



## DRAFT MEETING MINUTES

WMAC (NS) Quarterly Meeting  
Inuvik, NWT · Joint Secretariat Board Room & Inuvik Public Library  
Dec 7-9, 2010

---

Tuesday, December 9, 2010

**Lindsay Staples** (Chair) · **Rob Florkiewicz** Yukon Government (Member) · **Christian Bucher** Government of Canada (Member) · **Danny C. Gordon** Inuvialuit Game Council (Member) · **Ernest Pokiak** Inuvialuit Game Council (Member) · **Dorothy Cooley** Yukon Government (Alternate) · **Doug Larsen** Yukon Government (Member/Observer) · **Jennifer Smith** (Secretariat) · **Christine Cleghorn** (Secretariat)

---

### **A. Call to Order**

The Chair welcomed everyone and called the meeting to order at 9:24am. He welcomed Rob Florkiewicz to the Council as a member, and congratulated Ernest Pokiak on his reappointment. He explained that Danny would join the meeting when his plane arrived from Aklavik.

### **B. Review and Approval of Agenda**

The Chair reviewed the agenda and meeting schedule for the week. In light of to the cancelled trip to Aklavik, AHTC follow up was added to the agenda.

#### Motion 12-10-01

*To approve the agenda as amended for the Dec 7-9, 2010 meeting.*

*Moved: Ernest Pokiak*

*Seconded: Doug Larson*

*Danny approved upon his arrival.*

*Motion carried.*

### **C. Review and Approval of September Minutes**

The Council reviewed the September 7-8, 2010 minutes and had no changes to suggest.

#### Motion 12-10-02

*To approve the minutes for the September 7-8, 2010 WMAC (NS) meeting.*

*Moved: Ernest Pokiak*

*Second: Doug Larsen*

*Danny approved upon his arrival.*

*Motion carried.*

#### **D. Review of Action Items**

The Council reviewed the status of action items; updates to action items are shown here:

**Action 09-09-09:** The Secretariat will inquire with the Canadian Wildlife Service and/or Wendy Nixon to determine how alternate Canadian members for WMAC (NS) have been appointed in previous years. **In Progress.** It was not raised, but will be followed up on. The Council discussed formalized membership between CWS and PC for appointments federally.

**Action 02-10-05:** WMAC (NS) will incorporate changes identified at its February meeting to the Muskox Plan and convene a teleconference at the end of April to review the revised draft, after which time meetings be held with the WMAC NWT and IGC Chairs as well as the Aklavik HTC to review the draft. Once the draft is finalized it will be sent out for broader comment. **Retired.** The Council discussed the challenges in achieving a plan in an area with diverse interests and management approaches. The Chair suggested hosting a day-long meeting with a working group in order to deal with some of the complicated issues that have arisen. The goal of the meeting is to attempt to resolve outstanding differences and concerns. The Chair described the primary goal of the plan as maintenance of the herd within its natural range.

Members discussed issues to consider including the possibility of the herd being listed in the future by the Yukon Government – subject to the passage of species at risk legislation - as a Species of Special Concern and the planning and management implications of such a listing. It was suggested that having a plan in place would make the application of future Species at Risk legislation more focused. An examination of federal management requirements and prohibitions for Special Concern or Threatened species under federal listings would be useful prior to the meeting for background information. At the same time, the full weight of Inuvialuit harvesting rights should be recognized.

**Action Item 12-10-01: A working group will meet for one day prior to the WMAC (NS) March meeting to go through redrafting of the muskox plan. The working group should include an Inuvialuit, Canada, and Yukon member as well as someone from the AHTC and Parks Canada specific to Ivvavik.**

**Action 02-10-12:** In 2010/11 WMAC (NS) will approach Nigel Bankes to prepare a discussion paper on select jurisdictional issues in the Beaufort Sea offshore for internal reference by the Council. **In progress.** Nigel has been contacted and expressed interest in the topic. The Chair described that the work would be to draft a discussion paper that identifies what the current jurisdictional status is federally and territorially as it relates to offshore oil and gas rights, and polar bear management. The paper would not be a legal opinion. The projected timeframe for completion is the end of March.

The Secretariat presented the Council's Enforcement Fact Sheet as an example of jurisdictional confusion. The Council discussed this factsheet and decided to remove it from distribution at this time.

**Action 12-10-02: WMAC (NS) Secretariat to provide appropriate background materials to Nigel Banks for his work on a discussion paper on jurisdictional issues in the Beaufort offshore.**

**Action 02-10-13:** The WMAC (NS) Chair will try to locate in his records a study conducted by Gartner Lee between 2003-2005 on offshore oil and gas research in the Beaufort to check its relevance for polar bear issues/research. **Retired.**

**Actions 02-10-14:** The WMAC (NS) Chair will locate correspondence from Richard Berg regarding the last ten year funding cycle and bring it forward for a meeting of IFA committees and councils in fall 2010 to discuss IFA implementation arrangements. **Retired.**

**Action: 06-10-13:** The Secretariat will compose a letter and send a plaque to the Hamlet of Aklavik to commemorate their 100 year anniversary. The Secretariat will work with the Hamlet to determine the schedule of events. **Complete.** The plaque has been completed and presented to Danny, for him to take back to Aklavik.

**Action 06-10-06:** Write a letter to Yukon Government supporting the regulation changes for tag issuance on Herschel island for grizzly bear and for polar bear so that the harvesting zone mirrors that of the Grizzly bear zone and remains inside the ISR. **In Progress.** YG member to review this letter prior to the end of this meeting.

