From: unknown Page: 1/5 Date: 17/10/2008 4:50:40 PM



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Harry Flaherty Acting Chairperson Nunavut Wildlife Management Board Igaluit, Nunavut

OCT 1 7 2008

Dear Mr. Flaherty;

RE: NWMB Decision on Baffin Bay Polar Bear TAH

Thank you for your September 17, 2008 letter conveying the decision of the NWMB on the total allowable harvest (TAH) for the Baffin Bay (BB) polar bear population.

To reiterate, your decision is to decline to modify the current TAH of 105 bears.

I hereby accept the NWMB decision. However, I wish to clarify that I do not accept the board's reasoning that the population estimate and projections are not sufficiently reliable. The population estimate and projection is based on current and up to date harvest information, and only the vital rates are based on 1997 values. I should note that the management practices outlined in the polar bear Memorandum of Understanding (MOU) use a 15 year research cycle, and therefore using the available data for BB is entirely consistent with the management system we have agreed to.

Related to this, as I recently indicate in correspondence regarding the draft wildlife regulations, I have concerns with the approach the NWMB has taken to considering the evidence put before it. In the case of BB, our population modeling and the population estimate produced in 1997 was the basis for the present TAH, and the only factor that has changed is that the harvest was higher than anticipated. Therefore, inputting that harvest into the model, tells us we have reduced the population and this situation has to be managed. As I noted in that letter, "The GN is not required to prove that a species will go extinct if it is not protected, the GN need only establish an objective basis for a belief that there is a serious risk of harm or a valid conservation purpose." I believe that the appropriate approach is for the NWMB to consider the best available information. and that the best available information is the population estimate and projections we have provided.

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From: unknown Page: 2/5 Date: 17/10/2008 4:50:40 PM

However, I recognize that there is no consensus on reducing the Baffin Bay polar bear TAH and further, as the NWMB has indicated, there is a risk that Inuit harvesters are losing faith in Nunavut's polar bear co-management system. We have raised the issue of a conservation concern and proposed a management recommendation that the affected public has consistently opposed, and before proceeding further we would like to take the time to discuss the matter further with affected communities and other interested parties.

I recognize the very serious concern that Inuit are losing faith in the polar bear management system, and the GN is responding to it. However, any perceived or real failure of Nunavut to effectively manage wildlife species risks a loss of faith by our domestic and international co-management partners, and this can have drastic effects. I note that Greenland has unilaterally reduced its annual quota in BB due to overharvest, and they have also voluntarily suspended export of polar bears due to their concern for the BB population. Currently the Government of Canada is developing a Standing Non Detriment Finding (NDF) for polar bears under the Convention on International Trade in Endangered Species (CITES). The indications we have received is that the NDF as it stands will not be positive for BB, with the very likely result is that they will not issue a NDF for BB - meaning that export of bears from BB will no longer be possible under CITES. This stands to have significant impacts on communities with sport hunts as it will essentially restrict sport harvest to the Canadian market, which represents a small portion of the current sport hunter demographic. It is noteworthy that the reason for the concern is that, based on the available information, BB is being overharvested.

I appreciate that the target number for the BB population in the polar bear MOU may no longer be appropriate. The target number may be higher than the social carrying capacity of Inuit Communities (*i.e.* higher than the number that Nunavummiut are comfortable with on the land) and may be difficult to maintain in the light of climate warming and the changing habitat and possible impacts for polar bears. I will direct my staff to prepare information on this issue and circulate it to the stakeholders to seek their feedback, and will share it with the NWMB.

The broader issue of the current state of the co-management system is of concern to all parties. As you are aware a Wildlife Symposium to further identify the concerns of harvesters, communities, and co management partners, and work toward rebuilding partnerships and trust, is in development. It is my sincere hope that all parties will participate with open-minded desire to improve the current situation. This symposium is the critical first step in getting back on track and moving forward in a way that will benefit Nunavummiut and wildlife.

In addition to the decision regarding the TAH, you have made a number of recommendations outside of the NWMB mandate but to which I can respond as follows:

From: unknown Page: 3/5 Date: 17/10/2008 4:50:40 PM

1. **NWMB Recommendation:** That the GN and Greenland-in cooperation with affected Nunavut and Greenland communities- conduct a 2009 survey of the BB polar bear population.

