

# NUNAVUT WILDLIFE MANAGEMENT BOARD

## MINUTES: CONFERENCE CALL No. 49 THURSDAY, 11 MAY 2000

### Participants:

Ben Kovic	Chairperson
Harry Flaherty	Member
Meeka Mike	Member
David Alagalak	Member
Kevin McCormick	Member
Makabe Nartok	Member
Gordon Koshinsky	Member
Jim Noble	Executive Director
Michelle Wheatley	Director of Wildlife Management
Michael d'Eça	NWMB Legal Advisor

### Not Available:

Moses Koonoo	Member
Joan Scottie	Member

### 1. Call to Order

Ben Kovic opened the Conference Call at 09:00 a.m. Iqaluit time. He thanked the Board Members and staff for making themselves available to participate in the call.

### 2. Agenda for the Conference Call

The Board adopted the Agenda for the Conference Call as presented.

### 3. Implementation of the New Narwhal Management System: Repulse Bay

Jim Noble referred the Members to the letter of April 12 from the Arviq HTO at Repulse Bay. The letter advised of recent amendments made by the HTO to the local rules for narwhal hunting, including a self-imposed ceiling of 100 animals for 2000. In view of the relatively high and differential loss rates that have been documented, the HTO would also like to implement a severe restriction on the floe-edge hunt. The HTO perceives that such a restriction could not be effective without the active co-operation of other communities that hunt this population. The HTO

has been unable to generate interest among the neighbouring HTOs for such a floe-edge hunting restriction, and has requested the assistance of DFO and the NWMB.

Jim advised the Members that NWMB and DFO staff recognized the need for better follow-up on new wildlife management initiatives such as the non-quota narwhal management system that was approved for four communities last year. At a recent meeting, DFO officials committed up to \$25,000 towards re-visiting those same communities in an effort to further streamline the implementation process. Jim noted that DFO officials have suggested that Repulse Bay's self-imposed ceiling of 100 animals might still be considered too high to meet the requirements for conservation. Jim also reminded the Members that the Board had recently given approval-in-principle to an application from Pelly Bay to adopt the new narwhal management system.

Michael d'Eça referred the Members to his briefing note of April 18 pertaining to the April 12 letter from the Arviq HTO, and in particular the matter of controlling the floe-edge hunt. Michael reiterated the six recommendations he had set out in that document, to the effect that the NWMB should:

- Discover the position of the RWO, and of the HTOs potentially involved.
- Send to DFO a copy of the letter received from the Arviq HTO.
- Commission a synopsis on the establishment and enforcement of RWO by-laws and rules pertaining to the new narwhal management system.
- Ascertain whether there are in fact any legitimate conservation concerns.
- Advise the Arviq HTO of steps being taken.
- Ensure that all necessary measures are in place, by all relevant agencies, prior to commencement of the floe-edge hunt.

Board Members agreed that a more pro-active stance was warranted on the part of all agencies concerned with implementation of the new narwhal management system. Gordon Koshinsky urged that all available information and opinion be assembled in order to assess the potential narwhal conservation issue at Repulse Bay. David Alagalak counselled against bringing more communities into the new narwhal management system until it is operating smoothly in the communities that were initially designated.

The Board decided (**Resolution 2000- 150**) to commit up to \$25,000 toward the costs of working with the participating communities to streamline operation of the new narwhal management system for the coming season. With respect to the situation at Repulse Bay, the Board decided to move forward with the six recommendations presented by Michael d'Eça in his briefing note, and at the same time to seek a definitive indication from DFO about the parameters that would trigger a conservation concern. The Board also agreed to limit participation in the new management system for 2000 to the four communities already approved, plus Pelly Bay if that community meets the fundamental requirements for participation. The Board also agreed to ask the KWF to take the lead in resolving the issues at Repulse Bay, albeit with the close involvement of the NWMB.

#### **4. Request from Hall Beach HTO to Hunt a Bowhead Whale**

Jim Noble referred to recent correspondence indicating an interest on the part of the Hall Beach HTO to hunt a bowhead whale from the Foxe Basin population, presumably as early as this coming summer. Although this interest was formalized in a meeting of the HTO a year ago, there was no apparent record of it in the NWMB files. The information did not arrive for the attention or consideration of the NWMB until late March of this year. By that time the NWMB had already affirmed that the next hunt from this bowhead population would be conducted under the auspices of the Coral Harbour HTO.

Members expressed regret and concern that this communication from Hall Beach had not been available for consideration when the Board requested such expressions of interest five months ago. The Board concluded that in view of subsequent developments and decisions it was not possible to give favourable consideration to the request from Hall Beach. The Board reiterated the importance of HTOs working through the RWOs on matters such as this.

