



## Beverly and Qamanirjuaq Caribou Management Board

3 June 2021

Director General, Assessment and Regulatory Affairs  
Canadian Wildlife Service  
Environment and Climate Change Canada  
351 St. Joseph Blvd  
Gatineau, QC K1A 0H3

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### BQCMB Support for Proposed Federal “Threatened” Listing of Barren-ground Caribou

I am writing to provide input from the Beverly and Qamanirjuaq Caribou Management Board (BQCMB or Board) about the proposal from Environment and Climate Change Canada (ECCC) to list barren-ground caribou as a “Threatened” species under the federal *Species at Risk Act* (SARA). I am pleased to report that at the May 11-13, 2021 meeting of the BQCMB, the Board passed the following motion:

*“That the Board support designating barren-ground caribou as a Threatened species in Canada.”*

This letter follows two previous submissions to the Species at Risk Public Registry by the BQCMB, in January and October 2019, which provided questions from board members about the listing proposal. We had indicated that we would comment more fully when the Board was able to develop a position on the proposal, but that would first require a response to our questions and concerns to reduce uncertainty about the implications of the listing proposal. The BQCMB received written responses to our questions from ECCC’s Canadian Wildlife Service (CWS) on November 4, 2020 and our spring 2021 meeting was the first opportunity for board members to discuss them.

The BQCMB’s understanding of the federal listing proposal for barren-ground caribou in Canada, and our ability to develop a position about the proposal, is based primarily on the information provided by CWS staff over the last three years (see Attachment). We appreciate the efforts that staff from both the Northern and Prairie regions of CWS have made to respond to the BQCMB’s many questions and concerns. Written responses received in November 2020 to two of the BQCMB’s key questions about the implications of listing for Indigenous harvesting rights (see Attachment) were particularly important to the Board’s decision to support the listing proposal. It should be noted that the Board’s decision is in part based on ECCC’s assurance that the listing would not infringe on Indigenous harvesting rights and that there would be a legal Duty to Consult if any infringement of harvest rights is contemplated in the future. Our expectation is that full and meaningful consultation would be undertaken if this situation occurs.

**BQCMB Secretariat:** Box 629, Stonewall MB R0C 2Z0

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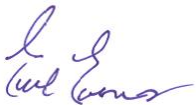
The BQCMB requests that if barren-ground caribou are listed as “Threatened”, a clear timeline and next steps for the process will be communicated to all relevant parties as soon as possible, and that ECCC honour the requirement to post a recovery strategy for public review and comment on the Species at Risk Public Registry within two years of listing.

The Board would welcome the opportunity to work on recovery planning with other regional wildlife boards, communities, and Indigenous organizations in the range of barren-ground caribou, as well as with all public governments with mandates for conservation and management of the species. We would expect the recovery strategy to incorporate Indigenous Knowledge and to focus on outlining measures required to reduce threats to barren-ground caribou and their habitat, identifying critical habitat, and developing stewardship and education objectives. We would also expect it to establish a time frame for developing action plans for implementing the strategy.

We would encourage ECCC to incorporate and support implementation of existing caribou conservation plans and strategies as much as possible during recovery planning to take advantage of substantive co-management planning efforts and to facilitate taking action to support caribou recovery as soon as possible. Plans and strategies relevant to Beverly and Qamanirjuaq caribou and their habitat include the Beverly and Qamanirjuaq Caribou Management Plan, the Recovery Strategy for Barren-ground Caribou in the NWT, the Draft Nunavut Caribou Strategy Framework, and the Nunavut Land Use Plan. In addition, we would ask that you also integrate Indigenous community protocols, management plans and stewardship frameworks that exist in communities around the caribou range. These are rich with knowledge and strategies and will ensure a balanced approach with the inclusion of Indigenous Knowledge.

The BQCMB appreciates the opportunity to take part in discussions about the federal listing proposal and looks forward to participating in the recovery planning process, should the listing go ahead. If you have any questions about the comments provided in this letter, please contact Ross Thompson, BQCMB Executive Director ([rossthompson@mymts.net](mailto:rossthompson@mymts.net)).

