

Decision: X

Issue: DFO request for a NWMB decision on approval of the fin whale (Atlantic population) management plan

Background on the management plan:

Development: The fin whale (*Balaenoptera physalus*) (Atlantic population) (Appendix A) was assessed by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) as Special Concern in 2005 because it was “likely to become threatened or endangered due to a combination of threats and biological characteristics.” It was added to the official Species at Risk List in 2006, and a decision was requested from the NWMB on the listing. With the Special Concern status, a management plan was developed as per the *Species at Risk Act*. Progress on the management plan will be reported in five years.

NWMB decisions: On August 2nd 2012, Fisheries and Oceans Canada (DFO) submitted a request for decision to the NWMB for approval of a new fin whale (Atlantic population) management plan. At its September 2012 meeting in Iqaluit, the Board decided to defer a decision on the management plan until the December 2012 NWMB meeting to allow for more time for staff and Board review of the plan. A letter was sent to DFO informing them of the Board's decision and planned way forward. The Nunavik Marine Region Wildlife Board is also reviewing the management plan.

As per S. 5.2.34 of the NLCA, the NWMB has discretionary powers to approve wildlife management plans and the NWMB has opted to exercise this power. Of primary concern respect to approval of management plans is the inclusion of measures that would restrict harvest, modify or add non-quota limitations, or impact critical habitat.

Background on the fin whale (North Atlantic population):

Species information: Fin whales are a fast-swimming, long-lived (up to 100 years), and the second largest whale (average 40-50 tons). The natural mortality rate is assumed to be around 4%. Their natural predators include killer whales and sharks. Fin whales eat euphasids (krill), copepods, small fish, and squid.

Range and habitat: Fin whales are found in all oceans except the Arctic Ocean. Fin whales in the Atlantic are also thought to migrate to Greenland or Iceland, and large groups of fin whales have been seen in the fall southwest of Greenland. Atlantic fin whales migrate from northern summer feeding grounds to more southerly winter areas. Most of the available habitat

information for fin whales pertains to their summer feeding grounds. Little is known about their winter whereabouts, calving, or breeding areas. Fin whales are found in coastal and high seas waters. A map of their North Atlantic range is found in Appendix B. According to the map, the fin whales' range does not appear to include the Nunavut Settlement Area, but it does include adjacent waters.

Threats: Commercial hunting reduced the Atlantic fin whale population during the late 1800s and early 1900s. The species has not been hunted in Canada since 1971. Noise pollution (e.g. from oil and gas exploration or ship navigation) is a primary concern. Changes in food availability, toxic spills, ship strikes, whaling, and disease, and to a lesser extent entanglement in fishing gear, whale watching activities, contaminants, and toxic algae, are also threats.

Population level and trend: The current population numbers, trend, and level of decrease from pre-whaling numbers are not known. A 1974 estimate for all of eastern Canada estimated 10,800 fin whales. There are thought to be seven stocks in the North Atlantic.

Overview of the management plan:

The management plan is contained in Appendix C. The objective of the management plan is to help ensure that human-caused threats do not cause population decline or a decrease in the range of this population in Canada. The management plan details each of the identified threats to the population, and also discusses their potential interactions with climate change.

The plan details management actions and outreach and education initiatives that are already taking place (detailed in Appendix D). The monitoring plan also contains information on research and monitoring of the fin whale North Atlantic population. No information was included on management actions, research or monitoring for fin whales north of Newfoundland and Labrador.

Moving forward, the management plan indicates a focus on four approaches: conservation and management, outreach and education, stewardship and protection of individuals, and research and monitoring. Table 2 (page 19 of the management plan contained in Appendix C) indicates 22 management measures that DFO will take to carry out the four approaches and address threats. Measure 2.1 in Table 2 of the management plan states that DFO would “put in place prevention measures to reduce or prevent entanglements [in fishing gear] in fin whale concentration areas.” This could place additional non-quota limitations (NQLs) on the fishing industry. The timeline for implementing this management measure is three years. Potential partners that have been identified are DFO, Parks Canada, non-governmental organizations, and fishing organizations.

Consultation activities pertaining to the management plan are described in Appendix C (page 35 of the management plan). Mainly DFO employees were consulted, but Parks Canada employees, non-governmental organizations, and an aboriginal community were also given the opportunity to provide input.

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Appendix A. Image of a fin whale



Appendix B. Northwest Atlantic fin whale range



Appendix D. Summary of current management measures in place for fin whales

In terms of international protection, fin whales are listed on Appendix 1 of the Convention on the International Trade of Endangered Species of Fauna and Flora (CITES)¹, and their commercial trade is prohibited. The International Whaling Commission has also had a commercial whaling moratorium since 1986², but Canada objected to the moratorium. In the United States, fin whales are protected under the 1972 *Marine Mammal Protection Act* and the 1973 *Endangered Species Act*. In Canada, fin whales are protected under the 1993 *Marine Mammal Regulations* of the *Fisheries Act*. A 1998 moratorium on issuing new licences for previously unexploited small, marine prey species (also called “forage species”, e.g. krill) is thought to help protect fin whales’ food source. Marine parks, marine protected areas, and limits on oil and gas exploration in the more southerly parts of eastern Canada also offer some protection for fin whales. There is also the National Marine Mammal Response Program, in which DFO and non-governmental organizations collaborate to assist marine mammals and sea turtles in distress (e.g. individuals that are entangled in fishing gear or stranded).

¹ Iceland and Japan hold reservations to this CITES listing.

² Fin whales are still hunted for subsistence in Greenland, and commercially in Iceland.