



August 4, 2006

Dear Sir or Madam:

**RE: Special Meeting No. 12 of the Nunavut Wildlife Management Board
and the rights of particular aboriginal peoples and Bands under
Article 40 of the *Nunavut Land Claims Agreement***

This letter is a follow-up to the March 13th, 2006 Government of Nunavut (GN)/Nunavut Wildlife Management Board (NWMB or Board) letter addressed to you as the representative of an aboriginal people or Band with rights under Article 40 of the *Nunavut Land Claims Agreement* (NLCA). As you are aware, the NWMB will soon be holding a public meeting (Special Meeting No. 12) to consider the harvesting restrictions proposed in the draft Wildlife Regulations and Orders made pursuant to Nunavut's new *Wildlife Act*. That meeting was originally scheduled for May 8th to 10th 2006, but had to be postponed until the fall because certain key documents were not translated in time to allow the NWMB members to adequately prepare in advance for the meeting.

Attached to this letter is a copy of the revised *Ad Hoc* Procedures for Special Meeting No.12. Also attached is the currently proposed Agenda for the meeting, which will be held in two separate sessions (September 25th to 28th and October 23rd to 25th 2006). Copies of all the materials filed for the meeting can be obtained from the Board's web site at www.nwmb.com by following the links for Special Meeting No. 12. Alternatively, you can obtain the materials by contacting the NWMB's Chief Operating Officer directly:

Jim Noble, Chief Operating Officer
Nunavut Wildlife Management Board
P.O. Box 1379
Iqaluit, NU
X0A 0H0
Phone: (867) 975-7300
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A number of total allowable harvests (TAHs) and one prohibition are being proposed by the GN in the draft Regulations and Orders. A "TAH" is the overall amount of a stock or population of wildlife that the NWMB decides can be lawfully harvested in the Nunavut Settlement Area (NSA). As explained in March, TAHs are being proposed for several populations of Peary Caribou, Muskox and Birds of Prey (Gyrfalcon, Peregrine Falcon, Short-eared Owl, Bald Eagle, Golden Eagle, Rough-legged Hawk, Harrier and Osprey). The proposed prohibition is for a northern moss – Porsild's Bryum.

You will recall that, also in our March 2006 letter to you, the GN and the NWMB pointed out the following:

"...If the aboriginal people or Band whom you represent harvests from a population of any of these species within the NSA under the terms of Article 40, and if the NWMB decides to establish a TAH for that population, the Board must allocate a basic needs level for the aboriginal people or Band within the NSA, separate from any basic needs level for Nunavut Inuit (see NLCA Sections 40.2.5, 40.3.3, 40.4.2 and 40.5.2). In such a circumstance, the NWMB would like to work with your organization to review the available evidence of your aboriginal people's or Band's harvesting of that species within the NSA."

"Basic needs level" refers to the level of harvesting by an aboriginal group required to meet their basic needs.

In order to allocate a basic needs level for an aboriginal people or Band with rights under NLCA Article 40; the NWMB requires sufficient and reliable information and evidence concerning the harvesting of a wildlife population inside the NSA by that aboriginal people or Band. To date, the NWMB has received no such information or evidence with respect to the species named above. The GN does not have the required information or evidence.

While the NWMB and the GN are interested in obtaining any relevant information and/or evidence from you, we would particularly like to receive information and evidence as to:

1. Which of those species/populations named above that the aboriginal people or Band harvests inside the NSA;
2. The general location(s) where the harvests take place;
3. The traditional harvest levels for each species/population harvested by the aboriginal people or Band; and
4. The harvest levels for each of the last five years for every species/population harvested by the aboriginal people or Band.

While the NWMB and the GN recognize that full answers to these four requests constitute an ideal response, we would appreciate as complete a set of answers as is reasonably possible in the circumstances.

Please note that if you do not respond to the requests, the NWMB and the GN will necessarily conclude that the aboriginal people or Band that you represent does not harvest from a population of any of these species inside the NSA.

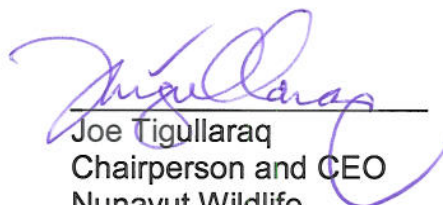
With respect to the timeline for the receipt of a response, the revised *Ad Hoc* Procedures for Special Meeting No. 12 state the following: "*Written and translated reviews of, or responses or challenges to, any materials filed with or made publicly available by the NWMB as of August 11th 2006 shall be filed with the NWMB by no later than 5:00 PM, September 8th 2006...*" Please do not hesitate to contact the NWMB's Chief Operating Officer in order to file your responses by September 8th to the requests set out above, or if you have any questions or concerns regarding Special Meeting No. 12 – including with respect to formal participation at the meeting.

Following Special Meeting No. 12, the Board and the Nunavut Minister of Environment will follow the decision-making process set out in Part 3 of NLCA Article 5 with respect to final approval of the TAHs and other harvest limitations in the draft Regulations and Orders. Once that process is completed, the draft Regulations and Orders will be finalized and submitted to the Government of Nunavut for approval by Cabinet, and passage into law. We therefore encourage the aboriginal people or Band you represent to engage in the Special Meeting No. 12 process in order to ensure that their rights and interests are fully taken into account.

Yours sincerely,



Simon Awa
Deputy Minister
Department of Environment
Government of Nunavut



Joe Tigullaraq
Chairperson and CEO
Nunavut Wildlife
Management Board