



MAY 16 2014

Mr. Josepi Padlayat
Chairperson
Nunavik Marine Region Wildlife Board
P.O. Box 433
Inukjuak, QC
J0M 1M0

Dear Mr. Padlayat,

Thank you for your letter dated March 19th, 2014 conveying the Nunavik Marine Region Wildlife Board's decisions to establish a Total Allowable Take of two bowhead whales per year from the Eastern Canada – West Greenland bowhead whale population, and to establish the corresponding non-quota limitations required for bowhead hunts within the Nunavik Marine Region.

Pursuant to the Nunavik Inuit Land Claims Agreement, I accept the decision of the Nunavik Marine Region Wildlife Board to establish a Total Allowable Take of two bowhead whales per year within the Nunavik Marine Region. Once the appropriate Local Nunavimmi Umajulivijiit Katujiqatigininga (LNUK) has approved the Bowhead Hunt Plan, additional information will be required to complete the DFO Marine Mammal Fishing Licence. As in previous years, each DFO Licence will authorize the hunting and killing of one or the striking of two bowhead whales, whichever comes first. Before the hunt commences, an attending DFO Fishery Officer must issue the licence to the Bowhead Hunt Captain.

Pursuant to the Nunavik Inuit Land Claims Agreement, I also accept the 12 non-quota limitations described in your letter, with the understanding that they will all apply to future bowhead whale harvests within the Nunavik Marine Region. These quota and non-quota limitations shall be in effect within the Nunavik Marine Region until such time as circumstances require them to be modified according to the process established in the Nunavik Inuit Land Claims Agreement.

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DFO Fishery Officers will support the hunt captain and his crew as they did in 2008 and 2009. They will ensure training on the Marine Mammal Regulations, methods pertinent to the harvest of bowhead whales and will review the hunt plan and perform equipment inspections. Fishery Officers will also be on site during hunting activities and will provide additional security and safety.

Your letter has been forwarded to the Fisheries and Oceans Canada Regional Office in Quebec City for processing. I look forward to continued close collaboration among the Nunavik Marine Region Wildlife Board, the LNUK and Fisheries and Oceans Canada officials.

Please extend my best wishes to the community of Quaqtq for a safe and successful bowhead hunt in 2014.

Yours sincerely,

A handwritten signature in cursive script that reads "Gail Shea". The signature is written in black ink and is positioned above the printed name.

Gail Shea, P.C., M.P.

March 19th, 2014

The Honourable Gail Shea
House of Commons
Minister of Fisheries and Oceans
Parliament Buildings, Wellington Street
Ottawa, Ontario
Canada, K1A 0A6



Subject: Establishment of Total Allowable Take and non-quota limitations for bowhead whales in the Nunavik Marine Region

Dear Minister Shea,

The Nunavik Marine Region Wildlife Board ("NMRWB") received a letter from the *Regional Nunavimmi Uumajulirjiit Katujjiqatigiinninga* ("RNUK"), in December 2013, requesting that the community of Quaqtaq, QC be allowed to harvest a bowhead whale during 2014. Recognizing that a decision on this matter could affect the rights, privileges or interests of Nunavik Inuit and of parties whose constituents harvest bowheads from the Eastern Canadian Arctic – West Greenland population ("ECA – WG bowhead population") outside the Nunavik Marine Region ("NMR"), the NMRWB recently held a written hearing in order to ensure its decision on Total Allowable Take ("TAT") considered the views of all concerned parties.

The Department of Fisheries and Oceans ("DFO") provided a substantial submission, including a comprehensive overview of the available scientific understanding of the ECA – WG bowhead population. Though the information indicates that additional surveys are required in order to have a more accurate population estimate, DFO science has indicated that the population is likely able to sustain a harvest of 18 bowhead per year, based on potential biological removal ("PBR") estimates. Recognizing that up to five (5) bowhead may currently be harvested outside of Nunavik (3 Nunavut, 2 Greenland) and that the Qikiqtaaluk Wildlife Board has requested Nunavut's Total Allowable Harvest be increased by one (1) bowhead, the NMRWB considers that up to six (6) bowhead, may be harvested outside the NMR in 2014 and beyond. If two strikes are required per bowhead landed (which is highly unlikely given that since 1996, in Canada, this was necessary on only three occasions out of 22 harvested bowheads) this would mean that up to 16 bowheads could be struck annually (including the present request), which remains below the proposed PBR.

