



into account by the Board if the Board is asked at a later date to refer to un-filed documents or to accept late-filing.

On account of that position, and recognizing the desired informality of the process, NTI has not filed at this time the record of correspondence between the three Working Group members that may be relevant, or the written comments on previously suggested limitations that the members exchanged in the Working Group process. In NTI's submission, any Working Group member should be permitted to refer to such documents where relevant in the course of the Board's decision process, provided that copies are made available as necessary.

### *TAH and NQL Templates*

In NTI's view, it is important that the Board and all interested parties be able to identify the contents expected of proposals for the establishment of Total Allowable Harvests (TAH) and Non-Quota Limitations (NQL) on Inuit harvesting. The enclosed *TAH and NQL Templates* endeavour to outline the material that is needed in order for the Board to ensure that any limitations established in response to such proposals are justified under the standards set by the *Nunavut Land Claims Agreement*.

NTI hopes that this document will be of assistance to the Board, the GN and HTOs/RWOs in preparing for the upcoming Meeting. NTI intends to use these templates when developing its responses to the GN's materials.

### *Nunavut Land Claim Agreement – the Nunavut Wildlife Act- Inuit Rights (July, 2005)*

This document contains NTI's most recent previous comments on the draft regulations and orders. NTI prepared these comments in July, 2005 based on the drafts received as of that time, for the purpose of the public consultation held in the fall. NTI is filing these previous comments for the Board's information only. NTI plans to file a written response to the limitations and justifications proposed to the Board that is as complete as possible in the time available. Under the Board's Procedures, NTI's response is currently due on April 21.

## **2. NTI submissions respecting the decision procedure**

For the Board's assistance, NTI wishes to emphasize the following submissions, detailed further in the attached responses to the NWMB's questions:

- a) Due to their number and complexity, the issues "in contention" at the Meeting appear likely to require the review of substantial material before the Meeting, considerable Meeting time, and significant time for Board deliberation prior to decisions.

- b) For the same reason as in a), and because the text of the draft regulations and orders containing the limitations will be lengthy and detailed, it is essential that all the limitations at issue be proposed to the Board distinctly, as directed of the GN in the Board's March 2 letter.
- c) Even where the limitation is not 'in contention', the NWMB should not consider establishing an Inuit harvesting limitation in the absence of written rationale for the proposal, supported by evidence. (The NWMB's March 2 letter has directed that the GN provide such material with respect to limitations "in contention" only.)

NTI also submits that the issues for Board decision will have significant public importance and are unlikely to warrant *in camera* Board deliberation. If the Board anticipates or becomes aware of any issues for decision at the Special Meeting that in its view warrant *in camera* treatment under the Procedures, NTI requests that the Board give notice of those issues at the earliest opportunity and permit NTI and other parties to make submissions on the procedure that the Board intends to follow.

### **3. Receipt of documents by NTI**

I confirm that on March 23, NTI received a copy of the Board's *Summary Report on the Informal Hearing Held by the Nunavut Wildlife Management Board on November 15-17, 2005*.

NTI requests that the Board notify NTI and other parties as soon as possible of any other material that the Board intends to consider of its own initiative at the Special Meeting, and make such material available. In particular, NTI looks forward to receiving by March 27 any such material produced by the NWMB, as indicated in the Procedures.

Please provide NTI with a copy of the Article 40 materials that were made available to Article 40 Aboriginal groups, referred to in the Board's March 2 letter.

NTI requests that the Board direct the GN to file the material referred to in 2 c) above respecting issues that are not "in contention", as soon as possible.

NTI also looks forward to obtaining copies of the documents that the Board has directed the GN to respond to by March 27, as follows:

- a) the complete list of TAHs and NQLs proposed by the GN for NWMB decision, including specific wording;
- b) the GN's reports on its fall 2005 consultations;
- c) the full s. 5.3.3 justifications and evidence for limitations "in contention" in the fall or in subsequent consultations, and for any limitations revised since the fall.

Sincerely,



Joe Adla Kunuk,  
Chief Executive Officer, Nunavut Tunngavik Incorporated

CC. Simon Awa, Deputy Minister, Department of Environment, Government of  
Nunavut (with enclosures)  
HTO and RWO Presidents (with enclosures)