

Canada/U.S. Transboundary Resources Steering Committee
Conference Call
April 30, 2019
Meeting Minutes

Canadian Participants:

Mary-Ellen Valkenier, Fisheries and Oceans Canada (DFO), Steering Committee Co-chair
Irene Andrushchenko, DFO, Transboundary Management Guidance Committee (TMGC)
Science Representative, Aquatic Science Biologist
Melanie Barrett, DFO, Aquatic Science Biologist
Ray Belliveau, Industry, Gulf of Maine Advisory Committee (GOMAC) Co-chair
Kirsten Clark, DFO, Transboundary Resource Assessment Committee (TRAC) Co-Chair
Alain d'Entremont, Industry, TMGC Co-Chair
Annette Daley, DFO, Fisheries Management, Regional Director
Jennifer Ford, DFO, Fisheries Management
Jenna Gabriel, DFO, Policy & Economics, Integration Committee Member
Brett Gilchrist, DFO National Capital Region (NCR), Take Reduction Team Member
Terry Higgins, DFO, Policy & Economics, Integration Committee Member
Craig Hominick (alternate), DFO, Species at Risk Working Group (SAR WG) Co-Chair
Roger Stirling, Industry, GOMAC Co-chair
Doug Wentzell, DFO, Associate Regional Director General

U.S. Participants:

Michael Pentony, National Marine Fisheries Service (NMFS) Greater Atlantic Regional
Fisheries Office (GARFO), Steering Committee Co-chair
Jennifer Anderson, NMFS GARFO, Integration Committee Co-chair
Libby Etrie, New England Fishery Management Council (NEFMC), TMGC
Marianne Ferguson, NMFS GARFO, Integration Committee
Jean Higgins, NMFS GARFO, SAR WG Co-Chair
Tom Nies, NEFMC Executive Director, TMGC Member
John Quinn, NEFMC Chairman, TMGC Member
Michael Simpkins, NMFS Northeast Fisheries Science Center (NEFSC), TRAC
Katerine Sosebee, NMFS NEFSC, TRAC Co-chair
Terry Stockwell, NEFMC Vice Chairman, TMGC Co-chair
Spencer Talmage, NMFS GARFO, Integration Committee
Michele Traver, NMFS NEFSC, TRAC Member
Tara Trinko-Lake, NMFS NEFSC, TMGC Co-Chair

Opening Remarks

U.S. Co-Chair, Mr. Mike Pentony, opened the meeting by acknowledging the unprecedented 35-day shutdown from December 2018 to January 2019 (equating to approximately 10% of the work year), which had a significant impact on their work progress, particularly with moving

forward on some key actions planned for fisheries management. Current delays and expected 'catch-up' timelines include:

- The New England Fishery Management Council took action in December 2018 on Framework Adjustment 58, regarding groundfish management. However implementation of the Framework Adjustment was delayed as a result of the shutdown. A proposed rule has been published and is in the open comment period. Publication of the final rule and implementation of the Framework Adjustment is expected in late May/early June (approximately one month later than usual).
- At the start of fishing year 2019, the Total Allowable Catch (TAC) for Eastern Georges Bank cod will be 35 % of the 2018 TAC set by Framework Adjustment 57. TACs for 2019 will be set by Framework Adjustment 58 when it is published.

Mr. Pentony then advised the Steering Committee of relevant staffing updates including:

- Tara Trinko-Lake has accepted the role of TRAC Co-Chair, replacing Katherine Sosebee.
- Jean Higgins has officially accepted the role of Species at Risk Working Group Co-chair, replacing Michael Asaro who was previously acting in the role.
- Sarah Heil has been promoted to Assistant Regional Administrator of the Sustainable Fisheries Division at GARFO and will be leaving her role on the TMGC when a replacement is assigned in her previous position of Groundfish team lead (she will continue her role with TMGC until then).

Mr. Pentony finished his remarks with updates from the Atlantic Large Whale Take Reduction Team meeting that took place April 23-26, 2019. It was noted that this was a challenging week, but a near consensus was reached with planned reductions in lines and fishing gear. The U.S. will now continue with the rule-making phase, in cooperation with states and industry. The U.S. was happy to report seven new births of NARW calves this season.

Canadian Co-Chair, Ms. Mary-Ellen Valkenier, followed Mr. Pentony with an update on the previously discussed domestic Rebuilding Plans for 5Z Atlantic cod and yellowtail flounder, which address regional obligations under national policy. The plans are expected to be publicly available in the coming months. The plans describe Canada's approach to ensuring the sustainable use of these resources, but are not expected to impact bilateral management processes for these shared stocks.

