



MEETING MINUTES

WMAC (NS) Teleconference
June 23, 2008

Lindsay Staples Chair • **Danny C. Gordon** Inuvialuit Game Council (Member) • **Ernest Pokiak** Inuvialuit Game Council (Member) • **Doug Larsen** Yukon Government (Member) • **Wendy Nixon** Canadian Wildlife Service (Member) • **Christian Bucher** Government of Canada (Guest) • **Boyd Pyper** Yukon Government Policy Analyst (Guest) • **Michelle Christensen** (Secretariat) • **Jennifer Smith** (Secretariat)

A. Call to order

The Chair called the meeting to order at 10:15 am.

B. Review and approval of agenda

Council members agreed to defer the follow agenda item:

- Ecological Monitoring Workshop

Motion: to approve the agenda for the June 23, 2008 meeting, as revised.

Moved: Ernest Pokiak

Second: Wendy Nixon

Motion Carried

C. Species at Risk Legislation

The Chair welcomed Yukon Government Policy Analyst, Boyd Pyper to the meeting and invited him to brief the Council on the current Yukon Government Species at Risk Act (SARA). The Chair asked Boyd to discuss who has been consulted to date, the length of the consultation period, and to explain how the current SARA relates to previous versions.

Boyd explained that this is the Yukon Government's third attempt at addressing a SARA since 2002. He explained that the current proposed act is stand alone legislation as

opposed to being addressed within the Wildlife Act. The current SARA has an independent committee. Boyd noted that provincial and territorial legislation is bound closely to the federal SARA and as a result there is not much latitude to deviate from its framework. Federal SARA has the power to override elements of territorial legislation.

Boyd explained that the first half of the Yukon SARA is similar to the federal Act, and the second half is taken almost directly from the Yukon's Wildlife Act.

He explained that the public consultation period for the draft Yukon SARA started May 6, and will end July 11. Tight timelines are due to pressure from the minister to pass the Act this fall.

The main difference between the 2002 legislation and the current version is that the current version states that Final Agreements are paramount. This is a significant change. Reviews from First Nations so far are supportive of this change, though they would like to see details further fleshed out.

Another important aspect of the legislation is the Species At Risk Technical Committee (SARTC). Boyd explained that details with respect to the constitution of SARTC are not included in the current version of the Act. The thought is to have approximately 9 to 11 people sitting on the committee, with representation from the Yukon Fish and Wildlife Management Board and WMAC (NS), First Nations, Renewable Resource Councils (RRC)'s, the federal government, and the public. The committee would be arms length from government and the committee members would be arms length from the organizations they represent.

Boyd went on to describe the listing process and the development of recovery plans and management plans and that government-to-government consultations would happen at the same time as internal committee consultation.

A Council member asked how consultation would happen simultaneously. Boyd explained that the process would be figured out over the next year, and that bilateral agreements may come into play.

A Council member raised the issue of different species designations in different territories. Boyd explained that because federal legislation is paramount, it can determine how a species will be listed in a territory. For example, if Canada lists a species as endangered, the Yukon population also is listed as endangered even if Yukon populations are healthy. Once a species is listed, recovery plans must be developed. Yukon SARA allows for flexibility in its own recovery plan, and may include opportunities for harvest.

The Chair asked for clarification as to why, for a species listed nationally, if the Yukon population was healthy, a recovery plan would be necessary. Boyd replied that there is some duplication of process, however by having our own legislation we can recognize that a species may be in trouble nationally, while still allowing for harvest opportunities in the territory.

The Chair reiterated that duplication of process can result in lost time and energy. He suggested that the issue is one of population distinction. The Council discussed how subpopulations within a population may be healthy or at risk; if a subpopulation is not recognized as distinct then its designation would be the same as the population's.

The Chair inquired if an existing management plan for a species may substitute as the work plan identified as needed from the SARTC. Boyd responded that Yukon's legislation would allow for the adoption of existing management plans from within the territory or outside.

The Chair opened the discussion to questions from the Council:

A member asked how a Yukon moose population in trouble would be dealt with within the new SARA. Boyd explained that Yukon legislation can list a subpopulation, and Yukon can request that the subpopulation be listed nationally in the Yukon. This allows for access to federal assistance and open discussion of transboundary issues.

Another member raised the role of COSEWIC in the process and pointed out that although COSEWIC is a federal body, it represents regional perspectives.

Definitions in the proposed SARA were discussed. It was noted that the definition of scientific information does not make reference to western science. Boyd explained the definition and noted that western science will be acknowledged in the definition. He also expressed a willingness to adopt another definition of aboriginal knowledge, as one is currently being developed in the Yukon by a separate body.

