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Nunavunmi Anngutighatigut Aulapkaiijitkut Katimajiat
Nunavut Wildlife Management Board

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

July 26, 2024

ᓐᓂᓐᓂᓐᓂᓐ ᐅᓂᓂᓐ Lebouthillier, P.C., M.P.
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ᐅᓂᓂᓐ ᓐᓂᓐ Lebouthillier-ᓂᓐ,

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Nunavut Wildlife Management Board
Nunavunmi Anngutighatigut Aulapkaijitkut Katimajiat
Nunavut Wildlife Management Board

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

July 26, 2024

The Honourable Diane Lebouthillier, P.C., M.P.
Minister of Fisheries and Oceans
15th Floor, Centennial Towers
200 Kent Street
Ottawa, Ontario
Canada
K1A 0E6

Dear Minister Lebouthillier,

Re: NWMB Decision on Fisheries and Oceans Canada's Request for Approval of the Recovery Strategy for the Beluga Whale (*Delphinapterus leucas*), Cumberland Sound population, in Canada

NWMB Decision

At the Nunavut Wildlife Management Board's (NWMB or Board) Regular Meeting (RM002-2024) on June 26, 2024, Fisheries and Oceans Canada recommended that the NWMB approve the *Recovery Strategy for the Beluga Whale (*Delphinapterus leucas*), Cumberland Sound population, in Canada*.

The Board held an In-Camera Meeting (IC002-2024) on June 26, 2024, to consider Fisheries and Oceans Canada's recommendation and oral evidence provided at the Regular Meeting. The Board made the following decision:

RESOLVED that pursuant to Section 5.2.34(d)(i) of the Nunavut Agreement, the Nunavut Wildlife Management Board does not approve Fisheries and Oceans Canada's proposed *Recovery Strategy for the Beluga Whale (*Delphinapterus leucas*), Cumberland Sound population, in Canada*.

Summary of Evidence and Arguments

In reaching its decision, the Board considered Fisheries and Oceans Canada's written submissions, which consisted of a briefing note, the *Recovery Strategy for the Beluga Whale (*Delphinapterus leucas*), Cumberland Sound population, in Canada* including a summary document. The Board also considered oral submissions made at the Regular



Oral Submissions from Co-management Partners

The Pangnirtung Hunters and Trappers Organization stated that there are two distinct stocks of beluga in Cumberland Sound. Indeed, the recovery strategy acknowledges two distinct genetic stocks and that the second stock is the Western Hudson Bay beluga, which has no Total Allowable Harvest in Nunavut. The Pangnirtung HTO expressed a preference for a management approach that incorporates traditional Inuit knowledge and practices rather than relying exclusively on numerical quotas. The community considers that the current Total Allowable Harvest is unfair and does not reflect the actual situation. Additionally, there is a sentiment that efforts to cooperatively develop the recovery strategy by Fisheries and Oceans Canada are insufficient and do not fully consider local knowledge and needs.

The Pangnirtung HTO inquired whether the Western Hudson Bay belugas that migrate through Cumberland Sound—and do not have a Total Allowable Harvest, could be exempt from the existing Total Allowable Harvest of 41. They also asked if Fisheries and Oceans Canada was conducting research to potentially remove the Total Allowable Harvest requirement for these migratory belugas. They raised ongoing questions about what constitutes a sustainable harvest and the maximum number of belugas that can be sustainably harvested.

Regarding specific harvesting practices, they mentioned that Pangnirtung residents do not harvest whales in Clearwater Fiord, recognizing it as a calving area. Additionally, there is a self-imposed restriction on harvesting female belugas to protect the population. The Pangnirtung HTO suggested having a permanent Fisheries and Oceans Canada official in Pangnirtung to ensure better collaboration and understanding. They also provided historical context, noting that whaling by the Hudson Bay Company in the first half of the 20th century heavily impacted beluga populations. Therefore, historical whaling and not Inuit harvesting is the main reason for the population decline.

