

# The Porcupine Caribou Harvest Limit to Bulls Only And Mandatory Reporting By All Hunters.

## BACKGROUND

With caribou populations declining across North America and herds throughout the North going through dramatic population reductions, there have been increased pressures and concerns with other herds, including the Porcupine caribou herd.

The Porcupine caribou herd was first estimated at just over 100,000 caribou in the early 1970's. The herd grew at about 5% per year and peaked in size in 1989 at 178,000 caribou.

Four counts since then have shown the herd decreased between 1.5 and 3% per year and numbered 123,000 caribou in 2001.

Researchers have been trying to get another herd count done each year since 2003 but have been unable to conduct the count due to weather or changing patterns in calving ground congregations.

A variety of annual surveys provide other information on the herd (such as calf birth rate and survival) that can be used in a computer model. That model indicates that the herd has continued to decline since 2001 and now probably numbers between 90,000 and 100,000 caribou.

There are several factors that are unique to this herd, Yukon's largest. It is one of the most studied herds in North America. Despite this wealth of long-term knowledge, the specific cause of the population decline is still unknown.

The herd is the least productive of all North American herds. It grew at a slower rate and peaked sooner than other herds.

The herd ranges over three jurisdictions (Alaska, Yukon and Northwest Territories) making management complicated. However it was the first Yukon herd to have its own co-management agreements and dedicated co-management boards, one Canadian board and one international board with Alaska.

The calving grounds in Alaska's Arctic National Wildlife Refuge still do not have permanent protection from development whereas the calving grounds in Yukon were protected by Ivavvik National Park, created under the *Inuvialuit Final Agreement* in 1987, and further protection of habitat in Vuntut National Park, as well as proposed protection identified through the North Yukon Land Use Plan.

The Dempster Highway, the only all season road in Canada that crosses the Arctic Circle bisects the herd's winter range and results in significant challenges for hunt management in the winter given the ease in access. The herd is a significant resource, providing sustenance for many subsistence and non-native hunters in all three jurisdictions.

## GOVERNMENT PRIORITY

The Yukon Government is committed to the protection and conservation of the Porcupine caribou herd and to work with affected First Nations, the Inuvialuit, the Government of Northwest Territories and the Porcupine Caribou Management Board to develop a harvest management strategy for the Porcupine Caribou herd that is acceptable to all Parties, and to implement necessary conservation measures.

## CURRENT STATUS/TIMING

With the migration of the Porcupine caribou underway and the potential impacts of a cow harvest on a declining herd, measures to promote conservation are needed for this fall.

The Porcupine Caribou Management Board has recommended to the parties to the *Porcupine Caribou Management Agreement* a Harvest Management Plan developed by a working group. Final agreement, approvals and implementation of the Harvest Management Plan will take additional time beyond this fall's caribou migration. In addition, Environment Yukon, and other parties had identified concerns with some aspects of the plan and addressing these issues may increase the length of time for approvals and implementation.

The Porcupine caribou herd is under pressures from climate change, predation, and easy road access for harvesting, and potential resource development that can adversely effect any natural downward cycle that the herd is in at this time.

Harvest management is one of the few factors that governments can effect, so by reducing the high cow harvest (~60%) it is hoped that the herd's decline could be slowed or arrested.

## RATIONALE

The Yukon Government's decision to propose interim conservation measures is based on its obligations under the land claims agreements to ensure conservation, optimum long term productivity of the herd, sustainability of the herd, and a sustainable harvest.

Environment Yukon's overall concern for conservation is generally shared by all First Nations and Inuvialuit who use the herd for subsistence, as well as the land claim bodies who have a mandate for the management of the herd, communities within the Canadian range of the herd, and the general Yukon public. Community meetings held by the harvest management working group indicated significant concerns about the decline in the herd and that action needed to be taken to address the decline.

These collective concerns and our obligation under the land claims agreements, and our obligation to the Yukon public, provided the direction for government to propose these interim measures.

A 40+ page scientific and policy 'Rationale' document provided to all consulted parties puts forward guiding principles that form the basis for the proposed interim measures: conservation, and the precautionary principle.

Environment Yukon's management goal for the Porcupine caribou herd, again contained in the 'Rationale' document, is to respect conservation principles, ensure sustainability and productivity, stop the decline and promote recovery of the herd. The proposed interim management actions are consistent with this goal and the guiding principles.

The objective of the regulations is to reduce and where possible reverse the impacts of harvesting on a declining herd through limiting the harvest to “bulls only” from the herd and to accurately track harvest information for all parties to the *Porcupine Caribou Management Agreement*.

The interim measures for a mandatory bull-only harvest and not a voluntary harvest is based on past experiences:

1. Experience with voluntary measures in Yukon has, for the most part, been relatively unsuccessful over the short term. In the case of the Porcupine Caribou herd, the complexities of multiple user groups, differing opinions, road access, and a very large range, indicate that voluntary measures are not likely to succeed.
2. A common pitfall has been that individuals, or groups, believe they have little, or less, impact on the resource than other individuals or groups, therefore they are reluctant to voluntarily reduce their own harvest or some individuals still believe there are a lot of caribou. It will be difficult to convince these individuals to voluntarily restrict their harvest.
3. The Porcupine caribou herd has been declining for about 17 years, and it continues to decline. The management actions should reflect the severity of the decline. There is a sense of urgency to stop the decline; therefore, it is concluded that mandatory measures are more appropriate at this point in time.
4. The historical harvest has been about 60% cows and 40% bulls. Changing these harvest practices would be difficult through voluntary measures.

### **The Three Specific Regulations:**

***The Porcupine Caribou Subsistence Harvest Regulation.*** This regulation contains the limitation of subsistence harvesters to a bulls-only harvest, a requirement for mandatory reporting, and the ability to work cooperatively with aboriginal governments and authorities to carry out the purposes of the regulations.

***A Regulation to amend the Wildlife Regulations (OIC 1982/089).*** This regulation limits licensed resident and non-resident hunters to bull-only and removes the ability to hunt a second caribou in the range of the Porcupine caribou herd.

***A Regulation to Amend the Summary Conviction Regulation (OIC 1987/190).*** This regulation allows for issuing tickets to persons who violate the provisions in the two above regulations, instead of requiring them to appear before a judge.

Separating the subsistence harvest from the licensed hunt allows for the lifting of limitation on a subsistence harvesting right when it is no longer required for the purposes of conservation.

The Yukon Government hopes to work collaboratively on the implementation of the regulations, and will be working with the affected parties in developing other cooperative arrangements.

## **Consultations**

Yukon has consulted the affected First Nations and the Inuvialuit on these conservation measures and has satisfactorily discharged its duty to consult.

The duty to consult arises out of Chapter 16 of Yukon First Nation Final Agreement, from Chapter 12, Appendix C of the *Gwich'in Comprehensive Land Claim Agreement* and from Chapter 14 of the *Inuvialuit Final Agreement*.

The Consultation Process began March 27, 2009 and ended July 31, 2009. The consultation was originally scheduled to end May 29, 2009, and was extended twice due to requests from affected Parties.

## **The Overall Objectives**

The Yukon government is protecting an important food and cultural resource by taking measures that provide the most minimal impairment of harvesting rights: not limiting the number of caribou - only limiting the harvest to bulls - timing restrictions or closure areas.

Everyone is required to provide the good harvest information that is needed every year to assess harvest impacts on the herd, especially when photo-census results are unavailable.

These measures, given the downward population trend, reflect the conservation requirements to attempt to sustain the herd while providing for the needs of affected communities.