

NUNAVUT WILDLIFE MANAGEMENT BOARD

Minutes: Regular Meeting No.66

Iqaluit, December 8th – 9th , 2010

Members and Staff Participating:

Willie Nakoolak	A/Chairperson
Robert Moshenko	Member
Peter Awa	Member
Joannie Ikkidluak	Member
Peter Kusugak	Member
Peter Qayutinuak Sr.	Member
Harry Flaherty	Member
Jim Noble	Chief Operating Officer
Dave Rogers	Director of Finance and Admin
Robert Kidd	Director of Wildlife Management
Adam Schneidmiller	Wildlife Management Biologist
Rebecca Jeppesen	Wildlife Management Biologist
Lesley Farrow	Wildlife Management Biologist
Evie Amagoalik	Interpreter
Lazarus Arreak	Interpreter
Michael d'Eça	NWMB Legal Advisor

Not Available:

Chairperson	Vacant
CWS Appointee	Vacant
Mikidjuk Akavak	Chief Executive Officer

Other Participants at Various Times:

Charlotte Sharkey	DFO, Iqaluit
Tara Bortoluzzi	DFO, Iqaluit
Gabriel Nirlungayuk	NTI, Rankin Inlet
Glenn Williams	NTI, Iqaluit
Paul Irngaut	NTI, Iqaluit
Drikus Gissing	GN-DoE, Iqaluit
Sarah Medill	GN-DoE, Igloodik

1. Call to Order and Opening Preliminaries

The A/Chairperson called the meeting to order at 9:00am, welcomed Board Members, staff and guests, to Regular Meeting No.66. Joannie Ikkidluak was called on to open the meeting with a prayer.

2. Agenda: Review and Approval

The Board decided (**Resolution _____**) to adopt the agenda for Regular Meeting No. 66.

3. Fisheries and Ocean (DFO): Issues/Decisions

3. A Update on Entrapment of Beluga in Cumberland Sound

DFO presented the informational briefing note.

It was noted that DFO, in cooperation with Hunters and Trappers Organizations (HTO), follow the 2001 draft “Action Plan for Trapped Whales” in situations where whales appear to be entrapped. The Board was informed that on August 31st 2010, the Pangnirtung HTO reported an entrapment of 3 beluga whales in Targioyak Fiord and 4 beluga whales in Kangiqturjuarlaaq Fiord.

The Board was informed that as per the draft “Action Plan for Trapped Whales”, DFO and the Pangnirtung HTO agreed that the whales would be left over several high tide cycles to see if they would leave the area independently. On September 15th 2010, DFO recommended to the Board that a herding attempt should be attempted on September 23rd; however the Board was informed that due to staff absences in the HTO office the herding attempt could not be planned. DFO indicated that it conducted an aerial survey in early October 9 in which one whale was still in the Fiord. Due to the circumstances, the HTO requested that the one whale be harvested for humane reasons and this request was approved by the NWMB on October 27th, 2010. It was indicated that for the Kangituarjuarlaaq Fiord entrapment, the whales were no longer present in the Fiord in mid-October based on a DFO aerial survey and communication from the HTO.

The Board was informed that due to the timing and bad weather conditions, the HTO decided to not proceed with the humane harvest of the whale at Targioyak Fiord.

Harry Flaherty requested clarification as to what policy or protocol is currently in place to deal with the entrapment of whales in Nunavut. DFO responded by indicating that the draft “Action plan for Trapped Whales” is currently the policy being used and that DFO is currently developing a regional response plan for entrapped whales. Harry Flaherty followed up with the question as to when the regional response plan would be submitted to the Board. DFO responded by indicating that they are currently gathering material and then DFO would be developing a working group to proceed with the development of a regional response plan.

NTI noted concerns from the Pangnirtung HTO that the process was too slow and that the HTOs position is that they will no longer inform DFO anymore. NTI asked what DFO’s position was if they proceed with the harvest without contacting DFO. DFO responded by indicating that they are aware of the HTOs concerns and that they are currently meeting with the HTO on the Cumberland Sound Management Plan to address the concerns; in addition DFO indicated that the HTO’s are required to report entrapments.

3. B Walrus Sport Hunt Reporting for 2010

DFO presented the informational briefing note.

