



The Department of Environment and Natural Resources (ENR) is considering a government action involving Wildlife Act “Phase 2” related regulatory amendments to regulations under the Northwest Territories (NWT) *Wildlife Act*.

ENR is now conducting public consultation and engagement with respect to the Phase 2 amendments.

## Why is it Needed?

- The *Wildlife Act* came into force in November 2014
- Some ideas for new/amended regulations could not be completed before November 2014 so they were deferred to “Phase 2”



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The *Wildlife Act* and its related regulations that are in place now took 15 years to complete. It came into force on November 28, 2014 after multiple rounds of extensive consultation and engagement. Today we have a *Wildlife Act* with a main purpose to conserve wildlife in the NWT, encourage wise use and promote stewardship of wildlife by all residents.

The *Wildlife Act* and its regulations were developed using a collaborative approach that included a Wildlife Act Working Group (WAWG) with members from all wildlife co-management authorities and Indigenous governments in the NWT, a Stakeholders Wildlife Act Advisory Group (SWAAG) with members from industry-tourism-outfitters-resident hunters-at-large, and results from consultation and public engagement.

Some of the ideas for new regulations were not ready before November 2014 and additional areas required further engagement and analyses before regulation concepts could be considered. These new or deferred initiatives were considered “Phase 2” initiatives and developed with input from WAWG and SWAAG, along with input from regional ENR officials.

This presentation provides a summary of the proposed government actions in “Phase 2” and we feel these are important steps in the continued conservation of wildlife in the NWT. ENR is consulting to gather your feedback and will continue to develop and refine the proposed government actions based on that feedback.

## “Phase 2” Overview

- Harvester training
- Use of drones or unmanned aerial vehicles (UAVs)
- Import and possession of wildlife
- Pest species
- Wildlife Management and Monitoring Plans (WMMPs)
- Definition of boreal caribou (woodland and mountain)
- Youth harvesting
- Nests and roosts
- Administration



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“Phase 2” includes regulation proposals for the following topics. Each of these are discussed in more detail on the following slides.

- Harvester Training Course exemptions and requirements
- Prohibiting the use and possession of drones for general hunting licence/resident/non-resident/non-resident alien (GHL/RES/NR/NRA) hunters when hunting big game species
- Restricting import and controlling the possession of certain animal species
- Identifying and restricting movements of pest species
- Enabling process and content requirement guidelines for Wildlife Management and Monitoring Plans (WMMPs)
- Replacing “Woodland Caribou” with “Boreal Caribou” + “Mountain Caribou” in the *Big Game Hunting Regulations*
- An administrative change to the Non-resident Young Harvester license holder requirement
- Protecting raptor nests during the winter when they are unoccupied
- Protecting the natural summer roost sites for all species of bats
- Making administrative metes and bounds updates to be consistent with land claims areas

## Harvester Training Course: proposed exemptions

- Any person exercising an established or asserted Aboriginal right to harvest in the NWT in areas where they have harvesting rights
- General Hunting Licence holders
- Any resident that has held a NWT resident hunting licence in the previous 5 years
- Any resident that can prove they held a hunting licence in another Canadian jurisdiction in the previous 5 years
- Any resident that provides proof they have passed a hunter training course from another Canadian jurisdiction
- Any hunter using a licenced guide or outfitter
- Any person successfully challenge and pass the examination without taking the course



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These are the regulations associated with the Harvester Training Course needed to bring sections 46-48 of the *Wildlife Act* into force. It is important to highlight that these proposed regulations recognize asserted or established Aboriginal or treaty rights regarding the harvesting of wildlife in the NWT, and as such the course will not be a legislated requirement for any person exercising those rights in areas where they have rights. The GNWT cannot justifiably infringe on those rights by making the course a requirement unless it is Court ordered.

However, ENR recognizes the strong desire to work directly with local harvesting committees for regional delivery of this course across the NWT.

