

U.S./Canada Transboundary Resources Steering Committee  
September 10-11, 2015  
Meeting Minutes

**Canadian Participants:**

Morley Knight, DFO, Steering Committee Co-chair  
Mark Craig, DFO, Integration Committee Co-chair  
Kristian Curran, DFO, TRAC Co-Chair  
Jennifer Ford, DFO, TMGC  
Michael O'Connor, Canadian Industry Representative, TMGC Co-chair  
Roger Stirling, Canadian TMGC Industry Representative, GOMAC Co-chair (via teleconference)  
Alain d'Entremont, TMGC Industry  
Tana Worcester, DFO  
Yanjun Wang, DFO, TRAC  
Donald Humphrey, DFO, SARA WG Co-Chair  
Jacinta Berthier, DFO  
Helen Kerr, DFO  
Gerard Peters, DFO

**U.S. Participants:**

John Bullard, NMFS GARFO, Steering Committee Co-chair  
Jennifer Anderson, NMFS GARFO, Integration Committee Co-chair  
Liz Brooks, NMFS NEFSC, TRAC Co-chair  
Dave Gouveia, NMFS GARFO, SAW WG Co-Chair (via teleconference)  
Sarah Heil, NMFS GARFO, TMGC  
William (Bill) Karp, NMFS NEFSC Director, TRAC and TMGC  
Allison Murphy, NMFS GARFO, Integration Committee  
Tom Nies, NEFMC, Executive Director, TMGC  
Terry Stockwell, NEFMC Chairman, TMGC Co-chair  
Mike Simpkins, NMFS NESFC

**Opening Remarks**

Mr. Morley Knight welcomed participants to Halifax/Dartmouth. He reviewed the agenda for the afternoon and for the next morning (see attached). He provided an update to the current Canadian context, wherein the country is in a pre-election period with a national general election to be held on October 19, 2015. In regional news, he advised of the retirement of key staff in Maritimes Region, such as the Director of the Saint Andrews Biological Station. In addition, there is a new Associate Regional Director General (David Millar) and a new Director of Resource Management (Jacinta Berthier).

Mr. John Bullard briefly discussed several items of interest. First, he mentioned that the Northeast Fisheries Science Center (NEFSC) recently completed an assessment of all groundfish stocks. Overall, preliminary results are consistent with the previous assessments for most stocks, though several flounder stocks have shown declines. In the coming months, NOAA will be working with the New England Fishery Management Council (NEFMC) to develop a management response. Second, he provided an update on the NEMFC's Habitat Amendment, which is designed to minimize impacts to habitat for managed species. The NEMFC made final recommendations on this action at its June 2015 meeting. NOAA is in the process of evaluating the recommendations, and expects to take final action in mid-2016. Finally, he discussed NOAA's newly released Climate Science Strategy (highlights available at: [http://www.st.nmfs.noaa.gov/Assets/ecosystems/climate/documents/Climate\\_Science\\_Strategy\\_highlights\\_web-display.pdf](http://www.st.nmfs.noaa.gov/Assets/ecosystems/climate/documents/Climate_Science_Strategy_highlights_web-display.pdf)). Staff in the Greater Atlantic Region are just beginning work on a Regional Action Plan, implementing this strategy. When completed, Mr. Bullard committed to sharing the Plan with the Steering Committee.

Following Mr. Bullard's address/welcome, participants on the telephone and in the room identified themselves.

### **Species at Risk Working Group Update**

Mr. Donald Humphrey led the Canada/U.S. Aquatic Species at Risk Working Group update.

Mr. Humphrey advised that the Working Group held a teleconference call on February 4, 2015. The call provided both parties with an opportunity to share information with respect to aquatic species at risk listings, recovery planning, implementation, research and monitoring. Existing and emerging threats to aquatic species at risk were also discussed, including oil and gas exploration, tidal power, offshore wind and liquefied natural gas development. The call also provided an opportunity to discuss existing interdepartmental collaborations and additional opportunities for coordination and collaboration. The committee will schedule its next call for late fall 2015 or early 2016.

With respect to marine mammals, Mr. Humphrey highlighted, with examples, worked carried out in both Canada and the U.S. on efforts related to whale entanglements and rescues.

With respect to sea turtles, Mr. Humphrey advised that NOAA and DFO are working together to develop estimates for sea turtle abundance in the Northeastern U.S. and Eastern Canadian waters, as well as collaborating on efforts to reduce sea turtle entanglements.

With respect to listing updates, Mr. Humphrey advised that in 2014-15, DFO Maritimes Region undertook listing consultations for a number of species including four populations of Atlantic cod, Roughhead and Roundnose Grenadier, Smooth and Thorny Skate, Killer Whale, and three populations of Atlantic Salmon. Listing consultations planned for this year include: Cusk, White Hake, American Eel and Striped Bass (Bay of Fundy population). NOAA's Greater Atlantic Region undertook several actions under the Marine Mammal Protection Act. Two amendments to the Atlantic Large Whale Take Reduction Plan were developed and implemented.