Nunavut Tunngavik Inc. expressed concern over the level of inclusion of Inuit Qaujimajatuqangit in the development of the recovery strategy. They questioned whether Pangnirtung HTO was aware of key issues, such as the model showing a 96% chance that the current quota of 41 will cause a population decline over 10 years. And the identification of Inuit harvest as the main threat. They pointed out that the recovery strategy is designed to manage all beluga in Cumberland Sound as one population, despite Inuit Qaujimajatuqangit and a recent analysis by Fisheries and Oceans Canada showing there are two populations. They also stated that there appears to be heavy



reliance on modelling, which, in their view, should be considered supplementary information rather than the sole basis for decisions.

Nunavut Tunngavik Inc. expressed concern that the approval of the proposed recovery strategy could lead to pressure for further conservation actions such as a further restriction on beluga harvest, which could further alienate the community. Therefore, Nunavut Tunngavik Inc. recommended postponing a decision on the recovery strategy to allow for more input from co-management partners.

Consultations with Affected Inuit

The Board also considered Fisheries and Oceans Canada’s consultation records, which indicated that at least ten meetings have been held on the recovery strategy since the first draft was developed in 2005. The most recent meeting was held virtually with the Pangnirtung HTO in April 2022. Fisheries and Oceans Canada stated that the April 2022 meeting was to review the final version of the recovery strategy and receive approval from the Pangnirtung HTO before it was posted as proposed on the Species at Risk Public Registry. Fisheries and Oceans Canada indicated that comments from the Pangnirtung HTO were incorporated into the current version of the recovery strategy. On January 22, 2023, Fisheries and Oceans Canada posted the recovery strategy to the federal Species at Risk Public Registry for a 60-day public comment period and notified co-management partners that it had been posted.

Reasons for NWMB Decision

The Board decided not to approve the Cumberland Sound beluga recovery strategy due to several concerns, including issues with whale movements and stock delineation, historical whaling context, potential implications for Inuit harvesting rights, the need for greater input from the Pangnirtung HTO, disagreements over Total Allowable Harvest, uncertainty of stock listing and modelling, and ongoing Fisheries and Oceans Canada and Pangnirtung HTO discussions regarding the development of a Management Plan for Cumberland Sound beluga.

In reaching its final decision, the Board considered that the recovery strategy is intended to help Cumberland Sound beluga recover from historical whaling and is required under the *Species at Risk Act* (2002) for species listed as threatened. The Board also noted that any changes to the Total Allowable Harvest or any other restrictions to Inuit harvesting rights would require an NWMB decision. However, the

Minister of
Fisheries and Oceans



Ministre des
Pêches et des Océans

Ottawa, Canada K1A 0E6

November 7, 2024

Daniel Shewchuk
Chairperson
Nunavut Wildlife Management Board
P.O. Box 1379
Iqaluit NU X0A 0H0

Dear Mr. Shewchuk:

Thank you for your letter of July 26, 2024, in which you present the Nunavut Wildlife Management Board's (NWMB or Board) resolution of June 26, 2024, to not approve the *Recovery Strategy for the Beluga Whale (Delphinapterus leucas), Cumberland Sound population, in Canada*. I also thank you for granting the requested variance from the 60-day deadline to one of 120 days to allow Fisheries and Oceans Canada time to formulate a response.

Although I understand the Board's rationale for the resolution, I respectfully reject the Board's decision to not approve the Recovery Strategy for the Cumberland Sound Beluga Whale, within the meaning of subsection 5.3.18(b) of the Nunavut Agreement, for the reasons explained below. By way of this letter, I would like to provide additional information and clarification to address your concerns, in the hope that the NWMB may reconsider its position.

