

## Polar Bear co-management meeting re. HACCS – April 1, 2021

Called by: GN Department of Environment

Start: 2:05pm

End: 4:45pm

### ATTENDEES:

Caryn Smith (DOE)	Michael Ferguson (QWB)
Drikus Gissing (DOE)	Denis Ndeloh (NWMB)
Jonathan Pynn (DOE)	Pamela Wong (KRWB)
Jon Neely (DOE)	Ema Qaggutaq (KRWB)
Markus Dyck (DOE)	Kolola Pitsiulak (QWB)
Jasmine Ware (DOE)	Cambridge Bay HTO
Kevin Methuen (DOE)	Kugluktuk HTO
Paul Irngaut (NTI)	Baker Lake HTO
Jason Aliqatuqtuq (NTI)	Iglulik HTO
Kyle Ritchie (NWMB)	Caroline Ipelee-Qiatsuk (Interpreter)

### NOTES

#### DOE Staff started overview of updated HACCS document

**Q1. [Michael]** – Will there be a face-to-face consultation because the new system has things that communities did not ask for and there are things from the old Polar Bear MOUs that didn't get included.

**[Caryn]** – we are not able to do face-to-face consultation meetings with all Nunavut communities at this time. We do not have the financial or human resources to do that, and Covid-19 is still an issue.

**Q2. [Paul]** – Asked for clarity on 4.5.1 and 4.5.11.

**[Jasmine]** – explained that these are included because cubs and yearlings are not likely to survive, and they don't want to penalize communities a full tag or a female tag.

**[Paul]** – Some yearlings are really big, almost as big as the mother, would that still be counted as a half tag?

**[Markus]** – you are right, females with one cub/yearling left will put more energy into them or can get pregnant the next year if they lose their cub.

**Q3. [Denis]** – is it possible to change wording of 5.4.11 to not say “TAH determination”, it would read better if the wording was changed.

**[Caryn]** – just to make sure I’m clear, you mean the wording “TAH determination purposes” should be changed to “harvest implementation”?

**[Denis]** – yes, something that refers to the community quota since the TAH determination has already been made and we are now dealing with the community quota or harvest. Can we change TAH to something else?

**[Caryn]** – yes, I think that can be changed to either quota or allocation determination, annual allocation.

### **Jasmine continues overview of updated HACCS document**

**Q4. [Paul]** – you mentioned that communities cannot use more 50% of their annual tags for female bears. And you mentioned that a quota reduction would be equal to the number of bears overharvested. Does that mean that if you harvest more than 50% of your tags for female bears, if you harvest 4 or 5 female bears over your females, is that an overharvest, even if you have male tags?

**[Jasmine]** – I think you are correct, if a community exceeds more than 50% of their annual tags for females, that is an overharvest of females. In that case, if there are no female credits available, the community would be in an overharvest situation and would have a reduction for the number of bears overharvested in the following year.

**[Paul]** - take the number 10, according to this you have to have 50% as females. What if the community harvests 7 females, but the community still has 3 tags? Would that still be considered an overharvest, even though there are still tags available.

**[Jasmine]** – yes, that 7 females would exceed 50% of the community’s annual quota of 10. Up to five females would be 50%. So, think of this in the 2:1 system, communities could not exceed 33% of the annual allocation as female bears. It doesn’t matter what they do with the other bears. In this case, the up to one to one is communities can take up to 50% as females and no overharvest, but 7 would be 70% of a quota of 10. So that would be an overharvests situation, if they had no credits to cover that over harvest, that’s an important point. It’s important for everyone to understand: if we have your 10-bear quota, and the community harvests 7 females, that’s an overharvest of 2 bears. So, the next year, instead of the quota being 10, it would be 5 males and 3 females. The community pays back the two females that were overharvested in the year before. Their recommended quota would be 8 for that year if there are no credits.

**[Paul]** – Thanks Jasmine, I understand the system but I’m not sure the other HTOs are clear on this, that’s why I ask. I try and ask these questions when they may sound stupid, but I understand the system. For a community, a tag is a tag and whether it’s female or male so it’s kind of hard for them to understand sometimes.