### Proposed exemptions to the Harvester Training Course:

- Any person exercising an established or asserted Aboriginal right to harvest in the NWT in areas where they have harvesting rights
- General Hunting License holders
- Any resident that has held a NWT resident hunting license in the previous 5 years
- Any resident that can prove they held a hunting license in another Canadian jurisdiction in the previous 5 years
- Any resident that provides proof they have passed a hunter training course from another Canadian jurisdiction
- Any hunter using a licensed guide or outfitter
- Any person successfully challenge and pass the examination without taking the course

## Harvester Training Course: proposed requirements

- Unless directed by the Court, any person convicted of these offenses will be required to take the course before lawfully hunting again with a licence:
  - Hunting out of season or in a closed zone / hunting without a required licence or tag / exceeding harvest limits / poaching
  - Disturbance or harassment of game
  - Wounding or loss of game
  - Wastage
  - Improper harvesting methods
  - Baiting
  - Using prohibited substances
  - Using dangerous harvesting methods
  - Trafficking



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Along with exemptions come requirements if a person is convicted or ticketed for an offense.

In application, if convicted and otherwise not Court ordered, a person convicted of these offenses would be required to take the Harvester Trainer Course before lawfully hunting again with a license – even with a General Hunting License:

- Hunting out of season or in a closed zone / hunting without a required license or tag / exceeding harvest limits / poaching (provisions related to s.38, or the Big Game Hunting Regs s.8, or the Small Game Hunting Regs s.2)
- Disturbance or harassment of game (provisions related to s.52)
- Wounding or loss of game or (provisions related to s.53)
- Wastage (provisions related to s.54)
- Improper harvesting methods (provisions related to s.60)
- Baiting (provisions related to s.62)
- Using prohibited substances (provisions related to s.69)
- Using dangerous harvesting methods (provisions related to s.70)
- Trafficking in the meat of wildlife or other parts (provisions related to s.75(b) and (c))



## Drones or Unmanned Aerial Vehicles (UAVs)



- Proposal to prohibit the possession or use of drones/UAVs while hunting.
- Anyone with an Aboriginal right to harvest would be exempt from this prohibition.



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This proposed regulation recognizes asserted or established Aboriginal or treaty rights regarding the harvesting of wildlife in the NWT, and as such - similar to the legislation recently enacted in the Yukon - this prohibition would be seen as an unjustifiable infringement and would not apply to Aboriginal harvesters exercising their Aboriginal or treaty rights within their traditional use areas.

Proposed use and possession prohibitions for drones / UAVs:

- No person while harvesting big game or small game species (like moose or hare), upland birds (like ptarmigan or grouse), or migratory birds (like geese or ducks) would be able to be in possession of a drone or use it while hunting.
- Any person exercising an established or asserted Aboriginal right to harvest in the NWT in areas where they have harvesting rights would be exempt from this prohibition.

# Import, possession and transport

Some animals have the potential to significantly affect our native plants and animals. If you plan to bring or already possess any of the following animals, depending on the area, you may be subject to new rules:

- Alpacas
- Domestic goats and sheep
- Llamas
- Mule or white-tailed deer
- Wild boar
- Bats



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The specific regulations proposed by species and area are discussed in further detail on the following slides.

## Import, possession and transport (to protect wild sheep)



- For alpacas, domestic goats and sheep, and llamas.
- To protect wild sheep from disease - no import, possession, or transport of these animals in the Mackenzie and Richardson mountains.
- Specifically in areas D/OT/01-02, S/OT/01-05, G/OT/01, and G + I west of the Mackenzie River.



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A prohibition is needed to help protect our wild sheep populations in the currently existing Mackenzie Mountain Wildlife Management Areas.

Llamas, alpacas, domestic sheep, and domestic goats in wild sheep range pose a real and significant threat of disease to our wild sheep population. There is a respiratory disease caused by bacteria (it is like *Mannheimia*) that has caused significant declines of wild sheep in North America.

