

# **2021 Bluefin Tuna Conservation Harvesting Plan Within the PEI Tuna Fleet Sector**

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## **I. INTRODUCTION**

The Prince Edward Island tuna fleet is made up of 359 licensed harvesters; 21 commercial communal license holders and 338 commercial license holders. The Department of Fisheries and Oceans (DFO) has worked with the Prince Edward Island Fisherman's Association Tuna Advisory Board, (PEIFATAB), the Prince Edward Island Charter Boat Association, (PEICBA), the Native Council of Prince Edward Island, (NCPEI), and the Mi'kmaq Confederacy of Prince Edward Island, (MCPEI) with the aim of having an integrated commercial Bluefin tuna fishery and fulfilling its obligations to have open and transparent consultations.

The 2021 Conservation Harvesting Plan (CHP) represents an integration of the views/interests in the Bluefin tuna fishery by the various organizations, recognizing ongoing dialogue/consultations are required to develop a multi-year CHP satisfactory to all parties for future years.

## **II. APPLICATION**

This CHP applies to all vessels operating from a homeport in Prince Edward Island directing for Bluefin Tuna in NAFO Division 4RST-4Wd with historical fleet access into NAFO Division 4VsW, 4X and 5.

This plan covers the fishing for Bluefin tuna:

- 1) commercially including commercial communal licences using angling gear, tended lines or electric harpoon as stipulated in subsequent conditions of licenses issued under this plan; and
- 2) vessels operating a Catch and Release fishing vessel under a license issued to qualified members within the PEI Tuna Fleet Sector, fishing for Bluefin tuna with rod and reel only, using barbless hooks, from a home port in the Province of PEI.

## **III. NOTICE TO CHANGE**

It should be noted that the CHP is subject to change further to ministerial decisions and/or annual review with affected harvesters subject to DFO approval.

#### **IV. COMMERCIAL FISHERY**

This section of the Conservation Harvesting Plan (CHP) applies to vessels operating from a homeport in Prince Edward Island directing for Bluefin Tuna in NAFO Division 4RST-4Wd with historical fleet access into NAFO Division 4VsW, 4X and 5.

#### **ALLOCATION**

The PEI fleet share of the 2021 Canadian Bluefin Tuna Quota is 140.XXX MT. The amount of overrun quota from 2020 is XXX MT which results in a 14X.XXX MT quota in 2021.

As with the 2020 season, there will be a separation of the Canadian quota and the quota that has been transferred from Mexico for Aboriginal user groups. There will be no separation of quotas for PEIFA licence holders. To support the continued transfer of the Mexican quota, ICCAT has requested that Canada undertake science work on the species. To fund the various projects, DFO is issuing this quota under the Use of Fish Policy. As a result, this quota is available to inshore commercial fleets and Aboriginal groups at a cost to be determined. The PEI Fisherman's Association or Aboriginal groups wishing to purchase Mexican quota will sign a contribution agreement with the Department. This quota will be managed separately from the X.XXX MT Canadian inshore fleet quota for the Aboriginal groups. For the PEIFA's portion of the Mexican quota it will be rolled into the Canadian Quota for 2021. Harvesting the Mexican quota will begin on July 15, 2021 or when the contribution agreements have been signed, whichever is later.

In the event of additional reallocations of quota, the conservation principles and tools within this plan will apply to all directed activity on the resource.

**In 2021 the Prince Edward Island Fishermen's Association will have a registration fee for their members to be eligible to participate in the Bluefin Tuna fishery. The registration fee will be \$250.00, to participate in the fishery. This will cover the cost of the Mexican quota for PEIFA fishers and allow the association to start rationalizing the PEI Tuna fleet, through a buy-back program, with remaining funds from the registration.**

#### **HOME AREA – GULF 4RST/4Wd**

##### **A. Fishing Seasons:**

The PEI Tuna Fleet Sector is requesting an opening date of July 15, 2021 at 0500hrs (Atlantic Daylight Time) and will close at 23:59 on December 31,

2021, or once the allocation is captured, or the presumed effort exceeds the available resource.

A review of the seasonal activity of the quota will occur on September 28, 2021. Remaining quota and unused tags will be taken into consideration, for potential issuance of more tags, following discussions with representatives of the commercial and commercial communal representatives, namely the PEIFATAB, NCPEI, and MCPEI.

