

























January 25, 2022

Hon. Steven Guilbeault  
 Minister of Environment and Climate Change Canada  
 Government of Canada

Dear Steven Guilbeault:

**Re: NWMB Decision on Environment and Climate Change Canada’s Proposal to List Barren-Ground Caribou as Threatened Under the Federal *Species at Risk Act***

**Background**

At the Nunavut Wildlife Management Board’s (NWMB or Board) Regular Meeting (RM004-2021) on December 9, 2021, Environment and Climate Change Canada (ECCC) presented a proposal requesting that the Board approve the listing of barren-ground caribou as Threatened under the federal *Species at Risk Act*. Barren-ground caribou includes 11 herds within Nunavut: Ahiak, Baffin Island, Bathurst, Beverly, Bluenose-east, Boothia Peninsula, Coats Island, Lorillard, Qamanirjuaq, Southampton Island, Wager Bay herds. The proposal responds to the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) assessment of barren-ground caribou as threatened in November 2016. This assessment is based on demographic data indicating a reduction in numbers of >50% over three generations. COSEWIC concluded that barren-ground caribou does not appear to be facing imminent extinction, that there is no sign of rapid recovery, and cumulative threats are without historical precedent.

Since the COSEWIC assessment was completed, abundance estimates obtained for three Nunavut caribou herds: Bathurst, Bluenose east, and Beverly have shown continued declines, while the Qamanirjuaq and Southampton Island herds show stable population trends.

**NWMB Decision**

At the Board’s In-Camera Meeting (IC005-2021), on December 10, 2021, the Board considered your department’s submission and presentation to the Board, the 2016 COSEWIC Assessment and Status Report on the Barren-Ground Caribou, and oral and



written submissions provided by co-management partners present the Regular Meeting. The Board made the following decision:

*RESOLVED that, Pursuant to Section 5.2.34(f) of the Nunavut Agreement, the Nunavut Wildlife Management Board does not approve the listing Barren-Ground Caribou as Threatened under the federal Species at Risk Act.*

### Reasons for NWMB Decision

In reaching its decision, the Board considered ongoing threats to barren-ground caribou identified and described in the 2016 COSEWIC assessment and status report, including threats from climate and industrial development, habitat loss and fragmentation, and increased human population. The Board recognized that taken together, barren-ground caribou abundance has declined 56% in the past three generations, meeting (and exceeding) the thresholds for abundance decline that typically lead to categorizing a species as Threatened (30%) or Endangered (50%). Since the COSEWIC assessment was completed in 2016, abundance estimates obtained for three Nunavut caribou herds, Bathurst, Bluenose east, and Beverly, show continued declines, while the Qamanirjuaq and Southampton Island herds show stable population trends. The Board considered Inuit Qaujimajatuqangiit and scientific studies suggesting that most caribou herds have undergone natural fluctuations in numbers in the past; however, the Board remains aware that the cumulative threats may be without historical precedent.

The Board also understands that the listing of barren-ground caribou is not the same type of management action as a Total Allowable Harvest, Non-Quota Limitation or habitat protection. Listing of barren-ground caribou under the *Species At Risk Act* will trigger recovery planning and critical habitat designations processes and might provide opportunities and means for additional research on caribou and caribou habitat.

The Board also considered and commended efforts made by Environment and Climate Change Canada to consult Inuit on the proposed listing. Between 2017 and 2020, Environment and Climate Change Canada carried out consultation with Inuit, including in-person consultation with Hunters and Trappers Organizations and Regional Wildlife Organizations that typically harvest barren-ground caribou. The Board understands that despite these efforts, there are still some outstanding concerns about the effectiveness of the Government consultation process as a whole due mainly to the complexity of the species at risk assessment and listing processes.