Additionally, NOAA published a proposed "import rule" on August 12, 2015. This rule is intended to reduce marine mammal bycatch associated with foreign commercial fishing operations. The rule requires nations wishing to export fish and fish products to the U.S. to demonstrate they have a regulatory program for reducing marine mammal incidental mortality and serious injury that is comparable in effectiveness to the U.S. program. If approved, countries would have a five year period to comply with the proposed requirements.

## **Transboundary Resource Assessment Committee Update**

### *Canada/U.S Allocation Shares*

Ms. Yanjun Wang presented the proposed Canada/U.S. Allocation Shares for 2016.

	Cod	Haddock	Yellowtail
U.S.	22%	41%	76%
Canada	78%	59%	24%

### *Eastern Georges Bank Cod Update*

Ms. Wang presented the Eastern Georges Bank Cod assessment for 2016.

Mr. Bullard asked whether the Transboundary Management Guidance Committee (TMGC) was able to reconcile the two population models. It was suggested that full discussion on the topic, along with the disparity between the VPA and ASAP assessment models with that of the U.S. full Bank assessment, await the TMGC agenda items. It was noted that the Scientific and Statistical Committee had yet to review and accept/reject the full Bank cod assessment. Mr. Michael O'Connor stressed that it was the VPA Model of 0.8 that received agreement to be the model used for providing catch advice to TMGC, with the ASAP model providing a sensitivity analysis for management. Ms. Yang explained that the value for natural mortality remains the issue, as there is little fishing impact.

### *Georges Bank Yellowtail Flounder Update*

Ms. Liz Brooks presented the Georges Bank Yellowtail Flounder (YTF) assessment for 2016.

It was noted that fishing effort for YTF is declining; however, the stock continues to decline and has not responded to the decrease in effort. Reasons for the continued decline in stock abundance remain unanswered. Mr. Bullard noted that low yellowtail flounder and cod quotas are limiting access to healthier stocks, such as haddock. Additional information on the stock is required, including parasites, seals, and other variables. Ms. Brooks noted that these issues and others were investigated during the 2014 Empirical Benchmark meeting for yellowtail flounder. Mr. Bullard advised participants that the lack of stock productivity is being taken into account in U.S. populations models.

### *Eastern Georges Bank Haddock Update*

Ms. Brooks presented the Eastern Georges Bank Haddock assessment for 2016.

Mr. Knight questioned why weight at age was decreasing. Ms. Brooks explained that density is high, which can depress size at age. Ms. Wang added that this is a similar issue experienced by both cod and YTF. Ms. Jen Ford explained that Canada, last year, experimented with decreasing cod bycatch by employing a 145 diamond mesh net for a portion of time at sea. The size composition of haddock was slightly smaller, though not significantly. For the 2015 fishing season, Canadian industry employed a 125 square mesh.

## **Opening Remarks – Day Two**

Mr. Knight and Mr. Bullard recognized that day two marked the 14<sup>th</sup> anniversary of September 11<sup>th</sup>. A moment of silence was held in recognition of the occasion.

Mr. Knight provided an update to the Committee on mackerel. DFO is providing \$152,500 from the International Governance Strategy fund and over three years to the joint DFO (Quebec Region)/NOAA Mackerel study. NOAA – Northeast Fisheries Science Center colleagues will visit the Maurice-Lamontagne Institute (Mont Joli, Quebec) in September to discuss developing mackerel egg surveys in the U.S. and various aspects of the mackerel assessment, among other things.

Mackerel research continues in other DFO regions, Gulf and Newfoundland and Labrador, to determine other areas of spawning. DFO researchers are meeting in November to discuss how to develop polls to send to the mackerel industry in an attempt to estimate unreported bait catches.

Mr. Knight expressed his appreciation of the collaborative efforts of both sides.

### *TRAC Terms of Reference and Future Meeting Schedule*

Mr. Kristian Curran provided an update of the July 2015 TRAC meeting. He noted that all participants deserved recognition for the difficult work that went into such an effective meeting. TRAC members committed to a two month timeline for their publications. He further advised that the three TRAC Status Reports and allocation document were completed within one week of the July meeting, two of the three assessment publications were complete and the Proceedings document would soon be ready for approvals.

Mr. Curran stated that the draft Terms of Reference (ToRs) were created, but not all the TRAC scientists had had the opportunity to comment. Once TRAC and TMGC comments were received and incorporated, the ToRs would be circulated, within the month, to the Steering Committee for approval secretarially.

