

SUBMISSION TO THE NUNAVUT WILDLIFE MANAGEMENT BOARD AUGUST 2023

FOR

Information: X

Decision:

Issue: Information regarding plans for consultation and decision-making regarding the possible addition of the Harbour Porpoise (Northwest Atlantic population) to the List of Wildlife Species at Risk on the *Species at Risk Act* (SARA).

Background:

As per 3.5 of the Harmonized Listing Process, the Department of Fisheries & Oceans (DFO) is informing the Nunavut Wildlife Management Board (NWMB) of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) assessment results and a DFO intent to consult on the Harbour Porpoise (Northwest Atlantic population).

The Harbour Porpoise

The Harbour Porpoise is widely distributed in eastern Canadian marine waters. Surveys in 2016 indicated about 350,000 porpoises. Incidental catch (bycatch) in fishing gear, especially gillnets, was a major source of mortality, and considerably reduced some populations in eastern Canada and elsewhere. While gillnet fishing has likely declined over the last 25 years, mortality levels in Canada are unknown because there is virtually no monitoring. The species is very sensitive to ocean noise and noise levels are increasing in some areas. Although the population remains abundant, the species' particular susceptibility to bycatch in fishing gear represents a potentially severe threat. The species may become Threatened if these threats are not effectively mitigated or managed.

COSEWIC assessed the Harbour Porpoise as Threatened in April 1990 and April 1991. The status was re-examined and designated Special Concern in May 2003, April 2006, and May 2022.



Figure 1: Harbour Porpoise

Distribution

Canada has two separate populations (designatable units) of Harbour Porpoise: Northeast Pacific and Northwest Atlantic. On the east coast, Harbour Porpoises occur from the Bay of Fundy north to Niaqonaujang (Cape Aston) on northern Baffin Island, at approximately 70°N. The southern range of the species in the western Atlantic extends to North Carolina. Individual porpoises equipped with satellite-linked radio transmitters have been found to move frequently between Canadian and U.S. waters. Three subpopulations in eastern Canada are provisionally recognized: Newfoundland–Labrador, Gulf of St. Lawrence, and Bay of Fundy–Gulf of Maine. Figure 2 shows the distribution of Harbour Porpoise in eastern North America.

Requirements for Consultation and Approval

Article 5.2.34 (f) of the Nunavut Land Claims Agreement states that the NWMB shall, at its discretion, approve the designation of rare, threatened or endangered species. As well, Section 27 (2) (c) of the SARA requires that before making a recommendation as to whether or not to add a species at risk to Schedule 1, the Minister must consult the Board for species found in an area in respect of which the Board is authorized by a land claims agreement to perform its functions.

Consultation and Approval

DFO is planning to consult with Hunters and Trappers Organizations in Nunavut adjacent to the distribution of the Harbour Porpoise to ensure that any listing decision is made in full consideration of their views. DFO may be holding workshops in the fall on the potential listing of multiple species, including Harbour Porpoise. Comments received will be used by the Minister to decide whether to recommend legal listing of the Harbour Porpoise. A consultation summary will be provided to the NWMB when consultations are complete.

Approval

After public consultations are completed, a summary of consultations will be provided to the Board. The Minister of Environment and Climate Change Canada (with support from DFO) will seek a 5.2.34(f) decision from the Board with regard to the listing.

Prepared by:

Christine Lacho, Species at Risk Biologist, DFO, Ontario & Prairie Region, supporting the Arctic Region, Winnipeg

Date:

June 19, 2023



Figure 2. Distribution of Harbour Porpoise in Eastern North America. Reprinted from COSEWIC (2022).