

WILDLIFE ACT

R-037-2022

Registered with the Chief Legislative Counsel

2022-12-15

POLAR BEAR TOTAL ALLOWABLE HARVEST ORDER, amendment

Whereas the Minister has accepted a decision of the NWMB on the total allowable harvest and non-quota limitations for polar bear;

And whereas the Minister has accepted a decision of the NWMB respecting the Nunavut Polar Bear Harvest Administration and Credit Calculation System;

And whereas the *Polar Bear Total Allowable Harvest Order* require amendment to implement the Nunavut Polar Bear Harvest Administration and Credit Calculation System;

The Minister, in accordance with accepted decisions of the Nunavut Wildlife Management Board, under sections 120, 121, 156 and 157 of the *Wildlife Act*, S.Nu. 2003,c.26, and every enabling power, makes the annexed amendment to the *Polar Bear Total Allowable Harvest Order*, Nu.Reg. R-011-2005.

- 1. These regulations amend the *Polar Bear Total Allowable Harvest Order*, Nu.Reg. R-011-2005.**
- 2. Subsections 1(2) and (3) are repealed and replaced by:**

(2) The level of the total allowable harvest for each harvest year for a subpopulation of polar bears is set out in the following formula and is expressed as a yearly limit allocated to a community or region:

$$\text{TAH} = \text{BTAH} + \text{CR}$$

where

- | | |
|------|--|
| TAH | is the total allowable harvest for the subpopulation of polar bear listed in Column 1 of Schedule A for the respective community or region listed in Column 4 of Schedule A; |
| BTAH | is the basic total allowable harvest listed in Column 3 of Schedule A for the respective subpopulation and community or region; |
| CR | is the number of polar bear credits carried over from a previous year for the subpopulation and community or region, as calculated in accordance with this section. |

(3) The number of polar bear credits carried over from one year to the next for the subpopulation of polar bear listed in Column 1 of Schedule A for the respective community or region listed in Column 4 of Schedule A is calculated in accordance with the following formula:

$$CR = PYTAH - PYH$$

where

- CR is the number of polar bear credits carried over from one year to the next for the subpopulation and community or region;
- PYTAH is the previous year's total allowable harvest (TAH) for the subpopulation and community or region as calculated under subsection (2);
- PYH is the number of polar bears harvested from the subpopulation by the community or region, or attributed to it, during the previous year.

(4) Despite subsection (3), when a basic total allowable harvest listed in Column 3 of Schedule A is amended,

- (a) the credits carried over from the previous year for the respective subpopulation and community or region are deemed to be zero; and
- (b) the total allowable harvest (TAH) for the respective subpopulation and community or region during the first year the amendment is in effect is equal to the basic total allowable harvest (BTAH) listed in Column 3 of Schedule A for the respective subpopulation and community or region.

(5) The portion of the total allowable harvest (TAH) for a subpopulation and community or region that is derived from the number of polar bear credits carried over from a previous year (CR) may only be harvested if

- (a) when the yearly harvests from that portion do not exceed of 25% of the basic total allowable harvest (BTAH), the Superintendent authorizes the harvest; or
- (b) in any other case, a decision of the NWMB authorizes the harvest.

(6) The Superintendent, RWOs and HTOs must issue polar bear tags in a manner that reasonably ensures that the number of female polar bears harvested from a subpopulation by a community or region listed in column 4 of Schedule A does not, over time, exceed the number of male polar bears harvested from the subpopulation.

(7) It is presumed that Inuit need the total allowable harvest for polar bears.

3. (1) Schedule A is amended by replacing "Total Allowable Harvest (per year)" with "Basic Total Allowable Harvest".

(2) Schedule A is amended by replacing the row for the "Gulf of Boothia Polar Bear Population" with the following row:

Gulf of Boothia Polar Bear Population	GB	17	Baffin Region
		6	Kivalliq Region
		61	Kitikmeot Region

Transitional

4. For the 2022-23 harvest year, the number of polar bear credits carried over from the 2021-22 harvest year for a subpopulation of polar bear listed in Column 1 of the Schedule to these regulations for the respective community or region listed in Column 4 of the Schedule to these regulations is deemed to be the number of polar bear credits listed in Column 3 of the Schedule to these regulations.

SCHEDULE*(section 4)*

Column 1	Column 2	Column 3	Column 4
Subpopulation	Abbreviation	Credits carried over from 2021-22	Community or Region
Norwegian Bay Polar Bear Population	NW	43.41	Grise Fiord
Kane Basin Polar Bear Population	KB	20	Grise Fiord
Viscount Melville Polar Bear Population	VM	11	Cambridge Bay
Lancaster Sound Polar Bear Population	LS	188.39	Baffin Region
Baffin Bay Polar Bear Population	BB	39	Baffin Region
Northern Beaufort Polar Bear Population	NB	136.89	Kugluktuk
M'Clintock Channel Polar Bear Population	MC	9	Kitikmeot Region
Foxe Basin Polar Bear Population	FB	76.91	Baffin Region
		66.05	Kivalliq Region
Davis Strait Polar Bear Population	DS	185.73	Baffin Region
Western Hudson Polar Bear Population	WH	22.3	Kivalliq Region
Southern Hudson Bay Polar Bear Population	SH	5	Sanikiluaq