

















1. That all struck, lost and landed information is reported to the Department of Fisheries and Oceans in Iqaluit;
2. That the hunt be conducted in compliance with all safety and regulatory requirements established by Transport Canada or Fisheries and Oceans Canada;
3. That the assignment of each walrus to a sport hunter be made in writing;
4. That samples be collected and provided to Fisheries and Oceans Canada for inspection of any animal that is in suspicion of contamination or disease; and
5. That Aaron Emiktowt and Luke Eetuk obtain written support from the Coral Harbour Hunters and Trappers Organization for the requested sport hunts.

## **Reasons for the NWMB Decisions**

### *Hudson Bay-Davis Strait Stock*

The NWMB received two applications to conduct walrus sport hunts from the Hudson Bay-Davis Strait Atlantic walrus stock. Both of these applications, requesting a total of 12 walrus sport hunts, were submitted by outfitters from the community of Coral Harbour. Coral Harbour has a community quota of 60 walrus (*Marine Mammal Regulations*, Section 26). Over the past five years<sup>3</sup>, on average 6 walrus in sport hunts and 10 walrus in subsistence hunts have been harvested annually in Coral Harbour. The requested number of walrus sport hunts is within the community quota and should not interfere with subsistence harvests. As well, the two hunt plans submitted from Coral Harbour addressed the Interim Policy's conditions regarding humane harvesting and hunter and public safety. The Coral Harbour Hunters and Trappers Organization has also provided a letter of support for all of the Coral Harbour applicants' hunts, which has been forwarded to Fisheries and Oceans Canada staff in Iqaluit.

### *North and Central Foxe Basin Stocks*

In September 2014, the NWMB received a Proposal for Decision from Fisheries and Oceans Canada to establish a management unit and total allowable harvest for Atlantic walrus in Foxe Basin. This proposal was made in response to a recent Fisheries and Oceans Canada scientific report identifying a conservation concern for Foxe Basin walrus. In addition to the NWMB's most recent review of walrus sport hunt applications for 2015, this new information was included in the Board's previous consideration of walrus sport hunt application for 2014 and will also be considered at the NWMB's public hearing to consider Fisheries and Oceans Canada's Proposal for Decision in January

---

<sup>3</sup> All five-year averages are based on available data for the 2009/2010-2013/2014 hunting seasons. Not all categories of hunt data were reported in all years.

2015. As was the case for 2014 walrus sport hunts, the Board has not made any decisions according to Sections 5.6.16 and 5.6.17 of the *Nunavut Land Claims Agreement* that have gone through the land claims decision-making process on establishing total allowable harvests for walrus in the Nunavut Settlement Area. Consequently, the quantitative harvest limit of four walrus per Inuk per year<sup>4</sup> designated by the *Marine Mammal Regulations* (Section 6) remains in place. Additionally, the NWMB expects that a decision on the establishment of a management unit and total allowable harvest for Foxe Basin walrus will be in place prior to the start of the 2015 walrus sport hunting season<sup>5</sup>.

The NWMB reviewed one application to conduct walrus sport hunts within the North and Central Foxe Basin Atlantic walrus stocks. The hunt plan adequately addressed the Interim Policy's conditions regarding humane harvesting and hunter and public safety. Aerial surveys conducted in 2011 estimated a population size ranging between 8,153 and 13,452 walrus based on counts from different dates with different adjustment factors. Based on this population estimate, science advice suggests a total allowable removal level between 106 and 166 walrus. Fisheries and Oceans Canada, in its Proposal for Decision, has recommended a total allowable harvest of 116 walrus, based on a conservative struck and lost rate of 30%. Over the past five years, the average annual harvest of walrus from the North and Central Foxe Basin stocks is 6 through sport hunts and 179 through subsistence hunts. The Igloodik and Hall Beach Hunters and Trappers Organizations, as well as Nunavut Tunngavik Incorporated, have raised concerns about a number of aspects of the scientific information provided by Fisheries and Oceans Canada and the NWMB conveyed these to you in its February 17<sup>th</sup> 2014 correspondence (attached).

