



MAR 04 2010

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MAR 04 2010

Re: Nunavut Wildlife Management Board Final Decision on the Total Allowable Harvest for the Baffin Bay Polar Bear Population.

- the Government of Nunavut (GN) formally commit to the design and implementation – in cooperation with affected Inuit organizations, to the extent possible - of a survey of the Baffin Bay polar bear population, for the purpose of producing an up-to-date population estimate in time for consideration for the 2014-2015 harvesting season, or earlier if possible; and
- in recognition that a lower TAH will increase the existing need for effective public safety measures, the GN commit to the implementation during fiscal year 2010-2011 of effective “Polar Bear Deterrent Plans” for the communities that harvest from the Baffin Bay polar bear population, with such plans designed in cooperation with those communities, to the extent possible.

Please be advised that pursuant to section 5.3.13(c) of the Nunavut Land Claims Agreement (NLCA), I hereby vary this decision. The decision, as varied, is that the TAH for BB will be reduced by 10 bears per year beginning in 2010-2011, and again reduced by 10 bears per year in each of the following three years, resulting in a TAH of 65 in 2013-2014. To be clear, I do not accept that the decision to reduce the TAH be conditional on a new population survey and polar bear deterrent plans.

Pursuant to the NLCA the NWMB has jurisdiction over many subject areas related to wildlife management, including the setting of TAH levels and other limitations. However, the NLCA does not allow the NWMB to make a wildlife management decision that is conditional upon the government implementing surveys or programs directed at areas outside the jurisdiction of the Board. The NWMB has the mandate to identify research requirements and "promote and encourage" research meeting those requirements, but not to decide that other agencies undertake specific projects.

While I do not recognize the ability of the NWMB to make a decision conditional on matters outside of its jurisdiction, I do agree that the proposed actions are appropriate. I am therefore prepared to have my department undertake similar projects as a matter of policy. In fact, preparations for both projects are already underway, as described below.

- We are developing new non-invasive research projects in an effort to come up with a new population estimate for the BB population by 2014. Community consultations to seek support from the BB communities took place in February 2010. With support and input from all stakeholders, we expect to be able to provide an updated population estimate for consideration in 2014-2015.
- The DOE Problem Wildlife Specialist is working with the Baffin Bay communities to develop and implement Polar Bear Deterrent Plans. Polar Bear Deterrent Plans have already been implemented in some communities, with full expectation that all Baffin Bay communities will have them in place in the very near future.

In addition to your decision, you have also provided a number of recommendations. I am pleased to inform or update you on the following initiatives that we are undertaking:

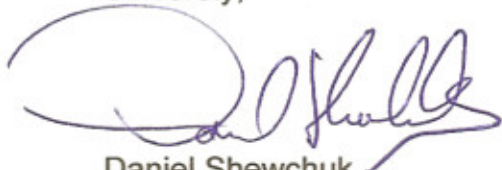
1. As I indicated in my December 11, 2009 letter, we are proceeding with the development of a program to provide financial and technical assistance for the protection of life and property from problem wildlife, and expect to be consulting with HTOs on this new program over the next few months;
2. Also as indicated in my December 11, 2009 letter, we are proceeding with the development of a second program that will provide compensation for qualified individuals who suffer losses from wildlife damage, and will be consulting with HTOs on this as well;
3. Implementation of the MOU signed with Greenland to coordinate management of this shared polar bear population is underway. Under the terms of the MOU, one of the duties of the Joint Commission is to

recommend each individual country's TAH level from the recommended total management unit TAH, and it is anticipated that these recommendations will be based at least in part on the recommendations of the User-to-User Working Group. The first meeting of the Joint Commission was held in February 2010, and the next Joint Commission meeting and first User-to-User meetings with Greenland will take place in June 2010.

4. Reviewing the target numbers for the BB population is a discussion that needs to be undertaken by parties to both the Baffin Bay Polar Bear MOU and the Canada-Greenland MOU, in conjunction a new population estimate. I will ensure this is raised at the next Joint Commission meeting and put on the agenda for the next User-to-User working group as well.
5. As I noted in my December 11, 2009 letter, the inclusion of Inuit Qaujimajatuqangit in wildlife research and management is an incredibly important but complex issue that will require significant effort to resolve. One of the recommendations of the March 2009 Wildlife Symposium was that a Wildlife Committee be formed from representatives of NTI, NWMB, GN and the three RWOs. I will commit to encouraging the on-going development of this committee, and the tasking of that committee with seeking resolution for this issue as an initial project.

Once again, I would like to thank you for your considered response. I recognize the difficult nature of the issue and appreciate the effort of the board in reaching its decision. I have full confidence that implementation of this decision, combined with projects already underway, will ensure the sustainability of the Baffin Bay polar bear population. I look forward to the continued cooperation of the Board in reaching effective management solutions for Nunavut's wildlife.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Daniel Shewchuk', with a large, stylized loop at the beginning.

Daniel Shewchuk
Minister of Environment