

Joint management inaction - George River caribou herd

Chesley Andersen and Judy Rowell

Labrador Inuit Association, Box 70, Nain, Labrador, Canada, A0P 1L0.

Keywords: George River caribou herd, Labrador Inuit Association, exploitation of land

Rangifer, Special Issue No. 7: 67–72

Introduction

This paper is not a scientific presentation of data on the George River caribou herd. Nor is it a scientific interpretation of the status of the herd. This paper is about a major caribou herd that may be in trouble and the belief of the Labrador Inuit Association (LIA) that the biggest current threat to the health of the herd may be the management policies of governments.

Our experience and knowledge of the herd combined with the data collected by biologists over the years suggest to us that the George River herd may be at risk. We are not interested in getting involved in the technical and sometimes academic arguments about census techniques, confidence levels and theories of population dynamics. We are primarily concerned about the information base that is used by government managers and the politics that continue to influence management policies.

The Labrador Inuit are watching with real concern as the governments of Quebec and Newfoundland deny some of the indicators suggesting the George River herd may be in trouble and proceed to manage it in isolation from its biophysical realities and in defiance of principles of conservation.

In this paper we will highlight what LIA considers to be the essence of what Labrador Inuit know about the herd as it should affect management policies for the George River herd. We will also point out what we believe to be some of the major external threats to the herd and focus on the absence of a joint management regime and the complete lack of political will on the part of Quebec and Newfoundland to work co-operatively.

The George River caribou herd

The George River caribou herd is most likely the largest caribou herd in the world. These caribou, generally considered to be barren ground caribou, range throughout the entire Labrador/Ungava Peninsula which is split into the two political jurisdictions of Quebec and Newfoundland.

The caribou spend most of the winter spread across the barrens of Northern Quebec as far west and north as the coast of Hudson's Bay. Migration eastward begins when the females start to move in early March if conditions permit. Females reach the main calving grounds in the upland tundra area in the height of land between Quebec and Labrador at the end of May or early June. Throughout the summer the animals disperse and are found along the north coast of Labrador and north to Ungava Bay. In late summer and early fall the caribou head west again for their winter range.

One of the most impressive things about the annual migration of the George River caribou herd is the distance that is covered. A satellite collar deployed on an animal captured near Hebron on the coast of Labrador can later put out a signal from the Caniapiscaw River. The herd lately has been shifting and while the general east/west migration pattern is constant we see changes in migration patterns and behaviour. In 1990 the caribou did not come into Labrador until mid-May. This was the first time this had happened in living memory.

There are a number of aboriginal peoples living in the Labrador/Ungava Peninsula whose culture, economy and society are tied to the George River herd. In Labrador the herd is hunted by the Labrador Inuit who live along

the coast of Labrador and the Naskapi/Montagnais Innu. Labrador Inuit will sometimes travel west of the George River in search of caribou for their families.

In Quebec the Inuit, Naskapi and Cree all traditionally and currently hunt the George River caribou. In addition to the Quebec aboriginal users there is a very significant sports hunt. The land claims of the Cree and the Inuit of Quebec have been settled and their rights are set out in the James Bay and Northern Quebec Agreement (JBNQA). The claims of the Naskapi of Schefferville have also been settled and their rights are set out in the North Eastern Quebec Agreement (NEQA).

Under the JBNQA and the NEQA the rights of the Quebec Inuit, Cree and Naskapis to take levels of caribou sufficient to meet their needs are guaranteed. These agreements also guarantee a management body known as the James Bay Hunting Trapping Fishing Coordinating Committee. While this is an advisor committee to the Minister Responsible for Wildlife it is a cooperative management arrangement with representation from all three aboriginal parties, the Quebec government and the government of Canada. A specific provision in the agreements allows the Coordinating Committee to establish the upper limit of kill for caribou subject to the principle of conservation which is defined in the JBNQA as follows:

«Conservation means the pursuit for the optimum natural productivity of all living resources and the protection of the ecological systems of the territory so as to protect endangered species and to ensure primarily the continuance of the traditional pursuits of the Native people, and secondarily the satisfaction of the needs of non-Native people for sport hunting and fishing».

