August 13, 2015

Dear [Redacted]

Re: Your request for access to information under Part II of the Access to Information and Protection of Privacy Act [Our File #: EC/10/2015]

On July 16, 2015, Executive Council received your request for access to the following records/information:

“All briefing records/information notes and materials/discussion papers/drafts and/or reports in connection with the George River Caribou Herd for the period of January 1, 2009 to December 21, 2010. Information to include, but shall not be limited to, and documents pertaining to management strategies, the suspension of hunting the GRCH via the use of Outfitters, and the related Consultation Plan.”

On July 20, 2015, you refined your request as follows:

“Records specific to the George River Caribou Herd.”

I am pleased to inform you that a decision has been made by the Deputy Clerk of Executive Council to provide access to some of the requested information. In particular, access is granted to the following records:

- Briefing note provided to Cabinet Secretariat by the Department of Environment and Conservation, dated January 27, 2009, entitled Adjustment of caribou hunting zone boundary in Central Labrador near Wilson River and Metchim. Please note, page three of this briefing note refers to an attached draft press release. However, we do not have a copy of this document.
- Briefing note provided to Cabinet Secretariat by the Department of Environment and Conservation, dated August 10, 2010, entitled George River caribou herd census.
Access to the remaining records, and/or information contained within the records, has been refused in accordance with the following exceptions to disclosure, as specified in the Access to Information and Protection of Privacy Act (the Act):

27. (1) In this section, "cabinet record" means

(i) that portion of a record which contains information about the contents of a record within a class of information referred to in paragraphs (a) to (h).

(2) The head of a public body shall refuse to disclose to an applicant

(b) information in a record other than a cabinet record that would reveal the substance of deliberations of Cabinet.

29. (1) The head of a public body may refuse to disclose to an applicant information that would reveal

(a) advice, proposals, recommendations, analyses or policy options developed by or for a public body or minister;

As required by 8(2) of the Act, we have severed information that is unable to be disclosed and have provided you with as much information as possible.

Please be advised that you may appeal this decision and ask the Information and Privacy Commissioner to review the decision to provide partial access to the requested information, as set out in section 42 of the Act (a copy of this section of the Act has been enclosed for your reference). A request to the Commissioner must be made in writing within 15 business days of the date of this letter or within a longer period that may be allowed by the Commissioner. Your appeal should identify your concerns with the request and why you are submitting the appeal.

The appeal may be addressed to the Information and Privacy Commissioner is as follows:

Office of the Information and Privacy Commissioner
2 Canada Drive
P. O. Box 13004, Stn. A
St. John’s, NL A1B 3V8

Telephone: (709) 729-6309
Toll-Free: 1-877-729-6309
Facsimile: (709) 729-6500

You may also appeal directly to the Supreme Court Trial Division within 15 business days after you receive the decision of the public body, pursuant to section 52 of the Act (a copy of this section of the Act has been enclosed for your reference).

Please be advised that responsive records will be published following a 72 hour period after the response is sent electronically to you or five business days in the case where records are mailed to you. It is the goal to have the responsive records posted to the Office of Public Engagement's website within one business day following the applicable period of time. Please note that requests for personal information will not be posted online.
If you have any further questions, please feel free to contact me by telephone at (709) 729-5691 or by email at rachellecutler@gov.nl.ca.

Sincerely,

[Signature]

Rachelle Cutler
ATIPP Coordinator

Enclosures
Access or correction complaint

42.(1) A person who makes a request under this Act for access to a record or for correction of personal information may file a complaint with the commissioner respecting a decision, act or failure to act of the head of the public body that relates to the request.

(2) A complaint under subsection (1) shall be filed in writing not later than 15 business days after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or

(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) A third party informed under section 19 of a decision of the head of a public body to grant access to a record or part of a record in response to a request may file a complaint with the commissioner respecting that decision.

(4) A complaint under subsection (3) shall be filed in writing not later than 15 business days after the third party is informed of the decision of the head of the public body.

(5) The commissioner may allow a longer time period for the filing of a complaint under this section.

(6) A person or third party who has appealed directly to the Trial Division under subsection 52(1) or 53(1) shall not file a complaint with the commissioner.

(7) The commissioner shall refuse to investigate a complaint where an appeal has been commenced in the Trial Division.

(8) A complaint shall not be filed under this section with respect to

(a) a request that is disregarded under section 21;

(b) a decision respecting an extension of time under section 23;

(c) a variation of a procedure under section 24; or

(d) an estimate of costs or a decision not to waive a cost under section 26.

(9) The commissioner shall provide a copy of the complaint to the head of the public body concerned.

Direct appeal to Trial Division by an applicant

52. (1) Where an applicant has made a request to a public body for access to a record or correction of personal information and has not filed a complaint with the commissioner under section 42, the applicant may appeal the decision, act or failure to act of the head of the public body that relates to the request directly to the Trial Division.
(2) An appeal shall be commenced under subsection (1) not later than 15 business days
(a) after the applicant is notified of the decision of the head of the public body, or the date of the act or failure to act; or
(b) after the date the head of the public body is considered to have refused the request under subsection 16(2).

(3) Where an applicant has filed a complaint with the commissioner under section 42 and the commissioner has refused to investigate the complaint, the applicant may commence an appeal in the Trial Division of the decision, act or failure to act of the head of the public body that relates to the request for access to a record or for correction of personal information.

(4) An appeal shall be commenced under subsection (3) not later than 15 business days after the applicant is notified of the commissioner’s refusal under subsection 45(2).
Title: Adjustment of caribou hunting zone boundary in Central Labrador near Wilson River and Metchim.

