



are objections – to set out recommended measures to fairly address any resulting prejudice to them.

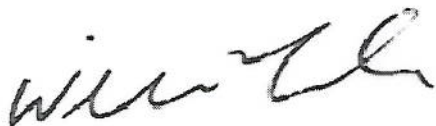
In an effort to maintain efficiency, timeliness and – most importantly - fairness, the NWMB has decided to proceed as follows:

- Accompanying this letter is a translated copy of the response submission. If a party has objections to the late NTI filing, the Board is providing until no later than **5:00 p.m. ET on June 9<sup>th</sup> 2010** to deliver –English and Inuktitut –the written objection, supporting reasons and recommended measures to fairly address the resulting prejudice to that party.
- Once the deadline for delivery of objections has passed - and if any objection has been filed - the NWMB will decide how to fairly proceed, and will promptly notify all of the hearing parties of its decision.

Written objections may be filed with the Board in person, by courier or by mail. They should be clearly marked as pertaining to the late submission by NTI for the NWMB's Hearing on the proposed SARA listing of Cumberland Sound beluga. Delivery may also be made through fax or electronic transmission, but only if you or your organization confirms by phone with the NWMB – by no later than 5:00 p.m. ET on the date the objection submission is due – 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. The Board recommends that a copy of any written objection filed with the NWMB be delivered, at the same time, to all of the other parties.

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

Yours sincerely,



Willie Nakoolak,  
Acting Chairperson of the  
Nunavut Wildlife Management Board

Attachments (2)

- c.c. Richard Connelly, Executive Director of the Nunavut Inuit Wildlife Secretariat, for distribution to the Chairpersons of Nunavut's Hunters and Trappers Organizations and Regional Wildlife Organizations;  
Gabriel Nirlungayuk, Director of Wildlife, Nunavut Tunngavik Inc.;  
Paul Irngaut, Wildlife Advisor, Nunavut Tunngavik Inc.;  
Virginia Poter, Director General, Environment Canada, Canadian Wildlife Service;  
Eric Kan, Area Director - Eastern Arctic Region, Department of Fisheries and Oceans





## NTI Submission to the SARA listing of beluga

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**Issue:** The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) has assessed the Cumberland Sound population of beluga whales as “Threatened”.

### **Background:**

Under the Nunavut Land Claims Agreement (NLCA), governments must seek community input before bringing any issues to the Nunavut Wildlife Management Board (NWMB) for decision. The process for *SARA* listing consultations in Nunavut is detailed in a Memorandum of Understanding (MOU) between the federal government and the NWMB which harmonizes the listing process under *SARA* with the NLCA. The *SARA*-NLCA Harmonization MOU outlines a process in which the federal government conducts public consultations with affected communities before seeking NWMB approval for species listings.

**Cumberland Sound belugas:** Under the COSEWIC Assessment and Update Status Report on the Beluga Whale, *Delphinapterus leucas* dated 2004, the Southeast Baffin Island-Cumberland Sound population was designated as “Endangered” in April 1990. The reason for designation is that numbers declined by about 1500 animals between the 1920s and the present. This decline is due to harvesting by the Hudson Bay Company until the 1940s and harvesting by the Inuit until 1979. Hunting has been regulated since 1979.

Following this status designation, a hunting quota of 35 belugas was set for the community of Pangnirtung in 1991.

Since 1998, DFO and the Pangnirtung HTO have conducted research to update the population estimate for Cumberland Sound belugas. Information about movements and dive times along with cliff counts and aerial surveys has updated the population estimates. Aerial surveys flown in 1999 have shown that there are most likely about 1,960 belugas in Cumberland Sound and they likely remain in or near Cumberland Sound year-round. (The actual population size, with 90% confidence limits, lies between 1594 and 2409 belugas; DFO unpublished data).

In 2003 the quota was increased from 35 to 41 and has remained to present.

In May 2004, the structure of the population was redefined and named “Cumberland Sound population”. After aerial survey review, the status of the population was re-examined and down listed to “Threatened” in May 2004

At that time, NTI supported the decision made by COSEWIC to change the designation of the Cumberland Sound beluga population from Endangered to the less at-risk category of Threatened because both the 1999 survey (population estimate: 1547) and local Inuit knowledge suggest the

population is increasing. NTI also noted that the community of Pangnirtung has worked cooperatively with DFO over several years to develop a beluga recovery strategy and management plan, and that work should be recognized as a positive relationship.