#### **B. In-season Adjustments**

Further season openings or closures, reallocation or adjustment to the 2021 PEI fleet share will be carried out based on consultations with the various organizations through the PEI Tuna Working Group.

#### **C. Issuance of tags**

Each licensed commercial harvester who chooses to enter the commercial harvest of Canadian quota, will be allowed 1 tag to enter the fishery. For 2021, DFO will issue one tag for Canadian Quota at the beginning of the season. Further tag(s) that are given, will be issued after the first tag has been used. Fishers must land one tuna before or by September 27, 2021 to be eligible for a reallocation tag. For Partnerships fishers must land two tuna before or by September 27, 2021, to be eligible for a reallocation tag. During the season a fisher may request their second tag at any point after their first fish is landed. Licence holders eligible for reallocation and are active in the fishery prior to September 27, 2021, but do not land a fish, will be authorized to retain their original tag but will not be eligible for reallocation. Licence holders who are only eligible for one tag and do not have their fish landed by September 27, 2021, will not be eligible to participate after the first opening.

The sequence for the re-issuance of tags during reallocation will commence with the agreed upon Commercial Communal allocations and then the remaining commercial tags based on the remaining resource, (refer to section F on reallocation for details).

DFO staff will monitor the Dockside Monitoring company's landing reports and will issue remaining tags as appropriate. The fishery will close as the quota approaches 0 MT.

In regards to tag issuance for the Mexican quota; for agreements where the number of tags is less than 5, all tags will be issued to that group upon their request. For groups operating with 5 or more tags, initially 90% of the tags will be issued. DFO staff will monitor the Dockside Monitoring company's landing reports and will issue remaining tags as appropriate. The fishery will close as the quota approaches 0 MT.

#### **D. Transfer of Tags**

There will be no tag transfers among fishers.

#### **E. Partnerships**

Fishers must inform DFO, Resource Management at the PEI Area Office before July 30, 2021, if they intend to enter into a partnership. The required information will include who will be involved in the partnership, who the primary licence holder will be and what vessel will be used. This can be done in person at the DFO office in Charlottetown, by fax (902-566-7848), or by email (Derrick.Cummiskey@dfo-mpo.gc.ca, Dana.Kok@dfo-mpo.gc.ca). The partnership arrangements will be valid for the entire fishing season. To be eligible to enter a partnership, fishers must have a commercial tuna licence. A maximum of two (2) licence holders per partnership is permitted and both fishers must be in the vessel while fishing for tuna.

#### **F. Reallocation of Canadian Quota**

The sequence for the issuance of tags during the reallocation of Canadian quota will commence with the agreed upon Commercial Communal allocations, then the issuance of the remaining commercial tags based on the remaining resource. For 2021, the Commercial Communal tags will be reallocated as follows: Lennox Island First Nation, three (3) tags; Abegweit First Nation, three (3) tags; and the Native Council of Prince Edward Island, five (5) tags. These tags may be made available prior to July 15, 2021, upon request by Communal Commercial Fishers/Organizations.

On September 28, 2021, following analysis of the remaining quota, more tags may be issued depending on the amount of quota remaining and tags that are unused. In order for fishers to be eligible for a second tag, they must land a tuna by September 27, 2021. For partnerships fishers must

land two tuna before or by September 27, 2021, to be eligible for a reallocation tag. During the season a fisher may request their second tag at any point after their first fish is landed. The fishery will close on December 31, 2021, at 11:59pm or once the allocation approaches/reaches 0 MT.

The reallocation of commercial tags, if required, will be done according to the list of fishers provided to DFO by the PEIFA in 2015. Tags will be issued in numerical order commencing with the first person on the list not to receive a tag in the previous year.

## G. Management Measures

### 1. *Number of Fish*

- 2. The maximum number of tuna which can be caught and retained in one (1) day is two (2). The maximum number of tuna which can be caught and retained in one fishing trip is two (2). Fishing must cease for the day or fishing trip once two (2) tuna have been caught and tagged. A day is defined as a 24 hour period, commencing at 00:01 hours. A fish is considered caught when the fish is brought next to the vessel and includes swimming it to cool it down. Stowing of Gear***

All gear must be stowed following the landing of that fish at dockside, as well no tuna gear will be allowed on-board the vessel at any time the tuna license is not active.