However, during the NWMB Regular Meeting (RM004-2021) on December 9, 2021, in Iqaluit, the Board heard oral and written positions, arguments, and opinions of co-management partners and stakeholders across Nunavut; including Hunters and Trappers Organizations, Regional Wildlife Organizations, Regional Inuit Associations, Nunavut Tunngavik Incorporated and the Government of Nunavut. None of these organizations supported the proposal to list barren-ground caribou as Threatened under the *Species At Risk Act* for various reasons. They were concerned that the listing would adversely impact Inuit rights. For example, they stated that if barren-ground caribou are listed, caribou harvesting in Nunavut could come under increased scrutiny by non-government organizations, including animal rights activists and the international community, who may influence the implementation of prohibitions on harvesting barren-ground caribou or selling products made from caribou outside Nunavut. They also stated that the increased national and international attention caused by the listing would put pressure on Nunavut decision-makers to implement more harvesting restrictions and unduly infringe Inuit harvesting rights resulting in negative implications for food security in Nunavut. Comparisons were made by some to the listing of polar bears and the subsequent negative pressure felt by communities exercising harvesting rights of a listed species.

The Board also heard concerns about the level of Inuit involvement in the assessment of barren-ground caribou and the decision to list them as Threatened. The assessment was conducted by the Committee on the Status of Endangered Wildlife in Canada, which does not include Nunavummiut that would be affected by the decision. Additionally, there were concerns about the level, inclusion, and interpretation of Inuit Qaujimajatuqangit in the COSEWIC assessment that relies mainly on scientific studies. Inuit consistently communicate the proper use of Inuit Qaujimajatuqangit as being vital for all studies and more urgently for species of cultural significance like caribou. A challenge that arises when the NWMB is making decisions is striking a balance while weighing information from scientific sources and Inuit Qaujimajatuqangit. Historically, most proposals to the Board have consisted primarily of scientific data. Government approaches in obtaining that data are well established as opposed to methodologies that are yet to be developed in obtaining Inuit Qaujimajatuqangit.

In Nunavut, caribou are managed at the herd level. The Board heard that the barren-ground caribou Designatable Unit is too broad and does not consider the inter-herd differences in population dynamics. It was stated that a herd-by-herd approach for assessment and management was preferred because many herds have different statuses and require different management approaches that take into consideration unique herd characteristics like size, varied environmental conditions, and different



kinds of associated impacts (development, climate-related, harvesting). Additionally, it would be an extremely lengthy and challenging process to complete a Recovery Strategy that includes many different stakeholders and jurisdictions, with varying views on how caribou should be managed.

In Nunavut, caribou harvesting is about more than a source of nutrition; it is also an expression of Inuit identity and culture with direct links to the importance of the use of Inuit Qaujimajatuqangit and meaningful consultation. Even though the Board acknowledges the threats to barren-ground caribou and the significant efforts that Environment and Climate Change Canada put forth in terms of consultation, the fact that all Nunavut co-management partners and stakeholders did not support the proposal to list barren-ground caribou as threatened was sufficient to justify the Board's decision to not list barren-ground caribou as Threatened at this time.

## Conclusion

The NWMB looks forward to your reply and completion of the *Nunavut Agreement* Article 5 decision-making process. If you have any questions regarding this letter, please do not hesitate to contact the NWMB.

Daniel Shewchuk  
Chairperson  
Nunavut Wildlife Management Board

cc: Craig Machtans, Environment and Climate Change Canada  
Michael Svoboda, Environment and Climate Change Canada

Daniel Shewchuk  
Chairperson  
Nunavut Wildlife Management Board  
P.O. Box 1379  
Iqaluit, Nunavut  
X0A 0H0

Dear Mr. Shewchuk,

Thank you for your consideration of the proposed addition of Caribou, Barren-ground population as Threatened on Schedule 1 of the Species at Risk Act (SARA).

The range of this wildlife species spans three territories and three provinces. Throughout this range, the persistence of these vital caribou is crucial to the well-being and future of communities. In arriving at his response to the decision of the Nunavut Wildlife Management Board, the Minister must also examine other aspects of the situation. These include the concerns of the many communities within the Nunavut land settlement area, and those under the Tłı̄chǫ Government, as well as land claim beneficiaries within the Inuvialuit, Gwich'in, and Sahtu Settlement areas, and certain Indigenous communities within the provinces of Alberta, Saskatchewan and Manitoba. He must also consider the best way to ensure that the future of these caribou is secure.

