

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

**Approved: May 15, 2017  
Amended: October 31, 2017  
Amended: May 15, 2018  
Amended: May 19, 2021  
Amended: June 8, 2022**

This Conservation Harvesting Plan (CHP) applies to all groundfish licence holders with fixed gear vessels less than 19.81 m, regardless of homeport, fishing winter flounder in Northwest Atlantic Fisheries Organization (NAFO) divisions 4RST during the period from **May 15, 2022, to May 14, 2023**. When fishing in another NAFO division, the CHP for that division will apply. It is to be noted that this CHP is subject to change following ministerial decisions or annual review.

Directed fishing for any other groundfish species will require a separate harvesting plan.

The conservation measures during the fishery are as follows:

**1. Protection of spawning fish and concentration of cod**

The protection of fish during the spawning period and areas where there are concentrations of cod is a management measure that the Department and industry consider very important for the reconstruction of the cod stocks in the Gulf of Saint Lawrence. The following conservation measures will apply:

- Closure of all groundfish fisheries from April 1<sup>st</sup> to June 23 in part of NAFO Division 4R offshore from St. Georges Bay and Port au Port Bay, which is a recognized spawning area.
- Permanent closure of all groundfish fisheries from January 1<sup>st</sup> to December 31<sup>st</sup> in part of groundfish fishing area 4T3a and 4T3b known as Miscou Bank, which is a recognized cod concentration area.
- Permanent closure of all groundfish fisheries from January 1<sup>st</sup> to December 31<sup>st</sup> in groundfish fishing area 4T5 known as Shediac Valley, which is recognized as a juvenile area.

**2. Fishing Gear**

➤ **GILLNETS**

**Division 4R**

- i) Minimum mesh size of 165 mm
- ii) Maximum of 25 gillnets of 50 fathoms each
- iii) Mandatory tagging of all gillnets

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

**(a) Division 4S**

- i) Minimum mesh size of 165 mm except in area 4S1 where the minimum mesh size is 140 mm;
- ii) Maximum of 80 gillnets of 50 fathoms each;
- iii) For regular crab (area 16 and 17) or lobster (area 17) licence holders, maximum of 25 gillnets.

**(b) 4T**

- i) Minimum mesh size of 140 mm;
- ii) In 4T2a, 4T3b, 4T7 & 4T8: a limit of 40 gillnets of 50 fathoms each; or a limit of 12 gillnets of 50 fathoms each for crab and/or lobster licence(s) holders);;
- iii) In 4T3a and 4T6: a limit of 10 gillnets of 50 fathoms each; or a limit of 10 gillnets of 50 fathoms each between April 1 and May 14 and 5 gillnets of 50 fathoms each between May 15 and December 31 for Quebec Region licence holders.
- iv) In 4T2b: a minimum mesh size of 145 mm and a limit of 30 fathoms, total, per licence;
- v) Tagging is mandatory for the Quebec Region licence holders in 4T2a, 4T3a and 4T6.

➤ **LIFT NETS (SQUARE NETS)**

A maximum number of lift nets with a maximum diameter of 122 cm is authorized in 4T2a.

**3. Fishing Seasons:**

The following seasons will be in effect for the duration of the CHP. These represent the maximum duration of fishing periods and are subject to change by variation order or to specific season closures. Although these fishing seasons are anticipatory, actual opening dates may vary depending on circumstances at the time, for example the announcement date of the TAC, while closing dates may be anticipated according to factors such as the reach of quota or other fishing management considerations.

**4R(b+c+d)** Opening date subject to a test fishery with at-sea observer cost borne by the industry and submission of a fishing plan to DFO.