**Q5. [Iglulik HTO]** – Some, most times a mother will have 3 cubs and sometimes the cubs are same size as the mother, and this becomes kind of complicated in terms of tagging. So, are they counted as a full polar bear like a full size or a cub?

**[Jasmine]** – so the offspring, the moms' babies that are counted as half tag are the ones that are born in that year, or that are one year old. If they are two years old, then their counted as a full tag, and the two-year-old are usually the ones that are quite big, bigger than the mom and those do count as full bears, and they count as the sex they are, male or female, whatever they are.

**[Iglulik HTO]** – Even if there are full grown in size as their mother they are counted as that, but Jasmine clarified that question.

**[Paul]** – I want clarification of the question that was just asked. I just want to clarify that when they were asking, even if they are yearlings, they can be the size of mom or bigger. His question is, will you still consider them as cubs with half a tag? If I remember correctly, we can't harvest family members. But if an elder wants a cub, we have that opportunity here. I appreciate the Government trying to make it easier for Inuit with that. It can get a bit confusing for Inuit, if you are not allowed to harvest family members and there is a cause that you can take a cub or yearling.

**[Jasmine]** – You pointed out an important point. Harvesting a family group or members of a family group is illegal and that has not changed. The size of a cub isn't really a determination of whether it's a half tag or a full tag, it's the age of the bear. If a mother is very good at raising offspring and her one-year-old looks huge that one year old is still counted as a half tag, and the way we determine age is either through the teeth or what the hunter tells us. The second point, when can a family group be harvested? It is illegal but there is a procedure in which the HTO may request a special exemption from the Minister or Environment for cultural purposes..

**Q6. [Cambridge Bay HTO]** – When the mother does leave the yearlings, and the siblings travel together, are they still considered a family?

**[Markus]** – As long they are travelling together and if the juveniles are less than 3 years, they are still considered a family group at that time, especially if they are still hanging out with mom. Let's just clarify this. Are you meaning, the offspring are taking off and moving together or they are just separated from mother and traveling together?

**[Cambridge Bay HTO]** – clarification as when mothers leave their offspring, the siblings usually travel together until their find their own roots or their own mates. I just want to know that when they are still traveling together are they still a family like 2 males, or male and female that had just left their other or their mother had left them.

**[Markus]** – that's much clearer now. When the offspring travel together and they're getting mature and they're getting on their own, then they are not a family group anymore because mom is wandering off from the offspring, they're doing their own thing. They are not considered a family group.

**Q7. [Pamela]** – Something that was mentioned earlier about cub of year being similar to or larger in size than the mother. Could you clarify if a hunter takes a bear that he or she thought was an adult but is actually cub of the year because it's a fairly large bear, who gets to decide or assign the age of that harvest and how would that situation be negotiated?

**[Markus]** – I don't think we've ever had a cub or yearling that was the size of the mother bear. We have the hunter reporting the size and the field age to the wildlife officer and that's pretty much bang on most of the time. The age is also confirmed through the teeth, and we also have jaw measurements. So there's a lot of information that we gather to corroborate some of that information we got about field age.

### **Jasmine continues overview of updated HACCS document**

**Q8. [Jason]** – When you are referring to credits, it says credits will only accumulate if a community harvests less than their annual allocation or their total annual allocation does not exceed 50% of female. You can accumulate female credits and male credits from unused portion. If a community exceeds 50% of their female credits, does that mean the 2 bullets beneath this are void?

**[Jasmine]** – You are correct. If greater than 50% of the allocation is harvested as female and there are no credits, that is considered an overharvest and no credits accumulate in an overharvest situation. This was done to provide extra protection to the female portion of the subpopulation. The 1:1 was put into place with no changes to community TAH and thus essentially represented an increase in the female proportion of the take and so if you overharvest females, no credits are going to accumulate to reduce the potential of any further female overharvest.

**[Jason]** – I just wanted to point that out so that everyone is clear on that. A lot of the HTOs with the 2:1 when they know they are going to overharvest females, they would stop the hunts. In this case, the overharvest of one female in a TAH of 10 and the HTO does their due diligence in halting the hunts to prevent further harvest of females. They are still going to get penalized because they are not going to get any credits for that year. Am I correct?

