

NUNAVUT WILDLIFE MANAGEMENT BOARD

MINUTES: CONFERENCE CALL No. 75

Tuesday, 4 November, 2003

Members and Staff Participating

Ben Kovic	Chairperson
Kevin McCormick	Member
Robert Moshenko	Member
Nick Amautinuar	Member
Harry Flaherty	Member (to 11:50)
Paul Pemik	Member
Jim Noble	Executive Director
Michelle Wheatley	Director of Wildlife Management
Michael d'Eça	NWMB Legal Advisor

Not Available

David Alagalak	Member
Joannie Ikkidluak	Member

Other Participants

Janet Carroll	Nasaijiit Services
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Tuesday, 4 November, 2003

1. Opening by Chairperson

The Chairperson called the meeting to order at 10:30 am.

2. Review / Approval of Agenda

The members approved (**Resolution 2003-071**) the agenda with the addition of one item:

- Jencor Fisheries Ltd. request for letter of support

3. Review and Approval of Interim Activity/Variance Report to DIAND Nov.1

Jim Noble reviewed the Interim Activity/Variance Report with the members. This report provides budgets and expenses up to October 31, with an estimate of expenditures to year-end, and an explanation of variances. Jim reviewed the figures with the members, discussion followed on whether the Wildlife Act workshops would qualify as hearings and could be posted as such. It was suggested that the NWMB's Legal Advisor should review the Hearings Policy to establish whether a sub-set of rules could be drafted to handle less formal meetings/hearings. In summation, Jim recommended that the Board consider asking the Implementation Panel to carry over \$435K to next fiscal year. The Board decided (**Resolution 2003-072**) to approve the Interim Activity/Variance Report as presented.

4. Review and Approval of Final NQL Decisions on Wildlife Act

Michael d'Eça referred members to the briefing note in the meeting package. Michael noted that the Minister in a letter to the NWMB disallowed four of the five initial non-quota limitation (NQL) decisions made by the NWMB on September 9th 2003. The NWMB is required by the NLCA Section 5.3.12 to reconsider each of the disallowed decisions in light of the Minister's written reasons, and then to make final decisions. Michael recommended that the Board review the draft letter to the Minister and the draft final decisions on the four sections. After reviewing both the letter and the draft final decisions the Board decided to approve the letter and the following final decision resolutions:

Resolution 2003-073 - Re: Subsection 20(1) of Bill 35.

Resolution 2003-074 - Re: Section 46 of Bill 35

Resolution 2003-075 - Re: Section 82 of Bill 35

Resolution 2003-076 - Re: Subsection 117(1) of Bill 35

(Note to file: These Resolutions were originally number 065 to 068 in error)

5. Division 0A Fishery

Jim Noble advised that a recent decision of the Minister of DFO had reached the public sector before being announced to the NWMB. This caused some concern due to the fact that private fishing companies were coming to the Board advising of a Ministerial decision. We were advised that this may happen as members of parliament have the right to question Ministers on their decisions. It was suggested that a letter should be sent to the Minister's office regarding this matter.

6. Request for Funding Assistance – NTI

Jim Noble advised that NTI Wildlife Division had requested funding assistance to conduct a review of RWO and HTO Funding requirements for then next 10-year contract period. Jim recommended that the Board consider approving these funds conditional on approval of other sources of funds suggested by NTI and that

Consilium agree to the contract. Members suggested that this information is important to development of these organizations. The Board decided (**Resolution 2003-077**) to approve a \$10,000.00 contribution to NTI for a review of RWO and HTO funding requirements by Consilium conditional on commitments from others.

7. Other Business

- **Strategic Planning Session**

Jim Noble raised the topic of a Strategic Planning Session to plan for the new contract period. Members discussed the possibility of holding this workshop in conjunction with the December meeting. It was decided to hold a scoping session on Wednesday evening during the December meeting. Monday evening will be a Harvest Study Committee meeting, Tuesday evening will be an Executive Committee meeting and Thursday evening will be a Christmas Dinner.

- **NWMB - GN Appearance Before Senate Committee**

Jim Noble noted that the NWMB appearance before the Senate Standing Committee on Fisheries and Oceans on October 21st went very well and the NWMB was praised on its presentation.

