www.nwmb.com

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Nunavunmi Anngutighatigut Aulapkaijitkut Katimajiat
Nunavut Wildlife Management Board

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Tammaqtailinahuarniriit anngutighat atuqhugit Inuit qaujimajatuqangillu ilihimaniillu ilitquhiannin
Conserving wildlife through the application of Inuit Qaujimajatuqangit and scientific knowledge

September 30th 2016

Honourable Dominic LeBlanc
Minister of Fisheries, Oceans and the Canadian Coast Guard
Government of Canada

Honourable Joe Savikataaq
Minister of Environment
Government of Nunavut

Cathy Towtongie
President
Nunavut Tunngavik Incorporated

James Qillaq
Chairperson
Qikiqtaaluk Wildlife Board

Jobie Attitaq
Chairperson
Ikajutit Hunters and Trappers Organization

Jimmy Pitseolak
Chairperson
Mittimatalik Hunters and Trappers Organization

Dear Colleagues:

Re: Public hearing of the Nunavut Wildlife Management Board to consider modifications to total allowable harvests for the Eclipse Sound and Admiralty Inlet narwhal management units

The Nunavut Wildlife Management Board (NWMB or Board) has scheduled a public hearing to consider modifications to total allowable harvests for the Eclipse Sound and Admiralty Inlet narwhal management units. Fisheries and Oceans Canada has submitted a *Proposal for NWMB Decision* (Proposal) requesting modifications to total allowable harvests for six narwhal management units.

Background

In August 2013, Fisheries and Oceans Canada conducted an aerial survey of the six narwhal summer aggregations in the Canadian high Arctic, producing updated abundance estimates for each stock. Fisheries and Oceans Canada used the results of this aerial survey to estimate new sustainable harvest recommendations for each of the six narwhal stocks. Fisheries and Oceans Canada's Proposal requests that the total allowable harvests for these six narwhal stocks be modified to equal those sustainable harvest recommendations, including total allowable harvests of 134 and 389 for the Eclipse Sound and Admiralty Inlet narwhal management units, respectively.

Please note that this public hearing will only address the proposed modifications to total allowable harvests for the Eclipse Sound and Admiralty Inlet narwhal management units. The NWMB will consider proposed modifications to total allowable harvests for the Somerset Island, East Baffin Island, Jones Sound, and Smith Sound narwhal management units through a separate written public hearing process.

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In-person public hearing details

The hearing will take place on November 28th and 29th, 2016 at the Atakkaalik Hall in Pond Inlet, Nunavut. The hearing will be conducted on each day from 9:00 am to 5:00 pm. In addition, the NWMB may hold evening sessions from 7:00 pm to 9:00 pm.

The Board is prepared to pay travel, accommodation, honoraria, and per diem costs for attendance by one (1) Qaujimaniliit and two (2) Hunters and Trappers Organization representatives (three (3) delegated in total) from the Ikajutit Hunters and Trappers Organization; and honoraria and per diem costs for attendance by one (1) Qaujimaniliit and two (2) Hunters and Trappers Organization representatives (three (3) delegated in total) from the Mittimatalik Hunters and Trappers Organization. Selection of those delegates will be decided by the Hunters and Trappers Organizations. If other representatives or Inuit harvesters wish to attend, the NWMB has no further funding available, but will, if requested and to the extent reasonably possible, make arrangements for attendance by teleconference at the hearing.

Attached to this letter are Fisheries and Oceans Canada's Proposal and the *Rules for the NWMB's Public Hearing to Consider Modifications to Total Allowable Harvests for the Eclipse Sound and Admiralty Inlet Narwhal Management Units*. These, along with a number of documents comprising the best available information to date, are available for download from the NWMB's website (www.nwmb.com) or by contacting the NWMB at the following address:

NUNAVUT WILDLIFE MANAGEMENT BOARD
3rd Floor, Ikaluktuutiak Drive
P.O. Box 1379, Iqaluit, NU X0A 0H0
Phone: (867) 975-7300
Fax: (888) 421-9832
Email: receptionist@nwmb.com

Through this letter, the NWMB is extending an invitation to your department or organization to provide written submissions and supporting documentation in response to Fisheries and Oceans Canada's Proposal, or otherwise concerning Eclipse Sound and Admiralty Inlet narwhal. Written submissions and supporting documentation must be filed with the NWMB, <u>in Inuktitut and English, by no later than 5:00 pm (Iqaluit time) on November 4th 2016</u>. The requirement for translation at time of filing is mandatory.

