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Fisheries and Oceans
Canada

Pêches et Océans
Canada

Deputy Minister

Sous-ministre

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JUL 22 2016

MEMORANDUM FOR THE MINISTER

**PILOT PROJECT TO TEST CAMERAS ONBOARD GULF TUNA FISHING VESSELS
(FOR INFORMATION)**

SUMMARY OF ADVICE TO MINISTER

The purpose of this memo is to inform about the implementation of a new condition of licence for the Gulf tuna fishery. This fishery has seen an increase in reports of non-compliance in recent years, especially since the beginning of the hook and release fishery in 2010. Traditional enforcement tools have been ineffective in increasing compliance rates.

Fisheries and Oceans Canada (DFO) will initiate the second year of a pilot project, which will consist of installing cameras on tuna fishing vessels in the Gulf Region. Given that there are currently not enough volunteers for the project, the Department will add a condition of licence indicating the fisherman may be required to carry a camera onboard (Tab 1).

industry will likely support such an initiative as they have complained on a regular basis about the non-compliance of a few of their members. Data gathered during this trial will help inform the Department on new conservation measures, such as possibly requiring mandatory camera surveillance on all vessels in order to increase compliance.

At the conclusion of this year's pilot, an analysis of results will be developed and presented to you and to industry to facilitate discussion of management measures for the 2017 tuna fishery.

BACKGROUND

In 2010, Bluefin tuna harvesters from Gulf Nova Scotia began chartering clientele under a hook and release fishery. This fishery has since grown to 65 licence holders located in the Gulf area of Nova Scotia and Prince Edward Island and is subject to 5% observer coverage.

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A review of the log data, coupled with observations made on the water and intelligence gathered, supports complaints received by the Department about patterns of non-compliance by some licence holders. Specifically, that licence holders are not in compliance with Charter Guidelines. Fishery officers have been challenged in trying to ensure an appropriate level of compliance, and traditional enforcement techniques have failed in responding to these complaints from the industry.

In order to increase the rate of compliance in the Gulf tuna fishery, the Department has been testing the viability of cameras onboard fishing vessels since last year. The pilot project has gathered usable data and demonstrated that the technology will help to identify patterns of non-compliance. This approach is already used in other fisheries to increase compliance, to collect scientific data, and to monitor fishing harvesting practices (e.g. the commercial groundfish fishery in Pacific Region).

STRATEGIC CONSIDERATIONS: POLICY DEVELOPMENT

Verifying compliance in the hook and release tuna fishery presents a challenge for fishery officers; there is no product brought onboard and the only gear in the water to inspect is a tuna hook. Other enforcement tools have been used to increase compliance, but their costs can quickly become prohibitive. For example, following an undercover operation held in the fall of 2014 (Operation Hook Up), three fishermen pleaded guilty and were banned from the catch and release tuna fishery for five years.

Due to the minimal observer coverage levels and at the request of Gulf Conservation and Protection staff, additional measures are required to ensure industry compliance. Based on the success and relative cost-effectiveness of camera surveillance systems already in use in other fisheries (e.g. Pacific crab and ground fisheries), the option of video surveillance is being pursued.

The Department requested volunteers from the commercial and charter fleets in order to test camera technology before possibly expanding coverage to the whole Gulf tuna fishery. To date, there have not been enough volunteers to continue the implementation phase of the pilot project. In light of this, the Department will add a condition of licence that states that a licence holder may be required to install a camera on board their fishing vessel (Tab 1). Licence holders in both the commercial and charter fleets will be randomly picked from the top half of boats with the most fishing trips the previous year. Cameras could also be deployed based on specific intelligence or in response to confirmed cases of non-compliance.

For 2016, the cameras will be provided by the Department and installed by DFO officials, with costs for industry being minimal. Two types of cameras will be used: one hard wired and affixed to assigned vessels for the entire season, and a second portable, short-term, battery-dependent type that will be assigned to different vessels throughout the season. If the Department moves to full implementation in 2017, a decision will be required as to whether DFO will continue to bear the increased costs or pass them on to the tuna industry.