**Action 06-10-07:** Write a second letter to Yukon Government to support the progress on tag issuance for grizzly and polar bear in Ivvavik and offshore. **In Progress.**

**Action 06-10-08:** The secretariat will locate and send Danny the letter that WMAC (NS) received from the IGC on grizzly bear compensation. **Complete.**

**Action 12-09-12:** The Council will assess “part B” of the grizzly bear project as proposed in December 2009 in December 2010. **Complete**-pending the meeting.

**Action Item: 09-10-02:** Discuss research priorities with the AHTC in December to identify their priorities for research. **Outstanding.** In light of the cancelled meeting in Aklavik due to weather, this is deferred until we next meet with the Aklavik HTC.

**Action Item 12-10-03: When the Council meets with the AHTC, the status of Community Conservation Plans should be added to agenda for WMAC (NS)/AHTC meeting.**

**Action Item 09-10-03:** Chair to confer with members and submit comments on the COSEWIC paper on DU for caribou in early October. **Complete.** The letter was sent Oct14. Response received indicated that there will be another draft with a three month review period in March. Need to ensure follow-up on next draft.

**Action 09-10-04:** The Council will raise the trapping concession boundary at the AHTC meeting in December. **Retired.** In view of the cancelled meeting in Aklavik. The Chair suggested that

WMAC (NS) write a letter to the Aklavik HTC, Minister, and IGC, saying that we view this as an administrative change.

**Action Item 12-10-04: Write a letter to the AHTC, Minister, and IGC stating that our Council views the amendment to the trapping concession boundary as administrative and have no objection to it.**

Action item from Sept, 2010 Joint WMAC Meeting: Dorothy and Marsha to motivate GRRB to move forward with the sheep management plan. **In progress.** Marsha and Dorothy are actively working on it.

### **E. Correspondence**

The Chair reviewed correspondence and focused on the following:

1. *PCH Herd update.* Dorothy noted that the check stations have been closed for several weeks.
2. *CARMA newsletter.* Dorothy and Danny attended a recent CARMA meeting and reported that this is the last year of the IPY funding for CARMA, so a funding strategy is underway. A focus of the meeting was the expressed concern that there were no recovering caribou herds, especially the Bathurst herd. Don Russell did an inventory in terms of research and monitoring on the CARMA herds. He reported that standardized protocols have not been adopted in all cases. Only 11 herds had rut counts this year, and a small percentage are doing body condition work. Barriers to adopting the protocols could include money and individual management priorities. The Western Arctic Herd was using 11 of the 12 protocols. Doug asked about potential sources of funding for the future. Dorothy pointed out that there are a large number of private philanthropic organizations and some governments who are being targeted for funds moving forward. The infrastructure for metadata is significant and will likely reside with ArcticNet. CBMP will take on the data management and data housing activities. The major deliverable (synthesis report) is in preparation with March as a target for a draft.

\*\*\*

11:30am Danny C. Gordon arrived from Aklavik.

\*\*\*

3. *NAMMCO-EU Import ban on seal products.* The Council discussed import bans in relation to sustainable development.
4. *The Canadian Press- The Federal Government wants to put a price tag on polar bears.* Ernest raised concerns about adopting monetary value to the species. The Chair explained that Environment Canada has contracted a study to determine the value of polar bears to northern communities and Canada. He indicated that he has not seen the terms of reference for the study.
5. *National Energy Board is reviewing offshore drilling regulations.* The letter states that the NEB will not allow companies like BP and Imperial to drill in the Arctic until a

review of offshore drilling is completed. The Council will meet with the NEB directly later this week.

\*\*\*

1:05 pm meeting resumes after lunch, Doug absent.

\*\*\*

6. *The Mackenzie Gas Project* -The Chair explained that a final decision will be made by NEB and Gov of Canada in the next 3-4 months.
7. *COSEWIC Status Report on Collared Pika*. Danny Gordon identified the Collared Pika as an “avingnaut” (phonetic spelling). Danny was unable to confirm sighting, but believed pikas to be on the North Slope. Christian suggested that Ivvavik Park would likely have records of pika occurrences. The Council decided to not comment at this time.
8. *Beaufort Regional Environmental Assessment*. The Council reviewed a suite of BREA correspondence. The Chair provided a brief overview of the BREA objectives and timelines. He explained the management structure includes a steering committee that will identify the projects that will occur in a number of large areas. The IGC is involved on the steering committee, as is YG through Energy, Mines and Resources. The Council could request input though EMR and IGC and be consulted on research priorities.

**Action Item 12-10-05: Send a letter to EMR and IGC expressing the Council’s interest in BREA and request that the steering committee representative consult with WMAC (NS).**

**Action Item 12-10-06: The Chair will follow up with IGC about the possibility of the IGC inviting the WMACs to future BREA steering committee meetings. The Chair will discuss this with the chair of WMAC (NWT).**

9. *Wolf Conservation Management*. Yukon has notified WMAC (NS) that they are starting a wolf conservation and management and plan review. There are no consultations planned with WMAC (NS) at this time.

**Action Item 12-10-07: WMAC (NS) send a letter to Wolf Conservation Plan Steering Committee, informing them of our desire to be appraised of their progress and that we may wish to comment later in their process.**

10. *Dall’s Sheep In the Northern Richardson Mountains status report summary*.

11. *Research Day (March 4, 2011)*. The Chair provided an overview of the research day which includes summaries of IFA funded research that has happened across the ISR. Ideally, it is to be attended by all the researchers who received funding. As there was no Research Day last year, there could be sufficient response to have two days to review the projects.

