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April 29th 2013

Honourable Keith Ashfield Minister, Fisheries and Oceans Canada 15th Floor, Centennial Towers 200 Kent Street Ottawa, Ontario K1A 0E6

Dear Minister Ashfield:

RE: NWMB Decision on the Integrated Fishery Management Plan for the Greenland Halibut (Turbot) NAFO Subarea 0 Fishery

Background

On February 5th 2013, the Nunavut Wildlife Management Board (NWMB or Board) received a request for decision from Fisheries and Oceans Canada (DFO) on approval of a new Integrated Fishery Management Plan (Management Plan) for the Greenland Halibut (turbot) NAFO Subarea 0 fishery.

NWMB Decision

The Board considered DFO's request for approval of the Management Plan at its Regular Meeting 001-2013 held March 11-12, 2013 meeting in Iqaluit. During the subsequent In-camera session, the NWMB made the following decision:

MOVED that the NWMB write to the Department of Fisheries and Oceans seeking inclusion of the following measures within the IFMP:

- 1. Hold annual meetings for the next 5 years with industry, co-management partners, and other relevant stakeholders to track the progress of accomplishment of the short and long-term management objectives outlined in the Integrated Fishery Management Plan, and any other management issues associated with the fishery. The need for annual meetings can be re-evaluated in 5-years' time;
- DFO Conservation and Protection staff provide comprehensive annual Verification Reports as per the NWMB's Allocation Policy for Commercial Marine Fisheries to help increase communication amongst co-management partners about reporting, compliance and stewardship concerns in the turbot fishery;
- 3. A requirement that each allocation holder employs fishing practices that minimize the risk of gear loss and has a functional plan in place for recovery of lost gillnets; and
- 4. A commitment to achieve the following objectives for the fishery:

- a. Identification of Ecologically and Biologically Significant Areas and sensitive areas, and the potential need for increased protection of these areas in Division 0, especially with respect to corals and sponges;
- b. Research measures to reduce the catch of small fish and adhere to DFO's Small Fish Protocol;
- c. Increased research into the harvest of mature roe-bearing fish and its impacts on the stock:
- d. Compliance, reporting, monitoring, and bycatch mitigation measures;
- e. Development of Precautionary Approach reference points; and
- f. Consideration of carry-over provisions for turbot and shrimp fisheries in the Nunavut Settlement Area and adjacent waters.

If DFO disagrees with the inclusion of any of these measures, the NWMB requests that DFO provide the Board reasons which it can consider in deciding on whether to approve the Management Plan.

Reasons for NWMB Decision

In preparation of the draft Management Plan, DFO held a consultation meeting with industry, comanagement partners, and other stakeholders in Iqaluit (January 9-10, 2013), and also solicited written input. However, the NWMB feels that a number of important comments from industry, co-management partners, and stakeholders should be included in the draft of the Management Plan:

- 1. Annual fisheries management meetings for the next 5 years, with re-evaluation of the need for such meetings in 5-years' time: Fishery-wide management meetings had not occurred for approximately 5-years prior to the January 2013 meeting in Iqaluit. Industry, co-management partners, and other stakeholders expressed a strong desire to hold annual meetings to ensure management issues are adequately addressed. In five years' time stakeholders may review the status of management concerns and whether annual meetings remain necessary.
- 2. DFO Conservation and Protection Annual Verification Reports: The NWMB's Allocation Policy for Commercial Marine Fisheries outlines annual verification reporting on Nunavut allocation holder compliance with the Stewardship Requirements. To date, the verification reporting supplied by DFO Conservation and Protection has been minimal. The NWMB will continue to work with DFO Conservation and Protection staff to develop the verification reporting, and ensure that Nunavut allocation holders adequately adhere to DFO legislative and policy requirements, Species at Risk Act requirements, and NWMB Stewardship Requirements.
- 3. Requirements for minimizing the risk of gear loss and plans for recovery of lost gillnets: The Conservation Harvest Plans for the turbot fishery in 0A and 0B currently do not contain practical preventative or reactive measures relating to gillnet loss. NVVMB staff have received numerous reports of found gillnets over the past year, and the Board feels this management issue must be formally addressed in the Management Plan.

