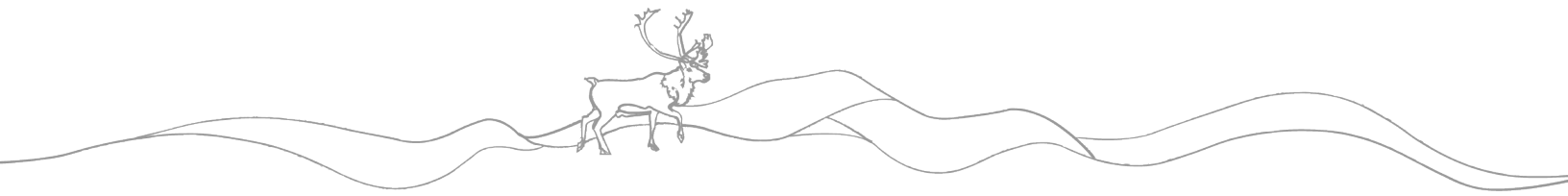

Tłegǫ̀hłı̨ ʔełets’éhkwę Godı
ʔekw’ǫ́ heots’edıgha go ɔeɔá, ʔehdagókégha, nek’e areyone gok’erek ǫ́

NORMAN WELLS 2024 PUBLIC LISTENING SESSION –
FINAL ARGUMENTS & INFORMATION REQUEST ROUND 3

Environment and Climate Change
March 22, 2024

Government of
Northwest Territories

Final Arguments

Tłegǫ̀hłı̨ 2024 Public Listening Session

The Department of Environment and Climate Change (ECC) looks forward to continuing to work collaboratively with the five Sahtú communities, the Sahtú Renewable Resources Board (SRRB) and all co-management partners on monitoring and management of caribou and their habitat. This work includes monitoring, assessing threats and implementing actions to help caribou.

A substantial amount of work has already been done in the NWT to assess and identify threats and possible actions to support caribou recovery. These actions can be found in the recovery strategies for barren-ground and boreal caribou, the management plan for northern mountain caribou, the Framework for Boreal Caribou Range Planning, the Taking Care of Caribou Management Plan and associated Action Plans, the Dehlá Got'ıne ʔədə Plan, Délıné's Belare Wíle Gots'ę́ ʔekwę́ Plan and Nío Nę P'ęné Begháré Shúhta Goɔepę́ Narehɔá – Trails of the Mountain Caribou Management Plan, among many other documents. ECC would appreciate the opportunity to meet with communities and discuss how they can continue to build on, implement and draft their community conservation plans.

When working on community conservation plans and the Sahtú boreal caribou range plan, ECC would appreciate the opportunity to collaboratively identify areas of importance for caribou so that these areas can contribute to recovery efforts and help inform fire management decision-making. However, it is important to remember that fire is a natural and important part of the boreal forest ecosystem and that plants and animals have adapted to fire.

ECC recognizes the impact climate change is already having on the NWT, and the impact it will continue to have on our ecosystems and wildlife species, including caribou. ECC is currently seeking input on the discussion paper: Adapting Wildlife Conservation and Management to Climate Change in the Northwest Territories[1]. This discussion paper asks questions and presents ideas, considerations and possible approaches to adjust wildlife management and conservation efforts in the NWT in response to climate change. This will be in addition to all of the work that the Government of the Northwest Territories is doing to respond to the impacts of climate change as outlined in the 2030 NWT Climate Change Strategic Framework and 2019-2023 Action Plan[2] and 2030 Energy Strategy[3]. Progress towards implementing actions in these strategies and action plans is reported here[4].

ECC hopes the information provided during the Tłegǫ̀hłı̨ 2024 Public Listening Session, including the submissions, the responses to information requests, and the presentation and answers to questions at the Public Listening Session will help the SRRB when it is considering how to help caribou in the Sahtú.

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[1] https://haveyoursay.nwt-tno.ca/climate-change-wildlife-project
[2] https://www.gov.nt.ca/ecc/en/services/climate-change/2030-nwt-climate-change-strategic-framework
[3] https://www.inf.gov.nt.ca/en/services/energy/2030-energy-strategy
[4] https://www.gov.nt.ca/en/newsroom/nwt-reports-climate-action-and-energy-2022-2023

Information Requests

Tłegǫ̀hłı̨ 2024 Public Listening Session

Fire Impacts

1. Can you provide more detail on the impacts of ash on wildlife and water? How is this assessed and monitored?

Ash from wildfires can affect wildlife. As noted in the second round of Information Requests, "boreal caribou may avoid places with smoke and avoid vegetation that is burned or covered in ash". This is likely the case for all ecotypes of caribou, with the potential for fire and ash to displace caribou.

However, it is important to remember that caribou and the boreal forest have co-existed with forest fires for thousands of years. The ash that is produced from fires acts as a fertilizer and reduces soil acidity, helping the boreal forest regenerate.

