

Conference of Management Authorities (CMA)

Meeting Minutes – January 14-15, 2014

Janvier Room, Explorer Hotel, Yellowknife, NT

DAY 1 - MORNING

9:00 am – Meeting Call to Order

In attendance:	Representative for:
Grant Pryznyk	Wek'èezhii Renewable Resources Board, CMA Chairperson
John McCullum	Wek'èezhii Renewable Resources Board
Jack Bird	Environment and Natural Resources, GNWT
Lynda Yonge	Environment and Natural Resources, GNWT
Stephen Charlie	Environment and Natural Resources, GNWT (by phone)
Joanna Wilson	Environment and Natural Resources, GNWT – resource person
Marjorie Matheson-Maund	Tłjchq Government
Michael Neyelle	Sahtú Renewable Resources Board
Deborah Simmons	Sahtú Renewable Resources Board
Rob Gau	Wildlife Management Advisory Council (NWT)
Larry Carpenter	Wildlife Management Advisory Council (NWT)
James Malone	Wildlife Management Advisory Council (NWT) – resource person
Amy Amos	Gwich'in Renewable Resources Board, Alternate Chairperson
Natalka Melnycky	Gwich'in Renewable Resources Board - resource person
Eugene Pascal	Gwich'in Renewable Resources Board
Jozef Carnogursky	Gwich'in Renewable Resources Board
Don Aubrey	Parks Canada - Government of Canada (by phone)
Matt Hoover	North Slave Métis Alliance - Observer
Arthur Beck	Northwest Territory Métis Nation (by phone)
Alex Fanni	Acho Dene Koe First Nation
Alastair Bath	Facilitator - Observer
Claire Singer	Species at Risk Secretariat
Kendra McGreish	Species at Risk Secretariat

ADMINISTRATIVE MATTERS (9:00 AM-12:00 PM)

1. Opening prayer - *led by Michael Neyelle*
2. Introductions - *led by Grant Pryznyk, Chairperson*
3. Agenda – *led by Grant Pryznyk, Chairperson*
Review of draft agenda

#D2014011401: Consensus to approve draft agenda without any changes.

4. Minutes from last CMA meeting – *led by Grant Pryznyk, Chairperson*
Review of draft minutes from December 13, 2013.
 - Change term 'co-chair' to 'alternate chairperson' in accordance with the Rules of Conduct
 - Review of action items, pg. 3, #A2013100810 – change 'future' to 'further'
 - Page numbers should be added to both the minutes and the meeting binders.

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#A2014011401: Secretariat to add page numbers to December minutes, all future meeting minutes, and meeting binder; change 'future' to further' in December minutes; and change 'co-chair' to 'alternate chairperson' in meeting minutes.

#D2014011402: Consensus to approve December 13, 2013 minutes with changes discussed above.

5. Review of action items – *led by Claire Singer, Secretariat*
Review of outstanding action items, updates on progress, and re-evaluation of action items if necessary.

- Action #2013100807 (grizzly bear report) should be changed to say that CMA members can make a request to review the draft report if they'd like to see it now or can wait for its official release to see it (rather than just noting that it's an outstanding action).

#A2014011402: Secretariat to change wording of #A2013100807 from 'outstanding' to say that CMA members can make a request to review the draft report until such a time as the report is finalized and publicly circulated.

6. CMA work plan – *led by Claire Singer, Secretariat*
Review of updated CMA work plan.

- Deadline for completion and submission of consensus agreements on listing Dolphin and Union Caribou and Northern Leopard Frog is December 20, 2014.
- CMA only has one more face-to-face meeting scheduled for 2014 and that will take place in June. This may not be ideal given the need to sign consensus agreements on listing Dolphin and Union Caribou and Northern Leopard Frog. For the time being, the current meeting schedule will be left as is; however, the Management Authorities will notify the Secretariat of any need to move the June meeting or have an additional meeting once they have a clearer idea of their consultation and engagement schedules.
- Secretariat is working on scheduling a workshop on the Assessment Process and Objective Biological Criteria in June 2014. A SARC member will likely deliver the workshop.

#A2014011403: Secretariat to add line to the CMA work plan under management and recovery that references the work required from management authorities to provide information for development of the management plans and recovery strategies.