Although the annual harvest level for Foxe Basin walrus is above the range of suggested total allowable removal levels, it is consistent with current quantitative harvest limits. Given the requirements for procedural fairness while the NWMB conducts a public hearing to consider establishing new harvesting limitations prior to the 2015 walrus sport hunting season, the NWMB decided to approve the requested number of walrus sport hunts for the North and Central Foxe Basin walrus stocks.

The NWMB is encouraged by the progress made by Fisheries and Oceans Canada and the Walrus Working Groups in the development of an Integrated Fisheries Management Plan for Atlantic Walrus in the Nunavut Settlement Area. The results of recent community consultations will be valuable in further developing the Management Plan and at the Board's upcoming public hearing for Foxe Basin walrus. The development of the

---

<sup>4</sup> An exception applies to four Nunavut communities which have community quotas (Coral Harbour – 60 walrus; Sanikiluaq – 10 walrus; Arctic Bay – 10 walrus; Clyde River – 20 walrus).

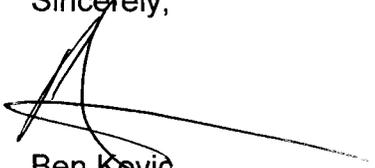
<sup>5</sup> Walrus sport hunts are typically undertaken between July and September.

Management Plan will also create opportunities to further harmonize walrus sport hunts with the *Nunavut Land Claims Agreement* while ensuring sustainable harvest of walrus in the Nunavut Settlement Area and providing economic benefits to Nunavummiut.

## **Conclusion**

Should you accept the decisions of the NWMB with regards to the 2015 walrus sport hunts, the NWMB anticipates that implementation of the decisions by your department will include appropriate notification of walrus sport hunt allocation approvals to the applicants. The NWMB will communicate this to the applicants and applicants will be informed that the decisions are currently under your consideration as per the *Nunavut Land Claims Agreement*. Should you have any questions or concerns with respect to any of these decisions, please do not hesitate to contact the NWMB.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Kovio', with a long horizontal stroke extending to the right.

Ben Kovio  
Chairperson  
Nunavut Wildlife Management Board

Enclosures (2)



**FEB 13 2015**

Mr. Ben Kovic  
Chairperson  
Nunavut Wildlife Management Board  
P.O. Box 1379  
Iqaluit, Nunavut  
X0A 0H0

Dear Mr. Kovic:

Thank you for your letter dated December 15, 2014, conveying the Nunavut Wildlife Management Board's decision regarding the walrus sport hunts for 2015.

As you are aware, conservation concerns with the current level of subsistence and sport hunt harvesting for Foxe Basin stocks were identified in a 2013 Fisheries & Oceans science advisory report. In making the 2014 walrus sport hunt decisions, the Nunavut Wildlife Management Board (Board) considered the Departmental science advice along with community input. In my response, I expressed concern with the Board's 2014 walrus sport hunt decisions for the Foxe Basin stocks but accepted the Board's decision recognizing that the science report had just been published and that co-management organizations were working towards developing a Management Plan, that a request to establish a total allowable harvest (TAH) for these stocks would be forthcoming, and that a TAH would be in place ahead of the 2015 walrus sport hunt season.

In September of 2014, Departmental staff submitted a Request for Decision to the Board to establish a TAH for Foxe Basin stocks. Upon review of the information, the Board scheduled a public hearing for January 14-15, 2015 to consider the request. I understand that the Board's decision to approve the 2015 Foxe Basin walrus sport hunts was partly based on the expectation that a TAH would be in place prior to the start of the 2015 walrus sport hunt season. However, I am concerned that the recent decision by the Board to postpone indefinitely the public hearing to establish a TAH for the Foxe Basin stocks may impact on the likelihood that a TAH will be established ahead of the 2015 season.