Subject to relevant confidentiality or privacy concerns, all submissions will be placed on the NWMB's website and will be available for download shortly after the submission deadline.

Please take careful note that, unless persuasive written and translated reasons are provided to the NWMB for late filing, the Board will not consider materials for this hearing that are not filed on time.

Written submissions and their supporting documentation may be filed with the Board in person, by courier or by mail. They should be clearly marked as pertaining to the *NWMB Public Hearing for Eclipse Sound and Admiralty Inlet Narwhal*. Delivery of the materials may also be made through fax or electronic transmission, but only if your department or organization confirms by phone with the NWMB, prior to the filing deadline, that a complete and legible copy of the transmission has been received by the Board. Materials are deemed to have been filed on the actual day of receipt by the NWMB. Please keep in mind that the more thorough, reliable, and persuasive submissions and supporting documentation are, the more weight they will be given by the NWMB in the *Nunavut Land Claims Agreement* decision-making process.

If you require any further information, please visit the NWMB website or contact the Board directly.

Sincerely,

Daniel Shewchuk
A/Chairperson of the
Nunavut Wildlife Management Board

c.c. Larry Dow, Director of Northern Operations, Fisheries and Oceans Canada;
Charlotte Sharkey, Fisheries Management Support Biologist, Fisheries and Oceans Canada;
Jeremiah Young, Fisheries Management Technician, Fisheries and Oceans Canada;
Paul Irngaut, Director of Wildlife and Environment, Nunavut Tunngavik Incorporated;
Janelle Kennedy, A/Director of Fisheries and Sealing, Government of Nunavut Department of Environment;
Maha Ghazal, Marine Mammal Advisor, Government of Nunavut Department of Environment; and
Jason Mikki, Qikiqtaaluk Regional Coordinator, Qikiqtaaluk Wildlife Board.

SUBMISSION TO THE

NUNAVUT WILDLIFE MANAGEMENT BOARD

FOR

Information: **Decision: X**

Issue: Modification to existing Total Allowable Harvest levels for Baffin Bay Narwhal Stocks and Narwhal in Jones and Smith Sounds, Nunavut and Approval of the Narwhal Flexible Quota System

Background

In August 2013, Fisheries & Oceans Canada (DFO) conducted the first within season aerial survey of the six Canadian narwhal summer aggregations in the high Arctic: Somerset Island stock, Admiralty Inlet stock, Eclipse Sound stock, East Baffin Island stock in the Baffin Bay population; and the Jones and Smith Sounds stocks near Grise Fiord (Figure 1). DFO Science used the results of this survey to estimate the abundance of narwhal and calculate Total Allowable Landed Catch (TALC) recommendations for each of these stocks (Table 1). In general, the 2013 abundance estimate for the Canadian high Arctic narwhal is higher than previous estimates with the exception of the Eclipse Sound stock, which saw a decrease of almost half from the previous 2004 survey (Tab 1- Abundance estimates of narwhal stocks in the Canadian High Arctic in 2013).

Science advice was also received on the sustainability of the "*flexible quota system*" that has been used on an interim basis since 2013. This flexible quota system allows for the carry-over of unused TAH to be used in the subsequent hunting season.

The science advice indicates that the flexible TAH system and tag transfer policy currently being used for narwhal is sustainable, as long as the total hunting mortality over the five-year period does not exceed five times the annual Potential Biological Removal (PBR) level (Tab 2- Sustainability of a Flexible System of Total Allowable Annual Catches of Narwhals).

