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March 5th 2012

The Honourable Keith Ashfield Minister of Fisheries and Oceans 15<sup>th</sup> Floor, Centennial Towers 200 Kent Street Ottawa, Ontario K1A 0E6

Dear Minister Ashfield:

Re: Nunavut Wildlife Management Board hearing, decisions and recommendations with respect to shrimp fishery management in Shrimp Fishing Areas 2, 3 and 4

Thank you for your September 6<sup>th</sup> 2011 letter, responding to July 8<sup>th</sup> 2011 correspondence from the Nunavut Wildlife Management Board (NWMB or Board) regarding a number of changes proposed by the Department of Fisheries and Oceans (DFO) to shrimp fishery management in Shrimp Fishing Areas (SFAs) 2, 3 and 4. I am pleased to report that the NWMB is in agreement with you that implementation of the necessary management decisions before the commencement of the 2013/14 fishing season would be beneficial for all parties.

In fact, all of the issues under consideration are highly significant for Inuit and for all Nunavummiut. The Board therefore intends to hold a public hearing in June 2012, addressing the various changes proposed by DFO, and to then forward its decisions and recommendations to you by no later than September 2012.

Those June and September timelines are necessary in order to ensure that the decision-making process under Article 5 of the *Nunavut Land Claims Agreement* (NLCA) is completed in time for you to be able to implement the resulting decisions prior to the start of the 2013/14 fishing season. However, in order to hold the hearing in June and to also meet its associated procedural fairness obligations, the NWMB needs to receive a comprehensive *Proposal for NWMB Decisions and Recommendations* (Proposal) from DFO by the end of March 2012. Once in receipt of the Proposal, the Board will promptly issue a public notice and invite written submissions and attendance at the hearing.

Accordingly, the NWMB requests that DFO deliver a Proposal with respect to shrimp fishery management in SFAs 2, 3 and 4 by no later than the end of March 2012, comprised of the following four elements:

- Clear statements of what decisions and/or recommendations DFO is seeking from the NWMB;
- The best available western scientific, *Inuit Qaujimajatuqangit* and/or community information related to the Proposal, including the evidence and arguments in support of each of the proposed decisions and/or recommendations in the Proposal;<sup>1</sup>
- 3. A reasonably-detailed summary of what relevant consultations have been undertaken, and with whom containing a report of the matters consulted on, the views raised by those consulted and the outcome of the consultations, including accommodations, if any, made as a result of the consultation process; and
- 4. All of the above translated into English or Inuktitut, as the case may be except that supporting documentation over ten pages in length need not be translated if accompanied by a reasonably-detailed, translated summary.

By copying Nunavut Tunngavik Inc. and Makivik Corp. with this letter, the NWMB is hoping to provide them with sufficient opportunity to be able, as hearing parties, to deliver timely and helpful submissions concerning an equitable share percentage for each land claim settlement area of the overall available shrimp harvest in Hudson Strait.

Finally, Mr. Minister, the NWMB would like to address a potential misunderstanding that came to light upon receipt of your September 6<sup>th</sup> letter. Therein, you indicated that you did not accept the NWMB's July decision, that you were referring the matter back to the Board for reconsideration, and that you looked forward to receiving the NWMB's final decision. In fact, the Board resolution delivered to you on July 8<sup>th</sup> 2011 was to postpone making any NLCA decisions or recommendations. As indicated above, the NWMB was persuaded by your September reply to take prompt steps — outlined in this correspondence — to endeavour to make all of its relevant NLCA decisions and recommendations in sufficient time for implementation by you prior to the start of the 2013/14 shrimp fishing season.

The Board trusts that we are in agreement that its decisions following the necessary public hearing will constitute NLCA Section 5.3.17 decisions. In the event that you reject one or more of them pursuant to NLCA Subsection 5.3.18(b), the NLCA requires that we

<sup>&</sup>lt;sup>1</sup> In your September 6<sup>th</sup> 2011 letter, you "...recognize that the Board will require sufficient time to consider the information requested prior to making a decision on shrimp harvesting... and [I] am referring this matter back to the Board for reconsideration once it receives the 2011 survey data..." Accordingly, it is the NWMB's understanding that the 2011 scientific shrimp research survey data for the SFAs in question will necessarily be provided as part of the Proposal.

follow the rest of the Article 5 decision-making process in Sections 5.3.19 to 5.3.23. Hence the need for delivery of the DFO Proposal by March, the holding of the public hearing by June, and the forwarding by the NWMB of its NLCA Section 5.3.17 decisions and NLCA Article 15 recommendations to you by September of this year. That schedule should allow for further NLCA decision-making and implementation steps to be completed in time for the 2013/14 fishing season, as set out in your September 6<sup>th</sup> correspondence.

If you or your officials have any questions with respect to the contents of this letter, please do not hesitate to contact the NWMB at your convenience.

Yours sincerely,

Mikidjuk Akavak, Chairperson of the

Nunavut Wildlife Management Board

c.c. Members of the Nunavut Fishing Industry;

Cathy Towtongie, President, Nunavut Tunngavik Incorporated; Gabriel Nirlungyuk, Director of Wildlife Management, Nunavut Tunngavik Incorporated;

James Arreak, Minister of Environment, Government of Nunavut; Wayne Lynch, Director-Fisheries and Sealing, Government of Nunavut; David Burden, A/Regional Director General, Central and Arctic, Department of Fisheries and Oceans;

Eric Kan, Director, Eastern Arctic Area, Department of Fisheries and Oceans; Johnny Oovaut, Chairperson, Nunavik Marine Region Wildlife Board; Mark O'Connor, Director of Wildlife, Nunavik Marine Region Wildlife Board; Jobie Tukkiapik, President, Makivik Corporation;

Johnny Peters, Vice President of Renewable Resources, Makivik Corporation; Richard Connelly, Executive Director of the Nunavut Inuit Wildlife Secretariat, for distribution to the Qikiqtani Regional Wildlife Organization and Hunters and Trappers Organizations; and

Ray Andrews, Chairperson, Nunavut Fisheries Advisory Committee.