12. *WMAC N(S) comments on EISC/EIRB guideline review.* The Chair spoke to the WCMP and its utility to these groups in the review process and the need for our Council to update it.

\*\*\*

2:15pm Doug Larsen arrived.

\*\*\*

## **F. Wildlife Conservation and Management Plan**

The Chair described the history and context of the current plan. He explained that the IFA requires the council to prepare the Wildlife Conservation and Management Plan (WCMP). The plan was published in 2003, but was in development for ten years prior to publication. This plan is the central document that the Council works with as a tool to implement the conservation regime of the IFA. He reminded members that the plan was written when there weren't many other plans in the region. Now there are numerous plans and as a result there are a number of redundancies in the WCMP. In addition, our own priorities have shifted slightly since the plan was first drafted.

The Chair asked the Council to provide some broad direction for priorities in the review of the plan, and to provide a mandate to focus the research and writing.

Christine led a discussion on her preliminary work on the plan. She explained that she reviewed the existing plan highlighting areas in need of updating. She provided an overview of the process and progress so far in updating it. She walked the Council through the plan focusing on the broad goals. She explained that she tested each action against its goal to see if it still held up. In some cases they did and in others actions required revision or deletion. She pointed out that the overarching goals still hold up well.

She said that the new iteration of the plan might be most effective if it focused on fewer action items that were less prescriptive. She pointed out that the plan should provide direction and priorities more focused on achievable goals for the Council.

Christine described the management tools available on the North Slope, they include: Hershel park management plans, Ivavik park management plan, the withdrawal order, and the relevant community conservation plans. Due to existing park plans, the WCMP has its greatest utility in the area east of the park in the withdrawal area and the nearshore and offshore of the North Slope.

The Council suggested examples of new information that alter the plan. An example of this could be the work Ramona has done on grizzly bear which could spell out the requirements for critical habitat for grizzly bear.

Christian noted the importance of the areas outside the parks, and how the withdrawal order has been an effective tool to back-up the plan and ensure that a conservation regime that is effective has been in place to date.

Danny raised the human rights issues associated with the conservation regime on the North Slope and the importance of maintaining a healthy environment there. He mentioned that water and the protection of water sources should be in the plan. He noted that there is only one source for water at Shingle Point: if it dried up or was polluted then Shingle Point would have to move.

Rob liked the idea of the plan informing a coordinated research approach, and being used as a way to direct IFA research.

Christine summarized that there seemed to be a low tolerance to risk of human-caused adverse impacts on the North Slope. This is consistent with the approach in the current plan. New management approaches, however, may be warranted to implement this approach.

The Council identified some species of key interest: polar bears, grizzly bears, Porcupine caribou, muskox, raptors, and waterfowl.

While the Council agreed that the above are species of key interest, insects were also recognized as being important, and an area where significant knowledge gaps exist.

The Council directed Christine to start working on the developing the first goal in the plan.

---

Wednesday December 8, 2010

**Lindsay Staples** (Chair) · **Rob Florkiewicz** Yukon Government (Member) · **Christian Bucher** Government of Canada (Member) · **Danny C. Gordon** Inuvialuit Game Council (Member) · **Ernest Pokiak** Inuvialuit Game Council (Member) · **Dorothy Cooley** Yukon Government (Alternate) · **Doug Larsen** Yukon Government (Observer) · **Jennifer Smith** (Secretariat) · **Christine Cleghorn** (Secretariat)

---

The Chair called the meeting to order at 9:21am and reviewed the agenda for the day.

### **G. Report from the Chair.**

The Chair reported on the Implementation Plan for the Porcupine Caribou Harvest Management Plan (HMP). The HMP was signed off in June. The plan broadly sketches out how the parties agree to manage harvest to better assure the conservation of the herd. Since the signing, the Parties have been developing an implementation plan. Harvest reporting is a significant component of the new plan. The Joint Secretariat, under the auspices of the Game Council, has a large responsibility for documenting the Inuvialuit harvest of Porcupine caribou throughout the year. HTC's and the two WMACs have a role to play, and the Joint Secretariat (JS) will administer and manage the project overall through the community support unit. Although the implementation plan is focused on the caribou harvest, it does bring attention to the need for a broader harvest reporting regime. The JS is looking at developing an integrated program. The old harvest study looked at 20+ species of wildlife with monthly surveys. The new program would likely be something more modest – maybe two surveys per year for fewer species. Between what the FJMC is doing, focusing on community based monitoring of marine resources, and the PCH work, this will likely bring some focus to the need for a more comprehensive, coordinated and

targeted monitoring program. WMAC (NS) is involved with the implementation plan in terms of commenting on the reporting of the harvest, commenting on PCMB recommendations, being invited to an annual meeting regarding the population and the harvest, and to pass on our comments to the PCMB and the IGC.

The Council discussed jurisdictional issues of harvest enforcement. Danny reported on changes he noticed in the GNWT's approach to enforcement across the border.

The Chair responded that there have been different understandings over time between governments about how they want to approach enforcement. Doug noted that there have been different approaches to enforcement and cross-appointment in the past. Rob suggested that in the past there have been administrative relationships, such as sundry permits which are no longer legally acceptable, but there is a new relationship as far as Yukon enforcing its own Wildlife Act.

The Chair reported that at the September meeting in Whitehorse the chairs met with DIAND to discuss IFA Implementation funding issues. There is a lot of confusion with how IFA monies can be spent and should be spent. There is a desire to see a meeting of all the implementing parties so we can review these understandings. It is clear that the DIAND corporate memory as it relates to IFA funding is minimal.