The sports hunt kill in Quebec takes almost as much as the subsistence hunt. Recent figures put the Quebec kill by sports hunters at 9,000 animals and the subsistence kill at 10,000 animals. It is a very different situation on the Labrador side. There are no land claims agreements with the Inuit or the Innu. The LIA has only just started negotiations towards settling its outstanding claims. The Innu are not yet at the table. There are no formal arrangements with Newfoundland that provide any guarantee or form of protection for priority allocations for aboriginal people in Labrador. All that LIA has is a reassurance from a Minister responsible for Wildlife in a previous government that priority

would be given first to the subsistence hunt, second to the commercial hunt, and last to the sports hunt. Caribou numbers have not gone low enough to test that assurance.

There is no management arrangement in Newfoundland that provides for co-operation with aboriginal users. There is no effort on the part of the Newfoundland government to solicit the participation of the Labrador Inuit or Innu with respect to management decisions.

The LIA operates a commercial caribou hunt through its economic arm - the Labrador Inuit Development Corporation taking an average of about 500 animals per year so far.

What we know about the herd

We know that the George River herd is large and is likely the largest caribou herd in the world. We know that the herd is no longer increasing. We suspect that it has been decreasing at a rate of about 7-9% per year for the past few years. Evidence from the past few years also suggest that the caribou coming off the summer range are in very poor nutritional state and some animals have started to death.

The main calving grounds used by the George River animals have been used consistently over the past 20-30 years and preliminary work indicates that the calving grounds are almost bare of forage. There is some intermingling of discrete herds with the George River herd especially where the Leaf River and George River caribou share the same winter and rutting ranges. The range of the George River herd in the winter sometimes extends to include range that is used by more southern woodland herds.

What we do not know about the George River herd?

We do not have a population estimate of the George River herd that is accepted equally by government managers, government biologists and aboriginal users. Population estimates for the George River herd now range from 150,000 to 680,000. The governments of Newfoundland and Quebec appear to be basing their management policies on the high estimate of 680,000. Biologists for Quebec and Labrador believe the count is lower.

We are seeing changes in migration routes and patterns of the George River herd but we don't know what precipitates them. There are some theories and speculation only. We know that certain environmental factors especially ice

and snow in the winter and insect harassment in the summer can influence caribou behaviour and migration. However we don't really understand what factors are at work. For instance we do not know why the caribou 'did not show up' in Labrador in 1990. We do not know the impact of wolf predation on the caribou nor do we know very much about the quantity, quality and nutritional levels of the vegetation throughout the George River herd's range.

What we have just outlined is a simplistic and incomplete overview of what we know and don't know about the herd for management purposes. Obviously such an overview is not intended to undermine all of the work done by scientists and wildlife managers. Rather it is intended to put things into perspective.

Some of the very basic issues that are essential to responsible wildlife management are unknown. We know the herd is declining but we can't even agree on its size. We know animals are starving at a time when they should be building up their fat and nutritional reserves. We think there may be a problem with the carrying capacity of the range but we don't know.

We are not naive enough to expect to have answers to all these unknowns but we do expect that management policies operating within these parameters should be conservative and sensitive to the number of unknown variables. Management should also be sensitive to, and take into account, the external factors that may also pose a threat to the herd.

Threats to the herd

The Department of National Defence (DND) and various North Atlantic Treaty Organization countries have been practising low level flying in Labrador for eleven years. Until 1990 there was no monitoring of the effects of low level flying on caribou or on habitat. The exception was a two year study done by Dr. Fred Harrington on the effects of low level flying on the behaviour of George River caribou. Because of time and funding constraints the study was inconclusive. Low level flying is practised from mid April to the end of October and a significant portion of the George River caribou range falls inside the low level flying zone. No long term monitoring studies have been initiated, no appropriate baseline studies have been done. With eleven consecutive years of low level flying we are unable to answer any questions

about the effect of such activities on the health and behaviour of the George River caribou herd or on its habitat.

Current plans of Hydro Quebec involving the La Grande and the Great Whale Rivers in western Quebec potentially threaten important habitat used by the George River caribou. Both river systems, and particularly the Great Whale in the area of Lac Bienville, have been documented as having become a prime and/or preferred winter range for a portion of the George River caribou herd. Caribou collared¹ in the Torngat Mountains, north of Nain, in the late summer subsequently crossed the Labrador Peninsula during the autumn to over-winter in the Great Whale River drainage. It is very difficult for us in Labrador to get any information on what is actually happening in Quebec. The initiative is being addressed as a project with no trans-boundary impacts and there is no pressure coming from outside Quebec to address any trans-boundary impacts. It is extremely unrealistic to expect that James Bay II will not impact on the George River herd but how and to what degree we do not know. Many efforts to predict impacts will be reliable only to the degree to which they incorporate the current situation of the George River herd.

