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***Nwt Fisheries: Mandates Of Government
Departments
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NWT Fisheries: Mandates of Government Departments

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Introduction

There are a large number of federal and territorial departments involved in fisheries development in the Northwest Territories including:

- Department of Economic Development and Tourism (EDT)
- Department of Renewable Resources (Renewable)
- NWT Development Corporation (DevCorp)
- Department of Fisheries and Oceans (DFO)
- Department of Indian and Northern Affairs (DIAND)
- Freshwater Fish Marketing Corporation (FFMC)

As well, the federal and territorial governments cost share on the Economic Development Agreement (EDA) which provides finding for fisheries development and primarily test fisheries.

In addition to the above, there are a number of **non-government players involved in fisheries development in the NWT.** They include Aboriginal Development Corporations, Co-operatives, Hunters & Trappers Associations, fishermen organizations and private companies. The roles of these players include advocacy, industry lobby, coordination of community and regional activities, and involvement in fishing or operating fish processing and marketing operations. **There are also Co-operative Management Boards established under the Native Land Claims Settlements with legal authority for many aspects of wildlife management including fisheries.**

A review of the roles and mandates of all the various players shows a great deal of overlap between agencies, departments and Co-operative Management boards with limited mechanisms for different groups to plan jointly or for ongoing monitoring and evaluation of projects once started.

Mandates of Government Departments

Economic Development and Tourism (EDT)

ED&T has the responsibility for developing the small business, tourism, arts and crafts and renewable resource sectors of the NWT's economy. Within the renewable resource sector, commercial fishery development is the department's predominant activity.

Department objectives within the fisheries are concentrated on: developing employment opportunities, increasing industry efficiency, increasing the value of catch through development of processed fish products, and exploration of marine waters to identify under-utilized fish stocks with economic potential. The department also provides funding for fisheries projects including test fisheries, building infrastructure, freight subsidy, development of fishermen's organizations, and product development. Department Renewable Resource Officers based in Yellowknife and the regions also provide fishery development expertise to the industry.

In carrying out the department's mandate, department officers are usually involved in a wide variety of activities from assisting clients in writing applications and business plans to undertaking feasibility studies and economic analyses. Officers also act as coordinators for EDA and BDF funded projects and sometimes provide hands-on training to fishermen and fish plant workers involving new processing techniques or approaches to business development. Officers are usually instrumental in accessing funds for test fisheries and coordinating test fisheries.

Renewable Resources

The Department of Renewable Resources is responsible for conservation and management of the NWT's game and wildlife resources. Department policies, programs

and services are administered by staff trained in wildlife biology, research, conservation, enforcement, and harvesting technology. The Minister of Renewable Resources is also a member of the Committee of Provincial Ministers of Fisheries and department officials attend the Atlantic Groundfish Management Committee and Shrimp Advisory Committee meetings.

Departmental programs and services in support of fishery development include resource assessment and research, harvest surveillance, collection of harvest data, conservation education and hunter training. The department also provides financial assistance to subsistence harvesters for purchasing fishing equipment.

Unlike the provinces, Renewable Resources does not manage the freshwater fishery resource, however, by agreement, NWT Wildlife Officers are ex-officio DFO Fishery Officers and collaborate with their DFO counterparts in areas of mutual interest such as enforcement, monitoring, licensing, conducting test fisheries and collecting harvest data.

NWT Development Corporation (DevCorp)

The NWT DevCorp is a GNWT-owned corporation with a mandate to create employment and income for northerners in the smaller less developed communities of the NWT.

In terms of fisheries, DevCorp has invested in two fishery projects: Pangnirtung Fisheries Ltd. and the Rankin Inlet Fish Plant. In both cases the DevCorp has provided fisheries infrastructure and provided management over day to day operations, although local boards have been established to provide some degree of local input into DevCorp decision-making. The DevCorp also provides training to plant workers and is active in product development and marketing.

Department of Indian and Northern Affairs (DIAND)

With regard to fishery development DIAND serves two roles. First, the department provides a coordinating role including chairing the NWT Water Board, NWT Land Use Planning Committee, Arctic Assessment and Review Panel, and the Arctic Environmental Strategy. Secondly, the department serves a developmental role in supporting economic diversification, with special emphasis on renewable resources (including fisheries) and tourism as vehicles for generating employment opportunities for aboriginal people.

