

# NUNAVUT WILDLIFE MANAGEMENT BOARD

## MINUTES: MEETING NO. 39

KUGLUKTUK

4 - 7 OCTOBER 2004

### Members and Staff Participating

Ben Kovic	Chairperson
Nick Amautinuvar	Member
Robert Moshenko	Member
Kevin McCormick	Member
Paul Pemik	Member
Harry Flaherty	Member
Joannie Ikkidluak	Member
Jim Noble	Chief Operating Officer
Josée Galipeau	A/Director of Wildlife Management
Tom Demcheson	Director of Finance and Administration
Michael d'Eça	NWMB Legal Counsel
Evie Amagoalik	Interpreter
Mary Nashook	Interpreter

### Not Available

DIAND Appointee	Vacant
DOE Nunavut Appointee	Vacant

### Other Participants

Karen Ditz	DFO Fisheries Mgmt Biologist, Iqaluit
Bert Dean	NTI, Rankin Inlet
Mitch Taylor (by conference call)	DOE Nunavut
Monica Angohiatok	DOE Nunavut
Philip Kadlun	Chairperson, KHTA

4 - 7 OCTOBER 2004

**Monday, October 4, 2004**

**1. Call to Order and Opening Preliminaries**

The Chairperson called the 39<sup>th</sup> Regular Meeting of the NWMB to order at 9:00 a.m.

**2. Agenda for Regular Meeting No. 39**

The Board decided (**Resolution 2004-055**) to accept the agenda for Meeting 39 as presented.

**3. Minutes: Review and Approval**

Deferred to the December meeting.

**4. Financial and Administrative Business**

**4.A Variance Report as of September 30 2004**

Director of finance noted that the chart of accounts was modified to coincide with the audit report. Members reviewed and accepted (**Resolution 2004-056**) the September, 30, 2004 variance report as presented.

**4.B Review / Approval of 2003/04 Audit Report**

The Director of Finance and Administration reviewed 2003/04 Audit Report with the Members. The Board decided (**Resolution 2004-057**) to accept the 2003/04 auditors report as presented.

**5. Chairperson, Senior Staff, Advisors' and Members' Reports**

**5.A Chairperson's Report**

The Chairperson referred members to his report in the binder.

**5.B Chief Operating Officer Report**

The Chief Operating Officer referred members to his report in the binder.

**5.C Finance and Administration Director's Report**

The Director of finance and Administration referred members to his report in the binder.

**5.D Legal Advisor's Report**

The Legal Advisor referred members to his report in the binder.

#### **5.E A/Wildlife Management Director's Report**

The A/Director of Wildlife Management referred members to her report.

#### **5.F Members' Reports and Concerns**

No reports presented.

### **6. Completion of Assignments and Implementation of Resolutions**

The Chief Operating Officer referred members to the task list in the binder. Items not completed or ongoing were reviewed.

### **7. Environment Canada (CWS): Issues and Decisions**

#### **Canadian Wildlife Service**

#### **7.A COSEWIC Assessment and Status Report**

Kevin McCormick made a presentation on species at risk in general and how it applies to the federal agencies. The terrestrial species (grizzly and polar bear, wolverine and Peary caribou), are under the jurisdiction of the territorial Government. He stated that EC has tried to communicate with the GN on this issue and to start the negotiations on the bi-lateral agreement, but has not received any response from DOE Nunavut. Members were concerned about the process for listing species; they also asked questions about consultations with the public of Nunavut.

Kevin reviewed his briefing note with the members. His recommendation was to approve the proposed listing for the 3 species (grizzly, polar bear and wolverine) for the following reasons: The proposed listing are the same as past designations and the listing do not results in any change to the management of the species other than the requirement to complete a management plan within five years. Concern was expressed about suggesting polar bear are being considered for a designation of special concern when the NWMB has just approved the new MOUs which suggest numbers are increasing.

It was recommended that the NWMB and CWS work cooperatively to develop a proposed standardized process, compatible with both the NLCA and SARA, for the listing of species at risk in the future and participate with the territorial government in addressing relevant SARA issues.

The Board decided (**Resolution 2004-058**) that because of concerns over both the assessment and the listing processes for Polar Bear, Grizzly Bear and Wolverine, it will not approve the designation of those three species as being of special concern

under the terms of SARA: and recommends:

- (a) that the NWMB and CWS (Prairie and Northern Region) work cooperatively to develop a proposed standardized process, compatible with both the NLCA and SARA, for the listing of species at risk in the future; and
- (b) Participate with the territorial government in the development of a bilateral agreement addressing relevant SARA issues.”

## **Parks Canada**

### **7.B Using IQ for Nunavut National Parks**

The Chief Operating Officer read the Parks Canada briefing note on a new project using Inuit Knowledge in Management, Resource Description and Monitoring of Nunavut Parks. No action was required by the NWMB.

### **7.C Quttinirpaaq National Park Management Plan**

Parks Canada provided a briefing note on the Quttinirpaaq National Park Management Plan. Members discussed the amount of involvement on these management committees the Board staff and members should have. It was decided that the staff will only attend if time permits as the Board will never have the time or staff to cover all working groups.

## **8. Fisheries and Oceans (DFO): Issues and Decisions**

### **8.A Bowhead Research Update**

The Board reviewed information on research conducted on bowhead over the past few summers. The results of this research should be peer reviewed by the spring of 2005. It was noted that the Bowhead Conservation Strategy developed by the World Wildlife Fund has not been deemed SARA compliant. Members requested information on when COSEWIC would be planning to assess bowhead whale. It was suggested that this item would be discussed at the November meeting of COSEWIC. The Board decided (**Resolution 2004-059**) to write a letter to COSEWIC advising of the NWMB concerns regarding the assessment process for bowhead whales.

### **8.B Addition of Walrus and Polar Bear to the JCNB**

Staff reviewed the information on the briefing note with the members. It was noted that the DFO Minister has already accepted the addition of walrus to the JCNB and that it is now up to Greenland to decide. There was no decision made regarding polar bear. The issue is complicated because the Government of Nunavut (DOE Nunavut) has the jurisdiction for polar bear and the JCNB does not include the GN.

The Board decided (**Resolution 2004-060**) that a letter be written to the DFO Minister in support of the addition of walrus to the work of the JCNB

### **8.C Community-Based Management of Narwhal and Beluga**

Narwhal: The A/Director of Wildlife reviewed the information on the briefing note with the members. It was noted that the Working group (WG) met once a month since January 2004. There has been a considerable amount of work done by the WG, to address all the committee's recommendations. e.g. communications, monthly bulletins, a contact list, a list of frequently asked questions and answers, a document on the importance of struck-and-lost, A report followed on hunting activity to date and a request to borrow tags from the next year's quota by Qikiqtarjuaq. Discussion followed on how to encourage hunters to report struck and lost animals.

Beluga: The A/Director of Wildlife again reviewed this briefing note with the members. The WG is trying to arrange meetings in Iqaluit, Kimmirut and Pangnirtung to review the beluga community based management system. Hopefully the meetings can be held in November, so the WG can make its recommendations to the NWMB, and the Minister can decide, before the next hunting season. The review in Pangnirtung will include the hunt management planning group (DFO management, Winnipeg). Pangnirtung has a SARA deadline to meet. Once again a concern was raised about the lack of struck/loss information on the beluga hunts.

### **8.D Addition of Atlantic Cod to SARA**

DFO staff reviewed the briefing note on the possible addition of Atlantic Cod (Arctic population) to the *Species At Risk* List with the members. It is noted that there is a consultation plan for the affected communities, with a deadline of November 30, 2004 for submissions. The Board recommended that all the involved parties meet and develop a protocol for the COSEWIC / SARA process as this might be a good time to set out how NWMB wants to deal with Government agencies on the legal listing issue. It is further recommended that Government agencies and NWMB would gain to standardize the process through all federal agencies.

### **8.E Addition of Three Beluga Populations to SARA**

DFO staff reviewed the briefing note with the members. The beluga populations referred to here are: Western Hudson Bay, Cumberland Sound and Eastern High Arctic-Baffin Bay. It was noted that there is an expectation for a response in 30 days, but it depends if the Board has an opportunity to meet. There are also timelines with SARA and the Minister has nine months to consult and come up with a designation. If no decision is made within nine months, the Minister must amend the legal list, based on COSEWIC assessment (this would mean by-passing the NWMB). The Board will have to be aware of this fact when working on these designations.