Therefore, on behalf of Environment and Climate Change Canada, I would like to request flexibility concerning the period within which the Minister of Environment and Climate Change responds to your decision on this matter either accepting or disallowing the Board decision. As provided for in the Nunavut Agreement 5.3.18, would you and the Nunavut Wildlife Management Board agree to vary the deadline within which a response from the Minister is required?

If the Board is agreeable to a variance from the 60-day deadline, we propose one of 120 days. Would your Board accept this duration for the proposed variance?

Thank you for your attention to this issue.

Respectfully,

Julie Spallin

Director General, Wildlife Management Division,  
Canadian Wildlife Service  
Environment and Climate Change Canada



**MAY 24 2022**

Mr. Daniel Shewchuk  
Chairperson  
Nunavut Wildlife Management Board  
P.O. Box 1379  
Iqaluit NU X0A 0H0

Dear Mr. Shewchuk:

Thank you for your letter of January 25, 2022, conveying the Nunavut Wildlife Management Board's decision to reject the proposed listing of the barren-ground population of caribou (*Rangifer tarandus*; referred to as barren-ground caribou) as a threatened species under the *Species at Risk Act* (SARA). I regret the delay in responding.

I appreciate the Nunavut Wildlife Management Board's concerns regarding the listing of barren-ground caribou under SARA. I agree with the Board that while we can conclude from the Inuit Qaujimajatuqangit (IQ) and the scientific studies that most caribou herds undergo regular fluctuations, the prevailing cumulative threats appear to be unprecedented.

I recognize that there is some dissatisfaction with the extent of IQ that was incorporated into the 2016 Committee on the Status of Endangered Wildlife in Canada (COSEWIC) assessment. The COSEWIC assessment relied on the best available information at the time. Environment and Climate Change Canada shares the Nunavut Wildlife Management Board's interest in developing methodologies for the use of IQ in species assessments, and increasing the IQ that supports the development and implementation of all phases of the species at risk process in the future. In the case of barren-ground caribou, I am grateful for the significant engagement of Inuit to identify and enhance available IQ on this species during listing consultations. I understand that while the consultations were difficult, they provided a space for meaningful exchanges that have allowed all partners to hear and understand each other's points of views, information and perspectives. Working together in collaboration is key to ensuring the conservation of this important species.

Since 2018, Environment and Climate Change Canada has supported surveys for barren-ground caribou herds in order to obtain new population estimates. This is part of the Department's commitment to conserving barren-ground caribou,

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which is a priority species under the Pan-Canadian Approach to Species at Risk Conservation in Canada. However, additional avenues to support conservation would become available if this species is listed under SARA. When species are added to Schedule 1, the federal government has responsibility for co-ordinating their recovery across Canada.

To recover wildlife species with wide ranges, local circumstances must be recognized. Therefore, if listed, the co-operation of the responsible jurisdictions and wildlife management boards would be sought on all recovery planning documents. This collaborative approach would provide the opportunity for those affected to contribute to the design and drafting of the recovery strategy, ensuring IQ and all relevant information sources are considered, to the extent possible.

The shared efforts, contributions and continued investments in caribou stewardship would inform the next assessment, which COSEWIC is likely to undertake in 2026. The combined efforts from numerous parties on barren-ground caribou will contribute to a secure future for this species, and for a sustainable harvest for generations to come.

As noted in your correspondence, the process for harvest management is outlined in the Nunavut Agreement. This agreement will continue to be the process used to manage harvest in Nunavut, regardless of the listing outcome. This was an important point raised on many occasions, and we will continue to rely on the established co-management process.

While most Inuit organizations consulted in Nunavut opposed this listing, this was not the case throughout the rest of the Canadian range of barren-ground caribou. I have considered the Nunavut Wildlife Management Board's reasons, as well as advice on the outcome of the consultations with Indigenous communities for whom these caribou are crucial. These communities span Nunavut, the Northwest Territories, Yukon, and the northern Prairie provinces. If these caribou were listed under SARA, the long-term outcome for important habitats across their range would be enhanced. I am also aware of the significant recommendations for conservation of lands important to caribou being made in the current draft of the Nunavut Land Use Plan.

