

Attached to this letter is a copy of the Government of Canada's Department of Environment-Canadian Wildlife Service (CWS) *Proposal for NWMB Decision* (CWS Proposal) to list Polar Bear as a species of special concern, filed recently with the Board. Also attached are the *Rules for the NWMB's Public Hearing to consider the legal listing of Polar Bear as a species of special concern*. The CWS Proposal, the hearing rules, and a number of additional documents comprising the best available information to date are available for download from the NWMB's website (www.nwmb.com), or by contacting the NWMB at the following coordinates:

NUNAVUT WILDLIFE MANAGEMENT BOARD

Parnaivik Building

P.O. Box 1379, Iqaluit, NU, X0A 0H0

Phone: (867) 975-7300

Fax: (867) 975-7320

E-Mail: receptionist@nwmb.com

In preparation for the hearing, the NWMB conducted a one-day (December 10th 2009) Pre-Hearing Conference concerning the proposed listing of Polar Bear. The Board expects its resulting *Summary Report* to be finalized by approximately January 13th 2010, and to be made publicly available thereafter from the NWMB's website or by contacting the NWMB at the coordinates set out above.

Through this letter, the NWMB is extending an invitation to your department or organization to provide written submissions and supporting documentation in response to the CWS Proposal, or otherwise regarding concerns with the proposed legal listing of Polar Bear as a species of special concern. All written materials must be filed with the NWMB – in English and Inuktitut – by no later than 5:00 p.m. (Iqaluit time) on March 8th 2010. Unless persuasive written and translated reasons are provided to the Board for late filing, the NWMB will not consider materials for this hearing that are not filed on time.

Materials may be filed with the Board in person, by courier or by mail. They should be clearly marked as pertaining to the NWMB Hearing for Polar Bear. Delivery of the materials may also be made through fax or electronic transmission, but only if your department or organization confirms by phone with the NWMB – by no later than 5:00 p.m. (Iqaluit time) on March 8th 2010 – that a complete and legible copy of the transmission has been received by the Board. Materials are deemed to have been filed on the actual day of receipt by the NWMB.

Please keep in mind that the more thorough, reliable and persuasive supporting evidence and justifications are, the more weight they will be given by the NWMB in the *Nunavut Land Claims Agreement* decision-making process.

If you require further information, please do not hesitate to visit the NWMB website or to contact the Board directly.

Yours sincerely,

Harry Flaherty,
Acting Chairperson of the
Nunavut Wildlife Management Board

Attachments (2)

c.c. Gabriel Nirlungayuk, Director of Wildlife, Nunavut Tunngavik Inc.;
Bert Dean, Senior Policy Advisor, Nunavut Tunngavik Inc.;
Simon Awa, Deputy Minister, Nunavut Department of Environment;
Virginia Potter, Director General, Environment Canada, Canadian Wildlife Service;
Siu-Ling Han, Head of Eastern Arctic, Environment Canada, Canadian Wildlife
Service; and
Pita Aatami, President, Makivik Corporation



Environment
Canada

Environnement
Canada

Gatineau, QC
K1A 0H3

AUG 27 2009

Mr. Harry Flaherty
Acting Chairperson
Nunavut Wildlife Management Board
P.O. Box 1379
Iqaluit NU X0A 0H0

Dear Mr. Flaherty:

I am writing to advise you of what the Minister is considering with respect to his recommendation to the Governor in Council regarding a listing decision for the Polar Bear on Schedule 1 of the *Species at Risk Act*, and to request the Nunavut Wildlife Management Board's approval decision. This request is being made in accordance with subsection 3.9 of the Memorandum of Understanding to Harmonize the Designation of Rare, Threatened and Endangered Species Under the *Nunavut Land Claims Agreement* and the Listing of Wildlife Species at Risk Under the *Species at Risk Act* (MOU).

In April 2008, the Committee on the Status of Endangered Wildlife in Canada assessed the Polar Bear as special concern. In accordance with this assessment, the Minister is considering recommending to the Governor in Council that Polar Bear be added to Schedule 1 of the Act as a species of special concern.