### **8.F Addition of Two Beluga Populations to SARA**

DFO staff reviewed the briefing note with the members. The beluga populations referred to here are: Eastern Hudson Bay and Ungava Bay. Members suggested that

since these SARA request could occur at each meeting from now on, this process needs to be sorted out, and that the Board should be provided with a one page summary for each the COSEWIC and SARA processes. It was further suggested that NWMB and the three federal agencies should meet and agree on a process.

### **8.G Addition to Harbour Porpoise to SARA**

Harbour porpoise are found in small numbers in the Arctic and are of little concern to northern residents. It was noted the NWMB has eight months to respond to this listing. There were no concerns raised by the members.

### **8.H Cumberland Sound Turbot – Separate Zone**

DFO staff reviewed the briefing note with the members. DFO is asking the Board to approve a separate management zone for Cumberland Sound, with a quota of 500 mt separate from the overall OB quota. The NAFO Scientific Council has recommended that the separate quota be a winter fishery only. Some concern was raised as the community would probably desire both a winter and summer fishery in this zone. It was recommended that the fishing interests in Pangnirtung should be consulted on this quota and new fishing zone prior to the NWMB making a decision. It was further recommended that a letter be sent to the various fishing groups in Pangnirtung asking for their recommendation on this issue.

### **8.I Quebec Provincial Aquarium Walrus Live Capture**

DFO staff reviewed a briefing note from DFO Quebec Region on the live capture of two walrus calves during the summer of 2004. It was noted that the two calves died after a short period in captivity and are being checked for cause of death. Members felt that this was not a good situation and that it leaves the door open for animal rights groups to criticise. It was noted that the NWMB has recommendation authority only in Zone 1.

### **8.J Exploratory Fishing License Requests**

#### **Kugluktuk Byron Bay / Lauchlan River**

It was suggested that due to the lateness of this decision, it would be better to recommend to the HTA that they apply again next year.

#### **Gjoa Haven / Pangnituuqrasijuk Lake**

This was a request from the Gjoa Haven HTA for an arctic charr exploratory licence for Pangnituuqrasijuk Lake. Members and staff discussed the test fishery process at length. The NWMB Legal Advisor noted that unless a water body is listed under Schedule V of the NWT Fisheries Regulations, the issuing of an exploratory licence is legally suspect. It was noted that the new TAH system will affect the test fishery

process and some time should be spent reviewing how the new process will work. There were numerous questions on how DFO collects scientific data from the test fisheries. DFO requested direction on how a new system would work so that they can explain it to the communities. The Board decided (**Resolution 2004-061**) to approve a 1500 kg quota for an experimental fishery on Pangnituuqrasujuk Lake, subject to the establishment of the TAH / BNL system.

### **Kugluktuk Starry Flounder, Greenland Cod, Saffron Cod and Pacific Herring**

DFO noted that in 2003 a gill net test fishery was conducted in the Kugluktuk area for the species noted. This request is to use a single long line to attempt to catch the same species. The Board decided (**Resolution 2004-062**) to approve a 500 kg per species quota for these experimental fisheries, subject to the establishment of the TAH / BNL system.

### **Pangnirtung Arctic Char**

This was a request from Pangnirtung HTA for an Arctic Charr Exploratory Fishing Quota for three water bodies. The Board decided (**Resolution 2004-063**) to let the Pangnirtung HTA decide on which option they wish to pursue for the Tarrionituk lake test fishery (1. To deny request to fish in Tarrionituk Lake or 2. Split quota of 2500 kg for Kipisa Lake as they may be connected) and to approve the DFO recommendation of 1000 kg for Abituajuk lake and the 1000 kg for Taggloyuk/Tagiojah-Unnamed lake

### **8.K New shrimp allocation SFA 1**

Board staff reviewed the recent announcement of the Minister of DFO on the SFA 1 shrimp quota increase. Nunavut has been given an increase of 2,833 tones approximately 60% of the total allocated, the balance going to Makivik and the remaining 14 offshore licence holders. Discussion followed on how to allocate the additional quota. The Board decided (**Resolution 2004-064**) to advise all current licence holders by letter and to place an ad in the local newspapers calling for applications for this quota.

