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Department of Environment

Ministère de l'Envrionnement

Jim Noble
Chief Operating Officer
Nunavut Wildlife management Board
P.O. Box 1379
Iqaluit, NU X0A 0H0

March 29, 2005

Dear Jim;

RE: Submission to NWMB of Draft Regulations and Orders, and Associated Documents

On, March 27, 2006 I sent over a disk containing the final draft regulations and orders. the proposed Non-Quota Limitations (NQLs) and Total Allowable Harvests (TAHs) contained within the draft regulations are of course within the jurisdiction of the Nunavut Wildlife management Board, and as per the March 2, 2006 letter from your Chairperson, are being submitted for the consideration of the NWMB at the planned May meeting. We have had a delay in obtaining the Inuktitut translations of the final drafts, but have been assured that they will be ready by March 31.

In response to the specific requests in the letter, I provide the following:

1) An up to date list of all the draft TAHs being proposed.

Total Allowable Harvests are being proposed for Muskoxen, Peary Caribou, and Birds of Prey. We are no longer proposing TAHs for Grizzly bear and Wolverine.

2) An up to date list of all of the draft NQLs being proposed.

There is, as you know, some disagreement between the GN and the NWMB on what is, and is not, an NQL. Counsel for the NWMB produced a list for the NWMB workshop in November 2005, and it included a number of items that the GN did not, and does not, agree were actually NQLs. The draft regulations and orders contain, scattered throughout them, numerous NQLs, and number other provisions that may of may not be NQLs, depending on who you ask. Therefore providing you with a list of what we think are NQLs may not be of much use, as I expect your legal counsel will have some disagreements and will review all the draft regulations and orders anyway, to produce your own list. However, if you feel that this is a list that will be useful to your staff or board in this exercise, please call or email, and I will have one produced for you immediately by reviewing and updating the list prepared by your legal counsel, and removing the items we do not feel are actual NQLs.

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3) The report/summary of the October-November regional consultations.

Attached is a report of the consultations. As above, we have experienced a delay in obtaining the Inuktitut translations, but again, we have been assured that this will be available on March 31 as well. I note that in this report there is a list of all of the specific requests for changes and comments made by the HTOs, and there is included a DOE response to each. Several changes have been made to the final draft regulations based on the input and comments of the HTOs during these workshops. Notable examples include the changes in the proposed muskoxen management regimes in the Kivalliq and on Southern Ellesmere Island.

4) Full NLCA S. 5.3.3 justifications and evidence for all proposed TAHs and NQLs in contention at the regional consultations, at the NWMB's November 15-17, 2005 informal hearing, or at any subsequent community consultation carried out by the GN.

As described in the summary report on the consultations, the regional consultations we conducted in the fall of 2005 were primarily information providing sessions. There were of course some active discussions and issues in contention, but all of these are described and responded to in the consultation report. It is noteworthy that on a number of the issues in contention, the GN has withdrawn the proposal of has modified the proposal to suit the wishes of the HTOs.

At the NWMB November 15-17 informal hearing DOE representatives attended as resource people and participated in the discussions, answered questions, and provided any additional information as we could. We did not maintain minutes, but I certainly note that there were many issues in contention, including all TAH's and seasons, any equipment restrictions, and many other issues. We have not had the opportunity to review the NWMB report on this meeting, and therefore cannot comment on the contentions issues that the NWMB recorded. I can advise that the December 31, 2005 version of the TAH report constitutes our basis for the proposed TAH's, seasons, and provisions requiring a sex selectivity in harvest, and that all proposed limitations are suggest for a valid conservation purpose.

On the issue of fully justifying proposed NQLs, that is, of course, a subjective matter, and there may be some misunderstanding of what needs justification. In previous discussions with NWMB and NTI staff there was agreement that NQLs that are agreed to or on which there is no controversy. Indeed, NTI and NWMb staff discussed and usually agreed to these provisions being placed in the drafted regulations, and Therefore we have not placed a large effort on providing a defense or justifications for most NQLs. However, our staff are fully available for this project, will be attending the

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NWMB meeting, and will make any submission or presentation necessary to justify the any of the proposed NQLs before the NWMB.

5) Full 5.3.3 Justifications for all the proposed TAHs and NQLs that have been revised since the regional consultations and informal hearings.

A very small number of proposed TAH's and NQLs have been revised since the fall consultations. These have been reflected in the final drafts, and for ease of reference we have provided a red-lined version. In addition to the examples described above, the department has withdrawn the proposed TAHs for wolverine and Grizzly bear, and had withdrawn the proposed closed season for wolves in the high arctic.

6) Full responses to the list of comments and questions provided by the NWMB on December 16, 2005.

Attached is a response to the list of questions and comments.

My apologies for the delay in providing you with this additional information, and I hope the two day delay does not affect your process. As mentioned above I will provide you with the Inuktitut versions as soon as they are ready. I will also bring a signed copy of this letter over.

Regards,

Stephen Pinksen
Director, Policy, Planning, and Legislation
Department of Environment
Government of Nunavut

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