It should be noted that the Nunavut Wildlife Management Board ("NWMB") requested that the NMRWB consider postponing its decision such that the Board's may coordinate their processes. Because Nunavik Inuit have only recently resumed harvesting bowheads, significant planning and preparations are necessary before a hunt can occur. Given that there is currently no allocation within the NMR, the NMRWB felt that extending the current

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decision-making process could significantly delay Quaqtaq's planning process and may ultimately force them to delay a hunt to a subsequent year. In light of this, and since harvesting is well below DFO estimated PBR of 18 bowhead, the NMRWB has opted to proceed for 2014 with its own decision-making process and will work to ensure better coordination with the NWMB in the future.

Please note that, pursuant to section 5.5.7 of the NILCA, the decisions presented herein are being forwarded in confidence and shall not be made public by any party.

Through the written hearing, the Makivik Corporation has recommended that the TAT for bowhead whales in the NMR be reflective of the Basic Needs Level ("BNL") of two (2) bowhead that has previously been determined by the NMRWB and approved by the Minister of Fisheries and Oceans.

In light of the above information, the members of the NMRWB voted unanimously in favour of a motion to establish a TAT of two (2) bowhead whales for the NMR, with the caveat that one additional strike shall be permitted for each harvest, in the event that a struck whale is lost. This decision shall be in effect until new information becomes available, which would require the NMRWB to reevaluate the TAT.

As well, the NMRWB considered that, despite significant efforts by DFO and its co-management partners to finalize an Integrated Fisheries Management Plan ("IFMP"), it was unlikely that a final bowhead IFMP would be implemented prior to Quaqtaq's proposed hunt. Consequently, the NMRWB also approved the following non-quota limitations, in accordance with section 5.2.3(e) of the NILCA, to ensure that the hunt proceeds in a safe, organized and humane fashion:

1. A detailed hunt plan will be developed by the relevant LNUK and submitted to the NMRWB and to DFO no later than two months prior to the proposed harvesting date, to ensure that all necessary approvals and licenses can be issued;
2. The hunt plan shall identify a specific range of dates within which the bowhead will be harvested, these dates will be included on the license issued by DFO;
3. All necessary whaling equipment (as will be detailed in the hunt plan) must be on hand prior to the start of the hunt;
4. A whaling captain will be named in advance and will be responsible for coordinating the hunt;
5. The primary killing device will be a penthrite grenade that has been endorsed by the Fishery Officer on-site;
6. A secondary weapon will be in each of the boats involved in the hunt;
7. No person shall hunt, strike or kill a bowhead whale with a firearm other than those that have been endorsed by the on-site Fishery Officer;
8. The whaling captain shall make every effort to have the bowhead whale killed as quickly and efficiently as possible;

9. No person who has killed or wounded a bowhead shall fail to make a reasonable effort to retrieve the whale without delay;
10. No person shall hunt, strike or kill a bowhead calf or any bowhead whale accompanied by a calf. A bowhead calf is a bowhead that is less than 7.5 metres in length (25 feet);
11. The hunt and processing of the whale shall be conducted in accordance with the hunt plan approved by DFO, Quebec Region;
12. No person shall waste any part, that is suitable for food, of a harvested bowhead.

The NMRWB's decision for non-quota limitations is intended to be in effect until such time as the IFMP for bowhead whales has been finalized and implemented by the Minister of Fisheries and Oceans, subject to the approval processes prescribed by relevant Land Claims Agreements. To this end, the NMRWB will continue to collaborate with DFO and other co-management partners to ensure that development of the bowhead IFMP proceeds in a timely fashion.

It is recognized that under the NILCA (section 5.3.19) the bowhead whale hunt is subject to licensing by the responsible management agency, DFO in this case, and the NMRWB accordingly offers its assistance, as necessary, to help facilitate this process.

Since the community of Quaqtaq has not held a bowhead hunt in recent years, it is anticipated that some degree of training will be required by their hunt crew before undertaking to harvest a bowhead. We kindly ask that DFO identify possible sources of funding or in-kind support to assist the Quaqtaq hunt captain and his crew to become familiar with the regulations and methods pertinent to the harvest of bowhead whales, and generally to ensure the proper implementation of the NMRWB decisions included herein (NILCA section 5.5.10).

We thank you in advance for your consideration of the NMRWB's decisions regarding non-quota limitations and TAT for bowhead whales in the NMR and look forward to your response within sixty (60) days, in accordance with the decision-making process identified in section 5.5.8 of the NILCA.

Sincerely,



for

Robbie Tookalak
A/Chairperson, NMRWB

Cc. Anne-Marie Cabana – DFO, Aboriginal Fisheries Coordinator
Kevin Wilkins – DFO, Regional Manager, Aboriginal Programs
Stefan Romberg – DFO, Senior Fisheries Resource Management Officer
Adamie Delisle-Alaku – Makivik, Executive Vice-president, Resource Development

Attachments (9)