

Terms of Reference (Revised)
Committee for Setting the Opening Date for the Fishery
Area 12 Snow Crab

This document describes the terms of reference of the Committee for Setting the Opening Date for the Fishery (i.e. Committee) and the protocol for setting the opening date of the snow crab fishery in Area 12 (12, 18, 25, 26).

1. Mandate of the Committee

The Committee has been created because of the need to coordinate the activities associated with the opening of the Area 12 snow crab fishery. The primary mandate of the Committee is to ensure that the opening date can take place in the safest way possible at the wharves and at sea and to insure that the different sectors of the fishery are part of the consultative process. In order to reduce the risk of North Atlantic right whale (NARW) entanglement in fishing gear, the Committee must aim to open the fishery as early as possible. The Committee is responsible for recommending an opening date to Fisheries and Oceans Canada (DFO). DFO will make the final decision and communicate it to the members of the southern Gulf of Saint Lawrence (SGSL) snow crab Advisory Committee.

2. Membership of the Committee

- a. The Committee will be composed of the following members:
 - 4 representatives from the traditional midshore fleets
 - 2 representatives from the traditional inshore fleets
 - 4 representatives from other fleets– 1 each from New Brunswick (NB), Quebec, Prince Edward Island (PEI) and Gulf Nova Scotia (NS)
 - 1 representative for each First Nation
 - 2 representatives from the processing sector
 - 2 representatives from DFO
 - representatives from the Canadian Coast Guard (CCG)
 - 1 Ice Service Specialist from Environment and Climate Change Canada (i.e. Environment Canada)

- b. The chairmanship of the Committee will be the responsibility of the industry. However, DFO will provide logistical support to the chair (provide teleconference number and distribute the invitations). The president of the Committee will be nominated during the sGSL Snow Crab Advisory Committee.

- c. The members of the Committee are responsible for consulting the groups they represent and the chairman will be responsible for following the ice conditions.

- d. DFO is responsible to share information on weather and ice conditions provided by the Ice Service Specialist from Environment Canada to members of the Committee for the teleconferences.
 - e. Other resources such as CCG, Fishery Officers, Search and Rescue, Small Craft Harbour (DFO), etc. will be consulted as required.
3. **Opening Protocol** (to identify a target opening date)
- a. With the objective of aiming for a simultaneous opening of the snow crab fishery for all fleets in Area 12 as soon as possible, DFO will make all the necessary efforts to provide icebreaking services in the designated wharves, harbours and channels of the sGSL, including the provisions of third party icebreaking services.
 - b. The first teleconference call of the Committee will take place on April 1st or in March, if agreed at the annual advisory committee meeting. The timing of the next teleconference, if necessary, will be determined at the end of each Committee teleconference.
 - c. The Committee will take into account the following ice conditions considerations:
 - Ice conditions in the sGSL.
 - Ice conditions at the wharves designated for snow crab.
 - Ice conditions in the entrances into these wharves.
 - d. Operational Considerations
 - For DFO operational requirements, the opening date will take place a minimum of 5 working days after the announcement of the management plan.
 - In the case where the management plan has been announced and 5 days have elapsed, 2 working days are needed between the consultation with the Committee and the targeted opening date.
 - For Gulf Region operational requirements and safety at the wharves, there will be a delay, between the opening date for the snow crab fishery (Area 12) and the lobster fishery.
 - e. Considerations to trigger the targeted fishery opening date:
 - The sGSL (including the Bay of Chaleurs) is ice free.
 - DFO made all the necessary efforts to provide icebreaking services in the designated wharves, harbours and channels of the sGSL, including the provisions of third party icebreaking services, aiming for a simultaneous fishing season opening as early as possible for all fleets in Area 12.
 - The fishery may open even if some wharves are not entirely free of ice.
 - f. Safety at Sea Considerations

- At the latest, 36 hours before the **targeted** opening date **and time**, DFO will verify the Environment Canada marine weather forecast (**wind, waves, tides**).
- If the Environment Canada forecast at that time indicates that winds could reach 20 knots or more in any of the 3 forecast sectors in the southern Gulf (Gulf-Magdelen, Chaleur-Miscou, Northumberland Strait), DFO will notify the chairman of the Committee that the fishery will not open.
- The Committee will be consulted in order to identify a new opening date.
 - **Favorable (i.e. less than 20 knots) marine weather must be forecasted for at least 18 hours to allow licence holders/operators sufficient time to sail to the fishing grounds with traps on board and safely return to the designated wharves.**
- If no consensus is reached by the Committee, DFO will make a decision based on the principle of safety at sea.

4. Communication

- DFO will be responsible for communicating the opening date to members of the **sGSL** Snow Crab **Advisory** Committee.

Example of Setting the Opening Date

For example, if the **targeted** opening of the fishery is a Friday at 18:00, the following would need to occur:

1. The management plan is announced at the latest by end of day previous Friday (5 working days before the **targeted** opening date).
2. The Committee has identified by Wednesday the **targeted** opening date (2 working days before the **targeted** opening date).
3. By 10:00 am on Thursday, (36 hours before the **targeted** opening date), DFO **has verified** the marine forecast. If the revised forecast is of concern, DFO will **consult** with the Committee. Based on available information, a decision is taken at the time of the consultations to either proceed with the **targeted** opening date or a new date is set. **If no consensus is reached, DFO will identify the opening date.**
4. DFO will immediately advise the members of the **sGSL** Snow Crab **Advisory** Committee of the opening date.