#1a

Transboundary Management Guidance Committee Background

Tom Nies

Dr. Jamie Cournane

New England Fishery Management Council

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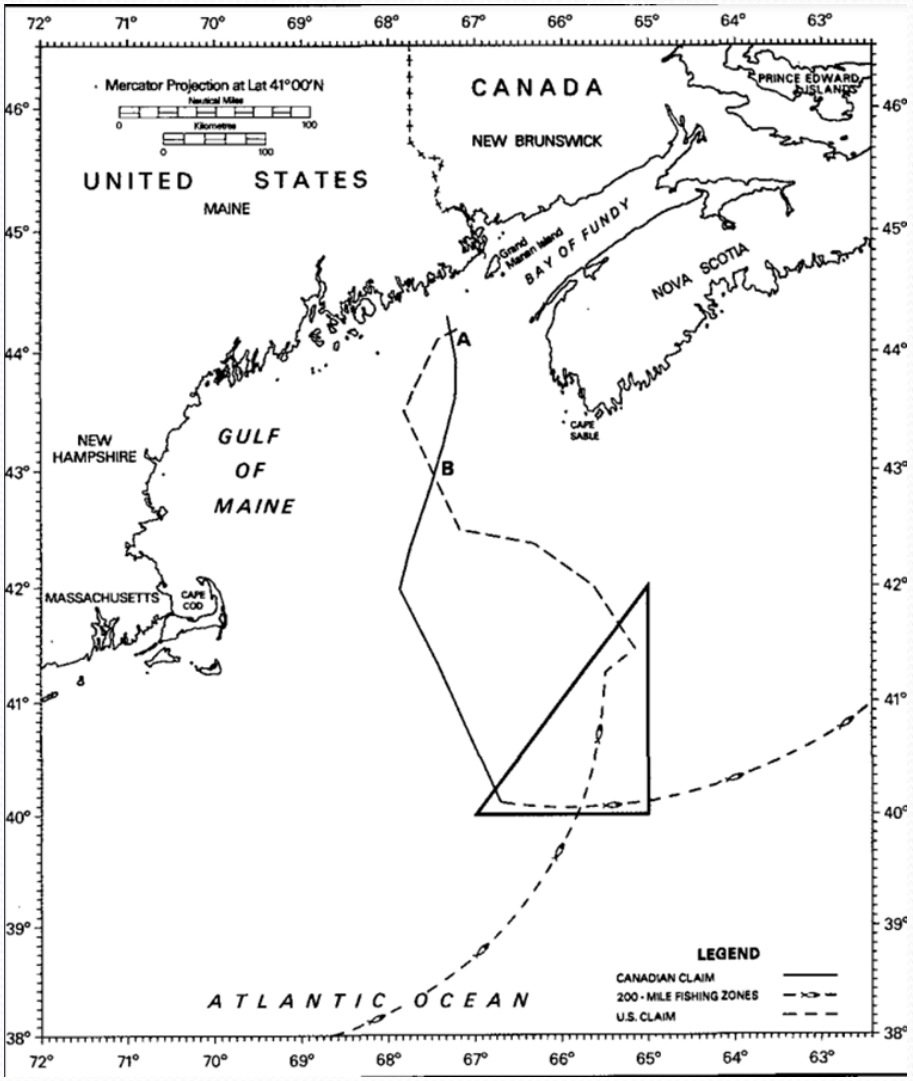
History

- 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**

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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

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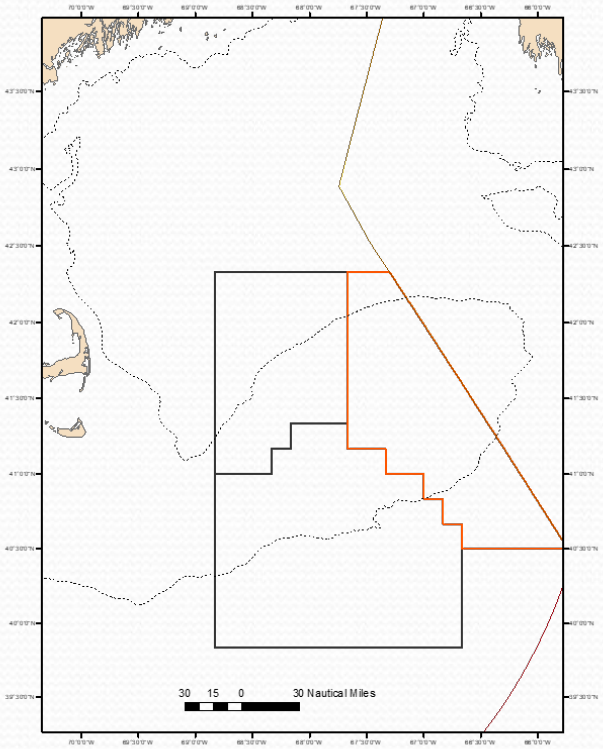
Key Elements