7. CMA decisions made since last meeting – *led by Claire Singer, Secretariat*
Review of decisions made since the December 2013 conference call.

- Content for letters of invitation to North Slave Métis Alliance (NSMA) and Salt River First Nation (SRFN) approved by Chair/alternate chair.

8. CMA letters sent and received since last meeting – *led by Claire Singer, Secretariat*
Listing of letters sent and received by the CMA since the December 13, 2013 meeting.

- No letters received.
- Three letters sent.
 - Invitation to the NSMA,

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- Invitation to the SRFN, and
- Letter to Minister of Environment and Natural Resources regarding NSMA participation request.

9. Media tracking – led by Claire Singer, Secretariat

Report on media occurrences related to the consensus agreements on listing boreal caribou, Peary caribou, polar bear, and hairy braya.

#A2014011404: Secretariat to create table with media requests and items for next media tracking review.

10. Updates from Management Authorities – led by Grant Pryzyk, Chairperson

Update on activities since December 2013 from each Management Authority as well as observing/participating organizations.

GNWT

- No changes to representatives.
- Minister has received the consensus agreements for listing (boreal caribou, Peary caribou, polar bear, hairy braya) and the GNWT anticipates posting the listing decision in the NWT Gazette by the end of February. An information item will need to be submitted to the Executive Council prior to the Gazette posting.
- Work on boreal caribou range planning under federal recovery strategy has started although they are still relatively high-level discussions at this point. Management Authorities can expect to start seeing discussion drafts fairly soon.

Government of Canada

- No updates.

Tłı̄chǝ Government

- No updates.

Wildlife Management Advisory Council (NWT) (WMAc(NWT))

- No updates.

Gwich'in Renewable Resources Board (GRRB)

- No changes to representatives.
- Jozef Carnogursky is not new to the GRRB but is new to the CMA, and is expected to sit in more frequently on CMA meetings.
- Upcoming board meeting February 18-20, 2014.

Sahtú Renewable Resources Board (SRRB)

- No changes to representatives.
- Held a meeting in Tulít'a in order to form an environmental research monitoring working group. The working group has representation from RRCs, ENR, and Cumulative Impact Monitoring Program. Trying to develop ways to deal with development proposals.
- There is a board meeting next week and then the board will meet in Délı̄nǝ with the RRCs (February 11-12, 2014).

Wek'èezhii Renewable Resources Board (WRRB)

- No updates.

Acho Dene Koe First Nation

- Have begun preliminary task of choosing settlement lands.

North Slave Métis Alliance

- First time at the CMA - no updates.

Northwest Territory Métis Nation

- No updates.

11. Secretariat budget – led by Lynda Yonge, ENR

Discussion regarding budget limitations and reminders of fiscal year end requirements

- Fiscal year end is at the end of March.
- Contribution agreements are built with payment installations. In order to get the next payment, financial reporting has to be submitted for expenditures associated with the first payment.
- Contribution agreements provide funding for travel, accommodation, per diems and, if you're not otherwise receiving salary for your time at the CMA, honoraria.
- Please be aware that the Finance department becomes very busy at year-end. The sooner you can submit your financial reporting, the better.
- There is not much money left in the budget for extra expenditures.
- Partnership funding is a potential path. Aboriginal organizations are often eligible for funding that governments are not.

12. Chair/Alternate Chair nomination committee – led by Rob Gau, Chair/Alternate Chair nomination committee

Update on progress of Chair and Alternate Chair nominations.

- All Management Authorities have been contacted directly to solicit nominations.
- Amy Amos has agreed to remain on as Alternate Chair for a full term, beginning in June.
- Grant Pryznyk has expressed interest in stepping down as Chair, but is willing to stay on in that position until a replacement has been found.
- Jody Snortland-Pellissey is willing to assume Chair duties when she returns from leave in August.
- The issue of whether the Chair/Alternate Chair should be either a board member or Management Authority staff was raised for discussion.
- It was noted that the CMA member is not an individual, but rather an organization (e.g., the GNWT is the member, not Lynda). Anyone that attends CMA meetings could be the Chair/Alternate Chair since it's up to the organization to send who they think is most fit to represent them.
- CMA members at the meeting generally seemed comfortable with the Chair/Alternate Chair being either a board member or a staff member of the Management Authority.
- Because Jody won't be able to assume Chair duties until August, Grant will stay on as Chair until June 2014 (the end of his term) and then Amy (Alternate Chair) will act as Chair until Jody is able to assume those duties.

