

**2022-2027 CONSERVATION HARVESTING PLAN**  
**Witch Flounder (4RST)**  
**Mobile Gear Fleet – Less than 19.81 metres**

**Approved: May 15, 2017**  
**Amended: June 23, 2022**

This Conservation Harvesting Plan (CHP) applies to all groundfish licence holders with mobile gear vessels less than 19.81 m, regardless of homeport, fishing witch flounder in Northwest Atlantic Fisheries Organization (NAFO) 4RST during the period from **May 15, 2022, to May 14, 2027**.

When fishing in another NAFO division in a particular area, the CHP for that area 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 CHP.

The conservation measures during the fishery are as follows:

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

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

- Closure of all groundfish fisheries from April 1 to June 23 in part of the 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 to December 31 in part of groundfish fishing areas 4T3 known as Miscou Bank, which is a recognized cod concentration area;
- Permanent closure of all groundfish fisheries from January 1 to December 31 in groundfish fishing area 4T5 known as Shediac Valley, which is a recognized as a juvenile area;
- Permanent closure to all groundfish fisheries using mobile gear <19.81 metres from January 1 until December 31 in groundfish fishing area 4T4;
- Permanent closure to fishing all species of fish within the area known as the Irving Whale closure;
- Permanent closure of 4T7 to all mobile gear vessel less than 13.7 metres participants of the Individual Transferable Quota (ITQ) Program;
- Permanent closure of 4T8 to all groundfish mobile gear fisheries;
- North of the Orphan Bank closure to all groundfish mobile gear fisheries due to a high by-catch of juvenile Greenland halibut (turbot);
- North of the Gaspé Peninsula, closed to the redfish fishery due to a high by-catch of cod and Atlantic halibut;
- Permanent closure from January 1 to December 31 to all mobile gear groundfish fishing groundfish in fishing areas 4T6 and 4T3a, where the water depth is less than 10 fathoms.

**2. Allocation**

The directed fishing allocation available to the mobile gear fleets with vessels based in 4ST is 284t.

**3. Fishing Gears**

Division 4ST

The minimum mesh size of 155 mm square or diamond is authorized in the codend and the non-tapering part of the lengthening piece for a minimum of 50 meshes. In the remainder of the trawl,

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a minimum mesh size of 130 mm is mandatory.

Division 4R

DANISH SEINE ONLY: The minimum mesh size of 155 mm square is authorized in the codend and the non-tapering part of the lengthening piece for a minimum of 50 meshes. In the remainder of the trawl, a minimum mesh size of 130 mm is mandatory.

**4. Fishing Seasons**

The following seasons will be in effect for the duration of the CHP. 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 quota being caught or other management considerations.

- 4S May 15 to December 31 (test fishery before the opening of the fishery)
- 4R May 15 to December 31
- 4T1 May 15 to December 31
- 4T2a May 15 to December 31
- 4T2b May 15 to December 31
- 4T3a May 15 to December 31
- 4T3b May 15 to December 31
- 4T4 No directed fishery
- 4T5 No directed fishery
- 4T6 September 1 to December 31
- 4T7 May 15 to December 31
- 4T8 June 1 to December 31
- 4T9a From May 15 to June 30 and from April 15 to May 14 of the following year
- 4T9b From May 15 to June 30 and from April 15 to May 14 of the following year

**5. By-Catch Limits**

By-catch is defined as the weight of a by-catch species divided by the weight of the directed species.

While directing witch flounder in NAFO divisions 4T and 4RST respectively, the following by-catch provisions will apply:

Cod	4ST	20% by fishing trip
Cod	4R	10% weekly
American Plaice	4RST	10% by fishing trip
Winter Flounder	4T	25% by fishing trip
White Hake	4T	10% by fishing trip
Other species of groundfish	4RST	10% by fishing trip

By-catch of groundfish species **may not be released** unless a condition of licence authorizes to do so.

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

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**6. Small Fish Protocol**

The small fish protocol that will apply:

➤ 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.

**7. Dockside Monitoring**

Dockside monitoring program (DMP) at 100% of the landings is mandatory.

**8. Logbooks & combined forms**

Logbooks are mandatory for all fish harvesters with homeports **in the Gulf, Newfoundland and Maritimes Regions**. 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.