Narwhal are designated as Special Concern by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). They are also listed on Appendix II of the Convention on International Trade in Endangered Species of Flora and Fauna (CITES) and a non-detriment finding (NDF) from the DFO Scientific Authority is required to obtain a CITES Export/Re-export permit for international trade of narwhal products from Canada. There is currently a standing positive NDF for all narwhal stocks in Canada.

Based on the lower 2013 abundance estimate for the Eclipse Sound narwhal stock, the existing Total Allowable Harvest (TAH) of 236 would need to be reduced to 134, in line with the new TALC advice, for the DFO Scientific Authority to issue a positive NDF finding for this stock and therefore maintain the ability to internationally export narwhal products harvested from the Eclipse Sound stock.

Community consultations on the Science advice for narwhal management

DFO conducted consultations with potentially affected Inuit on management options to implement the new science advice and the flexible quota system. The consultation process had two components: (1) in-person consultations with the communities of Arctic Bay, Pond Inlet, Clyde River and Qikiqtarjuaq April 18-22, 2016; and (2) written consultations with the remaining communities that harvest from the Baffin Bay, Jones and Smith Sounds narwhal stocks, as well as the Kitikmeot and Qikiqtaaluk Wildlife Boards.

DFO was seeking input on:

1. Proposed TAH modifications, specifically, ***to modify the existing TAHs for the Baffin Bay and Jones and Smith Sounds narwhal Management Units based on the 2013 survey results***; and
2. The formal implementation of the "narwhal flexible quota system" and tag transfer policy phase II (Tabs 2 and 3).

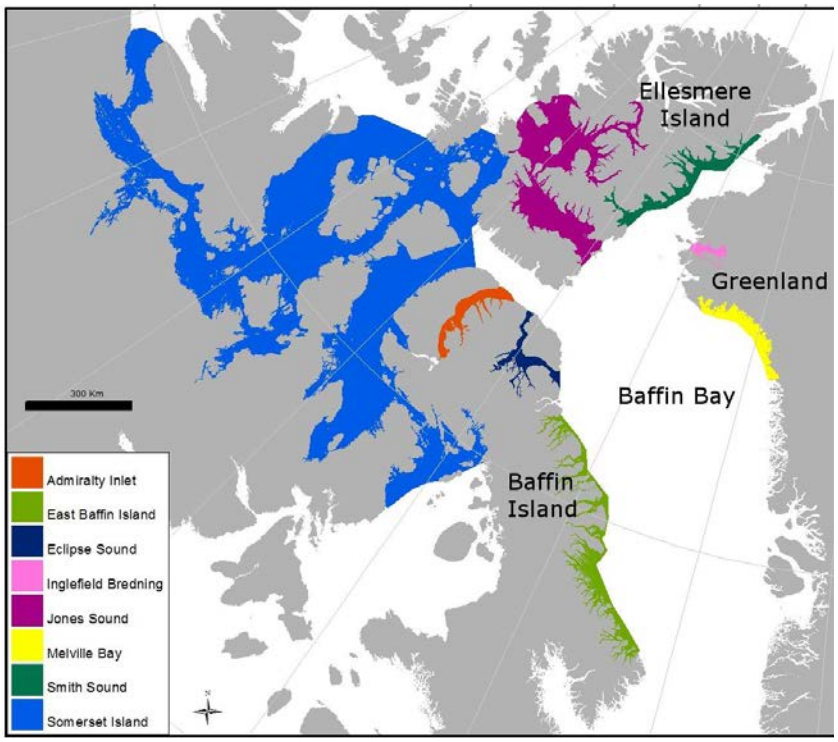

Figure 1. Map of High Arctic narwhal summer aggregations (source: NAMMCO/SC/21-JCNB/SWG/14-05).

Table 1. New Total Allowable Landed Catch (TALC) science recommendations for narwhal stocks based on the 2013 aerial survey results (CSAS SAR June 2015) in comparison to the current Total Allowable Harvests (TAH).