#### **H. Report from members and Secretariat**

Ernest reported on his Ice Tech Meeting in Anchorage. It was well attended and informative. There was a harbour tour, which examined proposed plans to double the size of the harbor.

Christian commented on the value of discussion papers and briefing notes on longstanding issues and topics to assist future council members. Topics could include the withdrawal order and the Arctic Borderlands monitoring program. He noted that this kind of information would be useful in the future.

Rob commented on the utility on having the meeting information available digitally. Rob should be added to the sharefile so that he has access to files.

Doug expressed that in the 10 years he has been on the Council it seems to be running extremely efficiently right now. He stated that it has been an absolute pleasure working with everyone.

Jennifer reported on the Outcomes of the IPY meeting in Edmonton. She told members that the days were structured similar to Research Day with short reports by project leads. There was a large amount of technical information in a very short period of time, but effectively provided an overview of IPY research outcomes. The Whitehorse and Inuvik meetings/presentations are scheduled in the coming months. There is definite desire to engage communities in the areas where work had been done. The Old Crow project stood out as being particularly well based in the community.

#### **I. Withdrawal Order**



Christine walked members through the Withdrawal Order briefing note to provide background on the issue due to recent interest from EMR to reengage in discussions about the future status of the Withdrawal Order. Christine noted that the withdrawal order doesn't preclude smaller scale development, but prevents the Yukon government from issuing surface or subsurface rights on the North Slope, thus preventing roads, mining, and oil and gas activity.

She presented a map of the area covered by the Withdrawal Order, and provided some background and context about the relationship between IFA clauses 12(4) and 12-20. 12(4) addresses conditions for maintaining the withdrawal order and 12-20 addresses controlled development. The IFA is clear in management objectives for the Yukon North Slope.

The Chair explained that he, Jennifer and Christine met with EMR and Environment last month. It was an opportunity to provide information about the Withdrawal Order and the WCMP to EMR, at EMR's request. The meeting record is included in the binders.

### **J. National Energy Board**

The Chair briefed members on the NEB mandate and the context of their current review. As a consequence of the Gulf of Mexico oil spill, and concern about the impacts of an oil spill in the North, the NEB is taking steps to assure the Canadian public that what happened in Gulf of Mexico can't happen in arctic waters. Some have argued that any oil activity in arctic waters would be unacceptable as the consequences are too high. The calculation of risk is in part dependant on the value of what is being affected by the hazard. For example, the probability of a spill may be quite low, but the consequence of a spill may be quite high.

We know that coastal lagoons are very important staging areas for waterfowl. Our council's interest may be in providing information about the vulnerabilities and special values in particular areas.

Danny spoke a bit about important spawning areas in that area. He said that he can count about five areas that are really important for char and other fish.

\*\*\*

10:41am Susan Gudgeon, Bharat Dixit, Gaetan Caron(Chair), David Hamilton, Pamela Romanchuk, Shirley Dawe, Brian Chambers from the NEB arrived

\*\*\*

The Chair introduced the National Energy Board and all Council members introduced themselves.

Ernest expressed gratitude to the group for meeting with the Council and let them know the importance of their work to people in the area and that "our fate will be in your hands."

Gaetan, Chair of the Board began by thanking the Council for the opportunity to speak. He provided some history of the NEB in oil and gas work. He said that since 1959 the Board has been working on pipelines, and are well known for the export regulations. The NEB has a clear mandate for pipelines, exports, tolls and tariffs. Since April 20<sup>th</sup> when the blow out happened in

the Gulf of Mexico he has appeared five times in front of Parliamentary Committees. He said it is a sign that Canadians care about what would happen if a blow out like the Gulf of Mexico happened in the North. The spill triggered Canadians to ask questions about drilling in the Arctic, particularly deep well drilling. He explained that right now there are over 100 wells drilled in the Beaufort but they are not deep. Concerns being raised include determining what would happen if a company lost control of a well at the end of the season, right before ice was forming. The Board realized that they needed to be prepared to address such questions when applications came in. So the public review is taking place now. The process is starting with community visits and co-management boards to find out if the review questions have the right tone and get at the important issues. The scope of the items the NEB is examining includes: how to drill safely, what to do when things go wrong, what is being learnt from the Gulf, and what will be the information requirements when companies propose to drill.

There are three phases (currently, the NEB is in front end of phase 1).

Phase 1: the intent is to gather best available information (Obama report to be released January 2011 and Australia report from 2009 blow out in East Timor Sea). The NEB has received a robust submission from WWF and Ecojustice. The Board has issued two calls for information (CFIs) for anybody to provide information. Many of the questions are clearly aimed at industry and to prospective applicants. Example of questions the Board has asked include– assume you lose control in the Beaufort in a place where you have 3-4 months to be there. How much oil you would lose into the environment? How much of this could you recover? Tell the Board what you think the impact of this oil would be on the environment for the oil you cannot recover.

Phase 2 is an opportunity for everyone to examine the information and ask questions of each other.

Phase 3 is writing and public report. At this time the Board will return to Canadians with information gathered on what the Board will ask of proponents when they seek to drill. He explained that the NEB is an independent board based in Calgary that reports to the Minister of Natural Resources. He explained that the Board represents and is accountable to Canadians and that the Board takes their job in the Arctic seriously.

