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 Nunavunmi Anngutighatigut Aulapkaijitkut Katimajiat
 Nunavut Wildlife Management Board

FAXED
 July 6/04
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 Tammaqtailinahuarinriit anngutighat atuqhugit Inuit qaujimajatuqangillu ilihimaniillu ilitquhiannin
 Conserving wildlife through the application of Inuit Qaujimajatuqangit and scientific knowledge

July 6, 2004

Honourable Geoff Regan
 Minister of Fisheries and Oceans
 15th Floor, Centennial Towers
 200 Kent Street
 Ottawa, Ontario
 K1A 0E6

Dear Mr. Regan:

**Re: License conditions for Exploratory Char Fisheries;
 Development of the *Nunavut Fishery Regulations***

At its spring 2004 meeting, the Nunavut Wildlife Management Board (NWMB or Board) reviewed a presentation by DFO staff, requesting approval of general license conditions for all exploratory char fisheries in Nunavut.

Before providing you with the NWMB's response to this particular request, I would like to take the opportunity to point out that there remains an urgent need to update the Regulations governing Nunavut fisheries, and to bring them in line with the *Nunavut Land Claims Agreement* (NLCA).

During 2000, 2001 and most of 2002, the NWMB, DFO and Nunavut Tunngavik Inc. – through the Nunavut Regulatory Review Committee (NRRC) – cooperatively developed draft *Nunavut Fishery Regulations*, which were approved in principle by the NWMB in September of 2002. Upon receiving the Board's approval, your predecessor, Mr. Thibault, wrote, "*I am pleased and encouraged by the approval in principle of the NWMB... I look forward to the continued participation of the NWMB in this important process.*"

Since receiving a final NRRC-proposed draft of the Regulations in February of 2003, the Board has heard nothing further from either DFO or the Department of Justice concerning the development of the draft Regulations. Meanwhile, the NWMB is being asked to approve conditions for a license within a licensing regime that is outdated and does not properly reflect the terms of the NLCA.

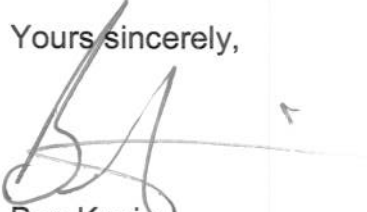
Accordingly, Mr. Minister, the NWMB requests that you arrange for an early meeting between the members of the NRRC and representatives of the Department of Justice, preferably no later than September 2004, in order to proceed with the development of the NRRC-drafted *Nunavut Fishery Regulations*.

With respect to DFO's request for NWMB approval of license conditions for Exploratory char fisheries in Nunavut, I am pleased to convey to you the following non-quota limitation decision, made pursuant to NLCA Articles 5.3.17 and 5.6.48. Subject to the further development and coming into force of the *Nunavut Fishery Regulations*, and following a review of the conditions recommended by DFO, the Board has decided:

- *To approve the license conditions for exploratory char fisheries in Nunavut, as per the attached sheet entitled License conditions for an Exploratory fishery for Arctic char (*Salvelinus alpinus*), including with respect to gear type, sampling, harvest reporting, and catch and effort data.*

If you have any questions or concerns regarding either the NWMB's decision on license conditions or its recommendation for a meeting on the *Nunavut Fishery Regulations*, please don't hesitate to contact me.

Yours sincerely,



Ben Kovic
Chairperson and Chief Executive Officer
Nunavut Wildlife Management Board

cc. Area Director, DFO - Nunavut

License conditions for an Exploratory fishery for Arctic char (*Salvelinus alpinus*):

In all cases the fishery should be monitored (sample/data collection and catch effort data) to assess the affect of the fishery on the stock.

Gear type: gillnet mesh size of 5½"

The following sample and data collection information should be part of the license:

It is important to try to catch the full quota. This provides a better estimate of the abundance of char in the waterbody.

A minimum of five years of data are generally required to make any predictions about the viability of a fishery for a given stock. Catch and effort data is a valuable source of information to assess the affects of a fishery on a stock and should be collected in conjunction with biological data/fish sampling data. As this is the first year of a fishery the following data and samples must be collected:

- a) Sample a minimum of 100 (200 fish would provide a much better basis for assessing the stock) fish for fork length, round weight, sex, ageing structures (otoliths). Collect data throughout the duration of the fishery. To provide unbiased sampling every third fish should be sampled.
- b) Report total harvest when fishery is completed.
- c) Collect catch and effort data throughout the duration of the fishery. Catch and effort data provide a first estimate of abundance of the fish population. Catch and effort data are the number of nets used; the length of time the nets are in the water and how many fish are caught from each. Each time the nets are placed in the water record the following: Location (lake name), date set (e.g. 4 Jan. 2002, spell the month), time set (AM or PM), number and length of nets (e.g. 2 – 50 yds), mesh size (e.g. 5½"). Each time the nets are checked record the following: date/time, number of char caught. If other fish are caught record kind and number. GPS readings should be taken over the nets to accurately identify fishing location.

Fish sampled for biological data can still be sold or used by the fishers.

Ageing structures and all data should be sent to:

Kathleen A. Martin

Arctic Stock Assessment and Conservation Research /
Recherche sur l'évaluation et la conservation des stocks de l'Arctique
Central & Arctic Region / Région du Centre et de l'Arctique
Fisheries and Oceans Canada / Pêches et Océans Canada
Government of Canada / Gouvernement du Canada
501 University Crescent
Winnipeg, Manitoba, R3T 2N6
(204) 983-5131 | Facsimile / télécopieur - (204) 984-2403
martink@dfo-mpo.gc.ca

It is recommended that a description of the sampling method be provided to the proponent prior to any sampling.

This information provides a measure of the "state" of the fish population at the time fishing begins. A. provisional quota may be adjusted after biological information has been analyzed or the fishery may be found unsuitable for a commercial harvest.

The following information should be provided to the applicant so that they understand what will be expected in subsequent years:

Second, Third and Fourth year of the Fishery

Apply for a licence renewal for each year.

- Report Total harvest when fishery completes.
- Collect Catch and Effort Data throughout the duration of the Fishery

Fifth Year of Fishery

Apply for a licence renewal

- Sample 100 fish for: Fork length, Round Weight, Sex, Aging structures (Otoliths or Scales). These should not be the first 100 fish caught or the largest fish caught but a should be fish caught throughout the duration of the fishery.
- Report Total Harvest when fishery completes.
- Collect Catch and Effort Data throughout the duration of the fishery.

Five years of data on a fishery can be used to compare the biological status of the fish stock at the end of the fifth year to the first year. This gives some idea if the fishery has had an impact on the stock, for example, it may have resulted in a change to the average size of the fish caught. Catch and effort data can also be used to assess the impact of the fishery. At this time the effects of the current harvest on the population can be assessed and recommendations can be made as to the sustainability of the fishery at the current harvest level. Recommendations may also be made to change the level of harvest.