DFO provided an update on the walrus sport hunts for 2010, specifying that the NWMB approved the following allocations for 2010: 15-Hall Beach; 6-Henik Lake Adventures, Arviat; 8-Adamie Keatainak, Salluit, Quebec; 12-Aaron Emiktowt, Siku Tours, Coral Harbour; and 12-Luke Eetuk, E & E Outfitters, Coral Harbour. DFO indicated that as of November 1st 2010, 5 licences were issued to E & E Outfitters and 7 to Siku Tours; indicating that a total of 8 walrus were harvested, and 4 hunts were unsuccessful due to bad weather and did not occur. The Board was informed that the licences were not issued for the remaining allocations.

DFO indicated that in 2010, walrus sport hunt reporting cards were developed and implemented for the first time and that there was a 100% return rate. DFO specified that the hunt report cards were successful in reporting all struck, loss and landed information and that the number of strikes reported ranged from 2 to 15 per walrus, no walrus were lost, and there was a report that three of six walrus killed were left behind due to suspicions of the meat being contaminated with *Trichinella*, although no samples were collected to confirm *Trichinella* contamination.

Robert Moshenko referred to the briefing note that specified that in 2008 DFO advised the NWMB that it was not possible to recommend sustainable harvest levels for walrus in Nunavut until more up to date estimates of walrus population sizes and better harvest reporting was provided by hunters, ask whether DFO was recommending not to continue walrus sport hunts. DFO responded by indicating that the allocation of sport hunts are within the current quotas and limitations.

Harry Flaherty asked whether DFO was making recommendations for Board decision. DFO responded by indicated that they were asking the Board to encourage the further use of the walrus sport hunt cards and to defer considerations of walrus sport hunting to the Baffin Bay and Foxe Basin Walrus Working Groups which would consider strike limits, humane harvesting, animal wastage and the role of the outfitter. Michael d'Eca indicated that the NWMB cannot delegate its authority to others unless it states in the NLCA, specifying that the Working Group could be advisory bodies.

3. C Development of a Coral and Sponge Conservations Strategy for Newfoundland, Labrador and Eastern Arctic Waters.

DFO presented the informational briefing note.

DFO informed the Board that they are working towards the development of a coral and sponge conservation strategy for Newfoundland, Labrador and Eastern Arctic waters. The strategy would describe the impacts to, state of knowledge of, and conservation efforts for corals and sponges along with identifying conservation, management and research objectives and outline the actions to achieve these objectives. DFO indicated

that they were planning information sessions in the fall and winter with key stakeholders to provide information on the strategy and identify initial concerns.

Michael d'Eca indicated that the strategy would require an NWMB decision as per S 5.2.34 of the NLCA. Jim Noble requested what the impact of the strategy would be on the commercial fisheries. DFO responded by indicating that there could be some restrictions however at the current stage DFO is only having discussions about the state of knowledge and it's too early to provide specific impacts to the commercial fisheries. DFO indicated that they were being proactive due to expected concerns from environmental groups.

3. D Information regarding the possible addition of the Acadian Redfish (*Sebastes faciatius*) and the Deepwater Redfish (*Sebastes mentella*) to the List of Wildlife Species at Risk on the Species at Risk Act

DFO presented the informational briefing note.

DFO indicated that it was informing the Board as per clause 3.3 of the SARA/NLCA MOU of the COSEWIC assessment results for the Acadian Redfish and Deepwater Redfish. Both species were assessed by COSEWIC as "threatened". DFO specified that it was not intending to move forward with the listing consultations for these two species until an MOU is developed to harmonize the SARA listing process and the Nunavik Inuit Land Claims Agreement.

Michael d'Eca requested what the status was of the development of the MOU with Nunavik. DFO responded by indicating that they would find out the status of the MOU and provide an update to the NWMB.

3. E Cumberland Sound Turbot Management Area (CSTMA) 2010 Greenland Halibut (turbot) fishery update

DFO staff presented the informational briefing note.

DFO indicated that there have been a number of concerns with the CSTMA fishery, in particular pertaining to high Greenland Shark and Arctic Skate by-catch, independent observer coverage and problems with Vessel Monitoring systems. DFO indicated that there is a need for all partners to work together towards resolving the issues to ensure that the fishery is sustainable. To achieve this DFO informed the Board that it they were planning to initiate an annual post-season review meeting with industry and co-management partners. DFO recommended that the NWMB support the initiative through the participation of its Wildlife Management Biologist in the post-season review meeting.

