

**2017 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; 19 commercial communal license holders and 340 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 2017 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 2017 Canadian Bluefin Tuna Quota is 116.090 MT. The amount of uncaught quota from 2016 is 0.78 MT which results in a 116.869 MT quota in 2017.

As with the 2015 season, there will be a separation of the Canadian quota and the quota that has been transferred from Mexico. 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 116.869 MT Canadian inshore fleet quota. Harvesting the Mexican quota will begin on August first 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.

##### **HOME AREA – GULF 4RST/4Wd**

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

The PEI Tuna Fleet Sector is requesting an opening date of August 1, 2017 at 0500hrs (Atlantic Daylight Time) and will close at 23:59 on September 26, 2017, or once the allocation is captured, or the presumed effort exceeds the available resource.

A review of the seasonal activity for the Canadian portion of the quota will occur on September 27, 2017, where remaining quota and unused tags will be taken into consideration for a re-opening on September 29, 2017 at 0500hrs, 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 2017 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 during the first season, (August 1 to September 26, 2017), will be allowed 1 tag to enter the fishery. Further allocations will be determined based on anticipated effort and available resource.

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 regard for 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.

The tags associated with this quota can be retained to the end of the fishery.

## **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 26, 2017 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 ([chris.mills@dfo-mpo.gc.ca](mailto:chris.mills@dfo-mpo.gc.ca)). The partnership

arrangements will be valid for the entire fishing season. An option to opt out between September 26<sup>th</sup> and 29<sup>th</sup> will be provided. 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 2017, the Commercial Communal tags will be reallocated as follows: Lennox Island First Nation, three (3) tags; Abegweit First Nation, two (2) tags; and the Native Council of Prince Edward Island, four (4) tags. These tags may be made available prior to August 1, 2017 upon request by Communal Commercial Fishers/Organizations.

On September 27, 2017, following analysis of the remaining quota, an allocation of approximately 90 % of available tags will be issued for the September 29, 2017 re-opening. A re-evaluation of catch rates and available quota will occur the week of October 6, 2017 with all remaining tags issued by October 13, 2017. The fishery will close 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. Tags will not be issued to fishers who were inactive during the first fishing period.

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

#### **G. Management Measures**

##### **1. Number of Fish**

Maximum of one (1) fish per day per vessel. A fish is considered caught when the fish is brought next to the vessel and includes swimming it to cool it down.

## **2. *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 an approved Dockside Monitoring Company (DMC) 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, (August 1 to September 26, 2017). 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 the appropriate person/company. The requested information must be hailed by the captain/licence holder to a designated Dockside Monitoring Company at least six (6) hours prior to leaving port, or changing fishing area to go fishing. A ‘Hail-Out’ to a designated Dockside Monitoring Company may be made up to seven (7) days prior to leaving port to go fishing.

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 incidental catching and retention of certain species of shark is allowed subject to specific license conditions which include, but are not limited to, the dressing, the handling, and the mandatory reporting of these fish. The release or discarding of any shark carcass is prohibited.
- ii. The retention of an incidental catch of any other species of tuna, other than Bluefin tuna, is prohibited.
- iii. 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 obligatory, 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***

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 video camera 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.

## **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, 2017.

### **I. Reallocation**

TBA

### **J. Fleet Quota**

As begun in 2004, 2017'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 2017; 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, 2017 and October 3<sup>rd</sup>, 2017.

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.

In order to fish under the Section 52 licence, harvesters must hail out 10 hours in advance to a certified At-Sea-Observer company for an entire calendar day and may not fish their commercial licence during that same day. A day is considered the 24 hour period beginning 00:01.

## **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 initial fishing period is starting at 6:00 am (Atlantic Daylight Time) on July 15, 2017 and ending on October 1, 2017. Requests to extend access for hook and release activity into October must be made 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: [carter.russell@dfo-mpo.gc.ca](mailto:carter.russell@dfo-mpo.gc.ca) by 1600hrs, Sept. 15<sup>th</sup>, 2017, to ensure new conditions of licenses are available by October 2<sup>nd</sup>.

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. Requested extensions will be valid from 0600hrs October 2<sup>nd</sup> until October 15, 2017.

#### **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: [carter.russell@dfo-mpo.gc.ca](mailto:carter.russell@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 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.



## **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. 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.