I was disappointed to learn that the reason stated for postponing the public hearing was due to concerns raised over the adequacy of consultations undertaken by the Department. The Department has conducted eight walrus working group meetings and two separate rounds of community consultations on this, and other walrus management issues. It is the Department's view that adequate consultations has occurred with regard to the matter of establishing a TAH for Foxe Basin.

I ask that the NWMB identify a new date for the public hearing as soon as possible so that the process can proceed with the objective of establishing a TAH within the 2015 walrus sport hunt season. Further, given the conservation concerns with the Foxe Basin stocks as identified in the DFO science report, I ask that the NWMB reconsider its decision to approve 15 sport hunts for the Foxe Basin stocks and consider approving a lower number of sport hunts based on Hall Beach's sport hunt success rate of the previous five-year period.

Given the conservation concerns with the current level of subsistence and sport hunt harvesting identified in the Departmental science advice and that a TAH has not been established, I am unable to accept the Board's decision to approve 15 sport hunts for the Hall Beach Hunters and Trappers Organization from the Foxe Basin walrus stocks. I am also therefore unable to approve the six sport hunts for Aaron Emiktowt of Siku Tours in Coral Harbour and six sport hunts for Luke Eetuk of E and E Outfitters in Coral Harbour for the 2015 season, as they are a part of the same NWMB decision. However, as there are no conservation concerns with the Coral Harbour sport hunt recommendations, they would be able to move forward in the process if they were re-submitted as a separate decision.

I understand that a great deal of progress has been made on the development of an integrated fisheries management plan for walrus. I would encourage all parties to continue to work collaboratively towards the completion of the management plan that will provide for the conservation and sustainable harvest of walrus in the Nunavut Settlement Area. The development of an integrated fisheries management plan is an important tool that will demonstrate the effective management of the walrus fishery both to Canadians and the international community. The integrated fisheries management plan will also be key in demonstrating sustainable management of the walrus fishery should a proposal to add walrus to Appendix II of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) be considered at the CITES Conference of Parties in September 2016.

My staff is prepared to act expeditiously in responding to the NWMB's final decision so as not to unnecessarily restrict the 2015 walrus sport hunt. I look forward to continued collaboration with the Board and its technical staff on walrus co-management issues.

Yours sincerely,



Gail Shea, P.C., M.P.



*FURTHER RESOLVED that the NWMB approve the following walrus sport hunt applications: Hall Beach Hunters and Trappers Organization (15 walrus), subject to the following conditions:*

- 1. That all struck, lost and landed information is reported to the Department of Fisheries and Oceans in Iqaluit;*
- 2. That the hunt be conducted in compliance with all safety and regulatory requirements established by Transport Canada or Fisheries and Oceans Canada;*
- 3. That the assignment of each walrus to a sport hunter be made in writing; and*
- 4. That samples be collected and provided to Fisheries and Oceans Canada for inspection of any animal that is in suspicion of contamination or disease.*

The NWMB regrets that it is not able to agree with your reasons for rejecting the Board's initial decision, and wishes to provide you with (i) an explanation as to why it was not persuaded to change its decision by the Minister's written reasons, and (ii) the specific reasons for its final decision.

## **2. NWMB Response to the Minister's Reasons for Disallowance**

Set out below are summaries of the Minister's two reasons for rejection, each followed by an NWMB response:

1. Conservation concerns with the current level of subsistence and sport hunt harvesting for Foxe Basin stocks have been identified in a 2013 Fisheries and Oceans Canada Science Advisory Report. Given this conservation concern, a lower number of sport hunts should be considered based on Hall Beach's sport hunt success rate of the previous five-year period.

*NWMB response:* The Board agrees that the potential conservation concern identified by the Fisheries and Oceans Canada Science Advisory Report should be addressed and has scheduled a public hearing in response to your department's *Proposal for Decision*. However, the Board feels that, since there is currently no Total Allowable Harvest in place for Foxe Basin, and the NWMB's public hearing process is still ongoing it would be premature to place restrictions on Inuit harvesting through the reduction in walrus sport hunts.