Issue: The Labrador Innu has requested that existing caribou management area boundaries for the hunted George River Caribou herd (GRCH) be adjusted in Central Labrador near the Trans Labrador Highway.

Background:

- The George River Caribou Herd (GRCH) has increased in number significantly since the 1970’s. By the mid 1980’s, it had extended its wintering range to overlap with those of the threatened sedentary woodland caribou populations located in the south/central region of Labrador.

- As the GRCH winter range expanded, the hunting public sought access to harvest George River Caribou (GRC) in areas south of the GRCH Zone.

- To accommodate a GRCH harvest, 17 zones were established in areas where GRC overlapped with the habitat of woodland caribou. Three of these zones, proximal to the area in question, are shown in Figure 1. A zone was opened when significant numbers of GRC moved into an area and closed as they exited; thus minimizing the probability for the incidental harvest of individual woodland caribou.

- This strategy was revised in recent years with the addition of set season dates for those zones that did not infringe upon core wintering areas of woodland caribou. This change was made possible by the increased monitoring of woodland caribou wintering populations.

- Zones were not established in the core wintering areas of the woodland caribou herds as the historical pattern of GRCH winter distributions did not infringe significantly on these areas.

- Since the implementation of this strategy, all woodland herds in Labrador have been designated as threatened under both the Provincial Endangered Species Act and the Federal Species at Risk Act.

- The GRCH has expanded its southerly wintering range into core wintering areas of woodland herds making it increasingly difficult to apply harvest measures that can accommodate conservation concerns and address local access to the caribou resource.

- In 2005, an “adjunct” zone was created and opened for hunting GRC for two weeks in the area purported to be under question currently (See Figure 1).

- Without compromising core wintering areas for woodland populations, there is little opportunity to further expand caribou zone boundaries to accommodate GRC harvesting activities without concerns for increased losses of threatened woodland animals.

- Enforcement activities associated with caribou poaching within the wintering ranges of the woodland herds has been vigorously pursued by Conservation Officers in recent years but, nonetheless, poaching
in closed zones continues to pose a problem to the viability and recovery of these herds and, in particular, the threatened Red Wine Caribou Herd.

**Recent Developments:**

- On January 9th a briefing note was prepared at the direction of ENVC Executive to evaluate a request of the Innu Nation to hunt in an "adjunct" zone to the southeast of the current Orma South Labrador Caribou Management Zone.

- While the adjunct zone was opened to caribou hunting during the 2005/06 hunting season (for only a two week season), at that time the GRC were highly concentrated in the area and few harvest opportunities existed in surrounding zones. Based on collar locations from GRCH, this is currently not the case. (Figure 2)

- In a January 20th teleconference, the Director of Wildlife and ADM of Natural Heritage explained the rationale for maintaining the closed area to the Innu Nation, Deputy Grand Chief Peter Penashue and other representatives of the Innu nation, and Don Burrage of the Department of Justice. During the discussion the boundary expansion area requested by the Labrador Innu was assumed to be the adjunct zone previously referenced which, in general description, lies between the Metchim River and East Wilson River bridge. This area is within close proximity to the major wintering range of the Red Wine Caribou Herd. (Figure 1)

- Shortly after the aforementioned teleconference on January 20th the Innu removed themselves from participation at the Labrador Woodland Caribou Recovery Team meeting which was occurring in Goose Bay. The Innu of Labrador were a long standing member of the Recovery Team and are a signatory to the conservation requirements for woodland caribou.

- The Minister of Environment and Conservation received a letter on January 23rd from Peter Penashue, representing the Innu Nation, indicating their intent to hunt caribou in the area to the east of Wilson River. This location greatly enhances the concern over this issue as it now goes well beyond the area previously requested to include the very centre of the Red Wine Caribou herd range. The letter also reiterated the intent of the Innu Nation to remove themselves from further participation in the recovery team tasked with the recovery of threatened woodland caribou.

- This action is inconsistent with past stated positions of the Innu nation respecting the hunting of Red Wine Caribou. From a 2004 Innu Nation press release: “Hunting a threatened caribou herd is irresponsible and inconsistent with Innu values”, stated Innu Nation President Peter Penashue. “We strongly condemn these actions, and call on the individuals involved to respect the fact that the Innu Nation supports the hunting closures, and is working closely with the government to ensure that the Red Wine Caribou herd recovers so that it can sustain future generations.”

- Based on collar locations for the Red Wine Caribou herd, some animals are located in proximity to the area originally requested to be opened to hunting by the Labrador Innu. The majority of the entire
remaining Red Wine Caribou population are contained within the area described in the letter from Innu Nation as being the area in which they intend to exercise their aboriginal rights. At the core of the area in question is the Wilson Lake area, which represents a significant over wintering area for this threatened herd.

- Department of Natural Resources, Goose Bay has been contacted on this issue. They are maintaining active enforcement activities in the area and it is their intent to enforce no hunting in the closed area(s).

- A helicopter flight of the area was performed on January 26th. Innu participation in this flight was invited and refused. Results from the flight indicate some caribou in the closed “adjunct” zone, herd origin unknown. There are also large numbers of caribou inside the open Orma South Zone. Access to legally huntable George River Caribou in Open Zones is possible though requires going “off-road”.

- On January 27, Labrador Innu began a protest hunt near Metchin River in the closed zone. It is believed that approximately 60 Innu are participating in this hunt and that Deputy Grand Chief, Peter Penashue has appeared on Innu FM radio asking Innu to go into this area and undertake protest actions. DNR staff are on the ground in this area monitoring the situation.

