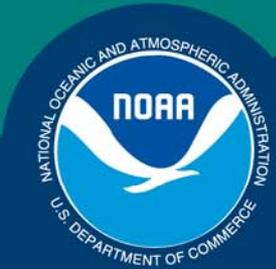


Science, Service, Stewardship



Advanced Notice of Proposed Rulemaking (ANPR) - Management Measures for Highly Migratory Species

Highly Migratory Species
Management Division
NMFS/NOAA

**NOAA
FISHERIES
SERVICE**

NOAA



Presentation Objectives

Purpose: to listen to your ideas on the potential management issues described in the ANPR

This presentation will give you:

- Background on the issues
- Description of the issues
- Prompt questions to stimulate thought, discussion, and comment

Information on where to send comments will be given at the end of this presentation.



What is an Advance Notice of Proposed Rulemaking (ANPR)?

A type of Federal Register document that highlights issues that NMFS may pursue in future rulemaking and that requests public comment on those issues.

The issues include potential management measures that may or may not be pursued based on scientific information, management needs, and/or public comment

Public input is important for development of potential action alternatives in rulemaking that may follow.



Comments/Questions

There are two deadlines for submitting comments:

June 30, 2009 - For potential BFT management measures in Section II of the SUPPLEMENTARY SECTION of the ANPR

August 31, 2009 - For potential HMS management measures discussed in Sections III and IV of the SUPPLEMENTARY SECTION of the ANPR



Potential HMS Management Measures

NMFS requests public comment on potential actions to:

- **Enable more thorough utilization of the available U.S. quotas for BFT and SWO**
- **Improve HMS permit structure**



Potential HMS Management Measures (Cont.)

Potential actions taken may:

- **Increase opportunities for U.S. fisheries to fully harvest the U.S. quotas recommended by ICCAT while balancing continuing efforts to end BFT overfishing by 2010 and rebuild the stock by 2019**
- **Continue efforts to revitalize the SWO fishery while minimizing bycatch to the extent practicable**
- **Clarify and simplify the current HMS permit structure**



Potential HMS Management Measures (cont.)

NMFS also requests public comment regarding the following catch share programs:

- **The potential implementation of limited access privilege programs (LAPPs) in HMS fisheries**
- **The potential implementation of individual bycatch caps (IBCs) in HMS fisheries**



Background – Need for Action

A combination of factors has contributed to a decline in domestic landings of BFT and SWO

- Management measures
- Increased fuel prices
- Low ex-vessel prices
- Competition from less expensive imports
- Reduced regional availability of BFT and/or reduced BFT population level

Landings of BFT and SWO are below their respective ICCAT-recommended quotas



Background – Need for Action (cont.)

Continuing important management priorities for NMFS are:

- Reduction of bycatch and bycatch mortality
- Rebuilding overfished stocks in Atlantic HMS fisheries

However, there is an ongoing concern among some HMS constituents that a portion of the U.S. quota for SWO and BFT could be reallocated to other countries during future ICAAT negotiations.



Background – Status of Stocks

- Western Atlantic BFT (SCRS 2008)
 - Overfished with overfishing occurring

- North Atlantic SWO (SCRS 2006)
 - Rebuilding with no overfishing occurring
 - Next assessment in fall 2009; expected to be rebuilt

- Atlantic Sharks (SHK)
 - Stock status varies by species – several overfished with overfishing occurring



Background – Need for Action

In light of:

- Recent underharvest of domestic BFT and SWO fisheries
- Current status of HMS stocks
- Continuing bycatch and bycatch mortality concerns
- Market factors that may affect fishery performance
- Agency efforts to address HMS permitting issues

NMFS requests comments on several potential regulatory changes described in the ANPR.



ANPR Section II

- Western Atlantic BFT
- Options for BFT fishery follow by Permit Type
 - Atlantic Tunas General
 - Atlantic Tunas Harpoon
 - Atlantic Tunas Charter/Headboat
 - Landing form all permit types
- Comment Period on these issues ends June 30, 2009



Atlantic Tunas General Permit

CURRENTLY

Limited to 3 BFT maximum/vessel/trip

POTENTIAL OPTIONS

- Increase limit
- Waive limit and set each year via inseason action
- Other?



Atlantic Tunas General Permit (cont.)

- What, if any, maximum daily retention limit should be established?
- What bycatch concerns or other biological and ecological impacts might there be (*i.e.*, due to a potential increase in fishing effort)?
- If Harpoon category participants switch into the General category due to the lack of maximum daily retention limit, would there be negative impacts on General category participants?



Atlantic Tunas General Permit (cont.)

CURRENTLY

Limited to calendar year fishing season with no fishing or quota February through May

POTENTIAL OPTIONS

- Extend General category season year-round and readjust subquotas
- Extend January subquota season until filled
- Other?



Atlantic Tunas General Permit (cont.)

