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David Schubert

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April 08, 2021

Dear Minister Jordan:

NWMB Decision

RESOLVED that the Nunavut Wildlife Management Board authorize its staff to engage with Fisheries and Oceans Canada with the aim of clarifying Nunavut Wildlife Management Board's role in the management of commercial fisheries inside and outside of the Nunavut Settlement Area pursuant to Article 5 and Article 15 of the Nunavut Agreement.



Reasons for NWMB Decision

The Total Allowable Catch Levels

In reaching the decision to rollover the 500 t TAC in SFA 0, the Board considered the status of the northern shrimp stock in SFA 0. Specifically, that the stock's status in SFA 0 is currently unknown as there has been no scientific assessment since 2010. The Board considered that fishing the complete 500 t TAC in SFA 0 could result in an exploitation rate between 40%–70%; however, SFA 0 area has not been actively fished. The Board reviewed the consultation conducted by Fisheries and Oceans Canada (DFO) and considered that there is support for the rollover of the 500 t TAC among 10 of the 17 offshore licence holders with historical access to this area.

Nunavut Access to the Competitive Fishery in SFA 0

The Board understands that under the current conditions of licence, only Qikiqtaaluk Corporation has access to the 500 t competitive TAC in SFA 0. Baffin Fisheries has emailed the NWMB expressing interest in gaining access to the SFA 0 fishery. In the NWMB's final decision letter concerning the 2020 TAC for SFA 0, the Board recommended that your department change the conditions of licence to allow all Nunavut sub-allocation holders access to the 500 t competitive TAC in SFA 0. In your response to the NWMB, you stated that because the NWMB had not identified sub-allocation holders for the 2021 fishing season, you could not consider the Board's recommendation. Since that time, the Board has made its final decision on sub-allocation and identified the sub-allocation holders. Given that the NWMB has forwarded to you its sub-allocation decisions for 2021–2025, the Board considered that you should now be in the position to change the conditions of licence to permit Nunavut sub-allocation holders access to the competitive 500 t within SFA 0 for the 2021 fishing season.

Uncertainties with DFO's position toward NWMB's marine jurisdiction

The Board determined that there is a need to clarify its role in the management of commercial fisheries inside and outside of the Nunavut Settlement Area pursuant to Article 5 and Article 15 of the *Nunavut Agreement*. The Board has jurisdiction over wildlife management decisions in the Nunavut Settlement Area (NSA) under Article 5. Under Article 15, the NWMB has a role to provide relevant information to the Minister of Fisheries and Oceans for marine areas beyond the NSA. There remain ongoing and unresolved discussions with your department over these jurisdictional issues. In your submission, you acknowledged that “SFA 0 is immediately adjacent to and partially within the Nunavut Settlement Area (NSA)” but stated that the recommendations you seek on the TAC are “where this fishery occurs adjacent to the NSA.” While this approach appears to satisfy your duties in Zones I and II, which are



outside the NSA, there was no mention of the TAC decision being applicable in the NSA. This position expressed within the 2021 submission differs from your 2020 proposal, whereby you requested the NWMB provide “decisions on harvest levels within the Nunavut Settlement Area and a recommendation on overall TAC for SFA 0.” There is inconsistency with the request for advice on SFA 0 and a continued lack of engagement by your department with the NWMB when setting the TAC for SFA 1, where notably the NWMB makes recommendations on sub-allocation to Nunavut enterprises under the *2019 Allocation Policy for Commercial Marine Fisheries*. Given these considerations, the Board has authorized its staff to engage with your staff with the aim of clarifying NWMB’s role in the management of commercial fisheries inside and outside of the Nunavut Settlement Area pursuant to Article 5 and Article 15 of the *Nunavut Agreement*.

The NWMB looks forward to continued collaboration with co-management partners in the management of Nunavut's commercial fisheries. Should you or your officials have any questions or concerns regarding the contents of this letter, please do not hesitate to contact the NWMB.

David Schubert

c.c. Courtney D'Aoust, Fisheries and Oceans Canada.



October 5, 2021

Mr. Daniel Shewchuk
Chairperson
Nunavut Wildlife Management Board
P.O. Box 1379
Iqaluit, NU
X0A 0H0

Dear Mr. Shewchuk:

I am writing in response to your correspondence of April 8, 2021, regarding the Nunavut Wildlife Management Board's (the Board) decision and recommendation on *Pandalus borealis* in shrimp fishing area (SFA) 0.

Total Allowable Catch

I have decided to set a total allowable catch for *P. borealis* of 500t in SFA 0, which aligns with the Board's recommendation.

Nunavut Access to Competitive Fishery in SFA 0

I will defer a decision on expanding access in this fishery to enterprises that hold Nunavut allocations until 2022, as the recommendation for expanding access is best suited for discussion at the Northern Shrimp Advisory Council, which has not met since the Board's recommendation on this issue was received. Once consultations have concluded, the Board's recommendation will be considered and a decision taken.

Marine Jurisdiction

I would encourage the Board to engage with departmental officials on the management and administration of the shrimp resource. Further, as per the Board's request, my officials will be reaching out to Board staff to initiate conversations on the roles of the Board and the Department in the management of our marine fisheries.

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I appreciate the Board's collaboration and cooperation in the sustainable management of the shared shrimp resource in the North.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'B' followed by a horizontal line.

The Honourable Bernadette Jordan, P.C., M.P.
Minister of Fisheries, Oceans and the Canadian Coast Guard