4. Commitment to:

- a. Identification of Ecologically and Biologically Significant Areas and sensitive areas and the potential need for increased protection, especially for corals and sponges: At the January 2013 Management Plan meeting in Iqaluit, industry, co-management partners and other stakeholders suggested numerous measures to help identify and protect these areas. In accordance with the Principles of Conservation outlined in the Nunavut Land Claim Agreement S. 5.1.5 and with its Allocation Policy, the Board would like to see a formal commitment in the Management Plan to identify and protect these areas in Division 0.
- b. Research to reduce the catch of small fish, adhere to DFO's Small Fish Protocol, and investigate the impacts of harvesting of mature roe-bearing fish: Industry members, co-management partners, and other stakeholders expressed concern about the lack of adherence to the Small Fish Protocol, as well as the lack of information on the potential impacts of harvesting large, mature female fish at the January 2013 Management Plan meeting. A commitment to research and development of solutions is essential.
- c. Compliance, reporting, monitoring, by-catch mitigation measures: Concern has been expressed by DFO and co-management partners over a number of issues with compliance, reporting, monitoring, and bycatch mitigation in the fishery. Reporting is a critical issue, and the NWMB feels that a larger emphasis should be placed upon reporting and compliance in the Management Plan.
- d. <u>Development of Precautionary Approach reference points</u>: The Board would like to see a commitment to the development of precautionary approach standard fisheries reference points (or proxies thereof) as a short-term objective for the Division 0 turbot fishery.
- e. Consideration of carry-over provisions for turbot and shrimp fisheries in the Nunavut Settlement Area and adjacent waters: As per the NWMB's Allocation Policy, further discussions on carry-over provisions for turbot and shrimp fisheries should take place on a priority basis. These discussions were supported by Nunavut industry members during consultations on revisions to the Allocation Policy.

If you or any of your staff have any questions pertaining to the Board's decision on the contents of this letter, please do not hesitate to contact the NWMB.

Sincerely,

Manasie Audlakiak A/Chairperson of the

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Nunavut Wildlife Management Board

cc. Larry Dow, Director of Northern Operations, Fisheries and Oceans Canada
Sandra Courchense, Senior Fisheries Resource Management Officer, Fisheries and
Oceans Canada
Beth Hiltz, Fishery Management Coordinator, Fisheries and Oceans Canada



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Mr. Manasie Audlakiak Acting Chairperson Nunavut Wildlife Management Board Box 1379 Iqaluit, Nunavut X0A 0H0

Dear Mr. Audlakiak:

This is in response to your correspondence of April 29, 2013, addressed to the Honourable Keith Ashfield, Minister of Fisheries and Oceans, in response to Fisheries and Oceans Canada's (DFO's) request for decision at the March 2013 Board meeting to approve/recommend the Subarea 0 Greenland Halibut Integrated Fishery Management Plan (IFMP). I have been asked to respond on the Minister's behalf.

I understand through subsequent dialogue with Nunavut Wildlife Management Board (NWMB) officials that your letter is not intended to provide a decision to the Minister pursuant to Nunavut Land Claims Agreement, but rather to seek inclusion of a number of additional specific commitments and actions in the IFMP prior to formal Board decision/recommendation.

I was pleased to hear that there was good discussion at the January 2013 Fishery Review Meeting in Iqaluit on important fishery management issues and the draft IFMP, and I appreciate the NWMB's thorough review of the IFMP for the Subarea 0 Greenland halibut fishery. In the coming weeks, DFO will engage fishery participants, comanagement organizations and others on a number of priority fishery management issues.

As the NWMB is likely aware, it is becoming increasingly important to be able to demonstrate sustainability for major Canadian fisheries such as the Subarea 0 Greenland halibut fishery. The Subarea 0 Greenland Halibut fishing industry recognizes the importance of having an up-to-date IFMP to help maintain and expand its international market access, as well as obtain eco-certification in the future, to meet global consumer driven demands for sustainably harvested seafood. As such, it is important to have an updated and approved IFMP in place for the 2013 fishing season, which will begin in the next couple of weeks.