Specific initiatives undertaken to achieve DIAND objectives include: the EDA; the Community Economic Planning and Development Program and the Access to Resources Program delivered in collaboration with Industry Science and Technology (ISTC) Canada; and the Indian and Inuit Economic Development Fund.

Department of Fisheries and Oceans (DFO)

The Canadian Constitution and the Fisheries Act confer jurisdiction over sea coast and inland fisheries to the federal government with DFO retaining responsibility for management of **all** coastal waters across Canada as well as inland fisheries in the NWT.

Within DFO, management of NWT fisheries is divided among three DFO regions: conservation and management of all NWT fish and marine mammals and their habitats is the mandate of DFO's Central and Arctic Region headquartered in Winnipeg; fishery management in coastal waters bordering Northern Quebec in the James Bay, Hudson Bay and Hudson Strait through agreement with DFO's Quebec Region; and offshore fisheries in Davis and Hudson Straits with DFO's Newfoundland Region in conjunction with international bodies such as the North Atlantic Fisheries Organization (NAFO).

DFO's fishery management objective in the NWT is to "conserve Arctic fish and marine mammal resources, enhance the net value of the economic and social benefits received by

Canadians from these resources, and provide for the equitable distribution of benefits”; however only **after** the needs of established fisheries have been met does DFO consider the needs of developing and exploratory fisheries. Moreover, DFO’S involvement in fishery development is guided by a series of policies and papers including the Arctic Fisheries Principles; the Arctic Marine Conservation Strategy; principles set out in “The Ice Goes Out: The Conservation and Management of the Fish and Marine Mammals of the Northwest Territories and the North Slope of the Yukon Territory”; and 1988 interim fishery development guidelines. DFO and Aboriginal groups also enter into agreements on the management of stocks and participate in fisheries and fish habitat management, These agreements seek to increase aboriginal involvement in managing fisheries, define allocations, and test new policies such as the sale of fish harvested in aboriginal fisheries,

DFO’S program and **service** mandate in the NWT are broad including: resource and habitat management (e.g. recommending quotas for licensing to HTA’s), biological science and research, fish and plant inspection, vessel insurance, assistance for small **craft harbour** development, economics and program coordination, sustainable harvesting, and technology transfer and training.

Freshwater Fish Marketing Corporation (FFMC)

The Freshwater Fish Marketing Act gives the **FFMC** monopoly over inter-provincial and export marketing of fish originating in the three Prairie Provinces, Northwestern Ontario and the Northwest Territories. Complementary regulations prepared by the NWT in 1969, also give the FFMC control over the marketing of all NWT freshwater species and anadromous arctic char. Thus, NWT businesses that are involved in inter-settlement marketing of fish must be licensed by the Corporation. However, in 1992 FFMC relaxed corporation restrictions on the export marketing of arctic char and licensed NWT processors and retailers to market arctic char outside the NWT.

FFMC objectives are to market fish in an orderly fashion, increase returns to fishermen, and promote international and inter-provincial markets for fish. In meeting these objectives, FFMC owns and operates facilities employed in the Great Slave Lake fishery including three fish receiving stations employed on the lake, a freighting vessel and a re-packing plant in Hay River. FFMC also provides support services to fishermen on a cost recoverable basis including resupplying camps with groceries, **fuel**, spare parts, etc. Most fishermen have operating lines of credit with the Corporation and for a majority of Great Slave Lake fishermen the corporation manages their accounts. FFMC also delivers the Great Slave Lake component of EDT's Commercial Fishery Assistance Program on a fee for service basis which involves two-thirds or approximately 450 fishermen in the NWT.

Co-operative Management Boards

Land claim agreements have **fundamentally** changed the institutional arrangements for wildlife management in the **NWT**. Specifically, they have established Aboriginal ownership of, and preferential rights to, specific lands and resources; defined in law specific management structures (Co-operative Management Boards); and defined the different roles and responsibilities for wildlife harvesting and management by claim beneficiaries, non-claim beneficiaries and governments,

Given the above, Co-operative Management Boards have become the main instruments and forums for wildlife management in the **NWT** and, although there are variations in the **specific** provisions of land claim settlements, all co-management boards have legal authority for substantive aspects of wildlife management. In the context of fishery development, important roles for the boards include: setting priorities for **fishery** research and fishery management programs; designating basic needs or requirements for the native food fishery; and allocating fish surpluses for various uses. DFO support activities - from scientific investigations to licensing commercial fisheries - depend on recommendations from Co-operative Management Boards.