- Should the General category fishery be extended until available quota for January is reached, to some other date beyond January 31, or year-round?
- If the fishery is extended beyond January 31, should the existing time period quota allocations change?
- How should NMFS distribute General category underharvest to the time periods for the following year (e.g., by FMP allocation – 50 percent for June-August; by applying all of any underharvest available for the General category to the first time period and rolling the unused portion forward throughout the calendar year; or by another method)?
- Should NMFS revise over/underharvest adjustment criteria for the General category or all categories in the future?
- The closed season (February through May) has, in effect, served as a time/area closure both for BFT and potential bycatch species. What bycatch concerns or other biological/ecological impacts might there be?



Atlantic Tunas Harpoon Permit

CURRENTLY

Limited to 2 large medium BFT/vessel/trip

POTENTIAL OPTIONS

- Increase limit to greater value
- Eliminate limit
- Other?



Atlantic Tunas Harpoon Permit (cont.)

- Would the Harpoon category still be needed if the General category maximum daily retention limit is eliminated (*i.e.*, would Harpoon category participants choose to obtain a General category permit instead of a Harpoon category permit if retention of BFT measuring 73 inches or greater is unlimited)?
- What other potential advantages and/or disadvantages could result from eliminating the incidental restriction on large medium BFT for the Harpoon category?
- Should NMFS consider limit increases or other potential actions for the Harpoon category?



Atlantic Tunas General and Harpoon Permits

CURRENTLY

Limited in both categories to BFT ≥ 73 " only

POTENTIAL OPTIONS

- Decrease minimum size to 65" or other size limit
- Allow for tolerance of one or more fish < 73 "
- Change minimum size and method to reallocate quota
- Extend limit changes to other permit categories
- Other?



Atlantic Tunas General and Harpoon Permits (cont.)

- Would user conflicts result from the recreational and commercial handgear fisheries pursuing the same size BFT?
- For the sustainability of the fishery, what should NMFS do to protect certain BFT year classes?
- Should NMFS implement slot limits (*i.e.*, establish both a min. and a max. size limit)?
- Should NMFS make a change to the commercial min. size, but revert to the 73 inch min. size when a certain percentage of the General and Harpoon category is reached (*e.g.*, 75%) by in-season action?
- How should NMFS manage the Angling, General, and Harpoon categories as the availability and distribution of size classes changes and particularly as the current cohort reaches maturity?
- How would a potential change in commercial minimum size alter market demand for imported BFT?



HMS Charter/Headboat (CHB) Permit

CURRENTLY

CHB permits are limited to either Angling or General category quota limits and/or retention limits

POTENTIAL OPTIONS

- Allow commercial and recreational BFT on same trip
- Reallocate quota for separate BFT CHB category
- Allow use of harpoon gear as a primary gear
- Others?



HMS Charter/Headboat (CHB) Permit (cont.)

- Should HMS CHB permitted vessels be allowed to fish commercially and recreationally on the same day?
- How should NMFS monitor HMS CHB effort, landings, and bycatch? Should these vessels be selected to maintain and submit logbooks?
- Should harpoon gear be authorized for use as a primary gear on HMS CHB permitted vessels? If so, should harpoon gear be authorized on both for-hire and non-for-hire trips or only on non-for-hire trips?



Landing Form or Condition

CURRENTLY

Limited to landing tuna whole or round provided one pectoral fin and tail attached

POTENTIAL OPTIONS

- Allow tail removal either for all tuna or only BFT
- Other?



Landing Form or Condition (cont.)

- Should this potential change in landing form be considered for all regulated Atlantic tuna species?
- Should this potential change be considered for all permit categories?
- Should NMFS standardize where the tail is cut for analytical purposes?
- How would this potential change affect current fishing practices?
- Are there other means of allowing more efficient storage of Atlantic tunas without removing the tail?



ANPR Sections III - IV

- Western Atlantic BFT
 - North Atlantic Swordfish
 - Permitting Issues
 - Catch Shares
-
- Comment Period on these issues ends August 31, 2009



PLL BFT Incidental Catch Requirements

CURRENTLY

- Limited number of incidental BFT per pounds of target catch
- 25 MT subquota in NED with no incidental requirement

POTENTIAL OPTIONS

- Adjust number of BFT or target catch or both
- Adjust incidental BFT quota allocation
- Allow targeting of BFT
- Consider changes ocean-wide or specific areas
- Other?



PLL BFT Incidental Catch Requirements (cont.)

- What factors should NMFS consider in any potential PLL incidental retention limit analyses to prevent potential targeting of BFT?
- Where should NMFS consider adjustments in the PLL incidental retention limits – Atlantic Ocean-wide or exclude Gulf of Mexico spawning ground or all areas where BFT are bycatch in the PLL fishery?
- Should NMFS consider revisions to the Longline category's incidental nature and/or baseline allocation?