In your letter, you relay concerns from the Board and other co-management organizations that the Recovery Strategy may lead to future restrictions on Inuit harvesting rights. A Recovery Strategy is a planning document that, broadly speaking, identifies what needs to be done to stop or reverse the decline of a species. As stated in Section 3 of the Recovery Strategy, Subsection 83(3) of the *Species at Risk Act (SARA)* provides that general prohibitions of SARA do not apply to a person who is engaging in activities in accordance with conservation measures for wildlife species under a land claims agreement. A subsistence quota is considered a conservation measure under a land claims agreement. While harvest has been identified as the primary threat to the Cumberland Sound Beluga Whale in the Recovery Strategy, the publication of the Recovery Strategy will not, by itself, result in any changes to the current subsistence quota or setting of a total allowable harvest for the species.

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As acknowledged in the Recovery Strategy and your letter, a separate Integrated Fisheries Management Plan is being co-developed by the Cumberland Sound Beluga Working Group to guide the conservation and sustainable use of the fishery and to ensure that harvest is conducted safely and effectively, and which may include setting a new quota for subsistence harvest. The working group is led by Fisheries and Oceans Canada's Fisheries Management Program and includes the community of Pangnirtung and other co-management partners. While the Integrated Fisheries Management Plan is not a SARA legal instrument, it will ideally assist with achieving recovery goals outlined in the Recovery Strategy. However, the preparation of a Recovery Strategy is a legal requirement for species listed under SARA as Threatened, and has been developed separately from the Integrated Fisheries Management Plan. Once the Working Group has completed their Integrated Fisheries Management Plan, it may be possible for the Recovery Strategy to be amended to include relevant information from the plan.

I appreciate the confusion that may arise with multiple documents and programs from Fisheries and Oceans Canada working on the same species (sometimes under different legislation), and agree that there is need for better communication and collaboration to reduce confusion to co-management partners, as raised in your letter.

I commend the Pangnirtung Hunters and Trappers Organization (HTO) for their current conservation measures and harvesting practices as outlined in your letter (not harvesting individuals in Clearwater Fiord and not harvesting females). I agree with your statement that whaling by the Hudson Bay Company in the first half of the last century heavily impacted beluga populations. This fact is included in section 2 of the Recovery Strategy and is discussed in more detail in the population sizes and trends section of the *COSEWIC assessment and update status report on the Beluga Whale Delphinapterus leucas in Canada*.

As also stated in your letter, there is concern from the Board that Cumberland Sound Beluga Whale are being managed as a single stock, despite the two genetically distinct populations of Beluga Whale in Cumberland Sound long asserted by Inuit and recently supported through a genetics research study. The Board raises concerns about the validity of past analyses and the potential past loss of hunting opportunities as one Beluga Whale population appears to be from the Western Hudson Bay population, which is not considered to be at risk and has no hunting restrictions. In October 2022, Fisheries and Oceans Canada reviewed the stock delineation of Cumberland Sound Beluga, with participation from several other groups, including Nunavut Tunngavik Inc., and the Pangnirtung HTO. The Canadian Science Advisory Secretariat Science (CSAS) Advisory Report and Research Document published after the review confirmed that, currently, visible characteristics associated with the two genetically distinct populations that could allow for selective harvesting have not yet been identified, and therefore the two genetically distinct populations can only be assessed as a single stock at this time. Section 7.2 of the Recovery Strategy proposes continued research on genetic diversity and stock discrimination, including continued research on the two genetic populations identified and whether they correspond to the two visually distinct populations identified by .../3

local harvesters. If new information becomes available that would allow for assessment of more than one stock, the Recovery Strategy may be amended in the future to reflect this new information. I want to assure you that the Department will continue to engage Inuit and look to Inuit Qaujimagatugangit to inform decisions as we go forward in future work related to Cumberland Sound beluga, including with any amendments to the Recovery Strategy and development of the Integrated Fisheries Management Plan.

