



Annotated Agenda

The purpose of this paper is to provide the background, decisions, links to papers, and the inter-sessional correspondence for each item on the Agenda for the Meeting of the North American Commission.

Papers for the meeting are on the [website](#).

A summary of the decisions before the Commission is contained in Annex 1.

Timings of the Video Conference (all timings are British Summer Time)

The Commission will meet by video conference on:

- Monday 31 May: 17:00 – 18:00 hrs
- Wednesday 2 June: 17:15 – 18:15 hrs

Main Table Participants

Chair	Kim Blankenkemper
Vice Chair	Tony Blanchard
Canada	Doug Bliss David Dunn Carl McLean
United States	Kim Damon-Randall Stephen Gephard Tim Sheehan
NGOs	Steve Sutton
IGOs	Cathal Gallagher – EIFAAC Ghislain Chouinard – ICES Laura Poinot – ICPR Darius Campbell – NEAFC Vladimir Radchenko – NPAFC Mark Saunders – NPAFC
States not Party to the Convention <i>(France (in respect of St Pierre and Miquelon))</i>	Camille Servetto
Secretariat	Emma Hatfield Wendy Kenyon

Order of Business

The Order of Business will follow the Agenda. The Meeting will adjourn after item 10, to consider the text for the Report of the Meeting, before reconvening for items 11 and 12.

Adoption of the Agenda

The Agenda, [NAC\(21\)07](#), was adopted by correspondence on 30 April, prior to the inter-

sessional correspondence period that ran from 3 – 14 May.

1. Opening of the Meeting

The Chair, Kim Blankenkoper (USA), will open the meeting and set out the procedures. Members of the Commission and NGOs may make verbal Opening Statements, as is usual in years when new regulatory measures are negotiated in the West Greenland and North-East Atlantic Commissions.

- *no decision is required.*

No inter-sessional correspondence has taken place under this item.

2. Review of the 2020 Fishery and ACOM Report from ICES on Salmon Stocks in the Commission Area

On 28 May, the Chair of the Working Group on North Atlantic Salmon (WGNAS), Dennis Ensing, will present the ICES advice relating to the North Atlantic area and the individual Commission areas. There will be time for questions and discussion after the presentation; therefore, further discussion may not be needed under this Agenda item.

- *no decision is required.*

The following papers are (will be) available:

- The Report of the ICES Advisory Committee (ACOM), [CNL\(21\)11](#);
- The [Report](#) of the Working Group on North Atlantic Salmon is on the ICES website;
- Presentation from the Chair of the Working Group on North Atlantic Salmon.

No inter-sessional correspondence has taken place under this item.

3. Mixed-Stock Fisheries Conducted by Members of the Commission

This is essential business under Articles 7 and 15 of the Convention but is not required annually. Under the Council's 'Action Plan for taking forward the recommendations of the External Performance Review and the review of the 'Next Steps' for NASCO', CNL(13)38, it was agreed that there should be an agenda item in each of the Commissions to allow for a focus on mixed-stock fisheries.

Each member of the Commission with mixed-stock fisheries (MSF) was requested to provide the Secretariat with a short paper on this topic. The intention is that each of these papers would include a brief description of any MSFs still operating, the most recent catch data and any changes or developments in the management of MSFs.

- *no decision is required.*

The following paper is available:

- Labrador Subsistence Food Fisheries Mixed-Stock Fisheries Context Paper, [NAC\(21\)08](#).

There are no directed wild Atlantic salmon fisheries in the United States, so no report will be provided under this Agenda item by the United States.

No inter-sessional correspondence has taken place under this item.

4. Sampling in the Labrador Fishery

This is essential business under Article 7 of the Convention but is not required annually.

Information on the sampling programme is available in both the ICES report and in the document ‘Labrador Subsistence Food Fisheries – Mixed-Stock Fisheries Context’.

- *no decision is required.*

The following papers are available:

- The Report of the ICES Advisory Committee (ACOM), [CNL\(21\)11](#); and
- Labrador Subsistence Food Fisheries Mixed-Stock Fisheries Context Paper, [NAC\(21\)08](#).

