

Science, Service, Stewardship



Highly Migratory Species Advisory Panel HMS Management Overview

May 11, 2010

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FISHERIES
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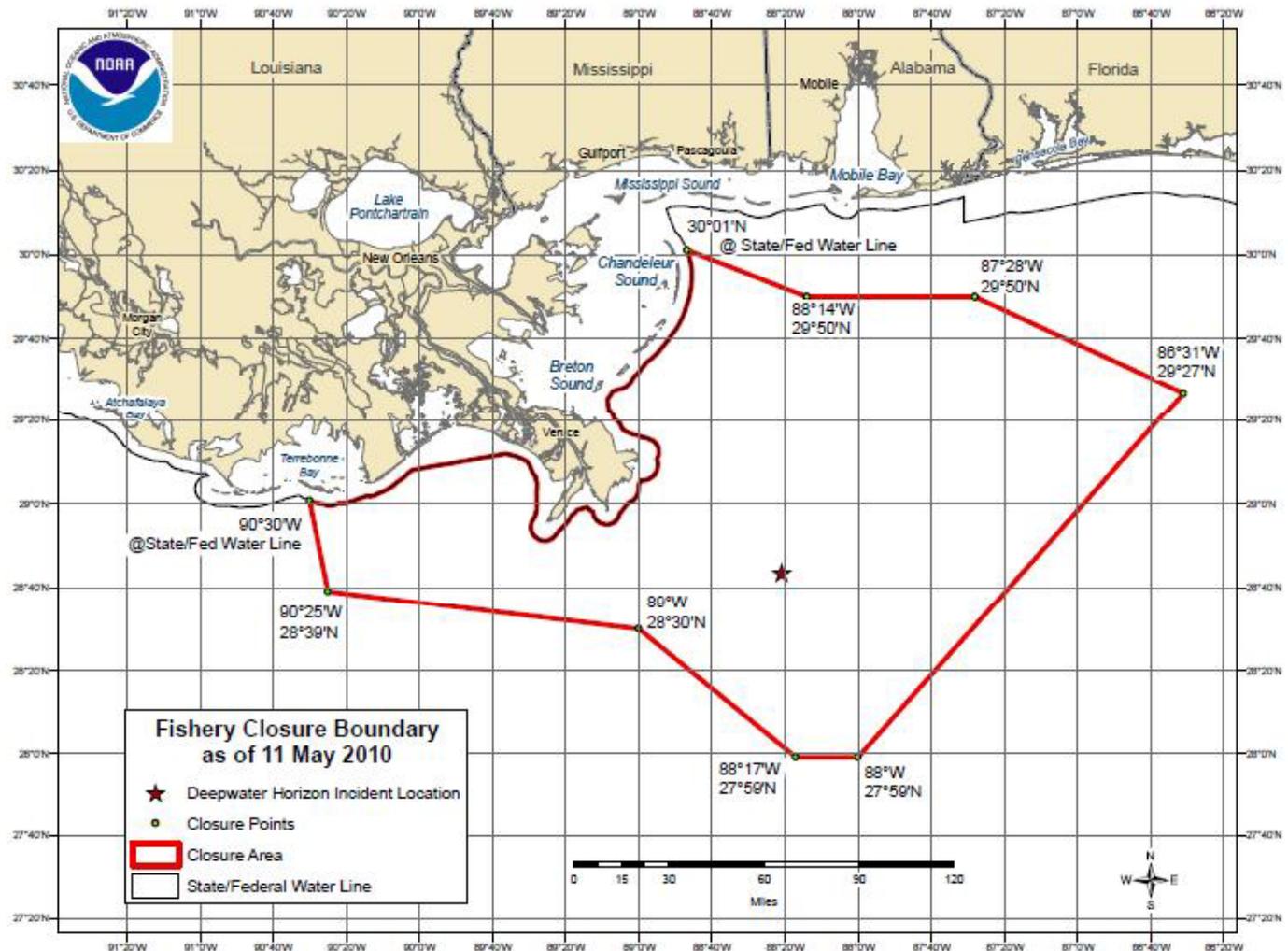
Rulemaking/Operations Update

Since the September 2009 AP meeting

- Published 3 proposed rules with 1 more in progress
- Published 2 final rules with 3 more in progress
- Considered over 40,000 comments on the 2009 ANPR and progressed with next steps on some issues
- Released Shark Amendment 3 Final EIS; Final Rule in progress
- Participated in Caribbean Com. Fisheries Data Improvement Initiative with Puerto Rico, USVI, CFMC, SERO, and SEFSC
- Amendment 4 timeline amended to coordinate Agency action in the Region
- Issued 21 EFPs, SRPs, & LOAs to date for 2010
- Oversaw 22 workshops
- Registered more than 170 HMS tournaments
- Added capability for HMS tournaments to register via e-mail (HMStournamentregistry@noaa.gov)
- ~2,600 people receiving Atlantic HMS News
- Deepwater Horizon oil spill – Emergency Rule closing an area of GOM around the spill to all fishing for public safety



BP Oil Spill Emergency Fishery Closure





Shark Amendment 3

- Prepared to rebuild blacknose sharks, prevent overfishing of blacknose and shortfin mako, add smooth dogfish to FMU
- NOI to Prepare EIS published May 7, 2008
- Predraft released February 11, 2009
- Proposed rule and DEIS released on July 24, 2009; comment period closed September 25, 2009
- FEIS released March 19, 2010
- Final rule underway
- More details in upcoming presentation



Caribbean Amendment 4

- To address permitting, authorized gears, data collection, and Agency outreach in Puerto Rico & USVI
- Notice of Intent to Prepare EIS published May 27, 2008
- Predraft released August 21, 2009
 - Comments were generally in support of the A4 effort. A few comments suggested that NMFS should work with other Caribbean countries and others noted that NMFS should recognize the unique artisanal nature of US Caribbean fisheries
- Agency distributing outreach materials & coordinating data collection improvements with PR, USVI, and CFMC
- Timeline amended to coordinate Agency action in the region



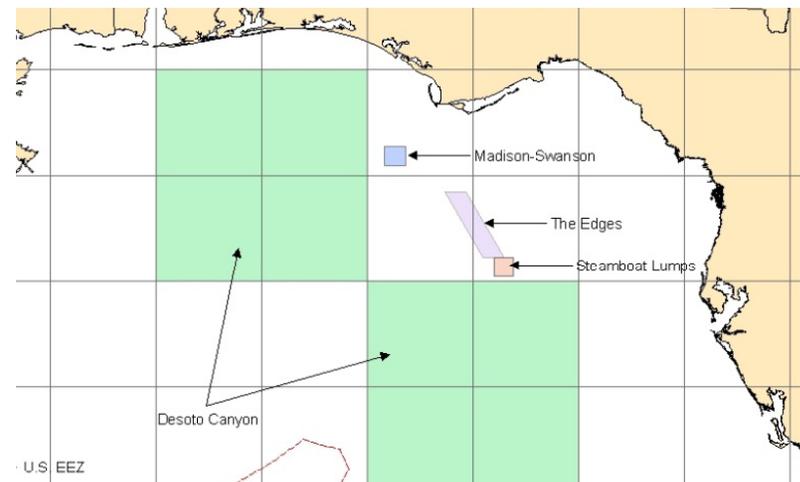
2010 Shark Season

- Base quotas established in Amendment 2
- 2010 season Final Rule published Jan 5, 2010 (75 FR 250)
- Adjusted the 2010 season quotas for the non-sandbar LCS in the Atlantic region and porbeagle sharks based on overharvest
- Shark research and pelagic fisheries opened Jan 5, 2010
- Gulf of Mexico non-sandbar LCS fishery opened Feb 4, 2010, and closed March 17, 2010
- Atlantic non-sandbar LCS fishery opens July 15, 2010
- 2010 Shark Research fishery notice published Oct 30, 2009 (74 FR 56177)
 - New Objective: Examine the size distribution of sandbar sharks and other species captured in the Mid-Atlantic shark time/area closure off the coast of North Carolina from January 1 through July 31
 - 9 applicants received permits



Swordfish 2009 Specifications

- Final Rule published Dec 16, 2009 (74 FR 66585)
- Adjusted 2009 North and South Atlantic swordfish quotas based on 2008 underharvests
- Backstopped GMFMC time/area closures in the Gulf of Mexico
 - Eliminated the sunset provision of the Madison-Swanson and Steamboat Lumps t/a closure
 - Implemented the Edges 40 Fathom Contour t/a closure
- Performed 5 administrative regulatory modifications

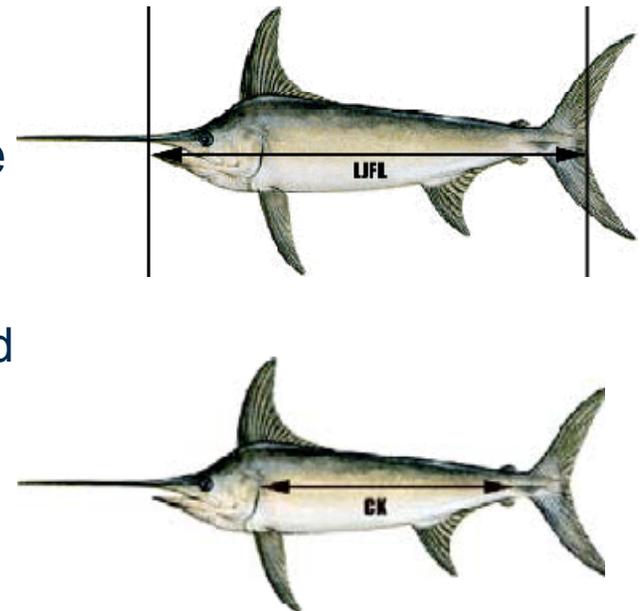




Swordfish 2009 Specifications

Among the 5 Regulatory Modifications:
Swordfish minimum size standards were streamlined

- Separate, singular measurements for whole swordfish (LJFL) and swordfish with the head and/or tail removed (CK)
- Minimum weight standard was removed (except for imports)





Swordfish 2010 Specifications

Preparing 2010 proposed specifications consistent with ICCAT
Rec. 09-02 and 09-03

SWO SPECS	2009	2010
NSWO Base	2,937.6 mt dw	2,937.6 mt dw
NSWO Adjusted	4,406.4 mt dw	4,406.4 mt dw
SSWO Base	75.2 mt dw	75.2 mt dw
SSWO Adjusted	150.4 mt dw	75.2 mt dw



2010 Bluefin Tuna Specifications

Proposed Rule: Published Dec. 2, 2009 (74 FR 63095)

- Base quota: **952.4 mt** (plus 25 mt NED PLL)
- Adjusted quota: **1268.3 mt** (plus 25 mt NED PLL)
- Would implement reduced ICCAT-recommended quota for 2010 (1,800 mt for Western Atlantic BFT)
- Would adjust 2010 quotas consistent with 2009 method:
 - ensure that the Longline category has sufficient quota to operate after required accounting for BFT dead discards
 - maintain up to 15% of the U.S. quota in Reserve for potential ICCAT transfers and other domestic management objectives
 - provide the non-Longline quota categories a share of the remainder of the underharvest consistent with the Consolidated HMS FMP allocation scheme



Bluefin Tuna Reg Amendment

- **Intent** - to enable more thorough utilization of the available U.S. quota, while ending BFT overfishing, rebuilding the BFT stock by 2019, and minimizing bycatch and bycatch mortality to the extent practicable.
- **Proposed Rule** - published November 4, 2009 (74 FR 57128)

General category

- Increase maximum daily retention limit from 3 to 5 BFT ≥ 73 "
- Allow fishery to remain open until January subquota reached.