Sincerely,



Earl Evans  
BQCMB Chair

cc.

Athabasca Denesuline Né Né Land Corporation (SK)  
Kivalliq Wildlife Board (NU)  
Lutsel K'e Dene First Nation (NWT)  
Northlands Denesuline First Nation (MB)  
Northwest Territory Métis Nation  
Sayisi Dene First Nation (MB)  
Government of Northwest Territories, Environment and Natural Resources  
Government of Nunavut, Department of Environment  
Manitoba Agriculture and Resource Development  
Saskatchewan Ministry of Environment  
Northwest Territories Conference of Management Authorities  
Nunavut Wildlife Management Board

**Attachment. Information sources considered by the BQCMB regarding proposed listing of barren-ground caribou in Canada under the federal SARA.**

- 1) The consultation document that was widely circulated by ECCC in February 2018: “Consultation on Amending the List of Species under the Species At Risk Act - Terrestrial Species - January 2018”.
- 2) Two in-person presentations by CWS staff to BQCMB board meetings in May 2018 and May 2019, with staff in attendance from both Northern and Prairie regional offices of CWS.
- 3) Two update presentations provided for BQCMB staff to present on behalf of CWS to the Board at its November 2018 and November 2019 meetings.
- 4) The extensive (19-page) written response received by the BQCMB from CWS Northern Region on November 4, 2020 to BQCMB questions submitted to the Species at Risk Public Registry in January and October 2019, and an update submitted directly to CWS Northern and Prairie region staff in December 2019.

Key BQCMB questions and ECCC responses regarding the implications of listing, excerpted from ECCC’s written response received in November 2020:

BQCMB Question:

What are the implications of listing under SARA for harvesting opportunities and rights?

ECCC Response:

*Indigenous harvesting:*

*No infringement of existing aboriginal or treaty rights-based harvest by SARA is contemplated at this time. If any infringement of harvest rights were contemplated in the future, the Crown would have to first satisfy a legal Duty to Consult to explore ways to avoid or limit any infringements. As well as follow, existing processes i.e. NWMB as an example in Nunavut.*

BQCMB Question:

What impact would listing have on caribou harvesting in the following areas located on Beverly and Qamanirjuaq caribou range in Saskatchewan and Manitoba:

B. First Nation reserve lands

ECCC Response:

*SARA’s General Prohibitions on killing, harming, harassing, possession, etc. (sections 32 and 33) would take effect automatically on federal land once SARA-listed, as described in the ECCC response to BQCMB’s General question # 2 above, including on Indian Reserves in the provinces. However, the Act would not abrogate or derogate from existing aboriginal or treaty rights as affirmed under s35 of the Constitution; therefore, if rights affirmed under s35 of the Constitution were being exercised on Indian Reserves in the provinces, then these rights would not be automatically affected by SARA’s General Prohibitions. If any infringement of existing aboriginal or treaty rights-based harvest were contemplated in the future, the Crown would have to first satisfy a legal Duty to Consult to explore ways to avoid or limit any infringements.*

**Archived:** November 3, 2021 4:11:54 PM

**From:** [Svoboda, Michael \(EC\)](#)

**Sent:** May 1, 2019 9:46:56 AM

**To:** [Roberts, Hayley \(EC\)](#); [Tufts, Teresa \(EC\)](#)

**Subject:** FW: Request for GN position on proposed listing of Barren-ground Caribou

**Response requested:** No

**Sensitivity:** Normal

**Attachments:**

[BGCA\\_DecisionRequestLetter\\_GN\\_20190225.pdf](#) 

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For your records

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**From:** Gissing, Drikus <DGissing@GOV.NU.CA>