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



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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

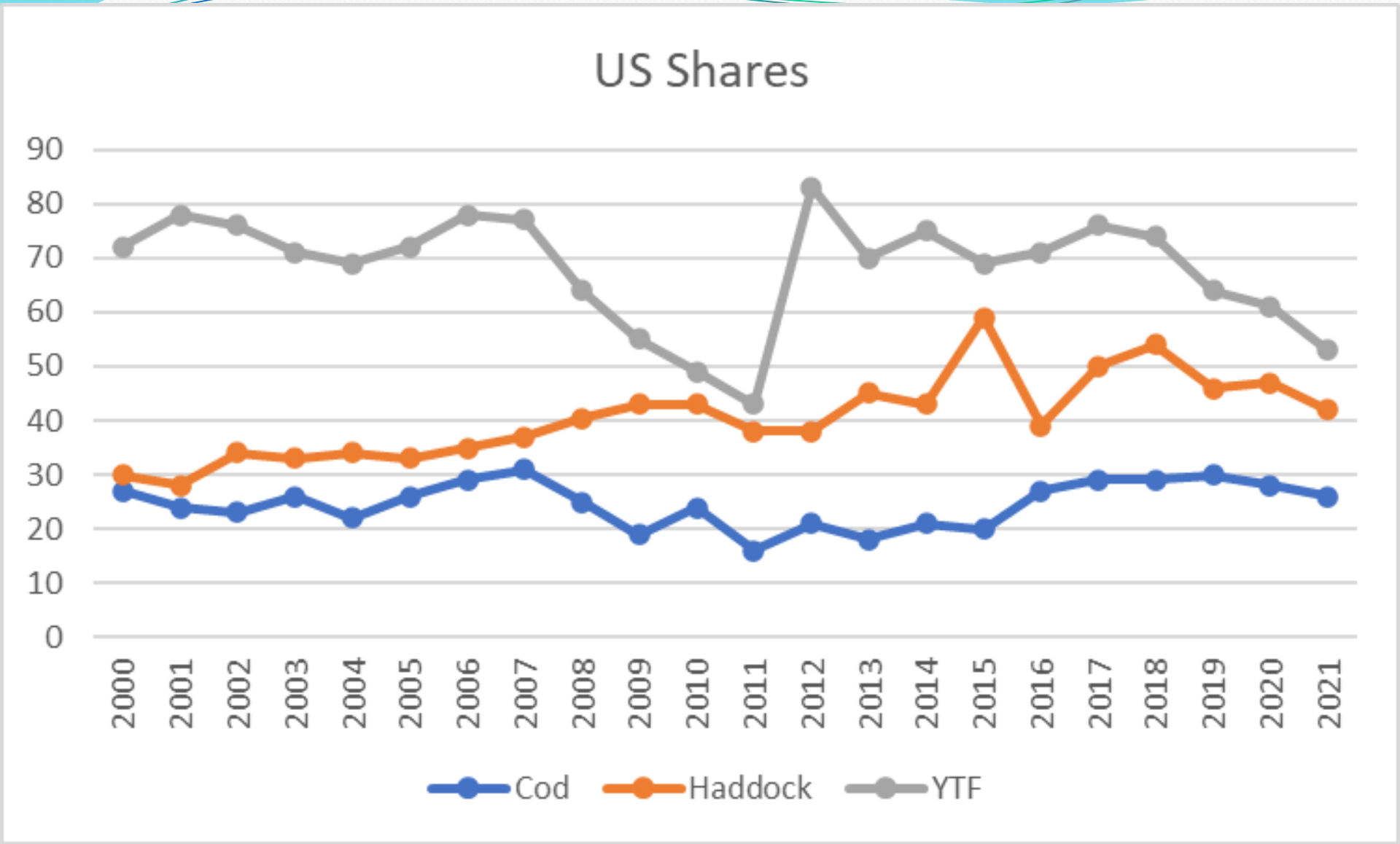
- Canada:
  - Common exploitation rate
  - Don't consider resource use until after 1985
  - Weight resource use at 5%
- U.S.:
  - Base time period on rebuilt stock range
  - All of bank as single management unit
  - Landings and surveys equally important
  - Consider research investments (surveys as a proxy)

