



OCT 30 2015

Mr. Ben Kovic
Chairperson of the Nunavut Wildlife Management Board
P.O. Box 1379
Iqaluit, Nunavut
X0A 0H0

Dear Mr. Kovic:

I am writing in response to your correspondence of September 4, 2015 to the Honourable Leona Aglukkaq, Minister of the Environment in which you invite interested organizations or persons to file written response submissions and supporting documentation concerning the proposed Nunavut Polar Bear Co-Management Plan by no later than 1700 h Eastern Time on October 30, 2015.

Detailed comments on the proposed Nunavut Polar Bear Co-management Plan (the Nunavut Plan) are enclosed together with supporting documentation. Below I provide more general comments on the Nunavut Plan's relationship to the federal *Species at Risk Act* (SARA) management plan and the implications for adoption of the Nunavut Plan, followed by comments on key sections of the Plan.

Relationship between the Nunavut Plan and the SARA Management Plan

The Background section of the Nunavut Plan states that it will form part of the SARA management plan. The polar bear was listed on Schedule 1 as a species of special concern in 2011. As such, the Minister of Environment Canada must post the management plan for the polar bear on the Species at Risk Registry. The SARA management plan for the polar bear is part of the Environment Canada's 3-year posting plan to address overdue recovery documents, and is scheduled for posting in 2016-2017.

Environment Canada has discussed preparation of the SARA management plan with the provinces and territories on several occasions. Since 2011, the polar bear management agencies have agreed that the SARA management plan should be composed of the approved National Polar Bear Conservation Strategy, along with the provincial, territorial and Nunatsiavut government management plans for the polar bear. The SARA management plan will also reflect input from the wildlife management boards and directly affected Aboriginal peoples. The SARA polar bear management plan will

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be an action-oriented document that identifies conservation measures needed to ensure that polar bear does not become threatened or endangered under SARA. Key elements of the SARA management plan include: species biology and needs, threats assessment and description, management objectives, broad strategies and conservation measures, and measures of progress.

In order for this approach to work, the provincial and territorial management plans must meet certain criteria under SARA. As it stands, this Nunavut Plan would require changes and additions in order for it to be adopted in the SARA management plan. In particular, under Section 69 of SARA (adoption of an existing management plan), the adopted plan must include adequate measures for the conservation of the species. Although Appendix C does identify some conservation measures, it is not central to the document and is prefaced by a statement that these directions "...are not to imply actions that will be undertaken." The Nunavut Plan should clearly identify conservation measures that address threats to the species. Harvest management may be the primary management strategy for polar bear in Nunavut, but conservation measures to address other threats and knowledge gaps should be articulated in the document given that the intent is to incorporate it into the SARA management plan. Furthermore, articulating how threats will be addressed in the Nunavut Plan will help strengthen Canada's ability to communicate internationally about why polar bear's current status under the Convention on International Trade in Endangered Species of Flora and Fauna (CITES) should be maintained. This is particularly important in the lead-up to the next CITES Conference of the Parties in September 2016, where a ban on commercial trade may be proposed by the United States.

Comments on Key Sections of the Nunavut Plan

Section 2. Guiding Principles

In reading the Nunavut Plan it is evident that it is intended to be responsive to new information and changing conditions. With this in mind, we propose the addition of the following principle:

Polar bear management in Nunavut should be adaptive and able to respond in a timely manner to new information and changing conditions.

Section 3. Goals of the Nunavut Plan

The goal of the Plan should be consistent throughout the document; currently there are a number of goals stated throughout. We suggest that an overarching goal

for the Plan be articulated in this section. It could be worded along the lines of:

To maintain a healthy and self-sustaining population of polar bears throughout Nunavut for current and future generations while allowing a sustainable harvest.

The other ideas presented in this section of the Nunavut Plan are already captured by the guiding principles and could therefore be deleted.

Section 6. Polar Bear Co-Management in Nunavut

In the past, each Hunter and Trapper Organization (HTO) signed a Memorandum of Understanding (MOU) with the Nunavut Government thereby committing them to undertake specific actions such as reporting polar bear kills and providing samples. Given that this Plan is to replace the MOUs, and contains harvest management and harvest monitoring objectives, how will it be implemented? Will the HTOs continue to have the roles and responsibilities they had previously under the MOUs?