### **8.L Transfer of NWMB Groundfish License**

The Chief Operating Officer noted that the NWMB Turbot Licence had to allocate to the BFC so that they could legally fish in Division 0A. This has created a problem as now the BFC vessel is registered under the name of the NWMB. Now the question is whether the Board should turn over the licence to BFC or maintain the status quo. The Board's Legal Advisor noted that as Nunavut has a developing fishery, it requires a proper licensing regime that reflects the Nunavut situation. It is further recommended that the NWMB meet with DFO urgently to work out this policy as DFO may be receptive to this process at this time. The Board decided (**Resolution 2004-065**) that the Ground Fish Licence should be transferred to the Baffin Fisheries Coalition (BFC) for a period of two years only (2004-2005).

## **8.K Request for Groundfish Quota - Cumberland Sound Fisheries Limited**

This was a request from Cumberland Sound Fisheries Limited for an additional 400 tonnes of turbot for Division 0A for the 2004 season. It was noted that BFC had requested a similar 400 tonne quota for 2003 and the Minister of DFO had approved this allocation, advising that this was a one-time-only allocation. As more information was required, the Board decided to defer this item to a later conference call.

## **8.L Qikiqtarjuaq Request to Borrow 15% of Next Year's Narwhal Harvest**

Board staff reviewed the request from Qikiqtarjuaq HTA to borrow 15% of their next year's harvest as per the rules of community based management. It was noted that the statistics show 80 animals landed and 12 struck and lost. DFO feels this lost rate is reasonable, however DFO is worried that the borrowing process was developed to compensate for lower harvest years and Qikiqtarjuaq has been sustaining high harvest rates and hence does not recommend approving this request. The members noted that the five-year average was 95 per year which is close to the quota of 90 per year. The Board decided (**Resolution 2004-066**) to allow Qikiqtarjuaq a 10% advance on next season's tags.

## **Election of Executive Committee Member**

Paul Pemik was elected as the new member of the Executive Committee (**Resolution 2000-067**).

**Tuesday, October 5, 2004**

The Chairperson reconvened the Meeting at 9:00 am.

## **9. Nunavut Wildlife (DSD) Issues and Decisions**

### **9.A Wildlife Act: Update**

The Board's Legal Advisor provided a brief overview and history of wildlife act. He noted that numerous meetings have occurred over the past year. The Board was advised of certain highlights such as; certification of traps and passive weapons concerns from NTI. It was noted that the Regulations Working Group has been approved for an extension until July 1, 2005. The Legal Advisor also reviewed his three briefing notes on the Regulations:

- Proposed 2004-2005 provisions in the draft Wildlife Regulations and orders requiring NLCA 5.2.34(a) approval;
- Proposed 2004-2005 non-quota limitation provisions in the draft Wildlife Regulation: and
- Proposed 2004-2005 TAH's in the draft orders.

## **9.B TAH Workshop**

Staff reviewed the briefing note provided on the Total Allowable Harvest (TAH) Workshop to be held in Iqaluit October 2-10, 2004. This workshop will be attended by the DOE Nunavut Biologists and other staff. It was noted that Michelle Wheatley had been requested to provide a brief presentation on TAH's and BNL's as no NWMB staff were available to participate.

## **9.C Polar Bear MOU / Quota - Decision**

Mitch Taylor joined the meeting by phone at 10:00 a.m. to review the status of the polar bear MOUs. Mitch reviewed his response to the NWMB July 7<sup>th</sup> letter on the MOUs. Members then requested the status of support from the other jurisdictions sharing populations with Nunavut with regards to changes in quota. Mitch noted that there has been communications, but no formal objection to the new quotas. There were also questions on how IQ was collected for these new quotas. Mitch explained how this occurred in each community. The Board was then taken through the MOU information for each of the polar bear populations.

**Wednesday, October 6, 2004**

### **Continuation of 9.C Polar Bear MOU / Quota – Decision**

A summary of the information discussed the previous day is presented by the Chairperson. It was noted that most of the HTOs have signed the MOUs and are tired of waiting for the NWMB to make a decision. There was some discussion on the communities that have not signed and what action is being taken to resolve this. Several options were offered on how to resolve the issue of the unsigned MOUs. Considerable discussion followed on various issues with the MOUs. The NWMB Legal Advisor then reviewed his draft resolutions with the Board and took any changes the Board recommended. The Board decided (**Resolution 2004-068, 069, 070 and 071**) to approve the four resolutions presented by the NWMB Legal Advisor with noted amendments.

## **9.D Polar Bear Comprehensive Review**

Item deferred.

