

bird habitat sites for which Environment Canada has recommended 60 km gear (longline and/or gillnet fishing) setbacks. The majority of these areas overlap with exploratory fisheries for Greenland halibut (turbot) within the Nunavut Settlement Area and could impact the Qikiqtaaluk regional exploratory allocation. Nunavut communities that are actively conducting exploratory fisheries or have recently expressed interest in emerging fisheries include: Qikiqtarjuaq, Clyde River, Grise Fiord, Pond Inlet, Arctic Bay, Resolute Bay, Gjoa Haven and Kugaaruk. In addition, some communities, such as Coral Harbour, have expressed interest in exploratory arctic char fisheries in the marine area, which could also be impacted by marine setbacks.

In consideration of the above, NWMB staff recommend that the Nunavut Planning Commission remove the gear restrictions from the draft Nunavut Land Use Plan, as they constitute non-quota limitations that have not been approved by the NWMB. In accordance with Section 5.3.3 of the Nunavut Land Claims Agreement, NWMB decisions restricting Inuit harvesting can only do so to the extent necessary to (a) effect a valid conservation purpose; (b) to give effect to provisions in Article 5 and Article 40; or (c) to provide for public health or public safety. Furthermore, NWMB staff recommend that Environment Canada work with co-management partners and industry to increase seabird bycatch monitoring in the Nunavut fishery to gain a better understanding of seabird bycatch levels in Nunavut and consider other seabird bycatch mitigation measures that will still allow fishing activity.

Caribou Habitat

Although the NWMB was pleased to see that the 2014 draft Nunavut Land Use Plan recognizes the importance of caribou calving and post-calving grounds, NWMB staff are still concerned about the lack of appropriate protection given to these habitats. The Special Management Area Land Use Designation that has been assigned to caribou calving and post-calving areas that have been identified for high mineral potential is not satisfactory to NWMB staff. In addition, the draft Nunavut Land Use Plan does not acknowledge key access corridors which are essential pathways for mainland migratory caribou herds to access their calving grounds. Displacement, as a result of disturbance along a key access corridor, could result in cows calving on ranges with poorer forage and higher predator exposure, which could negatively affect the population. As noted in the draft Nunavut Land Use Plan and supported by the Government of Nunavut and Nunavut's three Regional Wildlife Organizations, caribou cows and calves are most sensitive to disturbance during the calving and post-calving season. Disturbance during these critical periods may displace caribou from high quality forage or reduce foraging time, thereby reducing milk production and calf survival. The accumulation of these effects over time can significantly impact the herd.

The Special Management Area designation that has been assigned to core calving and post-calving areas that have been identified for high mineral potential provides direction to regulatory authorities to mitigate impacts on these areas. It is NWMB staff's opinion that these impacts cannot be mitigated. Therefore, NWMB staff recommend that all identified mainland migratory caribou key access corridors, calving and post-calving grounds be assigned a Protected Area Land Use Designation that prohibits incompatible uses, including mineral and gas exploration and production, construction of transportation infrastructure and equipment operation.

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Figure 1. Map showing Environment Canada's recommended migratory bird marine setbacks.