In preparation for the NWMB's reconsideration of its approval of 2015 walrus sport hunts, NWMB staff organized a conference call with the Hall Beach Hunters and Trappers Organization, the Qikiqtaaluk Wildlife Board, and Nunavut Tunngavik Incorporated, to gather the views of affected Inuit. The Hall Beach Hunters and Trappers Organization provided insights into the impact of sport hunts on Foxe Basin walrus, stating that they have observed many walrus in their area and that sport hunts do not have a significant impact on the stocks. In addition, the Hunters and Trappers Organization highlighted the importance of walrus sport hunts to the community,

providing traditional foods for community feasts as well as financial income to support community activities.

Given this divergence between science and Inuit Qaujimajatuqangit, and the concerns previously raised by the Board, affected communities, and Nunavut Tunngavik Incorporated regarding several aspects of the survey on which Fisheries and Ocean's Canada sustainable harvest levels are based, the NWMB feels that it would be irresponsible to place restrictions on Inuit harvesting before these issues can be publicly considered through the Board's public hearing process.

2. The recent decision by the Board to postpone indefinitely its public hearing to establish a Management Unit and Total Allowable Harvest for Foxe Basin walrus may impact the likelihood that a Total Allowable Harvest will be established ahead of the 2015 season.

*NWMB response:* The Board agrees that the postponement of its public hearing to consider the establishment of a Management Unit and Total Allowable Harvest for Foxe Basin walrus was unfortunate; however, this was necessary to ensure a procedurally fair public hearing and *Nunavut Land Claims Agreement* decision-making process. In addition, the NWMB has made every effort to promptly reschedule this public hearing and is pleased to inform you that it will take place on April 15<sup>th</sup> and 16<sup>th</sup> 2015.

Despite the postponement of the NWMB's public hearing, a quantitative harvest limit of 4 walrus per Inuk per year in Hall Beach, designated by the *Marine Mammal Regulations*, is currently in place. As per Section 5.7.34(b) of the *Nunavut Land Claims Agreement*, walrus sport hunt licences are administered through the written assignment of an Inuk's right to harvest to the sport hunter with the understanding that the Inuk is also assigning his or her share of the total allowable harvest.

### **3. Reasons for the NWMB's Final Decision**

The specific reasons for the NWMB's final decision are the following:

1. The concerns raised by Inuit regarding the accuracy of the population estimate for Foxe Basin walrus necessitate a public consideration by the NWMB before the Board can place any quantitative harvest restrictions on Inuit harvesting of Foxe Basin walrus. Therefore, restricting the number of sport hunts available to the Hall Beach Hunters and Trappers Organization would not meet the NWMB's requirements for procedural fairness.
2. The NWMB has made every effort to promptly reschedule its public hearing to consider the establishment of a Management Unit and Total Allowable Harvest for Foxe Basin walrus while allowing for adequate time for hearing parties to address

concerns raised regarding the adequacy of consultations on this matter. The NWMB feels that restricting Inuit harvesting before this public hearing can take place would circumvent this process without the necessary level of consultation.

3. As there is currently no Total Allowable Harvest in place for Foxe Basin walrus, the NWMB's final decision to approve all 15 requested sport hunts for the Hall Beach Hunters and Trappers Organization is consistent with the current quantitative harvest limit of 4 walrus per Inuk per year, designated by the *Marine Mammal Regulations*.

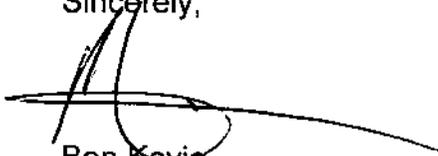
#### 4. Conclusion

After thoroughly reviewing your reasons for rejecting the NWMB's initial decision, as well as comments from the Hall Beach Hunters and Trappers Organization and co-management partners, the Board has decided to maintain its initial decision to approve all requested walrus sport hunts for the 2015 season. The Board recognizes the need to address the conservation concern identified by Fisheries and Oceans Canada in its 2013 Science Advisory Report, but feels that decisions restricting Inuit harvesting require input from all co-management partners and the public through the public hearing process.