Recognizing that the Department did not submit its request by May 31st for an approval decision, as set out in the MOU, I am requesting that you advise the Minister of the Nunavut Wildlife Management Board's decision regarding this proposed listing recommendation by February 28, 2010, with a copy to me. Although this request does not adhere to the specific month stated in the MOU, the amount of time allotted for the decision making process has been respected. This response would correspond with subsection 3.14 of the MOU. Environment Canada remains committed to making the MOU function as envisaged by all parties in its development, and will continue its efforts to meet the specified timelines in the future.

I understand that my staff briefed the Board on the results of the community consultations in June 2009. They would be happy to provide the Board with an update.

I appreciate the Board's ongoing participation in the species at risk listing process.

Sincerely,

for Virginia Potter
Director General
Canadian Wildlife Service

Canada

www.ec.gc.ca



RULES FOR THE NWMB'S PUBLIC HEARING TO CONSIDER THE LEGAL LISTING OF POLAR BEAR AS A SPECIES OF SPECIAL CONCERN

January 8th 2010

THE PURPOSE of this NWMB hearing is to publicly consider the proposed legal listing, pursuant to the federal *Species at Risk Act*, of Polar Bear as a species of special concern.

The Government of Canada's Department of the Environment - Canadian Wildlife Service (CWS) has filed – in Inuktitut and English - a *Proposal for NWMB Decision* (CWS Proposal) with the NWMB, seeking a decision to list Polar Bear as a species of special concern. The CWS Proposal, along with other documents comprising the best available information to date, is available for review or download from the NWMB's website (www.nwmb.com), or by contacting the NWMB directly (Tel: 867-975-7300; E-mail: receptionist@nwmb.com).

RULES:

1. The hearing shall be open to the public, with notice provided to the public at least 45 days prior to the commencement of the hearing. Part of the hearing may be conducted in camera, where the NWMB considers that confidential or sensitive matters may be disclosed or discussed.
2. Any interested person or body may file with the NWMB a written submission and supporting documentation¹ in response to the CWS Proposal, or otherwise regarding concerns with the proposed listing of Polar Bear as a species of special concern – duly translated into Inuktitut or English as the case may be – by no later than 5:00 p.m. on March 8th 2010.
3. Unless persuasive written and translated reasons are provided to the NWMB for late filing, the NWMB will not consider materials for this hearing that are not filed on time.
4. The requirement for translation of written submissions and supporting documentation filed with the NWMB does not apply to individual members of the public.
5. For all others who file supporting documentation with the NWMB, the requirement for translation does not apply to such documents over 10 pages in length, as long as

¹ "Supporting documentation" refers to one or more studies, articles, opinions or other documents separate from a person's or organization's written submission, filed as additional evidence and/or argument in support of that person's or organization's submission.

each supporting document that is not translated is accompanied by a concise, translated summary.

6. The NWMB shall ensure that all materials filed with it or produced by it are made publicly available, subject to relevant confidentiality or privacy concerns.
7. The NWMB shall provide simultaneous English and Inuktitut translation at the hearing, to the extent reasonably possible.
8. A quorum of NWMB members shall be present at the hearing.
9. Any representative or agent of the Government of Canada or Government of Nunavut, any Hunters and Trappers Organization or Regional Wildlife Organization and any Inuk shall be accorded the status of party at the hearing.
10. Any other person or body wishing to be named as a party by the NWMB shall make an appropriate request in writing to the NWMB.
11. All parties and other participants at the hearing are required to treat one another and the NWMB with respect.
12. The NWMB shall provide a reasonable opportunity for oral presentations from each of the parties at the hearing by their choice of official, expert or counsel.
13. Any member of the NWMB, the NWMB's Director of Wildlife or the NWMB's legal counsel may ask relevant questions of any party at the hearing.
14. Any party may ask relevant questions of any other party at the hearing.
15. The NWMB shall provide members of the public in attendance at the hearing a reasonable opportunity to make statements and to ask questions of the parties and the NWMB.
16. Every person at the hearing wishing to speak or ask a question shall raise his or her hand, and shall only speak once the NWMB Chairperson has recognized him or her.
17. The NWMB Chairperson reserves the right to place reasonable time limits on presentations, statements and questions.
18. The NWMB shall make an audio recording of the hearing available upon request.