

Nunavut Tunngavik Incorporated
September 10, 2015

NTI answers to GN August 31 2015 questions* pertaining to NTI witness statements and NTI documents filed

*Since receiving the GN's questions, NTI representatives have not yet been able to reach Mr. Inuapik Ell. NTI will provide answers to the GN's questions for Mr. Ell as soon as possible.

WITNESS STATEMENT OF GLENN WILLIAMS:

GN Question 1:

This witness statement speaks only to Mr. Williams telephone interview of Mr. Richard Connelly. Please confirm that statement sets out the scope of all the evidence which may be provided by Mr. Williams in this proceeding. If Mr. Williams will be providing additional evidence please disclose it.

NTI's legal counsel has certified that NTI has complied with the Board's Directions in this proceeding. Directions 8 and 9 require that each witness statement include "all facts to be reported by the witness that the Board would need to rely on" if the Board were to accept the party's position. NTI confirms again that Mr. Williams' statement includes all such facts, and their source.

NTI notes that the GN's answers to NTI's written questions decline to give NTI the reciprocal assurance. The GN's answers purport to reserve an opportunity at the hearing for each of the GN's three witnesses to give oral testimony on facts that the GN considers material, and has not disclosed, notwithstanding Direction 8. (See GN May 7 2015 answers to NTI questions #14 and 21; GN August 31 2015 answers to NTI questions #14A, 21A, and 25).

GN Question 2:

Please indicate whether Mr. Williams was ever directly involved with the regulation, inspection, monitoring or management of the Southampton Island (SHI) commercial harvests? If the answer is yes explain the scope of his involvement for each year and disclose the evidence which Mr. Williams may provide about these commercial harvests.

No, Mr. Williams was not ever so involved.

WITNESS STATEMENT OF WILLIE NAKOOLAK:

GN Question 3:

Mr. Nakoolak's witness statement indicates that he was a member of NWMB for 4 years (2007 – 11) and Chair in 2010. Did Mr. Nakoolak have any involvement as a member of NWMB on matters related to Southampton Island commercial caribou harvests? Please provide specifics.

Mr. Nakoolak does not recall any NWMB discussions or decisions regarding the Southampton Island caribou abattoir harvest while he was a member and Acting Chairperson.

GN Question 4:

Mr. Nakoolak's statement says that he was on the Board of the Aiviit HTO from 1996 to 2012. This includes the years he was also on the NWMB and its Chair. Please explain the overlap in 2007 to 2009 and please indicate how Mr. Nakoolak addressed decision-making about SHI commercial harvests on NWMB given this overlap.

As noted above, Mr. Nakoolok does not recall the Board dealing with decisions about SHI caribou abattoir harvests while he was with the Board. His practice was that, if the HTO discussed a matter that the NWMB would deal with, he would not take part in the HTO discussion, reserving himself to play his role with the NWMB.

GN Question 5:

Was Mr. Nakoolak ever employed in the commercial harvesting operation either at the abattoir or as a hunter?

Mr. Nakoolak did not ever work for the abattoir operation in any capacity.

GN Question 6:

When Mr. Nakkolak was on the board of the Aiviit HTO between 1996 and 2007 did he participate in or work with government in setting annual commercial harvesting quotas for the abattoir? If yes please explain Mr. Nakkolak's involvement, who generally represented government and how those decisions were made?

Mr. Nakoolak recalls that in the early years he was with the HTO Board, the HTO worked with the GN to get more quota for the abattoir. In the early years the overall commercial quota kept increasing, after surveys; then it stayed at 6000.

Each year, keeping in mind the community's food needs, the HTO would decide how many commercial tags could go to the abattoir harvest from the quota. The number changed each year. Mr. Nakoolak believes that Mitch Campbell often took part in these discussions for the GN. The decision often depended on the buyer. The only buyer in many years was the Kivalliq Foods meat plant, and it could only take so much.

HOME PAGES – KIVALLIQ ARCTIC FOODS, KITIKMEOT FOODS, PANGIRTUNG FISHERIES AND PAPIRRUQ FISHERIES:

GN Question 14:

NTI filed excerpts from the home pages for these four plants. The filed documents addresses char harvesting – a species managed and regulated under a different jurisdiction and legislation; and Muskox which is a presumption as to needs species under the NLCA. What relevance to this proceeding, which is focussed on the role of caribou harvested commercially for export in BNL, does this NTI evidence have?

NTI's May 4 2015 explanation of documents filed explains the relevance of these pages to NTI's reply argument. NTI's May 2 2014 written submission explains why, in NTI's view, the NWMB must rule in this proceeding on what amounts may be included in a BNL for any species of wildlife; hence why the NWMB's ruling necessarily will affect all species of wildlife that are subject to a BNL. (See especially pages 4 and 13-15). NTI will make further submissions on this issue in its reply to the GN's August 29 2014 written submission.

GN Question 15:

Does NTI know whether any of the populations harvested (char and Muskox) by these plants have been the subject of a TAH imposed by the NWMB?

The GN and NWMB are aware that Kitikmeot Foods muskox have been the subject of a TAH, and Pangirtung Fisheries char remain subject to the TAH proceeding for which the Board commissioned its independent legal opinion regarding amounts to be included in a BNL. Pangirtung Fisheries turbot also have been the subject of a TAH.

GN Question 16:

What does NTI know about the requirements imposed on harvests related to these four plants when the product is intended for export from Nunavut. Please provide detail.

It is not clear to NTI what kind of export requirements this question addresses, or what relevance NTI's answer might have to this proceeding. In meetings concerning proposed Nunavut Fisheries Regulations, the GN, NTI and NWMB have discussed industry certification requirements regarding sustainability, and federal regulatory requirements regarding food and safety, in the context of char fisheries for export. If the question is whether NTI intends to introduce evidence of such requirements in this proceeding, the answer is no.