The Department will carefully consider the NWMB's recommendations for additional commitments and actions for inclusion in the IFMP as outlined in your letter, and DFO will provide a more fulsome response shortly. There are a number of high priority management issues within the fishery and efforts need to be targeted at addressing the highest of these priorities. In the meantime, the fishery will be guided by the draft IFMP in the offshore for the 2013 season while the decision process under the land claim is completed.

Thank you for taking the time to express your thoughts on this matter. I trust that my response has served to address your concerns.

Sincerely,

David Burden

A/Regional Director General Central and Arctic Region

Fisheries and Oceans Canada



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JUN 2 1 2013

Mr. Manasie Audlakiak A/Chairperson Nunavut Wildlife Management Board Box 1379 Iqaluit, Nunavut XOA OHO

Dear Mr. Audlakiak;

This letter is a follow up to my letter of June 5, 2013, and addresses the specific issues that the Nunavut Wildlife Management Board (Board) raised in its April 29, 2013 letter responding to the Department's request for decision to approve/recommend the Subarea 0 Greenland Halibut Integrated Fishery Management Plan (IFMP).

The IFMP for the Subarea 0 Greenland Halibut fishery provides a common understanding of the basic "rules" for the sustainable management of the fishery resource. It serves to communicate information on the fishery to a broad audience including the fishing industry and harvesters, co-management organizations, environmental organizations, ecocertification bodies and other interested stakeholders.

The following provides responses to the Board's requests for additional measures to be included in the IFMP:

1) The Board is seeking inclusion in the IFMP that annual meetings would be held for the next 5 years with industry, co-management organizations and other stakeholders.

The IFMP formerly indicated "DFO will continue to consult and liaise with these groups on a regular basis and as circumstances require, both through formal advisory processes as well as informal ad hoc or issue-related basis between advisory processes" (p. 34).

The text in the IFMP has been revised to indicate DFO will consult and liaise on an annual basis (see IFMP Performance Review, Section 10 appended).

2) The Board is seeking to have measures included in the IFMP indicating that DFO Conservation & Protection will provide comprehensive annual Verification Reports as per the NWMB's Allocation Policy for Commercial Marine Fisheries.





This information is currently being provided to the Board. There have been several meetings with Board staff regarding the Verification Reporting request for NWMB's Allocation Policy. On July 31, 2012 Conservation & Protection provided information regarding the 2011/12 season. Conservation & Protection endeavours to provide as much information as possible given limitations due to privacy issues, and will continue to do so to assist the NWMB's in its evaluation of its stewardship requirements.

Under section 8 of the IFMP (Shared Stewardship Arrangements), the IFMP currently indicates "the NWMB is continuing to work with DFO on verification reporting to support the NWMB's stewardship requirements under its Allocation Policy for Commercial Marine Fisheries". A statement has been added to indicate that Conservation & Protection will continue to provide, all pertinent information to the NWMB to assist in its evaluation process and understanding of the various compliance issues in the fishery, subject to privacy legislation. (see IFMP Shared Stewardship Arrangements, Section 8 appended).

3) The Board is seeking to have measures included in the IFMP indicating a requirement that each allocation holder employs fishing practices that minimize the risk of lost gear and has a functional plan in place for recovery of lost nets.

The IFMP outlines a number of measures to reduce and report lost gear (p. 61) such as the following:

- Division 0A is closed to Fixed Gear as of Nov 10th each season (dependant on ice conditions) to reduce the probability of lost gear due to adverse weather;
- Every reasonable effort must be made to retrieve lost nets; and
- Lost gillnets need to be recorded in the logbook and reported in daily hails.

