



Fisheries Management Discussion Items: North Atlantic Right Whale Advisory Committee

Fisheries and Oceans Canada

November 2023



Prepared for: NARW Advisory Committee Meeting



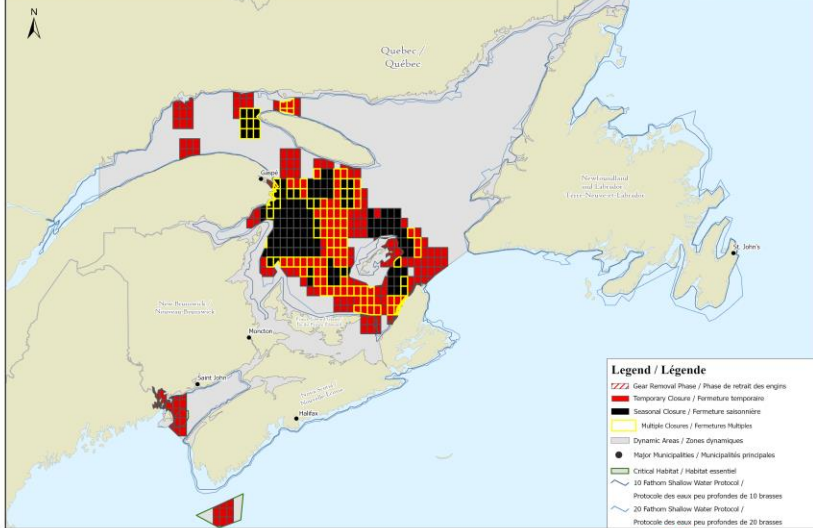
Overview

- Key updates and statistics from 2023
- Top Issues for 2024 and beyond
- NARW TWG report – discussions and outcomes
- Further background information on existing measures is provided in background deck





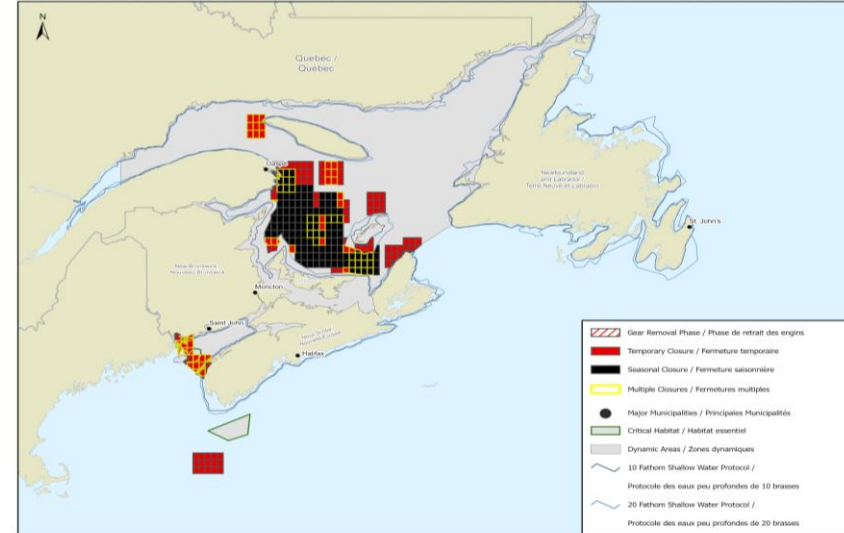
2021 NORTH ATLANTIC RIGHT WHALE HISTORIC CLOSURES
FERMETURES HISTORIQUES POUR LA BALEINE NOIRE DE L'ATLANTIQUE NORD 2021



Date Created / Date Créée: 2021-11-18

Prepared by the Atlantic Marine Mammal Hub
Préparé par le Centre des mammifères marins de l'Atlantique

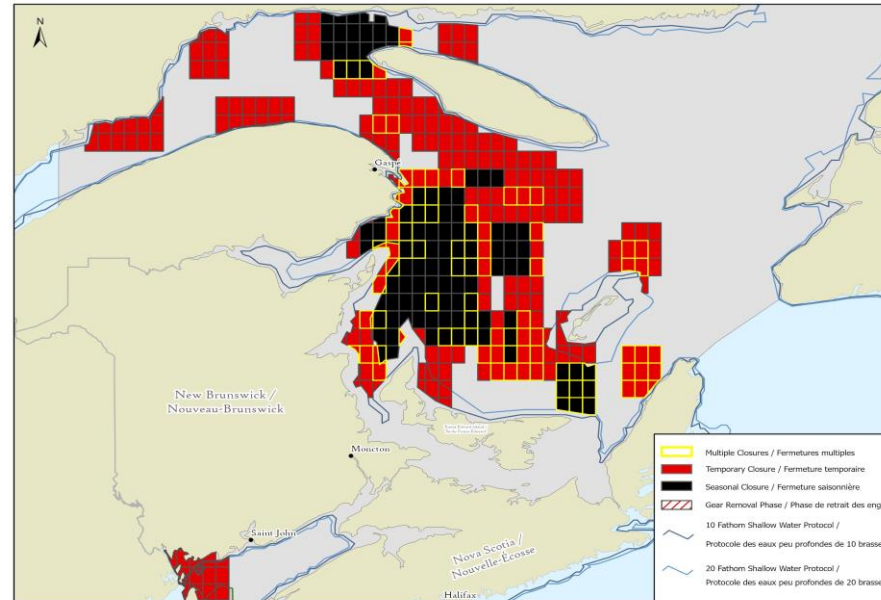
2022 NORTH ATLANTIC RIGHT WHALE HISTORIC CLOSURES
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2023 NORTH ATLANTIC RIGHT WHALE HISTORIC CLOSURES
FERMETURES HISTORIQUES POUR LA BALEINE NOIRE DE L'ATLANTIQUE NORD 2023



