

2. To ensure opportunities for customary and traditional uses of the Porcupine Caribou Herd by:
    1. in Alaska, rural Alaska residents in accordance with 16 U.S.C. 3113 and 3114, AS 16.05.940(23), (28) and (32), and AS 16.05.258(c); and
    2. in Yukon and the Northwest Territories, Native users as defined by sections A8 and A9 of the Porcupine Caribou Management Agreement (signed on October 26, 1985) and those other users identified pursuant to the process described in section E2(e) of the said Agreement;
  3. To enable users of Porcupine Caribou to participate in the international co-ordination of the conservation of the Porcupine Caribou Herd and its habitat;
  4. To encourage co-operation and communication among governments, users of Porcupine Caribou and others to achieve these objectives.
3. Conservation
1. The Parties will take appropriate action to conserve the Porcupine Caribou Herd and its habitat.
  2. The Parties will ensure that the Porcupine Caribou Herd, its habitat and the interests of users of Porcupine Caribou are given effective consideration in evaluating proposed activities within the range of the Herd.
  3. Activities requiring a Party's approval having a potential impact on the conservation of the Porcupine Caribou Herd or its habitat will be subject to impact assessment and review consistent with domestic laws, regulations and processes.
  4. Where an activity in one country is determined to be likely to cause significant long-term adverse impact on the Porcupine Caribou Herd or its habitat, the other Party will be notified and given an opportunity to consult prior to final decision.
  5. Activities requiring a Party's approval having a potential significant impact on the conservation or use of the Porcupine Caribou Herd or its habitat may require mitigation.
  6. The Parties should avoid or minimize activities that would significantly disrupt migration or other important behavior patterns of the Porcupine Caribou Herd or that would otherwise lessen the ability of users of Porcupine Caribou to use the Herd.
  7. When evaluating the environmental consequences of a proposed activity, the Parties will consider and analyze potential impacts, including cumulative impacts, to the Porcupine Caribou Herd, its habitat and affected users of Porcupine Caribou.

8. The Parties will prohibit the commercial sale of meat from the Porcupine Caribou Herd.
4. International Porcupine Caribou Board
  1. The Parties will establish an advisory board to be known as the International Porcupine Caribou Board, hereinafter called the Board.
  2. The Parties will each appoint four members of the Board within a reasonable period following the entry into force of the present Agreement.
  3. The Board will:
    1. adopt rules and procedures for its operation, including those related to the chairmanship of the Board; and
    2. give advice or make recommendations to the Parties, subject to concurrence by a majority of each Party's appointees.
  4. The Board, seeking, where appropriate, information available from management agencies, local communities, users of Porcupine Caribou, scientific and other interests, will make recommendations and provide advice on those aspects of the conservation of the Porcupine Caribou Herd and its habitat that require international co-ordination, including but not limited to the following:
    1. the sharing of information and consideration of actions to further the objectives of this Agreement at the international level;
    2. the actions that are necessary or advisable to conserve the Porcupine Caribou Herd and its habitat;
    3. co-operative conservation planning for the Porcupine Caribou Herd throughout its range;
    4. when advisable to conserve the Porcupine Caribou Herd, recommendations on overall harvest and appropriate harvest limits for each of Canada and the United States of America taking into account the Board's review of available data, patterns of customary and traditional uses and other factors the Board deems appropriate;
    5. the identification of sensitive habitat deserving special consideration; and
    6. recommendations, where necessary, through the Parties as required, to other boards and agencies in Canada and the United States of America on matters affecting the Porcupine Caribou Herd or its habitat.
  5. It is understood that the advice and recommendations of the Board are not binding on the Parties; however, by virtue of this Agreement, it has been accepted that the Parties will support and participate in the operation of the Board. In particular they will: