

NUNAVUT WILDLIFE MANAGEMENT BOARD

MINUTES: MEETING NO. 16

15-20 NOVEMBER 1997
CORAL HARBOUR, NT

Members and Staff Participating:

Ben Kovic	Chairperson
Pauloosie Keyootak	Member
David Tagoona	Member
Gordon Koshinsky	Member
Makabe Nartok	Member
Harry Flaherty	Member
Joan Scottie	Member
Jim Noble	Executive Director
Dan Pike	Director, Wildlife Management
Pierre Chartrand	Director, Finance and Administration
Michael d'Eça	NWMB Legal Advisor
Mary Nashook	Interpreter
Atchianak Akeeshoo	Interpreter

Not Available:

Kevin McCormick	Member (with cause)
Meeka Mike	Member (with cause)

Guests and Other Participants (at various times):

Raymond Ningeocheak	Second Vice-President, NTI
Grant Gilchrist	DOE, Yellowknife
Gary Weber	DFO, Iqaluit
Robert Moshenko	DFO, Winnipeg
Patti Kuntz	DFO, Ottawa
Stephen Atkinson	RW&ED, Iqaluit
Joe Tigullaraq	RW&ED, Iqaluit
Michael Ferguson	RW&ED, Pond Inlet
Janet Akat	Regional Liaison Officer, Keewatin
Sam Emiktowt	Resident, Coral Harbour
Johnny Ningeongan	His Worship, Mayor of Coral Harbour

Several other presenters and members of the public at large

Saturday, 15 November 1997

1. Call to Order and Opening Preliminaries

The Chairperson Ben Kovic convened the meeting at 9:00 a.m. in the Coral Harbour Council Chambers. He welcomed the Members to Coral Harbour, and asked all persons present to introduce themselves.

Ben gave a brief overview of the agenda for the week. He noted that in addition to the regular Board business it would be necessary to swear-in and orient new Board Members and to receive an investment report on the Nunavut Wildlife Research Trust.

Swearing-in Ceremony for New Members

Ben Kovic gave a brief historical synopsis of the NWMB. He noted that as an Institution of Public Government the NWMB has considerable authority and power. The NWMB is important because wildlife is integral to Inuit culture. The NWMB is not always going to be able to please everyone. Traditional Ecological Knowledge is integral and respected, the same as scientific knowledge. Ben stressed that Board Members do not directly represent their appointing bodies

Michael d'Eça, the NWMB Legal Advisor, swore-in the four new Members:

- Pauloosie Keyootak, appointed by the Qikiqtani Inuit Association,
- Makabe Nartok, appointed by Kitikmeot Inuit Association,
- David Tagoona, appointed by the Keewatin Inuit Association, and
- Joan Scottie, appointed by Nunavut Tunngavik Incorporated.

Other Board Activities

Following the swearing-in ceremony for the new Members, the Board moved to a meeting of the Nunavut Wildlife Research Trust (NWRT). At this meeting the Trustees heard a presentation from Mr. Martin Labrecque of TAL Investment Counsel Limited, investment managers for the NWRT.

Following the meeting of the Nunavut Wildlife Research Trust, the Board spent the balance of the day providing an initial orientation for the four new Board Members.

Sunday, 16 November 1997

The Chairperson reconvened the meeting at 2:00 p.m.

2. Agenda

Members reviewed and accepted the agenda for this the 16th regular Meeting of the NWMB, with the addition of an update on Narwhal Management Planning under Item 9 (Old Business). **(Resolution 98- 051)**

3. Minutes: Review, Adoption, Implementation

3.A Iqaluit Session, August 1997

3.A.1 Regular Meeting No. 15, August 9-15

The Minutes for Regular Meeting No. 15 were adopted with noted corrections. **(Resolution 98- 052)**

3.A.2 Special Meeting No. 6, August 10-11

The Minutes for Special Meeting No. 6, conducted jointly with representatives from Makivik, were approved for transmission to Makivik participants for their review and input. **(Resolution 98- 053)**

3.B Conference Call No. 34, Conducted 4 September 1997

The Minutes were adopted as presented. **(Resolution 98- 054)**

3.C Implementation of Resolutions: Progress Report

Jim Noble reported verbally with respect to progress on implementing Resolutions 98-026 through 98-044, developed at or subsequent to the last regular Meeting of the Board.

Progress on implementing Resolutions and/or on subsequent action or response was deemed appropriate, acceptable, and/or as expected. In a few cases, events overtook some of the Resolutions that accordingly were not or could not be actioned precisely as was initially intended.

3.D Implementation of “To-Do” Items from the August Meeting

Jim Noble reported verbally with respect to progress on implementing the August “To-Do-List”, noting items completed and items yet outstanding.

4. Financial and Administrative Business

4.A Financial Report to 30 September 1997

Pierre Chartrand provided a brief orientation to the new Members on the NWMB budget cycle. The annual NWMB budget is developed within the 10-year framework of the Implementation Contact. The annual budget is approved by the Board at its February meeting and forms the basis of a Contribution Agreement with DIAND. The 1997/98 Contribution Agreement was/is in the amount of \$5,280,285.

The Board turned to detailed examination of the 30 September financial report. With respect to specific questions from Harry Flaherty, Pierre responded that:

- The “Consulting Fees” line item pertains to expenditures for the NWMB Fisheries Advisor, the SEBBMC TEK study, informatics items, translations, and assistance in developing the Annual Report.
- It was an oversight not to make provision in the 1997/98 budget for payment of “Workers Compensation” premiums. This stemmed from the fact that no expenditure was incurred the previous year when, due to a change in staff rate classifications, a refund was received instead.
- It was anticipated that the funds budgeted under “Wildlife Conservation Education” would be used to implement some items from the Communications Strategy.

Harry stressed the importance of getting conservation information into the schools, and suggested that NWMB funds earmarked for Wildlife Conservation Education might be directed to that end. He requested that a briefing note be prepared for the next Board meeting on options and possibilities for the NWMB to engage more proactively in conservation education.

Gordon Koshinsky noted the approximately equal but opposite projected variances in the two line items under Harvest Study, and asked if this implied the existence of off-setting components. Pierre responded that this was not the explanation. Internal costs are less than expected at the moment, but this line item will adjust over time. The projected over-expenditure for the DIO Harvest Study Contracts is a matter of cash flow rather than cost escalation.

The Board accepted the 30 September 1997 financial report as presented. **(Resolution 98- 055)**

4.B Financial Projection to Fiscal-Year-End

Pierre Chartrand drew attention to the under-expenditure of \$234,659 presently projected as at the end of the 1997/98 fiscal year. The Board decided that it would be appropriate to declare a requirement to carry forward \$200,000 of this amount to fiscal year 1998/99. **(Resolution 98- 056)**

4.C TAL Investments Report/Update (NWRT)

Pierre Chartrand referred to his briefing note on the status of the Trust Fund. The Fund has earned about 12% since the first of April. The current market value of the Fund (at the end of October) is \$15,424,736. Management fees are paid out of the Fund in proportion to the Fund's value, and will amount to approximately \$45,000 for 1997/98. Fund management costs are properly evaluated in the context of "value added" through Fund management. Value-added is in the range of \$120,000 for the year to date. This represents the difference between what was achieved through management and what would have been achieved by investing blindly as per the composite benchmark portfolio.

4.D NWMB Committee Structure and Composition

The Board reviewed the structure and composition of its various Committees. A number of decisions were made, as set out below.

- **Executive Committee:** The existing Executive Committee was dissolved. A new Executive Committee was appointed with the following membership: Gordon Koshinsky, Joan Scottie, Pauloosie Keyootak, and Meeka Mike. The new Executive Committee was directed to elect its own Chairperson, and to review its own Terms of Reference. **(Resolution 98- 057)**
- **Harvest Study Committee:** Dan Pike suggested that the Harvest Study Steering Committee had served its intended purpose, which was to provide technical and regional input for designing the Study. A new and different Committee was now required, to provide ongoing supervision and monitoring rather than planning and initiation. This would be a Committee of the Board, and would help to make the Board Members more aware of and integral to the Harvest Study. Dan referred to a list of proposed duties included in a briefing document that had been prepared on this subject.

The Board decided to dissolve the Harvest Study Steering Committee (**Resolution 98- 058**). A new and different Harvest Study Committee was constituted with the following membership: Harry Flaherty, Pauloosie Keyootak, Makabe Nartok, and David Tagoona. The Harvest Study Committee was directed to elect its own Chairperson and to develop a Terms of Reference for ratification by the Board (**Resolution 98- 059**)

- **Inuit Bowhead Knowledge Study Committee:** It was decided that the Terms of Reference and membership should remain unchanged to the end of the Study's term in 1998. (**Resolution 98- 060**)
- **Southeast Baffin Beluga Management Committee:** It was also decided that the Terms of Reference and membership should remain unchanged for the duration of the present phase of implementation of the Southeast Baffin Beluga Co-Management Plan ending in 1999. (**Resolution 98- 060**)

The Board reaffirmed that the NWMB Chairperson is an *ex officio* member of all NWMB Committees. The Board also affirmed that the Director of Finance and Administration will continue to serve as secretary to the Executive Committee, and that the Harvest Study Co-ordinator will serve as secretary to the Harvest Study Committee.

5. Executive Committee Report and Recommendations

This item was deferred until after the Executive Committee had opportunity to meet. The item was revisited the morning of Wednesday November 19.

Monday, 17 November 1997

The Chairperson reconvened the meeting at 09:00 a.m.

Official Welcome by Community

His Worship, Johnny Ningeongan, on behalf of the Hamlet Council and the residents of Coral Harbour, welcomed the NWMB Members to the community. Johnny stated that the community was proud to be hosting the NWMB meeting. He made reference to the re-establishment of caribou on Southampton Island and the dramatic increase in the caribou population. A commercial hunt was established and has contributed substantially to the local economy. Johnny noted that the increasing number of caribou is not without concern and that the commercial hunt has to be maintained to keep the numbers under control. The community proposes

to construct bridges over several rivers to allow better access to area resources. The Mayor noted that several Government Ministers plan to visit Coral Harbour in the near future, to discuss these issues. Residents are getting into tourism without external funding assistance. Facilitating the sport-hunting of polar bears is a very important local endeavour, but the U.S. Marine Mammal Protection Regulations are discouraging the participation of American hunters. The lack of a quota for polar bear sport hunting in Foxe Basin continues to be a major disappointment for the regional communities including Coral Harbour.

6. Chairman and Staff Reports

Ben Kovic advised that the senior staff members and advisors had provided activity reports for the information of the Board. Ben suggested that unless Board Members had specific questions, or staff members or advisors had particular highlights, time would not be devoted to reviewing these reports in the course of the meeting.

7. Member's Reports and Concerns

7.A Makabe Nartok

Makabe noted a number of wildlife management concerns in the Kitikmeot Region. Narwhal come into the area occasionally, and the KHTA would like to see an increase in the narwhal quotas for all communities. Taloyoak hunters are unhappy about having to contend with two polar bear management zones. It was decided that Makabe should submit these concerns under item 8G in the agenda.

7.B David Tagoona

David noted that the HTOs in the Kivalliq Region have poor office facilities and equipment. The HTA at Baker Lake, for example, is working out of a very small office and this is not acceptable. David further noted that the HTOs were overlooked when several Renewable Resource Offices were recently turned over to the Hamlets. Ben Kovic advised David that the NWMB does provide operating funds to the HTOs, however these funds are not generally adequate for large capital expenditures.

8. New Business

8.A Canadian Wildlife Service (DOE)

8.A.1 Assessing the Need for Statutory Amendments

Grant Gilchrist reminded the Board of the requirement identified in NLCA 9.3.1 for Government, in consultation with Inuit, to conduct a study "to determine the need for new legislation or amendments to existing legislation to designate and manage Conservation Areas" in the NSA. DOE/CWS took the lead on this matter and prepared a discussion paper some time ago. The discussion paper was erroneously interpreted by NTI as an unsatisfactory attempt by DOE/CWS to fulfill the requirements of the designated study. DOE/CWS is advocating a co-operative approach by Government and NTI to develop terms of reference.

8.A.2 Lead Shot Prohibition

Mr. Gilchrist confirmed that it is now illegal to possess lead shot for the purpose of hunting migratory game birds. This new prohibition was approved by NWMB earlier.

8.A.3 CITES Regulatory Amendment Proposal

Mr. Gilchrist advised that DOE is proposing a relaxation of regulations under CITES so that persons who have in possession personal or household items made from animal parts would no longer require a permit to cross borders within Canada or the border into the USA. It is not being proposed to alter the present requirement for an export permit in respect to moving polar bear hides into the USA.

8.A.4 Snow Goose Population Problems

Mr. Gilchrist reiterated the problem of over-population of snow geese, notably around southern Hudson Bay and James Bay. It is deemed desirable that the mid-continent population be reduced to about half its present size. Two committees were recently formed to work towards this objective. One of these committees is national (Canadian); the other is international.

8.A.5 North American Waterfowl Management Plan Proposed Amendment

Mr. Gilchrist advised that a number of conservation organizations and management agencies, the Canadian and American Governments included, have begun pursuing a Seaduck Joint Venture (similar to the Arctic Goose Joint Venture) as an amendment to the North American Waterfowl Management Plan. Letters of support are being sought for this initiative.

The Board affirmed that seaducks, specifically eiders and oldsquaw, are an important group of birds for the residents of Nunavut. The Board also recognized that an initiative of the nature being contemplated could increase the political profile

of these birds and might help garner new resources for their study and management. The Board decided to support in principle the development of a Seaduck Joint Venture for inclusion in the North American Waterfowl Management Plan. **(Resolution 98- 061)**

8.A.6 Migratory Birds Convention Amendments

Mr. Gilchrist reported that the Protocol is now awaiting the signature of the U.S. President. Once ratified by Mr. Clinton, the matter will need to be introduced to the Parliament of Canada. Once finalized, it will make provision to accommodate traditional harvesting by Inuit according to the Land Claim.

8.B Department of Fisheries and Oceans

8.B.1 Walrus Management Plan

Mr. Weber advised that comments on the current draft are still being received. NWMB has responded; Makivik has not. The aim is to have the next, presumably very near final, draft completed for the February Board meeting. Robert Moshenko stated that the plan will be very general, in the nature of an umbrella document.

8.B.2 Walrus Sport-Hunt Management Options

Mr. Weber advised that considerable background work has been done, but no concrete proposals for regulatory change are yet available for consideration by the Board. Some consultation is yet to be completed, notably with the RWOs.

8.B.3 Oceans Strategy

Mr. Weber introduced Patricia (Patti) Kuntz, Director of Oceans Strategy for DFO Central and Arctic Region. Ms. Kuntz reminded the Board of the requirement, under the new Canada Oceans Act, to develop an Oceans Strategy. In fact, three separate strategies are being developed, one for each ocean. All will aim to foster three principles:

- Sustainable development
- Integrated management (regarding ecosystems/habitats/species)
- Precautionary approach (in the absence of complete information)

A discussion paper is being developed, for completion by the end of December. Agencies such as the NWMB are encouraged to identify individuals to work with this initiative and to bring their perspectives forward.

Gordon Koshinsky congratulated Ms. Kuntz for a strong, enthusiastic, and refreshing presentation. He offered two cautionary suggestions:

- That the proponents consider the Nunavut Land Claims Agreement, as well as to the new Oceans Act, as pertinent underlying legislation for this initiative, and begin by interpreting the NLCA to that end.
- That as a DFO-led undertaking, this initiative would have more credibility in the eastern Arctic if the DFO presence in the Region were not seen to be simultaneously disintegrating.

8.B.4 Statutory Amendments

Mr. Weber acknowledged that fisheries regulations specific to Nunavut will be required by the date of Territorial division. The matter is complicated by the fact that the boundaries of the Nunavut Territory and the Nunavut Settlement Area will not precisely coincide. Also pertinent is the continuing Federal effort to pass a new Fisheries Act.

Michael d'Eça counseled that if the Department wished to minimize the complications that would be encountered in the process of making statutory and regulatory changes, the Department could do no better than to approach the Board early in the process.

8.C Department of Resources, Wildlife and Economic Development

8.C.1 Polar Bear Quota for 1997/98: Kane Basin Population

Stephen Atkinson referred to the recent (October 3) disallowance by the DRWED Minister of the NWMB quota decision of three polar bears for Grise Fiord from the Kane Basin population for 1997/98. The Minister's disallowance was made in accordance with NLCA 5.3.9 and 5.3.11. Stephen stressed a number of points in relation to this disallowance:

- The Kane Basin population is quite distinct from those around it.
- This polar bear population is shared by Canada and Greenland.
- Hunting of polar bears in Greenland is unregulated.
- Hunting has nearly eliminated bears on the Greenland side.
- Harvest statistics for Greenland are only recently available.
- The situation was re-evaluated using the new Greenland data.
- The combined harvests (two countries) exceed sustainability.
- Previously-handled bears have come to predominate RWED captures.

A question-and-answer session ensued. A synopsis of Stephen's responses:

- It is not postulated that Kane Basin bears are genetically distinct.
- The numerical estimates of this population are relatively very good.
- Neighbouring populations do not have excess bears to contribute.

- The Management Agreement (MOU) with Grise Fiord incorporates estimates for the Greenland harvest that were erroneously low.
- The Greenland harvest data provided are probably incomplete.
- Greenland has ceased collecting harvest statistics, thereby eliminating the potential for even more disturbing data to come forward.
- Rarity of large bears and high recapture rates indicate over-exploitation
- If a 1997/98 quota of one bear were instituted and if one male were taken, the present MOU would indicate a quota of five bears for the following year. However the MOU should be changed to reflect the new knowledge about the Greenland harvest.

Other comments made included the following:

- Gordon Koshinsky: It seems likely, in the context of ultimate fate of the population, that the Arctic ecosystem would “functionally forgive” a one-time over-harvest of two bears from this group of highly mobile animals.
- Michael d’Eça: The NWMB is bound by the principles of conservation. However the confidence of all the participants is a genuine element in the effectiveness with which conservation can ultimately be pursued. The Grise Fiord hunters do have a basis for questioning whether they are being treated correctly.
- Dan Pike: This is the first instance in the history of wildlife co-management in the Canadian Arctic of a decision being disallowed in this manner. Such instances do not reflect well on the process or on the partners, who in theory are at the same table with the same objectives. One measure of the effectiveness and success of co-management would be the *in-frequency* of such occurrences.
- Harry Flaherty: The NWMB needs to balance the imperative for conservation with the MOU and the human realities of the situation.
- Pauloosie Keyootak: The school system needs to be adjusted in order to foster the transmission of understanding for concepts such as conservation, and the transmission of skills in such matters as differentiating the gender of polar bears in the field.
- David Tagoona: There is clear need for a polar bear co-management agreement between hunters in Canada and hunters in Greenland.
- Dan Pike: There has been some progress in coming to an understanding with Greenland on this matter.
- Ben Kovic: There could be advantages to enlarging the mandate of the Canada/Greenland Joint Commission on Narwhal and Beluga to also encompass polar bears and walrus.
- Pauloosie Keyootak: Greenlanders are depleting other shared resources besides polar bears. Murres and auks are seldom seen anymore on the Canadian side.
- Sam Emiktowt: It may not be wise to focus so hard on harvesting male polar bears. Males play their own role in sustaining the population.

Dan Pike suggested that the options available to the Board were as follows:

- Stick with the quota decision of three polar bears. No new information has effectively come to light since the Board made its initial decision.
- Agree with the DRWED recommendation for a quota of one polar bear. This might undermine historical-use arguments by Grise Fiord hunters in respect to future allocations; Grise Fiord has formally harvested the Kane Basin population in only one year previously.
- Decide on a “compromise” quota of two polar bears.
- Decide on a temporary moratorium (quota of 0). Since even a quota of one bear would not fully address the requirements for sustainability as now understood, a moratorium would be the ultimate conservation measure. It would, however, not be consistent with the present MOU.
- Defer decision. The NLCA does not specify when the NWMB must respond to the Minister’s disallowance.

At the suggestion of Harry Flaherty, the Board decided to defer its final decision in this matter until its next meeting in February.

8.C.2 Peary Caribou: Management and Recovery Plans

Michael Ferguson advised that recent genetic data, not yet published, are challenging the precepts about the distinctiveness of Peary caribou as originally inferred from examination of skulls. For one thing, the animals seem to be identical to an extinct race of caribou on Greenland. Creation of a refugium on Greenland emerges as a possibility based on this finding.

The Department estimates that there are approximately 1,100 Peary caribou left on the Western Queen Elizabeth Islands, and fewer than 2,000 in total. As one particular example, the number of animals on Bathurst Island has dropped from about 3,000 in 1993 to about 75 in 1997. Enough carcasses have been recovered to rule out migration as the reason for the decline. Most of the carcasses showed the effects of starvation.

The Department recently established an inter-departmental working group to:

- Develop management plans for Peary and Arctic Island caribou, and
- Obtain and disseminate monitoring information on population status.

With respect to Peary caribou per se, the following measures are planned:

- Opportunistic assessment of weather, forage, and condition of animals.
- Population survey of the Eastern Queen Elizabeth Islands in 1998, to complement the 1997 Western survey.

A workshop at Grise Fiord in October focussed on the matter of survey design. It is currently planned to start with a ground-based reconnaissance, in order to provide

a first-cut community-derived population estimate as well as to focus the final air survey plan. The aerial survey will be stratified, with low-density coverage in low-occupancy areas. The cost estimate for the aerial survey component is \$500,000-\$750,000. An alternative approach would be a variation of mark-and-recapture methodology used to estimate polar bear populations. That approach has considerable opposition in the communities.

Stephen Atkinson noted that the management plan for the Peary caribou being spearheaded by the Department will not replace the National Recovery Plan (NRP), although it would aim to incorporate and localize the appropriate NRP recommendations. The NRP is being produced by COSEWIC, which means that it is a purely technical undertaking. Michael d'Eça stressed that it would remain the prerogative of the NWMB, as per NLCA 5.2.34, to approve any designation or recovery plan produced by COSEWIC. Dan Pike cautioned against substituting too much process in place of action.

8.C.3 Southampton Island Caribou: Management Options

Stephen Atkinson advised that the available data indicate that the herd is continuing to grow at a rate of about 27% per year. This rate of increase cannot be sustained indefinitely. Initiation of summer and winter range/forage studies has become a matter of high priority. The return of wolves to the Island, initially observed in 1994, was at first actively opposed by the community but has been encouraged by the Department.

It is planned to initiate studies this winter on snow characteristics in relation to caribou densities. This will also provide background for subsequent long-term studies to assess the potential of the plant community to support caribou. The herd will be classified according to gender and age categories, and animals will be necropsied during the commercial harvest. Efforts will be made to develop a 5-year management plan, and to secure funds for a 5-year survey rotation.

It is proposed that the commercial caribou quota be increased, from 4,000 to 6,000 animals for 1998. Tunnuq Harvest Ltd., the business arm of the Coral Harbour HTA, is setting up two abattoir sites to accommodate a larger quota.

Leonard Netser, the Chairperson of Tunnuq Harvest Ltd., expressed great concern that the Southampton caribou will overwhelm their habitat. The existing and proposed infrastructure is not adequate to support the volume of harvest that is required to safe-guard the herd. Gordon Koshinsky suggested that the effectiveness of the harvest might be increased by focussing it on females.

Sam Emiktowt stated that a 20-mile radius is about the maximum that can be serviced by any particular abattoir site. Establishing two sites in 1998 should be a

major improvement. The operation lost money last year because logistics made it impossible to take the full quota.

Gordon Koshinsky asked for a definition of the term "lost money" in this instance. How are the costs apportioned and how are the proceeds shared? Will harvesting more animals decrease or increase the "loss"? Those present could not explain the operation in these terms. It was noted that the meat is marketed in southern Canada and beyond. The operation is federally-inspected. Ben Kovic suggested that opportunities be explored for inter-settlement trade, particularly with communities that face caribou shortages.

Harry Flaherty suggested that the re-colonization by wolves should be actively opposed. Stephen Atkinson suggested that the experience regarding predation by wolves on caribou derived from such places as Banks Island may not apply to Southampton. The large muskox population on Banks Island provides a food reservoir for wolves so that wolf populations never crash and are always available to predate caribou. Gordon Koshinsky predicted that allowing wolves to re-colonize Southampton would eventually terminate, or at least minimize and very much complicate, what could be a very important experiment to determine the limits of caribou productivity in the absence of natural predation. This was an experiment that had the potential for a great deal of local participation and satisfaction and that, if properly managed, could probably be quite lucrative as well.

The Board approved a commercial quota of 6,000 caribou for Southampton Island for 1998. The Board also encouraged the Department to maintain and enhance its management efforts regarding this population, but to give further consideration to the pros and cons of controlling the re-colonization by wolves. **(Resolution 98-062)**

Tuesday, 18 November 1997

The Chairperson reconvened the meeting at 8:30 a.m. Joan Scottie led the opening prayer.

Ben Kovic reported on his participation in a local radio phone-in program last night. Concerns were expressed about the perceived inadequacy of even a 6,000 commercial quota to control the population increase of caribou, and about whether polar bear hunting was an appropriate priority for the community.

8.C.4 Effects of Research/Handling on Polar Bears

Stephen Atkinson advised that his Department has contracted a preliminary analysis of the existing information (all sources), with the aim of having a report in

time for the next Board meeting. It will be up to the Board to decide if this is adequate, or if more detailed or independent work is needed.

There were no reports of any polar bear mortalities due to handling this year, other than one research specimen (a female, with a cub) that was defence-killed by the researcher.

A new anaesthetic has recently come available for experimental use. It is a cocktail of drugs that is effective in smaller volumes with less physiological effect on the animal. The heat-control mechanisms remain operative so there is less chance of over-heating. An antidote is available and is routinely given; this permits the animal to walk away in a couple of minutes.

8.C.5 Caribou Sport Hunt, Arctic Bay: Interim Decision by DRWED

Stephen Atkinson explained that two American hunters arrived in Arctic Bay, with a much larger group to follow very shortly, on the understanding that there were no impediments for them to hunt caribou. Arctic Bay did not have a quota for non-resident or non-resident alien caribou sport hunting, so the situation had potential for much embarrassment. However the community did have a commercial caribou quota; this offered a means to solve the resource-access problem, without compromising conservation, through a re-allocation.

The Department rapidly made arrangements to issue the requisite outfitting and guiding licences, and to expedite a regulatory change to provide a caribou sport-hunting quota. The latter was actioned on behalf of the HTO and with the knowledge of the NWMB, according to the emergency provisions of NLCA 5.3.24. The entire operation was completed within three days, and the hunt proceeded successfully. There is a requirement now for the NWMB to formally review the decision that the Department took to modify harvesting activities.

The Board considered the matter, and generally applauded the Department's initiative. The Board decided to confirm the interim decision taken by the Minister of DRWED, to amend the NWT Big Game Hunting Regulations and the Sale of Wildlife Regulations by removing 22 caribou from the commercial quota and adding 22 caribou to the non-resident and non-resident alien sport-hunting quota, in order to permit a legal caribou sport hunt at Arctic Bay as of 29 August 1997. **(Resolution 98- 063)**

8.C.6 Statutory Changes: Status Report

Stephen Atkinson noted that the NWT Wildlife Business Regulations were recently amended, without the benefit of specific input from NWMB. Michael dE noted that

the Board had indicated a desire to make input, but had urged that the Department first make provision to receive it in the context of plans for a comprehensive review of all Territorial legislation pertaining to wildlife management as is called for in the Implementation Contract. Michael viewed the ensuing unilateral initiative by the GNWT as a missed opportunity, and an exercise that will surely need to be repeated since the new Wildlife Business Regulations take no apparent account of the NLCA.

Stephen advised that the Department recently engaged a consultant to identify what changes are needed in the NWT Wildlife Act. This exercise was not specifically in reference to, but was cognizant of, the NLCA. A whole new Act is basically required. The Nunavut Implementation Commission recently gave notice that if the Department does not soon take action on this matter it may lose the initiative. The Department has hired a Senior Advisor for Legislation and Enforcement to take charge of this. A framework document is expected by April 1999. There will be extensive consultations in the interim. The new legislation will incorporate three themes:

- Modernization (e.g. to take account of Land Claims)
- Simplification (in respect to both language and implementation)
- Authority and delegation (downward, as much as possible)

8.C.7 Nunavut Updates

Stephen Atkinson brought a number of matters from the Department's regular update report to the attention of the Board:

- a) COSEWIC continues working to update their status report on grey wolves. They will be coming to the NWMB:
 - For harvest statistics, very shortly.
 - For consideration of their status report, probably in February.
- b) DRWED will likely be advocating more proactive and restrictive management measures for grizzly bears. Makabe Nartok indicated that grizzlies seem to be abandoning the Kugluktuk area.
- c) DRWED is developing an Information Resource Centre. It will include a stock database, and will be accessible to NWMB.
- d) Labrador is proposing an increase in their Davis Strait polar bear quota, from four to six bears. They have only recently obtained the quota of four. The Government of Newfoundland and Labrador could implement the higher quota unilaterally, but does not wish to do so until there are assurances of sustainability and concurrence by the sharing jurisdictions. Those assurances are being sought. DRWED is not adverse to the proposition, provided it is

clearly understood to be interim pending completion of the population inventory that has been started.

Michael d'Eça noted that Quebec, Labrador, Nunavut and Greenland all have rights to hunt the Davis Strait polar bear population. When a bear is in one jurisdiction, that jurisdiction has authority over it. Part 9 of Article 5 is the pertinent provision in the NLCA that sets out the role of the NWMB. Gordon Koshinsky called for negotiation of a formula for dividing up the available Davis Strait polar bear production among the competing jurisdictions before that production is fully understood and documented. The key would be to reach agreement on what fraction of the biological production originates in which jurisdiction. Dan Pike suggested that the Labrador proposal be reviewed by the Polar Bear Technical Committee before it is considered by the NWMB. The next meeting of the Committee is scheduled for February. It was agreed to request the Polar Bear Technical Committee for such a review.

8.C.8 Caribou Research: Baffin Island

Michael Ferguson advised that the South Baffin Caribou Study is currently being written up. The work will be input to a management plan targeted for completion in April 1999. The population is probably on the brink of a long-term decline. Harry Flaherty requested a briefing or progress report on each element of the Study as the write-up is completed.

Exploratory meetings have been held in the communities in advance of commencing a North Baffin Caribou Study. The communities have indicated that they want the Study to proceed according to *their* plan, not according to a plan that has been negotiated to integrate their aspirations with those of the Department. The Study plan will be brought to the NWMB for its consideration.

8.D Nunavut Wildlife Management Board

8.D.1 Northern Shrimp: Integrated Management Plan

Dan Pike advised that the DFO Minister had forwarded for NWMB review a draft copy of the *Integrated Fishery Management Plan for Northern Shrimp*. The draft Plan was reviewed by staff and in the response back to the Department the following points were stressed and/or proposed:

- The draft Plan did not take account of the role and powers of the NWMB.
- The Plan should include stricter rules on such matters as cessation of fishing when the by-catch of small fish becomes excessive.

- The Plan requires the approval of the NWMB for those aspects that pertain to the NSA.

It is expected that the revised Plan will soon be back to the NWMB for approval.

8.D.2 Quota for Striped Pink Shrimp in the NSA: Final Decision

Dan Pike reviewed the history of this issue. A key aspect was the reaction of the DFO Minister to the NWMB decisions pertaining to the 1996 fishery. In his response at that time the Minister:

- Did restrict participation in the NSA component of the fishery to Inuit-owned operations, and
- Did establish a quota of 1,000 metric tonnes within the NSA, but
- Did not separate the quota for the NSA from the overall quota.

The latter item made the NSA fishery competitive with the fishery outside the NSA, and was contrary to the intentions of the NWMB. In effect this was a variation of the NWMB decision, taken unilaterally and thus contrary to the provisions of the NLCA. The Minister was advised of his oversight in this matter.

Recently the NWMB made the following decisions pertaining to the 1997 fishery, and so advised the DFO Minister:

- To restrict participation within the NSA to Inuit-owned operations
- To establish a quota of 1,000 MT for striped pink shrimp within the NSA
- To require compliance, within the NSA, with certain non-quota limitations

The Minister, in his reply, rejected the NWMB decision to establish a 1,000-MT quota within the NSA. Except for his unilateral modification at that time to make the quota competitive, this was the same quota decision that the Minister had accepted for the previous-year's fishery. Convincing biological reasons for the rejection were not given. It can only be speculated that the rejection stems from a desire to avoid any need to take further action to prevent the erosion of the effective quota outside the NSA by the implicit subtraction of 1,000 MT to accommodate a separate NSA quota, coupled with the realization that last year's unilateral modification would not bear repeating.

Dan identified three options for the Board to consider, briefly summarized as:

1. Maintain the original NWMB decision, or
2. Accept the Minister's decision, or
3. Defer a final decision.

The Board decided to defer final decision on this matter until the next meeting.

8.D.3 Thelon Wildlife Sanctuary Management Plan

Dan Pike reminded Members that David Tooloktook, Chairman of the Akiliniq Planning Committee, submitted the draft Management Plan for the Thelon Wildlife Sanctuary to the NWMB for approval in early June. Since then a number of agencies, and also the NWMB Legal Advisor, have identified numerous shortcomings in the draft Plan. NTI has spearheaded the critique up to this point, and has now called on DRWED to coordinate completion. The NWMB staff review of the draft Plan will be completed and forwarded shortly. When the Plan has been updated and the consultative aspects of the project have been completed, the Plan will be brought back to the NWMB for consideration and approval.

8.D.4 Research Priorities Workshop

Dan Pike provided an overview of the NWMB role and responsibilities pertaining to research. In order to address its research requirements and obligations, it is imperative for the Board to develop and maintain research priorities. In an effort to obtain input from the RWOs and HTOs and to streamline the priority-setting process, the NWMB conducted a Research Priorities Workshop last January. The exercise was successful as an introductory effort, but it is necessary to repeat it in order to build on last year's experience and to update the product. It is planned to hold another Research Priorities Workshop in Iqaluit in January.

8.D.5 Traditional Polar Bear Hunt: Request for Approval

Ben Kovic introduced Noah Kadlak, a hunter and film entrepreneur from Coral Harbour. M. Kadlak, in conjunction with Toronto-based Arctic Bear Productions Ltd., proposes to conduct and film a traditional polar bear hunt.

Mr. Kadlak explained his proposition to harvest a polar bear using traditional practices (spear, dogs, etc.). He considered that a film of such an event, built around his personal experience growing up and living off the land, would provide an important vehicle for re-instilling traditional cultural values in Inuit children and would also be a good promotional tool for tourism. If completed in time, such a film could be part of the celebrations that will inevitably accompany the birth of Nunavut. The proposal has the support of the Keewatin Wildlife Federation as well as the local HTO. The Federation does recognize that a special permit would be required, and that the sensitivities of external interests would have to be taken into account.

Sam Emiktowt acknowledged that current regulations do not provide for harvesting a polar bear with a spear, but argued that the more sympathetic provisions of the NLCA should prevail. Michael d'Eça referred to NLCA 5.7.42, which affirms the right of an Inuk to employ any harvesting method or technology provided that it does not infringe upon other rules established by the NWMB in the interests of conservation, and does not conflict with the laws of general application regarding

humane killing of wildlife or public safety. Presumably the NWMB will want to satisfy itself in those regards prior to endorsing such a proposal. Dan Pike noted that the decision of the NWMB about such matters would be paramount.

David Tagoona and other Members applauded the proponent's initiative in trying to re-discover and document traditional ways. Pauloosie Keyootak stressed the need for the Board to consider the matter in the context of all of Nunavut. Ben Kovic noted the non-routine nature of the proposal. Gordon Koshinsky urged the Members to reflect carefully. All Nunavut hunters, and indeed all residents of the Territory, would have a stake in the outcome. All would benefit if it went well; all could suffer if it went badly or was misinterpreted, in whole or in part. We may predict and we can try to influence, but we cannot ensure, how such a film would be interpreted.

The Board directed staff to prepare a briefing document on this matter, for consideration by the Board at the next meeting. Harry Flaherty encouraged the Inuit representatives to consult in their communities and regions on this subject in the interim.

8.E Nunavut Tunngavik Incorporated (NTI)

Ben Kovic introduced Raymond Ningeocheak, 2nd Vice-President of NTI.

Mr. Ningeocheak congratulated the Board on its role in providing a competent system of wildlife management in the Nunavut Settlement Area. This is a matter of increasing importance given the growing population of Inuit. He thanked the NWMB for its participation in and support of the recent Rankin Inlet workshop.

Mr. Ningeocheak advised that the NTI is moving ahead with plans to issue ID cards to all beneficiaries over the age of 16. They hope to tender for manufacture of the cards in about a year's time. The ID cards will eventually be required in order to participate in such programs as Elder Support, Hunter Support, student scholarships, and voting in elections. NTI has endorsed the continued use of General Hunting Licences until these ID cards are available.

Mr. Ningeocheak declared that NTI recognizes the need to train officials such as key staff and office-holders of RWOs and HTOs in the performance of their duties. He made reference to NITC as an appropriate funding source.

Ben Kovic, on behalf of the Board, urged that NTI give priority consideration to:

- Encouraging the co-operation of harvesters with the Harvest Study.
- Developing/implementing a formal process to assign harvesting rights.
- Fostering financial management and accountability on the part of the HTOs and RWOs.

8.F NWMB-Funded Items: Proposals

No proposals were presented for the consideration of the Board at this meeting.

8.G Regional (RWO) Reports

Jim Noble reminded those present of the Board's tradition to invite and receive a report from the RWO for the Region in which the Board is meeting. In addition, the Board is always interested to hear from any RWO at these meetings, and the Qikiqtaaluk Wildlife Board has generally availed itself of this opportunity.

8.G.1 Keewatin Wildlife Federation (KWF)

There was no report or presentation from the "host" RWO.

8.G.2 Qikiqtaaluk Wildlife Board (QWB)

Jim Noble tabled an activity report on behalf of the QWB. Jim referred to the following concerns being identified by the QWB:

- A request for NWMB assistance and support with respect to the 1998 bowhead hunt.
- Clarification of the "adequate funding" provision of NLCA 5.7.13 with respect to the RWOs and HTOs.
- A need for funding to support research on assignment of harvesting rights.
- The need for the QWB to organize effective follow-up to the Rankin Inlet Wildlife Symposium.

Harry Flaherty suggested that the Board register some concern with the QWB about the apparent lack of concrete progress toward planning the upcoming bowhead hunt. Pierre Chartrand reported that it is generally acknowledged that the RWO and at least most of the HTOs are adequately funded for substantial portions of their workload. It might be appropriate to revisit the formula for funding distribution. He (Pierre) has asked QWB (Joanasie Akumalik) to provide details on specific matters for which the RWO and the HTOs deem themselves to be under-funded.

It was decided that the NWMB would write to the QWB to thank them for their activity report, and to indicate the willingness of the NWMB to participate in and support their planning process for the 1998 bowhead hunt.

8.G.3 Kitikmeot Region

Makabe Nartok tabled a Resolution passed by the Kitikmeot Inuit Association at their 1996 AGM, setting out three specific requests for revisions to wildlife management regulations:

- To include Kent Peninsula in Muskox Management Area N/MX/14.
- To remove the boundary between Polar Bear Management Areas N/PB/05 and N/PB/06.
- To increase annual narwhal quotas to 50 animals for each of Gjoa Haven, Pelly Bay and Taloyoak.

The Board agreed to give full consideration to these matters at the next meeting.

9. Old Business

9.A Harvest Study: Update

Dan Pike tabled a report prepared by Johnny McPherson. Johnny has worked diligently and successfully to upgrade regional data auditing and reporting procedures, and as a result will start to have more time to prepare comprehensive data reports and to respond to data requests.

More publicity and education need to be directed toward the RWOs, HTOs, and the public in general concerning the purpose of the Harvest Study. Steps to that effect are being taken and explored. Some harvesters are unwilling to participate or cooperate, and Field Workers are usually very reluctant to deal with such individuals. Inadequate understanding of the purpose of the Study is the main problem. Other and related problems include unjustified fear of contributing to the imposition of quotas, incorrect interpretation of linkage to the Nunavut Hunter Support Program, and personal reasons. Some of the Baffin communities have posed the greatest difficulties for the conduct of the Study. It has been necessary to re-start the Study this summer at Iqaluit and Cape Dorset because the earlier data could not be salvaged. Iqaluit is the most difficult community, not because of an exceptional volume of harvesting activity, but because the harvesters are so difficult to sort out and contact.

David Tagoona suggested that there was not a good understanding of the Study in his home community of Baker Lake. It seems that most of the Harvest Study calendars are not being distributed as per the intent, but instead are merely being left at the HTO office.

9.B Inuit Bowhead Knowledge Study: Update

Dan Pike reported on behalf of Keith Hay that all data collection, data translations and workshops have now been completed. Attention will now move entirely to data analysis and synthesis. According to the terms of the NLCA, the final report is due by July 1998. Considerable effort has been devoted to settling the form and content of the report, and it is hoped to have a first draft done by the end of March. It will also be necessary to prepare ancillary Study products for particular audiences.

9.C Traditional Knowledge Study, Southeast Baffin Beluga: Update

Dan Pike reminded Members that the Board is funding Peter Kilabuk of Pangnirtung to conduct this study for the Southeast Baffin Beluga Management Committee. The Study is now in the late report-preparation stage with completion and delivery of associated materials expected by Christmas.

Wednesday, 19 November 1997

Ben Kovic reconvened the meeting at 08:50 a.m. He called on Joan Scottie to lead in an opening prayer.

Executive Committee Report and Recommendations

Gordon Koshinsky reported to the Board in his capacity as the newly-appointed Chairperson of Executive Committee. Gordon explained that the Executive Committee report had been deferred from its place near the beginning of the agenda in order to permit the Committee to meet and formulate its recommendations. Gordon tabled the draft minutes from the Executive Committee meeting and used the minutes as the framework and briefing material for his presentation. He addressed the following matters:

- **Chairpersonship:** The Committee decided to alternate its members in the position of Chairperson. Gordon will step down as Chair after one year.
- **Terms of Reference:** Gordon tabled a draft update of the Committee's Terms of Reference. Upon further refinement, the revised Terms of Reference will be brought to the Board for consideration and approval.

- **Funding Agreement with DIAND for 1998/99:** Gordon called on Michael d'Eça to explain the rationale and terms of the proposed new Funding Agreement and the covering letter that would accompany it to DIAND. The Committee was recommending that the Board send the material to DIAND right away.
- **Communications Plan:** Gordon called on Pierre Chartrand to explain the Committee's position on this item. The Committee was recommending that the Board move immediately to implement a selected group of the recommendations contained in the consultant's report.
- **Office Accommodations:** Gordon called on Pierre Chartrand to explain the dissatisfaction, based on escalating costs, with the Board's current lease for office space. The Committee was recommending that the Board authorize Pierre to identify and evaluate alternative arrangements.
- **Accountability of Board Members:** Gordon explained that the Committee had assigned the Legal Advisor to draft a letter, for the consideration and approval of the Board, that would be sent to the appointing agencies to clarify the responsibilities of the Members to those agencies.
- **Conflict of Interest in Performance of Duties:** Gordon explained that the Committee had assigned the Legal Advisor to clarify whether the participation of NWMB Members as Board or staff members of RWOs or HTOs could in any way constitute conflict of interest. The Committee was of the general opinion that such participation should be endorsed.
- **Third-Party Contracts Pertaining to Remuneration of Board Members:** Gordon advised that a contract was at the stage of final signatures to enable the NWMB to reimburse an appointing agency (in this case DOE) at the honourarium rate for the services of a Board Member while in their employ.
- **Contracting the Services of NWMB Advisors:** Gordon advised that the Board's Legal Advisor is in the middle of a 3-year contract that contains provisions for rate escalation. The Board's Fisheries Advisor is contracted year-by-year and this contract has now expired. The Committee was recommending that the rate of remuneration for the Legal Advisor be increased by 4% retroactively for the year ended 31 March 1997. The Committee was also recommending that the contract for the Fisheries Advisor be renewed.

After some additional discussion the Board passed the following Resolutions:

- Approving transmittal of documentation to DIAND concerning a revised Funding Agreement for 1998/99. **(Resolution 98- 064)**
- Accepting the recommendations of Executive Committee for commencing implementation of the NWMB Communications Plan. **(Resolution 98- 065)**
- Authorizing the Director of Finance and Administration to explore alternative arrangements for NWMB office accommodations. **(Resolution 98- 066)**

At this point the Chairperson directed the meeting back to its regular agenda:

9.D Basic Needs Levels, Beluga, Narwhal and Walrus: Update

Dan Pike reviewed the perceived requirement, or otherwise, for the NWMB to establish Basic Needs Levels (BNLs) as per the NLCA. If it is necessary for the NWMB to set a Total Allowable Harvest for reasons of conservation, then a BNL must be established at the same time. The BNL is the portion of the TAH that is reserved exclusively for Inuit. The NLCA singles out beluga, narwhal and walrus for special attention, and directs that the NWMB set BNLs for these three species within 12 months of the NWMB being established. The exercise encountered many problems of interpretation and execution, and the deadline had to be extended and has once again been surpassed. After much debate the NWMB adopted a methodology for the process in January 1997, and began consulting with the RWOs and HTOs with regard to implementing that process.

The process that was adopted is superficially simple. It was predicated on establishing BNLs at this time (for beluga, narwhal and walrus) only for communities that presently have quotas for these species, and involved setting the BNL either equivalent to the quota if the quota has been a limiting factor in the harvest, or by reference to the formula set out in the NLCA for other species if the quota has not been limiting to the harvest.

Dan tabled the BNL values that were derived through this process. It is unlikely that adoption of these values (or not) would have any real implications or effect. All three RWOs have endorsed the process, but Dan expressed no conviction that the implications or lack thereof are actually understood. While it is the prerogative of the Board to adopt these values (or not), Dan also noted that there is no provision in Fisheries legislation or regulations to put them in place.

The Board once again rehashed the rationale (or lack thereof) for establishing BNLs for these three species at this time. Michael d'Eça identified situations in which the BNL would be less than the present quota and suggested that the NWMB would be obliged as per the NLCA to immediately declare an allocation of the surplus in these instances. He expressed concern about whether this was feasible. Michael wondered if it might be wiser to simply set the BNLs equal to the quotas. Dan argued that if that was the intent, it would have been very simple to state it in the NLCA.

Dan and Michael questioned whether it was in fact worthwhile to establish BNLs for these species at this time if for no apparent purpose other than to meet the terms of the NLCA. In doing so, the Board may just set the stage for unnecessary conflict

and misunderstanding. Dan reiterated his impression that the subject of BNLs was not yet well understood by the harvesters or by their organizations. He proposed that the right thing to do in the circumstances might be to develop BNLs for these three species in the context of and concurrent with developing comprehensive management plans and systems. In that manner the concurrent issues of allowable harvests and harvest allocations could be tackled simultaneously. Dan noted that general management planning was already underway for narwhal and walrus, as well as for beluga in the SE Baffin. Such a course of action would require the understanding and agreement of the Implementation Panel.

The Board agreed to pursue this approach, and to notify the Implementation Panel as well as the NTI. **(Resolution 98- 067)**

9.E NWMB Resource Centre: Update

Dan Pike reminded the Members that the Implementation Contract states the assumption that the NWMB will establish a Resource Centre. A plan for such a Centre was developed last year and a consultant was recently contracted to set it up. The Centre will be operational prior to the end of this fiscal year. It will include a stock database that will be shared with the three government agencies having obligations along with the NWMB in wildlife management and research in Nunavut.

9.F NWMB General By-law Revisions

Michael d'Eça tabled the briefing note that the Board had requested him to prepare in respect to the Board's General By-law. He explained the 14 changes that he was proposing. Two additional requirements for change were identified in the ensuing discussion. Proposed changes pertained primarily to bringing the By-law into conformity with actual practice. Among the most important proposed changes were suggested amendments to:

- Incorporate a provision stating that replacement Board Members are appointed for a term of four years.
- Incorporate a provision stating that Board Members act in the public interest and not as agents of their appointing bodies.
- Incorporate a provision that a Resolution signed by a majority of Board Members has the same validity as a Resolution passed in a meeting.
- Change the existing provision about signing authority for contracts and other NWMB documents.

The Board agreed with the Legal Advisor's suggestions, with two additions, for revisions to the NWMB General By-law. The Board instructed the Legal Advisor to incorporate these amendments into a new General By-law draft, for consideration by the Board at the next meeting. **(Resolution 98- 068)**

9.G NWMB Public Hearings, Rules of Practice

Michael d'Eça tabled his "Draft Rules of Practice for Public Hearings of the NWMB", dated 29 October 1997. He went on to discuss the document in some detail. He characterized it as an attempt to adapt ordinary law to the culture of Inuit. In preparing the document he allowed himself to be guided by certain Principles of Natural Justice, including the need to make provision for:

- People who are affected by decisions to:
 - Have notice of the matter, and
 - Have opportunity to respond;
- Every Inuk, potentially, to participate as a right under the NLCA; and
- The Inuit oral tradition to be accommodated.

Gordon Koshinsky commended Michael on his effort in drafting this document. He saw it as a ground-breaking initiative and one that is likely to be much debated, adapted and copied in the course of implementing Land Claims.

Makabe Nartok asked for examples of situations in which it might be appropriate for the Board to conduct Public Hearings. Michael identified three items from the present meeting that could conceivably evolve to the point where Hearings might be useful and warranted:

- Management of the Kane Basin polar bear population
- Management and recovery of the Peary caribou
- The proposal to hunt a polar bear by traditional methods.

Following detailed discussion, the Board agreed that the draft represented a very useful point of departure on this matter. It was decided to distribute the document for comment to NTI, to the IPGs, and to other interested agencies in and associated with the NSA. The Board set a target of May 1998 for receiving input and for finalizing the Rules of Practice.

9.H Auyuittuq National Park Reserve, Ecosystem Conservation Plan

Michael d'Eça reported that, following the last Board meeting, he received a copy of the entire Conservation Plan from Yves Bosse, the Regional Operations Manager for Parks Canada. Michael suggested many changes, mostly pertaining to statement and clarification of the NWMB jurisdiction. All these suggestions were accepted and incorporated.

