

NWMB POLICY ON RESPONSIBLE STEWARDSHIP IN NUNAVUT'S COMMERCIAL MARINE FISHERIES

Completed by:
Raymond Andrews
Mar. 26, 2007

PREAMBLE: One of the main responsibilities of the NWMB as it pertains to marine resources is to manage and conserve commercial species in a sustainable manner. Consequently, fisheries management endeavors to regulate how, when, where and in what manner enterprises harvest the resource. This effort supported by all resource users helps protect and sustain the health of important stocks for use by future generations. As noted in the NWMB Mission Statement: “ The NWMB strives to enable and protect the beneficial utilization of wildlife for and by the beneficiaries of the Nunavut Land Claims Agreement as well as other residents of the Nunavut Settlement Area and to manage wildlife consistent with the principles of conservation, sustainability and ecosystem integrity.”

In an effort to compliment the mission statement and as a pre-requisite to receiving an allocation of resource the requirements for responsible stewardship will be mandatory in the NWMB Allocation Policy 2007. This compliments the Regulatory and policy requirements of the Department of Fisheries and Oceans (DFO) and the requirements of other agencies such as the Northwest Atlantic fisheries Organization (NAFO) and the Species At Risk Act (SARA) of Canada. The External requirements (Section A) will be reflective of DFO national and international focused legislation and policy and compliance will be mandatory prior to an applicant being considered for an allocation in NU waters. Section B will list NWMB Responsible Stewardship requirements specific to its mandate which will compliment DFO items. The monitoring, assessment and enforcement of requirements will be a joint effort between NWMB and DFO as outlined in Section C.

SECTION A: External Requirements as noted below with legislative Acts and regulations as noted in Appendix A

1. **DFO LEGLISATION / POLICY:** Each applicant will demonstrate compliance with all legislative and policy aspects of DFO
2. **NAFO REQUIREMENTS:** Where applicable, applicants will comply with the Conservation and Enforcement Measures (CEM) as revised annually by the Fisheries Commission.
3. **SPECIES AT RISK ACT (SARA):** Compliance with measures applicable to all species covered by the Act is mandatory.

4. FISHERIES MANAGEMENT PLANS: Applicants are required to fully comply with the provisions of the various Groundfish and Northern Shrimp Management Plans of DFO; as complimented by Conservation Harvesting Plans (CHP's) for individual species and fleet sectors.
5. TRANSPORT CANADA LEGISLATION / POLICY: Applicants must demonstrate compliance with Environmental Stewardship requirements for fishing vessels.

SECTION B: Requirements of NWMB:

1. HABITAT / ECOYSTEM: The following specific items would enhance Responsible Stewardship:
 - (a) Assist all agencies in the identification of sensitive habitat areas with particular emphasis on corals.
 - (b) Avoid fishing in sensitive habitat areas; especially those with coral and move away from them when fishing gear indicates their presence.
2. RESOURCE / SCIENCE: Applicants must participate in the planning and implementation of research and assessment initiatives aimed at protecting the biodiversity of ecosystems and their habitat and:
 - (a) participate and cooperate in research efforts by NWMB and DFO with emphasis on the collection of samples from the commercial fishery.
 - (b) Support research initiatives aimed at minimizing adverse impacts on the resource and the environment
 - (c) Provide full detail of traditional knowledge by Nunavut fishers especially Inuit to assist the scientific community in its work.
 - (d) Compile records of all fishing operations as required by fish management and science.
3. VESSEL / CREW: The ownership and crew of the boat can assist by complying with Transport Canada legislation and policy and undertaking the following:
 - (a) Practice sound waste management in all aspects of harvesting operations with emphasis on the acceptable disposition of "domestic garbage"
 - (b) Minimize emissions of dangerous substances arising from normal boat and harvesting operations, in particular fuel and lubricating oils

(c) Provision of appropriate training for all crew in the area of sustainable and responsible fish harvesting

4. GEAR / FISHING PRACTICES: These could compliment the CHP's and other government directives:

(a) Employ fishing practices that minimize the risk of gear loss and have in place a fully functional plan for the recovery of lost gill nets.

(b) Provisions for the design and operation of gear that reduces to an absolute minimum the harvest of undesirable species as by catch and the harvest of small (juvenile) fish.

5. OTHER FACTORS: These could be added as deemed appropriate by NWMB in consultation with industry.

(a) Inuit Qaujimagatuqangit (IQ) Requirements. ---no specifics at this point in time---BUT could be developed by FAC or some other NU agency

(b) Marine mammal protection--- there has been mention of this – without reference to specific animals (let's identify)

SECTION C: Monitoring, Assessment and enforcement

Since NWMB does not have the office or field resources to fully assess, monitor and enforce the requirements it will be necessary to have a Memorandum of Understanding (MOU) with the Department of Fisheries and Oceans (DFO) to implement this program. The process will include:

(c) Historical compliance: An applicant with a history of harvesting will have a summary of performance in earlier year(s) provided by DFO with particular reference to the requirements of Section A and with emphasis on any infringements, charges and sanctions/penalties.