Response: We have carefully considered the issue and have concluded that there is no way to do a useful survey in one year. Conducting a quality population inventory takes a minimum of three years, and while it may be possible to do something in less time, the data will likely be less than reliable. Further, our research planning is done on a Nunavut-wide basis. As you know the present polar bear research project is the Foxe Basin population, and there are other populations which have been studied less recently than BB. While I appreciate your indication of financial support for a project, an annual contribution of \$75,000 to a polar bear inventory is only about 7% of the required financial resources to conduct one year of a mark-recapture survey. Currently our Department has neither the funding nor personnel to increase the population inventory cycle as agreed to in the MOUs. Finally, our co-management partners have expressed concern over current research methods (mark-recapture) that are needed to estimate population vital rates, resulting in a delay of the current inventory cycle.

On the issue of Greenland participation in research projects for shared populations, this is something I am supportive of, but they of course may decline to participate.

2. **NWMB Recommendation**: That the GN and Greenland conduct further Inuit Qaujimajatuqangit studies of the BB population

Response: Currently Inuit Qaujimajatuqangit (IQ) studies are planned for Foxe Basin and Western Hudson Bay populations upon the completion of the Davis Strait work currently underway. The Davis Strait research should resolve some of the issues involved in codifying IQ as further recommended. Completing all of this work in 2009 will be a capacity issue even in light of the offered assistance from NWMB Study Fund, and I an unable to commit to yet another project in BB at this time. I note that in the past few years Martha Dowsley conducted an IQ study of BB, and that this study has been provided to NWMB staff. Again Greenland may choose to participate so we can only approach them for participation and assistance. I will direct my staff to investigate this issue further, and also consider further discussions with the affected HTOs.

3. **NWMB Recommendation**: That the GN work to fully implement the Community Polar Bear Deterrent plans

Response: Each community in Nunavut, including those harvesting from BB, has a community polar bear deterrent plan in place. I am pleased to advise that we have recently staffed a new Wildlife Deterrent Specialist position. Working with Conservation Officers, HTOs, and communities, the Wildlife Deterrent Specialist will coordinate wildlife deterrent activities throughout Nunavut, and be responsible for managing the implementation of the community deterrent plans. Communities can expect to be contacted imminently if they have not been already in regard to this initiative.

From: unknown Page: 4/5 Date: 17/10/2008 4:50:41 PM

 NVMB Recommendation: Develop and implement a compensation program for losses that affect the sport hunt industry and for property damaged by problem bears.

Response: This issue, of course, transcends the harvest of polar bears in BB, and has implications territory-wide. Wildlife populations naturally fluctuate and migrate, and are affected in the short, medium, and long term by factors both human-caused and natural. Therefore there are many implications for the government to consider in providing compensation to wildlife businesses, and individuals when a wildlife population has declined, or otherwise when harvesting or the value of harvesting is reduced. My department has undertaken a review of this issue, which I expect will result in a response in the near future. With regard to compensating individuals for property damage caused by wildlife, this issue again has broad implications. This second issue, in particular the root causes of problem bear damage, and ways to prevent that damage, will be analyzed in association with the implementation of the polar bear deterrent plans.

5. **NWMB Recommendation**: That the governments of Nunavut, Canada and Greenland work to negotiate a management agreement for the BB population.

Response: The Canadian territory of Nunavut does not have the mandate to negotiate agreements with other nations. However, this summer I met with Federal Environment Minister Baird and we discussed this issue, and I received his commitment to support and conclude an agreement with Greenland. Further, my officials continue to support the completion of this agreement in discussions with Environment Canada, through the Polar Bear Administrative Committee.

6. **NWMB Recommendation**: That the results of new information gathered in 2009 be used to re-examine the level of TAH and make modifications as necessary.

Response: As already indicated it is not scientifically or logistically possible to produce a new population estimate for BB in one year. To reiterate, however, we have a valid population estimate, and based on current harvest information we are able to project population level, consistent with the polar bear MOUs that were agreed to by the communities.

From: unknown Page: 5/5 Date: 17/10/2008 4:50:41 PM

I thank the NWMB for this decision on a complex and sensitive matter. I further appreciate the support you have indicated for the increasing the collection of IQ and scientific data and hope to take positive action on these matters in the coming months.

Sincerely,

Olayuk Akesuk Minister