

October 16<sup>th</sup>, 2015

Honourable Johnny Mike  
Minister of Environment  
Government of Nunavut

Dear Minister Mike:

**Re: Request for Harvesting Limitation Decisions from the Nunavut Wildlife Management Board for the Southampton Island Caribou Population**

**Request for NWMB Decisions**

On August 20<sup>th</sup>, 2015 the Nunavut Wildlife Management Board (NWMB or Board), received a *Proposal for Decision* (Proposal) from the Government of Nunavut-Department of Environment requesting that the NWMB establish a total allowable harvest of 1600 caribou and a non-quota limitation which prohibits the harvest of cow/calf pairs for the Southampton Island caribou herd (Appendix 1).

**NWMB Recommendation**

During an Internal In-Camera Meeting (INT 014-2015) on September 23<sup>rd</sup>, 2015 the Board passed the following resolutions:

*RESOLVED that the NWMB write to the Minister of Environment, recommending that he promptly make another reasonable Nunavut Land Claims Agreement Section 5.3.24 interim decision regarding harvesting limitations for Southampton Island caribou – with that interim decision to remain in place until such time as the NWMB completes its public hearing and Nunavut Land Claims Agreement decision-making processes with respect to Southampton Island caribou harvesting limitations.*

**RESOLVED that the NWMB:**

- (a) *Organize a pre-hearing teleconference with the Southampton Island caribou hearing parties, with the objective being to promptly obtain submissions as to whether the NWMB should divide the current Southampton Island caribou public hearing into two hearings: a written hearing addressing the total allowable harvest and accompanying non-quota limitation for Southampton Island caribou, and an in-person hearing addressing the basic needs level for Southampton Island caribou; and*

*(b) In providing notice of the teleconference, the NWMB inform the parties that, if requested, it is prepared to provide additional time for the preparation and delivery of written submissions – but with the caution that the provision of additional time will necessarily result in a delay in NWMB total allowable harvest and non-quota limitation decision-making, from potentially as early as December 2015 (NWMB Regular Meeting (RM) No. 004-2015) to March 2016 (NWMB RM No. 001-2016) or later.*

In December 2013, the Board held a two day in-person hearing in Iqaluit, Nunavut, to address the level of total allowable harvest, non-quota limitations and the striking of a basic needs level for the Southampton Island caribou herd. At the end of two days, the NWMB decided to adjourn the hearing because more time was required to obtain important evidence concerning the basic needs level from co-management partners. After an adjournment of almost two years, it is still unclear how much longer the second phase of the hearing process will take.

In addition, the last interim order establishing a total allowable harvest expired on June 30<sup>th</sup>, 2015, leaving the community of Coral Harbour without any harvest restrictions in place. Given the conservation concern created by having no harvest restrictions in place and the uncertainty regarding the amount of time needed for the NWMB to complete the *Nunavut Land Claims Agreement* Article 5 decision-making process regarding Southampton Island caribou, **in these particular circumstances, the Board recommends that you proceed by way of *Nunavut Land Claims Agreement* Section 5.3.24 and make another interim decision regarding harvest limitations for Southampton Island caribou.**

To address the second resolution, NWMB staff held a pre-hearing teleconference on October 7<sup>th</sup>, 2015 to receive submissions from co-management partners as to whether the NWMB should hold a written public hearing to address the total allowable harvest and accompanying non-quota limitation and a separate in-person public hearing to address the basic needs level at a later date. Co-management partners raised no objection to holding two separate hearings. Therefore on October 9<sup>th</sup>, 2015 during an In-Camera meeting (IC 006-2015), the Board passed the following resolution:

*RESOLVED that the NWMB divide the current Southampton Island caribou public hearing into two hearings: a written hearing addressing the total allowable harvest and accompanying non-quota limitation for Southampton Island caribou, and the continuation of the in-person hearing addressing the basic needs level for Southampton Island caribou.*

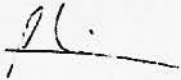
#### **NWMB-proposed Next Steps**

In terms of specific next steps, the Board recommends that you make and implement a reasonable interim decision as soon as reasonably possible regarding harvest management for the Southampton Island caribou herd.