3. F Vessel Monitoring System transponders in the Nunavut Settlement Area

DFO presented the request for decision briefing note.

DFO informed the Board that it is a licence condition that vessels have a DFO-approved VMS transponder installed on the vessel to allow the uploading of the location of the vessel to satellites which allows the vessel to be monitored by DFO Fishery Officers. The licence conditions indicate that if the VMS becomes inoperative the vessel has to stop fishing. DFO indicated that the vessels in Cumberland Sound in 2010 experienced problems with their VMS transponders. Upon investigation DFO found that some of the VMS transponders do not work well when vessels are north of 50-60° N because the satellites are located at the equator and do not have good coverage in the north. Another issue is that VMS transponders break down and the vessels are required to go to port and have them fixed.

DFO provided the following recommendations to the NWMB for consideration:

- 1) that the NWMB establish a non-quota limitation (NQL) requiring that vessels planning to operate within NSA waters be outfitted with a VMS transponder that has greatest coverage in the north;
- 2) that the NWMB establish a NQL requiring that vessels planning to operate within NSA waters carry two VMS transponders in case of one breaks down. VMS transponders cost in the range of \$500-1000, and purchasing an extra one would be much less expensive than expending fuel to go to port to have it fixed;

Michael d'Eca requested whether the licence condition was in place prior to 1993, therefore being deemed to be set by the NWMB as per the NLCA. DFO responded by indicating the licence has been in place for a long period of time but DFO is trying to put in a clearer condition. Michael d'Eca also indicated that any harvesting limitation needs to proceed in a fair manner, including notice and adequate time to respond, and that DFO has an obligation to consult with industry on the proposed limitation. DFO responded by indicating that it was looking at sometime in March would be a forum for consultation. Michael d'Eca indicated that if the NWMB was to proceed it would want to see the results of that consultation.

The decision was deferred to In-camera meeting No. 12.

3. G Admiralty Inlet Narwhal: 2010 Aerial Survey Update and plans to develop an Integrated Fisheries Management Plan (IFMP)

DFO presented the informational briefing note.

DFO informed the Board that it had recently completed a narwhal survey of the Admiralty Inlet summering stock and that analysis of the data was being completed. DFO advised the Board that a revised abundance estimate and sustainable harvest advice would be forwarded to the Board once DFO's internal peer review process was completed.

The Board was also informed that DFO is in the process of developing an Integrated Fisheries Management Plan (IFMP) for Admiralty Inlet narwhal and that the working group was expecting to hold its first meeting in January 2011.

Robert Moshenko indicated concerns with DFO's peer review process in that results from research are delayed for long periods prior to being released. DFO responded by indicating that the survey results were a high priority and would be available in the summer of 2011 or at the latest in the late winter 2011 / early spring 2012. Glenn Williams indicated that the IFMP appears to be applying the summering stock approach to management of narwhal and asked if the management approach had been brought to the NWMB for decision prior to being applied to the NDF assessments. DFO responded by indicating that they have provided the NWMB information and are currently waiting for the NWMB to make decision. Glenn Williams requested as to what consultation has taken place on changing from two stocks to numerous summering stocks and what was the process for moving forward. DFO responded by indicating that if DFO is to go ahead to develop management plan recommendations there is a need for an NWMB decision and that this should be done in collaboration with all co-management partners.

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

4. A Verification and documentation process for defense kills

GN-DoE presented the informational briefing note

GN-DoE informed the Board that the NLCA and Wildlife Act (Nunavut) allow individuals to kill wildlife in defence of life and property (NLCA section 5.6.52 and Wildlife Act section 97) and outlined the process of how defence kills are investigated and managed for polar bears.

Harry Flaherty requested what the total number of defense kills were last year and if any charges were laid. GN-DoE responded by indicating that in 2009-2010 there were 41 defence kills/problem bears and that no charges had been laid. Robert Moshenko asked how it is determined what is a legitimate harvest for a defense kill indicating that he had hunter indirectly that hunters are stretching the use of legitimate harvest. GN-DoE responded by indicating that it is very difficult to determine if it is or not a legitimate defense kill, however noting that every bear killed comes off the allocation so it is accounted for.

4. B Interjurisdictional agreement between Nunavut and Manitoba for the Western Hudson Bay Polar Bear Population

GN-DoE presented the informational briefing note

GN-DoE indicated that the interjurisdictional agreement process has been ongoing since 2005 with the Government of Nunavut, Manitoba and Parks Canada (due to the population occurring in Wapusk National Park). It was indicated that there is presently no harvesting of polar bears in Manitoba, however Manitoba is currently negotiations for the Kivahiktuq Settlement Area which may impact the management of the Western Hudson Bay polar bear subpopulation. GN-DoE expressed to the Board that it will continue to work with Manitoba to identify the best way of moving forward.

Michael d'Eca noted that the NWMB has a role in domestic interjurisdictional agreements as per the NLCA. GN-DoE responded by indicating that the Government of Nunavut is aware of the NWMB's role and the plan is to bring the agreement to the NWMB once consultations are completed. Furthermore, GN-DoE indicated that there are ideas among all parties to just work on the National Polar Bear Conservation Strategy.

4. C Wildlife Damage Compensation Program

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that the loss of property to wildlife damage has direct impacts on harvesters in Nunavut, and that the GN is committed to providing assistance through a new wildlife damage compensation program. However, GN-DoE expressed that the program will take into consideration the role of accepted best practices to encourage pro-active efforts to prevent damage. GN-DoE indicated that they are launching a program which will provide harvesters with information, training, and equipment aimed at using best practices to prevent damage caused by wildlife.

GN-DoE indicated that the program manuals and guidelines have been drafted and consultation will proceed in the fall/winter. GN-DoE informed the Board that the program was expected to be available to harvesters on April 1st, 2011.

Paul Irngaut requested what the budget was for the program. GN-DoE responded by indicating that it was currently \$100,000, however the department was looking for further funding. Robert Moshenko requested what was meant by the term property. GN-DoE responded by indicating that property was determined based on best practices and guidelines were currently being developed to provide further clarity. Michael d'Eca requested what the timeline was from when an applicant submitted an application and then receiving the funds. GN-DoE responded by indicating that it was approximately 60 days.

4. D Wildlife Damage Prevention Program

GN-DoE presented the informational briefing note.

GN-DoE informed the Board of the development of a "Wildlife Damage Prevention Program" which is intended to both increase awareness on the alternatives available to prevent conflict or deter bears, and make these alternatives accessible and affordable. GN-DoE indicated that the program would consist of a fund as well as technical advice and assistance, which would include assistance with the purchase, installation, and operation of detection and protection systems including electric fencing, bear resistant containers, deterrents, higher grade construction material, wire for cache protection, etc.

GN-DoE indicated that consultations would occur in the fall/winter and that the program was expected to be available prior to April 1st, 2011.

Joannie Ikkidluak asked what was IQ's involvement in the program. GN-DoE responded indicating that they were currently awaiting feedback from communities on the viability of some of the prevention program initiatives. Michael d'Eca requested how much funds were available and what the application procedure was. GN-DoE indicated that the program was approximately \$100,000, however there may be some re-profiling in the budget and more funds may be available, and that the application process was still being developed.

4. E Community Polar Bear Management Plans

GN-DoE presented the informational briefing note.

GN-DoE indicated that the "Community Bear Management Plans" have two primary goals: (1) to ensure that there is clarity on roles and responsibilities relating to patrol and deterrent activities; and (2) to identify areas and activities that have potential of creating bear – human conflicts, and outlining actions to remove or reduce the potential. GN-DoE informed the Board that the plans are developed with input from GN-DoE., Hunters and Trappers Organizations and other members of the community which may interact frequently with bears.

GN-DoE informed the Board that the communities will higher bear problems have a draft community bear plan or have had a meeting to initiate the process, which include Resolute Bay, Arviat, Qikiqtarjuaq, Pond Inlet, Clyde River, Igloolik, Hall Beach, Rankin Inlet, Whale Cove and Chesterfield Inlet.

4. F DOE Wildlife Deterrent Specialist

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that in order to adequately address the issues regarding wildlife-human conflict in Nunavut, GN-DoE created a full-time Wildlife Deterrent Specialist position, in which the primary goals of the position are to: (1) develop community based approaches to minimizing human-bear interactions and guide appropriate responses to bear conflicts; (2) increase public awareness of bear safety and how to minimize conflicts; (3) improve the availability of deterrents to Nunavummiut; and (4) monitor problem bear activity and research causes and solutions.

GN-DoE indicated that the position has been filed since September 2008 and has achieved the following goals: (1) Community Bear Plans have been initiated in 10 of 25 communities and the remaining communities are to be completed by 2011; (2) 4 public awareness posters on bear safety produced in Inuktitut, English, Inuinnaqtun and French; (3) pilot bear safety workshops held in Igloolik, Kimmirut, Arviat, and Rankin Inlet; (4) information packages on detection & deterrent equipment and other safe camping and property protection measures; (5) testing of equipment to complement traditional activities; (6) development of Wildlife Damage Prevention Program; (7) development of compensation program; and (8) ongoing data collection and reporting on human-wildlife conflicts in Nunavut has enabled tracking and monitoring of conflict incidence.

4. G Planned 2011 Aerial Survey of the Western Hudson Bay Polar Bear Population

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that the last mark-recapture estimate of the Western Hudson Bay polar bear subpopulation was done in 2004 by Environment Canada. GN-DoE also informed the Board that they were working with EC to update the population estimate by incorporating new mark-recapture data collected between 2004 and 2010 and that results would be available in the spring of 2011.

GN-DoE informed the Board also of the results of the 2010 pilot aerial survey conducted for the Western Hudson Bay polar bear subpopulation and indicated that a full report of the results of the survey would be provided to the Board in 2011.

4. H Development of new methods to survey polar bear populations

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that until recently mark-recapture has been the method used to assess polar populations in Nunavut, however GN-DoE indicated that it has been developing alternative methods for surveying polar bear populations, in response to (a) public concerns surrounding the capture and handling of bears; and (b) the need to develop methods of monitoring that are less costly and quicker than mark-recapture, thereby allowing more frequent or rapid assessment of populations.

GN-DoE indicated that they have been testing three alternative methods to mark-recapture: (1) aerial surveys; (2) biopsy marking (genetic mark-recapture); and (3) radio-frequency identification (RFID) tags.

Robert Moshenko asked whether aerial surveys were a successful research method. GN-DoE responded by indicated that they were working with distance-sampling and based on test surveys it could be a reliable method. Robert Kidd requested what the cons were for biopsy darting. GN-DoE responded by noting that harassment and recovery of darts were issues but that the method had not been looked at close enough.

4. I Implementation of the Canada – Greenland Memorandum of Understanding for shared polar bear populations

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that the Baffin Bay and Kane Basin polar bear subpopulations are shared between Nunavut and Greenland. GN-DoE indicated that Canada and Greenland signed a Memorandum of Understanding for the Baffin Bay and Kane Basin populations in 2009 to bring Canada and Greenland into compliance with the International Agreement for Conservation of Polar Bears and their Habitat and a Joint Commission was established.

GN-DoE specified that the Joint Commission met in February 2010 in which management objectives, harvest levels and research plans were discussed and in which a high priority was placed on updating the population size and status information for Baffin Bay. GN-DoE informed the Board that all parties are undertaking the necessary actions to implement the Memorandum of Understanding.

4. J Efforts to include Inuit Qaujimajatuqangit in wildlife research and Management

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that the department uses both Inuit Qaujimajatuqangit and science in management and research of wildlife. GN-DoE indicated that the definition of IQ includes: (1) Inuit Traditional Ecological Knowledge; (2) Inuit Ecological Knowledge; (3) Inuit public opinion; and (4) Inuit values; and is mandated through Tamapta and the Nunavut Land Claims Agreement.

GN-DoE specified that it had provided funding for IQ research on polar bears in Baffin Bay, Foxe Basin and Davis Strait and has made a commitment to working with the NWMB, NTI and the affected communities to develop further traditional knowledge/IQ studies and to find ways to better include IQ in wildlife management decisions.

4. K Polar Bear Inter-Jurisdictional Agreement between Nunavut and the Northwest Territories for the Northern Beaufort Sea and Viscount Melville Sound Polar Bear Populations

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that a draft inter-jurisdictional agreement between Nunavut and the Northwest Territories (NWT) for the Northern Beaufort Sea (NB) and Viscount Melville Sound (VM) polar bear subpopulations was under development. GN-DoE also indicated that the draft has been agreed upon, in principle, by the NWT government and the GN. Furthermore, the Board was informed that GN would complete consultations with all affected communities, Regional Wildlife Organizations and Nunavut Tunngavik Incorporated before final negotiations on the agreement.

4. L Review of the Polar Bear Management Memoranda of Understandings

GN-DoE presented the informational briefing note.

