

NUNAVUT WILDLIFE MANAGEMENT BOARD

MINUTES: REGULAR MEETING No. 51

ARVIAT, April 24-26, 2007

Members and Staff Participating:

Joe Tigullaraq	Chairperson/CEO
Willie Nakoolak	Member
Harry Flaherty	Member
Robert Moshenko	Member
Kevin McCormick	Member
Makabe Nartok	Member
Pitseolak Alainga	Member
Jim Noble	Chief Operating Officer
Tom Demcheson	Director of Finance and Administration
Dr. Joe Justus	Director of Wildlife Management
Erin Calder	Wildlife Biologist
Paul Frame	Wildlife Administrative Biologist
Michael d'Eça	NWMB Legal Advisor
Evie Amagoalik	Interpreter
Marry Nashook	Interpreter
Adele Jones	Stenographer

Not Available:

Abraham Kaunak	Member
QIA Nominee	Vacant

Other Participants at Various Times:

Keith Pelley	Acting Area Director, DFO, Iqaluit
Sandra Courchesne	DFO, Iqaluit
Pierre Richard	DFO, Winnipeg
Dr. Ross Tallman	DFO, Winnipeg
Raymond Ningeocheak	NTI, Rankin Inlet
Gabriel Nirlungayuk	NTI, Rankin Inlet
David Lee	NTI, Rankin Inlet

Tuesday, April 24, 2007

1. Call to Order

The Chairperson welcomed the members, staff and guests to the 51st meeting of the NWMB in Arviat and had the meeting opened with a prayer.

2. Opening Remarks

The Chairperson noted that this meeting consisted of two parts, one being Regular Meeting No.51 and starting at 1:30 p.m. on Tuesday April 24th; the meeting would change to a Public Hearing on the Western Hudson Bay polar bear population. When the Hearing is completed, the Board will return to items on the Meeting 51 agenda.

3. Swearing-in Ceremony

At 9:00 a.m. Robert Moshenko, nominated by DFO and appointed by the Governor in Council to represent the public interest; was sworn in as a member of the NWMB by NWMB Legal Council, Michael d'Eça.

At 1:30 p.m. Willie Nakoolak, appointed by the Kivalliq Inuit Association; was also sworn in as a member of the NWMB by NWMB Legal Council, Michael d'Eça.

4. Agenda: Review and Approval

The Board decided (**Resolution 2007-055**) to approve the agenda as presented noting that the DFO presentations would be moved to first item on the agenda.

5. Declaration of Conflict of Interest

The NWMB's Legal Advisor gave a brief overview of the reason for having this item on the agenda. The Chairperson suggested that the "Code of Conduct" should also be discussed on a more regular basis, possibly at the beginning of each meeting similar to the Conflict of Interest guidelines.

6. Minutes: Review and Approval

6. A Regular Meeting 46, Churchill, June 6-8, 2006

The Board decided (**Resolution 2007-056**) to approve the minutes of Regular Meeting 46 conducted in Churchill, Manitoba June 6-8, 2006 as presented.

6. B Regular Meetings 47 through 50 were deferred to the next Regular Meeting.

6. C Conference Call 99, June 16, 2006

The Board decided (**Resolution 2007-057**) to approve the Minutes of Conference Call 99 noting that Robert Moshenko should be recorded as Nominee rather than Appointee.

6. D Conference Call 100, August 31, 2006

The Board decided (**Resolution 2007-058**) to approve the Minutes of Conference Call 100 noting that Robert Moshenko should be listed as Nominee rather than Appointee and that the minutes numbering be corrected.

6. E Conference Calls 101 through 107 were deferred to the next Regular Meeting.

7. Financial and Administrative Business

7. A 2007/08 Workplan and Budget Final Submission

This submission was provided for member's review in the Regular Meeting 50 binder in March; however NWRT Application review took longer than expected and this item was not discussed. Item was added to current agenda but deferred again due to heavy agenda.

8. Chairperson, Staff and Members' Reports

8. A Chairperson/CEO's Report

No report submitted.

8. B Chief Operating Officer's Report

The Chief Operating Officer reviewed his report with the members. No concerns were noted.

8. C Director of Finance and Administration's Report

No report submitted.

8. D Director of Wildlife Management's Report

No report submitted.

8. E Wildlife Management Biologist's Report

The Wildlife Biologist reviewed her briefing note with the Members. Concern was raised as to why time was being spent reviewing land use plans and research licences and permits when the Board had earlier agreed not to spend time on these

items. It was noted that this review was just to keep on top of activities and little time is actually spent in the review. The Director of Wildlife Management provided a brief review of how the NWMB staff is handling interjurisdictional agreements to ensure Board members are not compromised, COSEWIC status reports are also handled to ensure members are also not compromised by staffs actions.