**4S** Opening date is subject to a test fishery with at-sea observer cost borne by the industry.

**4T**

4T1 No directed fishery

4T2a May 15 to December 31 and April 1 to May 14 the following year

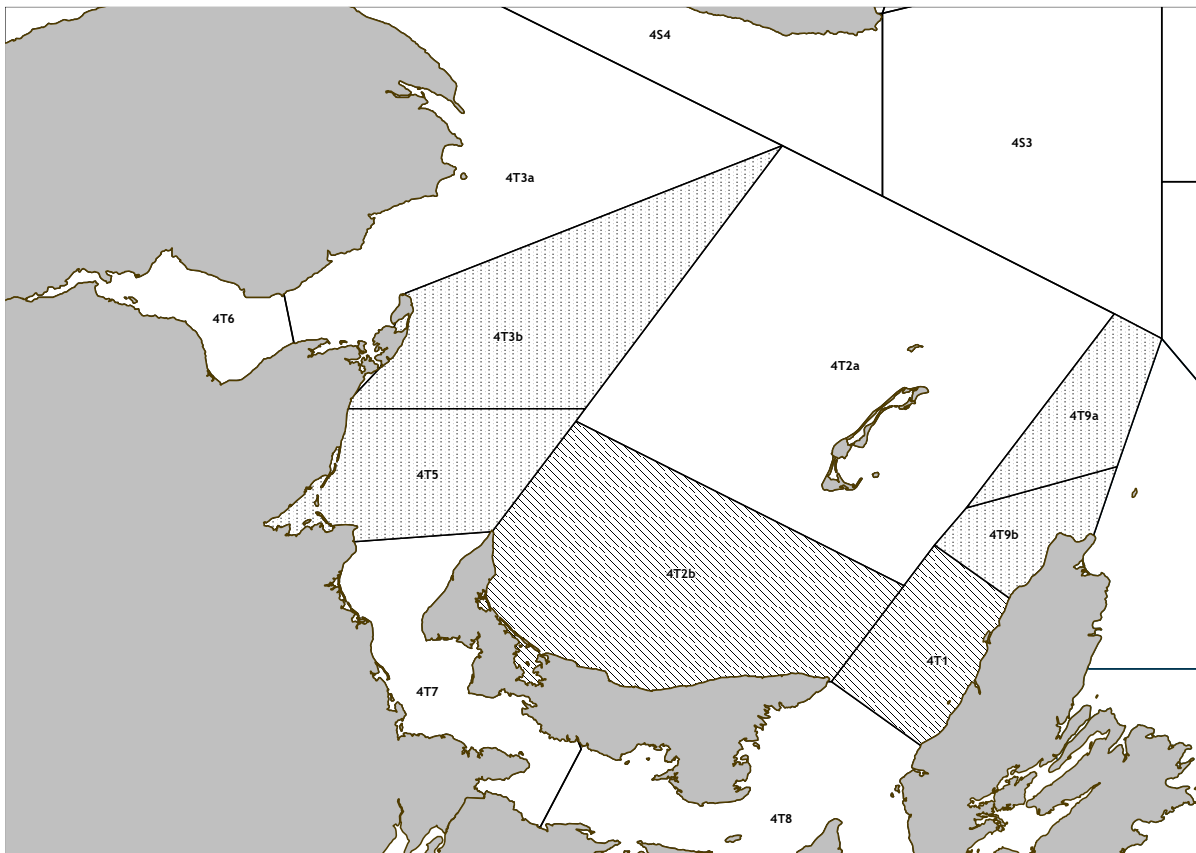
4T2b Opening date subject to submission of a CHP to DFO

4T3a May 15 to December 31 and April 1 to May 14 the following year

4T3b No directed fishery without a test fishery

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

4T4	No directed fishery
4T5	No directed fishery
4T6	May 15 to December 31 and April 1 to May 14 the following year
4T7	May 15 to December 31 and April 1 to May 14 the following year
4T8	May 15 to December 31 and April 1 to May 14 the following year
4T9(a+b)	No directed fishery



**4. By-catch Limits**

By-catch is defined as the weight of a by-catch species divided by the weight of the directed species, in this case, winter flounder.

While directing for winter flounder, the authorized percentages of by-catch are:

➤ Cod	4R	20% per trip
➤ Cod	4ST	5% per trip
➤ White hake	4RT	10% per trip
➤ American plaice	4T	10% per trip
➤ Yellowtail flounder	4T	25% per trip
➤ Other species of groundfish	4RST	10% per trip

**CONSERVATION HARVESTING PLAN 2017-2022**  
**WINTER FLOUNDER (4RST)**  
**FIXED GEAR VESSELS LESS THAN 19.81 meters**

Certain areas could be closed for fishing for specified fleet sectors when a species by-catch exceeds the above percentages.

Lobster by-catch will be monitored in the Gaspé coastal waters of subdivisions 4T3a and 4T6. Areas may be closed to fishing for Quebec Region licence holders when lobster by-catch exceeds the limits established in the protocol that is in effect.