Harpoon category

- Increase daily incidental retention limit of large medium BFT (73-81") from 2 fish to 4 fish

- **Public Comment** - extended from Dec. 21, 2009, to Mar. 31, 2010; over 6,000 comments received



Bluefin Tuna (continued)

Inseason Actions (since last AP mtg)

- Incidental PLL retention limit applied in NED effective Oct. 22-Dec. 31, 2009 (74 FR 53671, Oct. 20, 2009)
- General Category retention limit to 2 lg med/giant effective Jan. 1-31, 2010 (74 FR 68709, Dec. 29, 2009)

PLL Gulf of Mexico Spawning Season Observer Coverage

- 2007-2009 Goal: 100% for comprehensive view of stock & fishery on spawning grounds (achieved apprx. 85% in 2009)
- 2010 coverage is expected to reach approximately 50%

Weak hook research

- Preliminary results promising
- 75% reduction of BFT CPUE and non-significant difference in YFT



HMS Advanced Notice of Proposed Rulemaking (ANPR)

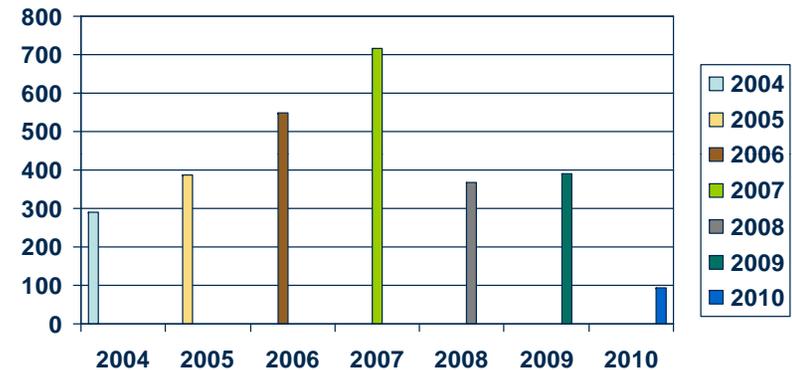
- ANPR published June 1, 2009 (same day as 2009 final BFT specs because of related issues)
- Intended to obtain public input on
 - Increasing opportunities to harvest U.S. quotas while ending overfishing & rebuilding BFT
 - Continue efforts to revitalize SWO fishery while minimizing bycatch
 - Clarify & simplify HMS permit structure
 - Implications of catch shares for HMS fisheries
- Status - NMFS continues to consider some items from the ANPR
 - Tuna Landing Form (Condition)
 - Squid Trawl Permit streamlining/exemption from 3-permit requirement
 - HMS General Commercial Handgear Permit concept
 - The role of catch shares in HMS fisheries



Recreational Swordfish Issues

Non-Tournament SWO Landings

• CY 2004: 290	• CY 2008: 369
• CY 2005: 388	• CY 2009: 389
• CY 2006: 549	• CY 2010: 93
• CY 2007: 716	



- 2008 Non-tournament landings were far below recent years even though recreational retention limits were increased in 2007
- 2009 and 2010 Non-tournament landings also currently below recent years
 - Non-reporting remains problematic



Recreational Billfish Update

- Preliminary Marlin Landings
 - CY 2008: 58 BUM; 59 WHM = 117 total
 - CY 2009: 37 BUM; 26 WHM (to date, incomplete reporting*)
 - CY 2010: 1 BUM; 1 WHM (to date, incomplete reporting*)
- Preliminary Sailfish Landings
 - CY 2008: 143 total
 - CY 2009: 140 total
 - CY 2010: 91 (to date)
- 2009 tournaments (all species) - 269
- 2010 tournaments (all species) – 170 (to date)
- Roundscale spearfish (mgmt. unit) and white marlin (genus change) – to be discussed on Thursday morning

*Includes data from RBS and Swordfish/Billfish Non-Tournament Reporting Systems only. Does not include MD and NC catch card data.



