

NUNAVUT WILDLIFE MANAGEMENT BOARD

MINUTES: REGULAR MEETING NO. 14

22 - 27 FEBRUARY 1997
PANGNIRTUNG, NT

Members and Staff

Ben Kovic	Chairperson
Malachi Arreak	Member
David Igutsaq	Member
Joannie Ikkidluak	Member
Gordon Koshinsky	Member
Kevin McCormick	Member
Meeka Mike	Member
Harry Flaherty	Member
Jim Noble	Executive Director
Dan Pike	Director, Wildlife Management
Keith Hay	Biologist, Bowhead Knowledge Study
Pierre Chartrand	Director, Finance and Administration
Michael d'Eça	NWMB Legal Advisor
Ray Andrews	NWMB Fisheries Advisor
Mary Nashook	Interpreter
Eric Joamie	Interpreter

Not Available

David Aglukark	Member (with cause)
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Guests and Other Participants

Joanasie Maniapik	Mayor, Hamlet of Pangnirtung
Timusie Dialla	Justice of the Peace, Pangnirtung
Gary Weber	DFO, Iqaluit
Gilles Chantigny	DFO, Northern Quebec Area
Glenn Williams	RW&ED, Iqaluit
Mitch Taylor	RW&ED, Iqaluit
Helen Klengenber	NTI, Wildlife Coordinator
Stas Olpinski	Makivik Corporation
Thelma Karatak	CBC Iqaluit
Joanasie Akumalik	QWB, Executive Director

Several members of the public at large
Saturday 22 February 1997

1. Call to Order and Opening Prayer

Ben Kovic convened the meeting at 9:20 A.M. Joannie Ikkidluak led the opening prayer. Ben welcomed Members to the community and requested those present to introduce themselves.

2. Greetings From Community Representative

Joanasie Maniapik, Mayor of Pangnirtung, welcomed the NWMB to his community. He urged the Board to approach him in the Hamlet office if any assistance was required. He stated that Pangnirtung residents know the meeting is open to the public; however he will continue to announce it on local radio.

3. Swearing-in Ceremony: GNWT Appointee

Ben Kovic requested that the new GNWT Appointee, Harry Flaherty, be officially sworn-in. Tim Dialla, Justice of the Peace for Pangnirtung, conducted the swearing-in ceremony. Ben Kovic welcomed Mr. Flaherty to the NWMB. Ben stressed that NWMB Members do not and can not represent any particular group or agency. Harry Flaherty expressed appreciation for being appointed to the NWMB. He mentioned that he was born in Grise Fiord and for the past few years has been residing in Iqaluit. He worked with the Nunavut Final Agreement in his recent position with the GNWT Department of Resources, Wildlife and Economic Development.

4. Agenda: Review and Approval

Members reviewed and approved the Agenda with no specific changes.
(Resolution 97-135)

5. Minutes: Review and Approval

5.A Regular Meeting No. 13, Pelly Bay 18-21 November 1996

Gordon Koshinsky urged that particular attention be paid to these Minutes since a number of people participated in completing them. Joannie Ikkidluak requested that the Board review the Motions from the meeting and the progress made in respect to implementing each Motion. The Executive Director led this review. Gordon expressed satisfaction that the review demonstrated that for the most part the Motions are being dealt with expeditiously.

Gordon Koshinsky suggested that the Board consider making a review of Motions a regular part of each meeting Agenda. He suggested this be amalgamated with the review of the "To-do-list", and should probably be done at the beginning of each meeting. Ben Kovic suggested that the review of Motions could be appended to the Minutes as a check list. Harry Flaherty noted that it is general practice to review progress on Motions in the course of reviewing the Minutes. Gordon reminded the Board of Michael d'Eça's frequent assertions that Motions properly become Resolutions once they are passed. The Board approved the Pelly Bay Minutes with noted corrections. **(Resolution 97-136)**

5.B Conference Call No. 26, Conducted 04 December 1996

The Minutes were accepted as presented. **(Resolution 97-137)**

5.C Conference Call No. 27, Conducted 09 December 1996

The Minutes were accepted as presented. **(Resolution 97-138)**

5.D Special Meeting No. 5, Iqaluit 14-17 January 1996

The Minutes were accepted as presented with noted corrections. **(Resolution 97-139)**

6. Financial Business

6.A Financial Statement: 31 December 1996

Pierre Chartrand reviewed the December 31 Financial Statement and Variance Report. A surplus of \$162,188 is projected for Fiscal-year-end. DIAND requires that any year-end surplus be returned. Gordon Koshinsky asked if prepaying any items or speeding up payment on legitimate contracts could reduce the projected surplus. Pierre suggested the Board could prepay Harvest Study contracts or contribute to the proposed RWO/HTO Workshop. Harry Flaherty asked if there were any ongoing research projects towards which the Board could contribute. Pierre advised that there is only one such project (CWS), and it involves relatively minor funding. Malachi Arreak asked what was covered by the "Miscellaneous Revenue" item and why it was negative. Pierre explained that this item is shown as a negative because it represents income in what is otherwise an expenditure report. It is made up of a repayment from KHTA on the \$140,000 advance, revenue from sale of translation equipment, a refund from the Workers' Compensation Board, a refund on a cancelled trip, and adjustments to the Harvest Study contracts pertaining to the Liaison Officer positions.

Pierre suggested that the large size of some of the variances reflects the Board's inexperience in financial forecasting. At this early stage in the Board's development it is impossible to accurately predict the cost of some specific items such as implementation of the Strategic Plan. Harry Flaherty asked why no expenses had been incurred for Wildlife Conservation Education. Pierre suggested that this budget item was an expression of intent by the Board for which action could not be implemented. Jim Noble noted that the NWMB contributed previously to production of a book on *Birds of Nunavut* developed by Baffin Divisional Board of Education, and had intended to contribute to a similar book on mammals and fish. This new book did not get underway because no group had come forward to take the lead in coordinating it. David Igutsaq questioned the expenditures for "Insurance." Pierre explained that this covered travel insurance for Members, and insurance for vehicles and office equipment. Gordon Koshinsky questioned the status of obtaining liability insurance for Board Members. Pierre stated that the Board's legal advisor is still sorting this out with potential providers. Jim Noble noted that the original aim was to obtain "Bonding" for employees handling Board funds; this had expanded to include liability insurance. The latter is very expensive if it is offered at all by insurance companies. Jim noted that Michael d'Eça could better comment on this subject, since he was the last to have contact with potential providers. The Board accepted the 31 December 1996 Financial Statement as presented (**Resolution 97-140**), with the understanding that any residual funds be allocated to:

1. The upcoming RWO/HTO Workshop in Rankin Inlet, commensurate with the proportion of the agenda devoted to the Board's interests.
2. Prepayment of Harvest Study contracts.

6.B 1997/98 Budget Review and Approval

Pierre Chartrand projected that \$8,318,749 will be available to the Board for 1997/98. This is the total of the anticipated allocation as per the Implementation Contract, plus the projected carry-forward. Pierre projected a base operating requirement of \$1,618,813 for 1997/98, assuming some rationalization and no major operating departures from 1996/97. Gordon Koshinsky suggested that the \$452,000 preliminary projection for operations will not be sufficient. Pierre suggested that future office set-up costs will be minimal and that consulting costs for start-up items will be much reduced. Gordon suggested that costs associated with consulting are more likely to increase rather than decrease. Gordon asked if the Harvest Study budget was up to date according to known realities. Pierre replied that the preliminary Study budget reflects Board approvals but does not take into account such things as pressures from field workers for increased salaries. Malachi Arreak noted that the Board budgeted for hearings last year but nothing is set aside in the preliminary projections for 1997/98. He predicted that there will surely be issues requiring structured public input in the future. Harry Flaherty preferred to see some funds allocated to Conservation Education. Gordon noted that other agencies have more specific training obligations than NWMB to lead in this role. Malachi

Arreak suggested that the NWMB might contribute funding but not necessarily deliver the program for training in such matters as traditional ways of hunting and conserving wildlife. Gordon noted that it is good to plan new programs but questioned whether the Board has the capacity to implement such additional workload. He suggested that staff are working to full capacity already. The Board may be well served to develop an "Education and Training Plan" before becoming actively involved.

Pierre noted that the projection of no funding increases for RWOs/HTOs may not be realistic if there is a greater onus on the Board to provide "adequate funding". Joannie Ikkidluak observed that there will certainly be pressure for increased funding from the RWOs. Malachi Arreak noted that the RWO/HTO budgets were established quite arbitrarily in the course of negotiations. Gordon suggested that the same is true in a general way for the NWMB funding. He considered it unlikely that the RWO/HTO funding will change significantly, just as the basic funding available to NWMB will not change. Harry Flaherty noted Pierre's statement that no increase was projected for the RWOs/HTOs, yet an increase is shown and he wondered how the formula works. Pierre advised that the FIDDIPI has been applied but there is little actual increase. Pierre acknowledged that while HTOs and RWOs will probably request more funding, some of these organizations have successful business ventures and in fact may be more than adequately operational without more funding from government sources. Ben Kovic was concerned that any move to withhold funding could erode the working relationship with these various organizations.