The IFMP also outlines several key management issues in the fishery (Section 4.1, p 20-22). The IFMP was circulated to stakeholders in advance of the January 2013 Fishery Review meeting and these management issues were discussed at length during the January meeting. The issue of lost gillnets was raised by Board staff at the end of the meeting and was not discussed to any extent amongst fishery participants. DFO will be focusing its efforts in the coming year on the key issues identified and discussed at the meeting. One option to immediately address the NWMB's concern on this issue may be for the Board to require Nunavut allocation holders to develop a functional plan as part of their stewardship requirements under the NWMB's Allocation Policy.

4) The Board is seeking a commitment to identify Ecologically and Biologically Significant Areas (EBSAs) and sensitive areas, and the potential need for increased protection of these areas in Division 0, with respect to coral and sponges.

Six EBSAs were broadly identified within Subarea 0 via a 2011 Canadian Science Advisory Secretariat (CSAS) process and a community tour by DFO Oceans Program (Hatton Basin-Labrador Sea-Davis Strait, Cumberland Sound, Baffin Island Coastline, Baffin Bay Shelf Break, Southern Baffin Bay, and Northern Baffin Bay) (DFO 2011). This information is outlined in section 4.3 of the IFMP.

DFO is continuing to work on identifying sensitive areas. For example a benthic survey took place in Baffin Bay in 2012 lead by Dr. Ellen Kenchington from DFO's Bedford Institute. This work included the development of bio-diversity monitoring stations in the Narwhal Overwintering and Coldwater Coral Zone in Division 0A to support Canada's contribution to the Arctic Council Bio-diversity Monitoring Program. In 2013 a research team led by Dr. Evan Edinger from Memorial University will conduct benthic survey work in Davis Strait as well as one station in the Narwhal Overwintering and Coldwater Coral Zone in Baffin Bay. The ongoing analysis of Logbooks and Observer reports provide additional information.

As outlined in the IFMP "sensitive cold-water corals, including Paragorgia arborea, Acanella arbuscula, Flabellum spp. and Keratoisis ornata have been identified in the deep waters (>500 m) of Subarea 0. The current Greenland Halibut fishing closure in Division 0A (see description of Narwhal Overwintering and Coldwater Coral Zone in Section 7, Management Measures) helps protect these corals. Sponges (identified as species within the Geodidae family and similar to the species complex identified in the NAFO Regulatory Area on the slope of the Grand Banks) are also important habitat-forming species that have been found in Subarea 0." (p. 23)

DFO is currently assessing options to conduct a project that would map the Greenland Halibut and Shrimp fishing footprint. This information, combined with information on the location of corals and sponges, would help inform future discussions concerning the protection of EBSAs in Subarea 0.

5) The Board is seeking a commitment to research measures to reduce the catch of small fish, adhere to DFO's Small Fish Protocol, and investigate the impacts of harvesting of mature roe-bearing fish.

This issue was discussed at the January Fishery Review meeting. Fish size composition of catches in Subarea 0 varies depending on gear type and Division. The fishery has primarily been a trawl based fishery since it began in the mid-1960s, and currently there is a mix of both fixed gear and mobile gear types used to prosecute the fishery. Trawls catch primarily small, immature fish, whereas gillnets catch larger fish with a mix of immature and mature status. Science assessments continue to show the stock is healthy with stable or increasing trends

in recruitment, biomass and abundance indices. These trends suggest the level of exploitation and harvesting approach (i.e. harvesting a range of fish sizes with a mix of gear types) have been effective to date in the sustainable management of the fishery (Section 4.1, IFMP., p. 21).

DFO's Procedures for Monitoring and Control of Small Fish Catches and Incidental Catches in Atlantic Groundfish Fisheries provide guidance to specific fisheries and, where appropriate, designated areas may be closed when the number of undersized fish reaches or exceeds 15% of the catch. In this fishery, the stock assessment trends suggest the level of exploitation and harvesting approach have been effective to date, and hence areas have not been closed when the small fish harvest reaches 15% of the catch.

DFO will continue to closely monitor biological indices and the size distribution of the catch, and will take action as needed to ensure sustainability of the resource. In addition, current Stock Assessment research and resources will focus in a number of other areas, including the continuation of the multi-species survey and new work to explore the use of proxies for calculating reference points.