#D2014011403: Grant and Amy will complete their terms as Chair and interim Alternate Chair until June 2014. After the June 2014 meeting, Jody and Amy will start new terms as Chair and Alternate Chair. Amy will act as Chair until Jody returns to work in August 2014.

13. Next steps and action items – *led by Grant Pryznyk, Chairperson*
Review of action items and next steps.

- Next meeting will be held June 11-12, 2014 instead of June 3-4, 2014.

#A2014011405: Secretariat to add discussion of future years' meeting schedule to the June 2014 meeting agenda. Bring forward list of places the meetings have occurred in the past.

14. In-camera session – *led by Grant Pryznyk, Chairperson*

- No notes recorded in in-camera session. Action items arising from discussion are as below.

#A2014011406: Secretariat to create standing observer invitation for the NSMA to attend meetings that involve boreal caribou through to March 31st, 2016. If the NSMA wishes to participate in a meeting that does not involve boreal caribou, but does involve another species they are interested in they are welcome to request an invitation. Secretariat to provide the NSMA with meeting materials for each meeting once they have been finalized.

#D2014011404: Secretariat will not keep a record of in-camera session discussions but will keep a record of action and decision items.

LEARNING SESSION, ROLES AND RESPONSIBILITIES (1:00PM-5:00PM)

15. Half-day learning session – *led by Dr. Alastair Bath*
Roles and responsibilities workshop – follow-up from the previous workshop on human dimensions in resource and environmental management.

- No notes included here. Report by facilitator will be circulated to CMA upon its completion.

#A2014011407: Secretariat to add discussion about how to move forward and next steps to the June meeting agenda.

DAY 2 - MORNING

8:30 am – Meeting Call to Order

LEARNING SESSION, RECOVERY GOALS AND OBJECTIVES (8:30AM-12:30PM)

16. Half-day learning session – *led by Dr. Alastair Bath*
Workshop on setting recovery goals and objectives using boreal caribou as an example.

- No notes included here. Report by facilitator will be circulated to CMA upon its completion.

#D2014011501: Regarding the path forward for the development of an NWT boreal caribou recovery strategy, consensus to use a combination of three approaches: (1) drafting the plan or portions of the plan, (2) workshops together to come up with recovery objectives and approaches, (3) reviewing drafts produced by ENR.

#A2014011501: ENR to circulate results of consultations on NWT Action Plan for Boreal Caribou and federal Recovery Strategy for Boreal Caribou to Management Authorities in sufficient time to allow Management Authorities to review the results of consultation prior to the June 2014 CMA meeting.

#A2014011502: Management Authorities to come prepared to June 2014 meeting having read the Assessment Report and Species Status Report for Boreal Caribou in the NWT (the SARC document), NWT Action Plan for Boreal Caribou, the results of consultation on the development of the NWT Action Plan for Boreal Caribou, the federal Recovery Strategy for Boreal Caribou, and the results of consultation on the development of the federal Recovery Strategy for Boreal Caribou.

#A2014011503: Secretariat to include in June 2014 agenda discussion on goals, objectives and actions towards the development of a recovery strategy for boreal caribou in the NWT.

MANAGEMENT/RECOVERY PLANNING: POLAR BEAR, PEARY CARIBOU, HAIRY BRAYA (1:30-3:00 PM) – MANAGEMENT AUTHORITIES: WMAC(NWT) AND GNWT

Observers: Alastair Bath & Arthur Beck.

17. Selection of Ad-hoc Chair – *consensus by Management Authorities*
Selection of Ad-hoc Chair for discussion of three species.

#D2014011502: Consensus for Rob Gau to be Ad-hoc Chair.