Only one Co-operative Management Board has been operating in the NWT for any length of time, the Fisheries Joint Management Committee (FJMC) established in 1986 under the Inuvialuit Final Agreement.

NWT FISHERIES
The Players: Primary Roles and Mandates

	Job Creation	Business Dev.	Resource Mgt	Aboriginal Economic Dev.	Subsistence Economy Dev.	Marketing	Economic Analysis
EDT	x	x				x	x
Renewable			x		x		
DevCorp	x	x				x	
DFO			x		x		x
DIAND	x	x		x			
FFMC						x	
Cooperative Management Boards			x		x		

Current Coordination Mechanisms in NWT Fisheries

There are three mechanisms for coordinating fishery development in the NWT: the EDA, Annual Agency Meetings, and Co-operative Management Boards.

In the case of the EDA, the mechanism consists of the Fisheries Management Committee which oversees the EDA Fisheries Program, and Regional EDA Fisheries Management Sub-Committees which, on behalf of the Management Committee, undertake consultation with **stakeholders**, develop annual work plans, recommend approval of fishery projects and, once **funded**, monitor fishery projects. To date, the EDA has primarily been involved in test fishery projects where most of the EDA Fishery Program funding has been allocated.

Departments and agencies represented on the EDA Regional Management Sub-Committees consist of **DIAND**, **DFO**, **ED&T** and **Renewable Resources**, all of whom have voting responsibilities on project approval, and private sector representatives who seine strictly in an advisory capacity. Significantly, the **NWT DevCorp** is not represented on the EDA Regional Sub-Committees or EDA Management Committee, even though the **DevCorp** is a major investor in NWT fishery development in the Northwest Territories - indeed, in the case of the **Pangnirtung** Fisheries alone investing over \$6 million.

The second mechanism for coordination of fishery development consists of annual **DFO**, **ED&T** and **Renewable Resource** meetings to discuss issues related to fishery development in the NWT'. At these meetings, each department takes the opportunity to report on current departmental and agency plans such as **DFO** plans to undertake additional resource assessment work, **ED&T** plans to invest in expanded fisheries, and **Renewable Resource** plans for supporting subsistence fisheries. These meetings however, have not always been held every year and before the most recent meeting, held in October

1993, the last meeting was held two years previous. Meetings are also not always well attended, (e.g. at the last meeting Renewable Resource failed to send a representative); do not include private sector representation; are usually ad hoc with no formal attempt to undertake joint planning; and rather than being planning meetings, tend to be sessions where participants share information and agree to cooperate on specific individual projects more closely - however as the last meeting also showed, no developed mechanisms for sharing agency data bases exist between agencies.

Finally, there are Cooperative Management Boards which have only recently come into existence. Indeed, as already mentioned, only in the case of the **Inuvialuit Fisheries Joint Management Committee (FJMC)** established in 1986 has there been a Cooperative Management Board in existence in the **NWT** for any length of time. However, there are two problems with the management board structure, at least when examined against the FJMC experience. First, membership on the FJMC does not include all players and is restricted to five voting members - two federally appointed, two **Inuvialuit** appointed members and a jointly appointed chairperson; and one non-voting member from Renewable Resources with observer status. ED&T, an important player in fishery development in the region, does not participate in committee meetings and decision making.

Moreover, the FJMC only concerns itself with management of the fishery, specifically issues such as resource **allocation**, licensing through DFO, and test fisheries and not with development of the fisheries which is **left** with others to undertake alone or jointly including ED&T, the **Inuvialuit Regional Development Corporation** and Local Community Development Corporations. Thus, management and development are kept separate, making it more difficult to coordinate and plan fishery initiatives in **Inuvialuit** communities than would otherwise be the case if all parties were represented and worked together through the same committee.

The following chart outlines the coordinating mechanisms used by the various agencies involved in NWT fisheries.

Current Coordinating Mechanisms

	EDA	Interagency Meetings	Cooperative Management Boards
Planning	Limited	No	
All Stakeholders Represented	No	No	No
Regular Meetings	Yes	No	Yes
Share Information DFO	Some	No	No
Management & Development Issues Addressed Together	No	No	No

Conflicts

Given different department and agency mandates, and the complexity of fishery development in the NWT - specifically, the need to address in a coordinated and integrated way issues related to project phasing, scale of operation, resource sustainability, marketing, government and non-government investment, project viability, costs/benefits to be derived, and project monitoring and evaluation - there are numerous ways in which conflicts **can**, and do, arise between all different players. Examples of these conflicts are many.