6) The Board is seeking a commitment to compliance, reporting, monitoring and bycatch mitigation measures, and a larger emphasis should be placed on reporting and compliance in the IFMP.

These are important management issues in the fishery and are areas where improvements can be made. These issues are all identified throughout the IFMP. Under Section 4.1 (Fisheries Issues), by-catch management, reporting, and compliance are identified, with a description of each management issue. The Compliance Plan outlines specific compliance issues and actions by C&P to investigate reported violations (Section 9.5, p. 34). There are also specific Short-term Objectives in the IFMP to identify specific management issues where improvements can be made. For example, there are short term objectives to improve the timeliness and accuracy of reporting in the fishery, and to promote fishing practises that avoid or mitigate impacts on bycatch species (Table 2, p. 26.). There are also many management measures and conditions of licence to address these issues. Appendix 4 (p. 63) outlines existing comprehensive measures for bycatch management and reporting requirements.

These issues were raised by DFO at the January 2013 Fishery Review meeting. Information notes were provided to participants in advance of the meeting, which outlined the extent of the management issues and future required actions. It was identified that concerted efforts are required by licence holders on a number of these issues. DFO will continue to work with industry to address these issues.

7) The Board is seeking a commitment to develop Precautionary Approach reference points as a short term objective for the fishery.

DFO Stock Assessment has indicated that work is planned to explore the use of proxies for calculating reference points. This commitment is identified in Section 4.1 of the IFMP. As well, *Table 2 Long and short term objectives for the Subarea 0 Greenland Halibut fishery* has been revised to include this as an additional short-term objective (see IFMP Objectives, Section 5 appended).

8) The Board is seeking a commitment to consider carry-over provisions for turbot and shrimp fisheries in the Nunavut Settlement Area and adjacent waters.

Timely and accurate reporting of landings has been identified as a significant issue in the Subarea 0 Greenland Halibut fishery. Most importantly, improvements are required in the reporting of landings at ports outside Canada. Accurate, complete and independent landing information is required to be able to reconcile landings against quotas. This information is essential to be able to demonstrate sustainable harvesting in the fishery and that fish harvested are legal, reported and regulated. The need for timely and accurate information is identified in the IFMP (Section 4.1 Fisheries Issues) and was discussed at length at the January 2013 Fishery Review meeting. Until these larger issues are satisfactorily addressed with industry, other issues, such as water loss factors and carry over provisions should not be contemplated for the Greenland Halibut fishery.

I trust we have provided sufficient information on these issues to provide further explanation and clarification to the Board. Appended are the sections of the IFMP which have been modified to reflect the Board's comments. We look forward to receiving the Board's decision/recommendation on the Subarea 0 Greenland Halibut Integrated Fisheries Management Plan.

Sincerely,

Dave Burden A/Regional Director General

Central & Arctic Region Fisheries and Oceans Canada

Cc

L. Dow

S. Gilbert

R. Young

S. Newton

Revised sections of the draft Integrated Fishery Management Plan, Greenland Halibut, NAFO SA0, Effective 2013

5. Objectives

Objectives for the Greenland Halibut fishery are a key component of the IFMP. Long term objectives guide the management of the fishery and may be categorized as stock conservation, ecosystem, shared stewardship, compliance, and social, cultural and economic objectives. Each long term objective is supported by one or more short term objectives to address existing management issues in the fishery. The objectives listed in Table 4 were developed in consultation with industry, co-management and Inuit organizations, and other stakeholders.

Table 2. Long and short term objectives for the Subarea 0 Greenland Halibut fishery.

Long-term Objective	Short-term Objective
Stock Conservation	
Conserve the Greenland Halibut stock through sustainable use and effective fishery management.	 Improve knowledge of Greenland Halibut biology through the continuation of ageing, maturity, genetics and migration studies. Secure funding for annual multi-species surveys to monitor Greenland Halibut abundance and biomass. Improve the timeliness and accuracy of reporting in the fishery. Promote fishing practices that maximize quality of the catch thereby minimizing discards. Review the current fishery monitoring program once a national catch monitoring and reporting framework is in place. Explore the use of proxies for determining reference points.
Take a precautionary approach to fishery decisions for the Subarea 0 Greenland Halibut stock.	Given uncertainties related to the Subarea 0 Greenland Halibut stock, take a precautionary approach to setting TACs.
Ecosystem	
Conserve sensitive benthic areas through effective fishery management.	Promote fishing practices that avoid or mitigate impacts on sensitive benthic habitats.