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Closure, Sighting and Detection Statistics, 2023

Data as of November 1, 2023

- Total Seasonal Closures: **23,317.10 km²**
- Cumulative Area Covered by Closures in 2023: **68,518.10km²**
- NARW Sighted (Includes duplicates): **1209**



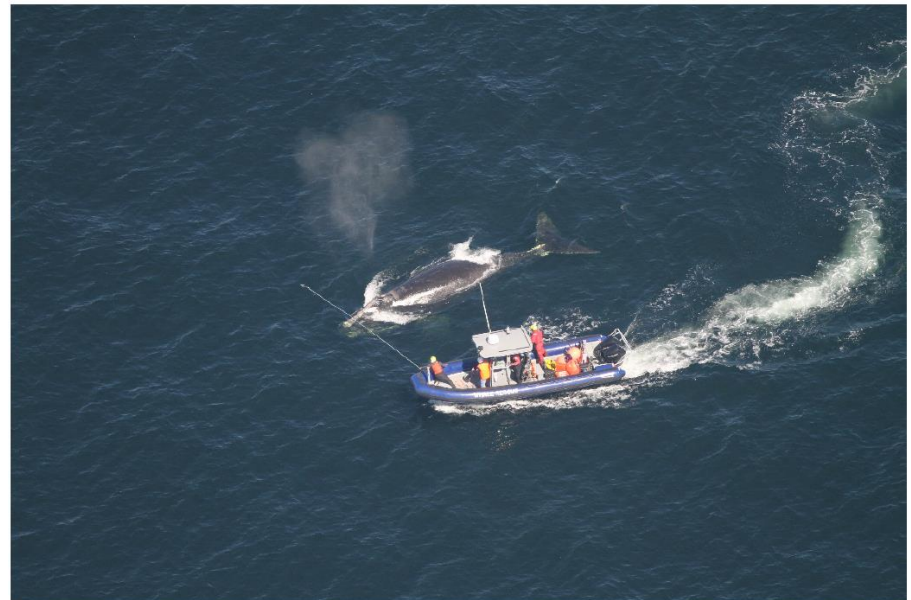
Previous years' closures (up to November 15th)

Year	Total Seasonal Closures	Cumulative area Covered by Closures
2020	37,991.00 km ²	74,395.00 km ²
2021	26,763.74 km ²	74,926.92 km ²
2022	29,267.58 km ²	55,229.89 km ²



NARW Incidents in 2023

- No NARW mortalities observed in Canadian waters since 2020
- 2 new reported entanglements in Canadian waters in 2023 (*1 later observed gear-free*)
- 3 entanglements reported in U.S. waters in 2023 linked to Canadian fishing gear (two related to ghost gear)



CWRT on rescue in the Gulf of St. Lawrence with two apprentices on board (Photo Alison Ogilvy NEFSC/DFO)

All published DFO gear analyses are available [online](#).



2023 NARW Entanglement Case Overview

- **EG 4042**, 13-year-old, male observed entangled on July 15, 2023 in the Gulf of St. Lawrence. Observed gear free on September 5, 2023. No gear retrieved to support gear analysis.
- **EG 1218** (Argo), 42-year-old male, disentangled in the U.S. in January 2023. DFO gear analysis confirmed that gear was *active fishing gear originating from LFA33* in southern Nova Scotia.
- **EG 3812** (Nimbus), 15-year-old male, disentangled in the U.S. in January 2023. DFO gear analysis confirmed that gear was *ghost fishing gear originating from CFA12* in Gulf of St. Lawrence.
- **EG 4545**, 8-year-old female, partially disentangled in the U.S. in March-April 2023. DFO gear analysis confirmed that gear was *ghost fishing gear originating from CFA12* in Gulf of St. Lawrence. Resighted carrying a new entanglement on July 30 2023 in Gulf of St. Lawrence. No further gear has been retrieved.



Highlights – Whalesafe Gear Trial Results Symposium

- Sept 14-15 2023; DFO hosted the **Whalesafe Gear Trial Results Symposium** where partners shared the results of lower breaking-strength and on-demand gear trials.
- Results to inform implementation of LBS requirements in 2024 and Whalesafe Gear Strategy.
- Participants included groups that have conducted gear trials, as well as gear manufacturers, provincial fishery department representatives, and DFO staff.
- Preliminary outcomes:
 - Partners report good progress on testing of various gear types across regions – workable options identified for some fishing conditions.
 - Top concerns remain ghost gear/gear loss, safety, cost/availability, and reasonable timelines for implementation.
 - Interest from partner in cost recovery options, strategies to reduce overall cost impacts.
 - ENGOs underline importance of continued focus on entanglement prevention (closure protocols, advancing on-demand gear, addressing ghost gear); LBS remains a risk mitigation tool.
- Further engagement to follow as recommendations for LBS requirements in 2024 are developed based on trial results and industry feedback.
- DFO preparing public report on Symposium.