Marketing Conflicts: One example of where different department and agency objectives result in conflict can be seen in the area of marketing. FFMC's major goal is to get the best price of fish to fishermen. In order to facilitate this goal, FFMC has sought higher plant efficiency by moving **all** processing into the south closing many small fish plants in the north and in the process losing many job opportunities for northern residents. For the DevCorp and ED&T, FFMC's goal of economic efficiency works in conflict against their stated goal of job creation.

Also, in 1992 the DevCorp successfully negotiated exemption from FFMC for export marketing of arctic char, but **unsuccessfully** for partial exemption. This left the DevCorp with **full** marketing responsibility for DevCorp fish plants in Pangnirtung and Rankin Inlet; however for the Ikaluktutiak Co-op Fisheries in Cambridge Bay the exemption from FFMC proved disastrous. On the one hand the Co-op could not come to an agreed price with the DevCorp to market arctic char - the Co-op felt the price offered by the DevCorp would result in little or no profits which historically the Co-op had always earned when selling through FFMC - while on the other hand, the Co-op found it very difficult to find and develop alternative southern markets for Co-op fish product. Since neither the Co-op or DevCorp were able to resolve their differences, the Co-op today sits with high inventories of unsold arctic char - nor has the Co-op been able to issue dividends to its membership which, in the past, the Co-op had always been able to issue.

Government Standards vs. Business Viability Conflicts: The Arviat Fish Plant serves as another example of conflict between players, and in this case where government standards are in conflict with business viability. Up until 1990 the owner of the Arviat fish plant operated successfully from a small shack in the community, purchasing fresh arctic char for resale to FFMC and earning a small profit. Because the operation did not meet DFO standards for export however, the owner was encouraged to establish a more modern fish plant and, with the full support of ED&T and the DevCorp, purchased a new fish plant. Since then because of high plant operating costs (as well as poor management and depleting fish resources) the owner has suffered consistent and increasing annual losses in the operation. It is arguable that if the fish plant had not been purchased the owner would have continued to earn a small profit.

Likewise the growing GNWT Department of Health involvement in Inuvik's domestic fishery might also result in demands for improved facilities thus compromising overall fishery viability.

Job Creation vs. Resource Sustainability Conflicts: As discussed earlier both the DevCorp and ED&T have job creation in small and remote communities as principal objectives whereas DFO has resource sustainability as a principal objective. Although these objectives might not necessarily appear to be in conflict, especially when resource sustainability appears assured, they do come into conflict when this might not be the case or when there appears to be some doubt concerning what impact the fish resource can withstand. Two examples can be drawn. The first involves the Keewatin Fisheries where the DevCorp recently established a meat/fish plant and where there appears to be considerable concern of late about the ability of the resource in the south Keewatin to withstand any additional fishery development. Indeed DFO may prevent any commercial fishery development in the South Keewatin for an unlimited period of time until the resource base, especially for domestic subsistence fishing, is assured.

The second example involves the Pangnirtung Fishery where development, if unchecked, could exceed resource sustainability; and although this may not appear to be an issue today, it may increasingly become an issue as increasing numbers of Pangnirtung residents

and residents from outlying communities (Clyde River and Broughton) choose to enter the fishery as a means of earning income. Since the **DevCorp** and ED&T would see this as a means of job creation - and with political pressure exerted on both the department and corporation there would be strong reasons to hold to this view - resource sustainability might be compromised. This is especially important since there is some uncertainty on **DFO's** part about whether the **Pangnirtung** turbot stock is a local stock or part of a larger Davis Strait stock, and DFO believe more research is required before a definitive answer can be found.

Development Priority Conflicts: The issue of where fishery development should occur is also an area of potential **conflict** between departments such as ED&T and DFO. Recently ED&T (Kitikmeot Region) attempted to obtain test fishery quotas from DFO for waters near Gjoa Haven and **Spence Bay** but were told that DFO felt these areas had low resource potential and other water bodies should be considered. DFO based their decision on resource assessment work done in the **late** 1970s and early 1980s, however ED&T officials felt **DFO's** assessment to be no longer valid. In light of the difference in **opinion**, DFO have reluctantly agreed to provide quotas as long as EDA finding can be obtained for test fisheries. However, under the EDA , only \$190,000 has been allocated to the **Kitikmeot** from a total five-year EDA Fishery Program budget of \$5 million, with the **Baffin** and **Keewatin** receiving the largest budgets. Since the **Kitikmeot** has received so little in EDA **funding**, yet opportunities in other regions (**Keewatin**) may not be as great, there may be pressure to **re-profile** EDA finds, and this could become an issue of conflict, pitting one region against another for scarce EDA dollars. This is especially so, since some DFO officials believe current **EDA-funded** test fisheries in West Hudson Bay are unlikely to prove any new and economically viable resource stocks for harvest.