He explained that the whole panel is involved with the review. David Hamilton and Gaetan are representing the board. Community visits are scheduled for the last two weeks of January, in an effort to try to engage the community. The Board wants determine what kind of questions the Board would want answered from an applicant before the Board issues an approval. He posed to the Council that if we had any questions the WMAC (NS) believes were omitted the NEB would like to hear them. As a part of phase 2, the Board will hold public meetings in Whitehorse, Inuvik, Iqaluit, Rankin Inlet, and identify additional questions to be addressed and hear from people.

The NEB has no deadline for the review. The Board will take the time necessary to complete this review and release a public report. The Board doesn't expect to see an application prior to 2012.

Christian noted his appreciation for the layout of the documents, and the way NEB is addressing the issue. Christian voiced that the questions were good, but wondered who would be in a position to answer them. He pointed out that the people conducting this work are the only people well positioned to answer and Industry will likely be biased in their responses. How at the end of the day do you take this information that comes largely from industry and ensure that it is still proceeding in a safe way. Who does this final assessment?

Gaetan explained that the process is not about the policy of offshore drilling. Industry could decide not to answer any questions, but when they file an application they would be asked the same questions. Dave Hamilton added that if there are any other participants, besides industry, with questions, they can pose those too. Gaetan pointed out that a psychologist with relevant information was brought to the Board's attention through WWF; Dr Mark Fleming at St Mary's in Halifax was studying in Aberdeen when PiperAlpha disaster happened. His field of expertise is psychology and safety culture and has some interesting contributions to make about safety culture and why accidents happen.

There is also an emphasis on gathering information through academia, federal government labs, universities, etc. In addition to the questions that different parties are asking us, there are other parties besides industry who can answer these questions.

Doug commented that the questions and their responses are important. But stepping back from that, he emphasized that if we don't know all the right questions to ask, no one will be able to respond with the appropriate answers. He said he is more interested in guiding principles. Gaetan responded that if you look at the record over the last 51 years you will find basic principles as you see cases being decided. In the preamble to COGOA there is clear direction about safety and protecting the environment. In the NEB's regulations there is what the NEB would expect to be the outcome of operations. For example, there is the basic principle that before a proponent starts drilling the proponent must allow redundancy. A blow out preventer is a last line of defense.

Doug asked if one possible approach in the Arctic could be that when a well is drilled, a second well must be drilled at the same time? Gaetan replied that in the arctic offshore the NEB has a policy that an operator must show they have a relief well in place to catch an out of control well during the same season. Gaetan elaborated on the purpose of COGOA. The drilling regulations underneath it that say "tell us all the factors that can cause harm and how you have considered these factors". It is up to the operator to tell the NEB these things. The challenge for the NEB as regulators is to determine if what they propose is adequate. Once an application is complete and a decision is made to proceed, the NEB determines if an operator's commitments in the assessment have been implemented? Is it adequate? Is it effective? These are the NEB's high level principles.

Lindsay observed that it is less a matter of season than the timing in the season. There is a huge body of literature in the Beaufort on same season relief well drilling. On this particular matter the NEB will be well served by the literature.

Ernest addressed the panel and noted his fear in the future that there would be an accident. He noted that once a government issues licenses and permits that means that somewhere in the

future, they are going to drill, and when that happens the risk is there that accidents will happen. He said that the only way he would feel some comfort is if the horizontal and vertical drilling had to start at the same time so that if something happened there would be less of an impact on the environment. He expressed that safety measures often implicate a higher cost to industry, but emphasized that that may be the cost of doing business in sensitive environments. Inuvialuit are coast people and our way of life is one that he is always concerned about. He said that they notice the movement of ocean currents going in and out daily, they can change fast and this gives him fear in the context of a spill. He recognizes the economy and people's need to work as well.

He observed that financial liability should be absolute. He would like to see the worst case scenarios – how much did BP actually spend in the Gulf? He raised that if there was a spill the oil would likely get cleaned up, but there is concern about the dispersants. How do you put a dollar figure on compensating for whitefish? The oceans are different. He has lived beside the ocean since he was born. He said that the oil spill response capability should be in place before work is done. He wondered, how are you going to respond where the season is short and the weather is unpredictable? There is always human error – a 12 hour shift is a long time and maybe it is too long. Truck drivers and pilots are limited on the amount of time they can work. Maybe they should think about this for the rigs in the Beaufort.

Gaetan replied that it is sometimes an accumulation of little things that create the circumstances for an accident. The NEB heard the same questions from Inuvik students about financial liability.

Danny Gordon spoke to the NEB representatives from the perspective of a harvester. He explained that he was born in Alaska but migrated to Canada at the age of ten, using a dog team. He lived in Ptarmigan Bay, and, since 1947, in Aklavik. He explained that harvesters have already seen the impacts on the land, but on small scales. Climate change is an impact in itself on a harvester and on people on the land. There is a saying that Danny practices, that goes, “if you take care of the land, it will take care of you.” He described spending ten days at Herschel this summer with researchers studying bowhead whales and belugas. This is their homeland when they migrate east for at least five months. About September they start migrating west. They counted a lot of bowhead whales that were feeding for the summer on that area. If we are talking about things under the sea, we can try and count and we're never right. Maybe close sometimes and sometimes way off. On the North Slope alone and Aklavik as well there are five different rivers that Arctic Charr spawn up. Most of his harvesting of caribou and moose and fish has been around Yukon North Slope. He explained that it is like a warehouse for him. If he keeps it nice and tidy when he goes in it, then he can find things pretty easily. If he keeps it messy then it will be hard to find things. If mining and oil and gas make things messy Inuvialuit won't find the food we need. He experienced this 35 years ago with seismic wires that caribou and sometimes fish got caught in. As recently as seven years ago there were things that happened on the Delta that he was not happy with. It is better regulated now, but can still be a mess. These accidents still happen. This discouraged him as a harvester. Gaetan suggested that the Board adopt these words “we take care of the land, it will take care of us” in some format.