#### **5. Developments re Traditional Polar Bear Hunt Proposal (Noah Kadlak)**

Michael d'Eça reminded the Members that NTI was seeking a judicial review of the decision of the Nunavut Minister of Sustainable Development to disallow the final decision of the NWMB to enable this hunt to proceed. In view of this development, he (Michael) had drafted a suggestion that the NWMB offer to play a conciliator role in resolving this particular matter, since in his view seeking resolution through the courts was not the optimal approach. At the same time, the Board could put forward suggestions for making this type of stand-off less likely in future. This might involve provision for an automatic meeting between the NWMB Chairperson and the Minister following rejection of any initial Board decision, and could involve a more rigorous system for the provision of advice from traditional sources to the Minister.

Kevin McCormick repeated the objection that he had already communicated to Michael in respect to this suggestion, namely that the intimate involvement of the NWMB with this issue from the outset seemed to preclude the Board from presenting itself as an impartial arms-length conciliator. Gordon Koshinsky agreed that the Board probably did not have a clear pathway to participation as a conciliator in the manner that Michael had proposed, but argued that it would be very attractive to have a better procedure for heading off these kinds of confrontations before they got so entrenched.

The Board asked the Chairman to approach the two protagonists on an informal basis, to determine if they were satisfied with the process that had been initiated. If it was indicated that there was dissatisfaction, the Board would be prepared to explore options and alternatives with them.

## **6. Requests to Carry-Forward NWMB Funding**

Michelle Wheatley advised that DFO has requested leave to carry forward NWMB Conservation Education funding in the amount of \$14,110 (unused balance) to FY 2000/01 in respect to the preparation and publication of a Field Guide to Arctic Marine Fishes. The Contribution Agreement covering this item does not have provision for such a carryover, but it seems reasonable to grant the request in the circumstances.

The Board agreed (**Resolution 2000- 151**) to approve the DFO request.

Jim Noble reminded the Board of its decision two years ago to provide \$5,000 via the Nunavut Research Institute to support background studies to underpin the establishment of a center of excellence for research in Iqaluit. These studies have not progressed, and the Agreement governing the NWMB contribution has expired. The NRI has requested continued access to the NWMB contribution.

The Board decided (**Resolution 2000- 152**) to call back the funds that had been provided for this initiative, but to indicate to the proponent (via the NRI) that NWMB funding would probably be re-instated pending receipt of a new proposal written in the context of a tangible work plan.

## **7. Requests for New NWMB Funding**

### **7A. Cleanup of Campsites: Coral Harbour**

Jim Noble advised that the Aiviit HTO at Coral Harbour has requested NWMB funding in the amount of \$21,722 to cover the costs of cleaning up eight campsites in their area.

The Board interpreted this matter to be outside the Board's interest and jurisdiction in respect to wildlife management, and accordingly decided (**Resolution 2000- 153**) to reject the request. The Board assigned the Executive Director to research possible alternate sources of funding for this venture and to advise the proponents.

### **7B. Travel Costs World Council of Whalers General Assembly: Sanikiluaq HTO**

Jim Noble advised that the Sanikiluaq HTO has requested NWMB funding in the amount of \$1,545 to cover the travel costs (excluding airfare: being paid by DIAND) for the participation of an HTO member at the 3<sup>rd</sup> General Assembly of the Council in New Zealand in November. The HTO has an invitation from Dr. Milton Freeman, the Conference Organizer.

Gordon Koshinsky wondered if most or all of the other HTOs might have received the same invitation. The Board decided to defer consideration of the request pending clarification of whether other similar requests might be forthcoming.

## **8. Operating Procedures: Implementation and Revisions**

### **8A. Settlement of Compensatory Time Earned by Staff**

Jim Noble advised the Board that its Operating Procedures currently in effect preclude the payment of more than five-days-worth of monetary compensation to staff in respect to extra hours worked and not taken as compensatory time prior to the end of a particular fiscal year. Some employees finished 1999/00 with well in excess of five-days-worth of extra work time accumulated. In most of these cases the extra work time was very legitimately accumulated near the end of the fiscal year, without opportunity to compensate through the granting of time-off in lieu. This can be expected to be a recurring phenomenon due to the seasonal distribution of the Board's workload.

Meeka Mike suggested that staff in managerial positions should generally be able to define and/or arrange their workload so as to avoid large accumulations of this type of overtime. Gordon Koshinsky suggested that it might not in fact be possible for the Director of Wildlife Management, as one example, to avoid working excess hours in February and March in order to meet the Board's requirements. David Alagalak counselled compliance with established labour standards and reckoned that the Board had no alternative except to pay out for accumulated overtime. Michael d'Eça pointed out that the Board's policy on overtime calls for employees who are classified as "non-exempt" to be paid for approved overtime at 1.5 times their regular rate of remuneration.