Gordon Koshinsky interpreted the long-range projections to show that the Board will no longer be able to fund agency research from NWMB operating resources. He proposed re-allocating the \$500,000 previously allocated for agency research as follows:

1. \$100,000 for Hearings
2. \$150,000 for Non-Agency Research
3. \$100,000 for Additional NWMB Staff
4. \$100,000 for Consulting
5. \$ 50,000 for Communications/Conservation Education

Pierre Chartrand noted that the management fee for TAL could revert to the NWRT, providing a saving of \$50,000 for the Board. Gordon Koshinsky suggested that the Board might continue to use agency research as a repository for any unused NWMB operating funds in future. He also suggested that it might be useful and appropriate to advise the Implementation Panel of the NWMB's 10-year financial forecast. This could serve to demonstrate the Board's planning competence and to identify the Board's long-term need for all available funds including carry-overs.

The Board decided to approve the 1997/98 budget, with noted amendments, in the total amount of \$5,280,285. **(Resolution 97-141)**

7. Chairman and Staff Reports

7.A Chairman's Report

7.A.1 Activity Report

Ben Kovic reviewed his diary of activities over the past three months.

7.A.2 Assignment of Hunting Rights

Ben Kovic noted that NTI has been doing some work on this issue but suggested that the matter of a policy framework has not yet been addressed. Discussion was deferred pending arrival of the Board's legal advisor (see Agenda item 7.E).

7.A.3 Pilot Walrus Sport Hunt - Nunavik

Ben Kovic noted that the Qikiqtani Inuit Association (QIA) remains concerned about plans by Nunavik to conduct walrus sport hunts in the Areas of Equal Use and Occupancy. Discussion was deferred pending arrival of DFO staff (see Agenda item 9.B.4).

7.A.4 Meeting/Workshop with Nunavik to Discuss Overlap Issues

Ben Kovic advised that he and Joannie Ikkidluak recently attended a meeting in Salluit where the possibility for a joint workshop was discussed. Ben suggested that the NWMB re-schedule its regular May meeting to Iqaluit to accommodate this. Gordon Koshinsky noted that this type workshop will require considerable preparation. Joannie suggested that Kimmirut, Cape Dorset and Sanikiluaq HTO representatives be invited to participate. These communities are concerned that such a meeting may go beyond mere discussions, to formal negotiations. Malachi Arreak noted that this matter was dealt with many times in the course of negotiations and suggested that it may never be completely resolved. He suggested the DIOs will need to participate, along with the impacted communities. Ben noted that there are no agencies in Nunavik which correspond to Nunavut HTOs. There are some volunteer organizations, with no real power. Gordon Koshinsky suggested it may be necessary/useful for NWMB to meet with the communities in preparation for a meeting with Makivik. The Board decided to meet with Makivik in conjunction with the regular May meeting. **(Resolution 97-142)**

7.A.5 Bowhead Hunt (1996): Response by USA

Ben Kovic advised the Board about the response by the US President to the US Commerce Secretary's certification of Canada under the Pelly Amendment in respect to hunting of bowhead whales by Canadian aboriginals last summer. The response, thankfully, appears relatively mild. There may be some significance and opportunity in the fact that the US President declared his support of aboriginal

whaling, provided it is managed through the IWC. Further discussion was deferred to Agenda item 10.D.1.

7.A.6 Wildlife Harvesting by Nunavik Residents in Nunavut

Ben Kovic noted that Nunavik residents who live or work in the Nunavut area are not allowed to hunt by laws of general application. This causes friction, partly because residents from Nunavut are allowed to hunt in Nunavik at any time without restrictions. Ben asked if anything could be done to alleviate this situation. Malachi Arreak suggested that if there is a surplus (e.g. for caribou, for which there are no quotas) Nunavik people should be allowed to hunt in Nunavut. However there are often local concerns about this, and the HTOs should have the final say. Ben suggested that the problem stems in some cases from an expectation that benefits are transferable between Agreement areas. David Igutsaq suggested that the problem pertains only to caribou, muskox and polar bears. If the spouse is a resident of Nunavut, then the husband can hunt. Harry Flaherty noted that Nunavik beneficiaries may be concerned about jeopardizing their Nunavik benefits. Jim Noble noted that the NLCA does not include individuals enrolled in other land claims. Malachi Arreak stated that during negotiations, the Government insisted that individuals could not be enrolled in more than one claim. This stemmed from the situation in the West, where individuals were required to choose between enrolling in Nunavut or enrolling with the Inuvialuit. Malachi suggested that someone from Nunavik wishing to hunt in the NSA could try to obtain an assignment of hunting rights from a Nunavut beneficiary. Ben Kovic asked if there is a process for someone to “become” a Nunavut beneficiary. Jim Noble suggested the NWMB might consider instituting a special transboundary licence. Helen Klengenbergs suggested that NLCA 40.3.3 might be applicable and offered to explore this with NTI legal advisors. Malachi Arreak doubted that this Article could provide the necessary legal framework.

7.A.7 Meeting With Other IPGs in Yellowknife

Ben Kovic noted that he and Jim Noble had attended a joint meeting of the Co-management Boards in Yellowknife. It was worth the time and effort to review common concerns with the other institutions. Ben reported that honoraria were similar for all the groups. Some of the boards are having difficulty reconciling whether or not to have full-time chairpersons. Ben noted intentions for further meetings and indicated that the NWMB may be asked to arrange the next one.

7.A.8 Emerging Fisheries

Ben Kovic noted that Cumberland Sound Fisheries is suggesting an overall co-operative approach to the development of emerging fisheries. QWB wants

opportunity to consider this concept in more depth. Ben noted that other established bodies may be able to play this role and the co-operative movement may not have sufficient support. Joannie Ikkidluak indicated that this topic will be dealt with seriously at the QWB AGM in April.

7.A.9 Meeting with Minister of DFO

Ben Kovic advised that he and Ray Andrews (NWMB Fisheries Advisor) met with the Minister of DFO on February 19. Items discussed included:

- Groundfish (turbot) licenses for Nunavut
- Canada/Greenland shares of turbot
- Exploratory fishing in Zone 0A

Ben noted that the Minister was very down-to-earth about these issues. The Minister did not approve any new licenses, but indicated that he would consider the request seriously. Ben stated that he argued against Canada unilaterally claiming 70% of the Davis Strait turbot TAC on the grounds that this could lead to extra harvest which would not be good conservation according to the knowledge currently available. He suggested to the Minister that if an increased Canadian harvest were to be taken, it should be exploited as a test fishery in Zone 0A, and that Nunavut fishery interests should get the first opportunity due to their adjacency. Ben also reported that a new turbot fishing area has been identified in Davis Strait. Malachi Arreak noted that NLCA 15.3.7 and 16.1.3 are relevant to fishing in Zone 0A, even on an experimental basis. Malachi suggested that heavy exploitation of turbot might disrupt the feeding of narwhal, and this should be taken into account. Ben noted that there was not sufficient time to discuss shrimp issues at the meeting.

7.B Executive Director's Report

Jim Noble presented his activity report. Gordon Koshinsky once again raised the matter of urgency to complete employee appraisals. Jim noted that most job descriptions were completed and that appraisals will be done by 31 March and certainly prior to the May meeting.

7.C Wildlife Director's Report

Dan Pike reviewed his work list with the Board. He noted that some of the items are on the meeting Agenda and will be reviewed at the appropriate time. Dan identified four areas in which work is falling seriously behind, at least according to the expectations of some agencies:

- Water licenses, land use permits, and land use plans - These matters are being addressed by the other IPGs (NWB, NIRB and NPC respectively), but the NWMB perspective is not necessarily being included.
- Research permits - Many applications are being forwarded to the NWMB. A system is needed to better coordinate the reviews with other agencies.
- Research project administration - Adequate monitoring is not being done. The current practice is just to wait for reports, without being proactive.
- Fish Quotas and Variation Notices for commercial fisheries - Much more work is needed to develop a viable process for establishing and changing quotas.

Dan suggested that the first three items in the above list “could constitute an additional staff position”. Malachi Arreak suggested that the Board might be well advised to ask DFO to draft a process for dealing with quotas. Dan indicated that the peak workload with respect to quotas is in April, with a lesser peak in the fall just before the winter fishery. Jim Noble suggested that Finance and Administration could take a larger role in administering research contribution agreements. Gordon Koshinsky questioned whether the NWMB really needs to take a higher profile in land- and water-use permitting, and in reviewing research applications. Michael d’Eça indicated that the first category of items is clearly discretionary, but NWMB has decided to exercise a role in these areas. He indicated that active participation in research permitting appears to be mandatory for the Board, but other agencies might be tempted to exploit opportunities to offload their own responsibilities. The Board needs to more clearly define and declare its jurisdiction, and if this demonstrates significant new workload it may equate to a need for additional staff. Malachi suggested that it is highly desirable to define this jurisdiction and workload during the initial years of Board operation; it will be much harder to adopt an enlarged NWMB jurisdiction and obtain proportional new resources after the initial 10 years. Jim Noble noted that the Board had indicated a desire to wait for completion of the Communications Strategy before considering further staffing.