Ms. Valkenier then reported on changes in senior staff at DFO including:

- New Deputy Minister, Timothy Sargent (appointed January 7, 2019).
- New Senior Assistant Deputy Minister of Strategic Policy, Jean-Guy Forgeron (appointed April 17, 2019).

Ms. Valkenier reported some regional changes to DFO staff and structure including:

- In alignment with National Headquarters' structure, the Ecosystems Management Branch was renamed Aquatic Ecosystems, and Aquaculture Management was shifted from Fisheries Management to Aquatic Ecosystems.
- Rhea King is the Regional Director of Aquatic Ecosystems.
- Marci Penney was appointed as Director of the new Ecosystems Management Division (under the Aquatic Ecosystems Branch).

- Todd Somerville is the new Regional Director of Conservation and Protection.
- Luke Gaulton was appointed as Regional Director of Communications.

Ms. Valkenier finished her remarks by acknowledging Kirsten Clark of DFO Science who retired this month after a long, successful career, and thanked her for continuing her role as TRAC Co-Chair for the remainder of 2019 while DFO moves through staffing changes in the Science Branch.

Transboundary Resource Assessment (TRAC) Committee Update

TRAC Scheduling

Ms. Katherine Sosebee provided an update on the TRAC intercessional meeting that was held by phone on April 4, 2019. The meeting was attended by Canadian and U.S. TRAC members and Transboundary Management Guidance Committee (TMGC) representatives, which included Industry.

Ms. Sosebee reported that the July 2019 TRAC meeting will be taking place in St. Andrews, N.B. on July 9-11. She noted that Dr. John Nielson will be chairing and David Keith from the Bedford Institute of Oceanography (BIO), Canada, and Jason McNamee from Rhode Island, U.S., have been identified to peer review.

Georges Bank Surveys

Ms. Sosebee reported that although the furlough has been a concern, there were no delays with the 2018 U.S. fall survey, and there should be minimal delay in availability of U.S. catch and survey data (mid-May rather than May 1). The Canadian 2019 winter survey also had no delays or issues. The 2019 U.S. spring survey is currently underway, with completion expected to be on schedule.

Requirements for TRAC Assessed Stocks

Ms. Sosebee and Ms. Kirsten Clark reported that both U.S. and Canada will not be providing TAC advice for cod to TMGC this year as researchers continue to assess alternative approaches to provide advice because of the issues with existing models. There are two approaches being assessed, and results are expected to be presented at the July TRAC meeting.

No issues were identified for Georges Bank yellowtail flounder aside from the already known low abundance.

Eastern Georges Bank haddock had one challenge on the Canadian side with aging of the 5Z haddock stock for 2019 due to absence of the primary ager (the DFO employee primarily responsible for aging). However, there are no expected delays from this challenge as the secondary ager will be stepping in to resolve the issue.

Species at Risk Update

Ms. Jean Higgins presented updates on U.S. North Atlantic right whale (Recovery Planning and the Atlantic Large Whale Take Reduction Team), Section 7 of the *Endangered Species Act* (ESA), and the ESA listing determination for river herring.

Ms. Annette Daley provided an update on 2019 North Atlantic right whale (NARW) activities for Atlantic Canada. These included management and mitigation measures being taken by Fisheries Management, Science plans for response and research, and an update on the *Species at Risk Act* (SARA) Action Plan. Mr. Craig Hominick provided a brief summary of the Nature Legacy Fund.

U.S. Right Whale Update

Ms. Higgins presented on the Northeast Implementation Team (NEIT), which is a multi-disciplinary team that includes DFO staff. NEIT focuses on Recovery Planning in the Greater Atlantic Region by advising on issues related to the status and conservation of the NARW. This team has a Population Evaluation Team (PET) Subgroup that informs efforts to model extinction risk of the species. These teams are currently working together to finalize recommendations for priority recovery (NEIT) and draft the scope and objectives (PET). There will be a meeting in fall 2019 for Southeast and Northeast collaboration.

Ms. Higgins also presented on the Atlantic Large Whale Take Reduction Plan under the *Marine Mammal Protection Act* (MMPA). This Plan is being developed to reduce the incidental take of right whales, humpback whales, fin whales, and minke whales in commercial trap/pot and gillnet gear in U.S. waters from Maine to Florida. The goal is to reduce risk of serious injury and mortalities by 60% - 80%. At the Atlantic Large Whale Take Reduction Team meeting April 23-26, a near consensus recommendation was made to reduce entanglement risk to NARWs by 60% in the Gulf of Maine (with state recommendations being set individually including combinations of removing vertical lines from the water and reducing strength of gear). The state of Maine has committed to 50% reduction in fishing lines in the water, but it will be more challenging to reach the 60% in offshore waters. Section 7 of the ESA will continue simultaneously to the Take Reduction Plan.