Dan Pike advised that the Conservation Plan contains very benign language with respect to the management of fish and wildlife. It simply states that such matters will be referred to the appropriate management authorities. Dan noted that the RWO has approved the Plan. Both Dan and Michael recommended that the

NWMB approve the Plan. The Board approved the Plan, as amended. **(Resolution 98- 069)**

9.1 Turbot Allocation Controversies

Michael d'Eça reviewed the chain of events pertaining to this matter (in 1997):

- DFO Minister decided on Davis Strait turbot allocations (April)
- NTI, supported by NWMB, applied for a judicial review (May)
- Federal Court of Canada agreed with NTI/NWMB (July)
- DFO Minister made a new decision on allocations (August)
- DFO appealed the July decision of the Federal Court (August)
- NTI applied for a judicial review of the new DFO decision (September)

The most recent development is that Makivik Corporation has applied for intervenor status against NTI/NWMB in the DFO appeal of the July decision of the Federal Court. The Makivik motivation appears to stem from a failure to obtain recognition for their claim to rights of adjacency concerning marine fisheries in the course of their current offshore negotiations. This motivation in turn appears to stem from an erroneous contention by the Federal negotiators in the offshore talks that Nunavut has tentatively won all the “rights to adjacency” in Zones I and II that would have been available.

Members expressed frustration about the action taken by the DFO Minister, which seemed so at variance with simple justice and common sense. Members also expressed surprise and disappointment about the action taken by Makivik Corporation, especially since that action appeared to be erroneously based and was taken without benefit of any discussion with NWMB. It was noted that the recent joint meeting of the two organizations presented an easy opportunity for such discussion to take place.

Michael identified two questions now facing the NWMB from a legal perspective:

1. Whether to encourage NTI to oppose the Makivik application, and
2. Whether to seek to intervene directly on NWMB’s own behalf.

After extensive discussion the Board decided as follows in the matter of the appeal by the Minister of Fisheries and Oceans concerning the July 14 decision of the Federal Court of Canada in respect to Davis Strait turbot allocations:

1. To encourage NTI to oppose the application by Makivik Corporation to intervene in the appeal. **(Resolution 98- 070)**
2. To evaluate the merits of seeking approval to intervene directly in the matter alongside NTI. **(Resolution 98- 071)**

The Board also decided that to try, in concert with NTI, to approach Makivik officials and negotiators directly in an effort to improve understanding and to try to find common ground for a more productive approach to this matter.

9.J Nunavut Marine Council: Exploring the Concept

Michael d'Eça briefed the Board on the enthusiasm that is being expressed by the other IPGs and by NTI in forming a Nunavut Marine Council (NMC) pursuant to NLCA 15.4.1. Michael reviewed his briefing note in which he examined the pros and cons of taking this action at this time. He also tabled a draft Memorandum of Agreement for the establishment of such a Council. In his view this would be a worthwhile initiative.

Gordon Koshinsky urged caution. He suggested that the need and opportunity for co-ordinated actions of the type that might be assisted by an NMC would be far more pertinent to the mandates of the other IPGs than to the mandate of the NWMB. He wondered if this might be an instance of placing process ahead of substance, and requested a better clarification of what could be accomplished by such a Council that could not be accomplished without it. The NWMB seems to be functioning quite well and has a very heavy workload in its present configuration. It is already very extensively partnered, and it is not apparent why there is a need to seek more ways of interacting. Dan Pike mentioned the cost factor. Michael reported that NTI has expressed a willingness to approach government about funding but it is only prudent to assume that extra funds will not be forthcoming within the current 10-year planning cycle.

Some of the Board Members were more immediately positive about the concept. The possibility was suggested that NWMB might participate in such a Council on terms and arrangements that were different from those of the other IPGs. In the end the Board decided to defer decision or action on the matter, pending further evolution of the concept by other interested parties.

9.K Establishing Qualifications for Big-Game Hunting Guides

Michael d'Eça outlined the obligations on the various parties (hunters, guides, HTOs and NWMB) in the matter of using, providing and administering guiding services to big game hunters under the NLCA.

It was noted that the Board had previously decided to exercise all its discretionary functions as set out in the NLCA. This decision is embodied in Section 3.2 of the NWMB Operating Procedures. The matter of establishing qualifications for big-game hunting guides is one such discretionary power (NLCA 5.2.34h).

The Board reviewed a draft Terms of Reference for a contract to provide advice and assistance in establishing a set of qualifications for big-game hunting guides. The Board approved these Terms of Reference as the basis for proceeding in this matter. **(Resolution 98- 072)**

9.L Walrus Management Plan: Update

Dan Pike advised that he and Michael d'Eça had conducted a review of DFO's October draft *Management Plan for the Hudson Bay-Davis Strait Walrus Stock, 1997-2001*. Numerous deficiencies were identified and communicated. Makivik will also be reviewing the document. DFO will then prepare an updated version.

9.M Narwhal Management Planning: Update

Dan Pike reported that he anticipates the initial planning meeting to take place some time in February. There should probably be two working groups, one for Baffin/High Arctic and one for Keewatin. It was agreed that one or two Board Members, to be identified, will participate in the meeting.

In-Camera Session

The Board decided to go *in-camera* to consider a number of items having confidential implications. Resolutions were passed in connection with this session as follows:

- To go *in-camera*: **(Resolution 98- 073)**
- To close the *in-camera* session: **(Resolution 98- 074)**
- To approve a conditional loan of \$55,000 to KWF: **(Resolution 98- 075)**
- To endorse a contract extension for the NWMB Fisheries Advisor for the two years commencing 1 April 1997: **(Resolution 98- 076)**
- To approve a pay-scale increase for the NWMB Legal Advisor for the year ended 31 March 1997: **(Resolution 98- 077)**

10. Other Business

10.A Upcoming Meetings and Events

Jim Noble led the Board through the tabulation of forthcoming items as at November 27, with additions. The following decisions were reached with respect to attendance:

- CEBA, 27 November: Pierre to attend
- FPAFC, 6 November: Ben to attend
- NAMMCO, 25-27 November: Dan to attend
- B-QCMB, 28-30 November: Joan to attend

- C/G JC, 28 November to 1 December: Ben and Dan to attend
- IPGs, 9-10 December: Ben, Jim, Kevin and Pauloosie to attend
- FRCC, 15-16 December: Ben to attend
- DFO/Co-Mgmt Boards, February: Gordon to attend (tentative)

10.B Meeting Reports and Briefing Notes

Jim Noble referred the Members to the notes in the briefing material. The following matters drew further elaboration or comment:

10.B.9 NITC Workshop, September

Jim Noble reported that the IPGs are included in the Training Workplans of NITC. This includes the NWMB and its staff. In order to access the program, it would be necessary to submit the required documentation by the end of December. It was decided that Jim should prepare and submit the necessary Training Protocol Agreement and Training Workplan.

10.B.14 DFO Workshop on Development of Stock Assessments, October

It was decided that Gordon Koshinsky and Dan Pike will work together to draft an appropriate response to DFO as per the recommendations in Gordon's briefing note pertaining to the workshop.

10.B.15 DFO Science Advisory Council, November

Ben Kovic, the Department's appointee from the Eastern Arctic, reported that he was unable to attend the meeting.

10.C NWMB Strategic Plan: Update

It was agreed that the Members would familiarize themselves with the Strategic Plan, and on progress made and impediments encountered in implementing it, in preparation for a thorough review at the next meeting.

11. Date and Place of Next Meeting

It was decided to hold the next (17th) regular meeting of the NWMB at Gjoa Haven during the period 7-13 February 1998. **(Resolution 98- 078)**

12. Adjournment

The 16th meeting of the NWMB adjourned at 3:30 p.m. (**Resolution 98- 079**)

Minutes Approved by: _____
Chairperson **Date**

NUNAVUT WILDLIFE MANAGEMENT BOARD

RESOLUTIONS: MEETING No. 16

Coral Harbour, 15-20 November 1997

Resolution 98- 051

Resolved that the agenda for NWMB Meeting No. 16 be accepted as presented, with the noted addition of Item 9.M: Narwhal Management Planning Update.

Moved by: Gordon Koshinsky Seconded by: Harry Flaherty
Carried Date: 16 November 1997

Resolution 98- 052

Resolved that the minutes for NWMB Meeting No. 15 conducted at Iqaluit in August 1997 be adopted as amended.

Moved by: Harry Flaherty Seconded by: Pauloosie Keyootak
Carried Date: 16 November 1997

Resolution 98- 053

Resolved that the minutes for the Joint NWMB/Makivik Special Meeting No. 6 conducted at Iqaluit in August 1997 be approved for transmission to Makivik for their review and input.

Moved by: Gordon Koshinsky Seconded by: Harry Flaherty
Carried Date: 16 November 1997

Resolution 98- 054

Resolved that the minutes for NWMB Conference Call No. 34 conducted on 4 September 1997 be adopted as presented.

