

NUNAVUT WILDLIFE MANAGEMENT BOARD

MINUTES: MEETING No. 4 *

9 - 11 AUGUST 1994
LAKE HARBOUR, NT

Members, Staff, and Contract Personnel Participating:

Ben Kovic	Chairperson
Andy Theriault	Member
Joannie Ikkidluak	Member
David Igutsaq	Member
David Aglukark	Member
Kevin McCormick	Member
Gordon Koshinsky	Member
Michael d'Eca	NWMB Legal Adviser
Christine Tanner	Interim Administrator (Tanmar Services)
Nick Arnatsiaq	Interpreter

Not Available:

Malachi Arreak	Member (with cause)
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Other Participants:

Marius Tungilik	DRR
Jim Noble	DRR
Bert Dean	DRR
Bobby Suluk	DRR
Gary Weber	DFO
Brian Wong	DFO
Pierre Richard	DFO

Guests and Observers:

Mikidjuk Kolola	Mayor of Lake Harbour
Keynoujuak Pudlat	MLA: Lake Harbour/Cape Dorset

Several members of the public at large

* This document was reconstituted from the original Minutes in the interests of enhancing general coherence and promoting conformity with subsequent Minute formats.

1. Call to Order and Opening Preliminaries

The Chairperson, Ben Kovic convened the meeting at 9:20 a.m. August 9 at the Adult Education Centre. Joannie Ikkidluak led the opening prayer.

It was noted that, with the recent appointment of Ben Kovic as Chairperson, the Board no longer has a Member appointed by DRR. It was decided to write to the DRR Minister urging that this vacancy be filled. In the meantime, the Members agreed that it would be acceptable for Marius Tungilik to join the Board at the meeting table as an observer. **(Resolution 95- 030)**

2. Agenda

The agenda was reviewed and accepted, as amended. **(Resolution 95- 031)**

3. Official Greeting

Mikidjuk Kolola, the Mayor of Lake Harbour, welcomed the Board to his community. He offered the services of the Hamlet Staff should the Board require assistance. In his capacity as President of the local HTO, Mr. Kolola also spoke on behalf of the hunters, stressing the importance of wildlife to the people of Lake Harbour. He noted a growing concern about whether the present high numbers of caribou in the area are likely to continue, and stressed the need for more studies on the matter.

4. Minutes

4.A Regular Meeting No. 2, Rankin Inlet, 29-31 March 1994

The Minutes were reviewed, and adopted as presented. **(Resolution 95- 032)**

Questions were posed (with answers given Mr. Theriault) in respect to two matters stemming from these Minutes, i.e.:

- Was a biologist hired? Yes, but some details remain to be finalized.
- Is the Logo Contest proceeding? Yes, but the Contest announcement was too late for students to respond prior to school ending in June. It will be re-opened in September, with an October 15 closing date.

4.B Regular Meeting No. 3, Taloyoak, 31 May – 2 June 1994

The Minutes were reviewed, and adopted as presented. **(Resolution 95- 033)**

5. Financial Report

The Board reviewed and accepted the first-quarter financial report as presented. **(Resolution 95- 034)**

6. Correspondence

Christine Tanner presented lists of incoming and outgoing correspondence. She noted that copies of all correspondence were on hand for review.

7. New Business

7.1 Presentation by DRR Minister (scheduled)

Marius Tungilik brought apologies from the Minister, the Hon. Silas Arngna'naaq, who could not attend due to a Cabinet Meeting. Mr. Arngna'naaq hopes to attend the Board's next meeting to discuss his Department's renewable resource development strategies. Mr. Tungilik tabled a copy of the February 1994 document "Tradition and Change", discussion of which will also have to be deferred until the Minister can be present.

7.2 Southampton Island Caribou Management

Marius Tungilik noted that this caribou population is increasing so fast that there are concerns that it may crash. There have been negotiations with the NWT Development Corporation to come up with a viable commercial harvest plan for the herd. Some commercial harvesting has taken place with the meat processed at the Rankin Inlet fish and meat plant. Consideration is being given to introduce wolves to the Island, since presently the caribou have no natural predators there.

Gordon Koshinsky applauded the concept of managing this herd for maximum sustained harvest by Inuit on an ongoing basis, but suggested that the continued exclusion of wolves might be most appropriate for this objective.

