



26th February 2016

Honourable Hunter Tootoo
Minister of Fisheries and Oceans
Room 556, Confederation Building
Ottawa, ON
K1A 0A6

Re: Turbot Co-Management in and adjacent to the Labrador Inuit Settlement Area

Dear Minister Tootoo,

On behalf of the Torngat Joint Fisheries Board (TJFB or 'the Board'), I am pleased to offer its recommendations for the 2016 Turbot fishery in North Atlantic Fisheries Organization (NAFO) Sub-Divisions 2+3KLMNO, in partial fulfillment of the Board's responsibilities under Part 13.11.1 of the Labrador Inuit Land Claims Agreement (LILCA).

The Nunatsiavut Government has limited access to the Turbot fishery, which has become an important adjacent fisheries resource for Nunatsiavut users. In the other areas North and South of Nunatsiavut, adjacent users of turbot resources in those regions have been the primary beneficiaries, but the same has not been true for adjacent users in Nunatsiavut. The Nunatsiavut Government receives only 3.38% of the Canadian allocation for 2+3KLMNO (191 MT in 2015; 181 MT in 2016). Landings in 2015, under the licenses and the communal allocation, amounted to 173.3 MT. Without secure access through a communal allocation, access to the competitive fishery is undermined. Whether in terms of fleet development or negotiated lease arrangements, the communal fishery and the competitive fishery adjacent to Nunatsiavut are inter-dependent.

The Board has weighed these issues, and recommends that the Nunatsiavut Communal Allocation be increased to an economically viable level of 650 MT, and to also maintain the 75/25 quota split for the June/August fisheries.

The Board is encouraged that the communal allocation, paired with access from the split seasons and the sufficient shrimp and crab fisheries, is an effective means of increasing Nunatsiavut Government access to adjacent resources. We thank you for considering this advice and request a meeting at your convenience to discuss the future direction of the Turbot fishery in and adjacent to the Labrador Inuit Settlement Area.

Yours truly,

John Mercer
Chairperson
Torngat Joint Fisheries Board



Torngat Joint Fisheries Board
Memorandum to the Minister of Fisheries and Oceans
Turbot Co-Management in 2+3KLMNO
(February 26th, 2016)

Turbot Co-Management In and Adjacent to the Labrador Inuit Settlement Area.

Recommendations:

Pursuant to Part 13.11 of the Labrador Inuit Land Claims Agreement, the Torngat Joint Fisheries Board has recommended to:

1. Increase the Nunatsiavut Government Communal Allocation for turbot to 650 MT.
2. Maintain the 75/25 quota split for the June/August fisheries.

1.0 Background:

1.1 The Torngat Joint Fisheries Board and the Labrador Inuit Land Claims Agreement

- The Torngat Joint Fisheries Board is established by Part 13.10 of the Labrador Inuit Land Claims Agreement with its roles, responsibilities and powers outlined in Part 13.11. The Board is the primary body making recommendations on the conservation and management of fish, fish habitat, and fisheries in the Labrador Inuit Settlement Area, and has advisory powers in waters adjacent to the 'Zone'. The TJFB has both the authority and the responsibility to make recommendations to the Minister in respect of issues surrounding the management of Turbot, as per 13.11.1 (a) and (b).

1.2 Case History

- The TJFB has submitted recommendations on Turbot annually since 2010. Each year the Board has recommended a Nunatsiavut communal allocation of 650 MT. In 2013, the Nunatsiavut Government was issued a communal allocation of 3.38% of the Canadian allocation in 2+3KLMNO.
- The TAC for 2+3KLMNO is set by NAFO and is derived from the Management Strategy Evaluation (MSE) and the Harvest Control Rule (HCR).
- The 2016 TAC is set at 14,799 MT for 2+3KLMNO (NAFO, 2015b), and the Nunatsiavut Government will receive 181 MT of communal allocation (3.38% of the TAC).

