



December 18th, 2017

Honourable Gerry Byrne
Minister of Fisheries and Lands Resources
Government of Newfoundland and Labrador
P.O. Box 8700
St. John's, NL, Canada
A1B 4J6

Re: George River and Torngat Mountains Caribou and the Newfoundland and Labrador Endangered Species Act

Dear Minister Byrne,

On behalf of the Torngat Wildlife and Plants Co-management Board (TWPCB), I am writing regarding the potential listing of George River and Torngat Mountains caribou herds under the Newfoundland and Labrador Endangered Species Act. The Board, established by Chapter 12 of the Labrador Inuit Lands Claim Agreement (LILCA), is mandated to provide recommendations to the Minister regarding conservation and management measures, including matters related to species and populations at risk (Part 12.9.1b).

As noted in previous correspondence, the Ungava Peninsula Caribou Aboriginal Roundtable (UPCART) has developed a compelling management strategy for the George River and Leaf River caribou herds that includes a long-term management regime. At the core of the UPCART management strategy is priority of access for Indigenous Peoples to harvest caribou. At present, the herd is considered in the “Low Category” of the Strategy, and therefore; the harvest of an ecologically insignificant number of caribou will allow for the reinforcement of spiritual, cultural and social values, “while respecting priority of access for Indigenous Peoples.”

As per Section 16 of the Endangered Species Act, the listing of George River caribou will prohibit hunting of any kind, and in effect, obstruct the implementation of the UPCART Strategy. Although the Board is aware of provisions outlined in Section 18 of the Act concerning the Minister's authority to make exceptions, the Board strongly recommends that the Minister and Lieutenant-Governor in Council make no designation on the status of George River Caribou, citing Section 8 of the Endangered Species Act.

The Board is also very encouraged by the UPCART Strategy's Action Plans. The Action Plans need time to develop and function effectively. A listing under the Endangered Species Act, and a resulting prohibition on harvesting, will create additional and new barriers to the successful implementation of the Strategy. Alternatively, we ask the Province to consider harmonizing their listing processes, timelines, and consultative responsibilities with those of the Federal government.



The TWPCB would also like to provide its advice on the listing of the Torngat Mountains Caribou herd listing under the Endangered Species Act. The Board has been engaged with COSEWIC's assessment of the George River and Torngat Mountains populations, providing feedback on COSEWIC's Status Report (Appendix 1). For the Torngat Mountains Caribou Herd, the Board requested that COSEWIC postpone their original assessment pending the outcome of the spring 2017 survey. The results of the most recent survey will soon be available. We request the Government of Newfoundland and Labrador, to again, exercise Section 8 of the Endangered Species Act, and not make a designation on Torngat Mountains Caribou. Survey results will provide critical information on population trends and herd health – both of which should be considered before prohibiting access to a potentially sustainable resource.

Exercising Section 8 of the Endangered Species Act or harmonizing listing timelines with Federal processes will ensure that the long-term management of George River and Torngat Mountains caribou herds are not rushed. It will also ensure that the UPCART Strategy, with the help of the Government of Newfoundland and Labrador, is given time to be implemented through the various Action Plans. This Board is confident that these steps forward will strengthen conservation and lead to the sustainable utilization of the herds. Please be assured that the Board and its staff are available to work in concert with you and Department officials in the spirit, strength, and promise of productive co-management.

Yours truly

Ron Sparkes, Ed.D
Chairperson
Torngat Wildlife and Plants Co-management Board

c. Honourable Darryl Shiwak, Minister of Lands and Natural Resources, Nunatsiavut Government

Honourable Catherine McKenna, Minister of Environment and Climate Change, Government of Canada

Honourable Carolyn Bennett, Minister of Crown-Indigenous Relations and Northern Affairs, Government of Canada



APPENDIX 1

TWPCB response to COSEWIC 2-MONTH INTERIM STATUS REPORT ON EASTERN MIGRATORY AND TORNGAT MOUNTAINS CARIBOU POPULATIONS





15 November 2016

Co-Chair, COSEWIC
Dr. Graham Forbes
Faculty of Forestry & Envir. Management, University of New Brunswick
PO Box 4400, 28 Dineen Drive
Fredericton NB E3B 5A3