The NWMB will initiate a written public hearing to address the Proposal from the Government of Nunavut-Department of Environment regarding a total allowable harvest and associated non-quota limitation for Southampton Island caribou as soon as possible. It is anticipated that the NWMB will consider the submissions received through the written public hearing and make a decision at its December 2015 In-Camera Meeting. This decision will promptly be forwarded to you for consideration.

If you require further information, please do not hesitate to contact the NWMB.

Yours sincerely,



Ben Kovic  
Chairperson of the  
Nunavut Wildlife Management Board

Attachments (1)

c.c. Drikus Gissing, Director of Wildlife, Government of Nunavut-Department of Environment;

## **WILDLIFE ACT - LOI SUR LA FAUNE ET LA FLORE**

Whereas there has been a precipitous decline in the population of the Southampton Island Caribou Herd since 1997, from more than 30,000 to approximately 12,000 animals;

And Whereas the Southampton Island Caribou Herd is an important food, cultural, and economic resource for the community of Coral Harbour;

And Whereas the NWMB has recommended that a reasonable interim harvest limit be enforced for the Southampton Island Caribou Herd until a final decision is made by the NWMB;

And Whereas the Minister has determined that a harvest limit of 1600 caribou is sustainable until a final decision is made by the NWMB;

And Whereas for the purposes of conservation it is necessary to impose a non-quota limitation prohibiting the harvesting of cow-calf pairs from the Southampton Island Caribou Herd;

And Whereas the Minister is of the opinion that urgent and unusual circumstances exist requiring an immediate modification in harvesting activities with respect to the Southampton Island Caribou Herd,

The Minister, in accordance with paragraph 121(b) and section 150 of the *Wildlife Act* and every enabling power, makes the annexed *Southampton Island Caribou Herd Total Allowable Harvest Interim Order*.

Attendu :

le brusque déclin de la population de la harde de caribous de l'île Southampton depuis 1997, qui est passée de plus de 30 000 individus à environ 12 000;

que la harde de caribous de l'île Southampton constitue une importante ressource alimentaire, culturelle et économique pour la collectivité de Coral Harbour;

que le CGRFN a recommandé qu'une limite de récolte raisonnable et provisoire soit mise en application pour la harde de caribous de l'île Southampton, jusqu'à ce qu'une décision finale soit prise par le CGRFN;

que le ministre a décidé qu'une limite de récolte de 1 600 caribous constitue une limite durable jusqu'à ce qu'une décision finale soit prise par le CGRFN;

qu'à des fins de conservation, il est nécessaire d'imposer une limite non quantitative interdisant la récolte de couples mères-petits au sein de la harde de caribous de l'île Southampton;

que le ministre est d'avis qu'il existe des circonstances urgentes et exceptionnelles exigeant la modification immédiate des activités de récolte à l'égard de la harde de caribous de l'île Southampton,

le ministre, en vertu de l'alinéa 121b) et de l'article 150 de la *Loi sur la faune et la flore* et de tout pouvoir habilitant, prend l'*Arrêté provisoire concernant la récolte totale autorisée à l'égard de la harde de caribous de l'île Southampton*, ci-après.

Dated,

Fait le ..... 2015.

.....  
Hon. Johnny Mike,  
Minister of Environment  
Ministre de l'Environnement

## WILDLIFE ACT

### **SOUTHAMPTON ISLAND CARIBOU HERD TOTAL ALLOWABLE HARVEST INTERIM ORDER**

- 1.** In this Order, “Southampton Island Caribou Herd” means all caribou found on Southampton Island and White Island, being part of Wildlife Management Barren-Ground Caribou Area N/BC/12, as described in the *Wildlife Management Barren-Ground Caribou Areas Regulations*, N.W.T.Reg. R-099-98, as duplicated for Nunavut by section 29 of the *Nunavut Act* (Canada).
- 2.** (1) A total allowable harvest is established for the Southampton Island Caribou Herd in accordance with this Order.