7.3 DRR General Strategy: Tradition and Change, and

7.4 DRR Fur Strategy

These two items were deferred, as per earlier explanation: item 7.1 above.

7.5 Disposition of Honouraria for Members Who are Otherwise Employed

Andy Theriault advised that Lois Leslie at NTI was formally asked whether Board Members should take leave without pay when conducting Board business, or whether the NWMB should or could pay Members' honouraria to their employers. There has been no written response to date.

It was agreed that Andy Theriault, Kevin McCormick and David Aglukark will continue to research this issue and bring their findings and recommendations to the Board.

7.6 Amendments to DOE Legislation: Bills C23 and C24

Kevin McCormick noted that the amendment proposals were not available in Inuktitut at the last Board meeting, and discussion was deferred. The amendments were passed in the meantime, so reviewing them now will be after-the-fact. Nonetheless the Board should be aware of the following:

- The amendments try to anticipate upcoming changes to the Migratory Birds Convention between the USA and Canada.
- There is a new provision for summary fines, similar in concept to parking tickets.
- Penalties have been substantially increased.
- The Courts have been given wider latitude in issuing sentencing orders.
- The new legislation states clearly that there is no infringement on harvesting rights granted under any land claim.
- The Canadian legislation will probably have to be changed again after negotiations to change the international Convention are completed.

It was noted that David Igutsaq, David Aglukark and Joannie Ikkidluak were appointed by NTI to participate in the Migratory Birds Convention negotiations (see also item 16 in the Minutes for Regular Meeting No. 3). Their role and mandate are not completely clear, and the NWMB will ask NTI to clarify. The Canadian intent is to have provision to legalize spring hunting by aboriginal people.

Members expressed considerable disappointment and concern that the NWMB did not have opportunity to review and consult on the draft legislation. Kevin McCormick acknowledged this oversight on the part of the Department, noting however that

there had been consultation with the preceding NWMAB. It was agreed that the Board will write to the Minister of DOE to register this concern.

7.7 Prince Leopard Island Bird Sanctuary Management Plan

Kevin McCormick reminded Members of the material that was distributed at the last meeting. Discussion was deferred until the Board meeting in November.

7.8 Forthcoming Workshops

- Making Marine Mammal Management Workshop: 20-23 September, Halifax.

Decision: The new biologist along with a few Board Members will attend.

- Inuit Tapirisat of Canada Workshop on the International Whaling Commission (IWC), and concerns that Inuit have about it: 26-27 September, Ottawa.

Decision: Those attending the Halifax Workshop will also attend the ITC Workshop on their way back to the NWT.

- Workshop on Circumpolar Aboriginal People and Co-Management Systems: 24-28 May, Bodo, Norway.

Decision: Marius Tungilik will investigate if anyone from DRR plans to attend this workshop. If so, they could report back to NWMB.

7.9. Polar Bear Meetings and Conferences

- Polar Bear Administrative Committee Meeting: June 1995, place yet to be announced.

Decision: Item deferred until more details are known.

- 10th International Conference on Polar Bear Research and Management: July 1995, Alaska.

Decision: Marius Tungilik will attend on behalf of the GNWT, and will also represent the NWMB.

- Federal/ Provincial Polar Bear Technical Committee meeting: February 1995, Edmonton.

Decision: Deferred until NWMB has staff in place who might attend.

7.10. Interactions with DIAND

Andy Theriault advised that some DIAND officials had indicated their intentions to attend the present meeting; however this did not materialize. It might be useful to conduct a joint workshop with DIAND. There have been meetings and discussions with certain DIAND officials on financial matters through the Implementation Panel; however this is not an adequate focus.

7.11 Fisheries Resource Conservation Council

Ben Kovic reported that the Council met recently in Iqaluit and in Pangnirtung. Ben attended the Iqaluit session, and Jim Noble attended in Pangnirtung. Ben had opportunity to briefly explain the roles and functions of the NWMB.

Some FRCC members were unaware of the NWMB, and others had never seen the Nunavut Land Claims Agreement. There are numerous such government agencies, and they all need to be educated about the NLCA and the NWMB.