8. F Wildlife Administrative Biologist's Report

The Wildlife Administrative Biologist reviewed his briefing with the members. No concerns were noted.

8. G NWMB Legal Advisor's Report

The NWMB Legal Advisor reviewed his report with the members. No concerns were noted.

8. H Members Reports

Harry Flaherty advised that he had attended a NAMMCO Marine Mammal Struck and Lost Workshop. He noted that participants had come up with a draft policy on struck and lost for future consideration. Harry also noted that he had attended Bilateral Consultations on the Atlantic Fisheries where discussions were held with regards to Shrimp, Turbot and Seals, Cod migration patterns and black spot disease. Harry noted that he would provide a written report on this meeting.

Robert Moshenko noted that he had been requested to sit on the International Polar Year (IPY) panel to review applications.

9. Assignments: Progress, Review and Discussion

The Chief Operating Officer reviewed the Task List with the members; various requests for clarification followed. With regards to Item 11 it was recommended that the COO contact the Department of Economic Development and suggest that work begin on a Draft Licensing Policy for Nunavut fisheries.

10. Environment Canada: Issues/Decisions

No submissions.

11. Fisheries and Oceans (DFO): Issues/Decisions

11. A Fish Salvage at the Meadowbank Gold Development Site

Sandra Courchesne reviewed the briefing note with the Members. It was noted that the project is moving into the regulatory approval process, including water licensing and federal authorization. Three lakes will be affected using a modified version of the

DFO "General Fishout Protocol for Lakes to be Lost Due to Mining." The NIRB review process noted consultations must occur with the relevant communities, HTOs and elders. NWMB's Legal Advisor noted that no protocol has been worked out with NIRB or NWB but this is a decision making item for the Board. The Director of Wildlife Management noted that the Board will need to make decisions on TAHs/BNLs on various water bodies in the near future. This project is a good chance to learn baseline information on lakes to assist in future decisions required by the Board. Board members agreed that staff should work with DFO to get as much data as possible from this fish out process.

11. B Fish Salvage at the Doris North Gold Development Site

Similar project to the Meadowbank site, further consultation with community will be required to decide how to distribute fish caught. It was further noted that NIRB has approved the fish out process in consultation with DFO.

11. C Greenland Halibut Management Plan

DFO reviewed the briefing note with Members, noting that the Board were presented with the Plan in February 2006. All parties sent their comments to DFO and they were incorporated in the Management Plan. DFO will seek a decision from the NWMB in June 2007. The NWMB's Legal Advisor noted that the Management Plan mentions sections of the NLCA and that NQLs are laid out on pages 35-38.

11. D Development of a Closed Area in Division 0A to Protect Narwhal Over-Wintering Grounds, Including Deep Sea Coral

DFO Staff reviewed the briefing note with Members. It was noted that the DFO and the NWMB created a zone in Division 0A restricting vessels to four (4) days fishing time in 1998. It is expected that narwhal spend time in this area diving for turbot; it is also a deep sea coral area. Up to 2005 harvests in this area were a relatively small percentage of the overall harvest. There is concern that trawling can disrupt the bottom both for turbot and coral and therefore, it would be better to protect this area. There also is concern with regards to lost gill nets in the area which might affect the habitat. DFO is proposing to close the restricted area to all groundfish fishing which would be in keeping with the precautionary approach to fisheries and ecosystem-based management. DFO will seek a decision from the NWMB in June 2007. Robert Moshenko requested that staff request a letter from BFC on this proposal.

11. E Licensing Process

DFO Staff noted that any person fishing for scientific purposes must have a scientific licence. In the past it has been up to the applicant to consult and get approval from the HTOs. This has lead to delays and certain instances to projects being cancelled. DFO is now planning to approve projects where it can be shown that the applicant has made attempts to contact and get approval from the HTOs. DFO, in these

cases, will now send a letter to the HTOs giving them 30 days to respond and if not the permits will be issued.

11. F Narwhal and Walrus Integrated Fisheries Management Plan Development

Sandra Courchesne reviewed the briefing note with the Members, noting that DFO has started the process for developing integrated fisheries management plans (IFMP) for Northern Hudson Bay narwhal, Gulf of Boothia narwhal and Northern Foxe Basin walrus. Participation of the various co-management partners is important to the development of these plans. DFO held meetings in Repulse Bay, Kugaaruk and Igloolik to discuss these plans and get comments from the co-management partners. DFO was planning to complete a first draft and to hold further consultations via conference call in June or July 2007.

