

Conservation Harvesting Plan

LOBSTER – AREA 21B (LISTUGUJ MI'GMAQ GOVERNMENT)
GASPÉ
SEASON 2022-2023

Approved on: August 31st, 2022

1. Objectives

The objectives of this Conservation Harvesting Plan are to:

- A. Ensure the ecological sustainability and safe conduct of the lobster fishery area 21B;
- B. Support the integrated food, social, ceremonial, and commercial community lobster fishery of the Listuguj Mi'gmaq Government (“LMG”);
- C. Enable the LMG to exercise its authority in relation to the conduct of the lobster fishery by its members;
- D. Encourage a co-operative approach to governance and management of the lobster fishery in area 21B between the LMG and the Department of Fisheries and Oceans Canada (“DFO”).

2. Application

This *Conservation Harvesting Plan* applies to the lobster fishery of the Listuguj Mi'gmaq Government (“LMG”) in area 21B.

3. Fishing Areas

This *Conservation Harvesting Plan* applies in area 21B. See map at Appendix A.

4. Fishing Season

- A. The open fishing season will be from September 25th, 2022 to October 9th, 2022 (fall season) and then from April 1, 2023 to July 15, 2023 (spring season). The fishery will be closed from November 1, 2022 to March 31, 2023 (winter closure) and then from July 16, 2023 to September 14, 2023 (summer closure).
- B. Within the open seasons (fall and spring), the LMG will determine the opening and closing dates of its lobster fishery and will notify the DFO of such at least 5 working days prior to each opening date.

- C. The departure from port for the lobster fishery will be authorised from 5:00 a.m. (Eastern time) on the opening day of the LMG's fall fishery and from 4:30 a.m. (Eastern time) on the opening day of the LMG's spring fishery.
- D. During the summer closure, the LMG may conduct a limited catch-and-release fishery in order to more accurately assess the moulting period for lobster in Area 21B. The information gathered will be used to inform the summer closure in Area 21B in coming years. (The LMG and the DFO will collaborate to develop a scientific protocol to be attached to this Conservation Harvesting Plan as an annex.)
- E. It should be remembered that it is the responsibility of the captain to acquaint themself with the marine safety notices published by Environment Canada and Transport Canada as well as with the standards and best practices in marine safety and to take all measures necessary to ensure a safe fishery during the period where fishing is authorized.

5. Management Regime

Competitive fishery managed by effort:

- A. A maximum of 88,785 days-traps is available to the LMG in area 21B;
- B. The LMG will not fish more than 73,500 days-traps of the total 88,785 days-traps in the fall season;
- C. Days-traps fished in the fall season will be determined using a catchability factor of 7;
- D. In keeping with the above, the LMG will determine how fishing effort is distributed between the fall and spring seasons.

LOBSTER – LISTUGUJ MI'GMAQ GOVERNMENT IN AREA 21B –GASPÉ

Calculation of Distribution of Fishing Effort
Total Fall Fishing Effort
(days fished) x (traps fished) x (catchability factor: 7) = 14 days x 235 traps x 7 = 23,030 trap-days
Total Fall Fishing Effort [cannot exceed 73,500 days-traps] = 23,030 trap-days
Total Spring Fishing Effort
Total Spring Fishing Effort available = (Maximum Fishing Effort) – (Total Fall Fishing Effort) = 88,785 trap-days – 23,030 trap-days = 65,755 trap-days
(days fished) x (traps fished) = 235 traps/license x 4 licenses x 69 days = 64,860 trap-days
Total Spring Fishing Effort = 64,860 trap-days

6. Fishing Gear

Traps dimensions

Wire traps	Wooden traps (or hybrid wood/other materials)
Maximum length: 92 cm	Maximum length: 92 cm
Maximum width: 54 cm	Maximum width: 61 cm
Maximum height: 39 cm	Maximum height: 46 cm

Tags

- A. A single, valid annual tag with a unique identification number must be attached to all traps used for fishing.
- B. Fishers must obtain their tags from the LMG, which will obtain tags from an accredited supplier, identified «Gespe'gewa'gi Fisheries LFA 21B», Red in color, and numbered sequentially beginning with number 0000001.
- C. The LMG will compile a fishing tag registry that will include the following information:
 - a. The names of all individuals to whom the LMG has issued tags;
 - b. The numbers of the tags issued to each individual;

LOBSTER – LISTUGUJ MI'GMAQ GOVERNMENT IN AREA 21B –GASPÉ

c. The number of any tag that the LMG replaces and the number of the replacement the tag.