GNWT-ECC does not directly assess or monitor the effects of ash on wildlife, but rather focusses caribou monitoring at the population level. As noted in the response to the second round of Information Requests, ECC works with a range of partners to monitor the population size and trends of all barren-ground caribou herds in the NWT. This involves regular aerial surveys to estimate herd size (i.e. population estimate) and composition. ECC also collars individual animals to collect information on demographic indicators, such as survival rates. Also, ECC monitors various indicators of health and disease in caribou of all ecotypes across the NWT. ECC staff collect a range of samples, measurements and observations to help assess the health status of individuals and populations. ECC has been assessing body condition, nutrition and mineral status, pregnancy status, contaminants, stress, and exposure to various diseases and parasites which may cause illness and death or impact reproductive success.

Wildfires do have the potential to impact water quality in lakes and streams. Increased soil erosion and levels of ash and debris may lead to increases in various parameters such as nitrate, ammonia, phosphate, total suspended solids, turbidity, and some metals like iron and manganese. ECC's Water Monitoring and Management Division and Environment and Climate Change Canada carry out routine monitoring for these parameters across the territory (Water Monitoring Locations, NWT). ECC also supports various partners and guardian programs with water monitoring in communities. For more information, please visit Mackenzie DataStream which is an open access platform for sharing information on freshwater health. Mackenzie DataStream users can access water quality datasets collected by communities in the Mackenzie River Basin.

ECC's NWT Cumulative Impacts Monitoring Program (CIMP) has funded projects that may be of interest to the SRRB. Project 177 investigated the impact of forest fires on metal deposition to lakes and peatlands in the North Slave Region. The NWT Environmental Research Bulletin for this

project can be found here[5]. Project 174 examined the impact of recent wildfire on freshwater streams within the North Slave, South Slave and Dehcho regions by analyzing water chemistry and benthic macroinvertebrates. A video highlighting this project can be found here. Project 193 monitored freshwater ecosystems in Ts'udé nilįné Tuyeta. The NWT Environmental Research Bulletin for this project can be found here[6].

2. Are communities consulted when the government determines whether to "observe" versus "fight" a wildfire? If so, how is their perspective taken into consideration?

Wildfire fighting and prevention draws upon Indigenous and local knowledge. Wildfire professionals maintain relationships with Indigenous governments, Indigenous organizations and community leadership to ensure local needs and knowledge are part of all decisions made on wildfire.

ECC works with NWT communities to develop and implement Community Wildlife Protection Plans (CWPP). Every community in the NWT at risk from a wildfire currently has a CWPP in place. These plans identify and reduce wildfire risk in communities. CWPPs can be found on ECC's website[7].

During the fire season, these planning and preparation processes help inform the response to wildfires, which require timely responses given the need to manage threats to values at risk.

3. Do you plan to manage wildfires to protect caribou habitat?

Important caribou habitat is considered as part of ECC's values-at-risk approach to wildfire management, and ECC is willing to have conversations with communities to identify priority caribou habitat in their area to include in the values-at-risk database. This would be in line with approaches outlined in the Recovery Strategy for Barren-ground Caribou in the NWT and the Framework for Boreal Caribou Range Planning. ECC has worked with communities in the North Slave Region to identify priority caribou habitat areas to identify as values-at-risk for fire management. The results of that engagement and consultation were included in the interim Wek'èezhìi boreal caribou range plan, and areas for both barren-ground and boreal caribou have been included in ECC's values-at-risk database.

[5] https://www.gov.nt.ca/ecc/sites/ecc/files/resources/nerb_vol_5_issue_20_chetelat_english_1.pdf
[6] https://www.gov.nt.ca/ecc/sites/ecc/files/resources/nerb_vol_5_issue_22_gurney_english_1.pdf
[7] https://www.gov.nt.ca/ecc/en/services/wildfire-operations/community-wildland-fire-protection-plans/Community%20Wildland%20Fire%20Protection%20Plans%20-%20by%20community

4. Can you elaborate on the "values at risk" approach or assessing the "relative value" of the land? What has the GNWT-ECC assessed as a "value at risk" in the Sahtú settlement area?

A value-at-risk is anything on the land that is of value to people. This could include:

- Communities
- Cabins
- Critical infrastructure
- Camps
- Critical wildlife habitat
- Cultural values such as grave sites

When wildfire managers make decisions on whether and how to fight a particular fire, values-at-risk are the most important consideration.

ECC maintains a database of values-at-risk. Letting ECC know about cabins or other values-at-risk is important for fire operations and to help protect things that are important to people. To register a value-at-risk, anyone can download the values-at-risk form[8], fill it out and send or bring it into their local ECC office. If anyone has trouble with the form, they are encouraged to visit their local ECC office, where staff are available to assist them.

All information shared with ECC is kept private and is only used by fire managers for fire management purposes.

Fire Retardants

1. What are the specific fire retardants used in the NWT since GNWT-ECC began using them?
2. What are the fire retardants used specifically in the Sahtú since GNWT-ECC began using them? What is the formulation?