A working group had been established with DFO taking the lead. The group consisted of Pangnirtung HTO, Qikitalluk Wildlife Board, Nunavut Tunngavik and Fisheries and Oceans.

Aerial surveys were also flown in 2005 to update the abundance estimate, but due to poor weather and equipment malfunction the results were not considered reliable.

Since 2004, the community of Pangnirtung has been participating with DFO to develop a Cumberland Sound recovery and management plan in preparation of a listing under the Species at Risk Act.

In August 2005, DFO did a recovery assessment report on the Cumberland Sound Beluga population. The report summarized that :

- \* In Cumberland Sound, reconstruction of the historical population using the available catch information provides an estimated historical (pre-commercial whaling) population size of 8,465 (S.E. = 426). A Bayesian model estimated the 2002 population size to number 2,018 (95% C.L.: 1,553-2,623), or 24% of its estimated historical population size. The population is estimated to be on an increasing trend even with the quota- regulated local subsistence hunt.
- A recovery target at 70% of historical population size would correspond to 5,926 individuals. This target could be reached in 40, 55 and 90 years for harvest scenarios of 0, 20 and 41 (actual quota), respectively. The population would likely decline under a harvest scenario of 60.
- Subsistence hunting might be considered as a threat to the Cumberland Sound beluga population. Nevertheless, the actual carefully managed subsistence hunt, that inflicts a low mortality rate, does not seem to be an impediment to recovery over the long term.

In June 2008 during a second consultation process, DFO letters were sent to all parties indicating that there was new information and that there was a delay in the listing process and asked if the parties supported listing of the Cumberland sound belugas.

Pangnirtung HTO indicated that they do not support the listing of Cumberland sound belugas as threatened. Twenty-two local hunters signed a petition indicating their opposition to the listing.

The QWB also does not support listing for several reasons: the current harvest of 41 is sustainable; local hunters report seeing more belugas since beluga management measures were undertaken in the 1980s; recent surveys indicate beluga numbers have increased since the early 1990s.

In the DFO Social-economic analysis regarding Cumberland Sound belugas, historic over exploitation by commercial whaling caused major decline in CS belugas. This decline was not

caused by the Inuit of Pangnirtung and this has been a sticking point with the community when it comes to setting quotas and proposed listing of the CS belugas under SARA.

Inuit have been very co-operative with the management of the CS belugas. Again to emphasize;

- Hunting has been regulated since 1979.
- The community has been involved in the recovery strategy and management plan since 2004.
- Beluga meat and muktaq is essential to Inuit diet and offset the high cost of store bought foods.
- Aside from the odd beluga caught by fishing nets, the community has been under a quota of 41 for the last 7 years.
- Pangnirtung is the only community in Nunavut that is under a quota system for beluga.

### **Recommendations and concerns raised by NTI:**

NTI does not have the responsibility to make a decision on whether or not to list beluga. NTI however would like to make a recommendation to the NWMB and that it should consider the following;

- Pangnirtung HTO and QWB do not support the listing?
  - The record of consultation provided by DFO on the proposed listing clearly indicated that there is no support from the community of Pangnirtung to the listing.
  - The listing of species as “threatened” will impact the community and the potential harvesting of this species. Therefore adequate understanding through consultation is essential.
  - The NWMB should fully acknowledge the opinions and concerns expressed by Inuit during the consultation process. In the event that the NWMB does not feel adequate consultation took place, it should consider returning the process back for consultation.
  - The NWMB should fully consider the intent and purpose of the Species at Risk Act, and the definition of a listing of “threatened” and whether it applies to this population at this time.
  - The Pangnirtung HTO and the community have been very co-operative and respectful over the last 7 years with their current quota of 41. Therefore NTI recommends that the quota of 41 be increased by 10 to meet the needs of the growing community and to recognize the effort this community has done to help the ongoing recovery and management of the Cumberland Sound belugas.

NTI’s main concern is that RWOs, HTOs and community opinions and concerns and needs are taken into account as you make your decision on the listing of Cumberland Sound beluga as “threatened” under the Species At Risk Act.

Prepared by:  
Paul Irgaut  
Nunavut Tunngavik Inc.



