Lindsay discussed the jurisdiction of the Council. The Council is responsible for advising on all matters relating to wildlife, habitat, and Inuvialuit use and the conservation of all those things. When one is considering the matter of risk, it involves determining the probability and the

significance of adverse impacts, such as spills. All areas are not created equal, and not all land is the same. The IFA recognizes the importance of the North Slope.

Lindsay discussed oil spill trajectories and explained that the Yukon coastline is essentially right on the path of spills that will move westward. The whole field of trajectory modeling is important. He also noted the importance of cooperation between agencies as it effects response time and information sharing. He spoke to the relationship between regulators and industry and raised that at times they have been too close. He is glad to see that the issue of the relationships is a part of the scope of the review process.

The Chair raised that Prince William Sound could be taken as an example of what has been learned with respect to the monitoring. Lindsay pointed to the study by Ewan Cottrell that conceptualized a worse- case scenario to establish the scope and range of liability that could be anticipated. It is a part of the body of literature that NEB should be aware of. Lindsay noted his appreciation of risk assessment methods and models in the scope of the NEB work. It is one thing to calculate risk that may or may not be acceptable for one project, but how do you calculate risk cumulatively across multiple projects?

The Chair discussed cumulative risk and how that would be captured in the broader scope of development in the Beaufort. He noted the use of dispersants as an example of a remedial action compounding the environmental impacts of a spill, as in the case of the Gulf spill. The quality of food that people have access to it may become a real concern over time depending on the type and quantity of dispersants used.

Gaetan thanked Lindsay for his remarks and noted that in the arctic review NEB has been very clear that the Board wants to hear about how to drill safely and how to respond effectively. Inevitably policy issues will arise and they will be passed on to the appropriate parties. Gaetan noted, on the subject of cumulative risk, before a well is permitted there will be a CEAA assessment.

There was a discussion about risk, and the consequence of risk: what is the level of acceptable risk for this project? When and where is that addressed? Do we have the right tool with CEAA to properly undertake a cumulative assessment? If the Council has doubts about this the Board would like to hear it. Under COGOA the Board can do something else.

David Hamilton noted the thematic similarities between what they'd heard from WMAC (NWT), what they'd heard from highschool students, and then again from Danny and Ernest. This arctic review is a learning experience for NEB.

\*\*\*

NEB members and their support staff left the meeting

\*\*\*

Doug found the interaction with the NEB to be especially useful in the format that we met with them. The one-on-one dialogue is more meaningful than filling out a form with comments.

Rob noted that although the NEB is not contemplating a timeline for this process, it seemed like 2012 is a timeframe they have in mind. He questioned whether the CEAA cumulative effects regime is sufficiently robust as to adequately consider cumulative effects on the scale that we could be looking at in the Beaufort.

Ernest noted that considerations about timing of drilling and the window of opportunity for drilling a relief well should be considered. He further noted that the NEB seemed very open to the Council's comments.

Christian appreciated the NEB's consultation approach which is less formal than their normal approach. He stressed the importance of developing effective mitigations in case an accident ever does happen in the Beaufort. He pointed out that although there may be shortcomings with CEAA's cumulative effects assessment, there are few alternatives available to take its place.

Dorothy voiced her uncertainty as to whether or not the right questions are being asked. She talked about long term monitoring plans and the need to assign financial responsibility to companies for clean up and monitoring for years after project completion.

The Chair noted that the timeframe for monitoring and clean up plans could be decades and may require an industry-wide fund.

Danny echoed that he is concerned about what happens when oil gets into the water. He explained that Arctic cod float and stay under the ice. He indicated that they would be vulnerable. He noted that where there is ice there is fish and little shrimp that cod like to eat. That is also why seals are seen by the ice. He has counted up to 21 seals right at the Firth River entrance. There are always seals there because there is always fish. Danny concluded his comments by saying that he is pleased the NEB is going to all the communities.

Ernest noted that no matter what the outcome of the review, there is always risk that something could go wrong out there. The only sure answer to avoid that is to, "not go out there."

Danny noted that discussions should be held at an early stage regarding the transport of offshore oil and gas to shore and beyond. The effects of these actions, such as seafloor pipelines, should also be considered. Pipelines could have an effect of disturbing migrating routes for beluga and fish. Tankers run the risk of spills and accidents.

The Chair spoke to the difference between shallow and deep wells. He explained that there are already about 100 shallow wells in the Beaufort. The disaster in the Gulf was a deep well and if proposals are made for deep wells in the Arctic the Council should be vigilant. The Arctic Council has been doing a lot of work on this. The Committee for Arctic Flora and Fauna has done one major study on offshore development, which produced an environmental sensitivity map as it relates to oil spills.

**Action Item 12-10-08: Secretariat to send a summary to NEB of the studies/documents mentioned in the meeting, a review of the questions list, as well as names of experts that the NEB could be consulting to inform the NEB's review.**

### **K. Arctic Borderlands Ecological Knowledge Society**

The Chair introduced the work that Christine has been doing in assessing monitoring scenarios and the role of ABEKS in response to the September monitoring workshop of IFA organizations. Christine walked the Council through a number of scenarios for proceeding with environmental monitoring in the ISR. She presented a discussion paper that addressed options that arise from the September monitoring workshop.