GN-DoE informed the Board that the polar bear management Memoranda of Understandings set out the objective of holding management meetings at least once every seven years to review and update information, and to set the direction for continuing management of polar bears. GN-DoE indicated that it is committed to reviewing the existing MOUs with an aim to identifying the components that have been successful for carrying forward into the future, and to identifying areas of concern so they can be addressed or replaced with new approaches. It was noted that GN-DoE

would be discussing this issue with management partners in the near future to obtain input and views on how the review should be conducted, and how the various parties envision the future of polar bear management in Nunavut.

5. Nunavut Wildlife Management Board Staff

5. A Review of NWMB Interim Policy on Walrus Sport Hunts

NWMB Wildlife Section staff presented the request for decision briefing note.

The Board was informed that since the 1995 pilot walrus sport hunt in Igloodik, the NWMB has requested applications for walrus sport hunts in the form of hunt plans, as per the NWMB's Interim Policy, for approval by the NWMB and Fisheries and Oceans (DFO) in accordance with S 5.2.34 (d) (i) and S 5.6.48 of the NLCA prior to the issuance of a licence for a sport hunter. At the Board's Regular Meeting No. 64, the NWMB was in agreement that the Board does not have the authority to require a hunt plan as per S 5.2.34 (d) (i) of the Nunavut Land Claims Agreement (NLCA) for approval prior to the issuance of a licence to Inuit.

The Board was informed that NWMB staff held a meeting on November 10th, 2010 with Nunavut Tunngavik Incorporated (NTI) to discuss the Interim Policy and that DFO was unable to attend due to the short notice of the meeting; however DFO provided preliminary positions with recommendations on how to move forward. It was indicated to the Board that the meeting identified a difference between the approval of bowhead hunt plans and walrus hunt plans, in that walrus sport hunt plans are for non-Inuit harvesting, but similar in that the requirement for a hunt plan is placed on Inuit. The meeting also noted that the NWMB has the ability to establish Non-Quota Limitations (NQLs) on non-Inuit that do not have to meet the same test as per S 5.3.3 of the NLCA, as that section refers to Inuit harvesting.

The Board was also informed of DFO's position that has three main points, which were: 1.) DFO supported an immediate review of the existing policy with the objective of revising or replacing the existing policy to address current gaps (including regulatory and statutory compliance) prior to October 2011; recommending a meeting early in the new year; 2.) that the interim policy remain in place to guide hunts this year, as the removal without having an alternative would be both harmful to both the stock and the outfitting industry; 3.) that the interim policy be presented to the Foxe Basin and Baffin Bay walrus co-management working group meetings.

NWMB Wildlife Section staff recommended that the NWMB no longer request and require that a hunt plan be approved by the NWMB prior to the issuance of a licence for a walrus sport hunt to a sport hunter but rather that DFO regulate the sport hunts through existing regulations and NWMB established NQLs. In addition, it was recommended that the NWMB establish the following NQLs: 1.) that the walrus be harpooned first then shot to reduce struck and lost; 2.) that there be no more than 2 strikes per walrus landed; 3.) That the sport hunter identify the guide as approved by the HTO as per S 5.6.41 (b) of the NLCA.

Paul Inrgaut noted concern with the limitation of walrus being harpooned first and indicated that this limitation should only be used when walrus are in the water. Tara Bortoluzzi indicated that DFO's position was in the briefing note and that DFO wanted the NWMB to take slower steps in its consideration of the policy. It was further noted by Tara Bortoluzzi that DFO had some concerns with the NQLs that were being proposed by NWMB staff and that DFO wanted the NWMB to continue to remain in the process. Glenn Williams indicated that on behalf of NTI it was in support of the majority of the comments and recommendations provided in the briefing note, noting that there are other species that are sport hunted and the process is done through the HTOs and RWOs. Glenn Williams indicated that there was a need for clarification regarding the term strike and the requirement for harpooning. Michael d'Eca noted that the process should be done as per S 5.7.34 (b); however the downside is that there are currently no TAHs for walrus. Michael d'Eca noted that his role as council is to protect the Board, respect the law and encourage best practices therefore his concern was that there was no formal resolution to no longer approve walrus sports and there should be a formal NWMB decision on the discontinuation of a policy that includes proper consultation. Michael d'Eca indicated that DFO's approach as indicated in the briefing note was reasonable.

The decision was deferred to In-camera meeting No.12.