**[Jasmine]** – Yes Jason, essentially you are correct. If they don't have credits, they will be penalized by one bear the next year which is a drastic change from the 2:1 where they could have been penalized by any number of bears, a larger number because it accounts for the loss and reproductive potential of the females that were taken. The HTO can elect to continue hunting and, say, end up with this quota of 10 and they had overharvested females by one. If the HTO says no more females but they accidentally take one more female and they fill the rest of their quota with 3 males. They have a quota of 7 females and 3 males. No credits accumulate because the females were overharvested but the next year, they will have an annual recommended quota of eight. They will pay back those two females and they still get their full allocation of

males (5 males and 3 females). The system results in a less punitive quota reduction, but we have to protect females somewhere.

**[Denis]** – Further to Jason’s point, if we go back to the allocation of 10, if all what the community harvest from that year from their allocation is 6 females and zero males, the next year allocation will be 9 and they will not accumulate any male credits. So given that, which is what I think Jasmine explained, the bullet point that says male credits accumulate for the unused male portion of their allocation, could be revised to read male credits accumulate for the unused portion of the male allocation if the female were not overharvested. There is no scenario where male credits accumulate if females are overharvested.

**Q9. [Iglulik HTO]** – If [the community] were allocated 10 tags and all 10 tags were filled with male bears, for the next year would they be given different or their full allocation because they did not catch 50% female?

**[Caryn]** – The answer to this is yes, if you took all 10 males as your quota, you would not be penalized at all. The next year you would be given your full allocation again.

**[Jasmine]** – In this system, we say UP to 1:1 very specifically because this is a system that gives more control to HTOs and community preferences. We know some communities prefer more female bears, but some communities do lots of sport hunts and would prefer male bears. You can take UP TO 50% females, but you could take more males, whatever you prefer, 70% males, 100% males, as long as 50% females is not exceeded. It’s up to the community.

**Q10. [Michael]** – My question is regarding the same thing Jason raised. Credits will only accumulate less than the 50% female harvest. It does not say female credits will not accumulate; it says all credits will not accumulate. That is a double penalty because in the example that Paul gave earlier, if a community has a quota of 10 and they take 7 females and they stop the harvest, they have overharvested by more than 50% of the female but they have underharvested males by three. What this clause says is they won’t get any credits for the three males they didn’t harvest. They are going to be penalized the next year by having to give up 3 female tags on the next years quota assuming they have no female credits, and they are being penalized for being cautious by stopping the harvest and not harvesting 3 males. This is a double penalization as they are going to be penalized for the 3 females they went over and they are not going to get any credit for the three males they didn’t harvest, or two males if they went 3 over on the females. They should specify that female credits will only accumulate if a community harvests less than the annual allocation and does not exceed 50% harvest or you have to change where female credits accumulate and male credits accumulate because they are not independent. The first clause means that the male credit accumulation depends on what happens with the female harvest. I was confused by

Jasmine's explanation. It sounded like it was going one way in one part of her explanation and in a different way in another part of the explanation. I find it confusing.

**[Drikus]** – We made a note of that. I agree that this something, and that's the value of these consultations, is for people to bring these things up that we will look into. I think it needs a bit more clarification and if you guys can come up with a new recommendation on that, we will consider it.

**[Michael]** – I would just add the word female in front of credits in the first bullet that we were discussing and that would solve the problem.

**Q11. [Paul]** – These 1:1, want to make sure it's not breaking the NLCA, in terms of 5.6.48 of our claim, is it not a limitation. These sex ratios, is that going against the Nunavut Agreement? 5.6.48, I'll read it, under non-quota limitations, "Subject to the terms of this article the NWMB shall have the sole authority to establish, modify or remove from time to time and as circumstances require, non-quota limitations on harvesting in the Nunavut Settlement Area." I'm just wondering if this is going against the agreement. The sex ratio, is this a non-quota limitation?