The NWMB is working diligently to respond to your department's *Proposal for Decision* to establish a Management Unit and Total Allowable Harvest for Foxe Basin walrus in a procedurally fair manner. The Board has rescheduled its public hearing for April 15<sup>th</sup> and 16<sup>th</sup> 2015 and plans to make a decision before the start of the 2015 walrus sport hunting season.

The NWMB hereby forwards its final decisions to you, Madame Minister, pursuant to *Nunavut Land Claims Agreement* Section 5.3.21. Should you or your officials have any questions with respect to these decisions or the reasons provided by the NWMB, please do not hesitate to contact the Board.

Sincerely,



Ben Kovic  
Chairperson  
Nunavut Wildlife Management Board

Attachments (2)

- c.c Larry Dow, Director of Northern Operations, Fisheries and Oceans Canada; and Stefan Romberg, Senior Resource Management Officer, Fisheries and Oceans Canada.



MAY 04 2015

Mr. Ben Kovic  
Chairperson  
Nunavut Wildlife Management Board  
P.O. Box 1379  
Iqaluit, Nunavut  
X0A 0H0

Dear Mr. Kovic:

Thank you for your letter dated February 27, 2015, conveying the Nunavut Wildlife Management Board's (NWMB) final decision regarding the walrus sport hunts for 2015. Pursuant to Section 5.3.22 of the Nunavut Land Claims Agreement (NLCA), I provide the following written reply and reasons for the response.

#### **Coral Harbour**

I accept the NWMB's decision to approve six sport hunts for Aaron Emiktowt of Coral Harbour and six sport hunts for Luke Eetuk of Coral Harbour for the 2015 season, subject to the conditions set out in the Board's letter of February 27, 2015.

#### **Hall Beach**

As you are aware, I rejected the NWMB's initial 2015 walrus sport hunt decision based on conservation concerns identified with the current level of harvesting from the Foxe Basin stocks, and because the NWMB cancelled the public hearing scheduled to establish a total allowable harvest (TAH) without identifying an alternate hearing date.

New information has recently been identified by the Department of Fisheries and Oceans (DFO) that may influence the sustainable harvest levels recommended by DFO for Foxe Basin walrus. This information was discussed by Nunavut co-management organizations on March 31, 2015 and agreement was reached to postpone the public hearing until the new information can be assessed.

With those considerations, I accept NWMB's final decision to approve 15 walrus sport hunts for the Hall Beach Hunters and Trappers Organization for the 2015 season, subject to the conditions set out in the Board's letter of February 27, 2015. It is important to note that walrus management decisions may have consequences with respect to the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES) and in doing so, future consideration with respect to harvest and timely reporting will be important.

.../2

I am encouraged by the support co-management organizations have provided in developing the Integrated Fisheries Management Plan for walrus, and the effort to have this management plan established by 2016. Having a management plan in place with identified sustainable harvest levels will benefit not only Nunavummiut, but will also be an important tool in demonstrating effective management to Canadians and the international community.

It is important to note that timely and accurate harvest reporting is required under the *Fisheries Act*, the *Marine Mammal Regulations*, and the *NLCA*, and I would encourage co-management organizations to emphasize the importance of harvest reporting and monitoring.

Departmental officials in Iqaluit will notify the successful applicants. Once the Department's Iqaluit office has received all of the required information to complete a licence for the sport hunt, departmental officials will issue the licence.

I look forward to continued collaboration with the Nunavut Wildlife Management Board and its technical staff on walrus co-management issues.

Sincerely,

A handwritten signature in blue ink that reads "Gail Shea". The signature is written in a cursive, flowing style.

Gail Shea, P.C., M.P.