

Transboundary Management Guidance Committee (TMGC)
Minutes from September 15 – 16, 2009 Meeting
Queens Square, Dartmouth, N.S.

These Minutes represent a consensus summary of the principal discussions and conclusions from the meeting, organized according to subject, and are not intended to be a chronological transcript of the meeting. The minutes are reviewed by the TMGC members and alternates, and posted on the internet upon agreement by the Co-Chairs.

Attendees:

Co – Chairs: Mike O’Connor – Canada, and George Lapointe – U.S.

Canada Industry: Claude d’Entremont and Tim Nickerson

Canada Observers: Alain d’Entremont, David Vanderswagg, Christine Penny and Judith Maxwell

U.S. Industry: Jim Odlin

Canada Science (DFO): Stratis Gavaris, Lou Van Eeckhaute

U.S. Science (NMFS): Fred Serchuk, Loretta O’Brien

Canada Management (DFO): Jorgen Hansen and Verna Docherty

U.S. Management (NMFS): Tom Warren

U.S. – New England Fishery Management Council Staff (NEFMC): Anne Hawkins

Review of Agenda and 2008 Minutes

There were no additions to the meeting agenda, and the minutes from the September 2008 meeting were approved by consensus.

Presentation of Final Canadian TAC Catch Numbers from 2008 Fishing Year and Update of 2009 Fishing Year Programs and Catches

The Canadian 2008 fishing year (calendar year 2008) quotas and catches were presented and are summarized in the following table. Final catch includes estimated discards from the scallop fishery and groundfish fishery.

Stock	Quota (mt)	Scallop Discards (mt)	Final Catch (mt)
Cod	1,633	36	1,529
Haddock	14,950	33	14,815
Yellowtail	550	117	158

The yellowtail flounder quota is a bycatch reserve for scallop discards and groundfish catch.

The Canadian 2009 fishing year quotas and catches to date were presented and are summarized in the following table.

Stock	Quota (mt)	Scallop Discards (mt)	Catch (mt)
Cod	1,173	31	585
Haddock	18,900	30	12,335
Yellowtail	483	45	48

The yellowtail flounder quota is a bycatch reserve for scallop discards and groundfish catch. The catch data is through September 14, 2009, and the scallop discard estimate is through June 30, 2009. There was a suggestion that in the future the landings data be presented by month and discards by quarter to observe catch seasonality.

Presentation of Final U.S. TAC Catch Numbers from 2008 Fishing Year and Update of 2009 Fishing Year Programs and Catches

The U.S. 2008 fishing year (May 1, 2008 – April 30, 2009) quotas and catches were presented and are summarized in the following table.

Stock	U.S. TAC (mt)	Catch (% of TAC)	Total Catch (mt)	Discards (% of catch)
Eastern GB cod	667	75 %	501	15 %
Eastern GB haddock	8,050	20 %	1,649	4 %
GB yellowtail flounder	* 1,868.7	82 %	1,531	28 %

* was adjusted downward from 1,950 to account for over harvest of 2007 TAC

The U.S. 2009 fishing year (May 1, 2009 to August 29, 2009) quotas and catch were presented and are summarized in the following table.

Stock	U.S. TAC (mt)	Catch (% of TAC)	Total Catch (mt)
Eastern GB cod	527	41 %	213.5
Eastern GB haddock	11,100	5 %	560.1
GB yellowtail flounder	1,617	59 %	956.5

There was a brief discussion of a comparison of calendar quarter discards estimated by the monitoring program with the estimate derived from the stock assessments. In 2008, the monitoring program estimated higher discards than the assessments for cod and yellowtail flounder, the opposite direction of the 2007 estimates. For haddock, however, the monitoring program estimated lower discards than the assessment for both years. It

was noted that the monitoring program method for calculating discards will change next year, but there will still be a difference in methodology and resulting discard estimates between the two programs.

There was also discussion to clarify that the TRAC TSR numbers for 2008 U.S. catch are preliminary numbers estimated by the monitoring program and not stock assessment numbers. The consensus was to include only finalized monitoring information in the TRAC TSR (if available), in order to compare the quotas to final catches.

Review of Transboundary Resource Assessment Committee (TRAC) Status Reports

Eastern Georges Bank Cod

The information that was presented is reflected in the TRAC Status Report 2009/01. There was a discussion on obtaining additional information on M (natural mortality), because the two models presented differ in the value of M for fish of ages 6 and older. In subsequent years there will be better information on M, because at that time the strong 2003 year class will be age 6 and older, and provide additional information on M.

There was a discussion on the content of the TSRs, and a suggestion that the TSRs should be enhanced for special situations in order to try to consider the information needs of managers. For example, when models are changed, or multiple models are presented, etc.