PLL Closed Area Research

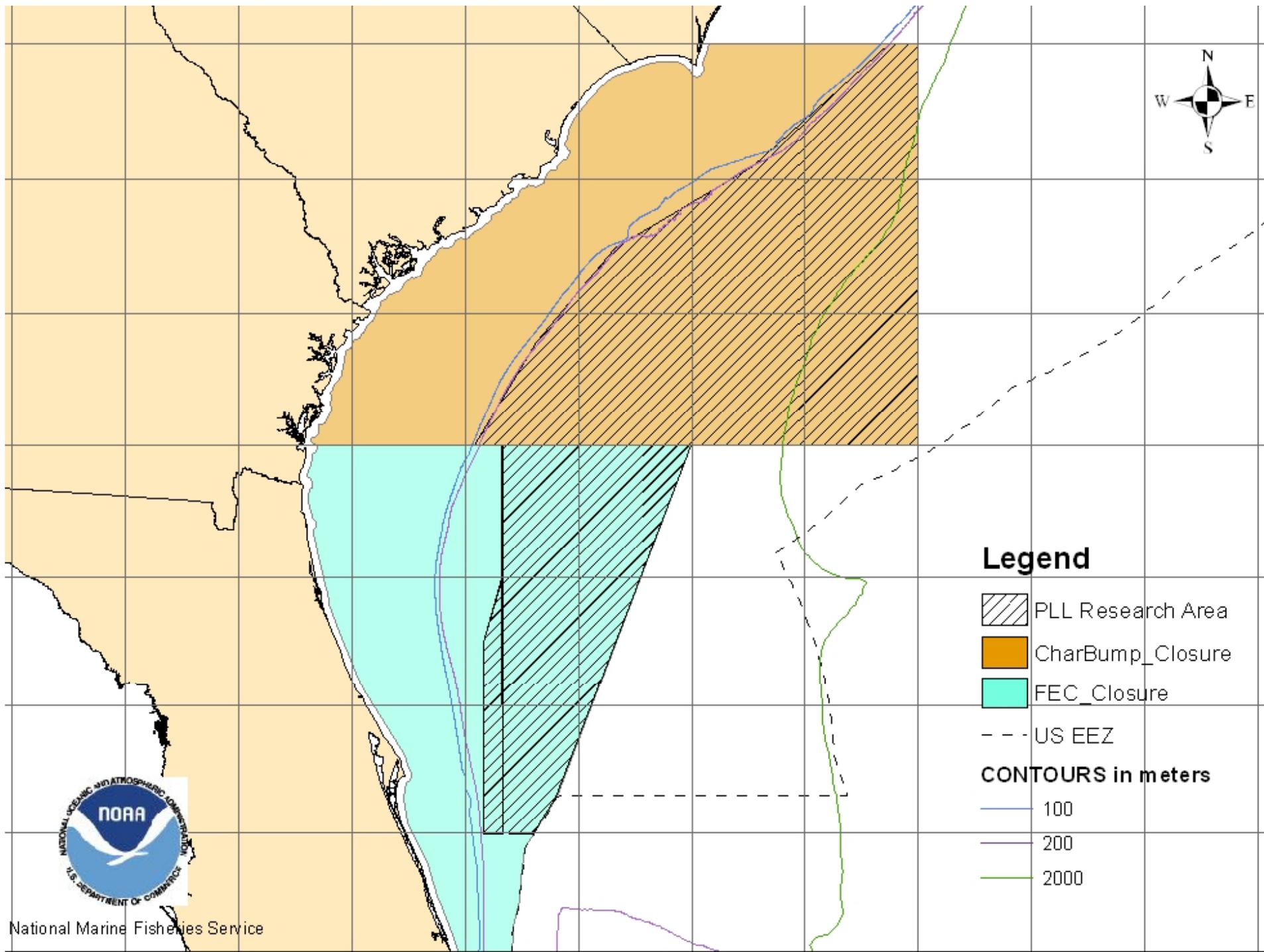
Notice of Availability of Final EA published on Jan 3, 2008 (73 FR 450)