This section recognizes the important role of Nunavut organizations such as Nunavut Tunngavik Inc. and the Nunavut Wildlife Management Board but fails to make any reference to Environment Canada or the Parks Canada Agency. There are significant federal land holdings and measures underway in the National Parks, National Wildlife Areas (NWA) and Migratory Bird Sanctuaries (MBS) to protect important polar bear habitat and minimize the impact of human-polar bear interactions on the population.

Section 7. Threats

This section currently presents polar bear conservation issues and challenges together. It is recommended that the threats assessment and description of the threats be separate from the challenges. The challenges should be presented in another section of the document. It is very important that the Nunavut Plan provide a thorough assessment and description of the threats. If possible, the threats should be presented in order of importance.

Section 8.2.2 Research

This section makes reference to compensation for damage to a hide or meat as a result of research activities and addresses the situation where a bear is killed in or during polar bear research activities by the Department of the Environment. It states that if a bear is killed it will receive a tag from the nearest community and that community will be

paid \$5,000 in compensation. The proposed Plan then states that the HTOs are encouraged to work out compensation packages with other researchers or companies that may be forced to destroy a bear in defense of life and property when the community reviews the research or development permits.

It would be useful if the Plan referred to the Environment Canada Impact and Benefits Agreement with Nunavut (Inuit Impact And Benefit Agreement-In-Principle For National Wildlife Areas And Migratory Bird Sanctuaries In The Nunavut Settlement Area) that compensates Inuit for emergency, accidental or illegal kills of bears in NWA and MBS. It stipulates that if, as the result of an emergency, an accident or illegal activity, a polar bear or a grizzly bear is killed in a NWA or MBS, or during travel to or from an NWA or MBS, the Canadian Wildlife Service of Environment Canada shall pay compensation to the HTO in the affected community for the tag or credit allocated for a bear. The current level of compensation is five thousand dollars (\$5,000) for each polar bear tag or credit forfeited by the community as a result of the bear kill, or in the case of grizzly bears, for each bear killed, within the specified time periods. It would be appropriate if this Agreement were referenced in the management plan.

Proposed new section: Actions Already Completed or Underway

The above heading is not in the proposed Plan but we think it would be beneficial for the reader if there was such a section. A lot of work related to the management and conservation of polar bears has already taken place or is ongoing. It would be helpful to have a high-level summary of existing initiatives. This is another element of the Nunavut Plan which if added would support Canada's ability to explain the current management system for polar bear in the CITES context.

Section 10. Plan Duration and Review

The proposed Plan states that it will direct management and improve the involvement and engagement of Inuit for seven years. After seven years, the objectives in the Plan will be reviewed with respect to the progress made. Where objectives have not been met, additional actions and new timelines may be identified.

Given the time and cost involved in producing a new Plan, and the pace at which actions will be undertaken and the effects of conservation and measures become evident, it is proposed that consideration be given to making it a 10 year plan with a review after 5 years.

The Plan states that an annual review on the Plan's specific progress and actions will be conducted by a committee composed of a representative staff member from each of

the co-management partners. While an annual review would be very useful, a less frequent review cycle may suffice. Under the federal SARA we monitor implementation of the federal management plan and assess its implementation every five years until its objectives have been achieved.

Review of the Plan would be more easily facilitated if it contained clearly articulated actions for each objective together with a timeline and output/outcome.

References

The document would benefit from having some key references to provide the reader with the source of the information.

In closing, I would like to commend the Nunavut Department of Environment for its effort to develop a polar bear management plan for the territory. With some revisions, I am hopeful that the Plan will satisfy the needs of the territory and also allow for incorporation into the national SARA management plan. I wish the Nunavut Wildlife Management Board well in completing its difficult work and finalizing a decision regarding this proposed Plan. I look forward to learning of the outcome of this written hearing.

Sincerely,

A handwritten signature in blue ink that reads "Sue Milburn-Hopwood". The signature is fluid and cursive, with the first name "Sue" being more prominent.

Sue Milburn-Hopwood
Director General
Canadian Wildlife Service
Environmental Stewardship Branch

Encl.

- 1) Detailed EC comments table
- 2) 2015 PBTC Assessment (referenced in EC comments table)