Inter-Sessional Correspondence

Q1. NASCO NGOs asked Canada (11 May):

The recently released ICES advice states that (pg 11 General Advice): “A sampling rate of at least 10% of catches in Labrador would be required to achieve a relatively unbiased estimate.” And this advice is repeated in Canada’s document NAC(21)08: “The performance of fisheries sampling programs to estimate catches of low proportions of non-local origin salmon in mixed stock fisheries indicated that a sampling rate of at least 10% of the fishery catches in Labrador would be required to achieve a relatively unbiased estimate of the catch of USA origin salmon.”

Yet when we look at Table 9 of that document, we see that overall 7.3 % of the catch was sampled.

The distribution of this sampling does not however seem to be unbiased, for example, only 0.7 % of large salmon in SFA 1A (Northern Labrador) were sampled, 2.9 % of large salmon in SFA 1B (Lake Melville), and 6.4 % of SFA 2 (Southern Labrador). Salmon far from their origins such as the USA and southern Gulf of St Lawrence harvested during these food fisheries in summer are quite likely not returning to their river of origin within that year and will likely be similar in size to those taken during the Greenland salmon fishery (1SW non-maturing). This would accordingly place them in the large salmon category in the fishery. So adequate sampling is definitely required of the large salmon group particularly outside of Lake Melville such as SFAs 1A and 2 and also particularly in the northern part of SFA 1 (Nain) where US origin fish have previously been identified.

To infer that the sampling has been biased towards small salmon (and thus missing the non-local origin salmon), one can look at the ratio of sampling of small vs large salmon in each area as below; unbiased sampling would have shown a ratio of 1.0 so it would seem that there is a strong tendency for small salmon to be sampled in the fishery and this tendency is most prevalent in SFA 1A. It is not possible to say whether this tendency is accidental or on purpose:

	% Small Sampled	% Large Sampled	Ratio % Small Sampled/%Large Sampled
SFA 1A	4.5	0.7	6.4
SFA 1B	6.0	2.9	2.1
SFA 2	13.4	6.4	2.1

What will Canada do to ensure that future sampling at Labrador is not selective by size or week of the catch, is unbiased and is of at least 10% of the catch in each size category, particularly outside of Lake Melville?

○ **A1. Canada Response (17 May):**

- For NASCO purposes, the Labrador mixed-stock fishery sampling program and associated genetic origin analyses are conducted annually to monitor the prevalence and location of non-Labrador origin salmon catch.
- As the interception of non-Labrador origin salmon are most likely along the coast of Labrador, the 2020 genetic analyses focused on these samples.
- Large salmon are also more likely to be of non-Labrador origin.
- In 2021, Canada will focus on collecting large salmon samples while continuing its effort to achieve a minimum 10% sample of both the small and large salmon catch from all coastal communities.
- To ensure a consistent sampling effort, samplers will be instructed to sample landed catch on a daily basis, keep records of daily samples collected, and sample 1 of every 10 (10%) small salmon landed and 3 of every 10 (30%) large salmon landed.
- As the purpose of this analyses is to ensure the capture of non-Labrador origin salmon is minimized, the 2021 genetic analyses will focus on large salmon harvested along the coast and the remaining capacity for analyses would include small salmon.
- The smolt age of the salmon samples is not known prior to the genetic analyses in a given sampling year. However, it would be possible to analyse small salmon with younger smolt ages (< 2 years) in the following year.

Q2. NASCO NGOs asked Canada (11 May):

Figure 4.1 5.3 of the WGNAS report showed 3 large salmon sampled at Hopedale, 3 large at Postville and 1 at Makkovik; these would be the 7 noted as sampled at SFA 1 in Canada's document NAC(21)08 (table 9). We note that there was no salmon (neither small nor large) sampled at Nain, usually a large fishery, and the location of previous detection of USA salmon via genetic sampling.

What was the catch at Nain of small and large salmon in 2020 and why was there no sampling there?

○ **A2. Canada Response (17 May):**

No USA fish have been detected in Nain. Six USA fish have been detected (2 in Makkovik in 2008, 1 in Hopedale in 2011, 1 in Makkovik in 2011 and two in Pinsents Arm near Charlottetown in 2017). The catch of Atlantic salmon in Nain is generally very low as this community focusses on harvesting Arctic Charr in both commercial and Indigenous FSC fisheries. The total catch of salmon in 2020 was 20 small salmon and 48 large salmon. This represents 4.4% of the small salmon catch and 4.8% of the large salmon catch (by number) on the north coast of Labrador (SFA 1A).