Therefore, after due consideration, I respectfully reject the Nunavut Wildlife Management Board's decision to not list barren-ground caribou as threatened under SARA. I look forward to completing and fulfilling our responsibilities of the Nunavut Agreement Article 5 decision-making process, and await the Board's final decision in response to this letter.

I understand that the Nunavut Wildlife Management Board has treated this matter as a priority. I assure you that Environment and Climate Change Canada officials and I share your concerns for the future of this species, and we will work with the Board to conserve barren-ground caribou.

Please accept my best regards.

Sincerely,



The Honourable Steven Guilbeault, P.C., M.P. (il/lui/he/him)

c.c.: Ms. Tara Shannon, Assistant Deputy Minister, Canadian Wildlife Service,  
Environment and Climate Change Canada  
Ms. Julie Spallin, Director General, Wildlife Management, Canadian Wildlife  
Service, Environment and Climate Change Canada  
Mr. Bruce MacDonald, Director, Canadian Wildlife Service, Northern  
Region, Environment and Climate Change Canada



July 20, 2022

Hon. Steven Guilbeault  
Minister of Environment and Climate Change Canada  
Government of Canada

Dear Steven Guilbeault:

**Re: NWMB Final Decision on Environment and Climate Change Canada’s Proposal to List Barren-Ground Caribou as Threatened Under the Federal *Species at Risk Act***

### NWMB Final Decision and Recommendations

On January 25, 2022, the Nunavut Wildlife Management Board (NWMB or Board) sent its initial decision on Environment and Climate Change Canada’s proposal to list barren-ground caribou as threatened under the federal *Species at Risk Act*, pursuant to Section 5.3.17 of the *Nunavut Agreement*.

On May 24, 2022, pursuant to Section 5.3.18(b) of the *Nunavut Agreement*, Environment and Climate Change Canada replied to the NWMB, rejecting the Board’s initial decision and provided written reasons the decision to reject. Section 5.3.21 of the *Nunavut Agreement* requires the NWMB to reconsider its initial decision considering Environment and Climate Change Canada’s reasons for rejection and make a final decision.

At the NWMB’s In-Camera Meeting (IC002-2022) on June 17, 2022, the NWMB reconsidered its initial decision on Environment and Climate Change Canada’s proposal to list barren-ground caribou as threatened under the federal *Species at Risk Act* and made the following final decision and recommendations:

*RESOLVED that, Pursuant to Section 5.2.34(f) of the Nunavut Agreement, the Nunavut Wildlife Management Board approves the listing Barren-Ground Caribou as Threatened under the federal Species at Risk Act; with the condition that recovery planning will be undertaken on a herd-by-herd basis.*

### Recommendations



Further to the NWMB's decision, the Board makes the following recommendations:

1. Recovery planning should be at the herd level

In Nunavut, caribou are managed at the herd level. The Board remains persuaded that the barren-ground caribou Designatable Unit is too broad and does not consider the inter-herd differences in population dynamics. The Board requests that planning and implementation of a recovery strategy should be done at a herd level and in close collaboration with Inuit who harvest from each herd. A herd-by-herd approach for management planning should consider each herd's unique characteristics like size, varied environmental conditions, and different associated impacts (development, climate-related, harvesting). Additionally, it would be an extremely lengthy and challenging process to complete a recovery strategy that includes many different stakeholders and jurisdictions, with varying views on how caribou should be managed.

2. That listing proposals are provided to the Board with up-to-date information

While the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) assessments must be based on the best available information, it is difficult to make informed decisions on the status if that information is outdated. The Board noted that several barren-ground caribou herds included in the COSEWIC assessment had abundance estimates that were old and likely outdated, including Ahiak, Baffin Island, Boothia Peninsula, Lorillard, and Wager Bay. The Board recommends that reasonable steps be taken to update outdated herd estimates before barren-ground caribou are re-assessed by COSEWIC in 2026. More generally, the Board wishes to express frustration that often, the information presented to the Board in support of listing proposals is old or likely outdated. The Board needs updated information to fulfill its responsibilities.