### 3. *Extracting Flesh Prior to Offloading*

While an incision or puncture is permitted for the sole purpose of bleeding the fish, the extraction of flesh from a tuna between the second dorsal fin and tail cut and removal of the tail are prohibited.

### 4. *Activation of Commercial Fishing*

Activation of commercial fishing will be coordinated through the Interactive Voice Response System (IVR) as per license condition and on a daily basis. An "Active Licence" will be defined as a licence to which a tag has been assigned to it by condition of license, has registered at least one (1) hail-out with a DMC during the regular season, (July 15 to December 31, 2021). Activity for fishers who are

not the primary licence holder in a partnership arrangement, will be based on the primary licence holder's level of activity.

#### **5. Hail-out/Hail-In**

HAIL-OUT means to call in or communicate specific information to Fisheries and Oceans Canada (DFO's) Vessel Hail System at 1-800-561-2467. The requested information must be hailed by the captain/licence holder at least three (3) hours prior to leaving port, or changing fishing area to go fishing. A 'Hail-Out' must occur prior to fishing to the IVR system and may be made up to seven (7) days prior to leaving port to go fishing. When a second fishing trip is conducted in the same day, the hail-out may be completed anytime prior to departure for the second fishing trip.

HAIL-IN means to call in or communicate requested information to a Dockside Monitoring Company. Licence holders must hail in as per the requirement in their licence conditions. If a fish has been caught, the hail must occur immediately after a tuna has been caught and tagged. A fish is considered caught when the fish is brought next to the vessel and includes swimming it to cool it down. This 'hail-in' must be done by the captain/license holder and a confirmation number will be issued by the designated Dockside Monitoring Company.

#### **6. Conditions of License**

Fishers must fish under the conditions of the licence in whatever area they are fishing and licensed to fish.

#### **7. By-catches**

- i. The licence holder/operator is authorized to retain an incidental catch of Blue sharks. All other shark species shall be released in a manner that causes it the least harm. For all fish that are released, the species and its condition shall be recorded in the Atlantic Bluefin Tuna Log Document. If the licence holder/operator retains an incidental catch of blue shark they



are prohibited from removing any of the shark fins from the carcass until:

- ii. a)The shark carcass has been offloaded from the vessel; and
- iii. b)The weight of the shark carcass with fins attached has been verified by an Observer (Dockside Observer).
- iv. It is prohibited to have shark fins on board the vessel unless attached to the shark carcass.
- v. The retention of an incidental catch of any other species of tuna, other than Bluefin tuna, is prohibited.
- vi. Pursuant to the Species at Risk Act (SARA), no person shall kill, harm, harass, capture, take, possess, collect, buy, sell or trade an individual or any part or derivate of a wildlife species designated as extirpated, endangered or threatened. The completion and return of the SARA logbook forms part of the licence conditions.

#### **8. Fishing Effort**

Given the importance to conservation on this resource and the important commercial value during the commercial fishery there may be limits on the effort in this fishery, namely:

- i. the number of boats on the water,
- ii. the duration of the fishery,
- iii. the amount of fishing gear used, and
- iv. the amount of fish landed per trip.

#### **9. Logbooks**

Logbooks are mandatory for all vessels participating in this fishery.

#### **10. Coverage at Sea by Observers**

Gulf Region fishers maybe required to carry Observers (at-sea) on board their vessels. If required to do so the license holder/captain/operator is to contact the DFO Vessel Hail-Out System at 1-800-561-2467, at least 10 hours prior to leaving port, or changing fishing areas to go fishing.

### ***11. Monitoring of Landings***

100% dockside monitoring is mandatory, with random sampling.

### ***12. Bluefin Tuna Catch Document***

Pursuant to section 61 of the Fisheries Act, the license holder/operator is required to complete an INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS (ICCAT) document that is available from the Department of Fisheries & Oceans.

### ***13. Other Management Measures***

**At the request of industry, licence holders will only be authorized one vessel transfer in the 2021 season. One licence holder may transfer their vessel to another licence holder, then have the vessel transferred back. If the vessel is transferred to another tuna licence holder after this, there will not be new tuna licence conditions issued. Licence holders in a partnership will not be authorized to do any vessel transfers.**

Participants may be required to utilise an on-board electronic monitoring system (video camera). At the discretion of Conservation and Protection, fishers will be identified to use an on-board electronic monitoring system to monitor fishing activities. This will be at no cost to the fisher.