- **Jencor Fisheries Ltd – Request for Letter of Support**

Jim Noble noted the NWMB received a letter requesting a letter of support to fish outside Nunavut's adjacent waters and outside the 200 mile limit. Jim advised that he had requested information from DFO regarding this request but had no response from DFO. Members noted that there was concern about the Board lobbying support for others and secondly the NWMB has no decision making authority outside the 200 mile limit in International waters. It was decided to write Jencor Fisheries a letter explaining the Board role and feelings on this issue. Michael d'Eça suggested that the Board might need to revisit its allocation policy for commercial fisheries as it may need to be revised.

8. Adjournment

The meeting was adjourned at 12:20 pm.

Minutes Approved by: _____
Chairperson Date

RESOLUTIONS: CONFERENCE CALL NO. 75

Resolution 2003-071: Resolved that the NWMB approve the Agenda for

Conference Call No. 75 with the following addition:

- Jencor Fisheries Ltd. Request for Letter of Support

Moved by: Harry Flaherty Seconded by: Kevin McCormick
Carried November 4, 2003

Resolution 2003-072: Resolved that the NWMB approve and accept the Interim Activity/Variance Report to DIAND including a request to the Implementation Panel to carry-over 435K.

Moved by: Kevin McCormick Seconded by: Harry Flaherty
Carried November 4, 2003

Resolution 2003-073: Resolved that the NWMB, pursuant to section 5.6.48 of the Nunavut Land Claims Agreement, approve subsection 20(1) of Bill 35, subject to the inclusion within Bill 35 of a definition of “*qualified persons*” that explicitly includes qaujimaniliit.

Moved by: Nick Amautinar Seconded by: Harry Flaherty
Carried November 4, 2003

Resolution 2003-074: Resolved that the NWMB, pursuant to section 5.6.48 of the Nunavut Land Claims Agreement, approve section 46 of Bill 35, subject to:

- (i) the modification of the current wording of section 46 to include an explicit recognition that the superintendent may cancel, suspend or reinstate a licence where:
 - (a) it is necessary to implement an accepted decision of the NWMB; or
 - (b) the Superintendent considers it necessary or advisable in respect of those matters within the jurisdiction of the Government of Nunavut; and
- (ii) the consequential modification of the current wording of section 51.

Moved by: Harry Flaherty Seconded by: Kevin McCormick
Carried November 4, 2003

Resolution 2003-075: Resolved that the NWMB, pursuant to section 5.6.48 of the Nunavut Land Claims Agreement, approve section 82 of Bill 35, subject to the inclusion of language within section 82 that:

- (i) explicitly recognizes that an order applying to non-Inuit under subsection 82(1)(a) may be made by the Minister where:
 - (a) it is necessary to implement an accepted decision of the NWMB; or
 - (b) the Minister considers it necessary or advisable in respect of those matters within the jurisdiction of the Government of Nunavut;

- (ii) explicitly recognizes that an order under subsection 82(1)(a) applying Inuit because of conservation considerations may be made by the Minister where:
 - (a) it is necessary to implement an accepted decision of the NWMB; or
 - (b) the Minister considers it necessary or advisable in respect of those matters within the jurisdiction of the Government of Nunavut; and

- (iii) explicitly recognizes that an order under subsection 82(2) applying to non-Inuit may be made by the Minister where:
 - (a) it is necessary to implement an accepted decision of the NWMB; or
 - (b) the Minister considers it necessary or advisable in respect of those matters within the jurisdiction of the Government of Nunavut.

Moved by: Robert Moshenko Seconded by: Paul Pemik
Carried November 4, 2003

Resolution 2003-076: Resolved that the NWMB, pursuant to section 5.6.48 of the Nunavut Land Claims Agreement for the purposes of the current wording of subsection 117(1) of Bill 35, approve subsection 117(1), subject to the modification of the language in section 117 that will unequivocally remove from the application of subsection 117(1), Inuit who provide harvested wildlife specimens to researchers.

Moved by: Harry Flaherty Seconded by: Nick Amautinar
Carried November 4, 2003

Resolution 2003-077: Resolved that the NWMB approve a contribution of \$10,000 to NTI for a review of RWO and HTO funding requirements by Consilium conditional on commitments from others.

Moved by: Robert Moshenko Seconded by: Nick Amautinar
Carried November 4, 2003