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Kugluktuk Hunters and Trappers Association Submission to the Nunavut Wildlife Management Board on the Government of Nunavut proposed Total Allowable Harvest of 340 Bluenose east Caribou.

Date: May 27, 2016

Introduction

The Kugluktuk Hunters and Trappers Association (KHTO) is making this summary submission to the Nunavut Wildlife Management Board (NWMB) regarding its review of the Government of Nunavut (GN) proposal to establish a total allowable harvest (TAH) on the Bluenose East Caribou Herd (BNECH).

The KHTO by resolution on May 9, 2016 opposed the GN proposal of a TAH on the BNECH and requested more time from the NWMB to better prepare a submission, which the NWMB denied. The KHTO resolved that a TAH was not acceptable, except as a last resort; that it would use its own powers under s.5.7.3 of the NLCA and increase predator control efforts; that it would work with KIA to develop a HTO controlled management plan; and that the KHTO and the Kitikmeot Regional Wildlife Board should work together to develop a local solution (see Appendix 1).

This submission includes a summary form KHTO-controlled alternative to the GN proposed TAH. The KHTO has the right and authority to establish an alternative management approach to the BNECH as part of Article 5.7.3 of the NLCA.

The GN TAH proposal is an important restriction on KHTO member rights. Transfer of harvest control from the KHTO to the GN is an important loss of control of Inuit rights. Such a TAH proposal should be taken very seriously and only imposed as a last resort.

Article 5.3.3 of the NLCA says that Part 6 of the NLCA, which includes consideration of a TAH, should only restrict Inuit harvest to the extent necessary. The KHTO does not believe that a TAH is necessary and should only be used as a last resort, if other measures, including Article 5.7.3 of the NLCA, do not work. The KHTO alternative is called an Integrated Community Caribou Management Plan or ICCMP. It is an integrated plan because it includes several measures that are intended to contribute to conservation of the BNECH. Some of these measures are non-quota limitations and some

involve managing the harvest of KHTO members, both of which are within KHTO authority in the NLCA. Other additional measures are presented to support management of the BNECH. Together, these measures are 'tools' as part of a 'toolbox' that the HTO can use.

The tools in the ICCMP includes:

- 1) Setting a limit on KHTO member harvest which is controlled by the KHTO;
- 2) Mandatory BNECH harvest reporting to the KHTO by members;
- 3) Establishing a 'No Caribou Hunting Zone' to reduce BNECH harvest in an area that has easy access by trails and all-terrain vehicles;
- 4) The establishment of an KHTO controlled enforcement system regarding BNECH harvest rates and zones, mandatory reporting, and harvest practices;
- 5) Creation of a program and looking for partners to create a predator management program to reduce predation pressure on the BNECH;
- 6) Continuing and improving education of KHTO members about caribou, respectful harvest practices, and alternate species to harvest; and
- 7) Increased effort to increase the fair quota to the KHTO regarding muskox in the Kugluktuk harvest area to relieve harvest pressure on the BNECH.

The KHTO developed its draft ICCMP in consultation with the Kitikmeot Inuit Association, which offered to support the KHTO if we requested support.

The KHTO believes that the tools in the ICCMP will be a better alternative to the TAH in part because monitoring and enforcement that is local is more respected and effective than enforcement by government. This ICCMP is supported by a KHTO resolution made on May 20, 2016 (See Appendix 2). We also make some important observations about the process, content, adequacy and fairness of the consultation that the GN presented to the NWMB regarding this proposal of a TAH of 340 for the BNECH.

The KHTO Approved Draft Integrated Community Caribou Management Plan.

- 1) Setting a limit on KHTO member harvest which is controlled by the KHTO

The KHTO estimates that from May 2015 to May 2016 that about 190 BNECH were harvested in this one year period. The KHTO estimates the seasonal breakdown of the annual BNECH harvest was about: 20 in the summer; 20 in the fall; 100 in winter, and 50 in April. Of the 100 BNECH harvested in winter, these were harvested at Napaktalik, which is about 200Km south-east of Kugluktuk where it appeared that a large herd of caribou wintered in the rocky hills in the area. There was discussion about whether these were the BNECH but it was generally believed to be this herd from the KHTO.

Even if the KHTO harvest was underestimated by 75%, the total harvest is less than the 340 TAH proposed by the GN. There have been years when the harvest has been much higher and it is related to the BNECH population being higher, or the BNECH was close to town for a period of time.