Ghost Gear and NARW

- Ghost gear now verified in 3 NARW entanglements in Canadian fisheries over the past several years, with investigations confirming:
 - Presence of gear marking for specific fisheries - gear marking is happening
 - Surveillance observing whales gear-free after the end of the fishing season – surveillance is important in active and closed areas
 - In some cases, reports of lost fishing gear linking directly to removed gear – increasing compliance with lost gear reporting requirement for all Canadian fisheries
- Increase in data (Fishing Gear Reporting System) supporting improved understanding of gear loss patterns and entanglement risk at the fishery level.
- Closure protocols reduce entanglement risks from active fisheries, but do not address lost or ghost gear.
- Lost gear reporting requirements and dedicated efforts to reduce gear loss by harvesters are essential to support NARW protection and recovery.



Other Updates

- Increased interest by Marine Stewardship Council regarding *Species at Risk Act* legislative framework and requirements
- Standing Committee on Fisheries and Oceans
 - April 2023 – [Report](#) on Protection and Coexistence of the North Atlantic Right Whale in Canada
 - Sept 18 2023 – [Government Response](#) to report tabled
- US Updates:
 - August 21-22 2023: Meeting of the United States and Canada Bilateral Working Group on North Atlantic right whales
 - Sept 18 2023: [New proposed rule](#) to adjust Atlantic Large Whale Take Reduction Plan to expand boundaries of Massachusetts Restricted Area (seasonal closure).
 - Sept 18 2023: Department of Commerce and NOAA [announced](#) \$82M in funding for NARW from Inflation Reduction Act.
 - Increased resources for on-demand fishing gear, monitoring and modeling, vessel strike risk reduction, and enforcement.
 - Nov 30 2023: expected publication of final comparability findings for Canadian fisheries.



NARW Technical Working Group

- Meeting of NARW Technical Working Group took place on Sept 25 2023.
- Discussions on potential ideas to complement closure protocols, by tackling lost/ghost fishing gear problem, advancing on-demand gear and reducing vertical line risk in some fisheries by modifying gear configurations (ex. Trawling up)
- 1) Addressing lost/ghost gear
 - Interest in further integration of lost gear reporting with Elogs
 - Concerns raised about gear loss due to conflict within navigation lanes
 - Interest from members in learning more on % of gear lost each season; interest in retrieval of gear reported lost while the season is still open
 - Ensure that ghost gear measures are recognized for purposes of comparability under US MMPA.
- 2) “Operationalization” of on-demand fishing gear
 - Consensus that operationalization of on-demand gear for certain fisheries was a priority
 - Concerns about fixed areas or “static zones” for on-demand fishing
 - Concern about potential equity/access issues and harvester training
 - Concerns about surveillance, must continue to address interoperability
 - Targeted discussion needed to identify areas, fisheries and ensure equity and access



NARW Technical Working Group (continued)

- 3) Fishing gear configurations to reduce entanglement risks
 - Environmental factors determine where trawling up, sinking groundline is feasible
 - Uncertain how fishing in trawls (fewer vertical lines, more groundline) affects NARW entanglement risk; focus should remain on preventing interactions
 - Must consider safety of heavier trawls. Greater risk of gear loss in higher density fishing areas.
 - Assess options on a fishery-by-fishery basis. Trials are important to assess where new configurations are feasible.
- Presentation of 25 additional traps/harvester in CFA12 proposal
 - Information shared on potential risk reduction of proposal
 - Concerns raised about impact to NARW and other species; potential gear conflict/loss with increased traps
 - Further discussion at the snow crab advisory committee meeting
- Concerns expressed about gear marking for scientific research purposes and gear colour marked for a specific fishing area being used in another area
- Requests for changes to closure protocols were tabled
- Report on entanglements of 28 other large cetaceans was provided



Moving Forward

- DFO to consider views and proposals received from partners and stakeholders, including potential changes to 2024 measures
- All information on DFO measures, including closure protocols, are available [online](#) and distributed via Notice to Fish Harvesters
- Addressing lost/ghost gear to further prevent entanglements
 - Finding innovative ways to reduce or prevent gear loss
 - smart gear to track lost or moving gear
- Whalesafe Gear
 - Lower breaking strength modifications – new requirements anticipated in some fisheries in 2024
 - Rope on demand – working with industry and C&P to further testing and pilots to “operationalize” technology
 - Launch of proposed Strategy for external engagement
- Commitment to transparency – online data (ex. lost gear) and reports (ex. Gear analysis)
- Continued challenges in CFA12 – find ways to further reduce entanglement risk
- Information on 2024 measures to be shared in coming months.