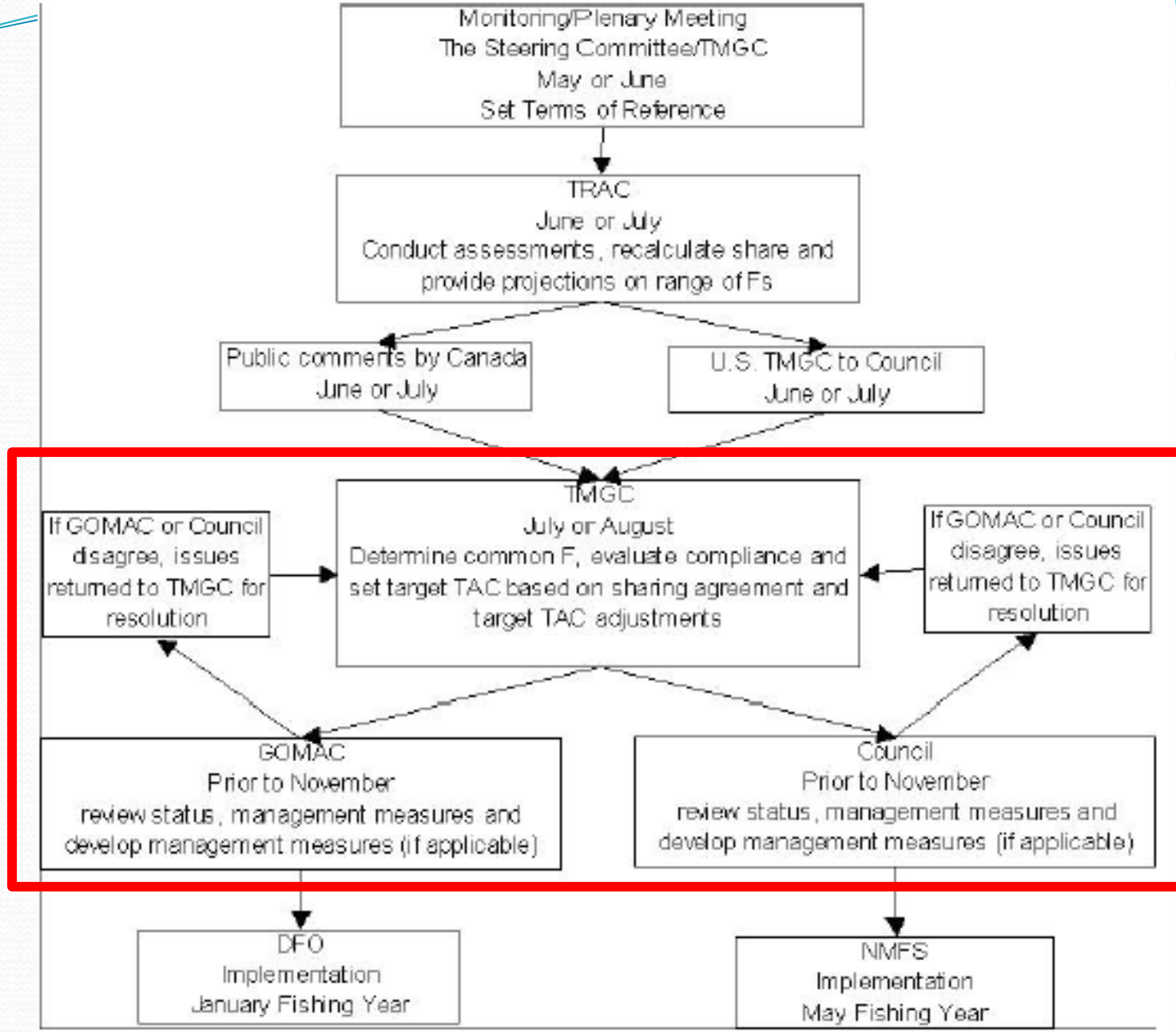
How are resource shares determined?

