointed people are not showing up to meetings. I'm the Vice President and the times that the President is in town I can't necessarily call a meeting, it's up to the President. We're not sure how things will go forward. That's where we stand now.

Eugene Pascal gave a verbal update for Ehditit RRC: Our thoughts and prayers are with the people who are hurting right now, Jozef and William and a few others including Board members who are impacted. We are with you in the times that are good and the times that are bad. We would like to support you as much as we can. Thank you to the staff and to the Board for your continuous work with us. With your continued discussion, questions and taking down our thoughts and ideas, that's important and I want to thank you for always having an ear open and for being able to look at some of the questions we have. It's too bad we're as a society so concerned about liability and insurance and things like that, because we have good people in our communities who we trust faithfully and all that to provide service to us – monitors. They may not be certified, they may not have their FAC or First Aid but they know the land, they know the wildlife, they know what to do when things happen because they've lived it and they're there. It's too bad that we have to get people certified and insured so that we can't be sued or be liable. We are working with our members to try to get them to have all these papers so that they can work in an atmosphere where they're comfortable – our country, our mountains, our boats and skidoos. We thank the Board and ED for all the positive work and discussions that are happening. It's a good way, it's the positive way, the supportive way. A few things we have noticed: water is high all summer. Usually only in springtime we're able to come by Gully's channel from Aklavik, that cuts 5-10 minutes off our boat ride – but I boated to Inuvik yesterday in September through Gully's and never touched bottom. Water is very high this year. It's unusual. We've been hearing things about Great Slave Lake, the water is very high there. It poses some questions. Is there that much more rain? Or is there something else that's feeding into the system? Are the dams allowing more water out than usual? With the high water comes turbidity that's tough for our fishermen – our catches are lower this year. The effort is more, because you're cleaning your net more. The CPUEs are lower! These are things that are unusual this year. Our monitor at Husky Channel just barely made his quota. Sometimes he was running four nets, and usually they only need one. The fish are there but the effort is tougher. Another issue we are slowly working on is we do have certain preferential rights within the GSA, one is the harvesting of trees, the fishing, the sheep, harvesting moose. As you know, Aklavik is a mixed community 60/40 or 70/30 Inuvialuit/Gwich'in, so we are slowly consulting, getting the information out there that within the land claim it states this. But we aren't enforcing it yet. These things are still in the works. The communication aspect is important, we have to educate them first. As per meetings: even we are having difficulty organizing meetings for our own council because of COVID and the lack of planning within the buildings and how many people can be accommodated.



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Hopefully that can be done this week. We do have other facilities like the Hamlet council chambers, the arena, would be more people but comes with a cost. I think our past Board has been more comfortable with face to face meetings with the GRRB, ED and staff, those were good. Some are slowly getting used to video meetings now. The Gwich'in council is in the process of appointing more members to the RRC, which should be done this month. Internally, we'll do some orientation for the new members and maybe something could happen before Christmas with the GRRB staff. Most of our concerns are internal work that mainly has to do with education and consultation within our community. We are slowly gathering some of the resources and information to start doing that. I want to say thank you to the Board and staff for all your hard work, all your positive work, and your ability to hear us when we speak.

William (no TRRC representation, William commenting): This year, we noticed the water is pretty high in the Delta. People are really concerned about that. The other thing is the beavers are really doing their job, damming up the creeks. We're concerned about the water source in Fort McPherson because they're working on a couple of the lakes that go into Deepwater Lake (which is the drinking source). There are so many beavers in there. They're starting on the culverts and doing a lot of damage. People are concerned about that. It's natural I guess and next time maybe it will be dry, but we sure have a lot of water this year.

8. Review Research & Management Priorities

Steve Andersen (Stakeholder Liaison) gave a brief update on new research interests that have arisen since the last meeting via the harvest survey. Bees, water levels, general concerns about climate change and salmon are the new items. No questions or comments.

9. Administrative items

9a. Safety Update

Amy reviewed the safety incidents reporting, as is standard at every Board meeting. There were no incidents to report since the last meeting. Amy reviewed some of the COVID-19 protocols implemented to date. No questions or comments.

9b. February 2021 meeting date

The Board was asked to select a meeting date for their February 2021 meeting to help with planning.

The Board decided to hold a teleconference in mid-to-late January, with a draft presentation and draft recommendations to PCMB for Board input. GRRB Winter 2020 meeting will be February 15, 16, 17, 2021. This is the week after the PCMB meeting but before the CMA. Travel days were suggested to be February 14th and 18th.

10. Harvest Management

This agenda item remained unaffected by the agenda schedule changes. Legal counsel Larry Innes (Olthuis Kleer Townshend LLP) and PCMB President Joe Tetlitchi and Deana Lemke attended by video call. A briefing note, legal opinion and presentation are available in the meeting binder.

The goal of this session was to discuss the Board's role in harvest management of species with no conservation concern (i.e. porcupine caribou)

- Review Board mandate (legal reading)
- Discuss what the Board is required to do
- Discuss what the Board "can" do



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Larry reviewed his legal opinion on jurisdiction and authorities of the GRRB to act in circumstances where there is not a conservation concern. The Board has many powers including discretionary authorities, but exercising that authority can come with risks, including attracting legal challenges, so caution is warranted. Ensure that as you make decisions, you are justifying those decisions on the basis of your authority and your mandate. Recommendation: develop policies that guide the use of discretionary powers.

This was followed with a discussion on the topic and working through scenarios on how it would apply. The main points from this discussion are summarized.

