

BNL decision for the Southampton Island caribou herd seems on track to be the first one to apply the policy from the July 2024 Memo. Given the significance of this BNL decision and the precedent it will set for future BNL calculations in Nunavut, procedural fairness is essential. NTI believes that fairness requires resuming and completing the public hearing the NWMB originally started to determine how to calculate BNLs.

Moreover, whether Article 5 of the *Nunavut Agreement* requires some or all Inuit commercial harvests to factor into the BNL calculation is a legal, treaty interpretation question with a correct answer. NTI urges the NWMB to take the time to re-engage with its co-management partners to support the most robust possible decision, as this should reduce the likelihood of a legal challenge and the uncertainty, delays, and expenses that would result from litigation.

NTI's Proposal

NTI requests that the NWMB pause the BNL calculation for Southampton Island caribou and first reconsider its planned exclusion of Commercial Harvests (or, according to NWMB staff, all Inuit commercial harvests) from the BNL calculation. We request that the NWMB take the following steps:

1. Provide NTI and other co-management partners with clear reasoning for its conclusion in the July 2024 Memo that BNL calculations should exclude Commercial Harvests.
2. Provide NTI and the other co-management partners with the opportunity to respond in writing to the NWMB's views and to each other's views, and then reconsider the matter based on all submissions.
3. Provide written reasons for the reconsideration decision.

NTI looks forward to your response on this matter.

Sincerely,



Gabriel Nirlungayuk
Director, Wildlife and Environment Department
Nunavut Tunngavik Inc.