Notwithstanding the preceding, the Department and the industry may agree on another approach to adapt the fishing effort to the intended objectives of this fishing plan.

Further, industry representatives should advise all participants in the commercial fishery that an initiative toward the mandatory use of circle hooks in this fishery is being recommended to the DFO and harvesters are encouraged to begin transitioning their tackle for the eventual mandatory enforcement by condition of license on circle hooks in the future.

Marine mammal interaction reporting

In order to comply with the implementation of the US Marine Mammals Protection Act (MMPA) regulations, licence holders must now provide information regarding all interactions with a marine

mammal including: bycatch, collisions and all sightings of entangled marine mammals that occur during fishing expeditions.

A Marine Mammal Interaction Form (included with licence conditions) must be completed and submitted by email to DFO.NAT.InteractionsMM-InteractionsMM.NAT.MPO@dfo-mpo.gc.ca within 48 hours after the end of a fishing trip.

The information provided on the form will be used by DFO to estimate the levels of accidental mortality and injury to marine mammals. This information will all DFO to better assess the types of threats that may affect Canada's marine mammals and to develop mitigation strategies.

Requirement to report sightings of live whales  
Sightings of live, free-swimming whales must be reported to DFO by telephone: 1-844-800-8568, or by email: XMARwhalesightings@dfo-mpo.gc.ca.

## **EX-SECTOR – SCOTIA FUNDY 4VsW, 4X and.5**

### **H. Opening Date**

TBA. The PEI Tuna Working Group will determine an opening date, if required, but will not be before October 1, 2021.

### **I. Reallocation**

TBA

### **J. Fleet Quota**

As begun in 2004, 2021's tuna quota is being allocated by Fleet Sector. As in previous years, the ex-sector fishery, if allocated tuna, will be closed once that allocation is reached. Ex-sector quota could be a maximum of 35 MT or less.

#### **K. Ex-sector Participation**

To commence in any one of the zones, i.e. ex-sector, each fisher must commence with a two-tag minimum. In the ex-sector, a maximum of seven (7) tags will be allowed per trip/vessel in 2021; and fishers cannot begin a fishing trip with only one tag on board except off Halifax. (4X). Fishers will decide at the fleet meeting how many tags must be filled before a fisher/vessel is eligible for reallocation.

#### **L. Ex-Sector Reporting and Procedures**

Fishers must report to the ex-sector, with their vessel, 24 hours prior to any announced opening date. Reporting must be to the Dockside Monitoring Company with which you plan to register. The DMC must verify your reporting time and provide verification to DFO prior to the ex-sector meeting.

A fleet meeting will be held prior to the fisheries opening and a fishermen's fleet representative will be elected, along with alternate contacts. A draw will also be held at this meeting, among eligible fishers, to establish a list to determine the ex-sector tag distribution.

Prior to being licensed, (issued with ex-sector license conditions) each fisher is required to show proof of (a) having Dockside Monitoring Program (DMP) coverage, (b) at-sea observer coverage, and (c) effective communications for at-sea hails (where applicable).

#### **M. Commercial Communal License Holders**

Aboriginal commercial communal license holders may fish in the ex-sector without participating in any registration or draw process, but will need to meet other provisions of the harvesting plan to ensure that effort matches the resource available.

#### **N. Fishers**

TBA –

#### **O. Management Measures**

##### **1. Number of Tags**

Fishers will be allocated no more than seven (7) tags on the fishery opening date. The amount of tags to be distributed to the fleet in the initial allocation will be determined at the fleet meeting and will

take into consideration the trend in Bluefin tuna average weight over the last few years in the ex-sector and the number of fishers participating in the ex-sector fishery. This number, however, will not exceed seven (7) tags per fisher/vessel.

## **2. *Tag Transfers***

Tags are only permitted to be transferred within the PEI Ex-sector fleet. Transfers are only permitted when a fisher has two (2) or less tags remaining on their license conditions.

## **3. *Reallocation***

The reallocation of tags, if required, will be done in consultation with the active ex-sector harvesters and DFO officials. A new draw process among eligible fishers will be conducted once each fisher from the original draw list has received an equal number of tags.

Any tags issued from this reallocation and not picked up may be reissued on a second reallocation, if required.