The four scenarios in the discussion paper presents include variations on the current model of involvement. They include 1) minor revisions to the current model, 2) re-focusing ABEKS efforts on Porcupine Caribou Herd (PCH) only, 3) withdrawing completely from ABEKS and initiate a community ecological monitoring program across the ISR that includes harvest monitoring, 4) PCH-focused ABEKS with minimal IFA-based support + the development of an ISR-wide community-based monitoring program.

The Council discussed funding implications, time commitments, and utility of the data for all of the options and decided on option 2). This option focuses ABEKS participation on the PCH and delays the development of an ISR wide monitoring program until resources and timing are appropriate.

The Chair noted that the FJMC has a large interest in ISR-wide community based monitoring. There are also monitoring commitments under the HMP for Porcupine caribou.

Doug cautioned against turning the potential monitoring exercise into a harvest data collection exercise. He reminded council members that before starting this process we should have our management questions determined or we may be end up in the same situation ABEKS is in.

The Council discussed the ABEKS review of the questionnaire and how to be involved. Danny discussed some of the issues associated with the harvest reporting system in Aklavik. He recommended that we add this to the future Aklavik meeting agenda.

Christian was concerned that initiating a new harvest study as well as a monitoring program option may be too much. It is a tremendous amount of work to put together and do it well.

Doug observed that the information needs of wildlife managers may be different from those at the community level.

Ernest raised the utility of collecting information on plants and insects that we don't have a lot of information about from other monitoring programs.

The Chair summarized that there are three different areas related to monitoring to consider: ABEKS, Harvest reporting, and ecological monitoring. The Council should understand how these are related and how the Council could contribute to them.

He summarized the discussion by observing that the Council may want to stay involved with ABEKS especially as it relates to reviewing the annual survey questionnaire. The Council

decided to proceed with option two, and remain appraised of FJMC's monitoring program as it is developed.

**Action 12-10-09: Send Michael Svoboda a letter outlining the Council decision to pursue option two. Append the options paper on ABEKS.**

The Council recognizes the strong community interest in program, the importance of information for Porcupine harvest management, Parks Canada's use of the information in Ecological Integrity reports etc. Add that we will review the questionnaire and provide feedback about the questions, to better ensure they will be useful for our management purposes.

**Action 12-10-10: Refine and then the circulate paper and outcome of our discussion to other IFA organizations.**

---

Thursday, December 9, 2010

**Lindsay Staples** (Chair) · **Doug Larsen** Yukon Government (Member) · **Rob Florkiewicz** Yukon Government (Observer) · **Christian Bucher** Government of Canada (Member) · **Ernest Pokiak** Inuvialuit Game Council (Member) · **Danny C. Gordon** Inuvialuit Game Council (Member) · **Dorothy Cooley** Yukon Government (Alternate) · **Jennifer Smith** (Secretariat) · **Christine Cleghorn** (Secretariat)

---

9:18 The Chair called the meeting to order. He reviewed the day's agenda and noted that WMAC (NWT) would have representatives coming to our meeting in the afternoon to discuss polar bear issues.

#### **I. Review of Research Proposals**

The Chair reminded the Council about the process and reasoning behind the proposal reviews.

Christian spoke to the proposals submitted by Parks Canada, providing an overview and additional context. Dorothy spoke to YG proposals and put them in the context of YG priorities and previous work that had been supported by the IFA wildlife research funds.

Rob reviewed the Harvest Data Collection – Model Development proposal, submitted by the Yukon Government. Lindsay noted that various groups are collecting assorted forms of harvest data, and that the PCH Implementation plan requires harvest data collection that is rigorous and verifiable. Discussion ensued regarding administration and capacity to undertake this kind of work. Danny inquired about the GRRB study. Lindsay commented that they survey four times per year, that their program is active. Dorothy noted that they run the check station on the Dempster Hwy to collect harvest information. Doug suggested a discussion with the IGC to confirm that they are in agreement with the principle of funds coming from WMAC(NS) going towards this program.



Rob spoke to the proposal on polar bear. Dorothy spoke about the Porcupine Caribou Collar Pick Up project and the other Porcupine Caribou Satellite Program proposals. YG and Ivvavik national park submitted a joint proposal for a muskox survey. The Chair reviewed all the project amounts and requested amounts for the group, and then opened the floor to comments, questions, and observations.

After discussion, the following projects were conditionally approved for the following amounts:

Grizzly Bear Population & Movement on the Yukon North Slope (Lab Analysis)	\$43,000.00
North Slope Polar Bear Studies (collar purchase and distribution flights)	\$30,500.00
Aklavik Harvest Reporting	\$10,000.00
Porcupine Caribou Satellite Program	\$9,000.00
Shed radio-collar recovery project	\$0.00
Herschel Island Ecological Monitoring and Report	\$5,300.00
Grizzly Bear Population & Movement on the Yukon North Slope (Den Survey)	\$40,300.00
Muskox survey	\$16,400.00
Grizzly Bear Population & Movement on the Yukon North Slope (Communications)	\$10,000.00
Borderlands (PC)	\$5,000.00
Insect and bird biodiversity in INP	\$10,000.00
Borderlands (EC)	\$9,000.00
Coastal Ecological Variability Risk Assessment/Management Tool	\$10,000.00
The conditionally approved total for projects was	\$198,500.

Motion

*To accept the projects and recommend funding for the as discussed, pending the decision on polar bear TK funds. The Council views the implementation funds combined (PC, YG, EC) and the recommendations will go to the appropriate manager.*

*Moved: Danny C Gordon*

*Seconded: Doug Larsen*

*Motion carried.*

\*\*\*

Bruce Hanbidge WMAC (NWT) joined the meeting.