Ms. Higgins and Mr. Pentony indicated that they are looking forward to further engagement with Canada at the Canada-U.S. bilateral meeting on NARWs, taking place on June 25-26, 2019 in Halifax.

Other U.S. SAR Updates

Ms. Higgins closed by noting that alewife and blueback river herring listing determination is expected to be published by June 19, 2019.

Canadian Right Whale Update

Ms. Daley reported that the Department's efforts leading into 2019 are primarily focused on reduction of entanglements. DFO's fishery management measures include area-based and gear-

based management measures, and static and dynamic closures. DFO has also increased funding support for marine mammal response organizations, and developed regional centres (including the new Atlantic Whale Hub in the east coast) for internal and external liaison about fishery measures and incident response. With respect to research, DFO provided support to ropeless gear testing in several fisheries with a goal of having results that will help refine development of technology. DFO and research partners continue to operate a web-based real-time mapping application (WhaleMap) that provides access to information about right whale sightings and acoustic detections, and also have ongoing analysis of acoustic data to understand right whale presence and ambient noise levels (e.g. Oceans Protection Plan Marine Environmental Quality noise initiatives).

DFO and partners will continue to monitor the presence of right whales in Atlantic Canadian waters using aerial surveillance, vessel-based patrols and surveys, autonomous gliders, and moored acoustic recorders to inform understanding of movement and habitat use of right whales. This information was also used to develop and implement area-based management measures and response to entanglements (primarily done with aerial surveillance).

Going forward, DFO and partners, including the fishing industry, will be watching and listening for right whales, and be ready to respond as necessary if they are observed in or near approaching fishing regions throughout the peak fishing season (which coincides with the presence of right whales in Atlantic Canada). Further, DFO is developing an action plan that will focus efforts on science, prevention, mitigation, recovery and management of lost “ghost” gear, and will expand current mandatory reporting requirements for ghost gear to additional commercial fisheries in 2019. Mr. Brett Gilchrist of DFO National Headquarters, added that industry groups in Canada are looking at gear innovation and analyses and working with industry members in the U.S.

Ms. Daley also spoke to the Department’s initiative to develop a single, comprehensive *SARA* Action Plan for the NARW. The Action Plan builds upon and complements a number of other recovery documents that have been developed to meet the requirements of the Act and guide and support protection and recovery since the species was listed in 2003.

Ms. Daley highlighted that the Action Plan is required under *SARA* (s.47) and is intended to be more a detailed extension of the recovery strategy, outlining specific measures to support recovery and help meet the population and distribution objectives set for the species. Ms. Daley noted that development of the Action Plan is a collaborative process and involves input from many partners (e.g. Indigenous groups, other levels of government, non-governmental organizations, academia, industry and the public) that are involved in implementing or are affected by the recovery measures. The Action Plan will serve as a guide for recovery implementation going forward,. Following internal approvals, the document will undergo a 60-day public registry comment period before being finalized for publication.

Other Canadian SAR Updates

Mr. Hominick provided information on the Canada Nature Fund. Officially launched by DFO Minister Wilkinson on February 14, 2019, this Fund is part of a DFO investment of \$55 million

over five years to support the recovery of aquatic species at risk and supports a new approach to conservation and biodiversity through targeted federal investments that enable collaboration and partnership to recover aquatic species at risk.

The intent of the fund is to help the sustainability of Canada's aquatic ecosystems by supporting multi-species and ecosystem approaches that focus on seven priority freshwater places and two priority marine threats (fishing interactions and physical/acoustic disturbance) nationwide. Within DFO Maritimes Region, our priority freshwater area encompasses all watersheds that flow into the Bay of Fundy and Southern Upland ecoregion of Nova Scotia (including the St. Croix Watershed).

Mr. Hominick noted that DFO is currently in the process of evaluating the expressions of interest (due March 22, 2019) and successful applicants will soon be invited to submit full detailed proposals for potential funding. DFO already funded six projects in its first year totaling approximately \$780,000 to support Species At Risk recovery, including the funding of a World Wildlife Fund proposal to apply a "priority threat management" approach on the Saint John River Watershed.

Closing Remarks

Ms. Valkenier indicated that she is looking forward to hosting the September face-to-face meeting of the Canada-U.S. Transboundary Management Steering Committee. Details regarding location will follow in the coming months. She suggested that if the meeting was held at the Bedford Institute of Oceanography (BIO), and time permits, arrangements could be made for a tour of the BIO campus.

Ms. Marianne Ferguson indicated that she would collaborate with Ms. Terry Higgins of the Integration Committee to develop an agenda and finalize logistics for the September meeting.