If a fisher has received a lesser number of tags, (less than other fleet members from the original draw only) any tags turned in before the reallocation date will automatically (at the time of surrender) go to the next fisher on the original draw list. This practice stops when each fisher from the original draw list has received an equal number of tags. Eligible fishers who have valid tuna tags issued to them will retain those tags during the reallocation process. This section does not apply to Aboriginal commercial communal license holders.

## **4. *EPIRB***

All Bluefin tuna license holders are required by Transport Canada's Ship Station (Radio) Regulations 1999 to carry an approved Emergency Position Indicating Radio Beacon (EPIRB) onboard their vessels if fishing beyond 20 nautical miles offshore. This regulation applies to all Bluefin vessels fishing the Hell Hole and vicinity.

## **5. *At-Sea-Observers/Monitors***

A representative will be asked to be present at a fleet meeting to provide registration services for the ex-sector.

## 6. *Other-ex-sector*

Fishers and their designated vessel, when registered and accepted for the ex-sector tuna fishery, cannot leave the ex-sector with that vessel until the fisher utilizes his full allocation or fishes down to two (2) or less tags remaining. If a fisher does leave the ex-sector with the vessel without fulfilling the above condition, they will forfeit the tuna tags and their reallocation privilege.

If the fisher utilizes his full allocation in the ex-sector, he will be eligible for reallocation, whether the fisher is in the ex-sector or not, with his vessel.

## V. HOOK AND RELEASE FISHERY

This section of the Conservation Harvesting Plan (CHP) applies to vessels operating and identified under a Section 52 F(G)R license issued to qualified members within the PEI Tuna Fleet Sector, fishing for Bluefin tuna with rod and reel only with barbless hooks in NAFO division 4RST, between July 15, 2021 and October 31, 2021.

To qualify for a Section 52 F(G)R Bluefin tuna hook and release licence, participants must meet the following criteria:

- a) Hold a commercial Prince Edward Island Bluefin tuna licence,
- b) Meet Transport Canada vessel and captain requirements to carry passengers and
- c) At least one crew member must have taken the mandatory catch and release training course.

## ALLOCATION

This activity is strictly catch and release only. Due the scientific tagging activity carried out by the charter fleets, an allocation of 15 MT from ICCAT has been identified that all fleet Hook & Release activities will be monitored against at an anticipated mortality rate of 3.4 %.

## HOME AREA – GULF 4RST

### A. Fishing Seasons

The fishing period is starting at 6:00 am (Atlantic Daylight Time) on July 15, 2021 **and ending on October 31, 2021**. This fishing period may be

modified due to anticipated effort exceeding available quota to cover off the 3.4% mortality rate, or following future discussions between the participants and DFO.

## **B. Management Measures**

### **1. Fishing gear/Fishing Vessel**

Rod and Reel only

Barbless Circle Hooks, (maximum of one (1) hook per unit and non-offset is recommended)

Maximum # of Units to be simultaneously fished= 4 rods

Minimum of 130 lbs. test line with a minimum of 180 lbs. test leader on all tackle and onboard the vessel. (It is also recommended that the use of braided Dacron line not be used within 150 feet of the hook)

Vessel/Operator meets Transport Canada Certification for Passenger Transport

### **2. By-catches**

By-catches of other species are not anticipated and the license will dictate that all incidental catches of other species shall forthwith be returned to the water from which they were taken in a manner that causes them the least harm.

### **3. Fishing Effort**

The option of entering the catch and release fishery is open to all commercial and commercial communal licence holders who meet the eligibility criteria within the national “Atlantic Bluefin Tuna Catch and Release Fishery Guidelines” for this activity and any additional requirement of this CHP.

Given the importance to conservation on this resource and the important economic spin-offs from participants in the catch and release fishery, limits on the amount directed effort managed through this harvesting plan will be controlled namely by:

- the number of boats on the water based on the eligibility criteria,

- the duration of the fishery (season), ,
- the amount and type of fishing gear used,
- the number of trips per day (1),
- the amount of hook-ups per trip, (maximum of 3) and
- the amount of resource available to cover the mortality rate associated with all of the above activity.

