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Tuglia Ministam, Avatiliqiyikkut

Deputy Minister, Department of Environment

Sous-ministre, Ministère de l'Environnement

Mr. Jim Noble
Executive Director
Nunavut Wildlife Management Board
Box 1379
Iqaluit, Nunavut
X0A 0H0

October 10, 2014

Dear Sir:

RE: Disclosure of New Documents Identified by Government of Nunavut (GN) – Southampton Island Caribou Proceeding

As you may be aware, the GN has advised counsel for Nunavut Tunngavik Incorporated (NTI) and Board Counsel that it has located additional documents relevant to the submissions made by GN in the captioned matter on March 31 and August 29, 2014. These documents were not in the possession of the Department of the Environment when these submissions were made and, despite best efforts to locate relevant documents, were not found until early September 2014.

We have not yet secured copies of all of the documents. They span a number of years beginning in the mid-1990s and running until 2009. The documents relate to contractual arrangements for the hunts, employment of staff, inspection of harvested products, sales and other financial and administrative matters related to the Southampton Island caribou harvests over the years. In the GN's view, they are likely relevant to matters in issue before the Board.

Consequently, GN notified NTI and Board counsel of the existence of the documents and began the process of securing and copying them so that disclosure could be made. In addition, there have been teleconferences between GN and NTI counsel and a teleconference organized by Board counsel in order to discuss the procedural and more substantive implications of this new evidence. The GN is aware of the timelines set out by the Board and has made arrangements to get the documents copied as soon as possible (they are currently located in the Kivalliq Regional Office of the Department of Economic Development and Transportation and in the).

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To date, GN has only those documents related to the 2007 harvest. Our review of them indicates that they contain personal and financial information which is protected by privacy legislation. We are thus seeking an expedited review of the 2007 documents to ensure that disclosure does not impact on these privacy rights. It seems likely that all other documents forwarded from the Kivalliq will have to be reviewed for privacy concerns as well, and this has implications for the timing of disclosure. At NTI's suggestion, our initial plan is to get several "sample" years of the documents, likely 2007 and one or more years from the period included in the Nunavut Harvest Study. As soon as we have these documents assembled and cleared for privacy concerns they will be provided to both the Board and NTI. We are as yet unable to give a specific date for delivery, but we are treating this matter as urgent.

In the meantime, NTI has a deadline October 15th to respond to the GN's August 29th submission. It is not in the interests of any party, nor would it be efficient for the Board to have this disclosure made after NTI files their reply. As a result, the GN suggests that the NTI deadline be pushed back to November 1st. The GN will provide an update on progress with the documents to the Board by October 20th and we will disclose the 2007 documents as soon as privacy issues are resolved.

We trust that these suggestions will meet with your approval. If you have any questions do not hesitate to contact my office directly.

Sincerely,

Steven Pinksen

Assistant Deputy Minister

C NTI and NTI counsel
Parties to the Proceeding