Work objectives (Dan Pike) for next period:

- Develop criteria for groundfish allocations (on Agenda)
- Do systematic reporting on research findings
- Develop a database for each wildlife stock being harvested
- Develop an options paper for polar bear co-management with Greenland.

7.D Finance and Administration Director’s Report

Pierre Chartrand reviewed his briefing note on activities since the last regular meeting. A decision is required on distribution of the Tri-annual report. Malachi

Arreak suggested that the DIOs be included in the distribution in their role as appointing bodies. Gordon Koshinsky suggested that the report be distributed to government field offices rather than concentrating solely on headquarter locations. Ben Kovic suggested that copies be sent to community libraries, and that agencies such as Makivik also receive copies. Pierre requested a Board decision on how to deal with the request from DIAND for repayment of the 1994/95 surplus of \$26,236. Pierre suggested that DIAND might subtract this amount from their March payment to the Board if this surplus item is not refunded. Gordon Koshinsky recommended that the amount be repaid, if it is inevitable that the Government will collect it in any event. Harry Flaherty suggested it would be better to challenge DIAND on this matter. Helen Klengenber agreed, while cautioning that a formal challenge might cost more than the amount in dispute. Pierre advised that he has budgeted the amount as an account payable; if it is not paid it will create an additional year-end surplus. The Board decided to pay the item under protest, pending further advice from the Board's legal advisor in consultation with NTI. **(Resolution 97-143)**

Monday 24 February 1997

Morning: Tour of Pangiirtung Fisheries Limited fish plant operation.

Afternoon: Tour of turbot fishery in Cumberland Sound.

Tuesday 25 February 1997

The Chairperson reconvened the meeting at 8:40 A.M. He called on those present to introduce themselves. He confirmed the public meeting this (Tuesday) evening at 7:00 P.M.

7.E Legal Advisor's Report

Michael d'Eça reviewed his activities over the past quarter. Considerable time was spent working with the Standing Committee on the Endangered Species legislation. Some members of the Standing Committee are favourably disposed to Co-management Boards, and presentations by these Boards have been well received so far. The Canada Oceans Act has become law and the changes which the NWMB suggested were accepted. The new Fisheries Act (Bill C-62) is not likely to make it through the current session of Parliament; the Bill must first pass second reading and then go to Standing Committee. Most of the NWMB submission regarding Bill-C-62 is complete, based on a detailed letter sent early to the DFO Minister. Michael also noted that an amendment to the NWT Elections Act should allow Board members to run as election candidates.

Michael reviewed his activity forecast for the next few months. He predicted that the "Marine Protected Areas Act" will be a priority, with the government keen to move this Bill along in Parliament. Assignment of Harvesting Rights is still an issue and QWB had requested his assistance in developing this package. Jim Noble

cautioned against spending a lot of time on this issue since the Board has interpreted that Inuit have the lead responsibility.

Gordon Koshinsky questioned the status of obtaining liability insurance for Board Members and staff. Michael replied that this file is still open. The insurance company with which he has been communicating has not understood the NWMB situation (NLCA 5.2.39) whereby Members have liability protection in respect to discharging their powers under the Claim. The Board may still want to carry some liability insurance to cover some future situation, for instance if it came to grief exercising some power that it was later determined not to have had. Article 5.2.39 notwithstanding, there could also be costs to invoke the Article in a legal defence situation. It was agreed that Pierre Chartrand should continue to shop for reasonably-priced liability insurance.

Malachi Arreak noted that NTI is proposing that NWMB become a party to a Canada/Greenland Polar Bear Agreement. The NLCA does not call for the NWMB to do that, especially if it is not a negotiator. Malachi suggested that NLCA 5.9.5 refers/applies more to domestic (Manitoba-type) situations. Michael d'Eça agreed that there is no express requirement to do so, but neither is there anything to prevent the NWMB from getting involved. Whoever the parties turn out to be, it is essential that NWMB be consulted in the development of such an agreement.

Joannie Ikkidluak asked about the status of developing a process for assigning harvesting rights. Michael stated that Laurie Pelly for NTI has asked for advice on how to proceed. Jim Noble noted that Helen Klengenbergh has indicated that NTI has this matter under control and there is no need for the NWMB to be involved. Gordon Koshinsky suggested that there is confusion about what remains to be done, and that it would be appropriate for the Board to assist by having Michael draft a set of principles. This could be sent to the Inuit organizations via Ms Pelly, who might then draft the protocols for implementation and administration. This could be an agenda item for the RWO/HTO Workshop in April. Kevin McCormick suggested that this was a good issue on which to base a clarification of the respective roles of NTI and NWMB. Joannie said that he is frustrated by the see-sawing, and proposed that NWMB get on with the exercise. Michael suggested that while the jurisdiction clearly rests with the Inuit organizations, the Board must foster its relationship with the RWOs and HTOs which have a vital interest in this matter. Gordon Koshinsky suggested a compromise: declare that it is the responsibility of NTI to lead in this matter, but ensure that they understand the pitfalls and principles that need to be taken into account. Michael d'Eça agreed to develop a set of principles and pass them to NTI for development of the necessary protocols, after which the package will come back to NWMB for approval.

7.F NWMB Fisheries Advisor's Report

Ray Andrews reviewed his activity list with the Board. He predicted that turbot will continue to be a major topic of discussion at the federal level because of the different ways that Canada and Greenland manage their stocks. Ray noted that he and Ben had met with the DFO Minister on February 19 in Ottawa. Topics discussed included science, conservation, resource sharing and experimental fishing. The Minister seemed to appreciate the discussion. Ray suggested the Board may wish to focus in the next few months on:

- Developing a sense of common purpose among the pertinent agencies and interests in Nunavut, to assist in moving commercial fishery agenda items forward. Ray suggested that a workshop would be an ideal way to proceed on this.
- Coming to terms with the Board's mandate and obligations pertaining to commercial fishery management and development.

Kevin McCormick suggested that the first step to effectively executing the Board's role is to define that role very clearly. Gordon Koshinsky suggested writing to the DFO Minister as a follow up to the meeting just held. Ray agreed that a letter was appropriate to highlight and confirm the items discussed:

- The need to share the resource base.
- The need for experimental/exploratory fishing.
- The need for commercial groundfish licenses for Nunavut, and the need for appropriate alternative arrangements in the interim.
- The need to stress resource conservation, and the need to invoke the precautionary principle pending better science.

Michael d'Eça suggested that neither DFO nor GNWT nor the NWMB consistently act as though they are very clear on their respective jurisdictions regarding the marine commercial fisheries. Any allocations to the NSA require the approval of the NWMB. When a TAH is set within the NSA, NWMB has the sole authority to set quotas. Michael suggested that legal counsel should be obtained on any correspondence going out on these issues. Malachi Arreak noted that while the NSA ordinarily extends to 12 miles offshore, this can range out to as much as 100 miles in the region of land-fast ice, which also varies annually.

8. Member's Reports and Concerns

8.1 David Igutsaq

David advised that Burnside HTA would like an increase in their hunting area for grizzly bears. Grizzlies are a nuisance in the outpost camps. Children are required to stay on guard in the camps while the adults sleep. He noted that Burnside only

recently started participating with KHTA, and he requested deferral of this item to allow more opportunity to consult. Kevin McCormick asked if DRWED had been alerted to this matter. David stated that they were advised.

David advised that Gjoa Haven HTA is seeking funds to support dredging of two streams near their community. There is hardly any wildlife in that area (around the outpost camp) and people there get hungry at times. Michael suggested that they may have to go to the NWB or NIRB for approval to dredge. Ben Kovic indicated that the Board cannot act without a proper application. Gordon Koshinsky suggested that improving or developing habitat is not an NWMB role. David noted that the work is planned as a manual operation.

8.2 Malachi Arreak

Malachi noted that he has been devoting attention to the concept of training for young/incoming hunters, particularly for the purposes of reducing strike/loss rates and optimizing use of the harvest. Malachi concluded that considerable work is needed to assemble information from elders and experienced hunters in order to make such a project effective and worthwhile. Gordon Koshinsky repeated his earlier suggestion that this would be an ideal use for the \$100,000 which the GNWT is holding in trust “for conservation purposes” from the Town of Iqaluit. Michael d’Eça noted that training hunters to promote conservation is pertinent to the regulatory roles of the HTOs and RWOs pursuant to NLCA 5.7.3 and 5.7.6.

Malachi noted that in the 1950s, an aircraft with nuclear weapons on board crashed in the ocean near Greenland. Inuit in the High Arctic are getting concerned about the possibility of resultant contamination. In the past year and half there have been about twenty deaths (ages 40 to 55) due to cancer at Pond Inlet. Country food provides the bulk of these people’s diet. The question is whether currents are carrying radiation to wildlife species in the area. Malachi noted that he realizes this is not the jurisdiction of the NWMB, but the item could be referred to an appropriate agency. Ben Kovic suggested that a letter be sent to the Canadian Polar Commission. Michael d’Eça suggested it might be a matter for consideration by the Nunavut Marine Council (pending).