Goals:

- 1) Collect baseline data in closed areas under current fishery conditions; 2) Evaluate existing bycatch reduction measures, and 3) Collect data to examine the effectiveness of existing area closures to meet current conservation and harvesting goals

Conditions:

- Max of 3 boats (only 2 fishing at one time), 289 sets (145 in closed areas) w/500 18/0 non-offset circle hooks, 100% observer coverage
- November 14, 2008, published NOI to issue EFPs and request comment on temporal extension and movement of western boundary 10 NM
- Feb. 26, 2009, Agency announced decision to extend research program through February 2010 and approve 10 NM westward boundary expansion
- Extended permit through September 30, 2010, to finish sets and writing of final report
 - <60% of research sets completed as of Feb. 2010; few vessels interested/able to participate

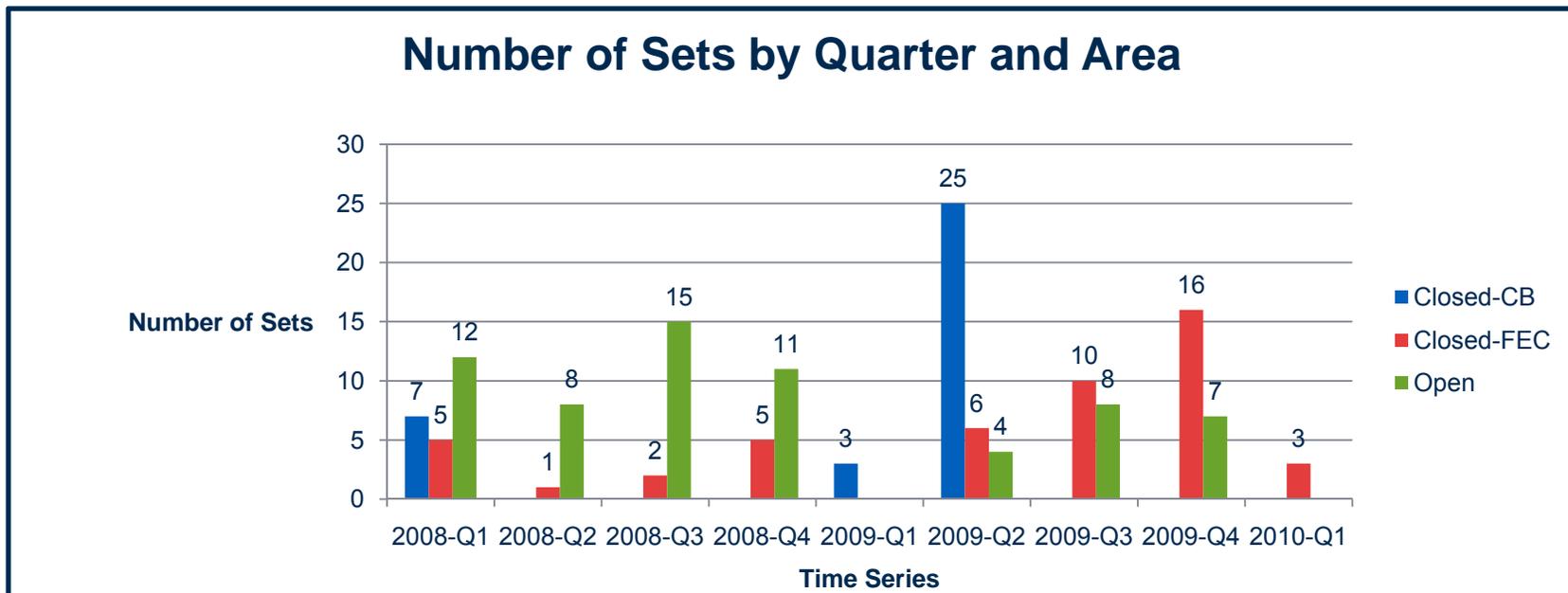


National Marine Fisheries Service



PLL Closed Area Research Results Feb. 2008 – Jan. 2010

- Trips completed: 14 in 2008; 13 in 2009; 2 in 2010.
- 148 sets completed: 35 Charleston Bump closed area; 48 Florida East Coast closed area; 65 open areas





