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Nunavut Tunngavik
Incorporated

To: Mr. Mikidjuk Akavak
Chairperson
Nunavut Wildlife Management Board

From: Terry Audla
Chief Executive Officer
Nunavut Tunngavik Inc.

Fax: 975-7320

Pages: 5 pages to follow

Phone:

Date: January 19, 2012

Re: Request for adjournment of the public hearing set for
March 27-28, 2012 in Iqaluit to establish the basic needs
levels for beluga, narwhal and walrus

CC: 1. David Balrour, ADM DFO- GoC
2. Eric Kan, Area Manager Nunavut DFO
-GoC
3. RWO Presidents

Good day

Attached is a letter dated January 19, 2012, to Mr. Mikidjuk Akavak.

CC list

1. David Balrour, ADM DFO- GoC
2. Eric Kan, Area Manager Nunavut DFO -GoC
3. RWO Presidents

Best regards,
Malaya



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Ahnguyaq
Chief Executive Officer

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Qiliqtauluk

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Arctic Bay

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Qiliqtaujuaq

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Cape Dorset

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Clyde River

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Crisie Fiord

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Hall Beach

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Iqaluit

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Kimmirut

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Pangnirtung

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Pond Inlet

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Resolute Bay

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Sukkikuk

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Kivalliq

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Arviat

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Baker Lake

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Chesterfield Inlet

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Coral Harbour

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Rankin Inlet

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Repulse Bay

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Whale Cove

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Kilikment

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Cambridge Bay

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Kugluktuk

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Gjoa Haven

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Kugruak

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Taloyoak

January 19, 2012

Mikidjuk Akavak,
Chairperson,
Nunavut Wildlife Management Board
Box 1379
Iqaluit NU
X0A 0H0

Dear Mr Akavak:

Re: Request for adjournment of the public hearing set for March 27-28, 2012 in Iqaluit to establish the basic needs levels for beluga, narwhal and walrus

I am writing on behalf of Nunavut Tunngavik Incorporated (NTI) to request that the Nunavut Wildlife Management Board (NWMB) adjourn the public hearing currently set for March 27-28, 2012, so as to provide time for NTI to explore with the federal Department of Fisheries (DFO) resolution of this long-outstanding issue by way of an amendment to the *Nunavut Land Claims Agreement (NLCA or Agreement)*.

As you know, the *NLCA* originally required basic needs levels (BNLs) to be set for beluga, narwhal and walrus with regard to the factors identified in section 5.6.25 of the *NLCA* by July 9, 1994. The Agreement was amended in 1996 to provide until the end of March, 1997 to complete the necessary work.

NTI has been encouraging the Board to proceed with the setting of these BNLs, despite the fact that the time for doing so under the Agreement has passed. Until recently, this seemed to NTI the only practical way forward. It remains NTI's view that, should the parties to the *NLCA* not be able to resolve this issue by means of an *NLCA* amendment, the Board should proceed to set BNLs for these species under 5.6.25 as currently written. However, in the course of preparing its submission for the March public hearing, NTI has recognized that a further amendment to the Agreement can, if achieved, provide a better way forward respecting this matter.

On reflection, NTI is persuaded that it should be possible for NTI and DFO to develop an amendment that provides more guidance than does s. 5.6.25 as to how the priority access to wildlife that is assured to Inuit under the Agreement should work in the case of these three species. Narwhal, for example, are reserved for harvest by Inuit under the *Marine Mammals Regulations*. Similar treatment is already provided for the harvest of furbearers under s. 5.6.12 of

the Agreement. If there are ancillary issues that need to be addressed, the vehicle of an Agreement amendment offers the parties more flexibility to do so than the current 5.6.25.

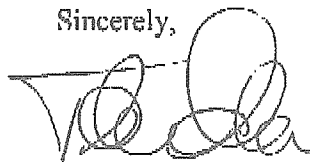
NTI proposes that the NWMB adjourn the hearing without setting a new date at this time, but on the understanding that a new date will be set if either NTI or DFO requests after June 1 that the hearing proceed. This will provide a minimum period of approximately four months for the parties to discuss a suitable amendment.

Of course, NTI is not in a position to assure the Board that an amendment will be obtained. In NTI's considered view, however, the modest amount of additional time that NTI proposes to devote to this matter is likely to be worth taking. NTI will provide DFO with a proposed draft amendment before February 23, 2012, when the first meeting of the Nunavut Fisheries Operations Committee is scheduled, and will propose to initiate discussions with DFO while DFO's representatives are in Iqaluit for the meeting.

NTI asks that, if possible, the Board make its decision regarding an adjournment by January 31, and inform the parties.

NTI is not aware of any material prejudice to DFO or any other affected party that could result from the Board's granting of the adjournment on the terms requested. NTI hopes that the Board agrees that adjourning the hearing on these terms would offer the best opportunity available to resolve this matter in a clear and appropriate manner.

Sincerely,



Terry Audla
Chief Executive Officer
Nunavut Tunngavik Incorporated

CC by facsimile

David Balfour, Associate Deputy Minister, Department of Fisheries and Oceans,
Government of Canada, Ottawa

Eric Kan, Area Manager Nunavut, Department of Fisheries and Oceans, Government of
Canada, Iqaluit

RWO Presidents

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