#### **4. Licensing**

For the proper management and control of the fishery, access will be provided via Section 52 F(G)R licence

#### **5. Logbooks/Weekly Monitoring of Activity**

Logbooks are mandatory for all vessels participating in this fishery. Participants in the fishery will submit their weekly log sheets to the Aboriginal Coordinator/Resource Management, Fisheries and Oceans Canada, PO Box 1236, Charlottetown, PEI, C1A 7M8. This can be done by e-mail to the following address: [Dana.Kok@dfo-mpo.gc.ca](mailto:Dana.Kok@dfo-mpo.gc.ca) weekly.

#### **6. Monitoring of the Fishery**

Each participant will also be responsible to retain an At-Sea-Observer coverage contract at a level of 5% as an initial prerequisite for license issuance. Each applicant (captain) is responsible to obtain their own contract with a certified At-Sea-Observer company and report this number to DFO. Additional coverage may be required under certain circumstances.

Participants may be required to utilise an on-board video camera. At the discretion of Conservation and Protection, fishers will be identified to use an on-board electronic monitoring system (video camera) to monitor fishing activities. This will be at no cost to the fisher.

#### **7. Other management measures**

Notwithstanding the preceding, the Department and the industry may agree on another approach to adapt the fishing effort to the intended objectives of this fishing plan. It should be noted that any license and condition issued under the direction of this CHP will be null and void during any identified commercial fishing trip that may coincide with the dates of this harvesting plan.



Conditions of license that participants will be required to abide by include, but may not be limited to:

- i. When a Bluefin tuna is hooked all other lines must be removed from the water
- ii. Where it is safe to do so and where it is not detrimental to the survivability of the fish, all tuna brought alongside are to be tagged immediately with a DFO scientific dart tag. The tag is to be applied behind the first dorsal fin. The tag number is to be recorded on the daily log sheet. At least one crew member is required to have taken the DFO supplied training on how to properly apply the tag. The licence holder must not leave port without at least 2 dart tags on board the vessel.

After the scientific dart tag has been applied, any Bluefin tuna brought alongside the vessel must be released forthwith in a manner that causes the least amount of harm to the fish. The Bluefin tuna should not be held stationary beside the vessel and the vessel should remain in motion while the gills and mouth of the Bluefin tuna remain partially submerged. Tuna behaviour and appearance during this recovery period will best determine the time of release alongside or behind the vessel using suitable methods to ensure minimal post release mortality.

- iii. At no time are tuna permitted to be removed from the water.
- iv. A maximum of one (1) trip per day is permitted.
- v. A maximum of three (3) hook-ups per trip are permitted, and a hook-up is defined as a fight time that lasts a minimum of 10 minutes or bringing alongside of the tuna within that timeline. After 60 minutes of total fight time, the licence holder or crew member must make every effort to bring the tuna alongside as quickly as possible. Once three (3) hook-ups have been met, all lines are to be removed from the water for the rest of the fishing trip.
- vi. The licence holder must post in plain view, from the deck of the vessel, the summary of the Charter Fishery Guidelines issued by the Department. The licence holder shall instruct the client(s) to

review the posted guidelines prior to commencing fishing activities.

- vii. The license is only valid when operated from a vessel that is certified by Transport Canada as a vessel that meets the requirements for passenger transport and is operated by a qualified Captain according to such certification.
  
- viii. Marine mammal interaction reporting  
In order to comply with the implementation of the US Marine Mammals Protection Act (MMPA) regulations, licence holders must now provide information regarding all interactions with a marine mammal including: bycatch, collisions and all sightings of entangled marine mammals that occur during fishing expeditions.

A Marine Mammal Interaction Form (included with licence conditions) must be completed and submitted by email to [DFO.NAT.InteractionsMM-InteractionsMM.NAT.MPO@dfo-mpo.gc.ca](mailto:DFO.NAT.InteractionsMM-InteractionsMM.NAT.MPO@dfo-mpo.gc.ca) within 48 hours after the end of a fishing trip.

The information provided on the form will be used by DFO to estimate the levels of accidental mortality and injury to marine mammals. This information will all DFO to better assess the types of threats that may affect Canada's marine mammals and to develop mitigation strategies.

Requirement to report sightings of live whales

Sightings of live, free-swimming whales must be reported to DFO by telephone: 1-844-800-8568, or by email: [XMARwhalesightings@dfo-mpo.gc.ca](mailto:XMARwhalesightings@dfo-mpo.gc.ca).