Long-term Objective	Short-term Objective
Conserve bycatch species through effective fishery management.	 Promote fishing practices that avoid or mitigate impact on bycatch species. Improve bycatch reporting in order to account for total catch. Improve reporting of marine mammal encounters.
Shared Stewardship	
Promote collaboration, participatory decision making, and shared responsibility with resource users, co-management organizations and other interested parties.	 Conduct Greenland Halibut fishery meetings with stakeholders on a more frequent basis. Transition shared responsibility, accountability and decision making to licence holders within the constraints of the <i>Fisheries Act</i> and land claims agreements.
Promote collaborative science and	
management initiatives with Greenland.	
Social, Cultural and Economic	
Promote a competitive and prosperous fishing industry that is able to maximize value from fisheries resources and generate economic growth, while ensuring stocks remain healthy and abundant for future generations.	 Establish shares for the Division 0B competitive fixed gear fishery for stability in allocation and effective management. Support increased market access initiatives such as eco-certification. Continue to take into account relevant land claim agreements and Government of Canada strategies and policies when making access and allocation decisions.
Compliance	
Support effective fisheries management through a comprehensive compliance program.	 Conduct a risk assessment of compliance issues. Implement a variety of compliance activities and tools to address identified risks.

8. Shared Stewardship Arrangements

The Greenland Halibut fishery has a long history of shared stewardship arrangements. Internationally, Canada and Denmark (on behalf of Greenland) ask the NAFO Scientific Council to conduct the Greenland Halibut stock assessment and provide TAC recommendations. As well DFO and the Greenland Department of Fisheries, Hunting and Agriculture are signatories to a Memorandum of Understanding on Issues Related to

Satellite Based Vessel Monitoring System (VMS). DFO and the GINR also have a Memorandum of Understanding in support of collaborative research projects and the implementation of the multi-species survey. The offshore tagging project is one example of the collaborative projects undertaken by DFO and GINR researchers. Nationally, university and DFO researchers work together (e.g. benthic survey in Baffin Bay and Davis Strait) to understand ecosystem relationships in the Arctic marine environment. Regionally, co-management organizations, industry, and the Government of Nunavut have provided financial support to the multi-species survey program. Research undertaken in collaboration with the Government of Nunavut and its research vessel supports the development of inshore fisheries. In addition, the NWMB is continuing to work with DFO on verification reporting to support the NWMB's stewardship requirements under its Allocation Policy for Commercial Marine Fisheries. Conservation & Protection will continue to provide all pertinent information to the NWMB to assist in its evaluation process and understanding of the various compliance issues in the fishery, subject to privacy legislation.

Through a Memorandum of Understanding with Transport Canada (TC), DFO has committed to invite TC and CCG representatives to participate in the regional fishery management plan development process, including participation at regional fishery advisory committee meetings. DFO has also committed to ensuring safety considerations are outlined in every fishery management plan. Detailed safety-at-sea considerations and measures are presented in Appendix 7.

10. Performance Review

This IFMP was developed through a consultative process including resource users, comanagement organizations, and other interested parties. DFO will continue to consult and liaise with these groups on an annual basis and as circumstances require, both through formal advisory processes as well as informal ad hoc or issue-related basis between advisory processes.

The stock will continue to be assessed annually through the NAFO Scientific Council and monitoring of the fishery will be accomplished using several tools including quota reports, daily hails, logbooks, VMS, Dockside Monitoring Programs, At-sea Observers, air surveillance and at-sea patrols. Mr. Manasie Audlakiak A/Chairperson
Nunavut Wildlife Management Board
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