11. G Conversion of Division 0A Greenland Halibut Fishery from Exploratory to Commercial

Again, DFO staff reviewed the briefing note with Members, noting that the exploratory fishery has taken place since 1996 in Division 0A. Catch information along with survey information from research over the past years; indicate that there is sufficient Greenland halibut in Division 0A to support a commercial fishery. Starting in 2007 it is DFO's intention to convert the fishery from an exploratory to a commercial fishery. Anyone receiving a licence with an allocation for Greenland halibut in Division 0A will be required to pay the prescribed access fee of \$55.50 per tonne of allocation received prior to fishing. Members questioned if this included both the offshore and inshore, the response was no because the inshore is exploratory. Staff questioned if the access fee funding could be used for research, but this was rejected due to recent court cases involving DFO using quota to pay for research. Further concerns were raised with regards to lateness in the year to impose this new rule.

11. H Quota Reconciliation Process for Greenland Halibut and Shrimp Fisheries

DFO advised that they had implemented quota reconciliation in a few fisheries during the 2005/06 fishing season. This process is designed to cover off inadvertent quota overruns at the end of the fishing season. Quota holders will receive notification of any quota overruns and have 30 days to reconcile these overruns. If the reconciliation process can not be completed in the time frame, adjustments will be made on a 1:1 basis from subsequent year's allocations. Stakeholders will be informed of the process and will be asked to submit any concerns by May 2007.

11. I DFO Science Renewal Initiative and the 5-Year Research Agenda

Ross Tallman reviewed this item with the Members, noting that the Department would like to change to an ecosystem approach for all issues. The Department is now developing a 5-year research agenda which will focus Arctic researchers at DFO. The Department plans to work closely with the DFO Area Office, plans to build

on the ongoing communications with the HTOs and RWOs including the use of traditional knowledge. Concerns were raised with regards to this realignment and whether DFO will still be able to provide the technical support the NWMB requires for making decisions. It was recommended that a letter be written to the Minister saying that this revision should not affect the overall ability to provide stock assessment information required for the Board decision making process.

11. J Whale Tracking and Dive Recording Projects

Pierre Richard noted that tracking and dive recording projects have been going on over the past years in Nunavut. In the fall of 2006 hunters captured a beluga near Repulse Bay that had two pins still attached in its back and had part of its tail missing. The prompted media reports and discussion in the RWO and HTO meetings and other fora. Motions followed disapproving of whale tagging and handling in Nunavut. This type of tagging has resulted in important information being provided on migration routes and wintering areas for beluga whales. This type of tagging is currently used throughout the Arctic as the most effective method of tracking animals. DFO is now concerned that future projects will be in jeopardy due to this media attention on the one whale. Discussion followed on concerns from the communities and possible alternatives. Pierre noted that he would prefer to continue with the old method while testing new methods as important data is being gathered with these projects.

11. K Whale Tracking and Dive Recording Workshop, Iqaluit March 15-16, 2007

Pierre Richard provided a brief report on the Whale Tracking and Dive Recording Workshop held in Iqaluit. Representatives of NIWS, KWB, QWB and NTI attended the workshop. Lists of conclusions reached at the workshop were reviewed. DFO is now asking the NWMB for advice on how to proceed further with the issue. DFO is also calling on the NWMB to facilitate and organize an expert workshop on new tagging methods.

12. Department of Environment (DOE Nunavut): Issues/Decisions

12. A Management Response to Conservation Concerns with the Western Hudson Bay Polar Bear Population

Tab 39 included the letter from the Minister of Environment, calling on the NWMB to make a decision on the Western Hudson Bay polar bear. This request is being submitted as a Ministerial Management Initiative as per Article 5.3.25 of the Nunavut Land Claims Agreement (NLCA). The tab also includes a background of why this decision is being requested and consultations conducted with the communities regarding this issue. Finally an Appendix 1 providing five (5) possible management options for the Board to consider. These documents were provided as background documents for the Public Hearing.

13. NWMB Internal Items: Issues/Decisions

13. A Walrus Sport Hunt Request 2007-11-12

A late application was received from Joe Netser of Coral Harbour on January 23, 2007. The Board decided (**Resolution 2007-059**) to approve the late application for a walrus sport hunt from Joe Netser of Coral Harbour for 10 walrus. The following conditions were assigned:

- Assignment to non-Inuit hunters to be done in writing.
- That the number of landed and struck and lost animals be reported to the NWMB at the time of application next season; and
- That the hunt be conducted according to the hunt plan submitted and the Coral Harbour HTA walrus hunting guidelines.

13. B Request from Arviat to Start Harvesting Five (5) Narwhal in 2007

Arviat currently does not have an allocation of narwhal to hunt and are requesting the opportunity to hunt five whales per year. The Department of Fisheries and Oceans suggests that this population is already over its sustainable harvest levels and that a further harvest of five by Arviat will cause a high risk of population decline. The Board decided (**Resolution 2007-060**) not approve the request of Arviat HTA for five (5) narwhal in 2007 as DFO is currently recommending a reduction in harvest. Further, that the Board staff write a letter to Arviat advising that their request is regrettably turned down, but offering the following;

- That the Board is committed to establishing a TAH/BNL system for narwhal; and
- That the Arviat HTA should approach the KWB and request a share of the current allocation of narwhal for the Kivalliq.