Another concern raised by the Board was the need for greater input and involvement from the Pangnirtung HTO. As mentioned in the Recovery Strategy, and acknowledged in your response, the Recovery Strategy was prepared in cooperation with Pangnirtung HTO and over ten meetings were held in the community during its development. A staff member from the Species at Risk Program also presented a summary of the Recovery Strategy at a meeting of the Cumberland Sound Beluga Working Group. As also acknowledged in your letter, a meeting was held with the Pangnirtung HTO to review the final draft of the Recovery Strategy before posting as 'proposed' on the Species at Risk Public Registry. All comments from this review by the HTO were received and incorporated into the final draft of the document.

I will mention that the main concerns brought up during the Board's regular meeting from the Pangnirtung HTO were related to the subsistence quotas and Total Allowable Harvest, which are not impacted by the Recovery Strategy. I believe that improved communication on the difference between a SARA Recovery Strategy and a Fisheries Management Program Integrated Fisheries Management Plan would be beneficial, as you stated in your response. Section 7.2 of the Recovery Strategy encourages the continuing ongoing communication with local hunters.

I acknowledge the recommendation from the Pangnirtung HTO of having a permanent Fisheries and Oceans Canada official in Pangnirtung to ensure better collaboration and understanding. A Community Engagement Coordinator has recently been hired in Pangnirtung by DFO/Canadian Coast Guard.

In your letter you mention that Nunavut Tunngavik Inc. expressed the opinion that there appears to be heavy reliance on modelling which, in their view, should be considered supplementary information rather than the sole basis for decisions. The Recovery Strategy outlines in sections 7.2 and 7.3 the requirements for more research to address these knowledge gaps, refine population abundance estimates, and increase biological knowledge.

In conclusion, although there are some uncertainties at this time, I support continuing towards publishing the Recovery Strategy on the Species at Risk Public Registry as a final document, with the understanding that the Recovery Strategy can be amended in the future if new information becomes available. I also acknowledge that Fisheries and Oceans Canada should work towards increased communication and collaboration between different programs in the department, to reduce confusion on the responsibilities of different

programs and the difference between the documents produced by them. I acknowledge that the timing of the Recovery Strategy publication may cause confusion when there is a separate Integrated Fisheries Management Plan being developed by the Cumberland Sound Beluga Working Group. However, the publication of a Recovery Strategy which, broadly speaking, identifies what needs to be done to stop or reverse the decline of a species, is a legal obligation under SARA, hence the request for the Board's approval at this time.

Again, thank you for clearly explaining why the Board feels, at this time, that it is unable to approve the Recovery Strategy for the Cumberland Sound Beluga Whale. However, I would like to encourage the Board to reconsider and make a final decision, as described in section 5.3.21 of the Nunavut Agreement. I value the Board's input into the SARA recovery process.

I look forward to continued collaboration and consultation with NWMB, and I extend my best wishes.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Diane LeBouthillier', written in a cursive style.

The Honourable Diane LeBouthillier, P.C., M.P.
Minister of Fisheries, Oceans and the Canadian Coast Guard



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Managing wildlife, guided by conservation principles, honouring the key role of Inuit in harvesting, for the well-being of current and future generations in Nunavut.

<p>into consideration other conservation measures that have been implemented by the Hunters and Trappers Organization, such as the male-selective harvest.</p>	<p>communication. The Department is in support of ongoing collaboration with local hunters, including employing a Community Engagement Coordinator in Pangnirtung.</p>
<p>The Board emphasized the need to distinguish between the Recovery Strategy and the management planning processes to avoid confusion among co-management partners and ensure clarity in management objectives.</p>	<p>The timing of these overlapping processes can cause confusion. However, publishing the Recovery Strategy is a legal requirement under SARA. Efforts will be made to improve communication and collaboration to clarify the roles of these documents.</p>

Reasons for the NWMB's Final Decision

The Board acknowledges and appreciates the Minister's detailed response on this matter. Cumberland Sound beluga are crucial to the food security and culture of Pangnirtung Inuit, and the Board values the Department's efforts to collaborate with the Pangnirtung Hunters and Trappers Organization on recovery planning, including the ongoing work of the Cumberland Sound Beluga Working Group aimed at developing a new Integrated Fisheries Management Plan (Plan).