The governments of both Newfoundland and Quebec are relying on the high population estimate for the George River herd. Each government establishes kills independent of the other. Because the herd is large it is considered to be «under-harvested».

For the past few years Quebec has been working very hard to push for a commercial kill which is currently not allowed under the JBNQA or NEQA. Originally the commercial quota was for 40,000 now it is in the range of 15,000.

Joint management inaction

LIA believes that the single biggest threat to the health of the George River herd is the current approach to management by the governments of Newfoundland and Quebec. Dialogue between Newfoundland and Quebec has never been great and it is virtually non-existent in terms of management responsibilities for George River caribou. Each government manages the herd as if it is within its sole jurisdiction and does not migrate outside provincial boundaries.

In the early 1980's LIA met with Quebec and Newfoundland officials to try to initiate discussions that would lead to some form of joint management arrangement for the George River herd. We were not successful. The political agendas of the two governments are such that there is no room to talk about joint management. Long standing disputes between Newfoundland and Quebec over the sale of Churchill Falls power and the Quebec/Labrador boundary leave no room for, or political will to discuss joint management of a shared resource, particularly when each sees that resource as being under-harvested. LIA also met with the aboriginal groups in northern Quebec to see if we could generate the initiation at that level. We failed there too. Apart from some interest shown by Makivik (which represents the Northern Quebec Inuit) there was no follow through. In 1984 when LIA was negotiating with Quebec and the Inuit Cree and Naskapi signatories to the JBNQA and the NEQA for rights to hunt in Quebec we tried to make joint management an issue. We failed again. We discovered that it was not an appropriate forum because we did not have all the necessary participants. We were missing the Newfoundland government and the Labrador Innu.

LIA also spent considerable effort trying to get Canada involved at least as a facilitator for negotiations between Quebec and Newfoundland. But Canada has its own political agenda and at the time was not prepared to be seen as intervening in any way in the political squabbles or the provincial jurisdictions for the two parties. And so we have had to stand back and watch as a resource as vital as the George River caribou herd pays the price for bitter, positional political agendas. This then, has become the biggest threat to the George River herd.

It is very alarming to watch governments default on their management responsibilities the way Newfoundland and Quebec continue to do. Each government jealously guards its jurisdiction over wildlife and rabidly defends what it believes to be its jurisdictional territory. But just look at how they interpret their management responsibilities. First, as we have said, they manage the herd as if it stays within provincial boundaries. Not only does that deny the reality of herd dynamics, it also requires unnecessary duplication of cost and effort for certain things like surveys and radio collaring. Despite warnings from aboriginal users and from some

of its own biologists Quebec and Newfoundland both choose to accept the highest population estimate for the herd and continue to push for larger kills. Questions about the census, about the methods used to establish the population levels and warnings about a decline in the population should generate a management approach that is cautious and errs on the low side. Quebec and Newfoundland are reckless about establishing levels and allocations of kills from the herd because they believe it is large enough that it can absorb whatever they permit.

At a time when the population count is uncertain and the herd in a state of decline management policies should be especially sensitive to additional external threats that may add to the stress of an already stressed herd. Yet neither government has taken any lead in trying to regulate, or at least monitor the effect of low level flying on the George River herd. In fact Newfoundland is a strong advocate for the military presence in Goose Bay. Its political agenda has little tolerance for actions that would place a burden on DND's flying activities.

The Federal Environmental Assessment and Review Panel established in 1986 to assess the environmental impacts of low level flying has stalled. The Environmental Impact Statement prepared by DND was declared deficient by the Panel in May 1990 and we are still waiting to hear what happens next. Since the Review Panel was established we are now entering the sixth season of low level flying. We have been a lone voice protesting this. Finally DND agreed to negotiate a Memorandum of Understanding with LIA which among other things planned a monitoring program to be carried out by LIA and funded by DND.

When Newfoundland discovered that DND planned to fund LIA to put satellite collars on caribou they intervened in our discussion and made it clear LIA had no jurisdiction, or right, to put collars on caribou. Newfoundland rejected a proposal that would have seen LIA contract the Newfoundland wildlife division to put on the collars. Newfoundland protested so loudly that LIA forfeited that part of the plans under the Memorandum of Understanding in order to save its other features. Newfoundland then stepped into the ring at the eleventh hour claiming an interest in establishing a monitoring plan for 1990. Newfoundland would have maintained its wall of silence on the issue if it

had not perversely believed that in securing funding for satellite collars LIA was somehow threatening its jurisdiction.