Re: COSEWIC 2-Month Interim Status Report on Eastern Migratory and Torngat Mountains Caribou Populations

Dear Dr. Forbes,

The Torngat Wildlife and Plants Co-Management Board (TWPCB) recognizes that the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) has undertaken an assessment of the Eastern Migratory and Torngat Mountains caribou herds, and will be discussing the assessment at a Wildlife Species Assessment Meeting the week of November 27-December 2nd. We herein offer our comments and recommendations for the proposed national designations.

The TWPCB is empowered by Part 12.9.1(b) of the Labrador Inuit Lands Claim Agreement to make recommendations respecting the conservation and management of caribou within the Labrador Inuit Settlement Area. To this end, the Board has been frequently engaged with caribou management dialogue and assessment within Labrador. The Board has participated in surveys for the George River and Torngat Mountains caribou herds and has made recommendations on the management of these herds; concomitantly, the Board has facilitated and participated in inter-jurisdictional discussions and decision-making for both herds.

The George River Caribou Herd has been included within the Designatable Unit (DU) for Eastern Migratory Caribou, along with three other 'sub-units.' As stated in the 2-Month Interim Status Report, the George River Herd has experienced a significant decline in abundance – a 99% decline since 1993. However, this decline is diminished by the less threatened western subpopulations, resulting in an overall "Threatened" designation. To effectively protect the George River Caribou Herd, the TWPCB strongly recommends that their assessment be separate from the Eastern Migratory DU. Although the George River Herd shares phylogenetic and behavioural characteristics with the other herds in the Eastern Migratory DU, the George River caribou are managed as a herd at the local level. Having an ecological assessment aligned with existing management measures will provide an organized and effective way forward for the George River Caribou Herd.



Torngat Mountains Caribou are critically important to the Inuit of Nunatsiavut and Nunavik, who have developed a rich understanding of the herd's behavior, ecology, distribution, health, and abundance. From this knowledge, a dedicated Inuit Knowledge study was completed in 2014, and determined that there is a declining trend in abundance and general concerns for the long-term success of the herd. The Board shares these concerns, particularly with the unknown magnitude of the decline.

In the 2-Month Interim Status Report, a population estimate taken from a reconnaissance survey from 1980 reported the herd contained approximately 5,000 individuals. This crude approximation has become a baseline for this population within the Interim Report, when at best, it should be considered an estimate. In 2014, the Board conducted the first dedicated scientific survey on this herd, resulting in a population estimate of 930 individuals (CI: 616-1,453). By comparing the 1980 estimate to the data collected in 2014, the Torngat Mountains Herd experienced a decline of approximately 81% over 34 years.

The Board strongly disagrees with the use of the 1980 estimate when considering population decline of the Torngat Mountains Herd. The Board is in the process of developing an aerial survey for the spring of 2017 that will replicate the approach taken in 2014, and provide an accurate population estimate and trend.

Although the Board acknowledges a decline in population abundance, and potential habitat range for Torngat Mountains Caribou, we strongly encourage COSEWIC to postpone its assessment of this DU until at least April 30th, 2017 at which point the results of our survey are available. The results of this survey will provide reliable data on the magnitude of the decline, and inform future decisions on the management of the herd.

In summary, the TWPCB has reviewed the Interim Status Report for the Eastern Migratory and Torngat Mountains Caribou herds, and recommends that i) the George River Caribou Herd be assessed as a stand-alone sub-group, and that ii) the assessment of the Torngat Mountains Herd be postponed pending the outcome of the 2017 survey. We are available to discuss this matter further, and look forward to observing the assessment at the Wildlife Species Assessment Meeting.

Sincerely,

Ron Sparkes, Ed.D
Chairperson, Torngat Wildlife and Plants Co-Management Board

cc. Neil Jones
Scientific Project Officer & ATK Coordinator, COSEWIC Secretariat