



Environment
Box 2703, Whitehorse, Yukon Y1A 2C6



September 08, 2009

Mr. Joe Tetlich
Porcupine Caribou Management Board
Box 31723
Whitehorse, YT Y1A 6L3

Dear Mr. Tetlich:

Re: Porcupine Caribou Conservation Measures

I am writing to provide you with further information as to the *Wildlife Act* regulations that Environment Yukon intends to bring forward to address Porcupine caribou conservation interests.

A letter will be sent to your government following any decision by Yukon Government.

The three regulations that are being brought forward are:

1. *Porcupine Caribou Subsistence Harvest Regulation*. This regulation contains the limitation of subsistence harvesters to a bulls-only harvest, a requirement for mandatory reporting, and the ability to enter into agreements with aboriginal governments and authorities to implement the mandatory reporting provisions.
2. *Regulation to amend the Wildlife Regulations* (OIC 1982/089). This regulation limits licensed resident and non-resident hunters to a bulls-only harvest and removes the ability to hunt a second caribou in the range of the Porcupine caribou herd.
3. *Regulation to Amend the Summary Conviction Regulation* (OIC 1987/190). This regulation allows for the issuing of tickets for the offences established.

A description of the *Porcupine Caribou Subsistence Harvest Regulation* is attached to this correspondence which provides a detailed summary.

Thank you for your consideration.

Sincerely,

Boyd Pyper
Designated Representative

Attachment

Porcupine Caribou Subsistence Harvest Regulation

This regulation contains three Parts and a Schedule:

Part 1 – Interpretation		
	Definitions	Includes definitions for ‘porcupine caribou’ and ‘final agreement’
	Non-derogation	Standard clause that references s. 35 of the <i>Constitution Act, 1982</i>
	Prevails over <i>Wildlife Regulations</i>	Where there is an inconsistency or conflict with the <i>Wildlife Regulations</i> , these regulations prevail.
	Application	Applies to all persons harvesting under the <i>Porcupine Caribou Management Agreement</i> and Final Agreements.
Part 2 – Agreements and Review		
	Cooperation and agreements	The Minister may work cooperatively and/or enter into agreements with aboriginal governments or authorities to carry out the purposes of this regulation.
	Review	Following approval of a harvest management plan, this regulation will be reviewed and any amendments to make it support and implement the approved plan will be conducted.
Part 3 – Subsistence harvest		
	Subsistence harvest limit	Establishes the basic prohibition to hunt Porcupine caribou except as set out in this regulation.
	Variation by Minister	The Minister may vary restrictions on areas and times for harvesting in respect to the sex of the caribou to accommodate changes in the population including the lifting of the bulls-only harvest.
	Publication of variation	Public notification required if variation is used – this notice explicitly includes affected aboriginal governments and authorities, management boards and renewable resources councils.
	Proof of identification	Identification to confirm if a person is entitled to harvest a Porcupine caribou pursuant to the <i>Porcupine Caribou Management Agreement</i> or a Final Agreement.
	Retained parts of porcupine caribou	Retention of proof of sex is required until the caribou has been inspected by an appropriate person or the caribou has been taken to the place or community of residence of the harvester.
	Reporting	Mandatory reporting requirement within 15 days after the end of the month in which the caribou was harvested.
Schedule		Sets out the limitation of ‘no cows’ at any time.