3. Inclusion of Inuit Qaujimajatuqangit

The Board strongly agreed with the sentiments expressed by co-management partners who stressed the need for greater involvement of Inuit and inclusion of Inuit Qaujimajatuqangit in the COSEWIC assessment process. The Board recommends that Inuit Qaujimajatuqangit be actively included in the COSEWIC assessment process for caribou and other species central to Inuit livelihoods. Inuit Qaujimajatuqangit could be included as a COSEWIC special report leading up to an assessment, as a separate government-commissioned report, as an Inuit



Qaujimajatuqangit addendum to the status report, or as a parallel Indigenous Knowledge and science threats calculators—as was done during the grizzly bear management plan development process. Tangible and demonstratable steps must be taken to incorporate Inuit Qaujimajatuqangit into the species at risk process. Such inclusion would more appropriately recognize the role of Inuit in caribou, help to foster meaningful collaboration between Inuit and Government and ensure complete and accurate status assessments.

**Reasons for NWMB Decision**

Environment and Climate Change Canada’s letter rejecting the NWMB’s initial decision, cited that the prevailing cumulative threats to barren-ground caribou appear to be unprecedented and that additional avenues to support conservation would become available if they are listed under the *Species at Risk Act*. Environment and Climate Change Canada also indicated that Inuit harvesting rights would be respected, harvest management would continue to follow the process outlined in the *Nunavut Agreement*, and that a collaborative approach to recovery planning would be taken to provide opportunities for Inuit Qaujimajatuqangit and community input to be included. Additionally, if barren-ground caribou are listed as threatened, it would allow important caribou habitats to be protected. Environment and Climate Change Canada also indicated that many communities and wildlife management boards across the range of barren-ground caribou in the Northwest Territories, Yukon, and the northern Prairie provinces supported listing barren-ground caribou as threatened.

Inuit harvesting rights will be respected

In reaching its final decision, the Board reconsidered its initial decision in light of the written assurance that Environment and Climate Change Canada would continue to rely on the established co-management process. As noted in Environment and Climate Change Canada’s correspondence, the harvest-management process outlined in the *Nunavut Agreement* will continue to be used to manage harvest in Nunavut if barren-ground caribou are listed as threatened. However, although Environment and Climate Change Canada’s reasons persuaded the Board, it is worth noting that Environment and Climate Change Canada did not address the main concerns raised by Inuit regarding the possible indirect consequences of the listing.

In the NWMB initial decision letter, the Board wrote:



“Inuit were concerned that if barren-ground caribou are listed, caribou harvesting in Nunavut could come under increased scrutiny by non-government organizations, including animal rights activists and the international community, who may influence the implementation of prohibitions on harvesting barren-ground caribou or selling products made from caribou outside Nunavut. They also stated that the increased national and international attention caused by the listing would put pressure on Nunavut decision-makers to implement more harvesting restrictions and unduly infringe Inuit harvesting rights resulting in negative implications for food security in Nunavut. Comparisons were made by some to the listing of polar bears and the subsequent negative pressure felt by communities exercising harvesting rights of a listed species.”

The NWMB is confident that Environment and Climate Change Canada shares the Board’s view that in Nunavut, caribou harvesting is more than a source of nutrition; it is also an expression of Inuit identity and a celebration of culture. Inuit have managed caribou for thousands of years and have a more vested interest in the sustainable management of caribou today than any outsider. We hope we can rely on the federal government, relevant co-management partners, and other stakeholders to uphold and defend Inuit’s constitutionally protected rights to access caribou as enshrined in the *Nunavut Agreement*.

### Prevailing cumulative threats appear to be unprecedented

The Board considered Inuit Qaujimajatuqangit and scientific studies suggesting that most caribou herds have undergone natural fluctuations in numbers in the past; however, the Board remains aware that the cumulative threats may be without historical precedent. The Board considered ongoing threats to barren-ground caribou identified and described in the 2016 COSEWIC assessment and status report, including threats from climate and industrial development, habitat loss and fragmentation, and increased human population. The Board recognized that when all herds are considered, barren-ground caribou abundance has declined by at least 30% in the past three generations, exceeding the threshold for abundance decline that typically leads to categorizing a species as threatened.