### **5. Small Fish Protocol**

The minimum length of fish relative to the small fish protocol is:

Cod	43 cm
American plaice	30 cm
Witch flounder	30 cm
White hake	45 cm
Winter flounder	25 cm
Yellowtail flounder	25 cm
Atlantic Halibut	85 cm
Greenland Halibut	44 cm
Redfish	22 cm

Areas will be closed for specific fleet sectors when the number of undersized fish reaches or exceeds 15% of the catch of any of the above species.

### **6. Dockside Monitoring**

Dockside monitoring program (DMP) will apply at 100%.

### **7. Logbooks and combined form**

Logbooks are mandatory for all fish harvesters with homeports in the **Gulf Region**. They must be completed each fishing day.

The combined form is mandatory for all fish harvesters with homeports in the **Quebec Region**. Fish harvesters must complete the logbook section of the Combined Form each fishing day.

### **8. At-sea observers**

The industry-funded at-sea observer program applies to this fleet at a minimum coverage of 5% of the fishing trips with the exception of the Quebec fleet fishing in subdivisions 4T3a and 4T6 subject to a minimum coverage of 10% of fishing trips. **Catch**

### **9. Monitoring and Test Fishing**

Small fish and by-catch fleet closures will be of a minimum duration of 10 days. The cost of conducting all test fisheries must be borne by industry. If a fishery is closed, it will not re-open unless DFO feels that it can be effectively monitored and controlled. If any particular fishery is closed twice during the season because of by-catch or small

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

fish, the fishery may remain closed for the remainder of the season.

### **10. Other Management Measures**

In areas **4RST**, you are authorized to fish for winter flounder in waters having a maximum of 15 fathoms depth.

The Department monitors the level of dumping and discarding of groundfish at sea. If a fleet sector or an individual is suspected of dumping and discarding groundfish at sea, in addition to other regulatory options, including fisheries closures and legal proceedings, the industry-funded at-sea observer coverage may be increased.

#### **a. Crew registry**

As of April 1st, 2021, inshore commercial license holders, and their approved Substitute Operators, must keep records of all the crew members working aboard the vessel on every fishing trip. These records must be maintained by the license holder for a period of five (5) years. This requirement does not apply to pre-1979 corporation license and to any license issued under the authority of the Aboriginal Communal Fishing Licenses Regulations. For further details, refer to the March 17th, 2021, Notice to Fish Harvesters at [https://inter-l01.dfo-mpo.gc.ca/applications/opti-opei/notice-avis-detail-eng.php?pub\\_id=2150&todo=view&type=2](https://inter-l01.dfo-mpo.gc.ca/applications/opti-opei/notice-avis-detail-eng.php?pub_id=2150&todo=view&type=2) or contact the Licensing Office at 1-877-535-7307 or [fishingpeche@dfo-mpo.gc.ca](mailto:fishingpeche@dfo-mpo.gc.ca).

#### **b. Waste disposal**

In 2022, all commercial fisheries in Canada have a new condition of licence relating to the discharge of garbage from Canadian fishing vessels. The licence holder/operator is prohibited from discarding in Canadian fisheries waters from their vessel any item that may be harmful to fish or fish habitat. Please refer to the following Notice to Fishers: New condition of Licence 2022 - waste disposal (2022-03-23) <https://inter-l01-uat.dfo-mpo.gc.ca/infoceans/en/node/1069>.

### **11. Quota Reconciliation**

Quota reconciliation provides that any overharvest of a quota in one year, on an individual quota regime or in a competitive fishery, will be accounted for in advance of the following fishing season. For example, quota overruns by a licence holder or by a fleet during the current season will be deducted from quotas for the following season on a one-for-one basis.

In the month following the end of the fishing season, the Department makes any necessary changes to quotas for the current year based on quota overruns, if applicable.

### **12. Species At Risk Act**

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

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

species designated as extirpated, endangered or threatened.

At the time this Management Plan is promulgated, the Atlantic species targeted by these measures are the following ones: Spotted Wolffish (threatened), Northern Wolffish (threatened), Leatherback turtle (endangered), White Shark (endangered) and the striped bass (St. Lawrence river population). New species could be added to the SARA within the year.

All by-catches of species identified above must be returned to the water and released in the exact capture location and, if the fish is still alive, with as little harm as possible.

The information related to species at risk shall be collected for each fishing trip where such a species is caught. This information must be entered into the species at risk logbook and sent to Fisheries and Oceans Canada immediately after the fishing trip.