**Recommended Actions/Possible Outcomes:**

- The province has an interim enforcement policy with respect to aboriginal hunting in areas of conservation concern for woodland caribou. In previous instances where Innu (Labrador and Quebec) hunting activities have conflicted with woodland caribou conservation, charges have been laid.

- A decision to accommodate the Labrador Innu request and establish a hunting zone within the core distributions of the wintering range for the Red Wine Caribou Herd will be viewed as inconsistent with the Recovery Plan for threatened Caribou Herds in Labrador.

- The presence of hunting parties in the vicinity of closed caribou hunting areas along the Trans-Labrador Highway between the Wilson and Metchin River is prompting the Department of Natural Resources and Department of Environment and Conservation to issue a reminder to hunters to respect hunting regulations. The area east of Happy Valley-Goose Bay as far west as the Metchin River is recognized as the home range of the threatened Red Wine caribou herd and is closed to caribou hunting. A draft press release has been prepared regarding this issue and should be considered for immediate release (see attached).

- A draft letter from Minister Johnson in response to Peter Penashue’s received on January 23rd letter is being developed and circulated for comment to the Department of Labrador and Aboriginal Affairs, Department of Justice and the Department of Natural Resources.
Figure 1. Locations of Red Wine caribou during a 2001 survey, collared female Red Wine caribou during the 1999 – 2007 hunting seasons, and GPS collared female Red Wine caribou during 2008 (excluding calving/post-calving seasons).
Figure 2. Locations of George River Caribou and Red Wine Caribou
Title: George River caribou herd census

Issue: The delay to the opening of the caribou hunting season in Labrador

Background and Current Status:

- The George River caribou herd is a trans-boundary population shared with Quebec.

- Since 1950, the George River caribou herd increased from an estimated size of 5,000 animals to an estimated 750,000 by the early 1990’s. The herd declined to an estimated 385,000 animals in 2001. Current preliminary results of the census place the herd at approximately 50,000 which is a precipitous decline from the last census and requires immediate action.

- A liberal harvest strategy has been employed since the 1990’s that has included: over the counter license sales; commercial harvesting licenses; transfer of licenses; harvest of two caribou for every resident license; aboriginal harvest, and non-resident harvest.

- Liberal harvest strategies that maximize the benefits of harvest are typically employed when the population is large enough to ensure that harvest does not affect sustainability. In the absence of an updated survey since 2001 to quantify the population, these liberal harvest strategies were maintained.

- The decision to conduct a census in 2010 was due, in part, to an effort to maintain regular intervals between censuses, i.e. 1993, 2001, 2010. In 2009, Newfoundland and Labrador began to collaborate with Quebec and other partners on a summer 2010 census.

- Annual harvest from the George River herd by all parties in both Labrador and Quebec varies, and is dependent upon seasonal movements of the herd into accessible areas. Harvest during the 2000’s has been estimated as high as 20,000 – 30,000 animals annually, though in recent years this number is likely substantially less. In 2009/10 harvest was estimated to be 6,000 – 9,000 animals.

- The majority of the harvest in recent years has been occurring in Labrador, and primarily in the winter.

- In 2009, commercial caribou licences in Labrador were reduced by 60% to 210 licences or 420 caribou. This decision was based on fall classification and collar mortality data that suggested a significant decline had occurred in the George River caribou herd.

- On July 15, 2009 ENVC issued a press release announcing its plans to conduct a census in 2010 to determine current status and health of the George River caribou herd and its plan to review caribou harvest management strategies. A subsequent public advisory was published in the 2010-11 Newfoundland and Labrador Hunting and Trapping Guide
indicating that current harvest management approaches and methods may be reviewed pending the results of the 2010 census.

- From July 2009 to July 2010 planning was undertaken to both execute a collaborative census with Quebec and to seek approval to begin consultations within the province.

- In July 2010, a post calving aggregation photo-census was conducted in partnership with the Government of Quebec, Laval University, the Nunatsiavut Government, Torngat Plant and Wildlife Co-Management Board and the Institute for Environmental Monitoring and Research.

- Preliminary analysis estimates the current population of the George River caribou herd to be approximately 50,000 adults, a decline of 335,000 in 9 years. This estimate is preliminary and does not include calves. Based on previous classifications, this would equate to approximately 10,000 additional animals. A calculation of the final overall population size will be completed by October / November 2010.

- It is not expected that the final population size estimate will vary more than 20-30% of this estimate, and would not change the recommended directions for management.

- Based on the monitoring of collared caribou, the survivorship of adult caribou without hunting is estimated at 82%. When hunting is considered, survivorship falls to 68%. These numbers are likely overestimates of survivorship given the majority of the collared animals are females and females have, in general, higher survivorship than males. With 2009 fall classifications suggesting a 20% recruitment of new animals, it is clear that with hunting this population will continue to decline, and will only slightly increase in the absence of any hunting.

- No formal consultations have yet been held with Quebec or other stakeholders concerning the implications of such a low herd size. Informal discussions, however, have been held between Quebec and NL wildlife biologists respecting the census results and management implications.

- Caribou population projections based on the current estimate for George River and using available recruitment and mortality rates show that 50 years will be required for the population to increase to 100,000 provided no further harvesting is conducted and calf recruitment remains high.

- Under a restricted hunt, the length of recovery will increase relative to the number of caribou taken out of the current population. A harvest of 5000 caribou will extend this period to 59 years, 8000 to 63 years, and 10000 to 67 years. The population is very sensitive to small changes in calf recruitment and female mortality rates which could greatly extend or reduce these recovery periods depending on the trajectory of trends.