- The context of your discretionary powers, in which you choose whether or not to act, ensures that you are fulfilling the objectives of the land claim in a way that is collaborative and follows a process that is open, transparent and fair to Gwich'in participants and also to others affected by your decision.
- Board can have influence even if it is not one of its direct powers, but should use legal advice on discretionary power. It can do this strategically by providing advice to government that it can influence and by sharing its concerns, even if it is for a different government body (i.e. US government, ANWR)
- Board must consider the interests of Gwich'in participants as well as other users (public) when making decisions. RRC's input flows into the Board's process. RRC's input should reflect the local Gwich'in Participants. Board must also include elders and participants directly in their engagement, as best as possible.
- Ensure that the rights-holders are involved in the action as you exercise your power. Ensure that there is space in your process to delve into those issues. Build that collaborative approach so that nobody is surprised by what you come out with as proposals.
- Community members expressing concerns to the Board about community activities (i.e. wastage, hunting activities, let the leaders pass) should be first redirected to the RRCs, as the local resource, if there are no clear conservation concerns
- Board role is significant. You have a great deal of power and great deal of discretion. Minister cannot just dismiss your advice. Other institutions are going to follow suit unless they have a really good reason not to follow your advice.
- A challenge is that you are not simply there to do what the RRCs want, you're there to ensure that as people talk about what the Gwich'in practice is. You're putting this in the context of the public interest and asking: what is the short-term effect on all harvesters?
- When dealing with public governments (i.e. Ottawa, Yellowknife), think in advance and plan for it to take time as they are not as close to the issues as the GRRB.
- For commercial interests where a Gwich'in puts a request to the Board to make a decision, there is no "shall" in the land claim that forces the GRRB to make a decision due to economic opportunity. Always consider requests and give reasons for your decision.
- Within Board's mandate, practice your power (do not require anyone's permission)
- Caution if you are getting to the edges of your mandate and use the advice here for discretionary powers. Consider it from the perspective of if the Board's decision was challenged. The courts will look at your process.

Action #20-20:

Step 1: Board to create screening criteria to filter requests to help determine if the Board should act or not. This document should consider all the objectives and purposes of Ch 1, powers in Ch 12 and how the request aligns with wildlife management and habitat. If it is clearly within the mandate, the Board would follow its powers. If it is discretionary, see step 2.



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Step 2: Board to create a policy that describes the process the Board would follow. It would include strong consideration of a public hearing, would lay out how they would ensure that they are using a collaborative approach, how to ensure that Gwich'in harvesting rights are considered, would it advance the objectives of the land claim, fulfill our mandate, work in a good way with harvesters and other organizations, and so on. If you can check all those boxes and document your process, then you're going to be on solid ground as a Board in making decisions and putting forward policies and regulations that in most cases people are going to see as a good thing.

11. Update on Commercial Use

Materials for this item are available in the meeting binder. Amy reviewed the background of this initial request and progress to date. Larry's opinion is that the Board has a strong power where the Minister can only consider, reject or amend the Board's decision unless there is a conservation, public health or safety concern. Other than that, the Minister has to accept what the Board says. We communicated that to ENR and we received a response on Sept 4. It's a positive response and they do want to work with us. ENR indicated that they view the Board's power only applying to Gwich'in, so we'll have to consider that when we move forward.

12. Grizzly bear consultations

Amy introduced Laurence, who has been hired as a Management Plan Coordinator for a one-year term that started in August with the objective of updating the Grizzly Bear Management Plan. She intends to do community engagement. In a 2009 GRRB workshop on grizzly bears and in other meetings, we heard lots of comments about the management plan agreement and grizzly bears. That's our starting point.

Amy reviewed the briefing note included in the meeting binder and asked the Board if they had any strong opinions prior to Laurence beginning community engagement. There was discussion. The Board asked if the RRCs had any comment. No comments provided. The Board agreed to revisit this briefing note in the in-camera session. After the in-camera session, the Board expressed no strong concerns with any of the topics identified in the briefing note. They supported entering community engagement with an open approach for all possible scenarios.

On the last GRRB call, there was a discussion about fencing at the landfill in Inuvik. The decision was that GRRB would write a letter to those responsible. We did some research and Édouard has drafted a letter to ENR and MACA with many others copied (see meeting binder). If you have any input, let us know. We'll wait until Jozef is back to send it. We want to make a working group to discuss the issues.

13. Staff Compensation Package (recognition and compensation package priorities)

<Lee Vincent joined the call>

Amy Amos introduced the topic and Lee Vincent, consultant, elaborated. See detailed briefing note in the meeting binder. It was clear the staff are doing a good job and the Board wants to encourage a positive working environment and to support their staff. The Board discussed each topic to give Lee direction on how to proceed. Lee will work with Amy on a proposed policy and budget for the February 2021 meeting.

14. In-camera session

Motion to go into camera at 10:00am

Moved by: William Koe

Seconded by: Doug Doan

All in favour.

Motion Carried.

Motion

GRRB 20-29



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Motion to come out of camera at 10:43am		Motion GRRB 20-30
Moved by: William Koe	Seconded by: Margaret Begg	
All in favour.	Motion Carried.	
15. Business arising		
Action #20-21: Amy to research more on liability; what are others doing? Ensure RRC understands liability		
Action #20-22: Amy to speak to Capital Suites manager/supervisor; temporary switch to Mackenzie (open to going back if issues are resolved)		
Adjournment		
Acting Chairperson Sam Bullock provided closing comments, thanking Amy and the team for their support, helping focus on safety and wellbeing in these uncertain times.		
Motion to adjourn the September 2020 Board meeting at 10:45am		Motion GRRB 20-31
Moved by: William Koe	Seconded by:	
All in favour.	Motion Carried.	