



## **DFO comments on specific sections of the NWMB's *Allocation Policy for Commercial Marine Fisheries***

### **General Comments**

As previously noted to the Nunavut Wildlife Management Board (NWMB or Board), under the *Fisheries Act*, the Minister of Fisheries and Oceans has the discretion to issue licences (access) and quotas (allocations).

While the Department appreciates the aim of the Board's *Allocation Policy* for developing Nunavut's industry, the Board's policy is intended to provide structure and guidance to the Fisheries Advisory Committee (FAC) and the Board in developing its allocation recommendations to the Minister for consideration in the allocation of fish to Nunavut enterprises. Accordingly, DFO is providing comments with the intent of assisting the NWMB in ensuring fair, equitable processes that work for Nunavut enterprises, NWMB and DFO.

### **Section 7 – Allocation Guidelines for Nunavut's Commercial Marine Fisheries**

The Minister of Fisheries and Oceans provides allocations to Nunavut enterprises for a specific time period. Once allocated, DFO considers these allocations to be finalized for the specified period. Throughout this period, DFO ensures compliance from harvesters via regulations and licence conditions. Recommendations received from the NWMB during interim years are noted but do not initiate processes for reconsideration of the Ministerial decision on multi-year allocations. NWMB recommendations are most valuable at the start of the multi-year allocation cycle when the Minister is formulating a decision for the next multi-year allocation period. Hence, from a DFO perspective, the efforts of Nunavut enterprises, the FAC and the NWMB are best focused at this time in the process.

In the event of an increase or decrease to Nunavut's share of the commercial marine fisheries resource during the interim years, DFO will continue to consult the NWMB in the distribution of that share among Nunavut fishing enterprises.

### **Section 10 – New Applicants for Commercial Fisheries Allocations**

DFO encourages the NWMB to consider applications for allocations from new Nunavut enterprises when existing allocations have been under used.

## **Section 12 Multi-year Allocations**

Multi-year allocations align with the Department's Fisheries Modernization initiative. The Minister is not bound to a specific time frame for multi-year allocations (e.g. 3 or 5 years) but takes into account socioeconomic considerations and departmental objectives (e.g. stability of access, opportunities for others).

## **Section 14 – Allocation Applications, *Annual Reports* and *Verification Reports*.**

### **Section 14.2 -Annual Reports (submitted in the years between Allocation Applications) and Section 14.3 - Verification Reports (submitted every year)**

In light of DFO's position related to Ministerial decisions on Nunavut enterprise allocations during the interim years of a multi-year allocation period, the NWMB may wish to consider the value of collecting and evaluating *Annual Reports* and *Verification Reports* between full Allocation Application Procedures.

Given DFO's multi-year approach to management, DFO does not see the advantage of providing information to the NWMB for *Verification Reports* during interim years. DFO, if requested, could provide information for a *Verification Report* covering the entire multi-year period to facilitate the Board's evaluation of applications during the next Allocation Application Procedure.

## **Annex 2 – Allocation Application Flow Chart**

No further comments.

## **Annex 3 – *Annual Report* and *Verification Report* Flow Chart**

No further comments.

## **Appendix A, Section 3 – Composition of the [Fisheries Advisory] Committee**

No comment.

## **Appendix A, Section 5 – Evaluation Process**

Both the DFO Minister and the NWMB have heard concerns from Nunavut enterprises regarding potential conflicts of interest of appointed FAC and NWMB members during the last two multi-year allocation processes. DFO appreciates the challenges of finding members with the desired expertise to dedicate to this file in the north. DFO encourages the NWMB to continue to explore mechanisms that would eliminate the potential for conflict of interest in its processes and enhance openness and transparency of its procedures.

**Section 5.2 (Annual Performance Review- conducted in the years between Application Evaluations)**

No further comments.

**Appendix B – Governance, Business, Benefits and Stewardship Plan Template**

No further comments.

**Appendix C – Annual Report Template**

No further comments.

**Appendix D – Evaluation Form for the Allocation Guidelines**

Both the DFO Minister and the NWMB have heard concerns from Nunavut enterprises regarding unfair treatment during the NWMB evaluation processes. DFO strongly encourages the FAC and the NWMB to ensure the *Allocation Policy* criteria are applied equally to each applicant and evaluated in a fair and unbiased manner. Our Government is committed to a high standard of openness and transparency as well as fair and consistent decision making.