PLL Closed Area Research Results Feb. 2008 – Jan. 2010

- No bluefin tuna
- Closed Areas
 - SWO Kept 990 (142 Released Alive (ra)), 217 Dead Discards (dd)
 - BUM 29 (22 ra, 7 dd); WHM 4 (4 ra, 0 dd); SAI 95 (72 ra, 14 dd, 7 kept, 2 lost)
 - Sea turtle interactions: Leatherback 3; Loggerhead 0
- Open Area
 - SWO Kept 301 (38 ra, 75 dd)
 - BUM 30 (24 ra, 6 dd); WHM 7 (4 ra, 3 dd); SAI 38 (25 ra, 13 dd)
 - Sea turtle interactions: Leatherback 0; Loggerhead 2



International Issues

- ICCAT
 - 2009: BFT, NSW0, SSWO, sharks, NALB, BFT CDS
 - 2010: NSW0, BFT, sharks, BET, sailfish?
- CITES: BFT, oceanic whitetip, spiny dogfish, porbeagle, hammerhead sharks proposals did not pass
- MMPA ANPR: Published April 30, 2010; 75 FR 22731
 - Would consider options for assessing whether foreign fisheries whose products are exported to the United States meet U.S. standards to protect marine mammals while fishing
- MSRA Identification process begun for 2010
 - Federal Register Notice published April 6, 2010 (75 FR 17379)
- International Trade - continues to increase in complexity and scrutiny; Agency is exploring options for increasing efficiencies



Workshops

- Protected Species Safe Handling, Release, & ID Workshops
 - HMS pelagic & bottom longline & shark gillnet vessel owners & operators must attend
 - Mandated by 2004 PLL Biological Opinion
 - Required for permit renewal starting in 2007; certificate(s) on vessel
 - Certificates are valid for three years (many expiring in 2009/2010)
- Atlantic Shark Identification Workshops
 - Atlantic shark dealers must attend
 - Required for permit renewal starting in 2008, certificate on premises
 - Certificates are valid for three years (many expiring in 2010)
- Outreach
 - Direct mailings to permit holders each quarter; HMS workshops webpage; quarterly list serve notices; fact sheets



Workshops

Protected Species Safe Handling, Release and Identification workshops and Atlantic Shark Identification workshops continue to be conducted.

2009: 22 Protected Species workshops
12 Shark Identification workshops

Total: 86 Protected Species workshops since 2006
44 Shark Identification workshops since 2007

Future Workshop Locations

Protected Species

5/20/10 – Kitty Hawk, NC
5/26/10 – Warwick, RI
6/16/10 - Charleston, SC
6/30/10 - Manahawkin, NJ
Jul. – Sep: MA; NJ; NC; FL;
LA; & TX

Shark Identification

5/20/10 - Foxborough, MA
6/10/10 - Alvin, TX
Jul. – Sep: NC; FL; & LA



Exempted Fishing Permits

- 2010 to date – total 21
 - 11 EFPs
 - 4 Scientific Research Permits – delete this line
 - 4 SHK & HMS Display permits
 - 6 SHK letters of acknowledgement
- 2009 - 30 total
- 2008 - 32 total
- 2007 - 41 total
- 2006 - 44 total
- All require some level of analysis



Operations/Other

- Council/Commissions:
 - GFMC
 - Grouper/reef fish turtle takes & Gulf Council recent action
 - ASMFC
 - Interstate Shark FMP implementation in January 2010
 - Smooth dogfish addendum
 - New Jersey non-compliance & moratorium
- Modernization of BFT dealer reporting underway
- Outreach under development to encourage the live release of shortfin mako sharks
- International Trade Data System in development
- Greenstick gear study underway
- Creation of SEDAR Pool for upcoming shark assessment