Pangnirtung fishery interests requested membership on FRCC, but this is unlikely to be granted. They also want a tagging program or whatever needs to be done to determine if Cumberland Sound turbot is a discrete stock. They will work to conserve the local turbot resources and they do not want outsiders to fish it. Pangnirtung is allocated 1000 metric tonnes of turbot, but historically they have used less than half their quota.

7.12 Turbot Allocations

Gary Weber advised that permits are nearing finalization for two exploratory turbot fishery initiatives under the Economic Development Agreement. These permits are each for 50 tonnes or less. Both will involve the use of vessels, one based at Pangnirtung and the other at Broughton Island. The Broughton Island allocation appears to be well outside Pangnirtung's area of concern.

Ben Kovic advised that the Broughton Island HTA had not yet been informed of the NWMB position in this matter because it was not clear from the information initially provided whether the latitude and longitude coordinates for their proposed fishery might extend beyond NWMB's exclusive jurisdiction.

7.13 Canada/Greenland Joint Commission on the Conservation and Management of Narwhal and Beluga

Brian Wong advised that this Commission concerns itself with stocks of narwhal and beluga that are shared by Canada and Greenland. David Mablick is one of two Canadian Commissioners; his appointment was on the recommendation of the NWM Advisory Board.

Andy Theriault and Ben Kovic declared their intention to attend the forthcoming meeting of the Joint Commission in Pond Inlet in August.

7.14 Other Fisheries Issues

7.14.1 DFO Profile in the Nunavut Settlement Area

Andy Theriault complimented the performance and responsiveness of DFO's Iqaluit staff. He also commended Robert Moshenko for the excellent job done preparing the fisheries handout materials for the NWMB. He then asked when DFO planned to conduct its entire Nunavut operation out of one office, instead of administering Baffin and Keewatin via Iqaluit, and Kitikmeot via Yellowknife.

7.14.2 Baffin Bay Narwhal and Beluga Management

Pierre Richard of DFO Winnipeg made a detailed presentation on this subject, summarized as follows:

The Scientific Working Group of the Canada/Greenland Joint Commission on Narwhal and Beluga met in Copenhagen this spring. The Working Group reviews scientific information and traditional knowledge on shared stocks of narwhal and beluga.

With respect to narwhal, the Scientific Working Group has advocated no increase in harvests until better data are available. It is not known, for example, if there is only one population or several. If several, then it is possible that one particular population is being over-exploited. Better data are also needed on the age structure, reproductive condition, loss rates, etc. of narwhal being harvested.

With respect to beluga, the harvest over the period 1954 to 1993 was distributed as follows:

Greenland	88%	777 animals per year average
Canada	12%	<u>105</u> animals per year average
Total		882 animals per year average

Greenland still conducts drive fisheries in which they push and strand beluga whales inshore, enabling them to catch hundreds at once.

Scientists estimate that this beluga population has decreased by 5% annually on average over the last 12 years (since 1981). The average annual Canadian catch over that period has been 85 beluga. It is not known how large a harvest, by either country or by both countries together, would be sustainable.

Greenlandic hunters maintain that they have not seen a decline in the population. The scientific opinion differs from the traditional observations in this regard. The hunters also believe that adult female beluga have new calves every year, whereas the scientists believe they calve only once every three years on average.

Members from the Greenland Fishermen and Hunters Association stated recently that they would be prepared to decrease their hunt, but they can not predict how the individual hunters would react to this proposition.

7.14.3 Other Agencies Impacting on Management of Fisheries in Nunavut

Brian Wong of DFO Ottawa gave an overview of agencies that impact on fishery management in the Northwest Atlantic and whose advice and actions spill over into the Eastern Arctic: The fisheries management process is complex and cumbersome. The Minister of DFO obtains advice from a multitude of bodies, agencies and groups. Mr. Wong handed out and elaborated on material explaining the status and roles of the following:

Northwest Atlantic Fisheries Organization (NAFO)

Fisheries Resource Conservation Council (FRCC)

Canadian Atlantic Fisheries Scientific Advisory Committee (CAFSAC)

International Whaling Commission (IWC)

North Atlantic Marine Mammal Commission (NAMMCO)

Convention on International Trade in Endangered Species (CITES)

Committee on the Status of Endangered Wildlife in Canada (COSEWIC)

Arctic Fisheries Scientific Advisory Committee (AFSAC)

Minister's Advisory Committee on Marine Mammals (MACMM)

There was considerable discussion on how it would be possible and whether it would be useful for NWMB to interact effectively with all these entities. Reference was made to Article 15, Part 3 of the NLCA, which would appear to put the onus on Government to ensure that management of at least migratory marine species is pursued in a coordinated fashion.