D. The LMG will share a copy of its fishing tag registry with the DFO prior to the opening date of the fall and spring fisheries. The LMG will inform the DFO on an ongoing basis of any replacement tags issued throughout the fishing seasons.

Number of Traps

The number of traps fished by the LMG at any given time during the open seasons will be determined by the LMG.

Escape Vents

It is prohibited to use for fishing purposes or to have aboard a vessel any lobster trap that is not equipped with a circular or rectangular escape mechanism.

Circular Vents

Two unobstructed circular openings of a diameter no less than 65 mm, the top of the openings is at most 102 mm from the floor of the trap in at least one of the outer walls of each parlour.

Rectangular Vents

One unobstructed rectangular opening no less than 127 mm in length and 46 mm in height in at least one of the outer walls of each parlour, the top of the opening is at most 102 mm from the floor of the trap.

Device Against Seals

It is prohibited to install any device to prevent seals from accessing the content of the trap, other than a simple horizontal bar made of wood or wire located at the entry of the trap, of which the height is not more than 40 mm, fixed in a manner that the space located between this bar and the top of the runner is at a minimum of 165 mm.

Trap Lines

Any requirements in relation to the number of traps used per line will be determined by the LMG.

Gear Hauls

A. It is prohibited to haul the traps on the opening day.

B. It is prohibited to haul and bait the traps more than once a day.

C. It is the responsibility of fishers to up their gear at least every 72 hours.

7. New management measures to minimize the risks of interactions with the North Atlantic Right Whale

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

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 in order to reduce the risk of North Atlantic Right Whales entanglements:

- A maximum of 3.7 metres (2 fathoms) of rope shall be used when attaching a secondary buoy to a primary buoy.
- No rope attaching a trap to a primary buoy shall remain floating on the surface of the water after the fishing gear has been set.

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

Additional Identification of Buoys

In addition to the current regulatory requirement to mark buoys with the vessel registration number (VRN), designated fish harvesters are required to identify each primary buoy with a sequential number in order to be able to individually identify each fishing gear. This additional requirement will help identify and retrieve lost gear and could also help identify the sector where a NARW may have become entangled.

The sequential number shall be solid block Arabic numerals:

- Without ornamentation;
- Written in a smaller or bigger font size than the VRN so as to be capable of differentiating the number from the VRN; and
- In a colour that contrasts with the buoy's colour.

Requirement to Report Lost & Retrieved Gear

Lost gear must be reported to the DFO. This new 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.

The information specified below must be reported by email to DFO at MPO.QUE-Engins-perdus-Lost-Gear-QUE.DFO@dfo-mpo.gc.ca within a 24-hour period following the end

LOBSTER – LISTUGUJ MI'GMAQ GOVERNMENT IN AREA 21B –GASPÉ

of the fishing trip during which the loss of the fishing gear was noted, or within a 24-hour period following an arrival at port if the fishing trip is not yet finished:

- a) the name of the LMG and the designated fish harvester;
- b) vessel registration number;
- c) target species;
- d) number and type(s) of gear lost;
- e) sequential tag number attached to each lost fishing gear;
- f) identification number indicated on the primary buoy attached to each lost fishing gear;
- g) latitude and longitude of the last known position of each lost gear, if known; and
- h) the last date on which the lost gear was set or lifted.

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 calf. Details regarding sightings of live and free-swimming right whales may be provided to DFO at: XMARWhalesightings@dfo-mpo.gc.ca or by phone at 1-844-800-8568. If you observe this species, please send the DFO your contact information and information about the sighting (date, time, geographical position, number of individuals, etc.). If possible, you can also send the DFO photos or videos.

If you see a right whale entangled in fishing gear, you should not under any circumstances attempt to release it on your own. The behaviour 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.).

8. Marine mammal interaction reporting

In order to comply with the implementation of the US Marine Mammals Protection Act (MMPA) regulations, the LMG 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. 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 within 48 hours after the end of a fishing trip.

The information provided on this form will be used by the 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.

LOBSTER – LISTUGUJ MI'GMAQ GOVERNMENT IN AREA 21B –GASPÉ

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.