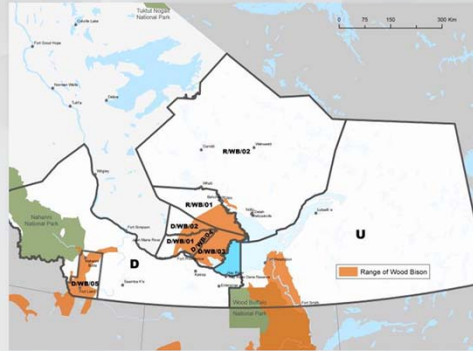
These domestic species are carriers of this bacteria and contact with NWT wild sheep could be devastating as they have never been exposed to this pneumonia-causing bacteria.

Our proposed regulatory measures will match efforts in other jurisdictions.



## Import, possession and transport (to protect wood bison)

- To protect wood bison from disease – the import, possession, or transport of domestic sheep only allowed via license & conditions.
- Applies in areas with wild wood bison populations (zone U, areas D/WB/01-05 and R/WB/01-02) and to all current domestic sheep owners.



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Prohibitions are needed to help protect our wild wood bison populations.

Domestic sheep are symptomless carriers of the Malignant Catarrhal Fever (MCF) virus. This virus can have exceptionally high mortality rates in bison if sheep come in “nose-to-nose” contact with them.

These prohibitions are proposed to apply in the currently existing Wood Bison Wildlife Management Areas [read areas on slide].

These prohibitions would apply to all current domestic sheep owners.

## Import, possession and transport (to protect wood bison, cont'd)

- Specifics:
  - Domestic sheep will need to be transported in an ENR-approved containment system.
  - Domestic sheep will need to be kept in an approved containment system (i.e., fencing that prevents nose-to-nose contact between sheep and wood bison).
  - Domestic sheep are tested for disease to the satisfaction of ENR.
  - Domestic sheep will be subject to quarantine or disease management measures are considered appropriate by ENR
- Known bison range extends beyond D/WB/05. Should a boundary west of the Mackenzie River be used instead?



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The import, possession, or transport will be allowed, but only through a licence, and only when certain conditions are met. These conditions are:

- Domestic sheep are transported in an ENR-approved containment system.
- Domestic sheep are kept in an approved containment system (i.e., fencing that prevents nose-to-nose contact between domestic sheep and wood bison).
- Domestic sheep are tested for disease or conditions to the satisfaction of ENR.
- Domestic sheep will be subject to quarantine or disease management measures are considered appropriate by ENR.

Also, we are seeking your input if the scope of these protections should apply beyond area D/WB/05.

ENR realizes there may be specific questions about the types, standards and details for animal health management, transport, and containment approaches that may be considered to support the proposed regulations. There are many well developed specific standards and guidelines in other jurisdictions that can be used in the NWT. When the time comes to consider and adopt NWT standards, ENR commits to working closely with wildlife and agriculture managers, and regulators to adopt standards that meet the needs of the agriculture sector and mitigate wildlife/domestic animal risks.

While the GNWT works with other agencies and experts to develop regulation related standards and best practices, the costs associated with implementing these measures are with the licence holder and livestock owner.

## Import, possession and transport (to protect cervids)

- Chronic Wasting Disease (CWD) is a significant wildlife health issue.
- To protect NWT caribou from disease, import prohibitions on mule and white-tailed deer (live and parts) throughout the NWT are proposed.
- Practically, only boned-out meat from lawfully harvested deer can be brought into the NWT.
- This constitutes a justifiable infringement of rights.



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Chronic Wasting Disease (CWD) is a significant wildlife health issue. CWD is a disease that can impact all cervid species, like caribou, and can result in significant mortality. For this reason, import restrictions on mule and white-tailed deer, which carry CWD, are required to protect NWT caribou.

Import restrictions need to apply to live animals, but also to certain parts of those animals harvested in another jurisdiction to prevent disease transmission.

Any person, regardless of asserted or established Aboriginal or treaty rights, may not bring the following parts into any area of the NWT: brain matter, cranial nerves, spinal column and its parts, whole skulls or skull plates, hooves, boned-in meat, urine, and mammary glands. These parts can carry a protein called a “prion” that transmits this disease. This also applies to parts professionally or commercially prepared, because this disease cannot be eliminated.