- Based on herd size, recruitment and mortality rates, the George River herd can no longer support harvest if the herd is to stabilize or increase. However, as the harvest of caribou is a pivotal cultural activity in Labrador, allowances have been made to maximize the recovery of the George River herd while minimizing the cultural impact. Allowing very limited
harvesting for one year will not significantly alter the rate of decline given the long term cycles of population fluctuations northern caribou typically experience. However, substantial harvest could jeopardize the herd’s recovery.

- Caribou season in Labrador opens August 10, 2010 which means that a postponement is critical to providing government time to adapt management approaches to the realities of the situation. The provincial Hunting and Trapping Guide and other public materials have indicated that this census was underway and that the management regime may need to change pending the census results.  
  \[\text{27(1)(i), 27(2)(b)}\]

- Based on the results of the census analysis, ENVC is recommending that the caribou hunting season in Labrador be postponed.

- A review of preliminary census estimates and management options is being undertaken and

- The majority of the Quebec based harvest on this herd occurs in August and September in the form of outfitter based hunts. Because of their legislative schedules and season dates which open August 1, and because many outfitters are currently in the field with clients, PQ have advised that they will maintain the status quo respecting their outfitted hunts for 2010. It is anticipated that the harvest implications of this could be in the order of 1,000 caribou. NL is likewise proposing to allow the continuation of any pre-booked outfitter hunts this fall in Labrador.

- Unlike Quebec, the legislative capabilities to make harvest management amendments remains an option for NL in 2010.

- For the 2010/11 hunting season, Quebec has eliminated all commercial caribou harvest licenses. These licenses are issued exclusively to aboriginals and, in the past, have amounted to a harvest of up to 2500 animals.

- ENVC has taken the following actions:
  - The distribution of resident 2010 Labrador Caribou Licences has been put on hold. The licences remain at the Government Service Centre in Goose Bay
Non-resident licenses are being distributed on a case by case basis to outfitters who are able to confirm that they have clients booked on hunts for August.

The hunting orders for 2010 are currently being held at Legislative Council 27(1)(i), 27(2)(b)

A news release was issued on August 9, 2010 announcing a delay to the opening of the George River caribou hunting season in Labrador.

Prepared by/Approved by: John Blake, Ross Firth in consultation with IGAS and CS Bill Parrott (DM)

Ministerial Approval: Minister Johnson

Reviewed By: Tracy English / Brian Delaney, Cabinet Secretariat

Date: August 10, 2010
Title: George River caribou herd

Issue: The delivery of a consultation plan to engage stakeholders in a discussion of caribou harvest strategies in light of preliminary census results.

Background and current status:

- The George River caribou herd (GRCH) is a trans-boundary population shared with Quebec.
- In July 2010, a post calving aggregation photo-census was conducted in partnership with the Government of Quebec, Laval University, the Nunatsiavut Government, Torngat Wildlife and Plants Co-Management Board, and the Institute for Environmental Monitoring and Research.
- Preliminary analysis estimates the current population of the George River caribou herd to be approximately 50,000 adults (plus approximately 10,000 calves), a decline of roughly 335,000 in 9 years. A calculation of the final overall population size will be completed by October / November 2010.
- Current liberal harvest management approaches will need to be reviewed in light of the preliminary census results with the possibility of imposing more restrictive harvest strategies in order to help ensure the long term sustainability of the herd. \(27(1)(i), 27(2)(b)\)

- A consultation plan has been produced that has been reviewed and approved by the Ministers of ENVC, LAA, TCR, along with the Communications Branch and Cabinet Secretariat.

Next Steps:

- Deliver consultations with targeted stakeholder groups to discuss current and future management of the George River caribou herd. Consultations will be held with the following groups:
  1. Torngat Wildlife and Plant Co-Management Board; Goose Bay
  2. Nunatsiavut Government; Goose Bay
  3. Innu Nation; Sheshashit
4. Commercial Caribou Outfitters; Labrador City
5. Commercial Harvesters; Goose Bay
6. NunatuKavut (Metis); Goose Bay
7. Non aboriginal harvesters; Churchill Falls and Goose Bay

- Provide information to Ministers

Prepared by / Approved by: Ross Firth, ADM/Bill Parrott, DM
Ministerial Approval: Minister Johnson
Reviewed By: Tracy English / Brian Delaney, Cabinet Secretariat
Date: September 20, 2010
Consultation Plan
George River Caribou Herd Harvest Management Plan – 2010-11

Issue
There is growing empirical evidence to suggest that the George River caribou herd (GRCH) has undergone a significant population decline. The magnitude of the decline has taken the population of the herd below the capacity to sustain existing harvest management strategies. Preliminary results of the GRCH post-calving aggregation census conducted in July 2010 support this assertion. In response, a revised harvest management strategy is required for 2010-11 to ensure that the current year’s harvest does not significantly contribute to further population decline. Consultations are required with stakeholders and interest groups prior to development of this strategy.

Public Environment Scan

• In July 2010, a post calving aggregation photo-census was conducted in partnership with the Government of Quebec, Laval University, the Nunatsiavut Government, Tornagat Plant and Wildlife Co-Management Board and the Institute for Environmental Monitoring and Research. Preliminary estimates from the July population survey indicate that the herd now consists of approximately 50,000 animals.

• On August 9, 2010, a joint news release by the Department of Environment and Conservation and the Department of Labrador and Aboriginal Affairs announced a delay in the opening of the caribou hunting season in Labrador, as the result of preliminary information and ongoing analysis regarding the George River herd.