There are two primary types of retardants used in the NWT. Short-term retardants are used to increase water efficiency. The short-term retardant used in the NWT is FireFoam WD881-C, which is used in CL-215 (Skimmer) Air Tankers. These retardants are applied to the flame front or just ahead of the perimeter of the fire.

Long-term retardants create a barrier between the fire and available fuels and are applied just outside the perimeter of a fire. ECC currently uses Liquid Concentrate 95-AMV (LC95-AMV).

The formulations for these retardants can be found in the Materials Safety Data Sheets for FireFoam WD881-C[9] and Liquid Concentrate 95-AMV[10].

[8] https://www.gov.nt.ca/ecc/sites/ecc/files/form_fmd_var.pdf
[9] https://www.perimeter-solutions.com/wp-content/uploads/2021/08/PHOS-CHEK-WD881-EN-OSHA-WHMIS-GHS-SDS-2020-06-18.pdf
[10] https://www.fs.usda.gov/rm/fire/wfcs/products/msds/retard/phoschek/SDS_PC_LC95A-R.pdf

3. Can you tell us more about how GNWT-ECC evaluates the effects of fire retardant on wildlife?

GNWT-ECC does not directly assess or monitor the effects of fire retardant on wildlife, instead ECC monitors caribou at the population level. See the response to *Fire Impacts* IR#1 (above) for more information on caribou monitoring.

4. What monitoring is done on fire retardant impacts after use? How long do you monitor their effects on wildlife and habitat?

Other than monitoring explained in response to *Fire Impacts* IR#1 (above) there is no specific monitoring on fire retardant impacts in the NWT.

IPCAs and the SRRB's authority (re: Tuyeta)

1. What is the GNWT-ECC's position regarding the SRRB's role with respect to the Ts'ude Niłįne Tuyeta draft Management Plan as set out in the Ts'ude Niłįne Tuyeta Establishment Agreement?

GNWT ECC recognizes that the SRRB's approval of the management plan for Tuyeta is required under 13.8.23(c) of the Sahtu Dene and Metis Comprehensive Land Claim Agreement (SDMCLA). The management plan is a "plan for the management and protection of… particular wildlife habitats including conservation areas…" under 13.8.23(c) as it deals with management and protection and Tuyeta is a "conservation area" as defined in the SDMCLA. ECC believes that the SRRB's involvement in reviewing the draft management plan should be in relation to renewable resources.

Depending on whether any issues or concerns are identified during the SRRB's review of the draft management plan, those concerns would be considered and addressed. Once a final draft is ready for consideration, the SRRB's approval of the final draft will be sought to confirm there are no outstanding concerns, or to identify any outstanding issues that need to be considered.

2. Can you update the SRRB on the implementation of section 8.6 and 8.8 of the Ts'ude Niłįne Tuyeta Establishment Agreement?

A draft of the Management Plan is currently being reviewed by K'ahsho Got'ine Foundation and GNWT. The Parties are planning to meet within the month to discuss and incorporate those comments into a revised draft. Once the Parties are happy with the revised draft, they will seek permission from their respective leadership to go out for public engagement. The SRRB will be provided with a draft for their review and input prior to any public engagement activities.

Feedback on Hı̨dó Gogha Sę́né̹gots'íɔ́á Guidance

ECC is supportive of Fort Good Hope's position that the Hı̨dó Gogha Sę́né̹gots'íɔ́á (Planning for the Future) Guidance Document should clearly indicate that it does not apply to management planning for protected areas established under the *Protected Areas Act*. The draft Hı̨dó Gogha Sę́né̹gots'íɔ́á (Planning for the Future) Guidance Document seems to be focused on community-based conservation plans, so should be limited to that context. The draft Hı̨dó Gogha Sę́né̹gots'íɔ́á (Planning for the Future) Guidance Document, appropriately given its focus, does not refer to or address anything specific to protected area management planning and could not be appropriately applied to the protected area management planning context without substantial amendments.

ECC's only other comment on the draft Hı̨dó Gogha Sę́né̹gots'íɔ́á (Planning for the Future) Guidance Document is regarding the following text at the top of page 3:

Hı̨dó gogha sénégots'íɔ́á is a viable conservation approach that is community-led and a more effective and more rights-compliant alternative to harvest limits.

ECC wishes to note that a total allowable harvest is the only tool, as set out in the SDMCLCA, that can be used to restrict a Sahtu participants' quantity of harvest. In some cases, ECC has enacted total allowable harvests in line with resource management boards' recommendations, determinations, or through iterative decision-making processes across the NWT, which is also the only way to have a TAH that is legally enforceable. The decision to implement a TAH is not taken lightly and is only considered "if required for conservation and to the extent necessary to achieve conservation" (S. 13.5.2, SDMCLCA).

ECC recognizes the important contribution of community-based initiatives as a part of overall caribou management efforts. ECC has clearly stated its support for community conservation planning, and has committed to working with communities in the Sahtu as they advance their plans. As ECC noted at the Public Listening Session, the development of a community-based conservation plan does not mean that a harvest limit will be, or is more likely to be, imposed. When warranted by conservation concern, community-based conservation plans and harvest limits can coexist.