(d) Field audit: DFO inspectors and / or observers will provide an ongoing stewardship checklist to report any non-compliance situations on a monthly (quarterly) or (real time) basis????

(e) Paper / Office review: Since NWMB requirements are new / additional to DFO requirements each applicant will be required to submit a written summary of measures taken to comply with Section B. Personnel from DFO and / or NWMB will meet with the Company designate (Captain, EOO etc) to assess plans to meet requirements and where necessary identify shortcomings and require compliance before being considered for an allocation.

APPENDIX A: Applicable Acts and regulations:

1. Fisheries Act Of Canada
2. Atlantic Fishery regulations
3. Fishery General Regulations
4. Oceans Act
5. Species At Risk Act (SARA)
6. NAFO Conservation and Enforcement Measures (CEM)

APPENDIX B Conservation Harvesting Plan -- 0B Greenland Halibut Boats < 65feet

On following pages----- this is a sample of a Conservation Harvesting Plan for a specific fleet sector. Practically each species and fleet sector has a specific CHP—however, at the present time the NU region is using NL or Atlantic CHP's as they develop plans specific to NU waters.

**CONSERVATION HARVESTING PLAN
GREENLAND HALIBUT (TURBOT)
VESSELS LESS THAN 65 FEET
FIXED GEAR**

NAFO Divisions 2GHJ3KLNO

This Conservation Harvesting Plan (CHP) applies to all vessels less than 65 feet in length, regardless of homeport, fishing Groundfish in NAFO Divisions 2 and 3 (excluding NAFO division 3P) using fixed gear and is effective from April 1, 2005.

This CHP applies to 2GHJ3KLMNO Greenland Halibut for the management cycle January 1 to December 31.

GENERAL PROVISIONS

A) FISHING GEAR

GILLNETS

1. You are required to report any lost gillnets to the nearest DFO office within 72 hours, if the loss is noticed before the closure of a fishing area. If the fishing area is already closed, the loss must be reported within 24 hours.
2. You cannot fish with or have onboard your vessel a Groundfish gillnet unless a tag, issued under the authority of the Minister to you for the current year, is securely attached to the head-rope of the net in a manner for which the tag was designed.
3. The gillnet tag must be affixed to the head rope of each gillnet within 1.85 meters from the side rope on the end of the net where the float or buoy identifies the Vessel Registration number.
4. Gillnets cannot exceed 91 meters in length.
5. The number of gillnets and permitted mesh sizes are outlined in the following table:

Area	Depth	Number of Nets	Min. Mesh Size
2GH + 3L	293 - 549 meters or 160 – 300 fms	125	152 mm (6’')
2GH + 3KL	549 - 732 meters or 300 – 400 fms	200	152 mm (6’')
2GH + 3KL	> 732 meters (400fms)	500	191 mm (7.5’')
2J	> 732 meters (400 fms)	500	152 mm (6’')
3NO	> 732 meters (fms)	500	191 mm (7.5’')

- In NAFO Division 3K, if fishers use 152mm (6’’) mesh in the offshore zone (deeper than 400fm), they are not permitted to fish in water depths less than 400fms. The maximum number of gillnets permitted in this area will be 500.
- In all areas, the maximum number of nets that can be fished at any one time cannot exceed the maximum number of nets permitted in the deepest water depth being fished by the enterprise.

B) FISHING RESTRICTIONS

GILLNETS

The following restrictions apply to the use of gillnets:

Fishing is not permitted within the inshore crab areas.

2GH + 3KL

In 2GH, fishing is not permitted in water depths less than 293 meters (160fm).

In 3K, fishing is not permitted in water depths less than 549 meters (300fms).

In 3L, fishing will only be permitted in water depths between 293 meters and 549 meters under the conditions of the test fishery.

Fishing is not permitted in the Funk Island Deep closed area.

2J

Fishing is not permitted within 37 km from land when fishing south of 54 degrees 40’ North latitude.

Fishing with gillnets is not permitted in water depths less than 732 meters (400fms).

Fishing is not permitted inside the Hawke Channel closed area.

3NO

Fishing is not permitted in water depths less than 732 meters.

LONGLINES

The longline fishery for turbot is permitted in all areas in water depths greater than 293 meters.

C) MONITORING

1. All vessels are subject to 100% Dockside Monitoring.
2. Industry-funded at-sea observer coverage is required. The targeted level of coverage will be 5% of the fleet sector quota.
3. Vessel Monitoring System (VMS)
 - The use of VMS is required while fishing for Greenland Halibut in NAFO Divisions 2GHJ3KLMNO. This requirement applies to all vessels with the exception of the following:
 - Vessels less than 35ft LOA
 - Vessels registered under the Transitional Vessel Replacement Policy
4. Hail Requirements
 - (a) Hail Out
NAFO Division 3NO – Vessels are required to hail out to the Observer company in accordance with conditions of license.
 - (b) Hail In
NAFO Divisions 3NO - Daily hails are required as described in conditions of license - Schedule 16.