**[Caryn]** – Thanks for your question, I think the easy answer to that is that this sex ratio that has been applied within the Nunavut Settlement Area was a decision that was made by the NWMB, so it follows the Nunavut Agreement decision process, and the onus is on the government of Nunavut to properly implement that decision made by the Board.

**Q12. [Iglulik HTO]** – Females are normally what causes overharvesting and going over tags, particularly females with cubs coming into the communities. Was there ever any considerations or thoughts into allocating special tags just for the purpose of females and females with cubs coming into the community? Before something bad happens like a mauling.

**[Drikus]** – There's never been consideration of additional tags but the increase of females in the harvest will hopefully offset that. What we've heard during consultation is that people were really upset about the 2:1 because a lot of females were harvested as defense of life and property kills, exactly as just mentioned. So, people wanted to go to a 1:1 harvest because it resulted in a significant reduction in their quota the next year, and it was usually, as I say, because of females harvested in defense of life and property. Hopefully, the increase in females in the quota will offset that. It has never been a consideration of setting additional tags aside for defense of life and property because under the management plan, all human caused mortality comes off the quota.

**Q13. [Cambridge Bay HTO]** – Using Viscount Melville credits, I want to know how you are going to put credits together, for instance, we have 3.15 male credits and 4.85 female credits. Can the .15 and the .85 be put together as one credit? If that would be possible, could it be for a male?

**[Jasmine]** – The .15 and .85 that you speak of, of course those were accumulated in the 2:1 system and under the Polar Bear Management Plan, communities have the option, if they so choose, to go back to that system, so we did not alter the credits and those decimals. At this time, male and female credits accumulate separately and are considered sex specific, so we don't have any plans to merge credits in any way.

**Q14. [Kugluktuk HTO]** – I want to throw this out there for quick information. On page 13, 5.9. I know I have a subpopulation that's jointly used interjurisdictionally with NWT. So, I just want to know that there's no way that I could surrender my credits to the NWT. We're in a unique situation in Kugluktuk and the NWT side, along with my credits and I know I have a huge number of credits, but I know some of the other outlying NWT HTOs are already using up their credits. I want to know that our credit system is grandfathered from the signing. So, are we in no way forced to give up our credits for that subpopulation of Beaufort Sea, am I correct?

**[Drikus]** – You are not going to lose them because we have a new management plan in place. Yes, it's grandfathered in those credits. Everybody that's got credits now will carry them over. Credits are only zeroed when a new population estimate is calculated, when there's been a new study, and the NWMB sets a new TAH.

**[Larry]** – Thanks for your quick answer. I just want to make sure I do not lose my credits because I know I have a high number and I just want to thank you for that answer, Drikus.

**Q15. [Denis]** – When Paul was talking earlier about the non-quota limitation, I just wanted to add to what you said Caryn. The reason that the NWMB is engaged in this process is that we've been talking today about things that constitute a restriction on harvest and that is why, and it is based on that article that you read that we engage in this process. Thank you.

**Q16. [Iglulik HTO]** – [Question about the collecting of polar bear feces.] Was that you guys (GN) because they haven't really heard back anything.

**[Markus]** – We had some collaborations with various universities, and they required to collect some feces samples from polar bears on the sea ice. That occurred over the last few years, but for this harvest season we're not collecting any poop anymore.

**Caryn thanked all the participants and acknowledged that the meeting was very productive. Let everyone know that a follow-up meeting will be set up to continue the conversation since everyone felt more time was needed.**

## Polar Bear co-management meeting re. HAACS – July 27, 2021

Called by: GN Department of Environment  
Start: 2:10pm  
End: 4:45pm

### **ATTENDEES:**

Caryn Smith (DOE)	Michael Ferguson (QWB)
Drikus Gissing (DOE)	Daniel Dylan (QWB)
Samantha-Shae Smuk (DOE)	Cambridge Bay HTO
Jon Neely (DOE)	Kugluktuk HTO
Robinson Orume (NWMB)	Baker Lake HTO
Paul Irngaut (NTI)	Cape Dorset HTO
David Lee (NTI)	Iglulik HTO
Clayton Tartak (KWB)	Resolute Bay HTO
Pamela Wong (KRWB)	Grise Fiord HTO
Ema Qaggutaq (KRWB)	Liitia Qiatsuk (Interpreter)
Kolola Pitsiulak (QWB)	

### **NOTES**

#### **Part 1:**

#### **Overview of changes to the HAACS document.**

These changes reflect the questions and feedback received at the April 1 virtual consultation.