Narwhal Stock	Management Unit	Current TAH*	New TALC (TAH) Recommendations
Somerset Island	SI	532	**658**
Admiralty Inlet	AI	233	**389**
Eclipse Sound	ES	236	**134**
East Baffin Island	EBI	122	**206**
Unassigned	Jones Sound	50**	**76**
Unassigned	Smith Sound		**77**

* established by the NWMB in 2013 and approved by the Minister of DFO
** while there is no TALC, the Minister did approve a Total Allowable Harvest (quota) of 50 for both areas combined.

<u>In-Person Consultation Results</u> (included a meeting with the HTO and a public meeting in each community)

Modification of the TAH:

- The communities of Arctic Bay, Clyde River and Qikiqtarjuaq appeared to be in general support of the proposed TAH modifications for Admiralty Inlet and East Baffin Island narwhal stocks.
- The community of Pond Inlet did not support the recommended TAH modification for the Eclipse Sound stock.
    - The HTO suggested that the decrease in the abundance estimate for Eclipse Sound was a result of ship traffic, whales moving all over the place (including to Western Nunavut communities), and difficulty in counting submerged whales.
    - The community stated that the numbers of narwhal vary from year to year.
    - The HTO explained that there was a lot of movement by narwhal between Admiralty Inlet and Eclipse Sound and suggested that if the count had been done at a different time of year it is possible that there would have been a decrease in Admiralty Inlet and an increase in Eclipse Sound abundance estimates.
    - The HTO wanted to maintain the status quo (i.e. the TAH that was established in 2013) for a period of five years.

Implementation of the Narwhal Flexible Quota System:

- The were no concerns raised about implementation of the flex quota system from the communities of Arctic Bay and Pond Inlet;
- There appeared to be support for implementation of the flex quota system from the communities of Clyde River and Qikiqtarjuaq.

Implementation of Tag Transfer Policy Phase II:

- There were no concerns raised about implementation of tag transfer phase II from the communities of Arctic Bay and Pond Inlet;
- There appeared to be support for implementation of tag transfer policy phase II from the communities of Clyde River and Qikiqtarjuaq subject to support from QWB and DFO.

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora)

- *Arctic Bay, Clyde River, and Qikiqtarjuaq:* There were no concerns raised about these points during both the community and HTO meetings.
- *Pond Inlet:* The HTO said that Inuit are less concerned about selling narwhal products internationally and more interested in harvesting for food.

A full report on the consultation results can be found in TAB 4.

Written Consultation Results

DFO invited other affected HTO and community members to participate in the written consultation process by providing comments or concerns on the proposed TAH modifications and implementation of the flex quota system, by May 31, 2016 (Tab 5). The communities participating in the written consultations harvest from narwhal stocks where DFO is recommending an increase in the TALC/TAH.

DFO will provide additional information on the written consultation results at the NWMB's June 2016 meeting

Proposed changes to the current narwhal management regime

Changes to the current narwhal management regime are being proposed for the conservation of narwhal stocks and populations and to ensure that Inuit harvesting is restricted only to the extent necessary to achieve conservation purposes. This will provide for sustainable harvesting activities and the retention of associated economic opportunities. In addition, the formal implementation of the flex quota and tag transfer system will provide harvesters, HTOs and RWOs increased flexibility in harvest allocations and utilization.

Recommendations:

DFO is requesting approval from the NWMB on the following:

- Modify the existing TAHs for the Baffin Bay and Jones and Smith Sounds narwhal Management Units based on the 2013 survey results identified in Table 1 (NLCA s 5.2.33(d)).

- Formally approve the Narwhal Flexible Quota System and Tag Transfer Policy Phase II (NLCA s.5.2.33(k)).

