



We look forward to your reply.

Sincerely,



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Enc. Information Memo

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**Information Memo**  
**Communal Fish Plan Pilot by the Pangnirtung Hunters and Trappers Organization**

**Submitted to the NWMB by NTI and Pangnirtung HTO**  
**May 2, 2025**

**Communal Fish Plan Proposal**

The Pangnirtung Hunters and Trappers Organization (“Pangnirtung HTO”) is developing a Communal Fish Plan (“CFP”) to pilot this proposed new fisheries management tool.

Nunavut Tunngavik Incorporated (“NTI”) proposed the CFP in 2013 as a new tool that Inuit could use to manage their own fisheries, particularly where Inuit have the right under section 5.7.26 of the Nunavut Agreement to fish without a licence. NTI, Fisheries and Oceans Canada (DFO) and co-management partners have been attempting to establish new fishery regulations for Nunavut since 1999, with the current round of efforts started in 2018. The Nunavut Fishery Regulations Working Group (“NFR Working Group”) is supportive and proposes building CFPs into the new *Nunavut Fishery Regulations*. It shared this proposal in the January 2025 public consultation document, *Policy Intent for Nunavut Fishery Regulations* (“Policy Intentions Paper”). In March and April, the NFR Working Group held three regional engagement sessions about the Policy Intentions Paper to which all Nunavut HTOs/communities were invited. At those sessions, Inuit representatives expressed interest in – and in many cases, enthusiasm for – the CFP proposal.

The NFR Working Group is proposing that CFPs be mandatory for “Bulk Sales” once the *Nunavut Fishery Regulations* are finalized and in force. The Policy Intentions Paper defines Bulk Sales as follows:<sup>1</sup>

Bulk Sales means the selling of fish other than cetaceans or walrus by Inuit to a (i) fish processing plant, (ii) buyer that will resell the fish (such as a restaurant or store), or (iii) buyer that will use the fish in a for-profit business (such as a work camp) or a not-for-profit entity (such as hospital or educational institution). Bulk Sales do not include (i) sales to Indigenous Wildlife Management Organizations for the purpose of distribution free of charge to Inuit or (ii) sales to supply the Nunavik Inuit Hunter Support Program under section 29 of the *James Bay and Northern Québec Agreement*.

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<sup>1</sup> The definition of “Bulk Sales” is expected to evolve based on feedback from the Nunavut engagement sessions and the NFR Working Group may also find a different term to replace “Bulk Sales”.

Under the NFR Working Group's policy proposal, fisheries destined for Bulk Sales that Inuit have the right to fish without a licence would need to be managed with a CFP.

The NFR Working Group has developed a draft template for Bulk Sales CFPs. A copy of the template is attached to the back of this memo for reference.

### **Pangnirtung's CFP Pilot**

The Pangnirtung HTO is preparing a CFP to manage the commercial Cumberland Sound Arctic char fisheries that its members will pursue this summer, using the draft CFP template provided by the NFR Working Group.

The CFP will cover waterbodies in the vicinity of Pangnirtung that Schedule V of the *Northwest Territory Fishery Regulations* opens to Arctic char commercial fishing and that DFO licenses, plus some exploratory fisheries that DFO has authorized Pangnirtung to pursue. All of these exploratory fisheries have been in place for years - and in some cases, decades - without changes to the catch limits due to a variety of factors, including DFO's past inability to make changes to the regulations and, in recent years, a focus on developing the new NFRs. The CFP will respect the established harvest limits for all those commercial and exploratory fisheries as well as the existing mesh size rules. As done in previous years, DFO will issue a variation order to open the season in August, and the HTO will choose the start date within that opening and based on the moon and tide cycles.

The Pangnirtung HTO, NTI and DFO all agree that the development, adoption, and implementation of this first CFP will help test the CFP concept and identify potential adjustments to the proposed Regulations and template. It will hopefully also build comfort with CFPs within all three organizations as well as within the NFR Working Group. It is important to pilot the CFP tool before the NFR Working Group finalizes its regulatory proposal, which it intends to do by the end of this year.

### **Legal Implications of CFP Pilot**

Pangnirtung's CFP will maintain the existing rules for commercial fisheries established by Schedule V of the *Northwest Territory Fishery Regulations*. The applicable Schedule V quotas will not be exceeded, and the applicable exploratory fisheries quotas will remain the same in 2025. As such, no decisions from the NWMB are required.

Because the current fishery regulations do not recognize CFPs as a management tool, DFO will authorize the fishery with an existing parallel management tool: an *Aboriginal Communal Fishing Licence* issued under the *Aboriginal Communal Fishing Licences Regulations* that will align with Pangnirtung's CFP and allow the HTO to manage the quotas

at the community level. For clarity, after the new *Nunavut Fishery Regulations* come into effect, an *Aboriginal Communal Fishing Licence* will not be required to accompany a CFP.

NTI and Pangnirtung HTO welcome DFO's support for this CFP pilot. At the same time, Inuit participation in the pilot does not change NTI's legal position, on behalf of Inuit rights-holders, that Inuit have the rights to harvest Arctic char up to the full level of their economic needs (subject to any applicable Total Allowable Harvest/Basic Needs Level) (section 5.6.1) and to dispose of that catch to anyone, inside or outside of Nunavut (section 5.7.30), without a licence (section 5.7.26).

## **Communal Fish Plan**

*Name and number the CFP, for identification purposes*

### **Adopted by**

*HTO or RWO name, main phone #, and “general” email address*

### **For**

*Name of fish stock or population*

**Geographical Scope:** Describe in words the waters where the CFP will apply with both a written description (for example, using Inuktitut place names and/or naming all creeks, rivers, lakes and/or bays) **AND** provide a visual outline (like a scanned paper map or a ‘Google map’ screenshot outlining the area).

