

SUBMISSION TO THE

NUNAVUT WILDLIFE MANAGEMENT BOARD



FOR

Information:

Decision: X

Issue: Review of Bowhead TAH and NQLs following the 2011 harvest season

Background: On February 10th 2009, the Nunavut Wildlife Management Board (NWMB or Board) held a public hearing to consider the proposed removal of the level of total allowable harvest (TAH) for bowhead whales in the Nunavut Settlement Area (NSA). After consideration of all of the evidence, the NWMB made the following decision (which was accepted by the Minister):

“RESOLVED that the NWMB establish an annual total allowable harvest of three bowhead whales for the NSA –to be reviewed following the 2011 harvesting season –which will restrict Inuit harvesting only to the extent necessary: (a) to effect the valid conservation purpose of continuing the successful restoration and revitalization of the depleted population of Eastern Canada –West Greenland bowhead whales (Sections 5.3.3 (a) and 5.1.5 (d) of the Nunavut Land Claims Agreement (NLCA); and (b) to provide for public safety (NLCA S 5.3.3 (c)).”

In addition, the NWMB provided the following recommendations:

1. That the Department of Fisheries and Oceans (DFO) and Nunavut Tunngavik Incorporated (NTI) engage in appropriate discussions –and work towards reaching agreements –with neighboring jurisdictions (Nunavik and Greenland) concerning both the sharing and the responsible stewardship of the Eastern Canada – West Greenland bowhead whale population;
2. That DFO continue in its efforts to: (a) re-examine –in light of new information –the historic, pre-commercial whaling population numbers for the Eastern Canada –West Greenland bowhead whale population; and (b) seek a reconciliation of its current population estimates with those of the International Whaling Commission;
3. In anticipation of potential future increases in the TAH, NTI continue to ensure that necessary equipment and training needs keep pace with the number of hunts undertaken in the NSA.

On November 29th 2010, NWMB staff contacted DFO and NTI officials to remind them of the upcoming review and the recommendations that were associated with the Board’s decision.

Board members should also be aware that during co-management partner meetings on June 4th and June 15th 2010, all partners agreed that the current non-quota limitations (NQLs) that are currently being applied for bowhead whale hunts require a review and potential modifications as

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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Date: May 19th, 2011

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*".