8. Old Business

8.1 NWMB Funding to HTOs

Ben Kovic advised that at the late-April RWO/HTO workshop in Pangnirtung, he directed the RWOs to determine, at their forthcoming AGMs, the arrangements whereby NWMB funds should flow to the HTOs, and to advise the NWMB accordingly. The NWMB funding-formula concept as established by the Board at the Taloyoak meeting has been accepted, but still at issue is whether funds should flow via the RWOs or from NWMB directly. Nothing has yet been received from the RWOs on this matter. It must be noted that not all the RWOs have yet held their AGMs.

At the RWO/HTO workshop, the HTOs acknowledged that they needed to update their by-laws in order to be able to receive NWMB funding. NTI also needs to be involved, especially if the RWOs are to be designated as DIOs for the purpose of distributing NWMB funds.

The Board decided that the cheques to RWOs, which are already written, will be deposited in trust accounts pending properly documented direction from the RWOs on the disposition of the funds. The Board also decided that the flow of funds to any one Region will not be jeopardized by incomplete preparations by the other Regions. It was noted that “extraordinary” funds are available this year, upon proper application, for startup purposes.

The Board directed the Finance and Administration Committee to assemble representatives from the three Regional Wildlife Organizations, along with appropriate agency people and legal advisors, to ensure that the necessary documents and procedures are developed. **(Resolution 95- 035)**

8.2 Clause 9.3.1 of the Nunavut Land Claims Agreement

Kevin McCormick advised that DOE requests input from the Board on whether there are specific concerns that need to be addressed through new or updated legislation, as per NLCA 9.3.1, for the designation and management of Conservation Areas.

The Board concluded that the Department is responsible in the first instance to assure itself that its legislation is consistent with the Agreement, and the Board encouraged the Department to undertake its own assessment to that effect.

8.3 Harvest Study Design: Request for Proposals

Gordon Koshinsky advised that the necessary documentation is almost completed, and the Request will be advertised soon. Gordon referred to a letter from the Implementation Panel confirming that the official deadline for starting the Harvest Study has been moved from July 1994 to January 1995.

8.4 South Baffin Caribou Study: Interim Report

Jim Noble gave a short progress report on behalf of Mike Ferguson, who is making preparations to return to University. This caribou population is very healthy in terms of numbers. However it has recently been found that brucellosis is common in the animals. The interim quota is 500, but more data are needed to substantiate that this number is sustainable.

Marius Tungilik urged caution before releasing the final report. The area it covers is vast and difficult to study. It is essential that the report not contain errors that will elicit a bad response from the public.

Insert

At this point Keynouyuak Pudlat, MLA representing Lake Harbour, addressed the meeting. Mr. Pudlat thanked the Board for selecting Lake Harbour for this meeting. It is good for the Board to meet in the smaller communities to demonstrate that they are accessible to the people. MLAs deal with many of the same issues as the NWMB, and the discussions have been of interest to him.

8.5 DRR Administration vis-à-vis the Nunavut Settlement Area

8.5.1 Program and Resource Aspects

Andy Theriault articulated a number of NWMB concerns, including:

- How does DRR envisage its Programs intersecting with NWMB?
- Can DRR be counted on not to offload its eastern Arctic program costs?
- By what formula will DRR split its staff and funds between east and west?

- How does DRR propose to integrate (with NWMB) funding to HTOs?

Marius Tungilik tabled a summary of east/west dollar and PY allocations for the DRR Wildlife Division for 1993/94. About \$1 million of grant funding flows annually into the Nunavut Settlement Area under the RWO, HTO, and CHAP support programs. He noted that DRR also receives \$350,000 of Nunavut Implementation funding that is used to cover four PYs (three Regional Land Claim Coordinators, plus Don Vincent's position at headquarters). When the Land Claim was settled DRR did see an opportunity to streamline operations somewhat, and is still looking at that possibility.