18. Management plan for polar bear – *led by Rob Gau, Ad-hoc Chair*
Updates from Management Authorities.

- WMAC(NWT) discussed potential next steps in the development of this management plan at their December 2013 meeting. They would be receptive to ENR pulling the material together, largely drawn from existing material.
- WMAC(NWT) and GNWT both agree that ENR staff (Joanna Wilson and Marsha Branigan) will develop first draft of management plan.
- It was noted that the federal recovery strategy and the NWT's management plan should largely be the same document, although most of the details will appear in the NWT's plan. Not sure what stage the federal government is at in the development of their plan though. Given that the federal recovery strategy is scheduled to be developed first, it would be good to start progress on NWT plan.
- Aiming for a rough draft for discussion by spring 2014.
- To make it work for both the federal and territorial documents, the plan should be developed for the whole Inuvialuit Settlement Region, including the Yukon, rather than focusing just on the polar bears within the NWT. WMAC(NWT), after getting a rough draft, could approach WMAC (North Slope) to bring them into the fold. Lynda Yonge will speak with Don Lindsay (Yukon) to brief him about the process as well.
- Thoughts on a consultation plan will be discussed by WMAC(NWT) at their March meeting.

#D2014011503: Consensus to have ENR staff develop draft one of a management plan for polar bear in the NWT.

#A2014011504: WMAC(NWT) to add a discussion about the consultation plan on polar bear management to their March 2014 meeting agenda.

#A2014011505: GNWT to develop draft one of polar bear management plan for spring 2014.

19. Recovery strategy for Peary caribou – *led by Rob Gau, Ad-hoc Chairperson*
Updates from Management Authorities.

- WMAC(NWT) – Desire to lean on existing federal processes (dovetail) as much as possible since they seem quite far along.
- GNWT - Anticipating a first draft of the federal strategy in March 2014. Even though it's likely the federal process will proceed behind schedule, given the level of engagement on the federal initiative, it still seems like a good opportunity to dovetail with.
 - It doesn't make sense to duplicate the federal government's work.
 - If it looks like the federal government's progress will be significantly delayed, then we could revisit our decision to dovetail. The federal government plan will need to be revised at any rate since their work includes Nunavut and focuses heavily on critical habitat.
 - Suggestion to ask Canada to provide an update on their progress at the CMA's June meeting. Lynda Yonge will contact federal steering committee to request a briefing. If an update at the CMA meeting isn't possible, then perhaps a tri-party meeting can be arranged (Canada, GNWT, WMAC(NWT)).

#D2014011504: Consensus to dovetail on existing federal processes in the development of a recovery strategy for Peary caribou in the NWT.

#A2014011506: ENR will contact federal Peary caribou steering committee to request a briefing on the progress of the national Peary caribou recovery strategy. Briefing could take place either at the June 2014 CMA meeting or in a tri-party meeting (Canada, GNWT and WMAC(NWT)) at another time.

- Agreed that records management for the development of the polar bear management plan, Peary caribou recovery strategy and hairy braya recovery strategy is essential. Records, including drafts, correspondence and, if desired, consultation records, will be housed in the Secretariat.

#A2014011507: Secretariat to create files for the management and retention of records associated with the development of the polar bear management plan, Peary caribou recovery strategy and hairy braya recovery strategy.

20. Recovery strategy for hairy braya – *led by Rob Gau, Ad-hoc Chairperson*
Updates from Management Authorities.

- Appears as though there would be a solid basis to build on the recovery strategies of similar endemic plants to other regions.
- WMAC(NWT) supports ENR taking the lead in drafting this report. Both WMAC(NWT) and the GNWT anticipate it being a relatively quick drafting process.
- What about potential coordination with the federal government? Although hairy braya isn't listed federally yet, its assessment is complete and it's reasonable to assume that the federal government will be looking into the development of a recovery strategy soon. It is likely that the federal government may choose to adopt the CMA's recovery strategy. The biggest consideration for the federal government will likely be the identification of critical habitat. This isn't necessary in

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the NWT's recovery strategy, but there's nothing saying that the CMA couldn't identify critical habitat in its strategy either.

#D2014011505: Consensus to have ENR staff develop first draft of a recovery strategy for hairy braya in the NWT.

#A201401508: GNWT to develop draft one of recovery strategy for hairy braya in the NWT.

PREPARATION FOR CONSENSUS AGREEMENT ON LISTING: DOLPHIN AND UNION CARIBOU (3:00-4:00 PM) – MANAGEMENT AUTHORITIES: WMAC(NWT) AND GNWT

Observers: Alastair Bath, Suzanne Carrière.