• The news release stated that an update on the harvest management plan for the George River Caribou is anticipated in early September. Until that time, hunting opportunities for all non-Aboriginal peoples will be suspended.

• Back in July 2009, the Department of Environment and Conservation issued a press release announcing its plans to conduct a census in 2010 to determine current status and health of the GRCH. It also stated harvest management strategies may have to change pending the results of the census.

• A public advisory was placed in the 2010-11 Hunting and Trapping Guide that noted ENVC’s plan to conduct a census in 2010, and requested public input and comment on the existing harvest management plan for this herd. The guide was released in March 2010 and distributed to over 100,000 qualified hunters in Newfoundland and Labrador. One submission was received.

• On August 10, 2010, Minister Johnson participated in a radio interview with CBC regarding the delay in the opening of the hunting season. It was stated that the ban did not apply to outfitters who had previously booked hunts.
In early June and mid-August, Michael Johansen wrote an article that was carried in The Telegram, The Labradorian and The Western Star in which he highlighted the declining population of the George River caribou herd and criticized the Provincial Government’s conservation efforts.

There has been ongoing illegal hunting activity on threatened woodland caribou in Labrador by hunters from Quebec. However, these hunters are permitted to hunt caribou from the George River herd to the north of the Joir River group. Their participation in the hunt has been based on George River herd numbers between 275,000 and 325,000 animals, rather than the approximate 50,000 that currently exist.

Both Aboriginals and non-Aboriginal hunters participated in illegal hunting of George River caribou during the winter of 2008 and 2009. Hunters illegally harvested caribou in an area closed to hunting. The closed zone represented the core range of the threatened Red Wine caribou herd that was designated as a measure intended to help conserve this herd. Extensive media coverage (print, radio, television) occurred during the periods of this illegal harvest. This included both provincial and national media outlets.

Strategic Considerations

The Government of Quebec shares joint responsibility with this province for management. There is currently no written agreement or formal understanding concerning the shared management of this resource. At present, wildlife officials from both provinces informally share information and communicate on the status of the herd, but have no formal provisions for co-management.

The George River caribou herd is hunted by aboriginals, residents, outfitters and commercial operators in both Labrador and Quebec. The current GRCH harvest management plan was developed in 1980s during a period of population increase. Current regulations allow for two caribou per licence and the ability of Labrador residents to transfer licences to a hunter to hunt on their behalf. In addition, the season is lengthy and extends from August to April. There are also three commercial licences issued. Prior to 2010, the commercial quota was 1050 caribou. The 2010 quota was set at 420. According to TCR, there are 22 outfitters with access to 6100 caribou. \textit{27(1)(i), 27(2)(b)}
• The George River herd is critically important to Labrador and the province as a whole. With the exception of limited harvest from the northern Torngat Herd, this herd contributes almost exclusively to the Aboriginal, resident and non-resident harvest needs within Labrador.

• The land claim of NunatuKavut has not been accepted by the Federal Government for the purposes of negotiation. Newfoundland and Labrador does not have to make a decision on this claim unless and until the Federal Government decides to accept the claim for the purposes of negotiation. If this occurs, then the province will have to complete its own independent review of the claim documentation. NunatuKavut has recently submitted new claim documentation to the Federal Government which is currently under review. In the new documentation, the members of NunatuKavut claim an Inuit identity rather than a Metis identity. Currently, they are subject to provisions under the *Wildlife Act* that include the requirement to possess a provincial caribou hunting license identical to the licence requirement of non-Aboriginals.

• Without an exemption for members of NunatuKavut, the above noted harvesting restrictions for non-Aboriginals will also apply to NunatuKavut. The courts have found that a duty to consult was owed to the Labrador Metis Nation on the Trans Labrador Highway Phase Three.

• Labrador Inuit land claim beneficiaries may also be unhappy with harvest restrictions imposed upon them when hunting outside of the Labrador Inuit Settlement Area.

• The elimination of the commercial harvest will impact three businesses which currently possess commercial licenses. In 2010, this allows for a harvest of 420 animals. It may also impact on the availability of caribou meat for the restaurant and retail trade. In 2009, commercial caribou licences in Labrador were reduced by 60 per cent to 210 licences, or 420 caribou. This decision was based on fall classification
and collar mortality data that suggested a significant decline had occurred in the herd.

- The reduction of the number of animals available to harvest on each resident and non-resident license may also impact the outfitting industry. In an effort to minimize economic hardship to these companies, licences have been issued to outfitters who have confirmed hunts booked for the period beginning August 10, 2010, up until the present. The reduction in the number of animals that may be taken on a license may affect the sales of some hunts where hunters had anticipated the harvest of two caribou from a single license.

- The GRCH experienced unprecedented population growth in the 1970s and 80’s and, by the late 1980s, was estimated at close to 800,000 caribou. Overgrazing of summer range due to such an overabundance of animals resulted in reduced body size and low reproductive rates. As a result, adult female survival is believed to have been the primary causative factor in the decline that began in the late 1980’s.

- Other density dependent factors including predation and disease contributed to further population decline.

- Hunting can depress caribou populations through two main mechanisms; the direct removal of caribou by hunting, and indirectly through a negative impact on reproductive rates. The former is expressed as the ratio of animals being killed compared to the number being replaced through annual birthing. The latter, while speculative though plausible, suggests that the removal of a significant number of large males from a population can impact on the fitness of new calves coming into the population either through a cropping of the gene pool or the delayed impregnation of breeding females.