Test Fisheries

1. If a fishery is closed for the minimum 10 day period as a result of either high incidental catch levels or small fish problems (see below), reopening will only be considered following a successful, observed, industry funded test fishery.

D) INCIDENTAL CATCH

For the purposes of this CHP, the following definitions apply:

- “Directed species” means the permitted species, or combination of species, retained on board and taken by the fisher at time, in an area and by a means that is authorized in Species Specific Licence conditions.
- “Incidental catch” means the catch retained on board of any species other than a directed species as defined above.
- Unless otherwise stated, incidental catch restrictions are always expressed as daily limits (00:01 hours to 24:00 hours local time) and are always calculated using round weights.

- Unless otherwise stated, incidental catch restrictions expressed as a percentage are always calculated as a percentage of the round weight of the directed species retained onboard.

1. Except as noted below, the daily incidental catch of a species may not exceed the greater of 10% or 200 pounds of the weight of the directed species retained onboard.
2. The daily incidental catch of Atlantic Halibut may not exceed 10% of the weight of the directed species retained onboard.
3. The daily incidental catch of Pollock may not exceed 20% of the weight of the directed species retained on board.

For closed species in NAFO Divisions 3LNO:

1. The daily incidental catch of each closed species/stock may not exceed 5% of the weight of the directed species retained onboard.
2. When fishing in NAFO Divisions 3LN, the maximum daily incidental catch of Redfish may not exceed 5% of the round weight of the directed species retained onboard.
3. When fishing in NAFO Divisions 3LNO, the maximum daily incidental catch of both American Plaice and Yellowtail is 5% of the round weight of the directed species retained onboard.
4. When fishing in NAFO Divisions 3NO, the maximum daily incidental catch of both Cod and Witch Flounder is 5% of the round weight of the directed species retained onboard.

In 2J3KL, areas will be closed if the incidental catch of snow crab exceeds 5 % by weight of turbot onboard.

Where there are widespread incidental catch problems, an entire area may be closed to the fleet sector.

E) DISCARDING

1. All Atlantic Halibut less than 81cm and northern and spotted wolffish must be released to the place from which it was taken and, when alive, in a manner that causes the least harm.
2. Dogfish and Lumpfish may be returned to the water immediately, dead or alive.
3. Live Striped wolffish, live Winter Flounder less than 25cm and live American Plaice less than 20cm in length may be returned to the water immediately.

F) OTHER

Small Fish Protocol

The minimum size for Greenland Halibut is 45 cm.

Areas will be closed when the number of undersized fish reaches 15% of the catch.

Closures

1. If a fishery is closed due to incidental catch or small fish problems, closures will be in effect for a minimum of 10 days. Where the closure is due to high incidental catch of crab, the closure will be for a minimum of 14 days.
2. When a fishery is closed, it will not reopen until it can be effectively monitored and controlled.
3. If a fishery in a particular area is closed twice during the year, it may remain closed for the remainder of the year.

Test Fisheries

Directed fishing in the inshore and midshore zones (i.e. water depths less than 300 fathoms) will not be permitted until a test fishery has demonstrated that incidental catch of crab is within stated limits. Test fisheries will also be required to re-open a fishery after a small fish closure.

Areas where test fishing may be conducted will be defined by NAFO unit (i.e. 3Ld, 3Kf etc.).

The maximum number of test fisheries permitted in any one area will be determined by the size of the unit and the distribution of fishing effort. Specific proposal will be reviewed by DFO and Experimental Licenses Issued upon approval.

Observer coverage will be mandatory and daily reports submitted to DFO on days that fishing gear is retrieved. Vessels participating in test fisheries will carry observers at industry expense (not pooled funds).

Fishing results will be reviewed jointly by DFO and the FFAW. Specific areas will only be opened after completion of a successful test fishery and will be defined after results of test fisheries have been reviewed.

NAFO Regulatory Area

When fishing in the NAFO Regulatory area outside Canadian waters, the captain of the vessel must abide by the NAFO Conservation and Enforcement Measures.

G) VALIDITY PERIOD

3NO	May 1 to October 31
2GHJ3KL	May 1 to December 31

H) OTHER

3LMNO QUOTA MANAGEMENT

The 2006 quota for the <65' fg fleet in 3LMNO is 1265t. This quota will be apportioned so that no more than 25% of the quota (316t) can be harvested prior to July 31. The remaining 75% of the fleet sector quota (949t) will become available for harvesting on August 1.

Other conservation measures may be identified and implemented as required.

2+3K Quota Management

The 2006 quota for the <65' FG fleet in 2+3K is 2501t. This quota will be split and harvested in two seasons. On May 1, the fishery will be opened with a 1,750t quota (70%). The remaining portion of the 2006 quota, 750t will be fished after August 1.

The reason for the quota split is to allow fishers in more northern areas of 2+3K to access the quota when weather conditions are more suitable to fishing turbot.