Mr. Tungilik further advised that the Community Transfer Initiative was put in place, in direct response to community requests for devolution. The Nunavut Harvesters Support Program was recently approved. There is now more than one place for hunters to go for assistance. This can be cumbersome and confusing. It is easier for the public to access funding from a single source for any particular purpose.

On the matter of funding for HTOs, the Department suggests that if all such funding were administered by one agency, preferably the NWMB, then the administrative load on the HTOs would be notably lightened. A single and larger fund should also increase the flexibility available to the administering agency.

Ben Kovic reminded Mr. Tungilik that at the last Board Meeting DRR was asked to prepare a detailed proposal on how the consolidation of HTO funding would work in practice. Marius replied that this proposal will be finished shortly.

8.5.2 Legislative Aspects

Andy Theriault asked when DRR intends to bring its wildlife management legislation into conformity with the NLCA. There are obvious discrepancies, such as the DRR-legislated stipulation that Inuit hunters require General Hunting Licenses. There was renewed discussion on who has responsibility to lead in this matter. As per the earlier conclusion in respect to DOE (item 8.2 above), the consensus was that the onus is on the Department to review its own legislation in order to identify (and then to make) the required changes.

8.6 SE Baffin Beluga Committee Report Recommendations 1 and 10

In-depth discussion of the Committee's full report is still not possible because the translation is not completed. The recommendations, however, have been translated. Two of them require immediate consideration:

- **Recommendation No. 1** deals with changing the quota. It was done for 1994/95 but before the NWMB can support it for future years they must have a chance to study the report.
- **Recommendation No. 10** proposes that NWMB support the Southeast Baffin Beluga Committee on an on-going basis. This would be necessary in order to address recommendations 2-9. Joannie Ikkidluak supported the idea of continuing the Committee.

Joannie Ikkidluak and Gordon Koshinsky, who were members of the original SEBBC, suggested that the NWMB should ensure that there is provision to address the concerns and the ongoing monitoring and planning requirements that were highlighted in the report. It might be appropriate for the NWMB to formally establish an advisory group, to meet periodically to ensure that the co-management plan gets implemented. The communities of Pangnirtung, Iqaluit and Lake Harbour would need to be represented.

Discussion centered on whether such a committee should focus exclusively on the SE Baffin, or if a broader-based beluga committee would be more useful. It was noted that management of beluga in the High Arctic is an emerging problem, and may warrant concerted attention. The consensus was that it would be better, at least in the interim, to maintain a highly focussed approach to the management challenges posed by the SE Baffin beluga.

9. Members' Regional Presentations and Concerns

David Aglukark identified a lack of adequate assistance for establishing outpost camps. For example, an outfitter at Pelly Bay requires funding for a freezer. DRR funds under CHAP (Community Hunter Assistance Program) are allocated by the Keewatin Wildlife Federation to HTAs in the Keewatin Region. The HTAs decide if these funds can be used to help set up outpost camps, but in the Keewatin these funds are generally used only for operating expenses.

It was agreed that Ben Kovic will explore this matter, and will communicate with the individual at Pelly Bay who raised the concern.

10. Other Business

10.1 Book Project: *Birds of Nunavut*

Work on the book is progressing. The Baffin Divisional Board of Education is currently reviewing the text. They have agreed to include notification at the front of the book stating that the information it contains is subject to adjustment in future

editions, and inviting additional information from readers and users. Funds required from the Board for the project are now estimated at about \$40,000, which is less than was originally expected.

10.2 Staffing

Ben Kovic advised that an Administrative Clerk has been hired and another office staff member is about to be hired. It is expected that the office will be fully operational by November.

10.3 Workshops with Major Partners

It was decided that workshops should be held with NWMB's major partners in wildlife management in order to clarify respective roles and responsibilities. These workshops will be at the instigation and under the control of the Board.

10.4 Bowhead Study Committee Trip Report: Inuvialuit Bowhead Hunt

Joannie Ikkidluak, David Aglukark and David Igutsaq traveled to Inuvik in August to observe preparations for the Inuvialuit bowhead hunt. Upon their return they provided reports, photographs and videos for the NWMB library.