The Board decided (**Resolution 2000- 154**) to instruct the Executive Director to "clear the books" of staff compensatory time accumulated as at 31 March, either through granting time off or by making cash payouts, this to be arranged so as to achieve the greatest mutual satisfaction for all concerned. The Board also requested that the Executive Director institute more rigorous procedures for pre-authorizing and for tracking time worked by staff in excess of their contracted hours.

### **8B. Remunerating and Rewarding Staff**

Gordon Koshinsky reminded the Board that the Executive Committee and NWMB staff have been engaged for some time in attempting to revise and update a number of the Board's Operating Procedures pertaining to personnel administration, including remuneration and monetary incentives. Gordon summarised the status of the main items under consideration.

Kevin McCormick requested concrete data and examples for matters of a monetary nature requiring decisions of the Board. The Board directed its Executive Committee, through the Committee Chairperson, to continue preparing necessary materials on this subject for consideration by the Board at the next Board meeting.

### **8C. Remunerating Board Members**

Gordon Koshinsky noted that the Board's operating procedures pertaining to the remuneration of Board Members were also under review by the Executive Committee. Gordon stressed the need, in his view, for a definitive comparison of the Board's status vis-à-vis other agencies in the matrix of agencies for which rates of remuneration are determined by the federal Treasury Board.

The Board agreed to assign the preparation of such a review as a matter of priority to the Board's Legal Advisor for reporting at the next Board meeting.

### **9. Wildlife Harvest Study: Update and Action Requirements**

Michelle Wheatley briefed the Board on recent developments and current status pertaining to the Harvest Study. The recent departure of the Study Co-ordinator has brought a number of issues to the forefront. Michelle suggested that the key to addressing these matters is to re-staff the Co-ordinator position as soon as possible, but with some modifications to the job description to reflect a number of priorities as follows:

- To ensure that community reports are completed and distributed.
- To ensure that the Database Manager receives necessary training.
- To ensure that the Database Manager completes data entry.
- To ensure that matters raised by the Technical Review are addressed.
- To prepare for final data analysis and report writing.

Michelle reported that the new Database Manager, Daniel Kulugutuk, has been doing a good job in his term position and is now working full-time on the database. He would, however, benefit from more concerted supervision and training, notably in the use of Fox Pro. No new data have been appended to the database since the departure of Johnny McPherson, and it is not practical to attempt to do this without on-site experience in the use of the Fox Pro software package. Lack of this experience also poses a constraint on preparation of the community reports: a matter that was assigned a high priority by the Harvest Study Committee. Completion of these reports will lead naturally to the final data analyses and comprehensive write-up.

Michelle reminded the Board that advertising for the Harvest Study Co-ordinator position last fall yielded only two applicants who warranted interviews. She noted that the Canadian Wildlife Service is currently staffing a wildlife technician position

out of Iqaluit, for which over 200 applications have been received. If steps are taken to avoid conflict with their own hiring process, the CWS is willing to provide access to their applicants as a means of streamlining the NWMB staffing action. At least 30 of the CWS applicants appear to be qualified for the NWMB position. Michelle recommended that this approach be pursued.

The Board decided (**Resolution 2000- 155**) to accept the recommendations provided by the Director of Wildlife Management with respect to description and staffing of the Harvest Study Co-ordinator position, and further directed that both Daniel Kulugutuk and Rebecca Mike receive training in the use of Fox Pro.

## **10. Participation at Upcoming Meetings and Other Events**

Jim Noble led the Board through the most recent (as at April 17) tabulation of announcements and invitations. The following decisions were reached regarding attendance and participation:

- Fur Institute of Canada committee meeting in Ottawa, May 15 - 16: Ben to attend.
- DFO, Federal-Provincial Atlantic Fisheries Committee Working Group meeting in New Brunswick, May 16 - 17: Jim to contact Katherine Trumper.
- DFO meeting with co-management boards in Winnipeg or Yellowknife, May 25 (tentative): Kevin to attend (if in Yellowknife).
- 8<sup>th</sup> North American Fur Trade Conference in Akwesasne, May 24 – 28: No one to attend.
- Beverly/Qamanirjuaq Caribou Management Board meeting in Churchill, May 26 – 28: Joan to attend.
- DFO Science Advisory Council, May 29 - 31: Ben to attend.
- Environment Canada National Millennium Conference in Guelph, June 3 - 6: Kevin to attend as he may deem useful.
- Canada-Greenland Joint Commission for the Management of Narwhal and Beluga in Nuuk, week of July 17: Ben, Meeka and Michelle to attend.
- IQ Advisory Board meeting in Iqaluit, June: Jim to attend.
- Workshop on Arctic Parasitology at University of Saskatchewan, September 17 – 20: Gordon to attend.