- During the most recent fall classification conducted in October, 2009 the large adult male cohort was estimated at 3%. These large ‘regal’ males are traditionally targeted by the sport hunt in Quebec. In some years as many as 15,000 caribou were harvested by sport hunting in Quebec, with the majority being large males. While inconclusive, there is some evidence to suggest this targeted pressure may have impacted herd productivity.

- Statistical modeling suggests that when the GRC herd was in excess of 225,000, hunting was likely not additive to population decline. At populations less than this it was likely hunting was contributing to the decline. It is currently unknown at what year the population trajectory passed this threshold, but most likely it was during the middle of the last decade.

- Since this time hunting has been significantly additive to population decline. With a preliminarily population estimate of 50,000 adults, a harvest comparable to 2009; which was estimated at 9,000 caribou, will have significant and long term implications to herd sustainability.

- The majority of the Quebec-based harvest on this herd occurs in August and
September in the form of outfitter-based hunts. Because of their legislative schedules and season dates which open August 1, and because many outfitters are currently in the field with clients, Quebec have advised that they will maintain the status quo respecting their outfitted hunts for 2010. It is anticipated that the harvest implications of this could be in the order of 1,000 caribou. The majority of the harvest of GRCH occurs in Labrador.

- Beginning in the 2009-10 hunting season, Quebec eliminated all commercial caribou harvest licenses. These licenses were issued exclusively to Aboriginals and, in the past, have amounted to a harvest of up to 2,500 animals.

- While declines in the population of the herd were observed in 2009 and initial management actions were taken (reduction by 60 per cent of commercial harvest) by the province at that time, an aerial census of the herd was not conducted until July 2010 because of planning, logistics and optimal timing.

- Caribou populations are known to fluctuate in other jurisdictions across North America. Management plans have been developed for declining barren ground herds across North America. Most other jurisdictions have extensive co-management and/or consultation processes established. Restrictive hunting practices have been initiated in many herds across Canada that, until recently, were of a size to allow for unrestrictive harvest. Measures have ranged from complete closure, to subsistence hunting only, to bull only harvest.

In the Yukon, the Porcupine Caribou Herd was approximately 180,000 in 1998 and has dropped steadily since then with a 2010 estimate of 90,000. Actual harvest numbers are not known but have been estimated at 4,000 animals annually. Interim management measures were adopted until a full management plan could be developed and adopted by all eight parties with interests in the herd (5 aboriginal groups, Yukon Government, Government of the Northwest Territories and Government of Canada). The measures included a mandatory bulls-only harvest for aboriginal hunters and a one-bull only for licensed hunters which, through a number of legal reviews, was believed to be consistent with the Porcupine Caribou Management Agreement. It also proposed mandatory reporting.

In the Northwest Territories, surveys in 2000, 2005 and 2006 confirmed population declines of over 50% in the Cape Bathurst, Bluenose-West and Bluenose-East Caribou herds. In 2006, hunting was closed to residents and outfitters in some areas and closed completely in others.

The Bathurst Caribou herd was over 400,000 in the 1980s and then began to decline. In 2006, it was over 100,000 and, by 2009, had declined to 32,000 animals. A management proposal was submitted to the Wildlife Co-Management Board in November 2009 when participants agreed to eliminate resident and outfitted harvest but could not agree on Aboriginal harvest actions. The Board could not hold a public hearing (as required under the land claim agreement if considering a quota) until
March, 2010. Population modeling projected that at current harvest levels (5,000 a year), this herd could be eliminated in 5 years.

NWT enacted interim emergency measures which set up a no-hunting zone for all users (Aboriginal included) to protect the wintering range of the Bathurst herd. As these were emergency actions, there was very little consultation and there was active defiance of these regulations. However, harvest was limited to approximately 200 caribou. Subsequent surveys indicated the population decline had stopped. Public hearings and consultations continue to work out management agreements on Aboriginal harvest with the Aboriginal self-government for the settlement area and with Aboriginal groups in the unsettled area.

- A management plan for the threatened Red Wine and Joir River caribou herds exist currently in the form of the Labrador Woodland Caribou Recovery Strategy. A harvest management plan for GRCH needs to be developed in isolation of sedentary woodland caribou management.

- No formal consultations have yet been held with the Government of Quebec concerning the implications of such a low herd size. Informal discussions, however, have been held between Quebec and provincial wildlife biologists respecting the census results and management implications. Both provinces continue to collaborate on finalizing the census report.

- The Directors of Wildlife for each respective jurisdiction have held several discussions and agreed on the need for continued cooperation in research and management activities. Future successful management of the herd and development of a long term management plan must be done cooperatively with Quebec. However, both wildlife agencies concur on the need to secure a political mandate before entering into formal discussions.

Consultation Details
The Department of Environment and Conservation will lead the consultation process. The department will be represented by John Blake (Director), Wayne Barney (Species Management Coordinator) and Christine Doucet (Senior Manager – Research Section). Representatives from the Department of Tourism, Culture and Recreation include Todd Kent and Juanita Keel Ryan. Labrador and Aboriginal Affairs will be represented by Michelle Watkins and Val Oliver.
Invited representation will be solicited from user groups as outlined in the Target Audience section below. It is anticipated that selective meetings with component group representation will be completed on an individual basis. Larger scale public meetings will be considered following the receipt of the final estimate and in preparation for longer term (post 2010-11) GRCH management.

While public meetings will not occur at this time as a result of the short time frame to complete this consultations exercise, a news release will be issued to inform the public of the consultations and solicit public input through e-mail and regular mail.

The immediate challenge is to develop an appropriate harvest management plan for implementation as soon as possible for the 2010/11 season. Primary user groups must be consulted first in order to inform the decision making process of formulating short term management approaches.