8.3 Gordon Koshinsky

Gordon advised that DFO is setting up an internal “web site” on fish and wildlife management boards for use of their staff. They want to be sure of getting accurate information about NWMB for inclusion. Gordon advised them of current NWMB efforts to develop a formal Web Site, and DFO requested sharing of site information. The Board approved this sharing concept.

9. New Business

9. A Canadian Wildlife Service (DOE)

9.A.1 Snow Goose Population Concerns

Kevin McCormick referred to a recent report on Arctic geese that was prepared by a working group under the Arctic Goose Joint Venture. With the exception of Wrangle Island and McConnell River, virtually all colonies of snow geese started to increase in the late 1970s or early 1980s and are now over-abundant in some areas. Serious habitat degradation is occurring, notably along the western Hudson Bay coast and at the juncture of Hudson and James Bays, and some populations now exceed sustainable levels. Reasons for the population explosion are thought to include the following:

- About 25 years ago geese began an extensive adaptation to feeding on agricultural crops (rice paddies, swathed cereals, etc.). This led to higher adult survival and enhanced reproductive condition.
- This coincided with expansion (in the USA) in the network of National Wildlife Refuges, incorporating feeder crops along with protection from hunting.
- Also over this period there has been a very significant reduction of interest in the hunting of waterfowl.
- A warming trend in the Arctic (with earlier springs and warmer summers) has favoured reproductive success.
- Some snow goose breeding colonies have also shifted southward.

Kevin noted that climate warming is making the problem worse by drying out some coastal marshes.

Certain corrective management actions are proposed, aimed in particular at the mid-continental population of lesser snow geese. One goal is to reduce this population by 50%; this would require a 2-3-fold increase in harvest. Measures must take account of the fact that snow geese are not inherently the most popular birds among hunters. Culling per se is rejected as a management tool. The measures are still being refined, and input from the Board would be appreciated.

Ben Kovic asked if CWS was aware of the Arviat proposal to harvest 2000 snow geese this summer. Kevin said that they are aware, and noted that the harvest will require Ministerial approval.

9.A.2 Contaminants in Waterfowl

Kevin McCormick referred to a 1988-1995 reconnaissance by CWS across Arctic Canada, with sampling in the NWT in 1993 and 1994. Ten birds per species were pooled by location for analysis. No hazardous levels were found in geese, but a few isolated occurrences of elevated levels were found in some species higher in the

food chain. These occurrences pertain to lead and cadmium mainly in livers, although a sample of glaucous gull eggs from Prince Leopold Island also had elevated concentrations. Health and Welfare Canada has declared that, for the most part, levels of contaminants are non-detectable or low, and not a hazard.

9.A.3 Ravens and Gulls: Nuisance Issue

Kevin McCormick reiterated that gulls, as migratory birds, are the jurisdiction of CWS whereas ravens are the jurisdiction of GNWT. In the event of serious nuisance concerns about gulls, CWS will issue permits for control. The community needs to approach the local Renewable Resource Officer, who will bring the matter to the attention of CWS. Procedures for dealing with nuisance concerns about ravens will need to be worked out with DRWED. Ben Kovic reported concerns in some communities about these birds nesting on the periphery of water-supply reservoirs.

9.A.4 Queen Maud Gulf Bird Sanctuary

Kevin McCormick reminded the Members that CWS had approached the Board a year ago regarding change of designation and boundaries for this sanctuary. The Board had agreed with the proposals, subject to further consultations by CWS. Several meetings were held, but the department has found that the myriad of new entities with uncertain and evolving jurisdictions has made consultation difficult and unproductive. The department has decided to put the matter on hold until the circumstances become clearer. Dan Pike noted that he recently recommended to NIRB that they deny an entry permit for mineral exploration, in accordance with an earlier Board directive dated 26 July 1996.

9.A.5 Banning Lead Sinkers and Jigs in NWAs and NPs

Kevin McCormick briefed the Board on the CWS initiative to ban sport fishing equipment made of lead from National Wildlife Areas and National Parks, in order to protect water birds. Although this matter has little actual significance for the NWMB and none for aboriginal fishery users, it does constitute a non-quota limitation and thus requires the Board's decision. The Board decided in favour of the initiative. **(Resolution 97-144)**

9.B Department of Fisheries and Oceans

9.B.1 Nunavut Updates

Gary Weber tabled the regular DFO Update of Nunavut Fishery Events and Issues. Malachi Arreak asked if the DFO position on (not) rejoining IWC had changed since

the American response to the bowhead harvest. Gary replied that the position has not changed.

9.B.2 Narwhal Status Report

Gary Weber tabled a Fishery Management Plan Background Document pertaining to High Arctic narwhal. DFO recently met with HTAs in each Kitikmeot community. David Igutsaq was to join this tour, but could not participate due to illness. Gary advised that he has not been briefed on what transpired. He indicated that DFO will not be able to return to these communities in the near future. David Igutsaq reminded the Board that three communities in his area have a long-standing request for larger narwhal quotas. This request is supported by the KHTA and the KIA. Malachi Arreak asked if the Kitikmeot narwhal are the same stock as those in Baffin Bay. Gary stated that there is still uncertainty on this matter. Malachi noted that the various population estimates are not very comparable, and asked if there is a single best estimate. Gary pointed out that some of the estimates are not recent and noted that surveying marine mammals is not an exact procedure. DFO is continually refining survey methods. Dan Pike noted that many communities are requesting larger narwhal quotas. He stressed that DFO and the Board need to actively address this question. Ben Kovic suggested that the Members familiarize themselves with this matter and be prepared to discuss during the next conference call.

9.B.3 East Hudson Bay Beluga

Stas Olpinski conveyed the regrets of the Makivik Members who were unable to attend this meeting. Gilles Chantigny, Head of Operations, Northern Quebec Area for DFO, reviewed the status of the Northern Quebec 5-Year (1996-2000) Beluga Management Plan. Gilles noted that the plan was tabled with the NWMB in the spring of 1996, for comment and support. Michael d'Eça asked if DFO considers that this management plan pertains to matters that would ordinarily be the jurisdiction of the NWMB. Gilles replied in the affirmative, to the extent that Eastern Hudson Bay belugas are harvested by the residents of Sanikiluaq.

Gilles noted that the Eastern Hudson Bay beluga stock is listed by COSEWIC as "threatened", but uncertainty does remain about stock delineation and distribution. Genetic studies on stock separation are well underway but will take several years to complete. Migration studies are also contemplated. The main geographic focus of the current research is the Sanikiluaq area. The Eastern Hudson Bay beluga hunt in Quebec is tightly controlled through reference to the management plan, and the full allotment of 45 animals is harvested by the Quebec communities with no current provision for, or consideration, of any harvest by Sanikiluaq. Gilles noted that the management plan was negotiated with the full participation of Quebec Inuit, and compliance with the plan has been good.

Gilles suggested that precautionary management measures for the Sanikiluaq beluga hunt would be appropriate while new information is being developed. Kevin McCormick asked if there were any specific recommendations to the NWMB, since “precautionary” is not definitive. Gilles suggested that such measures might include quotas, seasonal focussing of the hunt, or some combination. Joannie Ikkidluak stated his opposition to such controls in the absence of specific information. Gilles and Stas, on the other hand, urged that the Board approve the management plan and then adopt a precautionary approach to implementing it for Sanikiluaq. Gilles hoped that the management plan could be dealt with at the forthcoming NWMB/Makivik meeting. Stas suggested that after the recent IWC meeting in Aberdeen, more international attention to beluga whaling can be anticipated. Co-managers need to be able to show good and defensible stewardship.

Dan Pike noted his expectation that DFO would present, at this NWMB meeting, the best evidence that is already available about beluga stock identities in this area. This has not occurred. Dan suggested that the Board can only operate with access to the best available information. Sanikiluaq hunters have certainly been cooperative, providing samples from nearly a hundred belugas in recent years. Preliminary evidence he has seen suggests that they are not harvesting the Eastern Hudson Bay beluga stock very much, if at all. Stas countered that tagging studies indicate at least some interchange of belugas between the two hunting areas.

Michael d’Eça noted there are several items in the management plan that do not accurately reflect the NWMB jurisdiction. If the NWMB were to approve the plan it would first need to be re-drafted. Malachi suggested that such approval, involving a matter pertaining to the Areas of Equal Use and Occupancy, could only be actioned at a full meeting of the Board, including the Makivik Members.

Stas suggested that it may be better to negotiate the plan at the community level with local hunters before coming back to the NWMB. Sanikiluaq should be involved in such discussions. Malachi asked if communities such as Cape Dorset would logically be included. Stas suggested that Cape Dorset hunts a different beluga population and their participation would not be germane to the present issue. Ben Kovic suggested that this might also be a matter for the attention of the QWB. Ben noted that Sanikiluaq walrus hunting is controlled by quota whereas Nunavik walrus hunting is not: something else to be considered.