- 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


US Shares
90
80
70
60
50
40
30
20
10
0
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
Cod
Haddock
YTF


Monitoring/Plenary Meeting
The Steering Committee/TMGC
May or June
Set Terms of Reference
TRAC
June or July
Conduct assessments, recalculate share and provide projections on range of Fs
Public comments by Canada
June or July
U.S. TMGC to Council
June or July
TMGC
July or August
Determine common F, evaluate compliance and set target TAC based on sharing agreement and target TAC adjustments
If GOMAC or Council disagree, issues returned to TMGC for resolution
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GOMAC
Prior to November
review status, management measures and develop management measures (if applicable)
Council
Prior to November
review status, management measures and develop management measures (if applicable)
DFO
Implementation
January Fishing Year
NMFS
Implementation
May Fishing Year

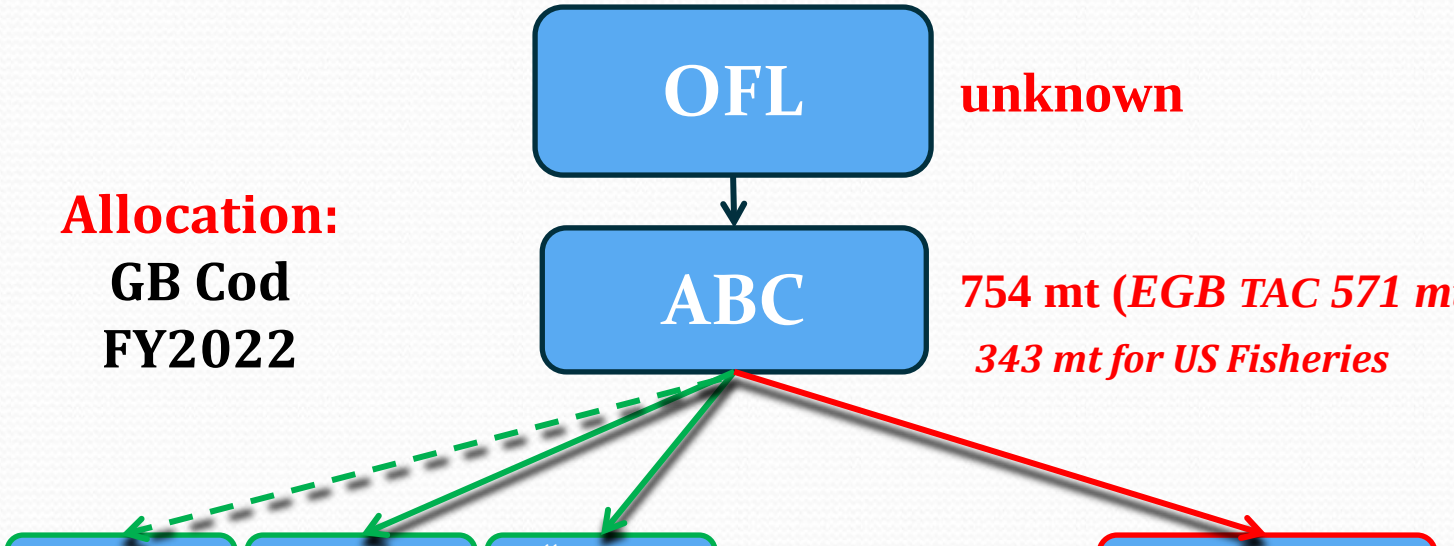
IFACA

- 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



[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

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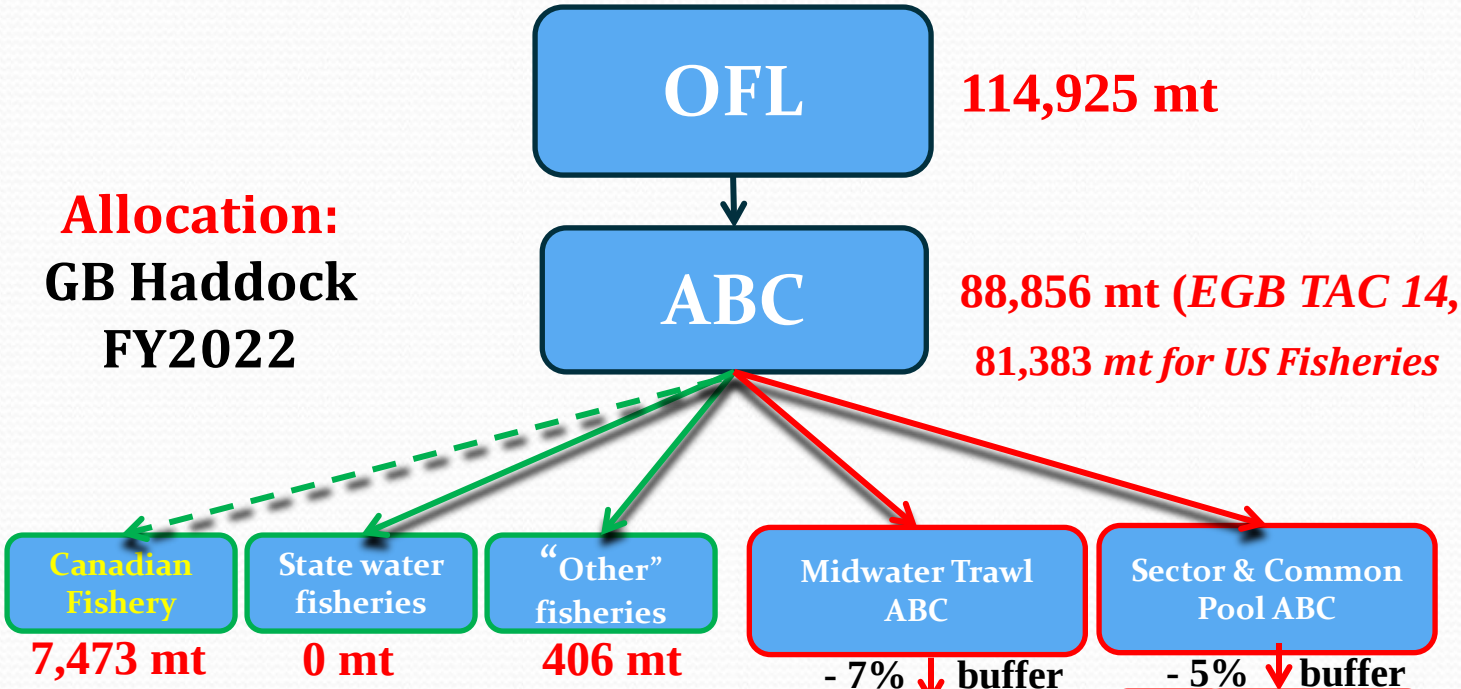
Allocation:
GB Haddock
FY2022