**9. At-sea Observer Coverage**

The industry-funded At-Sea Observer Program for witch flounder fisheries apply at a minimum coverage of 25% of the fishing trips. The at-sea observer coverage is maintained at this level to increase the monitoring of by-catch, dumping and discarding at sea.

**10. Catch Monitoring & Test Fishery**

Small fish and by-catch fleet closures will be of a minimum duration of 10 days. The cost of conducting all test fisheries will 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 year because of by-catch or small fish, the fishery may remain closed for the remainder of the year.

**11. Other Management Measures**

In areas 4T6 and 4T3a, where the water depth is less than 10 fathoms, is closed to all vessels using mobile gear from January 1 to December 31.

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.

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**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 17, 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>.

**12. 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 a fishing management year 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.

**13. 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 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 Wolfish (threatened), Northern Wolfish (threatened), Leatherback Turtle (endangered) and the White Whark (endangered). 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 the species at risk mentioned above and the blue whale (Atlantic population), North Atlantic Right whale and the beluga whale (St. Lawrence Estuary population) shall be collected for each fishing trip where such a species is encountered. This information must be entered into the Species at Risk logbook and sent to Fisheries and Oceans Canada immediately after the fishing trip.

**14. 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/egsl-eng.html>.

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**15. 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>.

**16. Management measures to minimize the risks of interactions with the North Atlantic Right Whale**

Since 2017, Fisheries and Oceans Canada has put in place additional management measures to protect marine mammals including 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.

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

**a. Requirement to report lost and retrieved gear**

Lost gear reporting

Lost fishing gear is defined as any active fishing gear previously set by the licence holder and fishing vessel operator which was sought but not found.

The licence holder or fishing vessel operator must report any of their lost fishing gear within 24 hours of returning to port at the end of the fishing trip. Reports of lost gear must be submitted to Fisheries and Oceans Canada (DFO) through the FISHING GEAR *Reporting system* available online at <https://internet.dfo-mpo.gc.ca/en/login> or by completing the *Lost fishing gear form* available online at <http://www.dfo-mpo.gc.ca/reporting> or in Annex of *Conditions of licence*, according to instructions on the form.

Retrieved gear reporting

The licence holder or fishing vessel operator must report the retrieval of any of their own previously reported lost gear within 24 hours of returning to port at the end of the fishing trip. Reports of retrieved gear must be submitted to Fisheries and Oceans Canada (DFO) through the *Fishing gear reporting system* available online at <https://internet.dfo-mpo.gc.ca/en/login> or by completing the *Retrieval of previously reported lost fishing gear form* available online at <http://www.dfo-mpo.gc.ca/reporting> or in Annex of *Conditions of licence*, according to instructions on the form. Retrieval can only occur during the validity period of the *Conditions of licence* and only in relation to the specific type of gear authorized to be used by the *Conditions of licence*.

**b. What to do if you observe a North Atlantic right whale**

First of all, it is important to maintain a minimum distance of 100 meters from the animal and 200 meters if the whale is accompanied by a calve. Details regarding sightings of live and free-swimming right whales may be provided to DFO at: [XMARWhalesightings@dfo-mpo.gc.ca](mailto:XMARWhalesightings@dfo-mpo.gc.ca) or by phone at 1-844-800-8568. If you observe this species, please send us your contact information

and information about the sighting (date, time, geographical position, number of individuals, etc.). If possible, you can also send us photos or videos.

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If you see a right whale entangled in fishing gear, you should not under any circumstances attempt to release it on your own. The behavior of an entangled individual is unpredictable and dangerous. You should contact "Marine Mammal Emergencies" at 1- 877-722-5346 as soon as possible to share information that will help to organize an appropriate response by experts (time and position of the entangled animal, behavior of the individual, details on the weather and the state of the sea, etc.).

**17. 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 that occur during fishing expeditions including: bycatch, collisions and all sightings of entangled marine mammals. To do this, the Marine Mammal Interaction Form 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 expedition.

A copy of the form is attached to the *Conditions of licence* and can also be downloaded and submitted online at the following address: <http://www.dfo-mpo.gc.ca/species-especes/mammals-mammiferes/report-rapport/page01-eng.html>

The information provided on this form will be used by the Department of Fisheries and Oceans Canada (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.

In addition, if you observe a dead or distressed animal, please contact Marine Mammal Emergencies as soon as possible at 1-877-722-5346. If possible, do not hesitate to take photos or videos that will allow DFO to assess the situation and identify the species.