14. NTI Wildlife: Issues/Decisions

14. A Bowhead Whale Hunt Plan Guidelines

Gabriel Nirlungayuk reviewed the briefing note with Members. It was noted that a Hunt Plan is required by the co-management partners prior to hunt, as there is no standard format for this Plan, communities are often confused as to what is required. NTI has facilitated three Harvesting Techniques and Equipment Workshops and during these sessions, proposed guidelines were drafted. NTI is now asking that the Board consider these draft guidelines. Board Members reviewed the draft and posed various questions along with providing recommendations on additional information that might be of benefit. The NTI Biologist noted that new plan has a "Beach Master," position that was not in the plans for previous hunts. It was agreed that this Guideline is a template for the communities to follow and that the NWMB only approves the final community hunt plan for each hunt.

15. Application for Funding: Reviews/Decisions

No presentations made.

16. Other Presentations

No presentations made.

17. Executive Committee Report and Recommendations

No presentations made.

18. Meetings, Workshops and Other Pertinent Events

An Events Calendar was provided for Member's review.

19. In-camera Session

The Board moved (**Resolution 2007-061**) to go into an in-camera session.

The Board moved (**Resolution 2007-062**) to go out of an in-camera session.

20. Date and Location of Next Meeting

The Board decided (**Resolution 2007-063**) to conduct its 52nd Regular Meeting in Iqaluit the week of September 17, 2007.

21. Adjournment

The Chairman thanked members, translators and NWMB staff for their work in preparation for and at the meeting. The 51st meeting of the NWMB was adjourned.

Minutes approved by:


Chairperson

Nov 21/05
Date

RESOLUTIONS

Resolution 2007-055: RESOLVED that the NWMB approve the agenda as presented; noting that the DFO presentations would be moved to first item on the agenda.

Moved by: Kevin McCormick
Opposed (1) Harry Flaherty
Carried

Seconded by: Makabe Nartok

Date: April 24, 2007

Resolution 2007-056: RESOLVED that the NWMB approve the Minutes of Regular Meeting 46 conducted in Churchill, Manitoba June 6-8, 2006

Moved by: Pitseolak Alainga
Carried

Seconded by Makabe Nartok

Date: April 24, 2007

Resolution 2007-057: RESOLVED that the NWMB approve the Minutes of Conference Call No. 99 conducted June 16, 2006 with noted amendments.

Moved by: Harry Flaherty
Carried

Seconded by: Pitseolak Alainga

Date: April 24, 2007

Resolution 2007-058: RESOLVED that the NWMB approve the Minutes of Conference Call No. 100 conducted August 31, 2006 with noted amendments.

Moved by: Makabe Nartok
Carried

Seconded by: Kevin McCormick

Date: April 24, 2007

Resolution 2007-059: RESOLVED that the NWMB approve the late application for a walrus sport hunt from Joe Netser of Coral Harbour for 10 walrus. The following conditions were assigned:

- Assignment to non-Inuit hunters to be done in writing.
- That the number of landed and struck and lost animals be reported to the NWMB at the time of application next season; and
- That the hunt be conducted according to the hunt plan submitted and the Coral Harbour HTA walrus hunting guidelines.

Moved by: Harry Flaherty
Carried

Seconded by: Kevin McCormick

Date: April 24, 2007

Resolution 2007-060: RESOLVED that the NWMB not approve the request of Arviat HTA for five (5) narwhal in 2007 as DFO is currently recommending a reduction in harvest. Further, that the Board staff write a letter to Arviat advising that their request is regrettably turned down, but offering the following;

- That the Board is committed to establishing a TAH/BNL system for narwhal; and

- That Arviat should approach the KWB and request a share of the current allocation of narwhal for the Kivalliq.

Moved by: Pitseolak Alainga
Against (1) Harry Flaherty
Abstained (1) Pitseolak Alainga
Carried

Seconded by: Robert Moshenko

Date: April 26, 2007

Resolution 2007-061: RESOLVED that the NWMB move to an in camera session.

Moved by: Willie Nakoolak
Carried

Seconded by: Kevin McCormick
Date: April 24, 2007

Resolution 2007-062: RESOLVED that the NWMB close the in camera session.

Moved by: Pitseolak Alainga
Carried

Seconded by: Makabe Nartok
Date: April 27, 2007

Resolution 2007-063: Resolved that the Board decided to conduct its 52nd Regular Meeting in Iqaluit the week of September 17, 2007.

Moved by: Pitseolak Alainga
Carried

Seconded by: Makabe Nartok
Date: April 27, 2007