Michael d’Eça advised that the matter falls under NLCA Article 40. Section 40.1.3 provides for “the negotiation of agreements between Inuit....respecting overlapping interests and claims”. Malachi Arreak noted that NWMB does not represent Inuit per se and stated his preference that Inuit-to-Inuit negotiations start with NTI. Stas Olpinski stated that they were interpreting the NLCA to the effect that NWMB would be the lead agency. Malachi suggested that it would be the role of NWMB to consider and approve any actual management plan, but establishing the political framework for it is the function of NTI. Michael confirmed that the management

mandate is clear: NWMB has the authority to approve such a plan for the NSA, along with the authority to submit its decision to the Minister.

Kevin McCormick suggested that the matter embodies issues of both process and biology. He suggested that Michael d'Eça and Dan Pike examine the management plan and develop a list of required amendments and an action plan for the consideration of the Board.

9.B.4 Walrus Management Plan

Gary Weber advised that the aim is to have a document drafted for community review and comment by April 1. Based on this and other input, DFO hopes to have the management plan ready for the May meeting of the Board. Stas Olpinski noted that numerous comments had already been submitted and asked if these were being taken into account. Gary advised that they were. Stas stated that Salluit wants to re-activate their walrus sport hunting initiative in 1997 and asked if they will need to reapply. He also asked if Salluit could proceed with the hunt as agreed last year in the event that the management plan is not completed. Ben Kovic suggested that Salluit could proceed on the basis of last year's approval; however he expected the management plan to be completed. Gordon Koshinsky and Jim Noble suggested that a new application should be made as a matter of due process since circumstances do change, even though there is no intention to deny approval. Under laws of general application, all such initiatives should expect to apply annually. Gary Weber indicated that the hunt plan (component) is the minimal management planning requirement for the 1997 hunt. DFO needs to know the basic parameters of the hunt if they are to issue the licence. Michael d'Eça urged that there be adequate opportunity for prior review by the Board if the May meeting is a real target for approval of the management plan. Malachi Arreak suggested that the Board can expect more applications for walrus sport hunting in future.

9.C Department of Resources, Wildlife and Economic Development

Glenn Williams pointed out the absence at this meeting of DRWED personnel from Yellowknife. This is part of the conscious effort by the Department to develop and strengthen its separate Nunavut profile.

9.C.1 Northeast Mainland Caribou: Status Report

Glenn Williams reviewed the briefing note pertaining to the population trend of caribou on Melville Peninsula and north of Wager Bay. The 1983 estimate was over 120,000 animals, whereas a May 1995 survey estimated 72,000 animals. The population has either declined or shifted. Caribou often rotate their winter range, but are generally quite faithful to their calving grounds. The recent significant decline of this population on the calving grounds is a matter of considerable concern. Studies

are underway to understand this decline and the NWMB can probably expect an application for funding assistance in the near future (but not for 1997).

DRWED is considering setting up an Ungulate Technical Committee (comparable to the Polar Bear Technical Committee) to provide advice on research topics and priorities.

David Igutsaq noted that caribou passing Taloyoak enroute to the calving grounds have decreased over the past three years.

9.C.2. Gyrfalcon Downlisting (CITES)

Glenn Williams noted that Canada and the USA will not be proceeding with downlisting of gyrfalcons as was previously proposed. There is still a problem of confusion with (genuinely) endangered European gyrfalcons and an open Canadian market would destabilize the situation. Gordon Koshinsky noted that NWMB Motion 97-110 to support downlisting was subject to tabling of certain information by GNWT. Since this information was not tabled, the Motion is not activated.

9.C.3 Polar Bear Research and Management Activities

Mitch Taylor tabled a status report prepared for the Board on activities in 1996. The report comprised two sections.

With respect to research, Mitch noted that the Baffin Bay data indicate the need for another year's work. Greenland is harvesting more bears from that population than was initially believed, which might indicate overharvest. Another aim is to begin work in the Central Arctic (Gulf of Boothia and M'Clintock Channel areas) in 1998. There are also plans to inventory the Davis Strait population, with Labrador contributing \$60,000 for radio-collar work. The previous study is now over 20 years old, and Greenland and Quebec also harvest from this population. Work is also required on the South Hudson Bay population, with Ontario to take the lead.

With respect to management, Manitoba is seeking a government-to-government agreement. An initial meeting was held with representatives from Greenland and it was agreed to start working towards a co-management agreement. The process for setting quotas was reviewed at the Polar Bear Technical Committee meeting last month and the process was endorsed. Mitch is preparing a report on the meeting, which also passed two resolutions of importance to sport hunting. The IUCN Polar Bear Technical Group has interpreted that sport hunting is completely acceptable for taking polar bears. Tags for sport hunting do not add to quotas, and sport hunting results in fewer kills overall because not all such hunts are successful. Sport hunting also takes more male than female bears. Another resolution from this meeting was to the effect that taking of cubs is acceptable as long as reproductive females are protected.

Mitch advised that some interpretations of over-harvesting both now and in the past may actually derive from under-estimates of population; therefore biologists are not looking to reduce quotas, at least for the present. Malcolm Ramsay is starting a study of radionuclide contaminants in polar bears at Resolute Bay. Canadian polar bears are generally among the least contaminated. DRWED plans to establish an Animal Care Committee, and the NWMB will be asked for input.

9.C.4 Wolverine Research

Glenn Williams tabled a progress report on the wolverine project under the West Kitikmeot Slave Study Society. NWMB is supporting this ongoing study, and continued funding is being requested. The study is providing a good demonstration of the effective use of traditional knowledge and local expertise.

9.C.5 Peary Caribou Situation Report

Glenn Williams advised that there is no new information on the survival or status of the stock. No new reports are expected until hunters start travelling to Bathurst Island in March.

9.C.6 Effects of Polar Bear Immobilization and Handling

Glenn Williams anticipated that this matter was going to be discussed at the recent meeting of the Polar Bear Technical Committee. In fact, the subject received little attention. Dr. Ian Sterling is planning to do a thorough review, but this is not imminent. Gordon Koshinsky noted that information received to date has been more in the nature of compilations of historical technical publications rather than an up-to-date and user-friendly compilation of the Canadian Arctic experience in context. His expectation was that this was going to be done by one or both of the government agencies some time ago, after which the NWMB would decide if an "independent" assessment was warranted (refer Motion 97-012). Perhaps there has been a problem of conflicting expectations, which should be clarified.

Joannie Ikkidluak repeated his observation that polar bears which are immobilized more than once end up in very poor physical condition. Although he appreciates the need to use such technology, there is considerable resistance to it in the communities. Mitch Taylor indicated that polar bears in general have been in relatively poorer condition the past two years for environmental reasons, and this may be confusing local interpretations. There are of course many possible ways in which bears could be affected by the procedures, other than outright toxification. There might be impacts on subsequent hunting behaviour, for example. There is however no reason to fear effects on humans from consuming the meat of bears which have been subjected to immobilization. The material disappears very rapidly from the tissues, and bears are being distinctively marked (painted) so that hunters

can easily avoid them for at least a year. Mitch indicated that a “plain-language” report on the subject will be provided within eight months.

9.C.7 Polar Bear Management Agreements (MOUs)

Glenn Williams noted that the development of MOUs with the communities turned out to be an iterative process: improvements derived in the course of completing the later ones were subsequently incorporated in the earlier ones as well. A composite package has been sent to the HTOs for their review.

Glenn reminded the Board that the MOUs contain various calls and commitments to action on the part of agencies. One of these is a call to NWMB to streamline the process of compensating communities for “non-beneficiary polar bear kills”. This matter is currently causing serious concern at Grise Fiord. Malachi Arreak confirmed that there have been a number of recent incidents at Grise Fiord, of researchers killing polar bears in apparently rather careless fashion. This has eroded the food and income opportunities of that community, which relies heavily on polar bears. Wildlife researchers are not the offenders, but they tend to get caught in the cross fire.

Glenn noted that Grise Fiord has recently declared an unwillingness to approve land use permits and research applications until the matter of compensation for polar bear defence kills is resolved. The Nunavut Science Institute is uncertain what to do and has sought legal advice. The NWMB has written to Grise Fiord, disclaiming any responsibility for involvement. Michael d’Eça advised that under the NLCA, the Surface Rights Tribunal is identified as the main body to deal with compensation. Only two situations can be interpreted which warrant distinctive treatment: general marine transportation which is exempted from paying compensation (Article 6, explicit), and approved research which is not obligated to pay compensation (Article 5, implied). The latter has raised the question of what obligations, if any, the NWMB might have to communities in respect to any bears killed in the course of an NWMB-approved or NWMB-funded research project. The NWMB position is that it has no such obligations because it has not entered into any explicit agreements.

Michael d’Eça expressed the strong hope that the standoff at Grise Fiord can be resolved without adoption of an adversarial approach. Mitch Taylor saw no valid impediments to the major agencies and interests (DOE, DFO, PCSP, etc.), along with NWMB, putting this matter to rest. The GNWT already has compensation agreements in place to cover the sorts of situations which they might encounter. Michael concurred that there is nothing in the NLCA to prevent Inuit from entering into compensation agreements. Gordon Koshinsky reminded the Members that the Nunavut Wildlife Research Trust, at its recent meeting, decided not to consider a DOE proposal to address this matter co-operatively with NWMB. Glenn Williams urged that the Board take the lead in resolving this issue, beginning with a “plain-English” letter to the HTA at Grise Fiord proposing a straightforward course of action

to resolve the problem there. Ben Kovic was of the opinion that this was what had already been done, but committed to review the issue and the correspondence and to brief the Surface Rights Tribunal.

