

LA 30, 2014

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[illegible]
$$\Delta C^a_m C^b \quad \text{for } C^b \neq 0$$

Al.

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 $\Delta^c \gamma_{\delta\alpha} \gamma_b \triangleright \sigma$
 $\mu\omega\gamma_{\alpha\beta} \triangleright L^c \gamma_{\delta\alpha} \gamma_b \gamma_c \gamma_d \gamma_e \gamma_f \gamma_g \gamma_h \gamma_i \gamma_j \gamma_k \gamma_l \gamma_m \gamma_n \gamma_o \gamma_p \gamma_q \gamma_r \gamma_s \gamma_t \gamma_u \gamma_v \gamma_w \gamma_x \gamma_y \gamma_z$

$$\Delta C_{\text{FC}} \approx \Delta H_{\text{FC}} \quad (1)$$

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4. As soon as a total allowable harvest for a Management Unit is modified pursuant to the co-jurisdictional decision-making process set out in Article 5 of the *Nunavut Land Claims Agreement*, no remaining unused MMTs from the previous season can be applied to narwhal harvests in the subsequent harvest season; and
5. For greater certainty, all other provisions of Phase One of the “*Marine Mammal Tag Transfer Policy*”³ concerning the transfer of MMTs - if not inconsistent or in conflict with the five-point narwhal quota carry-over rule - continue to apply.

The NWMB’s approval of the interim NFQS is made pursuant to Sections 5.6.16 and 5.2.34(d)(i) of the *Nunavut Land Claims Agreement* (NLCA). That approval consists of:

- (i) A modification to all relevant narwhal total allowable harvests (TAHs), which have been transformed from TAHs confined to a specific 12-month period to cumulative annual TAHs (point no. 1 of the five-point narwhal quota carry-over rule), subject to the other points set out in the carry-over rule;
- (ii) Accompanying TAH Rules (points 2, 3 and 4), which contribute to ensuring that the Board’s TAH decision and the rest of the interim NFQS are properly understood, implemented and followed;
- (iii) The “*for greater certainty*” point no. 5 of the carry-over rule; and
- (iv) A consequential modification to the IFMP.

In making its decision, the NWMB carefully took into account the following considerations:

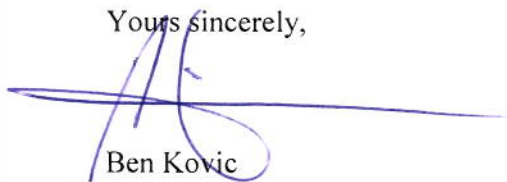
- (a) Although the proposed interim NFQS has not been peer-reviewed by the Canadian Science Advisory Secretariat (CSAS), it has been carefully examined by Pierre Richard - a highly respected DFO research scientist and marine mammal management biologist, with over 30 years’ experience in narwhal management – whose expert opinion is that the interim NFQS, properly implemented, does not raise a conservation concern;
- (b) Relevant co-management partners (DFO, NTI and the three Regional Wildlife Organizations⁴) have provided their written support to the NWMB to approve the implementation of the interim NFQS for the 2014-2015 Nunavut narwhal fishery;

³ The “*Marine Mammal Tag Transfer Policy*” forms part of the “*Integrated Fisheries Management Plan for Narwhal in the Nunavut Settlement Area*” [IFMP], approved by the NWMB and the DFO Minister in 2012. See pages 26 and 40 of the IFMP.

- (c) This is an interim decision only, pending the receipt of advice in 2014 from the CSAS concerning Phase Three of the “*Marine Mammal Tag Transfer Policy*” - “*Marine Mammal Tag Transfer and Flex Quota System*” - and consideration of that advice by co-management organizations for implementation following the 2014-2015 Nunavut narwhal fishery;
- (d) Because the implementation of the interim NFQS will constitute a change in the management of narwhal under the IFMP, the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) Scientific Authority may challenge DFO’s June 2013 Non-Detriment Finding for five of the six narwhal Management Units in Nunavut; and
- (e) DFO and NTI are aware, and have informed the three Regional Wildlife Organizations, of the potential CITES challenge – and all parties have taken that fact into careful account in recommending that the NWMB approve the implementation of the interim NFQS for the 2014-2015 Nunavut narwhal fishery.

Mr. Dow, should you or your officials have any questions or concerns with respect to the NWMB’s rendition of the five-point narwhal quota carry-over rule, its decision in this matter, the considerations taken into account by the NWMB in reaching that decision, or any other aspect of this letter, please do not hesitate to contact the Board at your convenience.

Yours sincerely,



Ben Kovic
Chairperson of the
Nunavut Wildlife Management Board

Attachment (1)

c.c. The Honourable Gail Shea, Minister of Fisheries and Oceans, Government of Canada

⁴ The letters of support from the Qikiqtaaluk Wildlife Board, the Kitikmeot Regional Wildlife Board and the Kivalliq Wildlife Board are attached to this correspondence as Appendix A.



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