9. Minimum and Maximum Catch Sizes

Minimum size: 83 mm

Maximum size: 145 mm

10. Hail Prior to Departure

Not applicable.

11. At-sea Observers

Not applicable.

12. Dockside Monitoring

- A. The LMG will conduct or contract a company to conduct dockside monitoring during both the fall and spring seasons.
- B. Dockside monitoring will be conducted at Carleton-sur-mer, which is the only port at which landings will be authorized.
- C. Dockside monitors will weigh all landings.
- D. Dockside monitors will collect completed logbooks for each fishing expedition at landing and submit them to the LMG at the end of each fishing day.

13. Logbooks

- A. The use of logbooks is mandatory.
- B. The LMG will develop a logbook form to be used by the individuals it designates to fish lobster that will collect, at a minimum, the following information:
 - a. Vessel name;
 - b. Vessel Registration Number (VRN) or Vessel Identification Number (VIN);
 - c. Date, time, and port of departure and landing;
 - d. Date, position (latitude, longitude, fishing grid, and fishing area), and effort (number of traps, soak time, and catch) of each fishing expedition;

LOBSTER – LISTUGUJ MI'GMAQ GOVERNMENT IN AREA 21B –GASPÉ

- e. Details of disposition of lobster (weight, sale, personal consumption, community distribution)
- C. The LMG may collect information in its logbook form in addition to that specified in section B.
- D. A log must be completed for each fishing expedition, “closed” before landing, and submitted to the dockside monitor. A fishing expedition means a voyage that commences at the time a fishing vessel leaves a port to engage in fishing and terminates at the time fish caught during that period are offloaded. Hence, when a fisher goes back to port for a reason other than for offloading fish and leaves port again, the fishing expedition goes on until fish are offloaded.
- E. The LMG will submit all logbook forms it receives to the DFO on a weekly basis.
- F. For the spring season, all fish harvesters designated by the LMG will use electronic logbooks.
- G. To request a modification to data that has been transmitted to the DFO:
 - a. With respect to a paper logbook form, the LMG must communicate with Vincent Rémillard, Statistical Analyst, by email (vincent.remillard@dfo-mpo.gc.ca);
 - b. With respect to an electronic logbook, the LMG or the designated fish harvester, as the case may be, must contact the client support service at 1-877-535-7307.

14. Vessel monitoring system (VMS)

Not applicable.

15. Vessel Identification

- A. All fishing vessels must bear either a Vessel Registration Number (VRN) or a Vessel Identification Number (VIN).
- B. This VRN or VIN must be affixed to the vessel when it is used for fishing or fish transportation activities under this Conservation Harvesting Plan.
- C. A VRN is a registration number given to a fishing vessel by the DFO in compliance with part II of the *Atlantic Fishery Regulations, 1985*.
- D. A VIN is an identification number given to a single fishing vessel by an Aboriginal Organization, in this case the LMG, in the framework of fishing a specific species in a given area.

E. Fishers may use a boat with a length less than 15.24 m.

16. Quota reconciliation

Not applicable.

17. Other Management Measures

“V” marks (v-notch)

When marking a “V” (v-notch), an appropriate tool must be used to mark each uropod immediately located on each side of the telson. It is forbidden to be in possession of any female lobster identified by a V-notch or bearing a mutilation, on each uropod located immediately on each side of the telson.

Incidental Catch and Release

Any groundfish caught accidentally while fishing under this Conservation Harvesting Plan must be returned to the water at the exact same place that it was caught, and if the fish is alive, in a manner that causes it the least harm.

Simultaneous Fishing

Subject to ongoing discussions and co-operations between the LMG and the DFO, it is prohibited for a designated fish harvester to fish simultaneously any other species using traps (e.g. rock crab, whelk, or sea urchin).

18. Species At Risk Act

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 Conservation Harvesting Plan is promulgated, the Estuary and Gulf of St. Lawrence species susceptible to being captured are the following in Area 21B: the Spotted Wolffish, the Northern Wolffish, and the Leatherback Turtle. New species could be added during the course of the year.

All incidental captures of species identified above must be immediately returned to the water where they were captured and, if the animal is still alive, in the manner that causes it the least harm. All incidental captures of species at risk must be recorded in the « Species at Risk » section of the logbook. Furthermore, all interactions with species at risk, notably the North Atlantic Right Whale, the Blue Whale (Atlantic population), the Beluga Whale (St. Lawrence Estuary population) and the White Shark (Atlantic population), must be recorded in this section of the logbook.