1.3 Quota and Landings (2015)

- The Nunatsiavut Government allocation in 2015 was 191 MT with 4 Beneficiary fishers designated.
- In 2015, the Nunatsiavut Government landed 173.3 MT of the communal quota (90.7% of quota).
- The total quota for the 2+3K competitive fishery was 1,572 MT, split between the June portion of 1,179 MT (75%) and the August portion of 393 MT (25%), but allowed 276 MT for August portion.

2.0 Management Framework:

- The status of the resource is uncertain, and made more so by uncertainty over landings. In 2003, in response to an apparent decline, the Fisheries Commission of NAFO (with advice from the Scientific Council) established a fifteen-year rebuilding plan for the 2+3KLMNO portion of the turbot resource. In 2010 the Fisheries Commission determined a management strategy evaluation and established harvest control rules (HCR) which limit TAC adjustments in any given year to +/- 5%. As a result, the 2+3KLMNO TAC for 2015 was increased by 5%, and in 2016 the TAC will be reduced by 5% to 14,799 MT.
- Several different surveys have been done throughout 2+3KLMNO which provided coverage of the majority of the spatial distribution of the stock. However, NAFO's Scientific Council recognizes that variations of divisional and depth coverage of these surveys creates complications when comparing results (NAFO, 2015b).
- A single survey series which covers the entire stock area is not available.
- We note that at the 2015 meeting of the 2+3K Turbot Working Group, hosted by your Department in Deer Lake, Newfoundland and Labrador, on April 15th, 2015, a verbal proposal was discussed that would effectively remove domestic turbot from the NAFO management regime. There has been no update on the status of this proposal, and the Board has not had an opportunity to conduct or review any analysis, and in the absence of further analysis and supporting rationalize, we are not in a position to comment.

3.0 Resource Status:

- Although various survey data results in recent years show discrepancies which complicates interpretation of the status of stock, overall there is indication of some decline in the stocks since 2010.
- The fishable biomass of two of the three survey indices used in the HCR have declined while one has increased (Figure 1).
- Results of Canadian surveys and the EU Flemish Cap survey indicate that recruitment (ages 1-4) was below average in 2013 and 2014 (NAFO, 2015b).

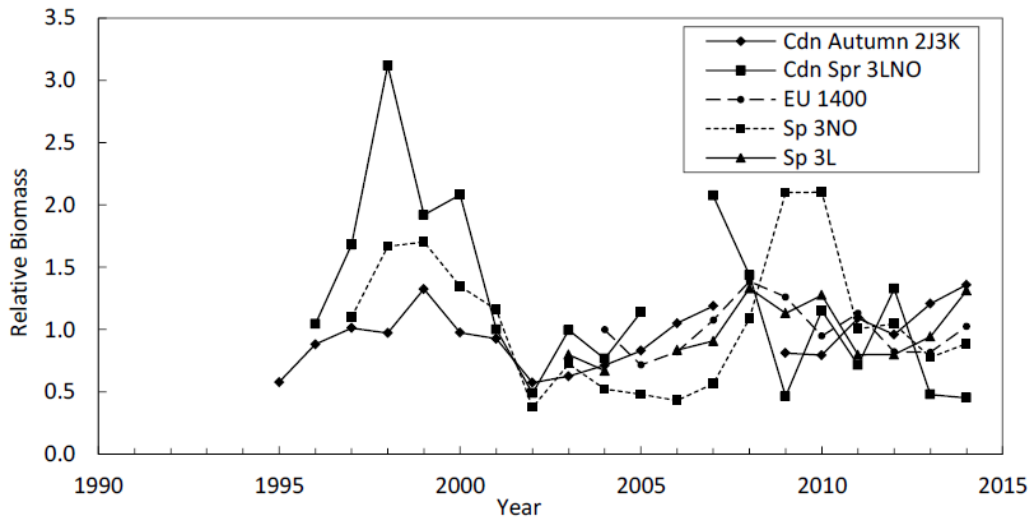


Figure 1 2+3KLMNO Turbot: Relative biomass indices from Canadian fall (Cdn Autumn 2J3K), Canadian spring (Cdn Spr 3LNO), EU Flemish Cap (EU 1400), EU-Spain (Sp 3L) (Copied from NAFO, 2015b)

