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July 20th 2009

Hon. Daniel Shewchuck Minister of Environment Government of Nunavut P.O. Box 2410 Iqaluit, Nunavut

Dear Minister Shewchuck,



This letter is notification that the Nunavut Wildlife Management Board (NWMB or Board) has received your Request for Decision (RFD) to consider modifying the Total Allowable Harvest (TAH) for the Baffin Bay (BB) polar bear population due to conservation concerns, submitted as a Ministerial Management Initiative as per Article 5.3.25 of the *Nunavut Land Claim Agreement* (NLCA).

The NWMB will be issuing a public notice and an invitation letter to the relevant parties notifying them of, and requesting responses to your RFD by **September 1<sup>st</sup>, 2009.** The NWMB has arranged to hold a one-day public hearing to consider the RFD at its Regular Meeting No. 61 to be held September 28<sup>th</sup>-October 1<sup>st</sup> 2009 in Iqaluit, Nunavut. The date of the hearing will be **September 29<sup>th</sup>**. For more details please refer to the invitation letter that was sent to you.

In the RFD letter, received by the NWMB on June 30<sup>th</sup> 2009, you request a decision from the NWMB "...in time for implementation in October 2009." As indicated the Board will be considering the issue at its next Regular Meeting and tentatively plans to make a decision at that meeting. Given the short notice of this RFD the earliest opportunity to publicly consider the proposal and make an associated decision is at the Board's next Regular Meeting. The Board can commit to the submission of its decision to you by mid-October. The NWMB wants to ensure that this timeline allows you to meet your national and international obligations as per S 5.3.25 of the *Nunavut Land Claims Agreement*.

The accompanying submission to the RFD letter entitled "A management response to conservation concerns with the Baffin Bay polar bear population" includes recommended options in Appendix 1. The recommended Option #3 is to "Review the BB MOU and the target number. Consider lowering the target number, and setting a new TAH appropriate to the new target number."



The NWMB is of the position that if the Government of Nunavut-Department of Environment (GN-DoE) considers that the current target number (2074), defined in the BB Polar Bear Management Memorandum of Understanding (BB MOU) as the "management goal for the population size of the BB population" (p. 4) is no longer a realistic management goal then the GN-DoE should take the necessary steps to revise this management goal.

As per Section 1.11 of the BB MOU, the agreement "may be reviewed anytime there is new information or a management issue. If one of the signatories wishes to revisit some aspect of the MOU, they shall provide notification to all other parties, and allow 90 days for a response." An NWMB recommendation or decision is not required to make amendments to the polar bear MOUs but is rather a duty and responsibly of the signatories of the MOUs.

The NWMB encourages the GN-DoE or the other signatories of the BB MOU to start the process of making amendments to the BB MOU if that is the desire of any of the signatories. The NWMB recognizes that if begun, this process may not be completed by the submission deadline of **September 1**<sup>st</sup>, **2009** for the upcoming public hearing. However, the NWMB recommends that a progress update on this initiative, if started, be submitted by the submission deadline for Board consideration when making its decision on the recent RFD.

If you require further information, or if you have any questions arising from this letter, please do not hesitate to contact the NWMB at your convenience.

Yours sincerely,

Harry Flaherty

A/Chairperson of the Nunavut Wildlife Management Board