Mr. Curran further advised that TRAC members had agreed to July dates for the next three years for TRAC meetings, beginning with July 12-14, 2016 in Woods Hole, St. Andrews in July 2017 and back to Woods Hole in July 2018. Mr. Knight and Mr. Bullard thanked TRAC members and Science Directors from DFO and NMFS for resolving the TRAC timing issue.

Mr. Bill Karp suggested a discussion around the issue of the different science models for cod and the co-chairs agreed.

*Discussion of the science models for cod*

A lengthy discussion ensued regarding the two different models that TRAC scientists have been employing for EGB cod, in addition to the ASAP model that the U.S. was utilizing for the entire Georges Bank. Mr. O'Connor read from the TMGC guidance document that TMGC uses the VPA  $M = 0.8$  model (as agreed upon at the cod benchmark study in 2013) and stressed that there would be "significant impact by diverging from the model, which would be felt by both countries."

Mr. Bullard indicated that having two model sets (one for Eastern Georges Bank and one for Georges Bank) is calamitous for the U.S. He expressed the need for one model employing the best science available.

Mr. Karp suggested there were three issues at hand – how does the U.S. work with the competing model set results, how would Steering Committee mitigate circumstances for the 2017 year, and what could Steering Committee ultimately do to get to an agreed holistic approach. He suggested that the benchmark process needed to be integrated to meet the collective needs and that it was TRAC's responsibility to resolve the different perspectives. He further suggested that the VPA model needed to be revisited and Steering Committee needed to find a different way to assist TRAC to come to a resolution. One solution he recommended was to get Canada and U.S. TRAC scientists to each recommend a third party scientist to assess the models and to offer alternatives. Both Canada and the U.S. would have authority to approve or reject the suggested reviewer by the other country. These reviewers could then find a process for deliberation to design a benchmark process for an agreed upon model.

Mr. Curran and Mr. Tom Nies both asked how this solution would be any different than the process of bringing in outside advisors as was done in 2013 for the cod benchmark study. Mr. Nies suggested that a new process was required in which the peer reviewers actually had the ultimate approval of the process. Mr. d'Entremont suggested that a strongly worded ToR for TRAC and stronger direction from the Steering Committee to come up with one model might be the best way forward to reach consensus for one model.

Mr. Knight indicated there had been an evolution of various management measures in Canada since 1992. For cod, there are four to five models used in Canada. He agreed that a resolution of the discrepancies between the two models would be beneficial.

Mr. Bullard supported Mr. d'Entremont's proposal for a strongly worded ToR and stronger direction from Steering Committee. He indicated that the U.S. requires a single model, both for Eastern Georges Bank and for the entire Bank.

Mr. Karp stated that it might not be necessary to change the TRAC process, but observed that because there are very different opinions at TRAC, a strongly worded direction to TRAC would

be unlikely to solve the problem at hand. He suggested some arbitration or at least a broader perspective was needed in the process and that TRAC needed a clearer definition of the word consensus.

Mr. O'Connor stated that there is a fundamental underpinning to TMGC and the Canada-U.S. Understanding itself. He noted that the TRAC members have changed since the 2013 cod benchmark, and along with different reviewers, there may be more opportunity for resolution. He stated that with the firm message from Steering Committee, there should be more optimism about a solution this time.

Mr. Nies suggested that the question to TRAC should be altered. Rather than asking TRAC to pick between two models, he suggested asking TRAC for a clearer explanation as to how to deal with the two models.

Mr. Bullard reiterated that the existence of two models is a recipe for disaster; that the U.S. needs just one model, not a full menu of choices. Mr. Curran responded that management should not be controlling science. He suggested that science needs to focus on what is unknown. The existence of two models sheds light on the uncertainties and that having two models allows for a range. Mr. Bullard disagreed with this opinion, suggesting that a range is appropriate for research papers, but not for management decisions. Mr. Stockwell agreed that the situation in the U.S. is too urgent now and there is no appetite to deal with multiple models. Mr. Karp agreed that there is value in having multiple models and recognizing uncertainties, but also agreed that there is an urgent need to resolve the conflict between the international process and the domestic process.

Mr. O'Connor stated that there needs to be a clear path for 2017. He suggested that TMGC could help bridge the TRAC process at TMGC's winter intercessional, if necessary. He further asked who would draft the ToRs – TMGC or TRAC.

Ms. Liz Brooks stated that the consequence analysis was intended to address the TRAC lack of consensus on a single best model by illustrating the risk of catch advice from each of the cod models. Mr. Nies pointed out that the consequence analysis is different from a sensitivity analysis. He suggested that perhaps TRAC needed to be clearer and to better define how to use the two different models. Mr. Karp suggested asking TRAC to engage with the Directors of Science in both countries, in order to reach agreement on the TRAC ToRs.