4.0 Total Allowable Catch and Allocations:

- The Nunatsiavut Government will receive 181 MT (3.38%) of the 5,363 MT Canadian allocation of 2+3KLMNO in 2016 (NAFO, 2015a). Nunatsiavut will have access to 3.38% of 3,718 MT in 2+3K (126 MT), and 3.38% of 1,645 MT in 3LMNO (55 MT).
- Nunavut has 100% of the 6,500MT quota in Sub-Division 0A, and 41% of 7,000MT in 0B.
- While the fishery has developed in the North and South over the last several decades, the Turbot fishery in Nunatsiavut has progressed little. Although the 2013 communal allocation has increased Nunatsiavut Government participation, the Nunatsiavut Government is not a significant beneficiary of the significant Turbot resources in and adjacent to the zone which is established by the LILCA and accounts for 7.66% of NAFO Sub-Divisions 2+3K, and 5.33% of 2+3KLMNO (Figure 2).

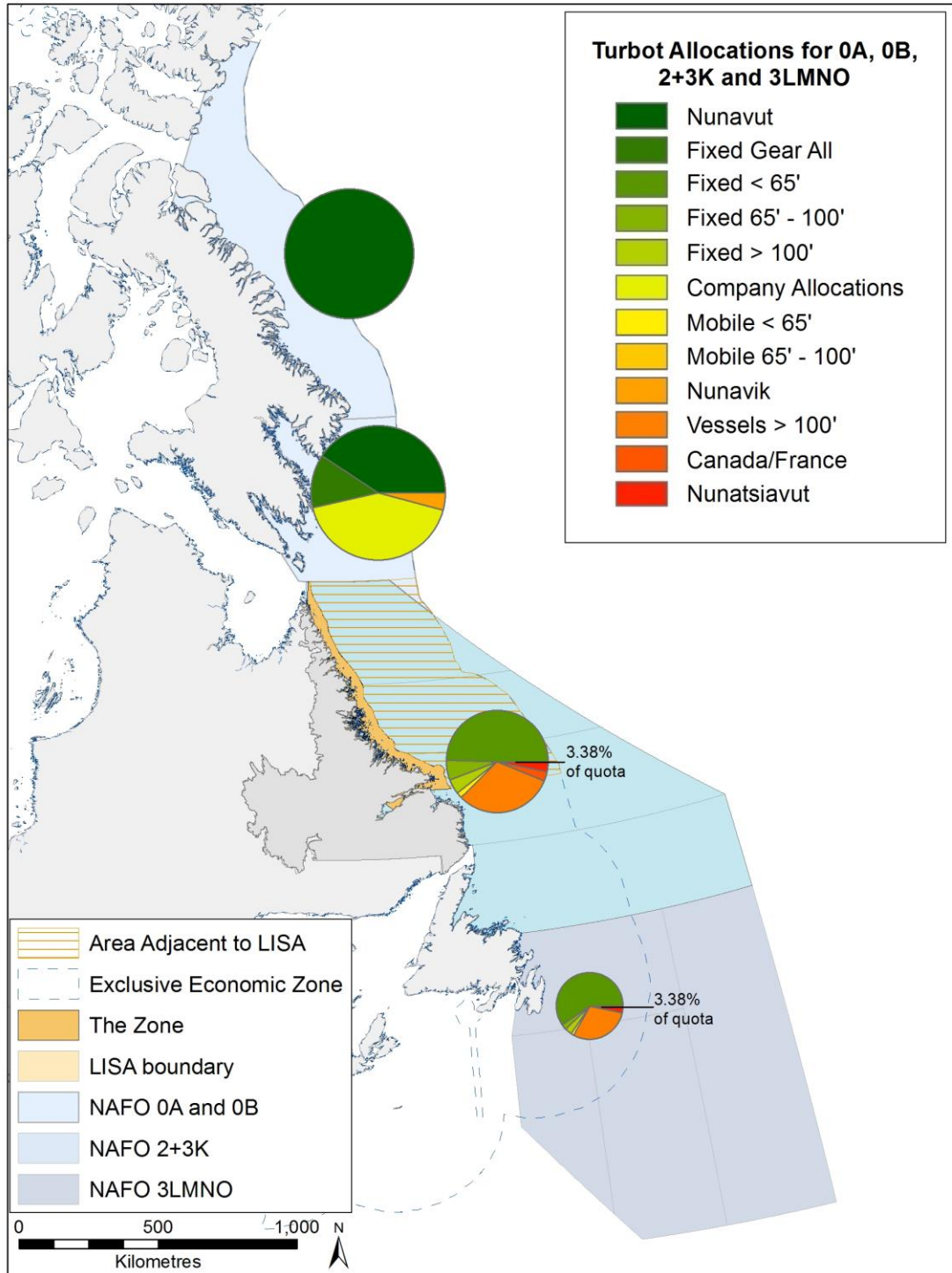


Figure 2 2016 Turbot Allocations for 0A, 0B, 2+3K, and 3LMNO

5.0 Split Quota/Season:

- In 2007, the DFO implemented a quota/season split to allow northern interests an opportunity to participate in the competitive Turbot fishery, with a 75/25% season split between June and August. The quota/season split has been only partially successful in this respect, but it has proven a necessary compliment to the communal allocation. In practice, any modification to the existing quota/season split would compromise the Nunatsiavut Government's ability to harvest Turbot in the competitive fishery and the communal fishery.

6.0 Consultation and Deliberation

- The Board meets quarterly and Turbot is an Agenda item at each meeting. This recommendation emerged from meetings held in St. John's, NL on Happy Valley – Goose Bay on January 13 to 14th, 2016, and in Happy Valley-Goose Bay, NL on February 29th to March 1st, 2016.
- Turbot was an agenda item during the Nunatsiavut Fisheries Workshop which was held on November 18-19th, 2016 in Happy Valley-Goose Bay, NL. Its purpose was to provide an overview of the past fishing season, discuss current and future management approaches, and provide stakeholders consultation.