Q3. NASCO NGOs asked Canada (11 May):

What is Canada planning to do to assure that the fishery at Nain is adequately sampled in 2021 and future years?

○ **A3. Canada Response (17 May):**

Canada will communicate directly with the Nunatsiavut Government to ensure that in Nain at least 1 in 10 small and large salmon are sampled. In 2020 this would have been 2 small salmon samples and 5 large salmon samples.

Q4. United States asked Canada (13 May):

During the 2020 meeting of the Commission, Canada stated that there were “additional analyses that could be conducted to further understand how effective the sampling program is in identifying rare events such as harvest of U.S.-origin salmon (these were the power analyses as well as identifying the proportion of samples coming from coastal versus estuarine regions for SFA 1A and SFA 2).” We would like to thank Canada for the efforts put into conducting the power analyses as reported in their “North American Commission Paper: Labrador Subsistence Fisheries in 2020: Mixed-Stock Fisheries Context” as well as the more detailed presentation provided to ICES, and we look forward to following up in due course with regard to the implications of this important work. As discussed last year, we were also expecting Canada to provide information “identifying the proportion of samples coming from coastal versus estuarine regions for SFA 1A and SFA 2.” Would it be possible to receive this information?

Additionally, we would like to thank Canada for their report on the Labrador fishery (“North American Commission Paper: Labrador Subsistence Fisheries in 2020: Mixed-Stock Fisheries Context”). The report is extremely informative and provides helpful details on the fishery and sampling program. We appreciate the challenges associated with implementing the Labrador sampling program and the efforts required to carry out this important program. We note that overall, 10% of the small salmon harvested were sampled and 3.9% of the large salmon were sampled. We also note that the 2020 harvest was lower in the northern area compared to the southern area, but that a higher proportion of the harvest in the northern area is of large salmon and that a lower overall proportion of the harvest in the northern area is sampled. Since the data indicate that the majority of the U.S. fish captured off Labrador have historically come from the northern area and that U.S. female spawners are almost exclusively large salmon, we are wondering if Canada has any plans for increasing the sampling rate in the northern area as well as for large salmon in general?

○ ***A4. Canada Response (20 May):***

With apologies for the delay and partial response. Our expert is still in the field and not in a position to respond to your first question at the moment. We are still working to provide you with a response as soon as possible. In the meantime, please find our response to your second question below.

In the past 13 years, six USA fish have been detected in the Labrador Subsistence fishery (2 in Makkovik in 2008, 1 in Hopedale in 2011, 1 in Makkovik in 2011 and two in Pinsents Arm near Charlottetown in 2017). Four in SFA 1A (2 in 2008 and 2 in 2011) and two in SFA 2 (2017).

- In 2021, Canada will focus on collecting large salmon samples while continuing its effort to achieve a minimum 10% sample of both the small and large salmon catch from all coastal communities (SFA 1A north coast and SFA 2 south coast).
- To ensure a consistent sampling effort, samplers will be instructed to sample landed catch on a daily basis, keep records of daily samples collected, and sample 1 of every 10 (10%) small salmon landed and 3 of every 10 (30%) large salmon landed.
- As the purpose of this analyses is to ensure the capture of non-Labrador origin salmon is minimized, the 2021 genetic analyses will focus on large salmon

harvested along the coast and the remaining capacity for analyses would include small salmon.

- The smolt age of the salmon samples is not known prior to the genetic analyses in a given sampling year. However, it would be possible to analyse small salmon with younger smolt ages (< 2 years) in the following year.

5. The St Pierre and Miquelon Salmon Fishery

In recent years, the Council and the North American Commission have been concerned about catches of salmon at St Pierre and Miquelon which, although low, occur at a time when there are serious concerns about the abundance of North American stocks and when strict harvest restrictions have been introduced throughout the North American Commission area.