Subcomponents
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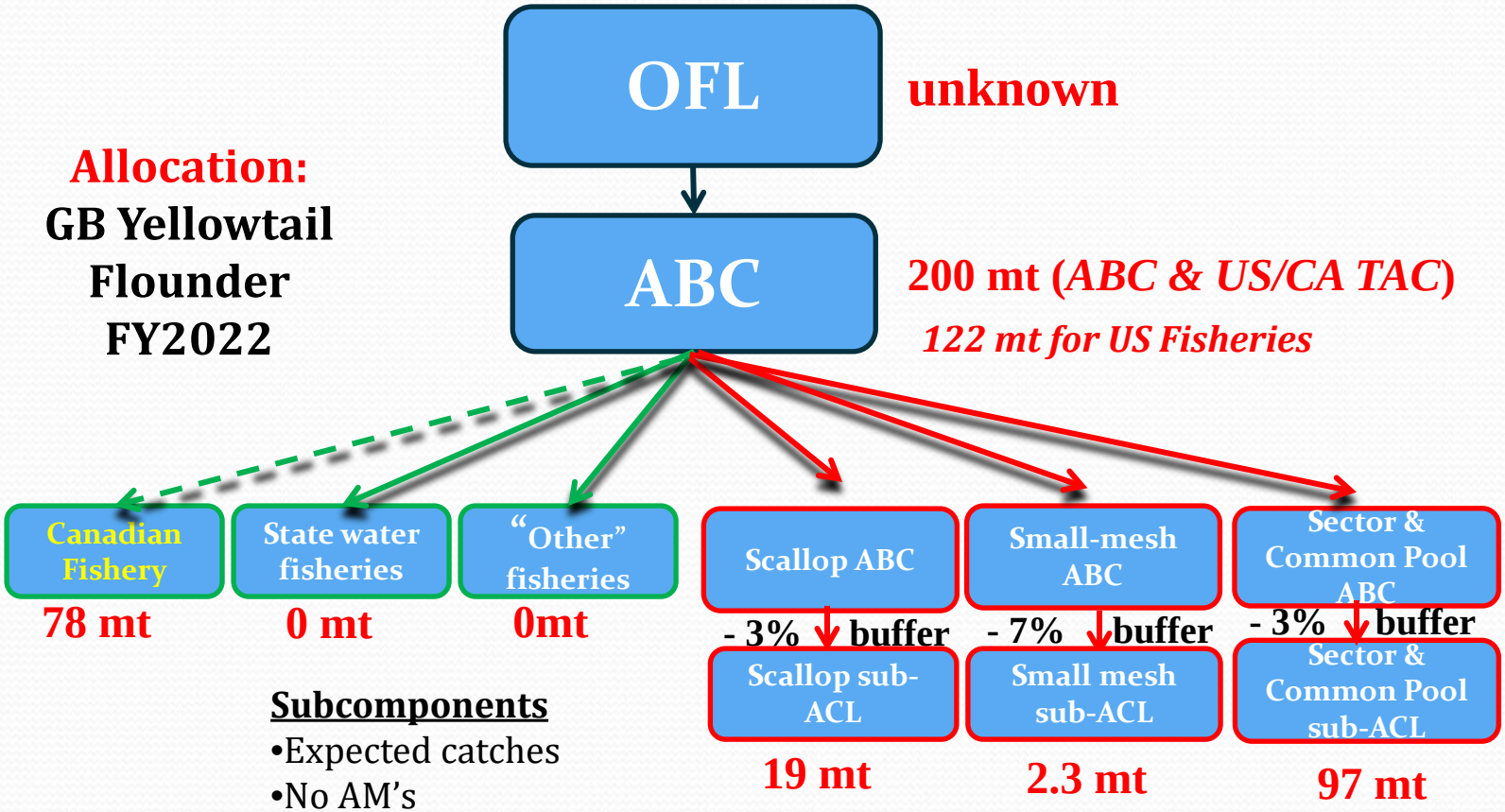
Allocation:
GB Yellowtail Flounder FY2022