Eastern Georges Bank Haddock

The information that was presented is reflected in the TRAC Status Report 2009/02. There was a discussion about recruitment at the current high level of biomass, and it was noted that there may not be time to obtain more observations of recruitment associated with this level of biomass before the biomass declines. It appears that the weights at age of the large 2003 year class will be average. For incoming classes the weights at age are improving.

Georges Bank Yellowtail Flounder

The information that was presented is reflected in the TRAC Status Report 2009/03. The discussion focused on the two assessment scenarios presented in the TSR (“including” and “excluding”). The difference between the assessment information presented for Eastern GB cod and yellowtail was noted. For cod there is information that we don’t understand that makes it difficult to reconcile the two assessments, whereas for yellowtail, the best information is in between the two assessments.

Discussion of Shared TAC Recommendation; Eastern Georges Bank Haddock

The Canadian delegation proposed a shared catch of 29,600 mt (neutral risk that F 2010 would exceed Fref), because F is below Fref, the biomass is large, and recent recruitment was average. The U.S. delegation proposed a shared catch of 25,900 mt (low risk that F 2010 would exceed Fref) to achieve a low risk and take into account other sources of

uncertainty. Subsequently there was a consensus that 29,600 mt was an appropriate amount, given that the anticipated levels of catch in 2009 would be below the level of catch assumed by the TRAC, and therefore the actual level of risk associated with 29,600 mt is lower than a neutral risk.

Discussion of Shared TAC Recommendation; Eastern Georges Bank Cod

The Canadian delegation proposed 1,500 mt in order to do what is necessary for the conservation of the stock, but also in consideration of the economics of the fishery and the potential for discards. The U.S. delegation proposed 1,350 mt because the fishery will still be reliant on a single year class, and the desire to achieve a neutral risk of biomass decline (while considering the two models). Subsequently there was a consensus that 1,350 mt was an appropriate amount, given the fact that there is no data with which to favor one of the two assessment models over the other, and in support of a risk neutral position.

Discussion of Shared TAC Recommendation; Georges Bank Yellowtail Flounder

The Canadian delegation proposed 2,700 mt in order to be consistent with TRAC advice and the TMGC strategy, as well as support the Understanding. It was noted that this level was close to a rebuilding fishing mortality of 0.107. The U.S. delegation proposed 1,500 mt because they are constrained to this level due the U.S. law and the Fishery Management Plan (FMP) requiring rebuilding. They noted that this shared catch would result in a 19% increase in amount for yellowtail for Canada in 2010, for what has been a bycatch only fishery.

The Canadian point of view was that biomass is relatively high and F is low, and that there is not justification to be reducing the catch further. Even though recruitment has been inconsistent, there are positive indicators including one exceptional year class followed by an average year class. In contrast, the U.S. point of view was that the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the FMP require the stock to rebuild by 2012, incorporate the most recent scientific information, and there is no flexibility at this time (until the MSA is modified).

The final Canadian position was 2,100 mt and was based on the following reasons: the biomass is at the highest since 1973; fishing mortality is at its lowest and is below the F_{ref} ; there is virtually no risk of exceeding F_{ref} at this TAC; and a TAC at this level would result in an appreciable biomass increase.

The Canadian delegation suggested that an avenue to obtain flexibility may be either in not revising the calculation of $F_{rebuild}$ annually, or to modify the FMP to adopt a lower probability of rebuilding than the currently adopted 75% probability. The U.S. delegates concluded that these ideas, although logical, could not be pursued, given the restrictions of the MSA, the FMP, and the Council process. The Canadian delegation was very

frustrated with the inflexible nature of the U.S. law and process, and the U.S. delegation was sympathetic to Canadian frustrations.

Because the TMGC could not come to a consensus on an appropriate shared catch for GB yellowtail, they acknowledged this lack of consensus and agreed to disagree.

Other Business

The Canadian delegation distributed a written proposal regarding how the TRAC's role could fit in the U.S. management process (specifically, its relation to the U.S. Science and Statistical Committee (SSC) and the development of catch level recommendations). It was agreed that this proposal should be forwarded to the U.S./Canada Steering Committee for their consideration.

Terms of Reference (TOR) for 2010 TRAC

The TMGC discussed the draft TOR for the 2010 TRAC, and suggested minor modifications.

Intersessional TMGC Meeting

An intersessional meeting of the TMGC was proposed for late 2009 or early 2010 to discuss the relationship between the TRAC and SSC. A document was provided by the Canadian delegation that explored this issue.

TMGC Agenda for 2010

No modifications to the 2010 TMGC agenda were suggested. The agenda for 2010 will be based on the 2009 TMGC agenda.