It is important to note that there are Treaty 8 areas in Saskatchewan and Alberta that have deer that have potentially been exposed to CWD. This proposed regulation, even though it is an infringement of asserted or established Aboriginal or treaty rights, is a necessary measure to ensure the conservation of wildlife, and especially caribou, in the NWT.

## Import, possession and transport (to protect bats)



- In addition to the new import, possession and transport rules discussed on the previous slides, the import and release of live bats will also be specifically prohibited.
- This is to protect wild bat species from white-nose syndrome (WNS).



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Live bats have also been included as a species for which live import or release should be prohibited to protect all native bat species in the NWT.

White-Nose Syndrome (WNS) is a devastating health issue affecting eastern North American bat populations since its discovery in 2006. WNS is believed to be caused by *Pseudogymnoascus destructans*, a fungus that grows on the skin of the bat and is easily transmissible between regions, caves, and bat species.

The NWT does not have WNS and this step is a prudent precautionary measure.

## Pest Order: Wild Boar



- Purpose - to protect NWT wildlife and habitat.
- Proposal to declare wild boar a pest species in the NWT.
- Will allow residents to kill or capture wild boar in the NWT.
- No license, season, or bag limit.
- Reporting a kill within 72 hours is necessary.

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European wild boar, or feral wild boar, are carriers of brucella or tuberculosis which are significant threats to wildlife populations in the NWT. These animals can also cause significant and vast damage to habitat – they have been called an ecological trainwreck.

There are feral wild boar in British Columbia, Alberta, and Saskatchewan and they are confirmed as moving northward – as close as Liard River Hot Springs Provincial Park in BC and about 300km south of the Alberta border along Highway 35.

Following the 'Pest Declaration', the regulations will allow any person that is a resident to kill or capture, or attempt to kill or capture, wild boar.

There will be no license, season, or bag limits on this species.

Any person that is a resident that kills a wild boar must report it within 72 hours to an officer and report the sex of the boar.



## Wildlife Management and Monitoring Plans (WMMPs)

- WMMP related regulations are needed to enable the draft process and guideline requirements so that:
  - Will also apply to NWT species at risk (either federally or territorially listed)
  - When the Minister determines a WMMP is needed, the reasons why must be explained
  - Completion of the WMMP is a condition of the development's activity
  - Compliance with the WMMP is mandatory



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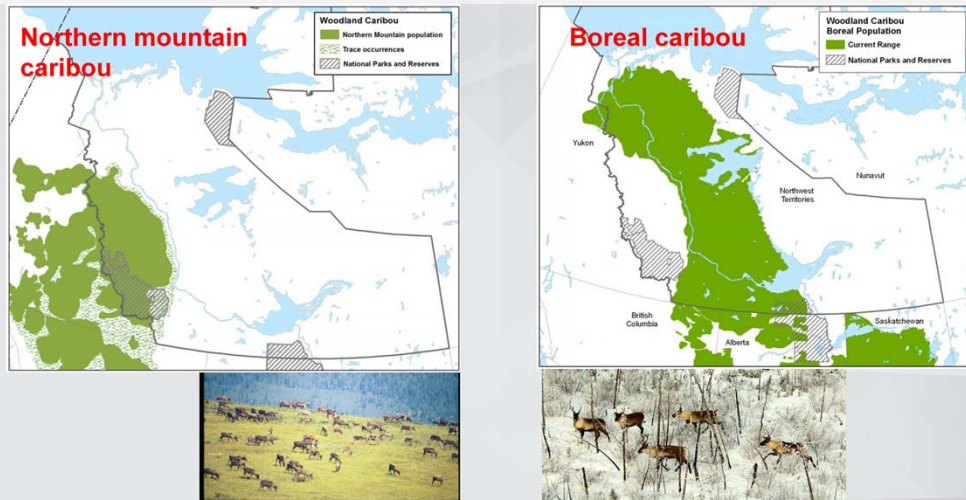
Some development projects may result in significant disturbance or pose a threat of harm to wildlife, cause substantial damage to wildlife habitat or significantly contribute to cumulative impacts on wildlife or habitat. Section 95 requires these types of projects to have a “Wildlife Management and Monitoring Plan” or WMMP.