The reason for the reduced harvest in this May 2015-May 2016 period are many, and include: 1) many Inuit do not have the resources, or skills to harvest caribou, 2) the BNECH population is on a decline and the opportunity to find and harvest BNECH is reduced as a result (a natural feedback loop); 3) there are no winter roads, or airplanes used to hunt caribou around Kugluktuk, so unskilled hunters, and those without resources to travel far from town cannot harvest BNECH.

Thus the KHTO is willing to enforce its own limit of 340 caribou harvested in 2016-17 using mechanisms the KHTO already has in place. The KHTO will develop its own methods for distributing the right to KHTO members to harvest the 340 animals from the BNECH. There was not enough time offered by the NWMB to more fully develop the details of this KHTO enforced plan, but the KHTO is confident that it can do it.

2) Mandatory BNECH harvest reporting to the KHTO by members

As part of a KHTO enforced limit on its members of 340 BNECH to be harvested, the KHTO will implement a system of monitoring the harvest of BNECH. This will provide feedback as to whether the ICCMP has been effective in achieving its goal. If harvest results are over the KHTO enforced limit, the KHTO can use adaptive management to adjust the ICCMP to meet the limit. As part of this harvest reporting, there will also be feedback sought from hunters on the health and population of the BNECH to be used as a mechanism to assess the state of the BNECH. For example, the number of calves, the number of pregnant females, etc... as we have successfully done to document the increased population of muskox on the mainland east of Kugluktuk which resulted in an increased TAH for this species. The KHTO is confident it has the mechanism available to enforce reporting of the BNECH harvest.

3) Establishing a 'No Caribou Hunting Zone' to reduce BNECH harvest in an area that has easy access by trails.

The BNECH often comes relatively close to Kugluktuk during the spring and fall migration. Access to the south-west of Kugluktuk for a distance of about 5-10 miles is facilitated by the lack of river or stream crossings and the development of trails. This allows for rapid access of hunters with limited resources or skills to a relatively small area near Kugluktuk that the BNECH sometimes passes through. A lot of BNECH harvesting can happen if the BNECH passes through this area.

The KHTO proposes to establish an Article 5.7.3 non-quota limitation on harvesting that prohibits caribou harvesting in this area, which is shown in Figure 1 and Figure 2. This area is about 300 square kilometers of the most easily accessible hunting areas from the Hamlet of Kugluktuk. There are clear land marks in this area that can be used to establish this no hunting zone for caribou that include major rivers and cliffs. The establishment of this zone will result in significant reduction in caribou harvest in years and seasons when the BNECH migrates close to town through this area. Further, many hunters are not adequately resourced or trained to harvest caribou respectfully, and too many hunters in this area can pose a human and hunter safety issue.

Figure 1. The Proposed KHTO “No Caribou Hunting Zone” outlined in red. This zone is bounded by the Kugluk (Coppermine) and Kungnahik (Richardson) River, the arctic ocean, and a set of well known cliffs in the Hatongak area to the southwest and the Gurling Point Cliffs to the northeast.



Figure 2. The same Proposed KHTO “No Caribou Hunting Zone” outlined in red, but in a regional setting.



4) The establishment of an KHTO controlled enforcement system regarding BNECH harvest rates and zones, mandatory reporting, and harvest practices.

The KHTO believes that it has the respect of the community, and the capacity to enforce compliance to its proposed ICCMP. There was not enough time afforded by the NWMB to put into place formal enforcement mechanisms as part of this submission, but it will not be hard to complete. Enforcement mechanisms include limiting future opportunities related to: BNECH harvest opportunities, access to KHTO subsidized goods; KHTO sponsored community hunts, and KHTO partnerships with government and industry on various wildlife and environment activities. Loss of these privileges is a loss of harvesting opportunity and a loss of economic potential to members who do not follow the rules, in addition to the moral shame involved in breaking locally enforced rules and values.

When the KHTO has made rules, or voiced opinions in the past they have been respected. It makes sense that rules made more locally are better adhered to and respected that rules enforced by authorities that are seen to be further away, or not related to the community.