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it is not expected that the industry will oppose this initiative as they have regularly complained about the non-compliance of a few licence holders. This issue was also raised at the Atlantic Large Pelagic Advisory Committee and industry was advised about the status of the pilot project. Previous court decisions have confirmed that since fishing is a highly regulated activity, the expectation of privacy from fishermen is minimal. Even so, the cameras will be positioned to view fishing activities only.

Camera surveillance technology is one of many useful compliance tools in use by the Department and in this case is positioned to address the specific circumstances in the Gulf tuna fishery. Although this project is not necessarily part of a larger trend toward total camera coverage of all Canadian fisheries, camera surveillance can be explored as an effective monitoring tool, particularly in longline fisheries.

INTRADEPARTMENTAL CONSULTATIONS

Resource Management Directorate in National Headquarters was consulted in the development of the briefing note.

INTERDEPARTMENTAL CONSULTATIONS

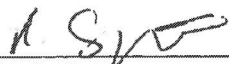
There was no other department consulted in the development of the briefing note.

ADVICE TO MINISTER

The information gathered from this pilot project, cross-referenced with other sources of information such as logbooks and observers coverage, will allow the Department to carry out a comprehensive analysis of the tuna fishery. The end result should place the Department in a better position to justify additional conservation measures and address industry concerns regarding non-compliance.

Departmental officials will report back to you and the industry on the results of this pilot project in order to plan the 2017 fishing seasons accordingly.

Catherine Blewett
Deputy Minister



Kevin Stringer
Associate Deputy Minister

Attachment: (1)
Tab 1) Proposed wording for 2016 conditions of licence


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Attachment 1: Proposed wording for 2016 conditions of licence

For the purpose of this condition of licence, an " Electronic Monitoring System " (EMS) is a video or photo capturing system that is capable of recording continuous unobstructed video or photos of all fishing activities aboard a fishing vessel. It also captures the dates and times of all recordings and images.

This fishery may be subject to EMS system coverage. Upon the request of a Fishery Officer, the licence holder/operator shall abide by the conditions as outlined in Annex Z -ELECTRONIC MONITORING SYSTEM (EMS)

Annexe Z

ELECTRONIC MONITORING SYSTEM (EMS)

BLUEFIN TUNA (BLUEFIN COMMERCIAL FISHERY AND HOOK & RELEASE BLUEFIN TUNA FISHERY)

1. Upon request of a fishery officer, no person shall fish for Bluefin tuna (Bluefin) in Area 4RST/4WD unless a DFO approved EMS has been installed on board the vessel.

2. The DFO approved EMS Units for 2016 are listed below:

- a) Day 6 Plot Watcher Pro;
- b) Samsung's SRM-872 Mobile NVR and 2 Samsung dome cameras (Model number)

3. The EMS shall be installed by a fishery officer and /or qualified installation personnel, and during all tuna fishing activities under the authority of this licence, no person shall:

- a) alter or tamper with the EMS or its operation; or
- b) destroy, dispose of, or remove the EMS unit or associated records or storage media; or
- c) emit or cause to be emitted any electronic or electric signal that renders the EMS inoperative or inaccurate; or
- d) interfere and/or block the view of the EMS camera(s).

4 (1) During all tuna fishing activities under the authority of this licence, where the licence holder/operator of the vessel becomes aware that the EMS is inoperative, is turned off or malfunctions in any way, he/she shall immediately notify a local fishery officer and provide the following information:

- a) name of licence holder/operator;
- b) name of vessel and vessel registration number,
- c) date and time;
- d) port of landing;
- e) description of the EMS problem; and

f) telephone number where the licence holder/operator can be reached.

(2) The licence holder/operator shall comply with any directions given by a fishery officer in respect of the notification made under subsection 4(1)

5. The licence holder/operator must provide Fishery Officers, or qualified installers identified by a fishery officer, access to the vessel for the installation, removal and maintenance of the EMS, as well as for the installation or retrieval of the memory card / hard drive from the EMS.

6. Prior to and during all fishing activities under the authorities of this licence, the licence holder/operator must ensure that the cameras lens is kept clean so the quality of the video or pictures is not degraded. Proper care must be used when cleaning the camera lens. A soft cloth and a nonabrasive solution should be used.