The goal is to have a final decision approved by the DFO Minister and ready for implementation for the 2017 harvest season

TAB 1 – DFO Science Advice- Abundance estimates of narwhal stocks in the Canadian High Arctic in 2013.
TAB 2 – DFO Science Advice- Sustainability of a Flexible System of Total Allowable Annual Catches of Narwhals.
TAB 3 – Narwhal flexible quota system
TAB 4- Consultation Results – "What We Heard" Document
TAB 5- Written Consultation Letter

Submitted by:

Resource Management, Central & Arctic Region
Fisheries & Oceans Canada

Date: May 13, 2016

Rules for the NWMB's Public Hearing to Consider Modifications to Total Allowable Harvests for the Eclipse Sound and Admiralty Inlet Narwhal Management Units

September 30th 2016

THE PURPOSE of this Nunavut Wildlife Management Board (NWMB or Board) public hearing is to publicly consider modifications to total allowable harvests for the Eclipse Sound and Admiralty Inlet narwhal management units.

Fisheries and Oceans Canada has filed a *Proposal for NWMB Decision* (Proposal), requesting modifications to total allowable harvests for six narwhal management units. Please note that this public hearing will only address the proposed modifications to total allowable harvests for the Admiralty Inlet and Eclipse Sound narwhal management units. The NWMB will consider proposed modifications to total allowable harvests for the Somerset Island, East Baffin Island, Jones Sound and Smith Sound narwhal management units through a separate written public hearing process. The Proposal, along with other documents comprising the best available information to date, is available for review or download from the NWMB's website (www.nwmb.com).

HEARING RULES:

1. The hearing shall be open to the public, with notice provided to the public at least sixty (60) days prior to the commencement of the hearing. Part of the hearing may be conducted in camera, where the NWMB considers that confidential or sensitive matters may be disclosed or discussed.
2. Any interested person or body may file with the NWMB a written submission and supporting documentation[1] in response to Fisheries and Oceans Canada's Proposal, or otherwise regarding Eclipse Sound and Admiralty Inlet narwhal – duly translated into Inuktitut or English as the case may be – by no later than 5:00 p.m. (Iqaluit time) on November 4th 2016.
3. Unless persuasive written and translated reasons are provided to the NWMB for late filing, the NWMB will not consider materials for this hearing that are not filed on time.
4. The requirement for translation of submissions and supporting documentation filed with the NWMB does not apply to individual members of the public.
5. For all others who file supporting documentation with the NWMB, the requirement for translation does not apply to such documents over ten (10) pages in length, as

[1] "*Supporting documentation*" refers to one or more studies, articles, opinions or other documents separate from a person's or organization's written submissions, filed as additional evidence and/or argument in support of that person's or organization's submission.

long as each supporting document that is not translated is accompanied by a concise, translated summary (English and Inuktitut) at least two (2) pages in length.

6. The NWMB shall ensure that all materials filed with it or produced by it are made publicly available, subject to relevant confidentiality or privacy concerns.
7. The NWMB shall provide simultaneous English and Inuktitut translation at the hearing, to the extent reasonably possible.
8. A quorum of NWMB members shall be present at the hearing.
9. Any representative or agent of the Government of Canada or Government of Nunavut, any Hunters and Trappers Organization or Regional Wildlife Organization and any Inuk shall be accorded the status of party at the hearing.
10. Unless invited by the NWMB to be a party, any other person or body wishing to be named as a party by the NWMB shall make an appropriate request in writing to the NWMB.
11. All parties and other participants at the hearing are required to treat one another and the NWMB with respect.
12. The NWMB shall provide a reasonable opportunity for oral presentations from each of the parties at the hearing by their choice of official, expert or counsel.
13. Any member of the NWMB, the NWMB's Directory of Wildlife or the NWMB's Legal Counsel may ask relevant questions of any other party at the hearing.
14. Any party may ask relevant questions of any other party at the hearing.
15. The NWMB shall provide members of the public in attendance at the hearing a reasonable opportunity to make statements and to ask questions of the parties and the NWMB.
16. Every person at the hearing wishing to speak or ask a question shall raise his or her hand, and shall only speak once the NWMB Chairperson has recognized him or her.
17. The NWMB Chairperson reserves the right to place reasonable time limits on presentations, statements and questions.
18. The NWMB shall make an audio recording of the hearing available upon request.