In 2017, the President of NASCO wrote to France (in respect of St Pierre and Miquelon) noting NASCO's concerns and encouraging France (in respect of St Pierre and Miquelon) to become a member of NASCO. In response, France (in respect of St Pierre and Miquelon) noted that it wished to retain its observer status at NASCO and committed to providing NASCO with information on the fishery and taking NASCO recommendations on catch taken by communities dependent on fishing, into account ([CNL\(18\)17](#), Annex 1-3).

- *no decision is required.*

The following paper is available:

- Management and Sampling of the St Pierre and Miquelon Salmon Fishery, [CNL\(21\)21](#).

Inter-Sessional Correspondence

Q5. United States asked France (in respect of St Pierre and Miquelon) (13 May):

We thank SPM for their report on the management and sampling of the St Pierre and Miquelon Salmon Fishery (CNL(21)21). We appreciate the improved catch statistics provided, especially by size group, and we acknowledge the continued effort to sample a large proportion of the catch. We note that the reported harvest in 2020 was an increase over the 2018 and 2019 levels and is primarily due to an increase in the recreational harvest. Can SPM explain why the harvest level increased (e.g. increased effort, increased catch per unit, etc.) and if there are any plans to set a total catch limit on recreational and professional fishers in 2021 or perhaps to establish a bag limit for recreational harvesters to prevent the total harvest from increasing again given the scientific advice of zero harvest. We urge France (SPM) to consider putting in place additional management measures along these lines.

- *France (in respect of St Pierre and Miquelon) had not provided a response by the time of publication of this Annotated Agenda.*

Q6. Canada asked France (in respect of St Pierre and Miquelon) (14 May):

Canada welcomes this opportunity to continue discussions about the effectiveness of current monitoring and control measures in place at the mixed-stock fisheries in St. Pierre and Miquelon, where a high percentage of these harvests originate from Canadian river-systems with depleted populations. Despite the catch stabilization in 2018 and 2019, Canada remains concerned with the increase in recreational catch, particularly given the use of gillnets by the recreational fishery, and the absence of individual licence catch limits. We would appreciate clarity on France's plans to

integrate more effective limits for this fishery, such as the option to impose limits on the total catch per recreational licence.

- *France (in respect of St Pierre and Miquelon) had not provided a response by the time of publication of this Annotated Agenda.*

6. Salmonid Introductions and Transfers

This is essential business under Article 7 of the Convention, the Williamsburg Resolution, and the NAC protocols but is not required annually. In 2010, it was agreed that the Parties should provide focused annual reports to the Commission on issues of mutual concern including salmonid disease incidences, breaches of containment, introductions from outside the Commission area and transgenics.

- *no decision is required.*

The following papers are available:

- Annual Report (Tabled by Canada), [NAC\(21\)06rev](#); and
- Annual Report (Tabled by the United States), [NAC\(21\)05](#).

Inter-Sessional Correspondence

Q7. Canada asked United States (14 May):

Canada looks forward to working closely with United States to strengthen our aquaculture collaboration in the North American Commission region. In your 2020 NAC report, you mentioned one capture event of 221 Atlantic salmon that were subsequently tested for salmonid disease incidents. Canada would appreciate any additional information about other capture programs conducted in 2020 in the United States' NAC region and an overview of protocols and practices for testing salmonid diseases, such as frequency of testing, location of capture, diseases tested for? Additionally, Canada would appreciate any updates on the timeline or development of the two land-based facilities proposed in Maine?

- ***A7. United States response (15 May):***

Due to the proximity of aquaculture installations to Maine rivers, sea-run adults returning to the Penobscot River are monitored for pathogens of concern, specifically ISAv. The Milford Dam fish lift routinely captures returning adult salmon for use as broodstock, these fish are temporarily held at the Craig Brook National Fish Hatchery (CBNFH) until spawning as part of the Atlantic salmon recovery program. In 2020, a total of 221 adults were collected over a period of approximately 5 months, fish are collected daily if possible during the late spring and summer into the fall. All Atlantic salmon brought to CBNFH undergo pathogen screening as described below.

Sea-run adults are trapped and trucked to an isolated screening facility at the CBNFH to undergo sampling procedures and await the results of PCR testing. Blood samples are analyzed by the US Fish and Wildlife Service Lamar Fish Health Unit (LFHU) using Polymerase Chain Reaction (PCR) testing. Adults passing the PCR test are transferred from the screening facility into the main sea-run broodstock area for future spawning.