As an example, the KHTO passed a resolution many years ago that there should be no more cabins built on the Coppermine River north of Bloody Falls, because there was concern that too

many cabins would disturb wildlife, including caribou that use the area. This part of the river is part of the border with the 'No caribou hunting zone' proposed above. Even though the KHTO had no legal authority to enforce this resolution (because it is not a landowner), the community, by and large, has respected this KHTO resolution and few or no new cabins have been built in this area on the Coppermine River. This is an example of how both Inuit and non-Inuit in Kugluktuk respect the desires of the KHTO.

Further, local enforcement of an ICCMP will be more effective as there is a stronger moral obligation of KHTO and Kugluktuk community members to follow the rules. If one has to account to their grandparent, parent, uncle, aunt or friend for why they broke the rules, this is a much stronger incentive to comply than to worry about government rule that may appear to be distant and unreasonable.

5) Creation of a program and looking for partners to create a predator management program to reduce predation pressure on the BNECH.

For years, the KHTO has expressed to the GN-DOE the observations of the high number of predators, such as wolves and grizzly bears that are present in the range of the BNECH. Traditionally, Inuit have harvested wolves and grizzly bear in this area as part of day-to-day life on the land. Now that most Inuit spend the majority of their time in established communities, there are fewer Inuit on the land and less opportunity to harvest these animals.

Inuit have strong hunting skills in general, and there is a long history as wolf hunters. This combined with extensive traditional knowledge about wolves and grizzly bear give Inuit the ability to be very effective predator managers. For example, Inuit know where many of the denning areas are of wolves in the BNECH range in Nunavut.

Inuit continue harvesting wolves and grizzly bear to the present. Unfortunately, the price of fur relative to the input costs of hunting has declined drastically over the last many years. As well, there have not been any extra incentives from the Government for Inuit to harvest wolves since the 1970s.

Wolves are known predators of caribou. It is generally thought that a wolf eats about 25 caribou per year. A properly designed wolf management program that used the traditional skills of Inuit could be a significant help to managing the BNECH, and also conserve Inuit hunting skills. Take for example if there was an incentive in place to motivate Inuit hunters to spend more effort hunting wolves that, on the margin, resulted in an extra 30 wolves being harvested every year. These extra 30 wolves would represent 750 caribou that are not eaten by wolves, and available to assist with population recovery. It would also more than offset the annual harvest by KHTO members.

There is also traditional knowledge that the grizzly bear population has increased considerably in the West Kitikmeot Region of Nunavut and is expanding north and east. It is known that

there is a relatively high number of grizzly bear in the calving and post-calving range of the BNECH. Grizzly bear are known to be effective caribou predators. The GN has removed the quota on grizzly bear for Inuit and it is expected the harvest rate of grizzly bears in the area around Kugluktuk will increase as a result. Increased rates of harvest are already occurring.

The Kitikmeot Inuit Association has already endorsed predator management measures and may be willing to assist with securing funds for such a program. In the Northwest Territories (NWT), hunters can get several hundred more dollars as an incentive to kill wolves that is above the price of the fur, if the wolf is killed in a time of year when the fur is valuable. The Government of Nunavut, in geographic areas where there is a conservation concern with caribou, should mirror the GNWT programs to incentivize the focus on managing wolves. The incentive should be offered year round so that hunting at the dens for pups can occur.

The KHTO would be willing to implement programs to remove wolf pups in the summer, which significantly reduces the food requirements of wolf packs. This along with a properly designed incentive system for harvesting wolves would use the impressive wolf hunting skills of Inuit to manage the herds. Further, unlike other aboriginal groups in the NWT, Inuit have no traditional beliefs against hunting or handling wolves. Wolf fur is used in everyday winter clothing by Kitikmeot Inuit.

6) Continuing and improving education of KHTO members about caribou, respectful harvest practices, and alternate species to harvest

The KHTO has an established caribou education week based in Kugluktuk. This week includes activities such as harvest practices, respectful harvesting, and harvesting alternate animals. There are many other sources of country food in the Kugluktuk area including muskox, moose, arctic char, seal, and geese to name a few. This education week will continue along with every day transfer of knowledge from Inuit to younger generations, and include the information and skills that is part of the ICCMP.

7) Increased effort to increase the fair quota to the KHTO regarding muskox in the Kugluktuk harvest area to relieve harvest pressure on BNECH.