Establish HMS General Commercial Handgear Permit

CURRENTLY

Atlantic Tunas General permit allows commercial harvest of tunas only

POTENTIAL OPTIONS

- Expand the species allowed to include SWO and SHK
- Other considerations:
 - Open vs. limited access
 - Authorized species
 - Retention limits
 - Tournament participation
 - Bycatch and bycatch mortality
 - HMS Reporting Requirements



Establish HMS General Commercial Handgear Permit (cont.)

- What are the benefits of an open versus limited access HMS General Commercial Handgear Permit?
- If SWO and/or SHK are allowed, what retention limit should apply?
- Should participation in HMS tournaments and landing of billfish continue to be allowed?
- How can impacts to the value of SWO and SHK limited access permit values be minimized?
- What data collection methods might be utilized?
- If fish are caught, but not sold, what reporting mechanism might be appropriate?



Squid Trawl Multi-Permit Exemption

CURRENTLY

To retain incidentally caught SWO, squid trawl vessels must hold 3 limited access permits (SWO Directed or Incidental, Shark Directed or Incidental, and Atlantic Tunas Longline)

POTENTIAL OPTIONS

- Consider an exemption from the 3 permit requirement for squid trawl vessels to retain SWO
- Authorize squid trawl for SWO
- Allow other HMS to be retained with squid trawl



Squid Trawl Multi-Permit Exemption (cont.)

- Should a potential exemption apply only to squid trawl vessels currently issued the three required permits to retain SWO?
- Should a potential exemption apply to all squid trawl vessels issued Illex and/or Loligo moratorium permits?
- Should midwater trawl gear be authorized for SWO or other HMS fisheries?
- Should a potential exemption apply to other HMS species, or to only SWO?
- How should a potential exemption be implemented (no permit(s) required, trawl permit only, retention limits)?



Limited Access Privilege Programs (LAPPs)

CURRENTLY

Atlantic HMS fisheries have no LAPPs; however, the Atlantic tuna purse seine fishery is a type of catch share program.

POTENTIAL OPTIONS

- Implement LAPPs in other HMS fisheries
- Considerations:
 - Applicability in HMS fisheries
 - Individually assigning quotas
 - Biological, social, and economic impacts



Limited Access Privilege Programs (LAPPs) (cont.)

- What aspects of LAPPs in HMS fisheries have the most potential to increase operational flexibility, harvest timing flexibility, and fishing efficiency?
- Would LAPPs in HMS fisheries result in increased profitability for fishermen?
- What biological, social, or economic impacts might be associated with implementation of LAPPs in HMS fisheries?
- What criteria should NMFS consider when evaluating LAPPs for HMS fisheries?



Individual Bycatch Caps (IBCs)

CURRENTLY

Limits on the bycatch of protected species are established for the PLL and BLL on a fisheries-wide basis

POTENTIAL OPTIONS

- Implement Individual Bycatch Caps in HMS fisheries
- Considerations:
 - Distribution of allowable amounts of bycatch interactions to vessels (individual or grouped) or on a regional basis
 - Biological, social, or economic impacts



Individual Bycatch Caps (IBCs) (cont.)

- How might IBCs in HMS fisheries affect the status of bycatch species?
- What aspects of an IBC system in HMS fisheries might be or might not be advantageous to fishery participants?
- What efficient and effective ways of monitoring IBCs are there?
- Social, biological, or economic impacts of IBCs?
- What should NMFS consider when evaluating IBCs for HMS fisheries?



Public Meetings – June/July 2009

Date	Time	Meeting Locations	Address
6/23/2009	5:00 pm – 9:00 pm	Manahawkin, NJ	Holiday Inn, 151 Route 72 East, Manahawkin, NJ 08050
6/25/2009	5:00 pm – 9:00 pm	Manteo, NC	Roanoke Island Festival Park, 1 Festival Park, Manteo, NC 27954
6/29/2009	5:00 pm – 9:00 pm	Plymouth, MA	Radisson Hotel Plymouth Harbor, 180 Water Street, Plymouth, MA 02360
7/21/2009	5:00 pm – 9:00 pm	Belle Chasse, LA	Belle Chasse Auditorium, 8398 Hwy. 23, Belle Chasse, LA 70037
7/28/2009	5:00 pm – 9:00 pm	Ft. Lauderdale, FL	Broward County Main Library, 100 S. Andrews Ave., Fort Lauderdale, FL 33301



Comments/Questions

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August 31, 2009 - For potential HMS management measures discussed in Sections III and IV of the SUPPLEMENTARY SECTION of the ANPR



Comments/Questions

Please submit comments, identified by “0648-AX85”

Electronic: <http://www.regulations.gov>

FAX: 301-713-1917, Attn: Margo Schulze-Haugen

Mail: NMFS SF1, 1315 East-West Highway, Silver Spring, MD 20910

For more information go to <http://www.nmfs.noaa.gov/sfa/hms/> or call Sarah McLaughlin at 978-281-9260 or Randy Blankinship at 727-824-5399