In the event of a positive ISA result additional tests are conducted on the affected individual. Should the individual be affected by the non-pathogenic strain of ISA (HPR0) that individual is released into the Penobscot at an upriver location above

the Milford dam. The adults initially isolated with the HPR0 individual (cohort) were allowed to join the general hatchery population. In cases where a positive result detects a pathogenic strain of ISA, the affected individual is euthanized. The affected individual's cohort is isolated for an additional 28 days and resampled. The United States Department of Agriculture National Veterinary Services was engaged to provide further analysis. Additional samples of blood and tissues were collected and sent to both LFHU and APHIS; the individual was euthanized. No clinical signs of ISA were observed prior to euthanasia. The cohort of the affected individual was quarantined for 28 days and resampled. No additional positive results were found and the fish were allowed to join the general population to be used for broodstock.

In recent years the Maine DMR has conducted investigations into putative aquaculture origin fish which have entered a Maine river that does not have a barrier to migration. The captured fish were identified as commercial aquaculture origin through scale analysis and screened for pathogens of concern. These fish were also run through a genetic database to determine likely parents that would match any U.S. commercial growers. Any previous results (e.g., estimated numbers, origin, pathogen screening) from the investigation were reported in earlier U.S. NAC reports.

Regarding your question on the status of the land based aquaculture facilities, we refer you to our response to a similar question you posed to us during the Implementation Plan intersessional correspondence as documented in CNL(21)24. There is no additional information at this time.

7. Announcement of the Tag Return Incentive Scheme Prize

NASCO operates a Tag Return Incentive Scheme. Individually identifiable, external tags (or all tags returned from the West Greenland Commission area) that are returned to the appropriate authorities in the country of capture are eligible for inclusion in the draw. Each year a Grand Prize of £1,500 is awarded together with three prizes of £1,000, one in each of NASCO's three Commission areas.

The winner will be announced at the Meeting, on the website and twitter and will be recorded in the Meeting Report.

- *no decision is required.*

No action is required by the Commission.

8. Recommendations to the Council on the Request to ICES for Scientific Advice

This item is required under Article 9 of the Convention which requires a Commission to take into account the best scientific evidence. Advice is provided annually under the ICES / NASCO Memorandum of Understanding.

At its 1992 Annual Meeting, the Council established a Standing Scientific Committee (SSC) to assist the Council and Commissions in formulating their questions to ICES. The Co-ordinator of the SSC, Paddy Gargan, will be asked to present the Draft Request if it is ready. If the draft request is not ready, the Commission may wish to defer the decision to the Council.

- *the Commission may wish to accept the relevant section of the SSC's recommendation, although it may wish to defer the decision to the Council.*

The Standing Scientific Committee's recommendations will be available once its work is complete:

- Draft Request for Scientific Advice from ICES.

No inter-sessional correspondence has taken place under this item.

9. Other Business

No other business is expected.

10. Date and Place of the Next Meeting

The Thirty-Ninth Annual Meeting of the Council is to be held during 7 – 10 June 2022 in Edinburgh.

- *the Commission may wish to agree to hold its next Annual Meeting at the same time and place as the Thirty-Ninth Annual Meeting of the Council.*

11. Report of the Meeting

Rule 29 of the Rules of Procedure for the NAC requires that 'A draft report shall be considered by the Commission before the end of the meeting.'

A Draft Report of the Meeting will be circulated for review.

- *the Commission may wish to adopt the Report of the Meeting.*

12. Close of the Meeting

The Chair will close the Thirty-Eighth Annual Meeting.

Secretariat
Edinburgh
21 May 2021

Summary of Commission Decisions

Agenda Item	Decision	Paper No.
Adoption of the Agenda	The Agenda was adopted via correspondence by 30 April	NAC(21)07
8. Recommendations to the Council on the Request to ICES for Scientific Advice	To accept the relevant sections of the Draft Request for advice	
10. Date and Place of the Next Meeting	To hold its next Annual Meeting at the same time and place as the Thirty-Ninth Annual Meeting of the Council	
11. Report of the Meeting	Adopt the Report	Issued at meeting