Commercial versus Domestic Fishery Conflicts: The commercial fishery on Great Slave Lake provides a good example of the conflict and artificial division between commercial fishing and domestic subsistence fishing in the NWT. In the Great Slave Lake fishery, **Class A** fishermen are those involved in the bigger vessels who generate the largest catches and earn the highest revenues. **Class B** fishermen are those with smaller trails who earn little revenue and use the commercial **fishery** to subsidize the harvest of

food for their families. **Conflict** arises because Class B fishermen **often** cannot access ED&T commercial loan or contribution programs because they usually cannot meet the test of being a "business" - for example, they **often** do not earn enough income to repay a loan or the cash to meet program equity requirements. Nor are Class B fishermen eligible for Renewable Resource programs (e.g. CHAPS) since they are involved in commercial fisheries and not exclusively subsistence fisheries. In short, Class B fishermen on Great Slave Lake fall between two government programs and policies, neither of which completely captures the reality of commercial and domestic fishing together as one viable activity in the NWT. ED&T and Renewable Resource programs are therefore in conflict or at least create a conflict for Class B fishermen.

Economic Analysis Conflicts: Another example of conflict arises in the fact that both DFO and ED&T undertake fishery economic analysis separately often using different data collection methods. For example, in the case of the **Pangnirtung** fisheries DFO recently completed economic analysis which has not yet been released while ED&T have also completed their own separate analysis, yet neither department has agreed on common data to be used for analysis nor the method to be used for analysis,

We can conclude from the above that **conflict resolution mechanisms for fishery development in the NWT are lacking and there is** a need to improve overall coordination in management, development, marketing, planning, monitoring, and even methods of data collection and evaluation.

Recommendations

Either of two mechanisms or a combination thereof could be used to improve fishery coordination and management in the NWT. The first involves Cooperative Management Boards. With the exception of the **FJMC** however, all Cooperative Management Boards are involved with both wildlife and fisheries and might not have the necessary focus and concentration of purpose that fishery development requires. Moreover, Cooperative Management Boards do not include major stakeholders such as ED&T and the **DevCorp**. Still, Management Boards **could** possibly be considered as an effective mechanism and expanded to include participation by other stakeholders.

The second and preferable mechanism involves the EDA structure primarily because the EDA involves a wider range of stakeholders. The EDA structure also involves extensive consultation at the regional level with **affected** parties, a degree of annual planning through annual work plans, monitoring and reporting, and mid-term and final agreement evaluation. Even though after 1996 there is no guarantee of a replacement agreement, the EDA structure could still be retained as an effective coordination and management forum for all major players in the fisheries.

Given the above, we recommend the following:

1. Regional Fisheries Committees (built upon the EDA Regional Fisheries Committee) be established for coordinating and managing fishery development in the NWT.
2. Regional Fishery Committee membership include five representatives with one representative from each of the following stakeholder groups: ED&T, Renewable Resources, **DIAND** (Community Economic Planning and Development), Cooperative Management Boards, and industry at large - e.g. **DevCorp**, Cooperatives, and Fishermen Associations.

3. Regional Fishery Committees prepare comprehensive regional fishery plans in consultation with Co-Management Boards, government departments and agencies, and other stakeholders in the fisheries.
4. Regional Fishery Committees review and recommend on fishery development proposals submitted by stakeholders.
5. Regional Fishery Committees promote fishery projects that are deemed feasible, promote NWT food self-sufficiency and stimulate economic development in the NWT.
6. Regional Fishery Committees monitor the implementation of all commercial fishery projects and evaluate projects and regional programs annually against set goals and objectives.
7. Government departments share the cost for non-government participation in the Regional Fishery Committees, committees report to a Territorial-wide Fishery Committee, and the Territorial-wide committee report through a chair-person to the Deputy Minister of ED&T, Deputy Minister of Renewable Resources, and Director General of DFO (Central and Arctic Region). The Territorial-wide Fishery Committee would also have the same representation as that of the Regional Fishery Committees (five members) and the same level of government support for non-government representation.