These requirements are additional to any obligation to declare an interaction with a marine mammal using the prescribed form (see section Marine mammal interaction reporting).

19. Conditions of Licence

The LMG and its designated fish harvesters must comply with those conditions of licence issued by the DFO that conform with this Conservation Harvesting Plan.

20. Designation of Harvesters

- A. In keeping with its own processes and procedures, the LMG will designate those individuals authorized to fish.
- B. The LMG will compile a designation table that will, at a minimum, include the following information:
 - a. Name of designated fish harvester;
 - b. Name of vessel;
 - c. VRN or VIN;
 - d. Length of vessel;
 - e. Maximum number of traps to be used by the designated fisher (*i.e.* number of tags issued and tag numbers).
- C. The LMG will share a copy of its designation table with the DFO at least 5 working days prior to the opening date of the fall and spring fisheries. The LMG will inform the DFO as soon as possible of any changes to its designation table made throughout the fishing seasons.
- D. The LMG will issue written identification to each fisher it designates. This written identification will include the information specified in section B and will have attached to it the conditions of licence. This written identification will be updated on an ongoing basis as needed.

21. Ongoing Collaboration and Co-operative Management

- A. Representatives of the LMG and the DFO will meet on monthly basis, or more often if required, to discuss issues relating to the implementation this Conservation Harvesting Plan, including any available scientific data regarding the lobster fishery in area 21B that could be used to inform decisions made under this Conservation Harvesting Plan.

B. Representatives of the LMG and the DFO will meet as soon as possible following the close of the spring season to begin collaboration on a Conservation Harvesting Plan for the following year.

C. Meetings may be held in person or by teleconference.

Approved by:

Chief and Council
Listuguj Mi'gmaq Government

For any questions regarding this CHP

You may call:

