



January 26th 2015

The Honourable Gail Shea
Minister of Fisheries and Oceans
15th Floor, Centennial Towers
200 Kent Street
Ottawa, Ontario
K1A 0E6

Dear Minister Shea:

Re: Revised Nunavut Wildlife Management Board decisions regarding the total allowable harvest of bowhead whales and an extension for a Nunavut Wildlife Management Board decision made during In-Camera Meeting 009-2014 (September, 2014)

Background

On October 21st 2014, the Nunavut Wildlife Management Board (NWMB or Board) received a request from Fisheries and Oceans Canada for an extension to the Minister's response time for the NWMB decision to increase the annual level of regional total allowable harvest of bowhead whales in the Kivalliq Region. The request was made to provide time for co-management partners to discuss inconsistencies between this decision, past NWMB decisions regarding total allowable harvests for bowhead whales, and the directions regarding total allowable harvests in the *Nunavut Land Claims Agreement*¹. On October 23rd 2014, the NWMB decided to grant a 60-day extension, resulting in a new deadline of January 31st 2015.

Revised NWMB decisions

To address the aforementioned inconsistencies, the NWMB sent a letter to co-management partners on November 27th 2014 providing reasons for the Board's proposed method of applying total allowable harvests to only one of the three Nunavut administrative regions. This letter also invited responses by January 12th , 2015. Co-management partners raised no objections to the NWMB's proposed practice and, on January 21st 2015, the Board made the following resolutions:

¹ See Section 5.6.17 of the *Nunavut Land Claims Agreement*.

WHEREAS, as of November 27th 2014, the Nunavut Wildlife Management Board (NWMB) has confirmed that, pursuant to Sections 5.6.16 and 5.6.17 of the Nunavut Land Claims Agreement (NLCA), a level of total allowable harvest (TAH) can only be expressed as either a community TAH or a regional TAH;

AND WHEREAS each regional TAH can only be applied to one of the three Nunavut administrative regions (Qikiqtaaluk (Baffin) Region, Kivalliq (Keewatin) Region and Kitikmeot Region);

AND WHEREAS on March 11th 2009, the NWMB issued an NLCA Article 5 decision to the Minister of Fisheries and Oceans to establish an annual TAH of three (3) bowhead whales for the Nunavut Settlement Area;

AND WHEREAS on July 10th 2014, the NWMB issued a follow-up NLCA Article 5 decision to the Minister of Fisheries and Oceans to modify the annual TAH for the Nunavut Settlement Area from three (3) to four (4) bowhead whales;

NOW THEREFORE, the NWMB makes the following motions to effectively replace the March 11th 2009 and July 10th 2014 TAH decisions for the Nunavut Settlement Area:

RESOLVED that, pursuant to Sections 5.3.3(a), 5.6.16 and 5.6.17(b) of the Nunavut Land Claims Agreement, the NWMB establish – effective as of summer 2009 - an annual level of regional total allowable harvest (TAH) of one bowhead whale for the Qikiqtaaluk Region, an annual level of regional TAH of one bowhead whale for the Kivalliq Region, and an annual level of regional TAH of one bowhead whale for the Kitikmeot Region.

RESOLVED that, pursuant to Sections 5.3.3(a), 5.6.16 and 5.6.17(b) of the Nunavut Land Claims Agreement, the NWMB modify – effective as of summer 2014 - the annual level of regional total allowable harvest (TAH) of one (1) bowhead whale for the Qikiqtaaluk Region to an annual level of regional TAH of two (2) bowhead whales for the Qikiqtaaluk Region.

Additional extension on response deadline

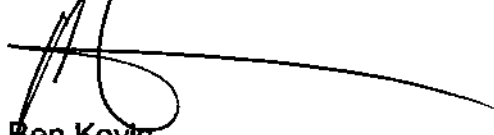
The NWMB recognizes that these ongoing discussions may have delayed a response to the Board's decision to increase the annual level of regional total allowable harvest of bowhead whales in the Kivalliq Region from one(1) whale to two (2) whales. As such, on January 21st 2015, the NWMB made the following resolution:

FURTHER MOVED that the NWMB provide a 60-day extension to Fisheries and Oceans Canada for response on the following NWMB decision:

Pursuant to Sections 5.6.16 and 5.6.17(b) of the Nunavut Land Claims Agreement, the NWMB modify the annual level of regional total allowable harvest of bowhead whales in the Kivalliq Region from one(1) whales to two (2) whales.

The NWMB looks forward to receiving your response to this decision by April 1st 2015 and to the Board's two revised decisions by March 27th 2015. Should you or your officials have any questions with respect to the contents of this letter, please do not hesitate to contact the NWMB at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ben Kovic', with a long horizontal line extending to the right.

Ben Kovic
Chairperson
Nunavut Wildlife Management Board

c.c. David Burden, Regional Director General, Central and Arctic Region, Fisheries and Oceans Canada;
Larry Dow, Director of Northern Operations, Fisheries and Oceans Canada; and
Stefan Romberg, Senior Fisheries Resource Management Officer, Fisheries and Oceans Canada