9.C.8 Polar Bear Gall Bladders: Sale/Trade

Glenn Williams advised that no immediate action is contemplated by his Department to restrict sales. There are many factors to consider, not the least of which is NLCA 5.7.30. This Clause gives Inuit the right to freely dispose of any wildlife lawfully harvested. In this context it is problematic what would constitute grounds for denying an export permit. Glenn noted that the Keewatin RWO is considering restrictive action on its own initiative.

9.C.9 Thelon Management Plan

Glenn Williams advised that the proposed plan is being reviewed for approval. Michael d'Eça noted that as per NLCA 5.2.34, final approval of management plans is the prerogative of the NWMB. The Board's approval would constitute an NWMB decision, subject only to Ministerial override. Malachi Arreak stated that it is the prerogative of Inuit to determine if an Inuit Impact Benefit Agreement will be required as part of the plan. Kevin McCormick noted that the Board had expressed some rather serious reservations about an earlier draft of the plan and there is no indication that these have been addressed. It would be folly to ignore the Board's concerns. Glenn said that he will make the consultant aware.

9.C.10 New Business Regulations: NWT Wildlife Act

Glenn Williams inquired if the Board had any comment on this GNWT initiative. Michael d'Eça advised that the Board has not yet had opportunity to review his analysis. Some of the language will require adjustment to bring it into line with the NLCA.

9.C.11 Polar Bear Sport Hunting Issues

Mitch Taylor advised that the US authorities have completed their analysis on permitting importation of polar bear trophies. The result is very disappointing. Importation was approved only for the Beaufort Sea, M'Clintock Channel, Viscount Melville Sound, and West Hudson Bay populations. This confers almost no benefits to hunters and guides in Nunavut. It is evident that in the final analysis every conceivable excuse was used to deny approvals. It ended up as a political rather than a rational process, but was apparently not influenced by the 1996 bowhead hunt. US marine mammal officials were also distressed by the result. The extensive Canadian polar bear management revisions which were recently introduced with considerable effort, while expected to be beneficial to polar bear conservation in their own right, did not have the anticipated positive effect on the US process. The US decision will probably face legal challenge. New information could presumably

change the American position, but there is no indication as to precisely what information would be required. Hunters could presumably arrange to store their polar bear trophies in Canada in anticipation of some such future changes.

26 February 1997 (Wednesday)

The Chairperson reconvened the meeting at 8:40 A.M. David Igutsaq led the opening prayer.

There was some discussion about last night's public meeting. Gordon Koshinsky suggested that the Board needs to go into future meetings of this kind much better prepared to handle local issues. It was also decided to develop a standard presentation. **(Resolution 97-145)**

9. New Business continued

9.D Nunavut Wildlife Management Board

9.D.1 Basic Needs Levels; Beluga, Narwhal and Walrus

Dan Pike reviewed the process which the Board has adopted for completion of this exercise. Briefing notes presenting the draft BNLs which were developed have been sent to the three RWOs but none of them has yet responded. It seems inevitable that the Board's current deadline for completion will once again be missed, although conceivably not by much. The Board concluded that adequate consultation by and with the RWOs on this matter was more important than meeting any particular deadline. Gordon Koshinsky repeated his view that the exercise has enormous potential for misunderstanding and confusion, while at the same time having no particular implications for the resource users. The Board should provide leadership to the RWOs in their consideration of this matter. Malachi Arreak considered it imperative that the RWOs and their clients understand the distinction between BNLs and quotas. It was agreed to send a knowledgeable Board or staff member to RWO meetings that have this subject on the agenda. It was also agreed to brief the Implementation Panel on the status of the exercise.

Michael d'Eça reminded the Board of the requirement to establish a Total Allowable Harvest (TAH) prior to or at least in conjunction with setting a BNL. This was acknowledged by the Board in a letter to the Implementation Panel dated 31 October 1995. Gordon suggested that this acknowledgement stemmed from an earlier interpretation of what was entailed in implementing NLCA 5.6.25. In any event, there is no realistic possibility of setting meaningful TACs for beluga, narwhal and walrus anytime soon. Michael also referred to the requirement to consult with the HTOs to underpin implementation of NLCA 5.6.21, pertaining to the method for setting BNLs for species which were subject to TAH at the start of the Harvest Study. The convenient interpretation would be that the only candidate species is bowhead whale, which would not entail any workload for the Board.

9.D.2 Research Priorities for 1997/98

Dan Pike explained the Board's role in research, and the importance of having priorities. He presented research priorities as derived at the January workshop. There has been no feedback yet on this list of priorities from the RWOs, who assisted in formulating them at the workshop. Unfortunately there was no Keewatin representation at the workshop, although KWF did make a written submission. The priority list was also sent to the government agencies, to equip them for developing their research proposals. Dan stated that he relied heavily on these priorities in evaluating the research proposals which were received. He referred the Members to the Project Evaluation form which he devised for this purpose. Matters of priority as derived at the workshop account for 90 out of a possible 135 evaluation points which can be earned by a proposal.

Joannie Ikkidluak thought that the workshop was well planned and well executed. Gordon Koshinsky suggested that the priority lists which were established be treated as an open file, for continual updating. Ben Kovic observed that research priorities tend to be self-sustaining. Once an item is recognized as a high priority for research, that research tends to generate further questions and thus keep the item on the research agenda. David Igutsaq expressed concern about the position of some of the items in the priority list for the Kitikmeot. He suggested that it would be more reasonable if:

- Boothia caribou and muskox occupied number 2 position
- Wolverine were positioned just ahead of snowy owls
- Grizzly bear and Arctic char positions were exchanged

It was agreed that it would be useful to incorporate some kind of final reality check into the process of setting priorities in future; however it would not be reasonable to adjust priorities for 1997/98 now that the agencies have responded with research proposals according to the priorities as they were presented to them. In any event, it seemed unlikely that the inconsistencies identified by David would have much if any impact on the research, which will actually be done in 1997/98. It was also noted that it is very useful to have access to the complete research profiles of each of the agencies to assist the evaluation of the particular proposals directed to NWMB.

9.D.3 Southeast Baffin Beluga Management Committee

Keith Hay referred to the contract in progress (Peter Kilabuk) to obtain traditional knowledge on Southeast Baffin beluga. Three workshops are planned, and the initial budgeting did not have provision to translate the proceedings. The estimated additional requirement is \$6,160. The Board decided to approve the additional funding. **(Resolution 97-146)**

9.D.4 Criteria for Allocating Groundfish and Shrimp

Dan Pike tabled a background document developed by Ray Andrews. Dan aims to work with Ray and Jim Noble to complete the exercise and then forward the criteria to prospective applicants to guide their proposals. Gordon Koshinsky urged that care be taken to ensure that no prospective applicants are overlooked in the course of distributing the criteria. Michael d'Eça requested opportunity to ensure that the NLCA is properly overlaid. Kevin McCormick suggested that this matter be diarized for appropriate annual attention.

9.D.5 Proposed RWO/HTO Workshop

Jim Noble tabled a letter from NTI that sets out their concept for such a workshop, keyed from their perspective on the Hunter Support Program. NTI estimates that a 3-day workshop will cost \$235,000, and they are prepared (informally) to contribute \$120,000 from the Nunavut Trust. Other agencies besides NWMB, notably NITC, also have the matter under active consideration. If the RWOs/HTOs will absorb the cost of their delegates' per diems, the residual cost for NWMB should be under \$80,000. Kevin McCormick asked how the HTO training program was proceeding. Jim advised that it was well underway in Baffin Region, en route in Keewatin, but not yet started in Kitikmeot. The Board approved \$60,000 for the workshop, contingent upon the agenda having relevance to NWMB at least in proportion to the contribution. **(Resolution 97-147)**

9.D.6 Nunavut Marine Council

Jim Noble noted that NLCA 15.4.1 provides that the NIRB, NWB, NPC, and NWMB may constitute themselves into a Nunavut Marine Council to make recommendations to government concerning marine management. Jim tabled a draft terms of reference for such a Council. The matter is being spearheaded by the Nunavut Water Board, which has become embroiled in an issue (marine mining contamination at Arctic Bay) regarding which they are not completely confident in terms of their jurisdiction. Kevin McCormick cautioned against creating another entity unless there is no alternative. Michael d'Eça advised that the NWMB is the only institution of public government (IPG) under the NLCA whose mandate does include direct reference to marine areas. An alternative approach thus might be for NWMB to provide the lead on marine habitat issues, with the other IPGs providing support. Malachi Arreak explained that the provision for a Nunavut Marine Council was negotiated into the NLCA precisely because of the expectation that marine issues would arise beyond the jurisdiction of any of the IPGs; several such issues did appear to be emerging at that time. The Board decided not to take any specific action on the matter at the moment.