2010/11 Objectives
A consultation with targeted stakeholders is being proposed in order to provide information related to preliminary census results and discuss management approaches in light of a significant decline in the population. Feedback received from these stakeholders will be used by the Provincial Government to inform the decision making process regarding proposed harvest management changes. These are considerations for the 2010/11 hunting season only. Longer-term options that may involve the development of a co-management model that includes Aboriginal groups and the Province of Quebec will be considered for the period beyond 2010-11.

Consultation objectives include:
1. To engage in stakeholder consultations to help inform the Provincial Government in its decision making regarding recommended changes to the harvest of GRCH for 2010-11 in light of the decline.
2. To present preliminary census results to stakeholders, as a means of ensuring the accurate dissemination of information, and discuss management options for the 2010-11 season.
3. To inform and engage the general public regarding management options of the herd and invite their participation through e-mail and regular mail at this time.

Target Audiences
Internal
- Premier’s Office
- Cabinet Secretariat
- Communications Branch
- Cabinet
- Ministers and MHAs
- Department of Tourism, Culture and Recreation
- Department of Labrador and Aboriginal Affairs
Input from the general public will also be sought through a news release that will be issued. The public will be asked to provide feedback through e-mail and regular mail.

Messages

- A census of the George River caribou herd was conducted in July 2010. The Province of Quebec and the Province of Newfoundland and Labrador led the census, along with other partners: Nunatsiavut Government, Institute for Environmental Monitoring and Research, Torngat Wildlife and Plants Co-Management Board, and Laval University.

- Preliminary census results of the George River herd indicate a significant population decline since the previous census in 2001. As a result, the Provincial Government is seeking input from stakeholders, Aboriginal groups/Nunatsiavut Government, and the Torngat Wildlife and Plants Co-Management Board on caribou harvest management measures to be taken in the interests of conservation.

- Consultation sessions will be held with targeted stakeholder groups. In addition, interested individuals are encouraged to provide written input via e-mail and regular mail.

- The Provincial Government will share the preliminary census results with stakeholders during the consultations and work collaboratively to identify revised harvest management approaches. Work will continue with these and other
stakeholders to develop a longer-term management plan for the George River herd beyond 2010-11.

- When the final analysis of the census has been completed, along with the compilation of the information gathered through the targeted consultations and public input, an update will be provided as to the management decisions for the 2010-11 season.

- Quebec has advised that they will maintain the status quo for their outfitted hunts for the 2010/11 season and undertake a management review once the final census results have been received. It is anticipated that the harvest implications of this could be in the order of 1,000 caribou. The majority of the harvest of GRCH occurs in Labrador.

- In order to develop and implement revised management strategies that provide for the long term sustainability of the herd, discussions will need to be held with the Government of Quebec. This may include the development of a co-management model.

**Secondary Messaging:**
- As an initial conservation step to address the perceived decline, the Provincial Government reduced the 2010 commercial harvest by 60 per cent.

- Management of the George River herd is a responsibility of two Provincial Governments (Newfoundland and Labrador and Quebec). Also, consultations with the Nunatsiavut Government and the Tormgat Wildlife and Co-Management Board, in accordance with the Labrador Inuit Land Claims Agreement, and other affected Aboriginal groups and organizations are crucial to the effective management of this herd.

- Caribou populations throughout North America are known to fluctuate dramatically. The rate of decline being experienced by the GRCH is consistent with recent declines observed in other northern caribou herds across North America.

- Studies have shown that the population of the George River caribou herd has fluctuated dramatically in the past. Modern population studies of the herd began in 1958, which revealed a population of 15,000 caribou. Subsequent surveys placed the herd population at nearly 800,000 in the late 1980s; 775,000 in 1993; and 385,000 in 2001.

- The George River caribou herd has been in a natural population decline phase since the late 1980s. While the population decline was not precipitated by hunting, at the current population level, hunting is now considered significantly additive to natural mortality and continued hunting will exacerbate the decline and affect future recovery efforts.

**Stakeholders**
A list of stakeholder groups and respective contacts to be consulted includes but may not be limited to:

1. **Resident Hunters** - 10 hunters will be selected at random from various regions of Labrador to represent the interest of this user group. These hunters are selected from past activities in GRCH harvest via licence sales. Efforts will be made to ensure reasonable regional representation is achieved in the selection process.

2. **Nunatsiavut Government**
   Rebecca Willeott
   Director of Renewable Resources
   Ph. 709 896-8582
   RebeccaWillecott@nunatsiavut.com

   Mr. Jim Goudie,
   Wildlife Manager
   Postville Office
   General Delivery
   Postville, NL, A0P 1N0
   Ph: (709) 479-9880
   jgoudie@nunatsiavut.com

3. **Innu Nation**
   Mr. David Hart – Community Policy Officer
   Ms. Paula Reid
   Sheshatshiu, NL
   Ph: (709) 497-8398
   dhart@innu.ca
   pried@innu.ca

4. **Sheshatshui Innu First Nation**

5. **NunatuKavut**
   Ms. Tammy Lambourne
   Environmental Officer
   370 Hamilton River Road
   P.O. Box 460, Station C
   Happy Valley-Goose Bay, NL, A0P 1C0
   Ph: (709) 896-0592 ext. 229
   tlambourne@labradormetis.ca

   Wayne A. Russell
   Senior Fish and Wildlife Guardian
   P.O. Box 198
   Town Hall
   Port Hope Simpson, NL
6. Torngat Wildlife and Plants Co-Management Board
Mr. Bruce Roberts, Chair
Mr. Jamie Snook (Executive Director, Torngat Secretariat)
217 Hamilton River Road
P.O. Box 2050, Station B
Happy Valley-Goose Bay, NL, A0P 1E0
(709) 896-6786

7. Outfitters
Newfoundland and Labrador Outfitters Association
Mr. Dean Wheeler, President

Additional Outfitters as identified by TCR.