**Sent:** March 15, 2019 2:41 PM

**To:** Christian Bertelsen (bertelsenc@icloud.com) <bertelsenc@icloud.com>

**Cc:** Svoboda, Michael (EC) <michael.svoboda@canada.ca>; England, Kate <KEngland@GOV.NU.CA>; Smith, Caryn <CSmith@GOV.NU.CA>; SAR-NT/ LEP-NT (EC) <ec.sarnt-lepnt.ec@canada.ca>

**Subject:** FW: Request for GN position on proposed listing of Barren-ground Caribou

Dear Christian

The Government of Nunavut does not support the listing of Barren-ground caribou as Threatened under the Federal Species at Risk Act for the following reasons:

- Caribou populations are cyclical, and many herds are known to be at, or near, the low point in their cycles. Just because a population may be at a low point in a population cycle does not mean it is at risk.
- Potential threats to caribou populations include harvesting, habitat loss, and climate change. However the COSEWIC assessment does not present evidence that these potential threats are the cause of the decline in population size.
- Existing legal and other management tools and initiatives in Nunavut can adequately address the declines and recovery of the Barren-ground caribou herds. For example, the GN has enacted Total Allowable Harvests as a management tool for the Baffin Island, Bluenose East, Bathurst, and Southampton Island caribou herds. Similar measures can be put into place for the other Barren-ground caribou herds in Nunavut.

Please feel free to contact me if you need any additional information.

Regards  
Drikus

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**From:** SAR-NT/ LEP-NT (EC) [<mailto:ec.sarnt-lepnt.ec@canada.ca>]

**Sent:** March 1, 2019 2:05 PM

**To:** Gissing, Drikus  
**Cc:** Svoboda, Michael (EC); Bertelsen, Christian (EC)  
**Subject:** Request for GN position on proposed listing of Barren-ground Caribou

Dear Mr. Gissing,

Please find correspondence attached regarding a request for the Government of Nunavut's position and comments on the proposed listing of Barren-ground Caribou as a threatened species under the federal *Species at Risk Act*.

Thank-you,

Dawn Andrews

Species at Risk Biologist, Canadian Wildlife Service  
Environment and Climate Change Canada / Government of Canada  
[dawn.andrews@canada.ca](mailto:dawn.andrews@canada.ca) / Tel: 867-669-4767

Biologiste des espèces en péril, Service canadien de la faune  
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Pamela Wong, KRWB



Environment and  
Climate Change Canada

Environnement et  
Changement climatique Canada

### Do you have any additional comments?

Some points to consider:

- How do Barren-ground Caribou benefit you or the environment? (this can include economic, cultural, spiritual, and environmental benefits)
- Do any of your current or planned activities have the potential to kill, harm or harass Barren-ground Caribou?
- What are you currently doing or what could you do to avoid killing, harming or harassing Barren-ground Caribou?
- What impact do you think that listing Barren-ground Caribou as a wildlife species at risk would have on your activities?
- What impact do you think that listing Barren-ground Caribou as a wildlife species at risk would have on the species?
- Do you have any other information or concerns that the federal Minister of the Environment should consider before making a recommendation on the listing of the species?

More surveys are needed for all Barren-ground caribou to determine population trends and trajectories. More consultations with Inuit representatives, e.g., elders, HTOs and harvesters are needed. Consultations need to take into account the time and capacity for communities to make an informed decision.

More background information, including scientific evidence that was used to warrant the listing, should be provided from Environment and Climate Change Canada to the Kitikmeot Regional Wildlife Board and HTOs. The Kitikmeot Regional Wildlife Board and its HTOs need time to review the information, especially in light of the pandemic that did not allow for face-to-face meetings. Evidence for how traditional knowledge from the Kitikmeot region has been considered in the proposed listing is necessary. More discussions need to occur between ECCC and HTOs/RWOs.

Based on the information provided it is unclear how the proposed listing will impact Inuit relationships to caribou, beyond TAH but also traditional relationships with and perceptions of caribou, and continued access to cultural traditions and practices.

*It's best to have face to face mtg to  
discuss this important topic ASAP.  
Per Haydock for KRWB. V. Chair*

Barren-ground Caribou  
Proposed Listing as Threatened



Canada