Ms. Tana Worcester asked what would happen if TRAC finally comes to a resolution, but it does not align with a U.S. benchmark process. Mr. d'Entremont noted that historically there was not always one model, but TRAC had at least been providing non-divergent catch advice.

Mr. Knight instructed the TRAC co-chairs to create draft ToRs for the coming year, with review by the Directors of Science of both countries. The ToRs would include the opportunity for additional cod analyses or the need for additional information, which would help inform the use of the VPA and ASAP models. The process will need to be adjusted for the coming year. The Steering Committee co-chairs will then approve secretarially the ToRs this winter.

## **Transboundary Management Guidance Committee Update**

### *Yellowtail Flounder Quota Advice*

Mr. Terry Stockwell presented the yellowtail flounder report on behalf of TMGC. TMGC recommended a yellowtail flounder quota for 2016 of 354 mt, which results in a recommendation of 85 mt for Canada and 269 mt for the U.S. See attached documents. The Steering Committee agreed to bring these recommended quotas forward for consideration in the Canadian and US approval processes.

### *Haddock Quota Advice*

Mr. Michael O'Connor presented the haddock report on behalf of TMGC, indicating that TMGC had agreed to a rollover in 2016. TMGC recommended a haddock quota for the 2016 fishing year of 37,000 mt, which results in a recommendation of 21,830 mt for Canada and 15,170 mt for the U.S. See attached documents. The Steering Committee agreed to bring these recommended quotas forward for consideration in the Canadian and US approval processes.

Steering Committee was asked to confirm that TRAC would take a multi-year approach for haddock and to consider a benchmark review for haddock in 2017 (to address the retrospective). It was noted that the model was developed in 1998 and that there had since been changes in recruitment, weight at age, catch profiles, etc. It was also requested that TRAC develop the template for data monitoring which would be used in interim years between the multi-year assessments for haddock. This template was requested before TMGC's intercessional in 2016.

Mr. Knight confirmed a multi-year approach for haddock, whereby an assessment would be done every second year with interim advice in alternate years.

With respect to a haddock benchmark, Mr. Nies questioned how a new model would compare with that of the model used for the entire Bank. Ms. Wang suggested that two benchmark assessments in one year would be a challenge. Mr. Knight stated that Steering Committee would consider a benchmark for haddock for 2017 and advised this consideration would be a placeholder for TRAC.

Mr. Curran offered to prepare a schedule for TRAC regarding assessments for the next three years. He advised the scheduled would be produced within one or two months.

### *Cod Quota Advice*

Mr. Terry Stockwell presented the TMGC report on Cod, indicating that shares have changed slightly this year. TMGC recommended a cod quota for the 2016 fishing year of 625 mt, which results in a recommendations of 488 mt for Canada and 138 mt for the U.S. See attached documents. The Steering Committee agreed to bring these recommended quotas forward for consideration in the Canadian and US approval processes.

Mr. Stockwell reiterated the considerations from the prior discussion regarding two models for Eastern Georges Bank and one model for the entire Bank producing significantly different estimates.

### *TMGC Process Review Report*

Mr. O'Connor advised that the draft report of the TMGC process had been received by TMGC members, but members had not had time to review the draft and comment. He indicated that changes would be required. Mr. Craig reminded Steering Committee and TMGC that the report presented to TMGC was a consolidation of materials and a *draft* document with the intention that TMGC members would then make conclusions and finalize the review. Mr. O'Connor confirmed that TMGC members would further review the draft report by the TMGC intercessional in January-February 2016. They would then provide the Steering Committee Co-chairs with proposed changes for their review prior to the April 2016 Steering Committee meeting.

### **Establishment of Meeting Dates**

TMGC plans to have an intercessional meeting in February 2016, with two items on the agenda:

- (1) Further develop a template for data monitoring in interim years between multi-year assessments; and
- (2) Discuss conclusions of the Review of TMGC. TMGC will offer specific suggestions for document improvement and specify any additional work required as part of the review process.

Steering Committee dates for 2016 were discussed with the following conclusions:

- (1) The April teleconference will take place on Wednesday April 27<sup>th</sup>, from 3-5 pm AST.
- (2) The September meeting will take place in Boston on September 8 and 9, 2016 or possibly just on September 9, depending upon flight availability. TMGC would, therefore, take place on September 7-8, 2016.

### **Closing Remarks**

Mr. Bullard closed the meeting by thanking everyone around the table. He indicated that the process works due to the people. He recognized that staff in both countries had difficult tasks with consequences to those parties served and thanked everyone for their collegial attitudes.



Mr. Knight reiterated this appreciation, noting that the exchange was productive and the spirit in the room was one of collaboration.