### Additional support for barren-ground caribou conservation will be available if they are listed as threatened

The Board is aware that if barren-ground caribou are listed as threatened, a recovery strategy to identify threats and propose actions to support recovery would be developed in



cooperation with affected Inuit and Inuit Organizations, as required under the *Species at Risk Act*. The Board considered that listing this population under the *Species at Risk Act* may provide funding opportunities to investigate threats to barren-ground caribou (e.g., disturbances from human activity and development, insect harassment and parasites, predation, and climate change). The Board also expects that the listing of barren-ground caribou will provide access to funding for ongoing community-led conservation initiatives through federal funding programs such as the Aboriginal Fund for Species at Risk and the Habitat Stewardship Program.

A threatened listing also requires critical habitat to be designated and protected. Most barren-ground caribou herds calve in Nunavut before winter migrating to the Northwest Territories. Therefore, it seems likely that a large portion of critical habitat designations would occur in Nunavut. Protecting these vital caribou habitats aligns with our position on the Draft Nunavut Land Use Plan that there should be complete area protection for caribou calving and post-calving grounds, including access corridors to and from the calving grounds. Additionally, in certain situations, such as sea ice crossings, critical habitat designations may be a more effective tool for protecting habitat than what is possible under the land use planning process.

### Conclusion

After carefully reconsidering its initial decision in light of Environment and Climate Change Canada’s reasons for rejection, the Board is now forwarding to you its final decision pursuant to Section 5.3.21 of the *Nunavut Agreement*.

The NWMB looks forward to Environment and Climate Change Canada’s reply and completion of the *Nunavut Agreement* Article 5 decision-making process. If you have questions regarding this letter, do not hesitate to contact the NWMB.

Sincerely,

Joshua T. Arreak  
 Acting Chairperson  
 Nunavut Wildlife Management Board

cc: Craig Machtans, Environment and Climate Change Canada



Ottawa, Canada K1A 0H3

SEP 22 2022

Mr. Joshua T. Arreak  
Acting Chairperson  
Nunavut Wildlife Management Board  
P.O. Box 1379  
Iqaluit NU X0A 0H0

Dear Mr. Arreak:

Thank you for your letter of July 20, 2022, providing me with the Nunavut Wildlife Management Board's final decision to accept the proposed listing of the barren-ground population of caribou (*Rangifer tarandus*; referred to as barren-ground caribou) as threatened under the *Species at Risk Act* (SARA). I appreciate the consideration that the Board gave to the reasons outlined in my letter of May 24, 2022, regarding the listing of this species, and I regret the delay in responding.

I accept the Board's final decision to approve the listing of the barren-ground caribou as threatened under SARA. This completes the Nunavut Land Claims Agreement's Article 5 decision-making process. Over the coming months I will take the next steps required under SARA regarding the listing decision for the barren-ground caribou.

On the topic of recovery planning, I recognize the importance of the continuing shared leadership in Nunavut for the conservation of the barren-ground caribou. If the Governor in Council decides to add the species to Schedule 1 to SARA, a recovery strategy will be developed with planning and implementation done collaboratively with all territorial and relevant provincial and Indigenous partners.

Local circumstances must be recognized to recover the barren-ground caribou. While the final recovery strategy will be the product of collaborating with many parties, I acknowledge and share the Board's interest in having it suit each herd. I will direct Environment and Climate Change Canada officials to undertake this approach for the barren-ground caribou in order to integrate range-wide concerns with herd-level nuances within one overarching recovery strategy.

Regarding Inuit Qaujimajatuqangit, Environment and Climate Change Canada continues to work with the Committee on the Status of Endangered Wildlife in Canada on improving the inclusion of traditional knowledge into species

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assessments. In Nunavut, the Department will continue to work in close collaboration with Inuit to ensure Inuit Qaujimagatunqangit is a part of the recovery planning phase for the barren-ground caribou.

I understand that the conservation of the barren-ground caribou and its habitat is a priority for the Nunavut Wildlife Management Board and all Inuit. Bringing so many communities and organizations together for recovery planning will be a challenging but worthwhile effort, as we all work to secure the future of these caribou for generations to come.

Please accept my best regards.

Sincerely,



The Honourable Steven Guilbeault, M.P., P.C. (il/lui/he/him)

c.c.: Mr. Jason Akearok, Executive Director, Nunavut Wildlife Management Board