

the current NQLs that are being applied to bowhead whale hunts are those that were in place prior to the ratification of the NLCA and are deemed to be set by the NWMB (S 5.6.51 NLCA).

Recommendation:

The NWMB and the Minister have made a commitment to review the TAH after the 2011 harvest season based on the 2009 TAH decision. In order to prevent unnecessary delays this review process should commence shortly so that any modifications for the 2012 harvest season and beyond can be implemented in a timely manner. NWMB Wildlife Section staff therefore recommends the following for Board consideration:

1. That the NWMB request whether any co-management partner would be willing to submit a Request for Decision (RFD) to review the TAH and associated NQLs for bowhead whales. If any co-management partner is not willing to submit a RFD, that the NWMB be the proponent to a public hearing based on the commitment made by the NWMB in its February 2009 decision that specified that the NWMB would review the TAH following the 2011 harvesting season and the policy position made by the NWMB through **Resolution 2006-102**.¹
2. That the NWMB hold a public hearing at its December meeting to re-consider the TAH for the Eastern Canada –West Greenland bowhead population and any NQLs pertaining to the management and/or harvesting of bowhead in the Nunavut Settlement Area.

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¹ The NWMB made the following resolution at Regular Meeting No.46, which indicates that the NWMB can independently conduct a public hearing without a proposal from a proponent: "**Resolution 2006-102:** *RESOLVED that the NWMB be prepared to unilaterally initiate a public consideration of the establishment of a TAH/NQL, or the modification/removal of an existing TAH/NQL, where the most current Inuit Qaujimaqatuqangit and/or scientific information reasonably indicates a TAH/NQL may be required –or may need to be modified/removed –pursuant to NLCA S.5.3.3, but where no proponent has made a submission to the Board requesting that such a decision be made*".