Danny Gordon, who has been the Inuvialuit Hunt Captain since 1991, is willing to talk to the NWMB about whaling. The helmsman (harpoon man) would also be willing to come. Dealing with the explosives can be dangerous, and appropriate precautions must be taken. The Inuvialuit work closely with DFO in making the preparations for their bowhead hunts. Their license is for two strikes or one landing of a bowhead whale.

The Federal government funded the first Inuvialuit bowhead hunt, but now the Inuvialuit pay their own hunting costs. It was agreed that the Government of Canada should be approached about funding the initial Nunavut bowhead hunt.

Plans for the distribution of muktuk resulting from the Nunavut bowhead hunt will need to be carefully made in advance.

10.5 Research Proposal: Radio-Tagging Beluga at Cunningham Inlet

Andy Theriault reviewed recent events pertaining to the proposal by Tom Smith (Pacific Biological Station, DFO) and/or Tony Martin (Sea Mammal Research Unit

at Cambridge, England) to radio-tag beluga whales at Cunningham Inlet. Andy referred particularly to the on-again off-again status of approval for the research permit, including the involvement of the HTO at Resolute Bay. DFO asked the NWMB for advice on the matter, and the NWMB wants to know what benefits the research will have for Canadian beluga hunters.

There was detailed discussion on the research and on the Resolute Bay HTA's three letters to DFO regarding the issuing of a permit to Dr. Smith. Although the NWMB was concerned with this research application, the real issue is the bigger one of the need for a clearer process/policy on the issuing of research permits. This affects DFO and DRR, DOE, and other proponents

10.6 Entertaining Research Proposals

As evidenced by the examples such as item 10.5 above, there is a clear need to establish a process for reviewing and approving (or not) applications for research permits, as well as for obtaining, evaluating and funding research proposals. It was recognized that there could/would be more than one kind of research, e.g. NWMB-sponsored, agency-sponsored, community-sponsored, or other. The matter was recognized as one that warranted much more detailed examination.

11. Next Meeting

It was decided that the next regular Meeting of the Board will be held in Arviat the week of November 14-18. The cut-off date for receipt of agenda items will be October 31.

12. Adjournment

Ben Kovic made a presentation of appreciation to Christine Tanner, on behalf of the Board. Christine is moving to Yellowknife.

The fourth Meeting of the NWMB adjourned at 11:30 a.m. **(Resolution 95- 036)**

Minutes Approved by: _____ **Date** _____
Chairperson **Date**

Motion 95-035

Moved that the NWMB direct the Finance and Administration Committee to:

- A) Immediately organize an urgent meeting of:
- i) RWO representative (Chairman)
 - ii) NWT Government Co-ordinator appointed to each region of Nunavut (GNWT leaders)
 - iii) (One) consultant Lawyer
 - iv) (One) NTI representative
- B) This meeting to address and provide recommendations and resolutions of the following points:
- RWO / HTO By-laws - Review, recommend amendments if perceived required for all applications being considered for submission for approval under the NWT Society Act;
 - Review , amend as required, and provide for general rules of procedures and conduct related to the administration and activities of RWOs and HTOs;
 - Review, prepare and recommend a final outline of financial management procedures to be adopted providing assurances of accountability of funds provided RWOs and HTOs from NWMB sources;
 - Ensure that all documentation of a legal nature (legal text of incorporation documents required under the Society Act registration procedures) is accompanied by a “ plain, understandable English translation and explanation of any restrictions or responsibilities implied in the incorporating legal text”;
 - Ensure that all documentation, minutes of the meeting and any other report(s) related to this workshop are translated as a matter of priority.
 - Indicate to RWOs , and by relationship the HTOs of each Region, what other sources of funds the NWMB is willing to provide to assist those organizations in their efforts to complete all initial start-up tasks.
 - Advise RWOs that funds allocated to each Region have been placed in a trust account. These funds to be immediately released on completion of action items noted above.

Moved by:
Carried

Seconded by:
Date: 9 August 1994

Motion 95-036

Moved that the meeting be adjourned.

Moved by: Andy Theriault Seconded by:
Carried Date: 11 August 1994