Transboundary Management
Guidance Committee
Background

Tom Nies
Dr. Jamie Cournane
New England Fishery Management Council
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History

- Boundary dispute dates back to 1945 declaration on the Continental Shelf
- Fisheries issues highlighted in 1977
- Treaty negotiated in 1981, was not ratified by U.S. Senate
- 1984 ICJ border ruling
US/Canada Resource Sharing Understanding

- Discussions accelerated in 1999 by DFO and NMFS
- Joint meetings held 2000-2002
- Document agreed on 2002
- Implemented through Amendment 13 on May 1, 2004
- NOT A TREATY
Original Reasons

- “Close coordination with Canada is needed to ensure that total removals from each side are fair and equitable, meet legal requirements and provide for a healthy fishery. It is in our best interest to work out an informal agreement on what the "appropriate" US/Canadian transboundary harvest strategies are and to implement those informal agreements.”
- No agreement on fishing mortality rate targets
- Coordination on fishing plans based on assumptions of previous year’s catch
Key Elements

- Area
- Stocks/Management Units
- Harvest Strategy
- Scientific advice
- Allocation formula
- Accountability
Harvest Strategy/Advice

- Negotiated fishing mortality rate: Fref

- “Maintain a low to neutral risk of exceeding the fishing mortality reference. When stock conditions are poor, fishing mortality rates should be further reduced to promote rebuilding.”

- Scientific advice provided by the Transboundary Resource Assessment Committee (TRAC)
Allocation Initial Negotiating Positions

- **Canada:**
  - Common exploitation rate
  - Don’t consider resource use until after 1985
  - Weight resource use at 5%

- **U.S.:**
  - Base time period on rebuilt stock range
  - All of bank as single management unit
  - Landings and surveys equally important
  - Consider research investments (surveys as a proxy)
How are resource shares determined?

- Two weighted factors:
  - Resource utilization: catch history for the period 1967-1994
  - Resource distribution: as determined by surveys
- Factors not weighted equally
  - Resource use weighting declined over time; currently at 10%
  - Resource distribution at 90%
How are surveys used?

- EGB Cod
  - Average US and CA spring survey, then average with US fall survey
- GB YTF and EGB haddock
  - Average all three surveys
- Smooth average with a LOESS smoother
- Survey in Year 1 determines share in Year 3
Title II of Shark Conservation Act of 2010 (P.L. 11-348)
Commerce and NEFMC can “...take into account the Understanding and decisions made under that Understanding...”
Overfishing must be ended immediately
Mortality level ensures rebuilding within the time specified
Catch levels are consistent with the Understanding
Interactions

- GB YTF quota is subject to SSC’s specification of an ABC
- EGB haddock and EGB cod quotas affect US GB cod and GB haddock quotas
  - Different assessment models or mortality targets can exacerbate the problem
  - Ability for sectors to move EGB quota to WGB helps mitigate problem
  - MT assessment timing can make TMGC negotiations difficult
Allocation:
GB Cod FY2022

OFL

ABC

unknown

754 mt (EGB TAC 571 mt)
343 mt for US Fisheries

Sector & Common Pool ABC

- 5% buffer

243.9 mt

Canadian Fishery

411 mt

State water fisheries

11.2 mt

“Other” fisheries

74.9 mt

[Includes 75 mt rec. catch target]

Subcomponents
• Expected catches
• No AM’s
• No adjustment for management uncertainty

Sub-ACL’s
• Subject to AM’s
• Management uncertainty adjustment
Allocation: GB Haddock FY2022

114,925 mt

88,856 mt (EGB TAC 14,100 mt)
81,383 mt for US Fisheries

Subcomponents
- Expected catches
- No AM’s
- No adjustment for management uncertainty

Sub-ACL’s
- Subject to AM’s
- Management uncertainty adjustment
Allocation:
GB Yellowtail
Flounder
FY2022

Subcomponents
- Expected catches
- No AM’s
- No adjustment for management uncertainty

Sub-ACL’s
- Subject to AM’s
- Management uncertainty adjustment
What Happens Without Agreement?

- **Short-term:**
  - US estimates expected Canadian catch for shared resource
  - Estimated catch deducted from ABC

- **Long-term**
  - NS1G provides guidance if international overfishing occurs (lengthy process)
  - Modify management/assessment unit
Questions?
Backup Slides
LOESS Example

2011: 86%

Imagine 2011:
65%