5. B Update on the 2010 Regional Wildlife Management and Research Priority Workshops

NWMB Wildlife Section staff presented the informational briefing note.

The Board was informed that the NWMB's policy on the "Identification of NWMB and Regional Wildlife Management and Research Priorities for Nunavut" requires the NWMB to establish regional priorities once every three years. The Board was made aware that staff held workshops in all three regions (Kitikmeot Sept. 18th-19th; Kivalliq Oct. 2nd-3rd; Qikiqtaaluk Nov. 21st-22nd). NWMB Wildlife Section staff also indicated to the Board regarding difficulties associated with finalizing the priority lists for the Kitikmeot region and concerns from the Government of Nunavut regarding the ranking approach used at the workshops.

NWMB Wildlife Section staff recommended that the Board use the 2007 priority lists when considering proposals for the 2011-2012 funding period for the Nunavut Wildlife Research Trust (NWRT) and Nunavut Wildlife Studies Fund (NWSF) due to the requirement of the NWRT and NWSF that the call for proposals is issued by October 31st.

5. C Section 5.6.25 of the Nunavut Land Claims Agreement: establishing Basic Needs Levels for beluga, narwhal and walrus

NWMB Wildlife Section staff presented request for decision briefing note.

The Board was informed that it has an outstanding obligation under the NLCA to establish basic needs levels (BNL's) for beluga, narwhal and walrus as per S 5.6.25.

NWMB Wildlife Section indicated that the best way to address the issue is to request the positions of its co-management partners through a hearing process. The Board was informed that staff had discussed with NTI and DFO on how to move forward proposing a written hearing approach and NTI responded by indicating it would be willing to accept a written hearing approach if all parties were in agreement on how to move forward.

The Board was informed that based on meetings with NTI and DFO the preliminary positions on S 5.6.25 were the following: 1.) DFO's position was that the NLCA dictates the manner in which to establish BNLs and TAHs; and 2.) NTI's position was that the BNL for beluga, narwhal and walrus should all go to Inuit, similar to species identified as Presumption as to Need species under S 5.6.5 of the NLCA. It was noted to the Board that due to these positions, NTI was not in favour of a written hearing approach.

NWMB Wildlife Section staff recommended to the Board that the NWMB be the proponent for a public hearing and that it follow its public hearing process (ensuring that procedural fairness requirements are met) in the anticipation that it will conduct a public hearing on the issue at a February meeting or at the NWMB's March Regular Meeting.

Michael d'Eca noted that the NWMB cannot be a proponent of its own hearing as it is a decision maker and recommended that the NWMB hold a pre-hearing conference on S 5.6.25 indicating that it would take the same amount of time as if notice is sent by December 17th it would allow the pre-hearing conference to occur on February 3rd. Glenn Williams indicated that this issue was a substantial decision from others as S 5.6.25 of the NLCA is a specific direction to the NWMB, noting that it is confusing to require a proponent and that the NWMB has established BNL's without a proponent.

The decision was deferred to In-camera meeting No.12.

5. D Establishment of Total Allowable Harvest (TAH) for Narwhal

NWMB Wildlife Section staff presented the informational briefing note.

The Board was informed that the NWMB and the Minister of Fisheries and Oceans have a commitment towards the establishment of Total Allowable Harvests (TAH) for narwhal as per the decision on the trial Community Based Management (CBM) system for narwhal. It was indicated that NWMB had not provided any further direction to its staff or its co-management partners after presentations to the NWMB by DFO on the TAH recommendations for narwhal and beluga. It was noted that NWMB staff organized a meeting with DFO and NTI on October 29th 2010, to discuss a way forward for the establishment of TAH for narwhal which led to a number of action items.

NWMB Wildlife Section staff recommended to the Board that the NWMB request DFO to provide a report on what the management system would entail (including any NQLs, such as seasons and boundaries) for the proposed DFO approach of managing narwhal based on summering stocks, and an overview of managing narwhal at the population level by June 2011; and that the NWMB move forward with addressing S 5.6.25 of the NLCA.

