



*Disclosure in the Southampton Island Caribou Public Hearing*” (NWMB Directions). A copy of the NWMB Directions is attached to this letter as Appendix I.

Considering the vital importance and complexity of this hearing, the fact that it has been adjourned for more than eight months (since May 28<sup>th</sup> 2014), the repeated need during the adjournment to grant extensions to the filing of submissions, the relatively large volume of new hearing documents, as well as the expectation that more documents will be filed, the Board has decided that now is the time to formally issue the NWMB Directions. They have been carefully designed to permit the hearing to proceed in a fair, orderly and timely manner, and to avoid additional delays.

As of February 9<sup>th</sup> 2015, the NWMB Directions form a part of the *Rules for the NWMB’s Public Hearing to consider the Government of Nunavut’s Proposal to lower the total allowable harvest of Southampton Island caribou from 1,000 to 800 and to maintain the current non-quota limitations* (Rules), dated October 9<sup>th</sup> 2013.<sup>2</sup> Hearing parties are required to strictly comply with the directions therein applying to them. While the NWMB Directions primarily set out instructions that apply only to the GN and NTL, please note that Direction 14 invites “*all other parties*” to file additional written submissions.

With respect to the filing deadline dates set out in Directions 4, 5, 6, 8, 9, 13, 14 and 15, the NWMB is prepared to consider any substantial objection - with supporting reasons and a proposed solution - from the affected party or parties, to be delivered in writing to the NWMB and all other parties by no later than 5:00 p.m. (Iqaluit time) on February 16<sup>th</sup> 2015. Unless and until the NWMB makes a formal change to any filing deadline, all parties are to adhere to the current deadlines.

Written objections may be filed - in Inuktitut and English - with the Board in person, by courier or by mail.<sup>3</sup> They should be clearly marked as pertaining to the *NWMB Public Hearing for SHI Caribou*. Delivery may also be made through fax or electronic transmission, but only if your department or organization confirms by phone with the NWMB – by no later than 5:00 p.m. (Iqaluit time) on February 16<sup>th</sup> – that a complete and legible copy of the transmission has been received by the Board. All materials are deemed to have been filed on the actual day of receipt by the NWMB.

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<sup>2</sup> The Rules are available for review and download from the NWMB’s *Public Hearings Registry* on its website ([www.nwmb.com](http://www.nwmb.com)).

<sup>3</sup> Hearing parties may contact the NWMB at the following coordinates:

Nunavut Wildlife Management Board  
3<sup>rd</sup> Floor, Ikaluktuutiak Drive  
P.O. Box 1379, Iqaluit, NU, X0A 0H0  
Phone: (867) 975-7300  
Fax: (888) 421-9832  
E-Mail: [receptionist@nwmb.com](mailto:receptionist@nwmb.com)

Subject to relevant confidentiality or privacy concerns, all documents filed with the Board will be placed on the NWMB's *Public Hearings Registry*, and will be available for download shortly after the filing deadline.

Should you or your officials have any questions or concerns regarding this letter or the NWMB Directions, please do not hesitate to promptly contact the Board.

Yours sincerely,



Ben Kovic,  
Chairperson of the  
Nunavut Wildlife Management Board

Enclosure (1)

- c.c. Drikus Gissing, Director of Wildlife, Government of Nunavut – Department of Environment;
- Mitch Campbell, Kivalliq Regional Biologist, Government of Nunavut – Department of Environment;
- Paul Irgaut, Director of Wildlife, Nunavut Tunngavik Incorporated;
- Glenn Williams, Wildlife Policy Advisor, Nunavut Tunngavik Incorporated;
- Janet Dionne, Acting Executive Director, Nunavut Inuit Wildlife Secretariat;
- Leah Muckpah, Kivalliq Regional Liaison, Nunavut Inuit Wildlife Secretariat; and
- Jackie Price, South Baffin Regional Liaison, Nunavut Inuit Wildlife Secretariat

**APPENDIX I**  
**NUNAVUT WILDLIFE MANAGEMENT BOARD**  
**DIRECTIONS FOR PRE-HEARING DISCLOSURE IN THE**  
**SOUTHAMPTON ISLAND CARIBOU PUBLIC HEARING**

February 10 2015

1. These Directions form a part of the *Rules for the NWMB's Public Hearing to consider the Government of Nunavut's Proposal to lower the total allowable harvest of Southampton Island caribou from 1,000 to 800 and to maintain the current non-quota limitations*, dated October 9<sup>th</sup> 2013 (Rules). All relevant directions in the Rules apply to these Directions, including with respect to the mandatory translation of filed documents.
2. The Government of Nunavut (GN) and Nunavut Tunngavik Inc. (NTI) (hereinafter, the parties) shall make best efforts to identify all facts that are not in dispute between the parties - and on which either party will ask the Nunavut Wildlife Management Board (NWMB) to rely in determining the Basic Needs Level (BNL) for Southampton Island caribou - for filing with the NWMB in a joint statement.
3. In particular, if the GN or NTI provides to the other party a list of facts to be considered not in dispute, the other party shall respond in writing promptly and fully, and - if either party so requests - the parties shall confer by telephone if this could reasonably assist in reaching agreement.
4. If agreement is reached, the joint GN-NTI Statement of Undisputed Facts is to be filed in writing with the NWMB, by no later than 5:00 pm (Iqaluit time) on April 27<sup>th</sup> 2015.
5. Acknowledging that the GN has provided NTI and filed in writing with the NWMB a list and copies of all documents on which the GN intends to rely in this proceeding - additional to those documents provided by the GN in its written submissions filed prior to January 2015 - the GN shall:
  - a) provide NTI and file in writing with the NWMB, by no later than 5:00 pm (Iqaluit time) on March 9<sup>th</sup> 2015, a brief written explanation of how, in the context of written argument already filed or added at this time, each additional GN document supports the GN's position regarding the BNL; and
  - b) confirm in writing with the NWMB, by no later than 5:00 pm (Iqaluit time) on March 9<sup>th</sup> 2015, that the GN has complied with Direction number 5a), and when it did so.
6. By no later than 5:00 pm (Iqaluit time) on April 6<sup>th</sup> 2015, NTI shall provide the GN and file in writing with the NWMB:
  - a) a list and copies of all documents not already filed with the NWMB by the GN or NTI, on which NTI intends to rely in this proceeding;