(2) The total allowable harvest from the population of the Southampton Island Caribou Herd for the harvest year is 1600 caribou.

(3) It is presumed that the Inuit of Coral Harbour have a basic need for the full amount of the total allowable harvest set in this Order.

(4) The full amount of the total allowable harvest for the harvest year is allocated to the community of Coral Harbour.
- 3.** There shall be no harvesting of cow-calf pairs from the Southampton Island Caribou Herd during the harvest year.
- 4.** This Order is subject to review as soon as practicable by the NWMB in accordance with section 158 of the Act, but remains in effect until the earlier of:

  - (a) the coming into force of an Order to implement an accepted decision of the NWMB concerning the Southampton Island Caribou Herd; or
  - (b) the coming into force of a subsequent Order of the Minister.
- 5.** The *Southampton Island Caribou Herd Total Allowable Harvest Interim Order (July 1, 2014 to June 30, 2015)*, registered as statutory instrument numbered R-019-2014, is repealed.

## LOI SUR LA FAUNE ET LA FLORE

### ARRÊTÉ PROVISOIRE CONCERNANT LA RÉCOLTE TOTALE AUTORISÉE À L'ÉGARD DE LA HARDE DE CARIBOUS DE L'ÎLE SOUTHAMPTON

**1.** Pour l'application du présent arrêté, « harde de caribous de l'île Southampton » s'entend de tous les caribous qui se trouvent sur l'île Southampton et l'île White, faisant partie de la région de gestion du caribou des toundras N/BC/12, telle que décrite dans le *Règlement sur les régions de gestion du caribou des toundras*, Règl. T.N.-O. R-099-98, reproduit pour le Nunavut par l'article 29 de la *Loi sur le Nunavut* (Canada).

**2.** (1) Une récolte totale autorisée est établie pour la harde de caribous de l'île Southampton en conformité avec le présent arrêté.

(2) La récolte totale autorisée au sein de la population de la harde de caribous de l'île Southampton est de 1 600 caribous pour l'année de récolte.

(3) Il est présumé que l'intégralité de la récolte totale autorisée qui est précisée dans le présent arrêté constitue un besoin essentiel pour les Inuit de Coral Harbour.

(4) L'intégralité de la récolte totale autorisée pour l'année de récolte est attribuée à la collectivité de Coral Harbour.

**3.** La récolte de couples mères-petits au sein de la harde de caribous de l'île Southampton est interdite pendant l'année de récolte.

**4.** Le présent arrêté est assujéti, dans les plus brefs délais, à un examen par le CGRFN conformément à l'article 158 de la Loi, mais demeure valide jusqu'à la première des dates suivantes :

- a) la date d'entrée en vigueur d'un arrêté visant la mise en œuvre d'une décision du CGRFN acceptée concernant la harde de caribous de l'île Southampton;
- b) la date d'entrée en vigueur d'un arrêté subséquent du ministre.

**5.** L'*Arrêté provisoire concernant la récolte totale autorisée à l'égard de la harde de caribous de l'île Southampton (1<sup>er</sup> juillet 2014 au 30 juin 2015)*, enregistré comme texte réglementaire sous le numéro R-019-2014, est abrogé.



December 15<sup>th</sup>, 2015

Honourable Johnny Mike  
Minister of Environment  
Government of Nunavut

Dear Minister Mike:

**Re: Nunavut Wildlife Management Board decisions concerning total allowable harvest and non-quota limitation for the Southampton Island caribou herd.**

NWMB - SENT  
DATE: Dec 15/15  
TF

**1. NWMB DECISIONS**

On October 16<sup>th</sup>, 2015, the Nunavut Wildlife Management Board (NWMB or Board) provided notice that it would be conducting a written public hearing to consider the Government of Nunavut-Department of Environment's *Proposal for Decision* (attached). The proposal recommended a total allowable harvest of 1600 caribou and a non-quota limitation prohibiting the harvesting of cow/calf pairs for the Southampton Island caribou herd. The deadline for submissions to the hearing was November 13<sup>th</sup>, 2015. No submissions were received.