8. Commercial
Drover’s Labrador Outfitters Limited
Mr. Alonzo Drover
P.O. Box 121
Labrador City, NL, A2V 2K3
Ph: (709) 944-6947

Uncle Sam’s Butcher Shop
Mr. Randy Battcock
13 Hillcrest Road
Happy Valley-Goose Bay, NL, A0P 1E0
Ph: (709) 896-3736

Northern Light Inn
Mr. Brad Letto
P.O. Box 92
Lanse Au Clair, NL
Ph: (709) 931-2332
Fax: (709) 931-2708

Approach
User group and stakeholder representation will be solicited to meet and discuss future harvest management options for the GRCH and to assist in formulating new strategies. It is proposed that the Wildlife Division staff meet with user groups and present findings on the status of the herd and solicit input on how conservation targets may be revised and/or achieved. Representatives from TCR and LAA will also assist in conducting the sessions. The results will be compiled by the Director of Wildlife and forwarded to the executive to assist with the consideration of adopting revised harvest management plans for GRCH in 2010-11 and replace the previously approved plans as outlined in the 2010-11 Hunting
The department will work with and consider recommendations from the Torngat Wildlife and Plants Management Board for the management of the GRCH within the Labrador Inuit Settlement Area.

**Consultation Materials**
Consultation materials will consist of presentations (mostly contained in PowerPoint format) of biological data, current harvest management strategies, and solicitation of input for discussion on future management options. Traditional ecological knowledge (TEK) will be gathered from both stakeholder consultations as well as discussions between ENVC and local experts through ongoing collaborations. ENVC also gains TEK and LEK (Labrador Ecological Knowledge) from people on a daily basis through informal interaction with the public. The division also has an excellent collaborative relationship with the Nunatsiavut Government through the Torngat Secretariat of the Wildlife and Plants Management Board.

A public advisory was placed in the 2010/11 Hunting and Trapping Guide that noted ENVC’s plan to conduct a census of the GRCH in 2010, and requested public input and comment on the existing harvest management plan for this herd. The guide was released in March 2010 and distributed to over 100,000 qualified hunters in Newfoundland and Labrador. One submission was received.

**Schedule**
At the present time, exact scheduling dates cannot be established. Once approval in principle is received, the Wildlife Division will begin to arrange the necessary meetings. Given the restrictive timelines, some of the noted participants may be unable to meet, but attempts will be made to facilitate inclusion wherever and whenever possible, and their written input will be encouraged.

**Communication with Stakeholders**
The identified stakeholders will be invited to participate in the consultations via an invitation from the Director of Wildlife or a divisional representative, and the meetings will be scheduled directly with the specific stakeholders/user groups. Open public meetings or co-management meetings with the province of Quebec will not be conducted at this time; however, a news release will invite public input through e-mail or regular mail.

A letter from the Deputy Ministers of both the Department of Labrador and Aboriginal Affairs and the Department of Justice was sent to Chief Real MacKenzie, Matimekush-Lac John First Nation and Chief Georges-Ernest Gregoire, Uashat mak Mani-Utenam First Nation on August 27, 2010. The letter committed that officials from the Department of Environment and Conservation will meet with both bands to discuss caribou management and conservation.
It is anticipated that consultation with the Quebec Innu will begin in the Fall of 2010.
Discussion with the Quebec Innu will include the provision of information on the 2010 George River caribou census; an overview of caribou management in Labrador (including possible revised GRC harvest management approaches) and, current management and conservation of threatened Labrador woodland caribou. Correspondence will be sent to Quebec Innu in September, with an invitation to participate in caribou management and conservation discussions with Provincial Government officials. ENVC will work with the departments of Labrador and Aboriginal Affairs, Natural Resources, Justice and the Intergovernmental Affairs Secretariat in developing agreed objectives for these discussions. The role of the Government of Quebec in these discussions will need to be clarified. It is anticipated that Quebec Innu bands will welcome the opportunity to engage in direct bilateral discussions to exchange information and discuss caribou management and conservation.

It is understood that the Government of Quebec does not currently plan on revising their George River caribou management strategies until the final census results have been fully presented and analyzed. In all likelihood, this will not result in any change to Quebec’s management approaches for the 2010-11 season. Most recently, the Government of Quebec held consultations in relation to the 2004-2010 Nord-du-Quebec (Rangifer tarandus) Management Plan.

Facilitation
Facilitation of the consultation process will be conducted by staff of the Wildlife Division, in collaboration with TCR and LAA. Secretarial support for the working group will be provided by the Wildlife Division of ENVC.

Minister/MHA involvement

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<td>All relevant MHAs will be informed of the progress of consultations and provided with high-level key messages.</td>
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Recording and Issues Tracking
Wildlife Division staff will record comments during discussions.

Media Policy
A news release will be issued regarding the stakeholder consultations and will invite public input through e-mail and regular mail. Should media inquiries arise during the stakeholder consultations, the outlet will be directed to the Director of Communications for ENVC, as per the usual communications protocol.

The outcome of the consultations and the public input, along with the analyzed census data and management strategies, will be communicated via a news release later in the fall, following the completion of the survey review.
Post-Consultation Communications Activities
Communications Plan to be prepared after the 2010 survey results are known.