The LMG Natural Resources Directorate at (418) 788-3022

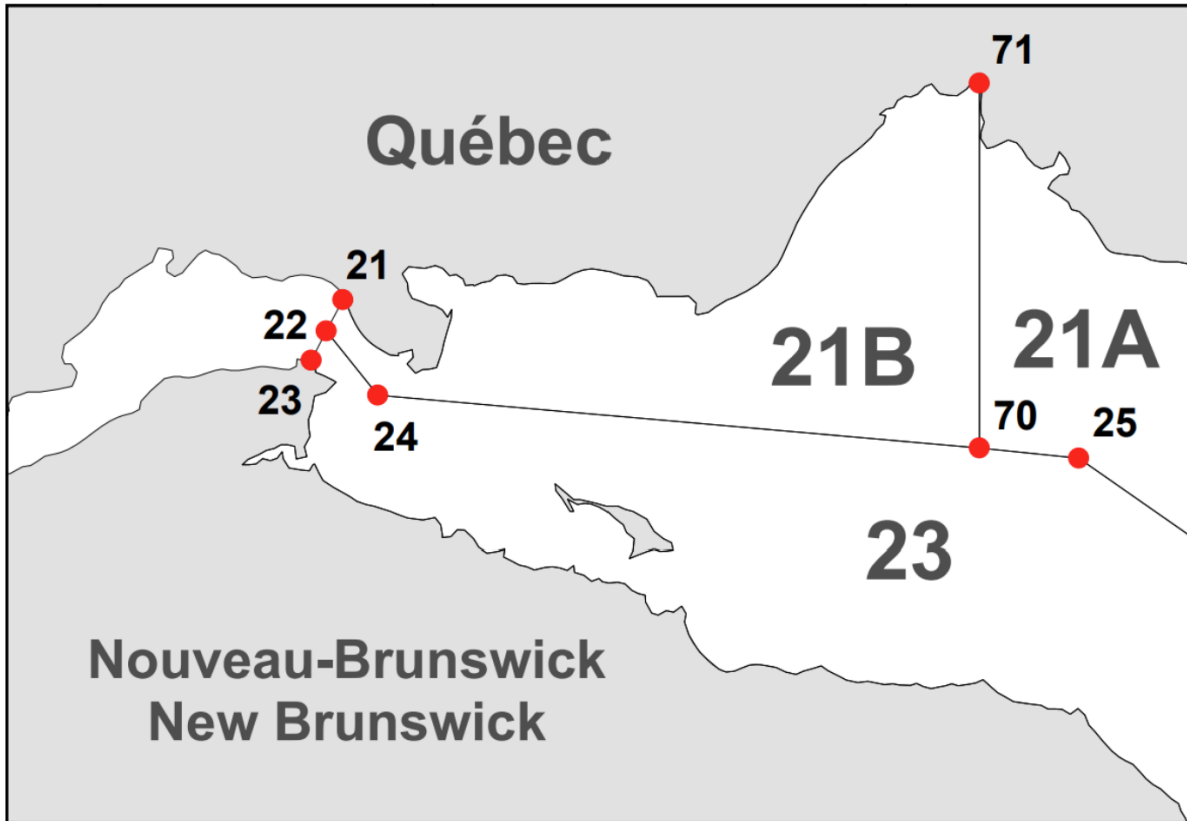
For additional information

Please visit:

The LMG Natural Resources Directorate at the following address:
<https://listuguj.ca/directorates/listuguj-natural-resources-directorate>

Appendix A

Map of Lobster Area 21B



Point	Latitude	Longitude
	North / Nord	West / Ouest
	d m s	d m s
21	48 05 57	66 20 48
22	48 05 04	66 21 30
24	48 03 16	66 19 21
70	48 01 47	65 54 10
71	48 12 36	65 54 10

Appendix B



Pêches et Océans Canada
Région du Québec

Fisheries and Oceans Canada
Quebec Region

LICENCE TO FISH FOR SCIENTIFIC PURPOSES
ISSUED IN ACCORDANCE WITH SECTION 52 OF THE FISHERY (GENERAL) REGULATIONS
QUE-SCIENTIFIQUE-081B-2022

In accordance with subsection 22(1) of the *Fishery (General) Regulations*, the following conditions of licence apply:

1. PROJECT OBJECTIVE

To take measurements of and collect pleopod samples from lobster in order to reassess the peak molting season of lobsters within LFA 21B.

2. IDENTIFICATION

LICENCE HOLDER :	LYNDESEY PARENT
ORGANIZATION :	LISTUGUJ MI'GMAQ GOVERNMENT
ADDRESS :	44 DUNDEE ROAD, LISTUGUJ, QC, G0C 2R0
AUTHORIZED OPERATORS :	CODY GUITARD LISA METALLIC KEEGAN WHITE
VESSEL NAME (REGISTRATION NUMBER):	LISTUGUJ NO.1 (176492)

3. APPLICATION

- (1) When the licence holder and authorized operator engage in fishing activity under this licence, they must carry a printed copy of the licence and present it to a Fishery Officer or Fishery Guardian upon request.
- (2) Issuance of this licence does not imply any commitment on the part of Fisheries and Oceans Canada to issue a similar licence to the licence holder and authorized operator after its expiration and is not intended to release the licence holder and authorized operator from any obligation to obtain authorization or to comply with the requirements of any other regulatory agency.
- (3) It is forbidden to consume and to buy, sell, exchange, barter, or offer to buy, sell, exchange or barter, lobster captured under this licence.
- (4) Fisheries and Oceans Canada reserves the right to revoke this licence at any time.

4. AUTHORIZED SPECIES

- (1) The licence holder and authorized operator are authorized to measure and cut a pleopod on lobsters in area 21B under the scientific protocol presented in Appendix 1.
- (2) The licence holder and authorized operator are not authorized to sample berried female lobsters.
- (3) After completing sampling and measurements, the licence holder and authorized operator must return any lobster as soon as possible:
 - a) to the place from which it was taken; and
 - b) in a manner that causes it the least harm when it is alive.

5. AUTHORIZED FISHING AREA

The licence holder and authorized operator are authorized to fish in lobster fishing area 21B.

6. AUTHORIZED FISHING GEAR

- (1) No person must fish for lobster except from a vessel and with a lobster trap.
- (2) Trap
 - a) For the application of paragraphs d) and f), a hybrid trap is defined as a wooden frame trap of which any other component is made of materials other than wood.
 - b) Number of traps
 - (i) The licence holder and authorized operator must not use or have aboard a vessel more than 100 traps;



«NO_COND_PERM»

QUE-SCIENTIFIQUE-081B-2022-STADES DE MUE HOMARD LISTUGUJ-2022-08-04
Page 1 of 9