- Definitions regarding “Base Allocation”, “Total Annual Harvest”, and “Recommended Quota” were revised and clarified
- Section 1: The up to 50% (1:1) female allocation is based on the community base allocation.
- Section 2: Language was changed for consistency.
- Section 3: Details were added for clarity.
- Section 4.4: The wording was changed from “Inuit Hunters” to “...people with assigned harvesting rights”.
- Section 4.5.3: This section was added as it is part of the MOU but was previously overlooked.
- Section 4.7: This section was added as it is part of the MOU but was previously overlooked. It will also be added to this section that a statutory declaration is acceptable as proof of sex where a baculum is missing and genetic material is not available for DNA testing.
- Section 5.4: Language was updated for clarity.

- Section 5.6 and below: Examples were added for clarity and understanding.
  - Language was updated to reflect that the female proportion of the recommended quota may exceed 50% if credits are added. Therefore, female overharvest occurs only if the total females harvested exceeds 50% of the base allocation or of the recommended quota for females.
- Section 6: Examples were added for clarity and understanding.
- Section 7: Language in 7.2 was replaced - “RWO advises lab or how floating tags are allocated”.

## Part 2:

### Feedback and Questions

**Q1. [Clayton]** – The GN has no authority as to how credits/TAH is allocated among communities. This is an RWO decision not a GN decision.

**[Caryn]** – It is an RWO decision to approve credits. Credits may be added to the credit bank to be used at a later time/in overharvest situation, OR the credits may be used to increase the TAH. It is the community’s decision as to how they want these credits allocated once they are approved.

**[Clayton]** – This is too complicated, the RWO should have the sole authority to distribute the credits among their HTOs as they see fit

**[Caryn]** – Credits are accumulated on a community-by-community basis. Credits accumulated belong to each community and should not be allocated to other communities without their permission.

**[Paul]** – In agreement with Clayton; RWOs should be allocating the credits to the HTOs. The NLCA does not discriminate between regional and community allocations therefor the RWOs have the authority to distribute credits as they see fit.

**[David]** – In agreement

**[Drikus]** – [Has a different interpretation] The GN has no interest in allocating credits, if the RWOs and HTOs want to allocate credits then take it forward to the NWMB and the GN will not oppose

**[James]** – [Agrees with Clayton and Paul but, is asking that the communities and the HTOs have input on the RWO and TAH allocations.]

**[Caryn]** - Consultations are needed to allocate TAH, this is not the responsibility of the RWOs.

**Q2. [James]** – How do floating tags work in MC? Especially considering their new ratio.

[Caryn] – [Advised James to have a discussion with the KRWB.] The floating tags in FB are not allocated until the decision is made by the RWO.

**Q3. [Paul]** – Asks for rewording of section 7 to replace the word “advise” with “tell”. Would like section to read:

“The RWO will **tell** the Polar Bear Laboratory annually of how they will allocate the floating tags for the next harvest season...”

**[Drikus]** – Is unopposed to this change. Suggests using “direct” instead of “tell” or “advise”

**[Pamela]** – Is in agreement with change

**Q4. [Pamela]** – Please comment on how this proposed document came to be? Should this not be under the jurisdiction of the RWOs?

**[Caryn]** – This document is being updated to replace the Flexible Quota system. The new Up to 1:1 harvest system was drafted after consultations with co-management partners. The flexible quota system was seen as too restrictive and complicated. This document was an improvement from the current interim document before submission to the NWMB.

**Q5. [Pamela]** – Regarding the credit process outlined in Figure 1: Does the GN have any input or is this all done between the RWOs and HTOs?

**[Caryn]** – There is no input from the GN. The decision is made by the RWOs and the Polar Bear Lab accounts administratively for the credits and does the tag distribution.