- A representative of the Board has participated as a member of the Canadian delegation to the NAFO annual general meetings since 2012, and attended the NAFO Scientific Council Meeting in Halifax, NS on May 29th to June 11th, 2015.
- A representative of the Board will participate in the 2+3KLMNO Turbot Working Group meeting to gain an understanding of stakeholder perspectives.

7.0 Policy and Legislative Considerations

- The Labrador Inuit Land Claims Agreement, the Fisheries Act, the Aboriginal Communal Fishing Licences Regulations, the North Atlantic Fisheries Organization Fisheries Commission decisions, and Department of Fisheries and Oceans policies provide the legal, constitutional, and policy context to the supplied recommendations.

8.0 Summary, Conclusions and Recommendations

- Whereas the Nunatsiavut Government is immediately adjacent to 2+3K; and considering that 7.33% of 2+3K is within the zone; and having also considered allocations to the North and South; and recognizing that the 3.38% allocation was harvested successfully in 2014 and 2015; and recognizing that access to Turbot is a critical element of the fishing industry in Nunatsiavut; the Board recommends that the communal allocation be increased to 650MT.
- Whereas the existing quota/season split has been in place since 2007; and recognizing that the Nunatsiavut Government's access to the competitive Turbot fishery is made possible by the split;



and recognizing also that the Nunatsiavut Government's participation in the competitive fishery facilitates their ability to harvest the communal allocation; the Board recommends that there be no modification to the quota/season split.

Prepared by: Torngat Wildlife, Plants and Fisheries Secretariat

Approved by: _____ Chairperson

Approved by: _____ Executive Director





Work Cited

NAFO (2015a). *Report of the Fisheries Commission and its Subsidiary Body: the Standing Committee on the International Control (STACTIC), 21-25 Sept 2015*. Northwest Atlantic Fisheries Organization. FC Doc. 15/23

NAFO (2015b). *Report of the Scientific Council Meeting, 29 May-11 June, 2015*. Northwest Atlantic Fisheries Organization. SCS Doc. 15-12 (Revised).

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