## **VI. COMMERCIAL COMMUNAL FISHERY**

### **INTRODUCTION**

Whereas, 'Government of Canada in carrying out its activities, will respect potential or established Aboriginal or Treaty rights of First Nations, Metis, and Inuit people' by consulting with Aboriginal groups<sup>1</sup>,

Whereas, aboriginal organizations seek to develop economically viable commercial fisheries enterprises, improved governance and capacity building in commercial fisheries operations; and desire a more effective voice in fisheries co-management, and

Whereas, DFO encourages aboriginal organizations to, 'build their capacity to manage successful commercial fishing enterprises and participate in the co-management of the integrated commercial fisheries along with other commercial harvesters'<sup>2</sup>.

This section therefore sets out those provisions specific to all commercial fishing activities carried out under the '*Aboriginal Communal Fishing Licences Regulations*', in particular that all fishing will be operated in accordance with the provision of Sections IV - Commercial Fishery and V - Hook and Release Fishery outlined in this CHP, except as otherwise indicated in this section.

### **SPECIFIC EXEMPTIONS**

#### **GENERAL**

Issuance of Commercial Communal Fishing Licences for commercial activity shall be issued in accordance with the '*Aboriginal Communal Fishing Licences Regulations*'.

In accordance with the provisions of Section 4 of the *Aboriginal Communal Fishing Licences Regulations*, aboriginal organizations may designate, in writing, those persons and/or vessel to be used to fish under the authority of the Commercial Communal licences.

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1 Aboriginal Consultation and Accommodation, 'Updated Guidelines for Federal Officials to fulfill the Duty to Consult'

2 Evaluation of the Atlantic Integrated Commercial Fisheries Initiative (AICFI)

## **A. HOME AREA – GULF 4RST/4Wd**

### **1. Allocation**

Communal Commercial Licence holders who participate in the PEI catch and release fishery are advised that their designated operators must choose between commercial communal activities or hook and release activity on a daily basis.

### **2. Issuance of Tags**

The transfer of Tags is permitted among commercial communal licence holders.

### **3. Management Measures**

#### **A. Number of Fish**

Recognizing the ability of commercial communal licence holders to use one vessel to fish multiple licences and in an effort to increase the economic viability of the fishery, landing a maximum of two (2) fish per trip is permitted. A fish is considered caught when the fish is brought next to the vessel and includes swimming it to cool it down.

#### **B. Marine mammal interaction reporting**

In order to comply with the implementation of the US Marine Mammals Protection Act (MMPA) regulations, licence holders must now provide information regarding all interactions with a marine mammal including: bycatch, collisions and all sightings of entangled marine mammals that occur during fishing expeditions.

A Marine Mammal Interaction Form (included with licence conditions) must be completed and submitted by email to [DFO.NAT.InteractionsMM-InteractionsMM.NAT.MPO@dfo-mpo.gc.ca](mailto:DFO.NAT.InteractionsMM-InteractionsMM.NAT.MPO@dfo-mpo.gc.ca) within 48 hours after the end of a fishing trip.

The information provided on the form will be used by DFO to estimate the levels of accidental mortality and injury to marine mammals. This information will all DFO to better assess the types of threats that may affect Canada's marine mammals and to develop mitigation strategies.

Requirement to report sightings of live whales  
Sightings of live, free-swimming whales must be reported to  
DFO by telephone: 1-844-800-8568, or by email:  
[XMARwhalesightings@dfo-mpo.gc.ca](mailto:XMARwhalesightings@dfo-mpo.gc.ca).

## **B. SECTION V – HOOK & RELEASE FISHERY**

As the current Catch and release fishery is still considered a developmental fishery, conducted under a Section 52 F(G)R License, all Hook and Release Fishing activities will be in accordance with National Guidelines for the Catch & Release of Bluefin Tuna and will be subject to the same criteria identified within this CHP for Hook & Release activity. All Catch & Release Licences are to be issued to an aboriginal organization and not an individual.

## **VII. NOTICE TO FISHERS**

All fishers are encouraged to familiarize themselves with this Bluefin Tuna CHP, the Integrated Fisheries Management Plan (IFMP) for Atlantic Bluefin Tuna and the Atlantic Bluefin Tuna Catch and Release Fishery Guidelines as there are additional items in those plans which are not presented here.