On December 2<sup>nd</sup>, 2015 at its In-Camera Meeting (007-2015), the Board passed the following resolution:

*RESOLVED that (1), pursuant to Sections 5.3.24, 5.6.16, 5.6.17(a) and 5.3.3(a) of the Nunavut Land Claims Agreement (NLCA), the NWMB modify the annual Coral Harbour level of community total allowable harvest for Southampton Island caribou to 1600, from the previous level of 800 established by the Minister of Environment on June 13<sup>th</sup> 2014, pursuant to NLCA Section 5.3.24; and (2), pursuant to NLCA Sections 5.3.24, 5.6.48 and 5.3.3(a), the NWMB maintain the prohibition on the harvest of Southampton Island caribou cow/calf pairs, also previously established by the Minister of Environment on June 13<sup>th</sup> 2014, pursuant to NLCA Section 5.3.24.*

It is the NWMB's legitimate expectation that – in accordance with your June 13<sup>th</sup>, 2014 interim decision and your two previous interim decisions in 2012 and 2013, as well as the supporting resolution of the Aiviit Hunters and Trappers Organization relied upon in the Department's *Proposal for Decision* – the full amount of the total allowable harvest is to be allocated to the community of Coral Harbour.

As per *Nunavut Land Claims Agreement* Section 5.6.19, the Board shall strike a basic needs level once a total allowable harvest has been determined. Therefore, following a pre-hearing teleconference with its co-management partners the Board passed the following resolution during its In-Camera Meeting (006-2015) on October 9<sup>th</sup>, 2015:

*RESOLVED that the NWMB divide the current Southampton Island caribou hearing into two hearing: a written hearing addressing the total allowable harvest and accompanying non-quota limitation for Southampton Island caribou, and the continuation of the in-person hearing addressing the basic needs level for Southampton Island caribou.*

The NWMB is planning to resume its in-person hearing to address the basic needs level in 2016.

## **2. RATIONALE FOR THE NWMB'S DECISIONS**

During its decision-making, the NWMB carefully considered the best available scientific information and Inuit Qaujimajatuqangit. A May 2015 aerial survey produced a population estimate of 12,297 caribou, demonstrating that the population had increased from the May 2013 population estimate of 7,287 caribou. This increase is believed to be in part due to an emigration event detected by Coral Harbour hunters in the winter of 2013/2014.

In addition, the Government of Nunavut-Department of Environment staff held a face to face meeting with the Coral Harbour Hunters and Trappers Organization to discuss the survey results. During this meeting the Hunters and Trappers Organization passed a motion supporting a total allowable harvest of 1600 caribou and a non-quota limitation prohibiting the harvest of cow/calf pairs for the Southampton Island caribou herd.

Given that the 2015 population survey indicates an increase in herd size and that the next aerial survey is expected to occur in May 2017, the NWMB does not feel that setting the total allowable harvest at 1600 will cause a conservation concern during this short time frame. In fact, as the most recent Interim Order for this herd expired on June 30<sup>th</sup>, 2015, leaving no legal harvest restrictions in place, the NWMB feels that setting this total allowable harvest is essential to ensure the sustainable harvesting of this herd.

## **3. Conclusion**

As per Section 5.3.8 of the *Nunavut Land Claims Agreement*, the NWMB is hereby forwarding its decision concerning the harvest management of Southampton Island caribou to you for your review and consideration. As there are currently no legal harvest restrictions in place, the NWMB looks forward to your prompt reply, ensuring that the Article 5 decision making process will be completed as soon as possible.

Should you or your officials have any questions or concerns regarding the contents of this letter, please do not hesitate to contact the NWMB.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Ben Kovic', with a long horizontal flourish extending to the right.

Ben Kovic  
Chairperson of the  
Nunavut Wildlife Management Board

Enclosures (1)