Moved by: Pauloosie Keyootak Seconded by: Makabe Nartok
Carried Date: 16 November 1997

Resolution 98- 055

Resolved that the interim financial report as at 30 September 1997 be accepted as presented.

Moved by: Harry Flaherty Seconded by: Pauloosie Keyootak
Carried Date: 16 November 1997

Resolution 98- 056

Resolved that the Director of Finance and Administration notify DIAND of the NWMB requirement to carry forward \$200,000 to fiscal year 1998/99, and to arrange an amendment to the 1997/98 Contribution Agreement to that effect.

Moved by: Harry Flaherty Seconded by: Makabe Nartok
Carried Date: 16 November 1997

Resolution 98- 057

Resolved that the present "Executive Committee" be dissolved and that a new "Executive Committee" be constituted with the following members:

- Gordon Koshinsky
- Joan Scottie
- Pauloosie Keyootak
- Meeka Mike
- Ben Kovic (*ex-officio*)

And further resolved that the new "Executive Committee" be directed to elect its own Chairperson, review its Terms of Reference, and advise the Board of any amendments that may be required.

Moved by: Joan Scottie Seconded by: Harry Flaherty
Carried Date: 16 November 1997

Resolution 98- 058

Resolved that the "Harvest Study Steering Committee" be dissolved and that letters of appreciation be sent to the former members.

Moved by: Pauloosie Keyootak Seconded by: David Tagoona
Carried Date: 16 November 1997

Resolution 98- 059

Resolved that a “Harvest Study Committee” be constituted with the following members:

- Harry Flaherty
- Pauloosie Keyootak
- Macabe Nartok
- David Tagoona
- Ben Kovic (*ex-officio*)

And further resolved that the “Harvest Study Committee” be directed to elect its own Chairperson, develop its Terms of Reference, and bring them to the Board for ratification.

Moved by: Gordon Koshinsky Seconded by: Makabe Nartok
Carried Date: 16 November 1997

Resolution 98- 060

Resolved that the NWMB maintain the “Inuit Bowhead Knowledge Study Committee” and the “Southeast Baffin Beluga Management Committee” as these Committees are presently constituted and until their terms of office are completed: in July 1998 and in April 1999 respectively.

Moved by: Joan Scottie Seconded by: Pauloosie Keyootak
Carried Date: 16 November 1997

Resolution 98- 061

Whereas the NWMB considers seaducks to be of economic importance and is concerned about their conservation within the Nunavut Settlement Area;

Therefore be it resolved that the NWMB write to the Canadian Wildlife Service indicating support-in-principle for the inclusion of a Seaduck Joint Venture as part of an amended North American Waterfowl Management Plan.

Moved by: Pauloosie Keyootak Seconded by: Joan Scottie
Carried Date: 17 November 1997

Resolution 98- 062

Resolved that the NWMB approve the request of the Coral Harbour HTO to increase the commercial caribou quota for Southampton Island by 2,000 animals to a total of 6,000 animals for 1998; and further

That the Coral Harbour HTO and the Department of Resources, Wildlife and Economic Development be encouraged to maintain and enhance their efforts to monitor the characteristics of this caribou population and to monitor and understand the range and other environmental conditions pertaining to its well-being for input to management planning; and also

That the pros and cons of controlling the re-establishment of wolves to Southampton Island be further evaluated with the aim of maximizing the prospects for long-term caribou productivity.

Moved by: Harry Flaherty Seconded by: Pauloosie Keyootak
Carried Date: 17 November 1997

Resolution 98- 063

Resolved that the NWMB confirm the interim decision of the Minister of RW&ED to amend the NWT Big Game Hunting Regulations and the Sale of Wildlife Regulations, by removing 22 caribou from the Arctic Bay commercial quota and adding 22 caribou to the non-resident and non-resident-alien sport-hunting quota, to permit a legal caribou sport hunt to be in place as of 29 August 1997.

Moved by: Gordon Koshinsky Seconded by: Harry Flaherty
Carried Date: 18 November 1997

Resolution 98- 064

Resolved that NWMB's draft *Funding Agreement with DIAND for 1998/99* be transmitted to the Minister of DIAND, with copies to NIP, to NTI, and to the other IPGs, as well as to DIAND staff.

Moved by: Harry Flaherty Seconded by: David Tagoona
Carried Date: 19 November 1997

Resolution 98- 065

Resolved that the NWMB accept the four recommendations of the Executive Committee for commencing implementation of the NWMB Communications Plan.

Moved by: Pauloosie Keyootak Seconded by: Makabe Nartok
Carried Date: 19 November 1997

Resolution 98- 066

Resolved that the NWMB authorize the Director of Finance and Administration to identify and assess alternatives to accommodate the Board's requirements for office space in Iqaluit.

Moved by: Joan Scottie Seconded by: Makabe Nartok
Carried Date: 19 November 1997

Resolution 98- 067

Resolved that the NWMB defer the establishment of Basic Needs Levels for beluga, narwhal and walrus pending comprehensive revisions of the management systems for these species; and further

That this decision be communicated and explained to the Implementation Panel, and that NTI also be informed.

Moved by: Harry Flaherty Seconded by: David Tagoona
Carried Date: 19 November 1997

Resolution 98- 068

Resolved that the NWMB instruct the NWMB Legal Advisor to draft a new General By-law for the consideration of the Board, incorporating recommendations 1 through 14 as presented by the Legal Advisor and as supplemented in the Board's discussion.

Moved by: Pauloosie Keyootak Seconded by: Makabe Nartok
Carried Date: 19 November 1997

Resolution 98- 069

Resolved that the NWMB approve the revised Ecosystem Conservation Plan for the Auyuittuq National Park Reserve as presented by the Legal Advisor.

Moved by: Harry Flaherty Seconded by: Pauloosie Keyootak
Carried Date: 19 November 1997

Resolution 98- 070

Resolved that the NWMB encourage NTI to oppose the application by Makivik Corporation to intervene in the matter of appeal by the Minister of Fisheries and Oceans concerning the July 14 decision of the Federal Court of Canada respecting Davis Strait turbot allocations; and further

That the NWMB, in co-operation with NTI, simultaneously approach Makivik officials and/or negotiators informally in an effort to find common ground for a more productive approach to this matter.

Moved by: Harry Flaherty Seconded by: Makabe Nartok
Carried Date: 19 November 1997

Resolution 98- 071

Resolved that the NWMB, through its Legal Advisor, evaluate the merits of seeking approval to intervene directly on its own behalf in the matter of appeal by the Minister of Fisheries and Oceans concerning the July 14 decision of the Federal Court of Canada respecting Davis Strait turbot allocations, and to proceed with such intervention if deemed beneficial.

Moved by: Harry Flaherty Seconded by: Pauloosie Keyootak
Carried Date: 19 November 1997

Resolution 98- 072

Resolved that the NWMB approve the Terms of Reference, as amended, for a contract to develop Qualifications for Big-Game Hunting Guides.

Moved by: Harry Flaherty Seconded by: Joan Scottie
Carried Date: 19 November 1997

Resolution 98- 073

Resolved that the Board meet *in-camera*.

Moved by: Gordon Koshinsky Seconded by: Harry Flahety
Carried Date: 19 November 1997

Resolution 98- 074

Resolved that the *in-camera* session be closed.

Moved by: Harry Flaherty Seconded by: Gordon Koshinsky
Carried Date: 19 November 1997

Resolution 98- 075

Resolved that the NWMB approve a loan of \$55,000 to KWF with conditions.

Moved by: Harry Flaherty Seconded by: David Tagoona
Carried Date: 19 November 1997

Resolution 98- 076

Resolved that the NWMB extend the contract with the NWMB Fisheries Advisor for a period of two years, with the terms of the contract to remain unchanged.

Moved by: Gordon Koshinsky Seconded by: Pauloosie Keyootak
Carried Date: 19 November 1997

Resolution 98- 077

Resolved that the NWMB approve a 4% increase in the rate of remuneration for the NWMB Legal Advisor for the period 1 April 1996 to 31 March 1997.

Moved by: Pauloosie Keyootak Seconded by: David Tagoona
Carried Date: 19 November 1997

Resolution 98- 078

Resolved that the 17th regular Meeting of the NWMB be conducted in Gjoa Haven the week of 7 to 13 February 1998.

Moved by: Makabe Nartok Seconded by: Joan Scottie
Carried Date: 19 November 1997

Resolution 98- 079

Resolved that the 16th Meeting of the NWMB be adjourned.

Moved by: Pauloosie Keyootak Seconded by: David Tagoona
Carried Date: 19 November 1997