



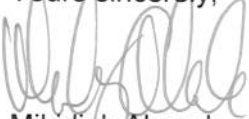
Box 1379
Iqaluit, NU X0A 0H0
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later date (pending the outcome of the proposed NTI-DFO discussions). Shortly following the teleconference, the NWMB will communicate its decision to all parties.

We understand that this is very short notice. However, given the urgent circumstances, this issue requires immediate attention. The NWMB would appreciate confirmation of participation at the pre-hearing teleconference, and the names of the participants as soon as reasonably possible, by contacting Jim Noble, NWMB Chief Operating Officer, by email (jnoble@nwmb.com) or by phone at (867) 975-7300.

Should you have any questions or concerns regarding this letter, please do not hesitate to contact the NWMB at your convenience.

Yours sincerely,



Mikidjuk Akavak
Chairperson of the
Nunavut Wildlife Management Board

Attachments (2)

c.c. Eric Kan, Area Director-Eastern Arctic Area, Department of Fisheries and Oceans;
Kathy Fisher, Division Manager-Resource Management and Aboriginal Affairs,
Department of Fisheries and Oceans;
Gabriel Nirlungayuk, Director of Wildlife, Nunavut Tunngavik Incorporated;
Bert Dean, Senior Policy Advisor, Nunavut Tunngavik Incorporated;
David Akeeagok, Deputy Minister, Nunavut Department of Environment;
Drikus Gissing, Director of Wildlife, Nunavut Department of Environment; and
Richard Connelly, Executive Director of the Nunavut Inuit Wildlife Secretariat, for
distribution to the Chairpersons of Nunavut's Hunters and Trappers Organizations;
Johnny Peters, Vice President Renewable Resources, Makivik Corporation;



Nunavut Tunngavik Incorporated
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«*لَا إِلَهَ إِلَّا اللَّهُ*»

အိမ်ထောင်ရေး

Chief Executive Officer

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 Iquluit 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.

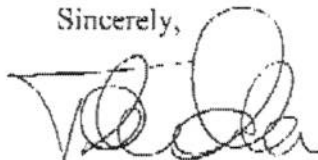
NTI proposes that the NWMB adjourn the hearing without setting a new date at this time, but on the understanding that a new date will be set if either NTI or DFO requests after June 1 that the hearing proceed. This will provide a minimum period of approximately four months for the parties to discuss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



ΛαΔ°CΔcσ^{ab} >ΔL^cσ^b Δ^{ab}dΠΓΔJ ΔJ°ΠCΔσ^aΓ° ΔαΔ^c %βΔ^aΓσ^bΔ^aΓ° Δ^aLΔ^a %βΔ^aΓ^aΠ^aL^aΓ^a° %βΔ^aΓσ^aΓ°
Tammaqtailinahuarniriit anngutighat atuqhugit Inuit qaujimajatuqangillu ilihimaniillu ilitquhiannin
Conserving wildlife through the application of Inuit Qaujimajatuqangit and scientific knowledge

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from 1:30 p.m. to 5:00 p.m. The NWMB may also hold one or more evening sessions from 7:00 p.m. to 9:00 p.m.

The Board is prepared to pay travel and accommodation costs for attendance by up to six (6) Distinguished Elders and six (6) Regional Wildlife Organization/Hunters and Trappers Organization representatives (twelve (12) delegates in total). Selection of those representatives will be decided by the Regional Wildlife Organizations. If other representatives of Inuit harvesters wish to attend, the NWMB has no further funding available, but will – if requested, and to the extent reasonably possible – make arrangements for electronic attendance at the hearing.

The hearing rules and a number of additional documents comprising the best available information to date will be available for download from the NWMB's website (www.nwmb.com) by no later than January 9th 2012, 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

Through this letter, the NWMB is extending an invitation to your department or organization to provide up to two (2) sets of written submissions and supporting documentation concerning the establishment of the basic needs levels for beluga, narwhal and walrus in the Nunavut Settlement Area.

The first set of written submissions and supporting documentation (**initial submissions**) must be filed with the NWMB, in English and Inuktitut, by no later than 5:00 p.m. (Iqaluit time) on February 9th 2012.

The second set of written submissions and supporting documentation (**reply submissions**) – provided in response to submissions filed as of February 9th 2012 - must be filed with the NWMB, in English and Inuktitut, by no later than 5:00 p.m. (Iqaluit time) on March 13th 2012.

Subject to relevant confidentiality or privacy concerns, all submissions will be placed on the NWMB's website, and will be available for download, within one business day after they are filed with the Board.

Please take careful note that, unless persuasive written and translated reasons are provided to the NWMB for late filing, the Board will not consider materials for this hearing that are not filed on time.

Initial and reply submissions, and their supporting documentation 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 Beluga, Narwhal and Walrus*. 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 - prior to each filing deadline - 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 submissions and supporting documentation 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,



Mikidjuk Akavak,
Chairperson of the
Nunavut Wildlife Management Board

c.c. Gabriel Nirlungayuk, Director of Wildlife, Nunavut Tunngavik Inc.;
Bert Dean, Senior Policy Advisor, Nunavut Tunngavik Inc.;
Keith Pelley, A/Area Director, Eastern Arctic Area, Department of Fisheries and Oceans;
Kathy Fisher, Division Manager, Resource Management and Aboriginal Affairs, Department of Fisheries and Oceans;
David Akeeagok, Deputy Minister, Nunavut Department of Environment; and
Drikus Gissing, Director of Wildlife, Nunavut Department of Environment