Participating Guest: Paul Latour.

21. Selection of Ad-hoc Chair – *led by Claire Singer, Secretariat*

#D2014011506: Consensus for Rob Gau to be Ad-hoc Chair for discussion of Dolphin and Union caribou.

22. Initial discussion of Dolphin and Union caribou assessment – *led by Paul Latour, SARC*

Overview of the assessment by SARC.

- For a few years they stopped crossing between Victoria Island and the mainland because their numbers got low?
 - Yes, in the early 20th century. They resumed crossing later in the 20th century.
 - If they naturally stop crossing at low densities, it could provide evidence to support development applications. Although that may not then allow the population to increase since it seems when the population is higher, they resume crossing.
- Not a good continuous string of evidence and studies for population numbers but suggestion that the population could be in decline. Not comfortable enough with information for Threatened, but there was definitely felt to be enough information that an assessment of 'not at risk' was not appropriate.
- How tied to harvest might that decline be? It appears as though no one is sure how strong that relationship might be. There's the potential that it could be mostly harvest-based, but no one's sure.
 - If that harvest was decreased, how serious would the concerns be? A 7-11% harvest rate is very high, but it is something that's relatively easy to manage. Although it's important to note that most of that harvest is in Nunavut, rather than within the NWT. Also, the accuracy of the harvest estimate is questionable.
 - WMAC(NWT) did send a letter to Nunavut about harvest levels. Nunavut did seem willing to work with WMAC(NWT), but the process hasn't gone any further than that to date.

23. Conservation measures for Dolphin and Union caribou – *led by Rob Gau, Ad-Hoc Chairperson*
Discussion on whether conservation measures are needed now for Dolphin and Union caribou.

#A2014011509: WMAC(NWT) to consider resuming board-to-board (with Nunavut) communications regarding harvest levels of Dolphin and Union caribou at their March council meeting.

24. Actions to prepare for a decision on listing Dolphin and Union caribou – *led by Rob Gau, Ad-hoc Chairperson*

Discussion of actions needed to prepare for listing.

- Both WMAC(NWT) and the GNWT will use a similar approach as last year. Requested that Secretariat provide the tracking sheet to them for completion.
 - Anticipate meeting in October 2014 to develop consensus agreement on listing.
 - GNWT will target Executive Council submission item for September 18, 2014.
 - Deadline for the completion and submission of consensus agreement on listing is December 20, 2014.
- Improvements to the process (lessons learned from the development of consensus agreements on listing last year).
 - Everyone should ask the same questions during consultation and engagement. Some of last year's questions weren't that helpful. The questions should be structured to encourage respondents to provide more detail and rationale in their responses, rather than simple yes or no answers. Some questions that might be helpful include:
 - Would the listing have negative impacts? If so, what (e.g., socioeconomic)?
 - Do you think the status assessment is correct? If not, why?
 - Is there new or missing information that hasn't been considered? Can you provide it to us? Can you tell us where to find it?
 - If proposing a status other than SARC's, provide reasons.
 - Would this listing have any negative impacts on your Aboriginal treaty rights? In what respect?

#A2014011510: Secretariat to provide GNWT and WMAC(NWT) with template for actions on listing decision. GNWT and WMAC(NWT) to complete template and return to the Secretariat.

#A2014011511: Secretariat to draft consultation and engagement questions for the listing of Dolphin and Union caribou and Northern Leopard Frog.

#A2014011512: Secretariat to ensure that fact sheets for Dolphin and Union caribou and Northern Leopard Frog include specific consultation questions and a clear link to the full status report.

25. Materials needed for Dolphin and Union caribou consultation and engagement – *led by Rob Gau, Ad-hoc Chairperson*

Identified materials that are needed to help Management Authorities carry out their engagement and consultation on listing.

- The same materials as last year (fact sheets, flow chart, template PowerPoint presentation, template letters for distribution) were requested, including the amendments to the fact sheet noted above.

#A2014011513: Secretariat to draft materials needed for consultation on listing Dolphin and Union caribou (fact sheet, flow chart, template PowerPoint presentation, template letters for distribution, and questions for consultation).