However, although you assert that the Recovery Strategy will not impose immediate changes to existing Total Allowable Harvests, the Board remains convinced that identifying Inuit subsistence harvesting as the primary threat to the beluga population raises concerns about future restrictive measures. It is the Board's view that managing all belugas that use the Cumberland Sound as a single designatable unit at the time when both Inuit Qaujimajatuqangit and genetic evidence suggests otherwise, could further alienate the Pangnirtung harvesters and undermine trust in the co-management process. Additionally, the Recovery Strategy's failure to adequately reflect Inuit Qaujimajatuqangit and the concerns raised by the Hunters and Trappers Organization highlights gaps in meaningful consultation.

While you stated that the strategy could be amended, no clear timelines or processes for such amendments have been provided. This lack of assurance creates uncertainty about whether key Inuit concerns will be meaningfully addressed in the Recovery Strategy. The Minister's emphasis on continued research and potential future amendments does not resolve the Board's core concerns, particularly regarding whale movements, stock delineation, and the potential indirect impacts of the Recovery Strategy on Inuit harvesting rights.

Minister of
Fisheries and Oceans



Ministre des
Pêches et des Océans

Ottawa, Canada K1A 0E6

December 8, 2025

Daniel Shewchuk
Chairperson
Nunavut Wildlife Management Board
P.O. Box 1379
Iqaluit NU X0A 0H0

Dear Mr. Shewchuk:

Thank you for your letter of March 25, 2025, in which you present the Nunavut Wildlife Management Board's (NWMB or Board) final decision of February 26, 2025, to not approve the proposed *Recovery Strategy for the Beluga Whale (*Delphinapterus leucas*), Cumberland Sound population, in Canada* (Recovery Strategy). I respectfully accept the Board's decision to not approve the Recovery Strategy for the Cumberland Sound Beluga Whale, within the meaning of subsection 5.3.22(a) of the *Nunavut Agreement*.

I acknowledge that there is further work my Department can do to consider and, where possible, more fully address the concerns presented by the Board. I appreciate the long-term collaboration with the Pangnirtung Hunters and Trappers Organization (HTO) during the development of the proposed Recovery Strategy, as well as the engagement with the NWMB, the Qikiqtaaluk Wildlife Board, and Nunavut Tunngavik Incorporated. These are valuable efforts that can be renewed and built upon. The Department also recognizes the importance of Cumberland Sound beluga to the food security and culture of Pangnirtung Inuit and our common goal of ensuring sustainable harvests for generations to come.

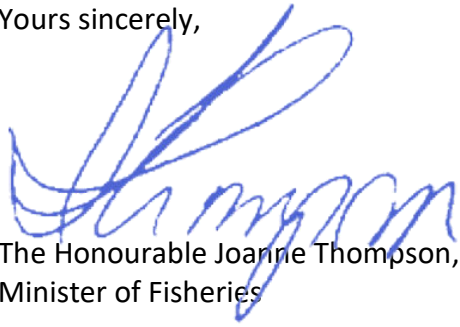
The Board indicated a need for greater clarification and distinguishing between the Integrated Fisheries Management Plan process and the Recovery Strategy to avoid confusion. The Department will work to remedy this. I have directed my officials to co-develop timelines and a workplan with the Pangnirtung HTO to review the proposed Recovery Strategy, to discuss their concerns and to identify additional Inuit Qaujimajatuqangit that may be included in the proposed Recovery Strategy. These officials also hope to participate on the Fisheries Management led Cumberland Sound Beluga Working Group (pending working group member approval) to promote greater communication and understanding of the Species at Risk program.

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Canada

I value the Board's input into *Species at Risk Act* recovery process, and I look forward to the continuation of productive and collaborative work with the NWMB.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Joanne Thompson', is written over the typed name below.

The Honourable Joanne Thompson, P.C., M.P.
Minister of Fisheries