The Council informed Boyd that the term "Inuvialuit" is not included in sections where First Nations are mentioned, in various places throughout the Act. Boyd informed members that this oversight will be addressed as well as the omission of the Inuvialuit Final Agreement from the list of Final Agreements recognized in the Act.

Christian commented that he's not worried about the application of federal legislation on a territory. He recognizes that it would be advantageous to have species residing in National Parks protected outside of parks as well. Boyd commented that federal intrusion is unlikely, but territorial legislation needs to be able to respond.

The Chair requested information about how the SARA has adapted to devolution. Boyd explained that SARA applies to all territorial land, Category A and B settlement lands, and private property. Though it won't apply to federal lands, the SARTC will still be able to make recommendations on it. Currently, there is lack of clarity regarding settlement land and critical habitat; it is clear though, that on the North Slope the Inuvialuit would have to be consulted on issues around critical habitat.

The Council questioned the approach in appointing members to the SARTC. Boyd explained that the minister is responsible for appointing members, and that he/she must

consult with COSEWIC first. Boyd reiterated his interest in ensuring that WMAC (NS) has representation on SARTC.

A Council member inquired about the timelines for review of the Act. Boyd explained that a review is not written into the Act, as he felt it would be binding for parties. Likely a review will happen in two to three years.

A member suggested testing the legislation with a real life example and working through it. For example, how would the Act deal with Porcupine Caribou and all of the associated management bodies? All agreed that it could get pretty complicated!

Danny asked how the Aklavik HTC can have input into SARA. The Chair suggested that WMAC (NS) draft a letter and circulate it to the AHTC for comments before submitting them to YTG. Boyd will wait for further direction from WMAC (NS) on consultation.

Boyd ran through some examples. He explained, if wolverine were doing poorly in southern Canada, the Yukon would look at numbers in the Yukon, and the potential to allow for more harvest in certain areas of the territory than others would be possible.

Boyd informed the Council which species are at risk currently on the North Slope: outside of polar bear, grizzly bear and wolverine, there are no species at risk.

Action Item 08-07-01: The Secretariat will compile comments from Council members and submit WMAC(NS) comments to Yukon Government on the proposed SARA.

The Chair reminded the Council that WMAC (NS) has the ability to go straight to the federal minister on issues relating to conservation measures and harvesting rights.

D. Sheep Creek Plan

The Chair noted that Danny could not pick up his meeting binder in time for the call today, so the Secretariat will contact him tomorrow for comments on this item.

The Chair invited Christian to explain the Sheep Creek Plan. Christian explained that Parks hired a contractor to produce the Plan. Overall Christian felt that the Plan lacked detail. After in-depth consultation with Parks staff, the Plan merely describes what should be done but not how. The Chair agreed that there was a lack of detail.

A Council member raised the issue of the airstrip. The Plan says that the strip will be maintained in its existing condition, and that this recommendation is not consistent with what the Council has talked about in the past. Christian explained that there are no alternative sites for the airstrip and that maintaining the existing strip is something we can do for now.

The Chair noted a discrepancy between what the Management Plan and the Site Plan say about eliminating buildings at Sheep Creek. The larger issue of key site users was raised.

Christian explained that all the buildings at the site currently are necessary for delivery of programs. Of the seven buildings only three are large – the others include outhouses etc. Reducing the footprint at the site also includes reducing air traffic, garbage etc.

Christian suggested that Council comments address site vision, building maintenance, and general use of the site.

Action Item 08-07-02: The Council will provide comment to Christian Bucher at Parks Canada on the proposed Sheep Creek Site Plan by early July 2008. *The Secretariat will contact Ernest and Danny for their comments.*

E. Resolution on Financials

The Chair informed members that financial statements for the year ending March 31, 2008 were prepared by the bookkeeper and circulated to all Council members. The Chair invited questions from the Council, recognizing that Danny had not received a copy of this information. The Secretariat will contact Danny in the next few days to gather any comments he may have, at which time, the motion could be amended.

Motion: to adopt financial statements for the year ending March 31, 2008.

Moved: Doug Larsen

Second: Ernest Pokiak

Motion carried

F. Update: On the Land Meeting

The Chair invited Christian to discuss any updates that he may have on travel logistics. Christian informed the Council that boating from Shingle Point to Herschel Island with the Parks and DFO boat is no longer an option: other alternatives were suggested.

The Chair provided a quick overview of the schedule for the on the land meeting. Jennifer advised the Council that she could be contacted with any further questions.

G. Adjournment

Motion: to adjourn the meeting

Moved: Ernest Pokiak

Second: Doug Larsen

Motion carried

The meeting was adjourned at 12:15pm.