**Regulated Harvesters:** All Inuit right-holders enrolled under the *Nunavut Agreement*.

**Start Date:** *Date CFP takes effect and, if any, end date (end date is optional).*

### **1. CFP Context and Objectives:**

- a. *Context: Explain why HTO or RWO is adopting CFP, including to enable Bulk Sales. Context may include Inuit Qaujimajatuqangit that informs the CFP, and it may summarize the CFP development process.*
- b. *Objectives: Explain what HTO or RWO seeks to achieve with CFP. For example:*
  - *managing a sustainable commercial fishery and getting fish to markets;*
  - *managing mixed commercial and domestic fisheries to promote long-term sustainability;*
  - *promoting harvesting that is safe and in keeping with Inuit Qaujimajatuqangit and Maligait.*

### **2. Harvest Limits and Type of Fishery**

- a. *Specify any applicable Total Allowable Harvest (TAH) and (Adjusted) Basic Needs Level (A/BNL) set by the Nunavut Wildlife Management Board (Board) and Minister of Fisheries and Oceans Canada (Minister) for the stock or population. CFP will need to respect this harvest limit.*

- b. *Whether or not there is a TAH and A/BNL for the stock or population, specify a harvest limit that covers maximum quantity that may be harvested specifically for Bulk Sales.*
- c. *Describe the type of fishery for the maximum harvest quantity:*
  - a. *Allocating portions of that maximum quantity to specific harvesters, families or households AND/OR*
  - b. *Describing another type of fishery (for example, a competitive fishery that will close once the total harvest is reached or nearly reached, or a lottery that the HTO or RWO will run before each opening to assign portions of the harvest to individual harvesters).*

### **3. Other Management Measures**

- a. *Optional content: specify any conservation and other management measures. For example: allowed or prohibited fishing methods (like netting, weir) and gear (such as gillnets, kakivak), seasonal closures, no-harvesting zones (which must be described clearly and visually), bag/trip limits, minimum size, fishing gear characteristics (like mesh size of gillnets), deployment/effort limits (such as how long net can be in water), rules about wastage, rules for human safety, rules for gear identification.*
- *Note about compliance with other harvesting rules: CFPs must be consistent with, and harvesters must follow, any Non-Quota Limitations (“NQLs”) established by the Board and Minister. This means CFP measures may go beyond any applicable NQLs or cover different matters, but they cannot conflict with existing NQLs. HTO or RWO may choose to remind harvesters in the CFP of their obligation to comply with any applicable NQLs established by the Board and Minister.*
- *Note about potential catch certification or market requirements: In deciding whether to establish any management measures in the CFP, HTOs and RWOs should consider whether intended purchasers require any particular NQLs to be in place. If so, including these in the CFP and promoting compliance will help ensure market access.*

### **4. Harvest Monitoring and Reporting**

- a. *Establish harvest monitoring and reporting program, at least for the Bulk Sales component of the fishery. At a minimum, the program must require harvesters to report the information set out below upon sale of harvest.*

**b. Harvesters must report, for each harvest:**

- i. Species;**
- ii. Name and number of CFP under which harvest occurred;**
- iii. Amount caught (in numbers or weight);**
- iv. Estimated lost catch and bycatch, if any;**
- v. Fishing method or gear used;**
- vi. Date of catch (year, month, date(s));**
- vii. Location of catch; and**
- viii. Harvester's first and last name (this information serves to confirm their right to harvest under CFP).**

**c. Harvester must report the above harvesting information to the [HTO or RWO] within [specify timeframe].**

- *Note: if a processing plant is buying some or all the harvest, they may help collect the harvest information from harvesters, as long as the HTO or RWO remains responsible for obtaining the harvest information for all Bulk Sales under the CFP.*

**d. Harvesting information received by [HTO or RWO] will be shared with Department of Fisheries and Oceans pursuant to an information-sharing agreement that maintains Inuit ownership of information and maintains anonymity of harvesters unless names are required for catch certification or enforcement action.**

**e. Optional: CFP may require harvesters to provide further information or may provide more direction on recording and reporting of harvest information.**

**f. Optional: CFP may establish a monitoring program that the HTO or RWO will conduct in addition to reporting by individual harvesters.**

**g. Optional: CFP may establish a sampling program to be conducted by harvesters or HTO or RWO.**

- *Note about compliance with other rules: CFPs must be consistent with, and harvesters must follow, any monitoring and reporting obligations established by Board and Minister. HTO or RWO may choose to note this fact in the CFP.*

- *Note about potential catch certification or market requirements: In setting monitoring and reporting requirements, HTOs and RWOs should consider whether intended buyers have any requirements for monitoring and reporting that should be included in CFP and implemented in order to help ensure market access.*

## 5. Compliance

- a. **Enforceability under Fisheries Act:** *If none of CFP is enforceable under Fisheries Act, say “none”. Otherwise, identify all the CFP provisions that will be enforceable under the Fisheries Act.*
- b. **HTO/RWO measures to promote compliance:** *Describe what measures HTO/RWO may take to promote harvester compliance with all CFP requirements including any potential consequences for non-compliance. This should include referencing any general HTO or RWO by-law that sets out potential consequences for non-compliance with HTO/RWO harvesting rules.*

## 6. CFP Evaluation

- a. After the fishery under the CFP, the HTO/RWO will meet to discuss the performance and implementation of the CFP to see how it worked and whether the CFP achieved its objectives.
- b. The HTO/RWO will decide whether to maintain the CFP, terminate it, or amend it.

## 7. Endorsement

- a. **Date of adoption of CFP:** *Specify date of HTO or RWO decision to adopt CFP and resolution number, if any. HTO or RWO may also attach the resolution to the CFP.*