*[Note: There is a separate presentation on the draft WMMP process and guideline requirements.]*

The new proposed WMMP-related regulations will:

- Include application to NWT-managed species at risk, whether legally listed or just assessed (this is in addition to big game but would not include migratory birds or fish).
- Require the Minister of ENR to inform a person or body requiring a WMMP of their reasons for triggering section 95.
- Prohibit development, proposed development, or development activity until the WMMP is approved by the Minister.
- Require compliance with the approved WMMP or the developer could face penalties of up to \$1,000,000.

# Woodland Caribou



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Woodland caribou have two biologically distinct units, or “ecotypes”. One group is considered as “boreal” caribou and the other as “northern mountain” caribou, based on the habitat where they typically reside (mountains vs forests) and how they live (in large vs small groups). Separating them in the regulations will facilitate possible future management actions.

The next slides describe how.

## Woodland Caribou

- Only a small regulation change needed to separate woodland caribou into 'northern mountain' and 'boreal' caribou.
- Tag types, seasons, limits, conditions, and fees will remain the same.
- No negative impact to boreal caribou is expected as a result of this change.



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The separation of 'boreal caribou' from 'northern mountain caribou' will be in line with existing Wildlife Management Zones and Areas currently in regulation. The only regulation change will be in the Schedule of the *Big Game Hunting Regulations*: "Part 6" would be replaced with a table for each caribou ecotype.

Northern mountain caribou areas would follow the existing woodland caribou tag types, seasons, limits, conditions, and fees that currently apply for D/OT/01, D/OT/02, G/OT/01, S/OT/01, S/OT/02, S/OT/03, S/OT/04, and S/OT/05.

Boreal caribou areas would follow the existing woodland caribou tag types, seasons, limits, conditions, and fees that currently apply in D, G, I, R, S, U. Currently, RES hunters can get one "woodland caribou" tag FOR EITHER the mountain or boreal areas. This regulation change means RES hunters could now get a tag FOR BOTH the mountain or boreal areas.

ENR has heard concerns that estimated harvest of boreal caribou by resident hunters was increasing, however analysis of the 2017 data showed that the increase is due to harvest of the mountain woodland ecotype. There has been no increase in boreal caribou harvest by resident hunters.

We believe there will be no change in the number of animals harvested by RES hunters due to this regulation change.

There are no proposed changes for asserted or established Aboriginal or treaty rights holders regarding the harvesting of these ecotypes.

# Boreal Caribou

- Listed as “Threatened” under *Species at Risk Act* and *Species at Risk (NWT) Act* - protections for individuals should be explored
- Do **YOU** have ideas to help conserve boreal caribou in the NWT?
  - Mandatory harvest reporting by everyone?
  - Require tags for everyone?
  - Limit the areas available to harvest?
  - Close any harvest of female boreal caribou?
  - Apply a limited entry draw to resident hunting licence holders?
  - Change the season currently available to harvesters?
  - Something else?



Looking forward:

- Should there be more individual protection?



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Boreal caribou are a species at risk nationally and within the NWT as well. Are there any possible future regulatory changes that should be pursued to help protect individuals?

Please note that boreal caribou harvest levels in the NWT are believed to be low. The NWT Recovery Strategy summarized the harvest based on the NWT resident hunter harvest survey, regional harvest studies, and traditional knowledge reports. The average number of boreal caribou harvested each year in the NWT could be as low as 80 (about 1% of the estimated population) or as high as 200 (more than 3% of the estimated population).

Our current understanding of local and traditional knowledge is that Indigenous people tend to only harvest this type of caribou opportunistically; most communities rely more on barren-ground caribou, moose, or other wildlife. However, some concerns have been raised that harvest of boreal caribou may have been underestimated in the southern NWT and that harvest levels may be increasing.