Right to manage

We are becoming bitter about what we see happening and afraid of what the consequences will be. The question we ask ourselves is «by what rights does either Newfoundland or Quebec have jurisdiction over wildlife?» Surely jurisdiction for wildlife implies a role of stewardship. By vesting jurisdiction for wildlife in the Crown the intent is to ensure responsible stewardship of the resource for the citizens of the province or the county, as the case may be. LIA believes that defaulting on that responsibility should be a criminal offense. We watched while government mismanaged and ultimately decimated the northern cod stocks off our coast. We pay the consequences for this action. We go hungry and watch as a critical part of our future harvesting rights are wiped out. But what happens to the government managers and policy makers, to all of those people who, in exercising their powers violated the very responsibility that was vested in them? Nothing. Their jobs are secure, their futures are secure. They are simply not accountable. We don't mean accountable in the political or electoral sense. That may be enough in an industrial society that does not depend on renewable resources and that probably has the kind of population base that could make electoral accountability mean something. We mean legally accountable or legally liable with legally enforceable remedies.

The Labrador Inuit are an aboriginal people whose lives, culture and economy depend on access to healthy populations of wildlife. How can we be expected to respect government's claim to jurisdiction over wildlife when their political agendas override responsible management based on conservation? How would the system change if there was a way to make governments legally liable for the consequences of negligence in wildlife management policies? We are not lawyers but we strongly suggest to those people who are lawyers or who are interested in public policy and who care about the future of certain wildlife populations to go out and be creative and find a way that can make governments legally accountable for their actions. We believe this applies equally to Canada with respect to the George River caribou herd.

We believe Canada has jurisdiction for trans-boundary migratory species and it too has stewardship responsibilities on behalf of the Canadian public. Canada can see what is happening to the George River herd and yet it will not intervene despite the obvious violations of the principles of sound management and conservation. These violations are, if nothing else, a breakdown in order and good government within the Country. Canada's silence on this issue also calls into question its commitment to the principles of environmental protection and wildlife management which form the basis of the newly announced Green Plan. It is also difficult to take seriously Canada's commitment to environmental protection on the international scene when it chooses to abdicate its responsibilities at home.

Conclusion and recommendations

LIA is discouraged and afraid of what governments may be doing to exacerbate and accelerate a decline in the health and numbers of the George River caribou herd. We have a major migrating herd that is becoming the victim of political divisions between Newfoundland and Quebec. There are other major herds in the country that involve more jurisdictions than just two provinces. The Beverly/Kaminuriak Joint Management Board has two provinces, a territorial government and federal government as well as the major aboriginal users all represented on it. The Porcupine Caribou Herd Management Board has two territorial governments, the federal government and Alaska as well as the major aboriginal users represented on it. These management boards are not without their problems but they are success stories in the field of co-operative management. They provide a means by which best efforts can be made to manage a wildlife population in a way that integrates wildlife and habitat, uses the best information available, optimizes research efforts and respects the principles and practices of conservation.

It is a tragedy that such a system cannot be established for the George River herd because there is no political will. It is especially tragic that the Quebec and Newfoundland governments choose to ignore the indications that we believe are signalling trouble. Governments can afford to operate in this manner because they are not legally liable for their actions. It is the

aboriginal people who will pay the cost. LIA has given this situation much thought and we have come up with two possible courses of action:

- 1) Canada could commit to a financing and convening process to deal with conflict resolution and interest identification associated with the governments and the aboriginal users involved with the George River caribou herd in a way similar to that done by Don Snowden for the Beverly/Kaminuriak herd.

The governments have failed to act responsibly as managers of the George River herd and they have helped to create a management crisis. LIA believes that the aboriginal users of the herd also have a duty to act as responsible managers and this duty exists in-

dependent of what governments may or may not do. It is time for the aboriginal users in Quebec and Labrador to act unilaterally and in the interests of the herd. The Inuvialuit in the western Arctic were able to negotiate with the Inupiat in Alaska a co-management agreement on polar bears. We should be able to do a similar thing with caribou.

- 2) Accordingly, LIA is prepared to consider taking initiatives to bring together the major aboriginal users of the herd for purposes of discussing a way of establishing a joint management agreement. LIA considers that the JBNQA could act as a vehicle in the interim through which the aboriginal users could give expression to an aboriginal joint management agreement. No such vehicles exist in Labrador.

Printed from manuscript after editorial review.