## **11. Reciprocal Harvesting Rights: Nunavut – Nunavik**

Ben Kovic advised the Board that NTI has established a Working Group to develop the protocols for an agreement to establish reciprocal harvesting rights between Nunavut and Nunavik. The NWMB has received a request from Raymond Ningeocheak, the NTI Vice President in charge of this file, to appoint a Board Member to this Working Group.

The Board decided (**Resolution 2000- 156**) to appoint Meeka Mike as the NWMB Member on the NTI Working Group on establishing reciprocal harvesting rights between Nunavut and Nunavik.

## 12. Adjournment

The Conference Call adjourned at 12:05 p.m. Iqaluit time.

Minutes Approved by: \_\_\_\_\_  
Chairperson Date

### **RESOLUTIONS: CONFERENCE CALL 49**

**Resolution 2000- 150:** With respect to administration of the new “non-quota” management system for narwhal introduced in 1999, resolved that the NWMB:

- Restrict access to the new system for the coming (2000) season to the four communities approved for participation in 1999, plus Pelly Bay if that community meets the stated background requirements;
- Participate with DFO in a series of meetings with the participating communities as required to streamline operation of the new system;
- Allot up to \$25,000 for these community meetings;
- Move forward with the program proposed by the NWMB Legal Counsel to lay the groundwork for resolving the particular concerns identified by/at Repulse Bay;
- Encourage and work with the KWF to the lead in the necessary interactions among the various communities resolving the matter of controlling participation by neighbouring communities in the floe-edge hunt at Repulse Bay; and at the same time
- Seek a definitive indication from DFO about the parameters that would trigger a conservation concern at Repulse Bay.

Moved by: Gordon Koshinsky  
Carried

Seconded by: Harry Flaherty  
Date: 11 May 2000

**Resolution 2000- 151:** Resolved that the NWMB approve the request from DFO to carry forward NWMB Conservation Education funding in the amount of \$14,110 (unused balance from FY 1999/00) to FY 2000/01 in respect to the preparation and publication of a Field Guide to Arctic Marine Fishes.

Moved by: David Alagalak  
Carried  
Opposed: Harry Flaherty; Abstained: Meeka Mike

Seconded by: Kevin McCormick  
Date: 11 May 2000

**Resolution 2000- 152:** Resolved that the NWMB call back the funds that had been provided to support background studies to underpin the establishment of a centre of excellence for research in Iqaluit, but to indicate to the proponent (via the NRI) that NWMB funding would probably be re-instated pending receipt of a new proposal written in the context of a tangible work plan.

Moved by: Kevin McCormick  
Carried

Seconded by: Harry Flaherty  
Date: 11 May 2000

**Resolution 2000- 153:** Resolved that the NWMB deny the request from the Aiviit HTO for funding to cover the costs of cleaning up campsites in the Coral Harbour area.

Moved by: Harry Flaherty  
Carried

Seconded by: Meeka Mike  
Date: 11 May 2000

**Resolution 2000- 154:** Resolved that the NWMB instruct the Executive Director:

- To “clear the books” of staff compensatory time accumulated as at 31 March, either through granting time off or by making cash payouts, this to be arranged so as to achieve the greatest mutual satisfaction for all concerned; and
- To institute more rigorous procedures for pre-authorizing and for tracking time worked by staff in excess of their contracted hours.

Moved by: Gordon Koshinsky  
Carried  
Opposed: Harry Flaherty and Meeka Mike

Seconded by: David Alagalak  
Date: 11 May 2000

**Resolution 2000- 155:** Resolved that the NWMB proceed to staff the vacant Harvest Study Co-ordinator position in accordance with the protocols and procedures recommended by the Director of Wildlife Management, and further that both Daniel Kulugutuk and Rebecca Mike be trained in the use of Fox Pro.

Moved by: Harry Flaherty  
Carried

Seconded by: Gordon Koshinsky  
Date: 11 May 2000

**Resolution 2000- 156:** Resolved that the NWMB appoint Meeka Mike as the NWMB Member on the NTI Working Group on establishing reciprocal harvesting rights between Nunavut and Nunavik.

Moved by: Kevin McCormick  
Carried

Seconded by: Makabe Nartok  
Date: 11 May 2000

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