Subcomponents
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Sub-ACL's
- Subject to AM's
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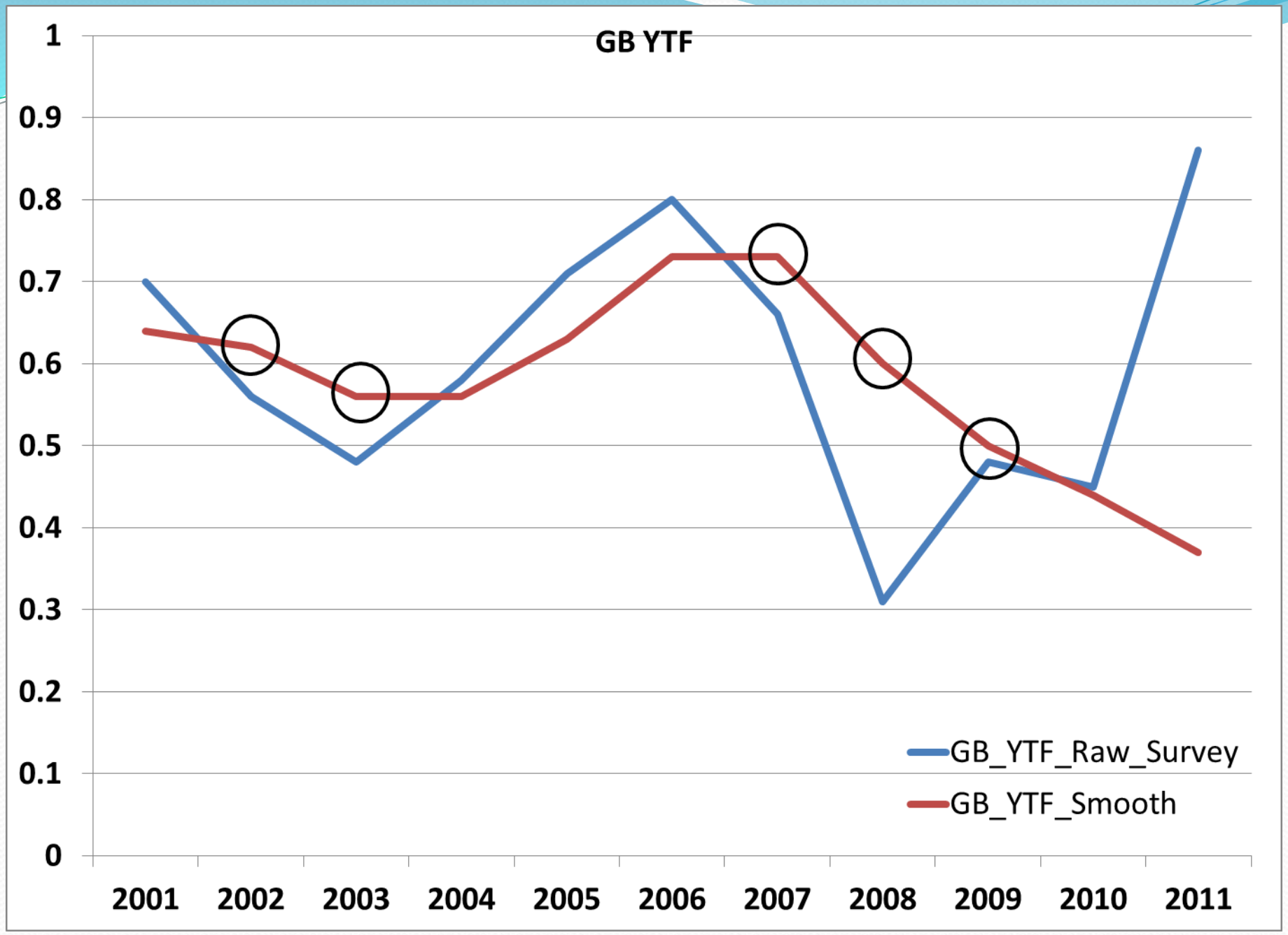
What Happens Without Agreement?