A new muskox management zone designated by the GN is MX-11. It occurs on the mainland from the east side of the Coppermine River all the way past Bathurst Inlet to the west side of Ellice River. The KHTO for years noted that the muskox population on the east side of Kugluk (the Coppermine River) on the mainland has been increasing and lobbied the GN to re-evaluate the TAH. In 2013 the GN did a survey of the western 25% of MX-11 which is closest to Kugluktuk. The GN estimated that there was a muskox population of 6746 +/- 1851 in this most western portion of MX-11.

Based on this survey of 25% of MX-11, the GN estimated that a TAH of 225 was sustainable for this population in all of MX-11. Two-hundred and twenty-five muskox is 3.3% of the 6746 population estimate, which is a conservative harvest rate for a TAH. The eastern 75% of MX-11 was not surveyed. The eastern 75% of MX-11 contains a significant number of muskox as is known by Inuit traditional knowledge. Also, aerial surveys conducted east and west of Bathurst Inlet by Glencore Ltd., Sabina Gold and Silver Ltd, and Hope Bay Mining Ltd conducted between 2006-2011 show muskox occur in the eastern section of MX-11. There could be several thousand muskox in the remaining 75% of MX-11. There is a significant potential that a survey of the remainder of MX-11 will result in a higher overall muskox population and a higher TAH for MX-11. A higher muskox TAH for the KHTO will result in the potential to shift more harvesting from the BNECH to muskox in MX-11.

KHTO Comments on the GN DOE Consultation regarding the Proposed TAH.

The GN-DOE claims that the KHTO was consulted 10 times in the last 2 years about the imposition of the currently proposed TAH of 340 BNECH caribou. In fact, this is not true. Sharing information on general caribou matters unrelated to a specific TAH proposal is not TAH consultation. Avoiding focused and detailed discussions about the TAH proposal is not consultation. Not discussing valid NLCA alternatives to a TAH proposal is not consultation. It is merely 'information'.

The reality is that the GN-DOE met once with the KHTO (in mid-January 2016) to present a TAH proposal of 340 for the BNECH. The TAH proposal was not the focus of the meeting. It was a 55-minute discussion in a 2.5 day meeting.

The summary consultation report is flawed in many respects: 1) it is not a final document – it is listed as a draft – what more is to be added?; 2) The GN says this is not their position on the Summary - if it is not the position of the GN-DOE, or the GN, then who's document is this?; 3) the consultation summary is not internally consistent with the contents of the presentations; 4) the Agenda does not clearly state the purpose of the meeting, and: 5) the roles of who was the chair, who's meeting it was, and why the GN was even present, was an issue at this meeting. All of this is extra evidence that the KHTO was not aware of the purpose of the meeting, or consulted fairly or adequately on the TAH.

This purported consultation has failed not only on a technical level. It may have failed on a legal level as well.

Conclusion

The GN has made a proposal to impose a TAH on the BNECH of 340 bulls. Article 5.3.3 of the NLCA says that Part 6 of the NLCA, which includes consideration of a TAH, should only restrict

Inuit harvest to the extent necessary. The KHTO does not believe that a TAH is necessary and should only be used as a last resort, if other measures, including Article 5.7.3 of the NLCA, do not work. This submission includes an alternative, as a summary, to a TAH that is controlled by the KHTO, which is in its right to impose as part of Article 5.7.3 of the NLCA, and is supported by the attached resolution.

The KHTO alternative to a TAH is called an Integrated Community Caribou Management Plan or ICCMP.

The key parts of the ICCMP include:

- 1) Setting a limit on KHTO member harvest which is controlled by the KHTO;
- 2) Mandatory BNECH harvest reporting to the KHTO by members;
- 3) Establishing a 'No Caribou Hunting Zone' to reduce BNECH harvest in an area that has easy access by trails and all-terrain vehicles;
- 4) The establishment of an KHTO controlled enforcement system regarding BNECH harvest rates and zones, mandatory reporting, and harvest practices;
- 5) Creation of a program and looking for partners to create a predator management program to reduce predation pressure on the BNECH;
- 6) Continuing and improving education of KHTO members about caribou, respectful harvest practices, and alternate species to harvest; and
- 7) Increased effort to increase the quota to the KHTO regarding muskox in the Kugluktuk harvest area to relieve harvest pressure on the BNECH.

The GN-DOE claims to have consulted the KHTO 10 times regarding the current TAH proposal before the NWMB. This is untrue. The KHTO only met once with the GN-DOE about caribou management in January 2016, and it was not clear to the KHTO that the purpose of the meeting was about implementing the current TAH proposal to the NWMB. In the KHTO opinion this was not a consultation meeting.