\*\*\*

The Chair reviewed a research priorities table outlining research priorities for the next several years and thanked Dorothy for preparing it.

### **J. Financial Report**

Jennifer reviewed the status of the spending to date and anticipated spending until fiscal year end. The Chair advised the Council that it is expected that the Council will meet its budget by March 31<sup>st</sup>. He advised that we look at checking into the budget again in February via teleconference.

### **K. Polar Bear**

Bruce updated the Council on a number of issues:

NWT ISR grizzly bear quota- WMAC (NWT) has sent a recommendation to raise the quota in the four grizzly bear harvesting zones in the ISR NWT to three bears per zone. It was an increase based exclusively on traditional knowledge. Recommendation is made on the provision that as soon as any contemporary science information would indicate a concern the quota number would be revisited immediately. No such studies are contemplated at this time.

Bruce noted that the NWT quotas are not always filled, but when asked by Doug if this meant that more grizzly bears would actually be taken, he stated that the level of harvesters seeking bears has not increased. The push to increase the quota is more rooted in increased problem bears. Ernest noted the frequent grizzly sightings in spring around Tuk.

Polar Bear Traditional Knowledge – the body of data is now collected from the communities, and now they are making determinations about methodology and coding for data analysis.

The sea ice symposium -is set for February 1-3, 2011 in Winnipeg, in concurrence with the polar bear technical committee meeting.

Arctic Ungulate Conference in Yellowknife-, August 22-26, 2011. Traditional Knowledge portion of the conference is being driven by the co-management bodies. Some emphasis will likely be a presentation of formal papers on how to integrate it into the research in a methodologically robust way. There will likely be some formal session on this. WMAC (NS) should be involved in the planning for this since you have done so much TK work in your work.

National Marine Mammal conference- proposed meeting March 21, likely in Ottawa, coordinated by ITK, trying to pull together all of the management agencies dealing with Polar Bears, in preparation for the next CITES conference in 2013. Polar Bear, Walrus, and Narwhal, apparently are all being targeted by the USA for listing in the near future.

\*\*\*

Marsha Branigan, GNWT, arrived

\*\*\*

Marsha provided an overview on other WMAC (NWT) activities.

Polar bear genetics- Evan Richardson, EC, is going to do another genetic study using a different methodology to look at the polar bear populations in Canada. WMAC NWT has indicated their support for the re-use of samples taken in 1999 from bears in NWT.

Inuvialuit and Inupiat recommendations- The WMAC at the last meeting tasked Jennifer L. and Marsha try to develop a workplan to address the recommendations. There is a table that has each recommendation and what is being considered for action, who has the lead, and a timeline on it. It's draft at this point and has been circulated between Marsha, Jennifer and Evan. It has gone over to Alaska for review.

Boundary change – Marsha explained the rationale and options regarding the Southern Beaufort / Northern Beaufort boundary location. It looks like it may be right at Tuk. This is just an option at this point. This is at 50/50 mark. The US said they would do a re-analysis for us but only on one option. The draft paper that came back was very technical, a plain language summary on it was developed. Changing the boundary between north and south Beaufort probably means that 311 bears from the south Beaufort will now be part of the northern Beaufort population.

Marsha took the group through the draft table of recommendations and actions. She invited WMAC (NS) to be part of any or all of the recommended actions. Lindsay observed that the climate change related recommendations will be more and more important.

Marsha presented the presentation that will go to the communities regarding the boundary change. WMAC NWT is bringing the I-I Southern Beaufort Quota Recommendation to the communities for consultation, then taking a recommendation back to the IGC.

Marsha noted that there has been no harvest in the Yukon in the last 10 years. Most of the harvesting is happening on the sea ice. She also pointed out that it is getting harder and harder for people to go out and harvest. Ernest noted that the ice conditions to the west are tougher than to the east of Tuk. Ernest noted that there has been a lot of research on polar bears and recommended leaving the bears alone for three to five years.

**Action12-10-12: WMAC (NS) to write a letter to WMAC (NWT) following up on the polar bear quota discussion presented by Marsha B.**

\*\*\*

Marsha Branigan and Bruce Hanbidge left the meeting 3:20pm

\*\*\*

Council members discussed Marsha's presentation and spoke to the wealth of information in it. The South Beaufort population trend was discussed as well as the harvest of 4.5%. Members discussed factors to consider, such as the population decreasing and the sea ice is changing when looking at the harvest rate. There is likely a need in the future to discuss this. The 4.5% harvest rate is based on data from the 1980s, and at the I&I meeting in Tuk this summer there was discussion about different rates. At some point the Council will be required make a

recommendation to the Minister on this matter. The Council considered involvement in the IGC and WMAC (NWT) community presentations.

### **L. Upcoming Meetings**

\*\*\*

Lindsay and Rob left the meeting to attend the IGC meeting

\*\*\*

Ernest assumed chairing the Meeting.

The remaining Council members discussed upcoming meetings.

IPY results conferences in Whitehorse and Inuvik were discussed. Members decided that the Sea Ice Symposium in Winnipeg should be attended as well as research day.

The PCMB 1st Annual Harvest Meeting in Inuvik was discussed and is an important meeting for Ernest and Danny to put in their calendars.

The Council decided to create newsletter from polar bear summary that Jennifer provided.

### **M. Adjournment**

Ernest adjourned the meeting at 4:06pm.

#### Motion

To adjourn the meeting

Moved by: *Doug Larson*

Seconded: *Danny C. Gordon*

*Motion carried.*