- b) a brief explanation of how, in the context of written argument already filed or added at this time, each such additional document supports NTI's position regarding the BNL; and
  - c) confirmation that NTI has complied with this Direction, and when NTI did so.
7. The NWMB's permission will be needed in order for the GN or NTI to introduce any document at or before the resumed public hearing that has not been identified in its document list, filed by way of copy, and explained in writing. See also Direction number 16.
  8. Acknowledging that the GN, in January 23<sup>rd</sup> 2015 correspondence, provided NTI, and filed with the NWMB, a list of all witnesses the GN intends to call, the NWMB directs the GN to provide for each witness – by no later than 5:00 pm (Iqaluit time) on March 9<sup>th</sup> 2015 - a list of the key facts that the GN relies on that witness to report to the NWMB (witness statement). If the witness is not reporting personal knowledge, the source of the witness' information is to be identified in the statement. "*Key facts*" include all the facts to be reported by the witness that the NWMB would need to rely on in order to accept the party's position respecting BNL calculation.
  9. By no later than 5:00 pm (Iqaluit time) on April 6<sup>th</sup> 2015, NTI is to provide the GN and file with the NWMB a list of all witnesses that NTI intends to call, and a witness statement for each NTI witness. The content of these witness statements is subject to the same requirements as in Direction number 8.
  10. The NWMB's permission will be needed in order for the GN or NTI to call any witness or report orally any fact at the public hearing that has not been identified in that party's witness list or witness statements. The NWMB recognizes that specific circumstances may arise in which it would be appropriate to permit an exception for reasons of fairness. See also Direction number 16.
  11. The GN and NTI are to provide full disclosure promptly to each other and to all other parties to the hearing<sup>1</sup> of any fact that either party intends to report to the NWMB, any document that it intends to introduce, and any witness that it intends to call, at all times throughout this proceeding.
  12. If the GN or NTI asks a relevant question in writing of the other party pertaining to a document or witness statement filed by the party, the other party is to answer the question fully in writing within ten (10) days of receipt of the question, and the answer is admissible up to fourteen (14) days prior to the resumption of the public hearing in this proceeding, notwithstanding the deadlines in Direction numbers 5 and 6. Any such answer is to also be provided to all other parties to the hearing, and to include reasonable particulars of

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<sup>1</sup> As of February 9<sup>th</sup> 2015, "*all other parties to the hearing*" are the following: the Kivalliq Wildlife Board, the Qikiqtaaluk Wildlife Board, the Coral Harbour Hunters and Trappers Organization (HTO), the Aiviq HTO, the Arviq HTO, the Aqigiq HTO and the Kangiqliniq HTO.

information given in the document or witness statement, if requested, and if the information is known or readily available to the party answering the question. If any disagreement arises regarding compliance with this Direction, the NWMB is prepared to provide specific additional Directions in order to settle the matter.

13. NTI may file its written reply to the GN's August 29<sup>th</sup> 2014 submission and the GN's additional filed documents, explanations and witness statements by no later than 5:00 pm (Iqaluit time) on June 15<sup>th</sup> 2015.
14. The GN and all other parties to the hearing may file their written replies to NTI's reply, and to NTI's additional filed documents, explanations and witness statements, by no later than 5:00 pm (Iqaluit time) on July 20<sup>th</sup> 2015.
15. The GN, as the proponent in this proceeding, may then file a final written response by no later than 5:00 pm (Iqaluit time) on August 17<sup>th</sup> 2015 to any replies filed pursuant to Direction number 14.
16. The NWMB retains at all times the discretion to make an exception or a modification to any of these Directions, if the NWMB deems such an exception or modification to be fair in the circumstances.
17. Recognizing the unusual nature of this proceeding, the NWMB is prepared to consider issuing further Directions regarding disclosure by the parties on reasonable notice.

All documents must be filed - in Inuktitut and English - with the NWMB in person, by courier or by mail.<sup>2</sup> They should be clearly marked as pertaining to the *NWMB Public Hearing for SHI Caribou*. Delivery may also be made through fax or electronic transmission, but only if your department or organization confirms by phone with the NWMB – by no later than 5:00 p.m. (Iqaluit time) on the deadline date – that a complete and legible copy of the transmission has been received by the Board. All documents are deemed to have been filed on the actual day of receipt by the NWMB.

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<sup>2</sup> Hearing parties may contact the NWMB at the following coordinates:  
Nunavut Wildlife Management Board  
3<sup>rd</sup> Floor, Ikaluktuutiak Drive  
P.O. Box 1379, Iqaluit, NU, X0A 0H0  
Phone: (867) 975-7300  
Fax: (888) 421-9832  
E-Mail: [receptionist@nwmb.com](mailto:receptionist@nwmb.com)