Appendix 1. Kugluktuk Hunters and Trappers Association Resolution Opposing the GN Proposal for a



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KUGLUKTUK HUNTERS AND TRAPPERS ASSOCIATION

WHEREAS the Nunavut Wildlife Management Board (NWMB) has give notice that it intends to hold hearings in Cambridge Bay in June to consider the imposition of Total Allowable Harvests (TAH) for the Bathurst Caribou and Blue Nose East Caribou Herds;

AND WHEREAS the Kugluktuk Hunters and Trappers Association (KHTO) has not been adequately or fairly consulted with respect to the wildlife management information about the populations of these herds held by the Government of Nunavut (GN);

AND WHEREAS the timing of the NWMB hearings leaves virtually no opportunity for the KHTO to work with GN to address options for management of the caribou herds;

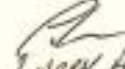
AND WHEREAS the KHTO prefers to address the decline of the Bathurst and Blue Nose East herds using measures such as predator control and HTO authorities under Article 5 of the Nunavut Land Claim Agreement (NLCA);

AND WHEREAS Kugluktuk hunters and trappers are convinced that community based wildlife management initiatives will be more effective and acceptable;

AND WHEREAS KHTO and the Kitikmeot Inuit Association (KIA) plan to develop a community-based plan for caribou management as an alternative to a TAH:

NOW IT IS THEREFORE RESOLVED BY THE KHTO THAT:

1. The NWMB hearing should be postponed to allow for better KHTO consultation and collaboration with the GN.
2. The imposition of a TAH on the Bathurst and Blue Nose East caribou herds is not acceptable, except as a last resort.
3. The KHTO intends to use its powers under s.5.7.3 of the NLCA and increased predator control efforts to manage the Bluenose East caribou herd.
4. The KHTO will work with KIA to develop a community- based and controlled management plan for the Blue Nose East caribou.
5. That KHTO and KIA and the Kitikmeot Regional Wildlife Board should work together to develop local solutions to managing caribou.


HARRY ABSUN
CHAIRMAN, KUGLUKTUK ANGONIATIT ASSOCIATION
MAY 9, 2016



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H/C#57/2016

MOVED BY: Jayko Palongayak

SECONDED BY: Kevin Klengenberg

CERTIFIED AS APPROVED:

DATED:

SIGNED:


LARRY ASWAN

Appendix 2. Kugluktuk Hunters and Trappers Association Resolution Supporting the Included ICCMP,



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Kugluktuk Hunters and Trappers Association support for Development of an Integrated Community Caribou Management Plan as an alternative to the Government of Nunavut Total Allowable Harvest Proposal to the Nunavut Wildlife Management Board.

Whereas, the Kugluktuk Hunters and Trappers Association (KHTO) met at a duly constituted Special Board Meeting on May 19, 2016 in Kugluktuk;

and Whereas, as previously resolved, the KHTO does not agree with the Government of Nunavut (GN) proposed total allowable harvest (TAH) of 340 for the Bluenose East (BNE) caribou herd which has been proposed to the Nunavut Wildlife Management Board (NWMB);

and Whereas, the KHTO as previously resolved on May 9th, 2015 intends to use its powers under Article 5.7.3 of the NLCA to manage the BNE caribou herd;

and Whereas, the KHTO will work with the Kitikmeot Inuit Association (KIA) to develop a HTO controlled management plan for the BNE caribou herd;

and Whereas, the KHTO is concerned about the process and content of the GN TAH consultation for the BNE caribou herd;

and Whereas, the HTO believes that the alternatives to a TAH have not been fully considered or assessed as per Article 5.3.3 of the NLCA:

Now Therefore be it Resolved that:

- 1) The KHTO approves the development of a draft Integrated Community Caribou Management Plan that includes NLCA 5.7.3 rights such as non-quota limitations and KHTO management of harvesting among members;
- 2) The KHTO will submit this outline to the NWMB for the BNE hearing; and,
- 3) The KHTO will express its views on the GN TAH consultation to the NWMB.

Moved: Jayko Palongayak

Seconded: Jorgen Bolt

Certified as Approved: Motion Carried #61.

Date: May 20, 2016

Signed:

A handwritten signature in blue ink, which appears to read "Larry Assun". Below the signature, the text "Chairman KHTA" is written in blue ink.

May 20, 2016.