**Q6. [Mike]** – The QWB has 8 broad areas where they want (big) changes. Does not believe that the changes should be submitted to the NWMB because the NWMB has no jurisdiction.

**[Clayton]** – The GN did not accept any of the previous comments or changes suggested by the RWOs and is therefore infringing on Inuit rights. The NWMB should not have any review power. Credits should be dealt with by the RWOs and HTOs.

**[Mike]** – Regarding changes in the TAH, the RWOs could change this every year if they wanted to, the RWO retains power.

**[Drikus]** – The GN was directed at a national level to develop a PB management plan. The GN consulted with co-management partners to develop the MOUs. The key issues that were brought up were the Flexible Quota system and the restrictive 2:1 harvest ratio, and the loss of harvest opportunity due to female overharvest. Nunavut agreed to go to a up to 1:1 harvest system based on the feedback from consultations. Decisions were made with the [NWMB] and the board approved the up to 1:1. The GN is responsible for explaining how the harvest works in Nunavut through consultations like this one. The department has not received any comments from the QWB; please send them. If there are disagreements the NWMB makes the final decision.

**[Mike]** – The QWB offered feedback on the consultation process. They offered to complete and fund the consultations themselves. The response from the GN was either negative, or the GN did not address this offer at all. The QWB wants to work with the GN but does not feel like the offers they have made have been warmly received. The NWMB has no jurisdiction to make the final decision.

**[Caryn]** – Please submit these concerns and we will try to address them over the next week.

**Q7. [Resolute Bay]** – Concerned with the overharvest of males. This is a common trend for Resolute Bay, and they do not want to loose out on harvest allocation.

**[Caryn]** – The up to 1:1 harvest system is well suited for scenarios like this because up to 100% of the allocated can be male.

**Q8. [Mike]** – Wants to be able to change female credits to male allocation when requested by RWO.

**[Caryn]** – This is already addressed in the system. Once credits are added, section 3.1 applies.

**[Mike]** – Was not able to find this addressed in 3.1

**Q9. [Simon]** – IQ: The problem bears that were coming into town were made deaf by dogs and helicopters. They would then come into town and would not be deterred by warning shots because they were hard of hearing. He is seeing fewer problem bears and believes that they have been removed from the population for the most part.

**[Caryn]** – Thank you for the comment and sharing the knowledge.

**Q10. [Jacob IHTO]** – Regarding section 4.5.3, who is the wildlife management minister who approves this request?

**[Caryn]** – Applications are approved by the minister of the DoE, Joe Savikataaq. Applications are submitted through the local Conservation Officer and they will facilitate the request.

**[Mike]** – QWB staff is willing and available to assist HTOs complete the application or assist in the understanding of any of the rules.

**Q11. [Paul]** – Will the revised document take into account these changes, and will it be shared before submission to the NWMB? When can we expect this?

**[Drikus]** – Yes. The document needs to be submitted by August 6, 2021, but further comments can be directly submitted to the NWMB.

**[Clayton]** – The GN requested comments, but this is ultimately outside of the jurisdiction of the GN. It should be the RWO and HTOs makes these decisions.

**[Drikus]** – The GN is not trying to take on the role of the RWOs and HTOs, we are just explaining how the system works. Everyone is welcome to submit comments to the NWMB.

**Q12. [Arctic Bay HTO]** – Are naturally abandoned cubs accounted for in the TAH?

**[Caryn]** – No, they would be considered a natural death.

**Q13. [James]** – What is the rush? Why does the document need to be submitted by August 6? Because of the international polar bear committee?

**[Caryn]** – This document is not being submitted for any international purposes, it is only for the GN. The document and consultations have been ongoing for over a year. Through consultations, there were requests to replace the Flexible Quota system, and this document addresses that. This is purely for Nunavut and internal communities.

**[James]** – There is still room for improvement in the document and suggests that submission be delayed.

**[Clayton and Mike]** – Both in agreement.

**[Drikus]** – This had been ongoing to a long time. This is a positive change for the communities and is what they asked for. There are still NWMB consultations that need to be done as well. Will investigate his capacity to delay.