Regarding harvest by resident hunting licence holders, only about 22 boreal caribou per year are harvested, which represents less than 0.5% of the estimated population. This harvest is tracked through the annual NWT Resident Hunting Survey.

There is a certainly a need for more reliable harvest data, but should there be more protection for individuals?

## Non-Resident Young Harvesters

- Young NR and NRA harvesters (at least 12 years old) can get their own hunting license in the NWT.
- Must be accompanied by a person at least 18 years old who is permitted to hunt in the NWT.
- Proposal to create an exemption to allow young NR and NRA harvesters to be accompanied by a licensed guide only.



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This regulation change would allow for instances where a parent and son/daughter come up to hunt in the NWT and the son/daughter can go out hunting on his/her own with a guide. This will accommodate instances where a parent is sick or otherwise unable to accompany the youth, yet still allow the youth to hunt.

Currently, non-resident (NR) and non-resident alien (NRA) harvesters must be accompanied by a guide when hunting big game.

Young harvester (at least 12 years of age) NR and NRA hunters are eligible to get their own hunting license, but must be accompanied at all times by a person who is at least 18 years old and entitled or authorized to hunt wildlife in the NWT.

However, not all guides are licensed to hunt in the NWT (because they may not be NWT residents) so the requirement means a young harvester needs to be accompanied by a licensed hunter and a licensed guide.

An exemption in regulation is needed to allow young NR and NRA harvesters to be accompanied by a licensed guide only.



## Winter Unoccupied Raptor Nests



- Raptors and their nests are protected in several ways already.
- No harvesting, disturbance, harassment, or possession of eggs or the nest itself when occupied are permitted.
- However, protection of unoccupied nests is needed because raptors often use the same nest every year.
- Proposal to protect those nests from intentional destruction.



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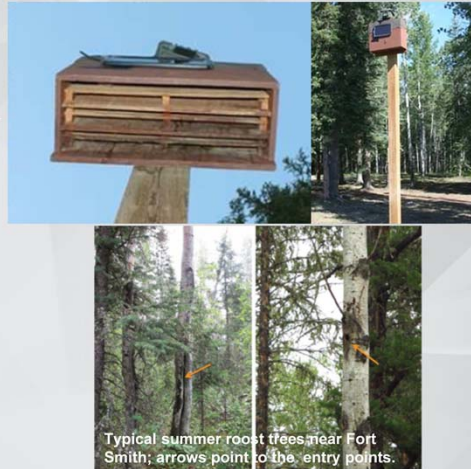
Birds of prey (raptors) and their nests (when in use) are protected by the *Wildlife Act* in several ways: harvesting, disturbance, harassment, possession of eggs or the nest itself when occupied.

However, many raptors return to the same nest year after year and unoccupied nests are not afforded any protection.

The proposed regulation would protect these unoccupied nests from intentional destruction.

## Summer Bat Roost Sites

- Summer roost sites for reproductive female bats are important habitat requirements.
- Not currently protected under the *Wildlife Act*.
- Proposal to protect summer roost sites from intentional destruction.
- Bats roosting in peoples' houses, etc. would be exempt from this protection.



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There is a conservation concern for bats in the NWT because some species are at risk (little brown myotis and northern myotis have been emergency listed federally and are also being considered for listing territorially).

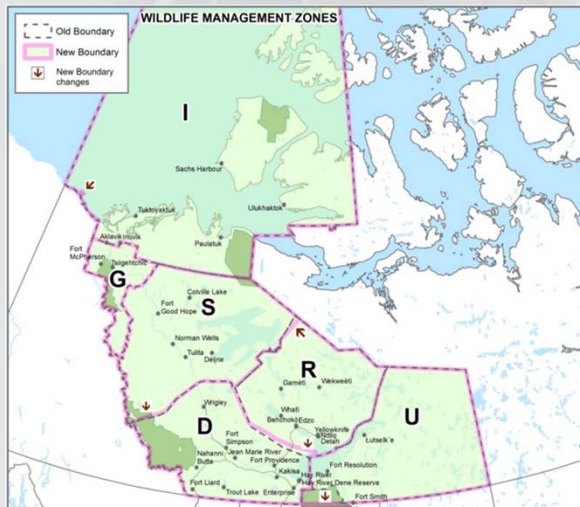
Summer roost sites are an important habitat requirement for bats. During summer, reproductive females form summer maternity colonies. These roosts are used repeatedly over many years.