9.D.7 Nunavut Planning Commission: Request for Meeting with NWMB

Jim Noble alerted the Board to this request for a meeting to clarify operating relationships. Michael d'Eça proposed that this was a more fundamental priority (in respect to all the IPGs) than, say, constituting a Marine Council.

9.D.8 World Wildlife Fund: Request for Meeting with NWMB

Jim Noble referred to recent correspondence from Monte Hummel. Malachi Arreak suggested that the WWF was a credible organization that could be an important ally, especially in the international arena. Kevin McCormick saw indications in the correspondence that WWF does not understand the NWMB role very well, which is another valid reason to meet with them. The Board decided to invite WWF to attend the next regular meeting.

9.D.9 Establishment of Marine Protected Areas

Gordon Koshinsky tabled one copy of a discussion paper received from the Deputy Minister of DFO, setting out a proposed approach to establish and manage Marine Protected Areas under the new Oceans Act. An Inuktitut translation of the Executive Summary was included, and the department is seeking input and comment. It was agreed that a response will be prepared by staff, for consideration and approval by Executive Committee.

9.D.10 IIBAs in respect to National Park Negotiations for the Baffin Area

Malachi Arreak referred to a recent letter to the Board from the Chief Negotiators, alerting NWMB to certain procedural requirements pertinent to NWMB which are integral to the present negotiations. The negotiators are seeking NWMB input and advice. It is the present aim to have negotiations for the three parks completed by the end of April. The Board referred the matter to the attention of Executive Committee.

9.E Nunavut Tunngavik Incorporated

Helen Klengenbergs was taken ill earlier in the meeting and was not available to give a report.

9.F Research and Other Projects

9.F.1 NWRT Research Projects (Agency Research)

Ben Kovic opened this portion of the meeting by declaring that the Trustees had agreed (in camera) to make approximately \$700,000 of Trust funds available to the three government agencies to support NWMB research priorities for 1997/98. A total of 23 proposals were submitted, in a total amount of \$1,050,800.

Dan Pike led a review of the proposals, in the order that he had arranged them according to his own evaluation. Details of this project-by-project review are formulated as an attachment to these Minutes.

Following its detailed review, the Board approved funding for the first 17 project proposals as per the ordering set out by Dan Pike. Several of these approvals were partial; others were preliminary or conditional pending certain clarifications or adjustments. These details are set out in the attachment (to these Minutes). The total dollar value of the approvals was \$711,000. **(Resolution 97-148)**

9.F.2 NWMB Research Projects (Non-Agency Research)

9.F.2.a Milne Inlet Exploratory Fishery (1997)

Dan Pike explained that this is an attempt to revive a project, which was recently considered by the Board for retroactive coverage of operating losses. The project falls under DFO's Exploratory Fisheries Program. Under this Program a commercial fisherman is granted a trial quota for a 5-year period with the stipulation that he keep catch records and sample his catch at the beginning and end of the period to provide information for DFO to assess the biological viability of the fishery. As such, these are really commercial ventures. The fisherman is to pay his own costs, benefit from the sale of his catch, and determine economic viability according to his own criteria as part of the process. Besides the regular catch sampling aspect, this project aims to conduct work to prove or disprove the local contention that char in the Cape Hatt area spend winters in the sea. This behaviour is otherwise not known for char.

The project produced excellent fish when it operated in 1995 and 1996, but was stymied by unreliable air transportation from Pond Inlet to and out of Pangnirtung. It is not clear if the transportation difficulties have been resolved. David Igutsaq expressed concern about the Board providing financial support to a commercial operation. Kevin McCormick noted that this was a dimension that the Board had thus far avoided. Harry Flaherty asked if this project could be linked with DFO's Baffin Char Fishery Information Project, which the Board has approved for NWRT funding. Dan Pike replied that the approved DFO project pertains to domestic fisheries and is not easily compatible. In any event, the project costs would still be incremental. Dan suggested that the information component of the proposal does not entail very extensive costs, but if the Board was considering approval it should require much more definitive planning and design. The Board decided not to provide funding support **(Resolution 97-149)**. It was agreed that the Board will applaud the proponent for his initiative, and explain to him very carefully why the Board is unable to provide direct financial assistance.

9.F.2.b Fishing Practices at Sylvia Grinnell River

A proposal from Amarak HTO to gather traditional knowledge of fishing in the Iqaluit area and to develop a strategy for changing fishing practices at Sylvia Grinnell River was withdrawn.

9.F.3 Other NWMB Projects (Non-Research)

No business on this subject was conducted at this Meeting.

9.G Other New Business

9.G.1 Regional Report: Qikiqtaaluk Wildlife Board

Joanasie Akumalik, the Executive Director, tabled an 11-month report on behalf of the RWO. The Board is making good progress on its mandate and has an extensive workload planned. An important issue which requires the attention of the NWMB is the matter of policies and procedures for assigning harvesting rights. The Implementation Contract calls on the RWOs/HTOs to establish guidelines for these assignments, but they are being stonewalled in their efforts to proceed. Michael d'Eça noted that he has been assigned to participate in this process. He advised Joanasie that he was prepared to work with him on it.

Joanasie notified the NWMB of a proposal by DRWED to reduce by 35% the funding provided to the QWB and the Baffin HTOs commencing in 1997/98. Joanasie also made reference to an historic financial obligation by QWB to QIA in the amount of 124,000. Taken together, these two items have the potential to devastate the fiscal viability of the QWB. Malachi Arreak and Harry Flaherty considered it completely unacceptable that the GNWT could even consider an action such as they are proposing. It brings into question the whole matter of compliance with the NLCA. The Board decided to advise the GNWT that it was appalled by this proposed funding reduction, and to urge in the strongest terms that it not be implemented. The Board also agreed to have Michael draft a letter to alert NTI.

10. Old Business

10.A Harvest Study Update

Dan Pike noted that the original Harvest Study Coordinator, Carol Churchward, recently resigned. He outlined the course of the ensuing staffing action, ending with the present short-term appointment of Johnny McPherson. Johnny has been identifying and correcting procedural problems in the previous work, and has made a very good first impression. Dan recommended that he be hired for the longer term. Gordon Koshinsky suggested and the Board agreed to hire Mr. McPherson to a one-year extension, renewable for the duration of the Harvest Study subject only to satisfactory performance over the first year. Since the Study is of finite duration, the appointment of the Coordinator must continue to be on a term basis.

10.B Inuit Bowhead Knowledge Study

10.B.1 Second Annual Report

Keith Hay tabled his second interim report on this Study, dated February 1997. The report continues to summarize the results of interviews and workshops. It focuses on Inuit observations of changes in abundance and distribution of bowheads since the end of commercial whaling, and on the significance of bowhead whales to Inuit culture. The earlier conclusions are reinforced: that more bowhead whales are now being seen, and that their cultural significance has not been reduced.

10.B.2 Study Update and Budget

Keith Hay presented the workplan and budget for 1997/98. Most of the remaining work will focus on analysis and synthesis of the database, and preparation of the final report. The aim is to complete the Study by 31 July, in conformity with the NLCA. Expenditures of \$129,500 are projected for the year. Gordon Koshinsky noted that this expenditure was already approved by the Board as part of its acceptance of the overall budget for 1997/98 (refer Resolution 97-141).

Joannie Ikkidluak and David Igusaq expressed concern about the inactivity of the Bowhead Knowledge Study Committee and the recent lack of communication generally. Keith indicated that the work had become quite routine, but that interaction with the Committee will increase now that the Study is in its final stages.

10.C Communications Plan/Policy Update

Jim Noble advised that the firm RT and Associates is underway with the contract. They aim to talk to all Board Members as part of the process. They will have a presentation for the next regular meeting of the Board.

10.D Bowhead Whale Harvesting

10.D.1 Review of the 1996 Bowhead Hunt : Consultant's Report

Jim Noble referred to the January report by Caroline Anawak and David Milani, which had been commissioned by the Board. Considerable discussion ensued. Most members had at least some critical comments, often based on different expectations. These comments ranged from very general to highly specific. Joannie Ikkidluak, for instance, stated that:

- the rifle calibres used were not the same as those indicated, and
- the whale did not sink; rather it dived and failed to surface.

The Members debated what the Board's reaction should be. Harry Flaherty suggested that since the review was contracted in order to obtain an independent

assessment, it is not reasonable for the Board to try to influence the presentation. In the final analysis, the Board recognized that the review contains useful material and does serve a particular purpose. This is not to say that it constitutes the last word on the matter, and the Board naturally reserves the right to have and express other insights and opinions. The Board agreed to release the document, upon request, in this context.