Green-Stick Gear Characterization Study

Purpose: to characterize the catch and bycatch of the green-stick gear fishery off North Carolina

Funding: Bycatch Reduction Engineering Program

Partner: North Carolina Division of Marine Fisheries Observer Program

- Green-stick gear has been used along the Atlantic coast for several years (concentrated in NC)
- Touted as having low bycatch and bycatch mortality
- Need to substantiate and document
- May have potential as alternative to PLL in some areas



Green-Stick Gear Characterization Study

Study Update:

- Fishing vessels contracted to carry observers
- Vessels fish normally
- Six trips observed in July – Oct 2009; trip length = 1-3 days
- Catch to date includes – YFT, skipjack tuna, blackfin tuna, mahi
- Bycatch to date includes – one undersized BFT, one sailfish (both released alive and in good condition)
- Data collection continuing in spring/summer 2010
- An observation is that tunas caught on green-stick gear sometimes grade lower than tunas caught on PLL gear



Loggerhead Turtle Proposed Rule

- March 2010: FWS/NMFS determined there are nine Distinct Population Segments (DPS) of loggerheads and proposed to list two as “threatened” & seven as “endangered.” Proposed to list the Northwest Atlantic DPS as “endangered.”
 - “...unlikely that (fishery bycatch) mortality can be significantly reduced across the range of the (NW Atlantic) DPS...”
 - “Although regulatory mechanisms are in place that should address direct and incidental take of NW Atlantic loggerheads these...are insufficient or are not being implemented effectively...”
- These statements include all fisheries (domestic and international)
- Comment Period Closes – June 14, 2010 (75 FR 12598)



Suggestions from Prior AP meetings Completed

- ✓ BFT Angling category daily retention limit for 2009 implemented at 2 fish
- ✓ Atlantic Tuna Longline permit move to SERO
- ✓ BFT Reg Amendment Proposed Rule Published



Suggestions from Prior AP meetings Underway

- Conduct time/area research
- Create BLF recreational landings update
- Improve SWO marketing
 - FishWatch website updates (ongoing)
- Outreach –
 - Provide placards to tournament directors as part of registration –
Action: Following registration, outreach materials including compliance guides and shark identification aids are provided upon request.
 - Create placards for other HMS species
 - Make website easier to navigate
- Research in the Mid-Atlantic BLL closed area



Suggestions Still Under Consideration from Prior AP meetings Included in ANPR

- Permit-Related Suggestions:
 - Renew/issue lapsed permits
 - Allow permit leasing
 - Establish gear-based permits or Limited Access Privilege Programs
 - Use or lose permit requirement
 - Reopen SWO handgear permits
 - Create SWO General category permit - NMFS continues to consider this suggestion (will be discussed during SWO fishery agenda item)
 - Eliminate triple permit requirement for squid trawlers – NMFS continues to evaluate options for addressing squid trawl permitting
- Potentially adjust PLL incidental catch limits to reduce BFT discards (will be discussed during BFT working group)
- Possibility of allowing the removal of tuna tail lobes



Suggestions from Prior AP meetings Under Consideration

- Change CHB SWO retention limit to 1/person
- Improve dealer reporting, i.e., electronic reporting on a real time basis



Communication

- No Surprises Goal
 - Advisors/Constituents aware, informed, and engaged
 - Agency aware, informed, and engaged
 - How do we ensure there are No Surprises?
- Changes to the May 2010 AP meeting format:
 - Species working groups
 - Will allow for targeted discussions
 - Increases useful information for HMS staff
 - Goal of facilitating AP member involvement



Conclusion/Looking Forward

In conclusion,

- Meeting agenda very full
- Rulemaking schedule is quite full
- Operational activities continue/continuing challenge to balance regulatory & operational tasks

Looking forward,

- We value your input & want your input on priorities & potential solutions
- We need you to take the information from the AP meeting back to your constituents & give us feedback

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Questions?

Thank you!