

The NLCA (5.3.24) requires the NWMB to conduct a full review of the Minister's Interim Decision as soon as practicable thereafter.

NLCA decision criteria

The Inuit right to harvest wildlife within the Nunavut Settlement Area can be limited by the NWMB or a Minister only to the extent necessary to effect a valid conservation purpose; to give effect to the allocation system outlined in the NLCA, to other provisions of Article 5 and Article 40; or to provide for public health or public safety (5.3.3). The Inuit right to harvest can also be regulated by a Hunters and Trappers Organization (HTO) or Regional Wildlife Organization (RWO) of which the Inuk is a member (5.7.3; 5.7.6), provided that this authority is not exercised in a way that conflicts with any other regulations concerning harvesting practices and techniques (5.7.14).

Inuit are committed to the Principles of Conservation in the NLCA (5.1.5). The Board and Minister are bound by these Principles when making conservation decisions (5.1.4; 5.3.3(a)). Two of the principles of conservation are: the maintenance of vital, healthy, wildlife populations capable of sustaining harvesting needs as defined in Article 5, and the restoration and revitalization of depleted populations of wildlife and wildlife habitat (5.1.5 (c) and (d)).

Recommendations of Nunavut Tunngavik Incorporated (NTI)

1. At the March 2015 public hearing, the Board should conduct its full review of the Minister's Interim Decision.
2. Based on the information given and views expressed at the hearing, the Board should establish harvest limitations that, when implemented forthwith, replace the Minister's Interim Decision. The Board's harvest limitations should be decided and implemented no later than 1 June 2015.
3. NTI supports the view of the Baffin Island HTOs and Qikiqtaaluk Wildlife Board (QWB) that the Board's decision should enable Inuit to continue hunting caribou even on a very limited basis. This is an appropriate means for the Board to recognize the importance of caribou to the Inuit way of life.
4. A TAH of 60 caribou, as recommended by the QWB, is one means of reducing the harvest consistently with the Principles of Conservation that the Board should consider.
5. If the Board establishes a TAH following the March hearing session, a BNL decision will be necessary. Accordingly, if a TAH is established, and after seeking the support of the HTOs and RWO at the hearing, the Board should adjourn the BNL portion of the hearing until the fall of 2015 so that the co-management partners and affected parties can consider and make their views known to the Board regarding striking of the BNL. NTI recommends this unusual step because a BNL for Baffin Island caribou has not yet been identified, Inuit have not been informed or consulted about the future harvest consequences of this BNL, and NTI is aware of concerns that some communities may have regarding the information on which this BNL might be based. In the interim, the

Board's TAH decision should specify that the entire TAH is to be reserved to Inuit, in view of the certainty that this BNL will be higher than 60 caribou.

6. The Board also should consider other means than a TAH of reducing, but continuing, the Inuit harvest of Baffin Island caribou. For example, the Board may carry forward the closed season that the Minister's Interim Decision effectively established for harvesters other than Inuit throughout the year, but open a season for Inuit for three weeks in August for the harvest of bulls. (Section 5.6.49 of the NLCA expressly provides for non-quota limitations that differentiate between Inuit and non-Inuit harvesting in such a manner.) Specific reporting conditions could be attached to such an Inuit harvest, and specific sensitive areas closed to harvesting. In this way, the Board could replace the Minister's Interim Decision with an effective conservation decision that better reflects Inuit priorities and values, without resolving in 2015 all issues that arise with the setting of a TAH and BNL.

7. The Board should recommend that Government continue to work with Inuit communities and organizations to complete a comprehensive management plan for Baffin Island caribou, as a matter of the highest priority. At the March 2015 hearing, the Board should seek Government's commitment to a target date for submission of the plan for Board approval, and the Board's recommendation should include this target date.

Submitted by NTI Wildlife and Environment Department
February 13, 2015