10.D.2 The Forthcoming Bowhead Hunt

Jim Noble confirmed that the DFO Minister accepted the Board's decision that "there shall be a Baffin regional total allowable harvest of one bowhead whale from the Baffin Bay/Davis Strait bowhead stock, to be taken in the open-water season of 1997 or 1998". With respect to this:

- The Board struggled with the wording of a press release to announce the approval. The matter was referred to Jim Noble and Michael d'Eça for final drafting, in consultation with staff and Members. Kevin McCormick suggested that it would be worthwhile to develop and distribute a "Backgrounder" to accompany the actual press release.
- Michael suggested that the Board could exclude itself from participating in the decision on precisely where the hunt is to take place by treating the allocation as a Basic Need which would then be the purview of the RWO. The Board could still impose conditions on the hunt, and could still decide that certain areas would be ineligible for hunting. Malachi Arreak insisted that the next hunt had to be community-based. The Board decided to formally delegate the responsibility for allocation (selecting the community) to the RWO.

10.E NWMB Resource Centre: Update

Dan Pike reminded the Board that a Resource Centre is being developed in part to help address the requirement (NLCA 5.2.38a) for the Board "to establish and maintain an open file system for all raw and interpreted data". The contractor who is working on this project is due to report by 31 March.

11. Other Business

11.A Upcoming Meetings and Events

Jim Noble led the Board through the listing which he had tabulated. The following revisions were decided:

- No one from NWMB will attend the DRWED workshop March 4-6. NTI is expected to attend and make appropriate representation.
- Meeka Mike to attend the Pauktuutit AGM March 17-21. Michael d'Eça is to help her prepare (for the AGM).
- No one will attend the Kivalliq Partners symposium March 21-23.

11.B Meeting Reports/Briefing Notes

Jim Noble referred the Members to the briefing notes for the following:

- Seminar on TEK pertaining to beluga: Inuvik, November (K. Hay)
- Meeting of Polar Bear Technical Committee: Edmonton, January (D. Pike)
- Workshop on DFO management renewal: Yellowknife, February (G. Koshinsky)
- Meeting of Nunavut co-management boards: Yellowknife, December (J. Noble)

11.C Review and Update of “To-do” and Other Assignment Lists

Jim Noble led an examination of assignments and progress with respect to:

- To-do list from previous regular meeting of the Board: Pelly Bay, November
- To-do items carried forward from prior to the Pelly Bay meeting
- Priority items arising out of the Strategic Plan
- Tasks of the Board’s legal advisor

11.D Resolutions Following In-Camera Business

The Board agreed to activate the accounts of the Nunavut Wildlife Research Trust, by transferring the funds which were designated for this purpose and which were initially disbursed by DIAND to the NWMB, from the accounts of the NWMB to the accounts of the NWRT. **(Resolution 97-150)**

12. Public Meeting

The Board met in public session with the community the evening of February 25. The meeting was co-chaired by Ben Kovic (Chairperson of the NWMB) and Levi Evik (Chairperson of the local HTO). Ben led a presentation of NWMB mandate, work in progress, and achievements. Following this, community members addressed inquiries to the Board.

13. Date and Place of Next Meeting

It was agreed to hold the next regular meeting of the Board in Iqaluit the week of May 5-9. Staff will attempt to arrange a workshop to deal with planning and management issues pertaining to overlap in respect to NWMB/Makivik, preferably for the beginning of the week. **(Resolution 97-151)**

14. Adjournment (Resolution 97-152)

Minutes Approved By: _____
Chairperson

Date: _____

RESOLUTIONS

NUNAVUT WILDLIFE MANAGEMENT BOARD REGULAR MEETING No. 14 PANGNIRTUNG 21-27 FEBRUARY 1997

Resolution 97-135

Resolved that the agenda for NWMB Regular Meeting No. 14 be accepted as presented.

Moved by: Joannie Ikkidluak Seconded by: David Igutsaq
Abstention: 1 (Harry Flaherty)
Carried Date: 22 February 1997

Resolution 97-136

Resolved that the minutes of NWMB Regular Meeting No. 13 conducted in Pelly Bay November 18-21, 1996 be approved with noted corrections.

Moved by: Joannie Ikkidluak Seconded by: Harry Flaherty
Carried Date: 24 February 1997

Resolution 97-137

Resolved that the minutes of NWMB Conference Call No. 26 conducted December 4, 1996 be approved as presented.

Moved by: Gordon Koshinsky Seconded by: Kevin McCormick
Carried Date: 24 February 1997

Resolution 97-138

Resolved that the minutes of NWMB Conference Call No. 27 conducted December 9, 1996 be approved with noted changes.

Moved by: Gordon Koshinsky Seconded by: Kevin McCormick
Carried Date: 24 February 1997

Resolution 97-139

Resolved that the minutes of NWMB Special Meeting No. 5 conducted in Iqaluit, January 14-17, 1997 be approved with noted changes.

Moved by: Gordon Koshinsky Seconded by: Kevin McCormick
Carried Date: 24 February 1997

Resolution 97-140

Resolved that the December 31, 1996 Financial Statement for the NWMB be accepted as presented, and;
That a portion of the projected surplus of \$162,188 be used to address the costs of an RWO/HTO Workshop in Rankin Inlet in April 1997 (in conjunction with NTI; yet to be finalized), with the NWMB contribution to be commensurate with NWMB's interests in the workshop agenda, and;
That any balance remaining after the contribution to workshop expenses be used to prepay Regional Harvest Study contracts.

Moved by: Gordon Koshinsky Seconded by: Joannie Ikkidluak
Carried Date: 22 February 1997

Resolution 97-141

Resolved that the 1997/98 budget for the NWMB be accepted as amended, in the total amount of \$5,280,285.

Moved by: Malachi Arreak Seconded by: Harry Flaherty
Carried Date: 22 February 1997

Resolution 97-142

Resolved that the NWMB meet with Makivik representatives to discuss overlap issues in conjunction with the next regular meeting of the NWMB.

Moved by: Malachi Arreak Seconded by: Joannie Ikkidluak
Carried Date: 22 February 1997

Resolution 97-143

Whereas DIAND has invoiced the NWMB for the 1994/95 operational surplus of \$26,236, and;
Whereas the NWMB considers that repayment of a surplus for any fiscal year is contrary to "A Contract Relating to the Implementation of the Nunavut Final Agreement," therefore;

Be it resolved that the NWMB's Legal Advisor contact the NTI Legal Advisor(s) to explore the possibility of a mounting a legal challenge to DIAND's invoice.

Moved by: Harry Flaherty Seconded by: Malachi Arreak
Carried Date: 22 February 1997

Resolution 97-144

Resolved that the NWMB declare a ban on use of lead sinkers and lead jigs in National Wildlife Areas to protect waterbirds as per the proposed regulations of the Department of the Environment.

Moved by: Malachi Arreak Seconded by: Harry Flaherty
Carried Date: 25 February 1997

Resolution 97-145

Resolved that the NWMB prepare a standard presentation in English and in Inuktitut, for use in public meetings, highlighting the Board's mandate, current activities and functional relationship to DIOs and to Government departments.

Moved by: Malachi Arreak Seconded by: Meeka Mike
Carried Date: 26 February 1997

Resolution 97-146

Resolved that the NWMB provide \$6,160 additional funding to support the Southeast Baffin Beluga Traditional Knowledge Study.

Moved by: Kevin McCormick Seconded by: Meeka Mike
Carried Date: 27 February 1997

Resolution 97-147

Resolved that the NWMB provide up to \$60,000 to support the forthcoming RWO/HTO workshop being sponsored by NTI, and;
That this support be contingent on having issues of interest to the NWMB on the workshop agenda.

Moved by: Kevin McCormick Seconded by: Harry Flaherty
Carried Date: 27 February 1997

Resolution 97-148

Resolved that the NWMB approve funding for research proposals submitted by government agencies in the total amount of \$711,000 for 1997/98, with noted conditions and amendments applicable to certain of the proposals, and;
That the requirement to provide these funds be referred to the Nunavut Wildlife Research Trust.

Moved by: Gordon Koshinsky Seconded by: Malachi Arreak
Carried Date: 26 February 1997

Resolution 97-149

Resolved that the NWMB not approve the funding application by Charlie Inuarak to support his exploratory fishery at Milne Inlet in 1997, and;
That in the letter to Mr. Inuarak explaining this decision the NWMB complement and encourage him for his initiative.

Moved by: Kevin McComick Seconded by: Harry Flaherty
Carried Date: 27 February 1997

Resolution 97-150

Resolved that the NWMB transfer the \$11,184,917 provided by the Government of Canada pursuant to Section 5.17 of the Contract Relating to the Implementation of the Nunavut Final Agreement, along with the interest and other gains and income accrued in the interim, from the accounts of the Nunavut Wildlife Management Board to the accounts of the Nunavut Wildlife Research Trust, and;
That in order to optimize the fiscal benefits to the Trust, the date of this transfer be determined in consultation with Revenue Canada.

Moved by: Malachi Arreak Seconded by: Harry Flaherty
Carried Date: 27 February 1997

Resolution 97-151

Resolved that the next regular meeting of the NWMB be in Iqaluit the week of May 5-9.

Moved by: Joannie Ikkidluak Seconded by : Harry Flaherty
Carried Date: 27 February 1997

Resolution 97-152

Resolved to adjourn the 14th Regular Meeting.

Moved by: Gordon Koshinsky Seconded by: Kevin McCormick
Carried Date: 27 February 1997