- 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

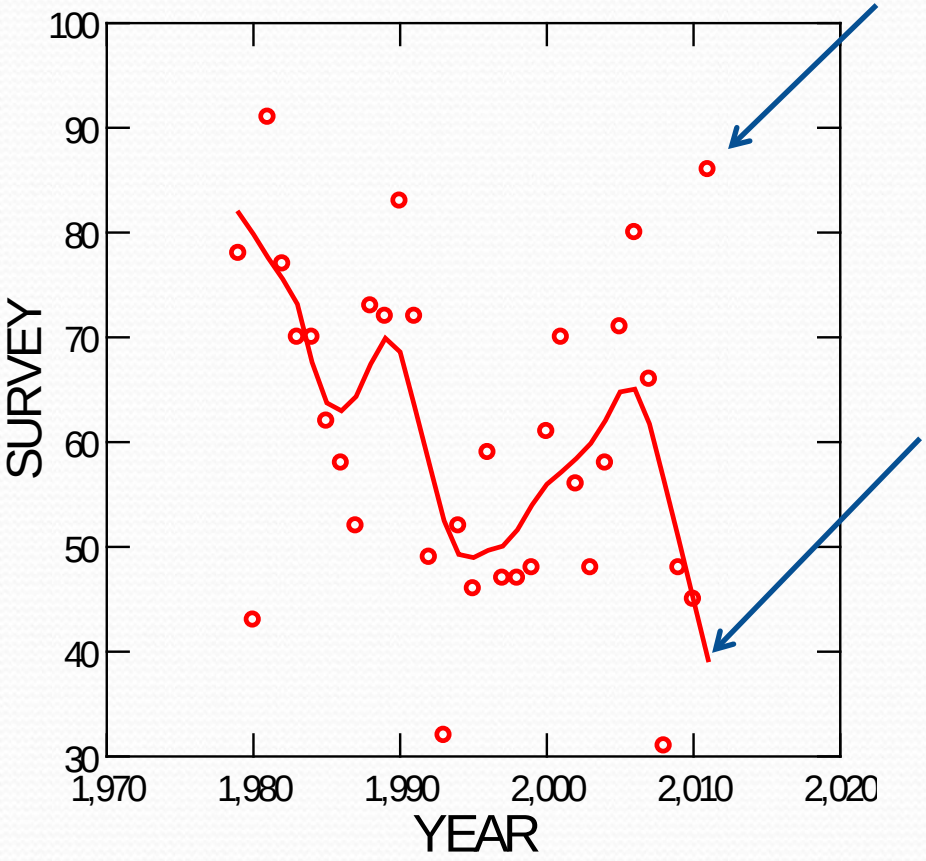
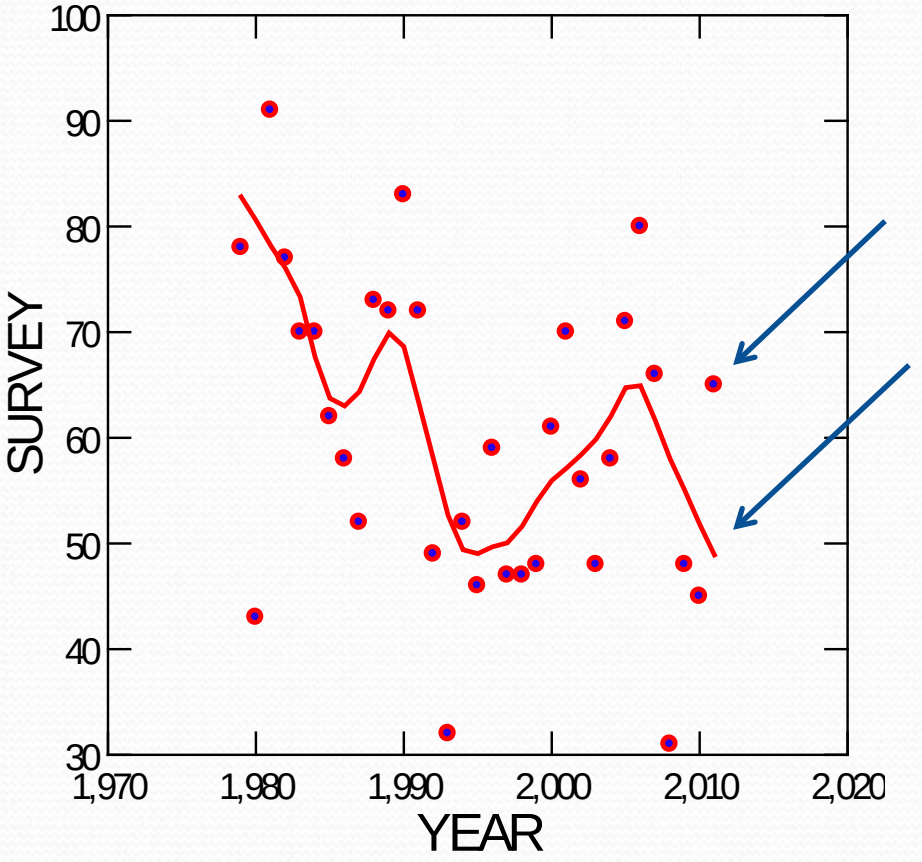
Questions?

Backup Slides


GB YTF
1
0.9
0.8
0.7
0.6
0.5
0.4
0.3
0.2
0.1
0
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
GB_YTF_Raw_Survey
GB_YTF_Smooth

LOESS Example

2011: 86%



Imagine 2011: 65%