Although the *Wildlife Act* protects bat hibernacula (winter hibernation sites), it does not protect these important summer roost sites. The proposed regulation would protect these summer roosting sites from intentional destruction.

Bats roosting in man-made structures (except intentionally built structures like bat-houses) would be exempt from this proposed protection.

Protecting natural roosting sites of bats will help conserve the NWT's biodiversity.

# Metes and Bounds Updates (Administrative border corrections)



- The legal descriptions in the *Wildlife Management Zones and Areas Regulations* need to be changed to reflect metes and bounds (borders) in Land Claim Agreements.



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Specifically, this regulation change would fix the differences between the legal descriptions of zones and areas in the regulations, and the legal descriptions in the land claim agreements regarding the:

- Gwich'in Settlement Area (GSA) along the Yukon border,
- southern Sahtu Settlement Area (SSA) boundary and the Dehcho,
- Sahtu and Tlicho boundary lines, and
- Tlicho boundary with the Dehcho.



The *Wildlife Act* is a powerful, modern, and enabling tool that also respects Aboriginal and treaty wildlife harvesting rights and land claim processes, now and well into the future.

We invite you to consider the proposed regulatory amendments and determine whether or not you anticipate any adverse impacts to your asserted or established Aboriginal or treaty rights, or share any other feedback.

ENR will continue to develop and refine the proposed regulatory amendments based on the feedback received.

Please provide your input **by June 30, 2018**.

Comments should be sent to: Mr. Rob Gau, Manager Biodiversity Conservation, by email: [rob\\_gau@gov.nt.ca](mailto:rob_gau@gov.nt.ca), or by phone (867) 767-9237, extension 53213.

ENR officials are available to discuss the content of the regulation amendments, or any other related concerns you may have. Please feel free to use the contact information above, talk to your local Renewable Resource Officer, or visit your local ENR Regional Office.





# Photo credits

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Slide 6: <http://www.gameandfishmag.com/files/2017/09/drone-hunting.jpg> (L)  
<http://www.gameandfishmag.com/news/are-drones-suitable-for-hunting-fishing/> (R)

Slide 7-9, 11, 13:

Goat:

<http://nftinwt.com/wp-content/uploads/2017/03/goats.jpg>

Sheep:

<http://nftinwt.com/wp-content/uploads/2017/03/NFTI-icelandic-sheep-bale-grazing.jpg>

Alpaca:

<http://www.cbc.ca/news/canada/north/fort-smith-s-alpaca-farm-plans-to-expand-1.2472701>

Llama:

<https://www.yukon-news.com/news/lax-animal-protection-laws-leave-dawson-llama-dead/>

Wild boar:

<http://www.rcinet.ca/eye-on-the-arctic/2013/11/20/wild-boar-pack-mounts-road-rage-attack-in-eastern-sweden/>

Bat:

<https://omegaanimalremoval.com/bat-control-and-removal>

Mule deer:

<https://www.goabc.org/project/mule-deer/>

Slide 8:

<https://www.wildsheepfoundation.org/mission-and-programs/conservation-programs/effective-separation-between-domestic-and-wild-sheep>

Slide 11:

<https://wildguide.ca/white-tailed-learning-curves/>

Slide 19:

Nest: Jason Simpson, Pickerel Lake NT

<https://mapcarta.com/24553856/Gallery/14459403949>

Slide 20:

Roost trees: Laura Kaupas

Bar-boxes: Jessica Riemer



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