## **9.E Thelon Management Plan**

The Board was provided two letters from the Minister of Environment for Nunavut on thanking the Board for its decision/approval of the Thelon Game Sanctuary Management Plan. The NWMB Legal Advisor noted that DIAND had not responded to the NWMB prior to the 60 day deadline and therefore the Board decision is deemed accepted. It was recommended that a letter be written to DIAND confirming this point.

## **10. NWMB Internal Items: Issues / Decisions**

### **10. A Nunavut Wildlife Harvest Study**

Staff advised the members that the Nunavut Wildlife Harvest Study is now available. Copies will be sent to all relevant parties. Staff requested approval of the Board to sell any remaining copies to help pay some of the freight costs. The Board decided **(Resolution 2004-072)** to approve sale of surplus Harvest Study Books for \$40.00 per copy to help re-pay freight costs.

### **10.B Wildlife Book Series**

Item deferred to Executive Committee.

### **10.C Wildlife Research Priorities Workshop**

The A/Director of Wildlife reviewed the briefing note provided for the members. It was noted that workshops were held in both the Kitikmeot and Baffin Regions, but Kivalliq remains to be completed. It was noted that a report was not available as the meeting were just recently completed. The top five priorities of the Kitikmeot region were listed in the briefing note provided to the members.

## **11. NTI Wildlife Division**

### **11.A NTI Wildlife Department: Update**

Bert Dean provided a brief update on changes in the Wildlife Division staff. Bert noted that a consultant was hired to review options for administration of the RWO and HTOs. It was noted that the WPAC would be meeting in Edmonton October 21, 2004 to review the consultant's report. Bert noted that NTI was fully aware of the NWMB decision to reduce administrative support to the RWOs and HTOs. He noted that a formal letter would assist the Wildlife Department of NTI to relay the message to their superiors. Bert also noted that NTI is still working on the Firearms Legislation and they still have an active file in court. It was also noted that NTI is taking a proactive role with NAMCCO and Glenn Williams recently co-chaired a working group meeting on seal and walrus harvesting methods.

## **12. Applications for Funding**

### **12.A. NWRT and NWMB Funded Projects**

The A/Director of Wildlife reviewed a briefing note on the status of the NWMB Study Fund with the members. Projects with outstanding requirements were noted, for 2004 approved four projects for a total of \$94,800, at this time most of these projects are in progress. The Board was advised that the Kugaaruk HTA had requested permission to carry-over unused funds from a narwhal project that could not proceed this past

summer due to ice and poor weather conditions. The Board decided that Kugaaruk HTA should be requested to return the unused funds from the narwhal project. The HTA was to be advised that these returned funds would be re-issued next year.

### **13. Other Presentations**

Nil report

### **Motions from the Executive Committee Meeting**

The Board decided (**Resolution 2004-073**) to accept the recommendation of the Executive Committee to allow staff to proceed with renovations to the NWMB office to a maximum of \$130,000, new furniture is to be included in this total or arranged through the normal capital budget.

On the recommendation of the Executive Committee, the Board decided to direct the NWMB Legal Advisor to focus on the first section of the Policy and Procedures (Board Administrative Section) and have a re-draft ready for the March regular Board meeting.

The Board decided (**Resolution 2004-074**) to accept the recommendation of the Executive Committee to authorize staff to pay \$64,315.56 for an under billing error on behalf of the building owners for lease expenses over the past three years.

On the recommendation of the Executive Committee, the Board decided to direct staff to provide a full analysis of the Compulite Website Maintenance Contract prior to making a decision on approving a three-year contract for this service.

### **Miscellaneous Items**

Staff noted that the Implementation negotiations between the three parties (DIAND, GN and NTI) are continuing and more meetings are planned for the near future.

Staff noted also that the Calgary Zoo is requesting permission for the live-capture of muskox and narwhal from the Resolute Bay area. Resolute Bay HTA is supporting this live-capture and has sent a letter of support to the NWMB. Members noted that the NWMB is still waiting for a decision from WPAC on this issue. Bert Dean noted that WPAC will be meeting the weekend before the next NWMB meeting and this item will be on their agenda. Staff were requested to question the Calgary Zoo staff on why Resolute Bay was chosen for this project when there are much closer herds of muskox for this project. The Board decided to defer this decision until WPAC provides their recommendation.

### **15. Date and Location of Next Meeting**

The Board decided (**Resolution 2004-075**) to conduct its next (40th) Regular Meeting in Rankin Inlet the week of December 6, 2004.