Tara Bortoluzzi indicated that the Board has not decided how to proceed on the management of narwhal and DFO was concerned with development NQLs without sufficient information. Furthermore, Tara Bortoluzzi recommended that the NWMB proceed with TAH for the Northern Hudson Bay population. Glenn Williams asked what consultation had been done on the TAH recommendation report prepared by DFO. Tara Bortoluzzi indicated that the report was presented at the three Regional Wildlife Organization meetings and further consultations were planned. Glenn Williams responded by indicating that there has been no adequate consultation on the TAH report or the management approach for managing by summering stock versus population. Michael d'Eca indicated that when Environment Canada started the process for the proposed SARA listing of polar bear the NWMB requested a draft consultation plan before determining what level of consultation was to be carried out.

The decision was deferred to In-camera meeting No. 12.

5. E Request from the Aiviq Hunters and Trappers Organization for an increase in Tags for the Foxe Basin polar bear subpopulation

NWMB Wildlife Section staff presented the informational briefing note.

The Board was informed that the Aiviq Hunters and Trappers Organization (HTO) was requesting an increase of 10 tags for the Foxe Basin polar bear subpopulation based on the following reasons: 1.) Cape Dorset has over 1,300 residents and have only 10 tags compared to the other communities that harvest from the same population; and 2.) the polar bear population is healthy, more bears are being observed in recent years and that the allocation is not enough to meet community needs.

NWMB Wildlife Section staff recommended that the NWMB respond to the HTO's request in the following manner: 1.) Communicate to the HTO that the NWMB does not allocate the regional TAH as this a responsibility that lies with the Regional Wildlife Organization (RWO) and recommend that the HTO contact the RWO to request an increase in the allocation of the TAH for the subpopulation; and 2.) Communicate to the HTO that following the completion of the 2010 aerial survey of the subpopulation, the NWMB would consider all of the "best available information" (including Inuit Qaujimaqatunqangit and scientific knowledge) on the subpopulation, which may lead to an increase or decrease of the regional TAH based on the evidence provided to the NWMB. It was further recommended that the Board respond to this request and future similar requests in the same manner.

The Board directed staff to proceed as per their recommendations.

5. F Mayukaliuk HTO request for an increase in polar bear quota and status of Davis Strait polar bear inter-jurisdictional meetings

NWMB Wildlife Section staff presented the informational briefing note.

The Board was informed that on October 12th 2010, the NWMB received a letter from the Mayukalik HTO requesting an increase in polar bear quota from the Davis Strait polar bear subpopulation.

It was also noted that Environment Canada had been recently asked by the jurisdictions to assist in the establishment of a process that would address joint management of the Davis Strait polar bear subpopulation and the disproportional allocation of TAH. The Board was informed that representatives of all concerned parties met in Montreal on February 4th 2010 to initiate such a process and that the outcome of the meeting was a recommendation to obtain information from users via a user-to-user workshop. It was indicated to the Board that the user-to-user workshop was held September 13th-16th 2010 in Kuujuaq, Quebec which led to two resolutions on how to proceed. The Board was informed that Environment Canada and the Montreal Group were currently working on a draft letter to the organizations managing the Davis Strait polar bear subpopulation; including recommendations for all organizations and that the letter was expected to be sent by February.

NWMB Wildlife Section staff recommended to the Board that the NWMB reply to the Mayukalik HTO that the NWMB will need to defer its decision on the request for a quota increase until it has received and reviewed all of the information and resolutions being compiled from the user-to-user meeting and the Montreal Group.

The Board directed staff to proceed as per their recommendations.

5. G Kivalliq Wildlife Board seeking a decision on the Kivalliq musk-ox management plan

NWMB Wildlife Section staff presented the request for decision briefing note.

The Board was informed that the proposed Kivalliq Musk-ox Management Plan aims to protect, conserve, and manage musk-ox in a sustainable manner in cooperation with co-management partners, communities, and government, and includes IQ, scientific and local knowledge while promoting regional involvement in decision making.

It was noted that the management plan is supported by the Kivalliq Wildlife Board, GN-DoE, and NTI and proposes using three levels of management intensity depending on the status and trend of the population: (A) core management for stable or increasing populations, (B) enhanced management for declining population size, and (C) critical threshold management to be implemented when the population size drops below that required to support subsistence harvesting. It was further noted that the plan proposes a 5% harvest level during core management along with intensified monitoring efforts, a 3% harvest level for 5 years when a declining trend is observed to promote herd growth and a harvest level of 1-2% to be reviewed annually if the herd size falls below that required for subsistence harvesting.

NWMB Wildlife Section staff recommended that the Board approve the 2010-2015 Kivalliq Musk-ox Management Plan and the February 2010 Action Plan on the