Furthermore, all interactions with a species at risk like the North Atlantic right whale, the Fin whale (Atlantic population), the Beluga whale (St. Lawrence Estuary population), the White Shark (Atlantic population), must also be indicated in the Species at Risk logbook.

These requirements are in addition to any obligation to declare interactions with marine mammals using the Marine Mammal Interaction Form (see Section 14. Protection of marine mammals and North Atlantic Right Whales).

### **13. Closures for the protection of corals and sponges**

On December 15, 2017, sensitive benthic areas were closed to all fishing using bottom touching gears in order to protect corals and sponges. You will find the coordinates and a map of those closures on the following website <https://www.dfo-mpo.gc.ca/oceans/ceccsr-cerceef/eqsl-eng.html>

### **Banc-des-Américains Marine Protected Area**

On March 6, 2019, Fisheries and Oceans Canada created, jointly with the Quebec government, the Banc-des-Américains Marine Protected Area (MPA) in order to ensure the conservation and protection of this marine ecosystem.

Provisions of the *Banc-des-Américains Marine Protected Area Regulations* apply to licence holders. In order to comply with them, please refer to the clauses that apply to your fishing activities: <https://canadagazette.gc.ca/rp-pr/p2/2019/2019-03-06/html/sor-dors50-eng.html>.

### **14. Protection of marine mammals and North Atlantic Right Whales**

Since 2017, Fisheries and Oceans Canada has put in place additional management measures to protect the endangered North Atlantic Right Whale from entanglement in fishing gear and ship strikes. These measures take into account the best available scientific data and can be adapted if necessary to take into account future developments regarding interactions prevention.

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

An update on gear marking requirements has been published in the August 14th, 2020, Notice to Fish Harvesters, available at the following link:  
<https://www.dfo-mpo.gc.ca/fisheries-peches/commercial-commerciale/doc/colour-notice-avis-couleur-eng.pdf>.

The following requirements have been implemented in order to reduce the risk of entanglement of North Atlantic Right Whales:

a) Reducing the amount of rope floating on the surface of the water

To reduce the amount of rope floating on the surface of the water, the following requirements will be in place to minimize the length of rope floating on the surface of the water and to reduce the risks of entanglements:

- No rope attaching a longline or gillnet to a primary buoy shall remain floating on the surface of the water after the longline or gillnet has been set.

If fishing with a primary and secondary buoy:

- A maximum of 3.7 meters of rope shall be used when attaching a secondary buoy to a primary buoy.

Note: A primary buoy is defined as a buoy or other floating device attached to a trap. A secondary buoy is defined as a buoy or other floating device attached to a primary buoy.

b) Requirement to report lost and retrieved gear

Licence holders must report lost gear to Fisheries and Oceans Canada. This management measure will allow the amount of gear lost annually to be quantified and help identify the need to increase efforts to retrieve gear that has been lost, which would reduce the risk of whale entanglements.

Licence holders must report any lost fishing gear or the retrieval of any of their own previously reported lost gear to Fisheries and Oceans Canada by completing and submitting the Lost Fishing Gear form or the Retrieval of Previously Reported Fishing Gear form, available online at <http://www.dfo-mpo.gc.ca/fisheries-peches/commercial-commerciale/reporting-declaration-eng.html>.

Retrieval of a fishing gear can only occur under a valid fishing licence and only in relation to the fishing gear authorized by the fishing licence.

The appropriate form must be completed and submitted within 24 hours of discovering that gear has been lost or within 24 hours of retrieving gear previously reported as lost. For fishing trips of less than 5 days in length, the appropriate form must be completed and submitted within 24 hours of arriving at port.

c) 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

**CONSERVATION HARVESTING PLAN 2017-2022  
WINTER FLOUNDER (4RST)  
FIXED GEAR VESSELS LESS THAN 19.81 meters**

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. A copy of the form can also be downloaded and submitted online at: <https://www.dfo-mpo.gc.ca/species-especes/mammals-mammiferes/report-rapport/page01-eng.html>.

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

- d) Requirement to report sightings of live whales (For Gulf Region licence holders only)

(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).)

All the management measures implemented to protect the North Atlantic right whale are available at the following address <https://www.dfo-mpo.gc.ca/fisheries-peches/commercial-commerciale/atl-arc/narw-bnan/management-gestion-eng.html>.