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26. Requests for clarification on Dolphin and Union caribou species status report and assessment report – led by Rob Gau, Ad-hoc Chairperson
Deadline for Management Authorities to request written clarification from SARC on the assessment, reasons for assessment, or status report for Dolphin and Union caribou is February 18, 2014.

- No requests for clarification identified at this time.

PREPARATION FOR CONSENSUS AGREEMENT ON LISTING: NORTHERN LEOPARD FROG (4:00-5:00 PM) – MANAGEMENT AUTHORITIES: GNWT

Observers: Dr. Alistair Bath, Paul Latour, Rob Gau, James Malone
Guest presenter: Dr. Suzanne Carrière

27. Selection of Ad-hoc Chair – led by Claire Singer, Secretariat
Selection of Ad-hoc Chair for discussion of Northern Leopard Frog.

#D2014011507: Consensus for Lynda Yonge to be Ad-hoc Chair for Northern Leopard Frog discussion.

28. Initial discussion of Northern Leopard Frog assessment – led by Suzanne Carrière, SARC
Overview of the assessment by SARC.

- Remember that NWT Northern Leopard Frogs are surviving on Shield Country, which is not the same as what the southern populations are doing. So they're a bit special in that respect.
- In criterion (b), how did SARC figure in the change in range, population size or habitat?
 - Evidence that the range has contracted (between historic and current populations). This likely means a decline in the population. It could mean a decline in quality of habitat as well.
- Was Search Effort in this historic range sufficient to tell SARC that the frogs were no longer there?
 - Recent surveys suggest they're not by the Slave River now. This is a significant portion of their historic range.
 - The species is also disjunct from southern populations making rescue effect virtually impossible.
- The report itself and the technical summaries don't make it look like there's much evidence for a listing of Threatened. There appears to be a lot of information gaps. The species is at the extreme northern limit of its range as it is. Conducting consultation on listing with what appears to be very sparse evidence is difficult. This is a caution for precedence-setting; we need to be careful about hurting the CMA (and SARC's) credibility.
 - What about the precautionary principle, which states that 'where there are threats of serious or irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation'?
 - The report just doesn't clearly support an assessment of Threatened. It doesn't convey a sense of urgency. It may be necessary to ask SARC to provide further reasoning for the assessment of Threatened.
 - Can the CMA not request changes to the report after it's been completed?
 - No. The CMA can request clarification for a 60 day period after the assessment has been submitted, but it cannot change the content of the report.

#A2014011514: Management Authority for Northern Leopard Frog (GNWT) to request clarification of SARC reasons for assessing Northern Leopard Frog as Threatened prior to February 18, 2014 deadline for 60-day clarification period.

#A2014011515: IUCN criteria provided to the CMA in future with submission of assessment report to help with clarification on SARC reasons for listing.

29. Conservation measures for Northern Leopard Frog – *led by Lynda Yonge, Ad-hoc Chairperson*
Discussion on whether conservation measures are needed now for NLF.

- No conservation actions required now.

30. Actions to prepare for a decision on listing Northern Leopard Frog – *led by Lynda Yonge, Ad-hoc Chairperson*
Discussion of actions needed to prepare for listing.

- GNWT will take similar approach to last year. Secretariat will provide them with template for actions from last year to complete and return to the Secretariat.

#A2014011516: Secretariat to provide GNWT with template for actions on listing Northern Leopard Frog. GNWT to complete template and return to the Secretariat.

31. Materials needed for Northern Leopard Frog – *led by Lynda Yonge, Ad-hoc Chairperson*
Identify materials that are needed to help Management Authorities carry out their engagement and consultation on listing.

- The same materials as discussed previously for Dolphin and Union caribou will also be used for Northern Leopard Frog.

#A2014011517: Secretariat to draft materials needed for consultation on listing Northern Leopard Frog (fact sheet, flow chart, template PowerPoint presentation, template letters for distribution, and questions for consultation).

32. Requests for clarification on Northern Leopard Frog – *led by Lynda Yonge, Ad-hoc Chairperson*
Deadline for Management Authorities to request written clarification from SARC on the assessment, reasons for assessment, or status report of Northern Leopard Frog.

- As discussed previously, the Management Authority (GNWT) will request clarification on reasons for assessment prior to February 18, 2014 (the deadline for the 60-day clarification period).