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Nunavunmi Anngutighatigut Aulapkaajitkut Katimajiat
Nunavut Wildlife Management Board

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Tammaqtailinahuarniriit anngutighat atuqhugit Inuit qaujimajatuqangillu ilihimaniillu ilitquhiannin
Conserving wildlife through the application of Inuit Qaujimajatuqangit and scientific knowledge

May 17th 2017

Honourable Dominic LeBlanc
Minister of Fisheries, Oceans
and the Canadian Coast Guard
Government of Canada

Honourable Joe
Savikataaq
Minister of Environment
Government of Nunavut

Aluki Kotierk
President
Nunavut Tunngavik
Incorporated

Bobby Greenley
Chairperson
Ekaluktutiak Hunters and
Trappers Organization

Joe Ashevak
Chairperson
Kitikmeot Regional Wildlife
Board

Dear Colleagues:

Re: Invitation for replies to written submissions filed at the public hearing of the Nunavut Wildlife Management Board (NWMB or Board) concerning the proposed increase to the commercial quota for Arctic char at Lauchlan River (Byron Bay)

The May 12th 2017 timeline for filing written submissions to the NWMB's Lauchlan River char written public hearing has now passed. The following four documents were filed, and copies are attached to this correspondence:

- ❖ An April 20th letter from Nunavut Tunngavik Inc. (NTI);
- ❖ A May 8th reply from Fisheries and Oceans Canada;
- ❖ A further May 11th (dated May 5th) submission from Fisheries and Oceans Canada; and
- ❖ A further May 12th letter from NTI.

The NWMB intends to make a decision on the February 3rd 2017 *Proposal for Decision* from the Ekaluktutiak Hunters and Trappers Organization at its upcoming quarterly meeting, to be held during the week of June 5th 2017.

Through this letter, the NWMB is extending an invitation to your department or organization to provide written reply submissions to one or more of the four submissions referenced above. **All written materials must be filed with the NWMB – in Inuktitut and English – by no later than 5:00 p.m. (Iqaluit time) on May 31st 2017. The requirement for translation at the time of filing is mandatory.**

All evidence relied upon in your replies must come from the above submissions or other existing hearing documents. In preparing your reply submissions, should you require any other hearing documents, please visit the NWMB's *Public Hearing Registry* (www.nwmb.com) or contact the NWMB at the following coordinates:

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NUNAVUT WILDLIFE MANAGEMENT BOARD

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

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Email: receptionist@nwmb.com

In addition to the above invitation, the Board is directing Fisheries and Oceans Canada to file written, translated replies – also by no later than 5:00 p.m. (Iqaluit time) on May 31st 2017 - to the following questions and directions:

1. Does Fisheries and Oceans Canada take the position that the original 9100 kg commercial quota for Lauchlan River char was varied to 2400 kg in 1995 pursuant to the mandatory co-jurisdictional decision-making process set out in Article 5 of the *Nunavut Agreement*? If yes, please file as hearing documents the NWMB's approval decision and the Minister's acceptance. If not, please indicate, with reasons, what is the position of Fisheries and Oceans Canada regarding the legality of the 1995 variation order (or any subsequent order(s) setting out a 2400 kg limit).
2. If the mandatory co-jurisdictional decision-making process set out in Article 5 of the *Nunavut Agreement* was not followed in the 1995 variation of the quota, does Fisheries and Oceans Canada take the position that section 6 and Tables 3 and 4 of the 2014 *Integrated Fisheries Management Plan* for the Cambridge Bay Arctic Char Commercial Fishery (IFMP) were incorrect in setting out the current legal Lauchlan River char commercial quota as 2400 kg?

Furthermore, does Fisheries and Oceans Canada take the position that the NWMB, in its approval decision of the IFMP, and the Minister, in acceptance of the NWMB's decision, were mistaken in their shared understanding that the IFMP contained no proposed changes to existing commercial harvest levels?¹

If Fisheries and Oceans Canada does not take the above-described positions, please indicate, with reasons, what are the relevant positions of Fisheries and Oceans Canada regarding these matters.

3. Does Fisheries and Oceans Canada take the position that the NWMB's *Nunavut Agreement* approval and the Minister's subsequent acceptance of the IFMP included approval/acceptance of the 2400 kg Lauchlan River char commercial quota? If yes, please file comprehensive reasons for that position.

¹ NWMB decision correspondence, dated June 30th 2014: "...the Management Plan does not propose any changes to commercial harvest levels..."; Minister (via the Regional Director General) decision correspondence, dated July 10th 2014: "The IFMP formalizes the current management measures, shared stewardship arrangements and best practices that have been in place for many years..."

Subject to relevant confidentiality or privacy concerns, all submissions and supporting documentation will be promptly placed on the NWMB's website, and will be available for download.

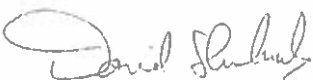
Please take careful note that, unless persuasive written and translated reasons are provided to the Board for late filing, the NWMB will not consider materials for this hearing that are not filed on time.

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 Written Hearing concerning the commercial quota for Arctic char at Lauchlan River*. Delivery of materials may also be made through fax or electronic transmission, but only if your department or organization confirms with the NWMB – prior to the 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 Agreement* decision-making process.

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

Yours sincerely,



Daniel Shewchuk
A/Chairperson of the
Nunavut Wildlife Management Board

Attachments (4)

c.c. Larry Dow, Director of Northern Operations, Fisheries and Oceans Canada;
Scott Gilbert, Regional Director, Fisheries Management, Fisheries and Oceans Canada;
Paul Irngaut, Director of Wildlife and Environment, Nunavut Tunngavik Incorporated;
Ema Qaggutaq, Kitikmeot Regional Coordinator, Kitikmeot Regional Wildlife Board; and
Janelle Kennedy, A/Director of Fisheries and Sealing, Government of Nunavut
Department of Environment