

Science, Service, Stewardship



Predraft for Amendment 4 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP)

Highly Migratory Species
Management Division
NMFS/NOAA

August 2009

**NOAA
FISHERIES
SERVICE**



Presentation Objectives

Purpose: Provide an overview of what NMFS heard during scoping for Amendment 4 and what is included in the Predraft document for Amendment 4

This presentation will give you:

- An overview of why NMFS is pursuing a Caribbean-focused amendment
- An overview of the issues NMFS included in the Predraft document for Amendment 4, including current outreach activities being conducted by NMFS
- Please submit feedback on the Predraft by October 1, 2009



The Amendment Process

Purpose: NMFS is considering changes to some of the regulations that would apply to the Caribbean region

- These changes would be done through an amendment to the 2006 Consolidated Atlantic HMS FMP and implementing regulations
- NMFS published a Notice of Intent (73 FR 30381)
- NMFS started the process with scoping (73 FR 40301)
- Findings from the scoping process are summarized in a Predraft
- NMFS develops a draft Environmental Impact Statement (EIS) and proposed rule based on the issues summarized in the Predraft. The public then comments on the draft EIS and proposed rule.
- NMFS addresses and considers the public's comments and designates the preferred management measures in a final EIS and implements those measures in the final rule.



Need for Action

- NMFS believes that interest in swordfish, billfish (blue and white marlin and sailfish), sharks, and tunas (bluefin, bigeye, albacore, skipjack, and yellowfin) is increasing in the U.S. Caribbean. This may be due to depletion of shelf resources.
- However, NMFS recognizes that many HMS regulations established for the continental United States do not well fit the Caribbean region
- NMFS is developing an amendment to address the issues that are unique to the Caribbean, such as improving the permitting process and data collection and enhancing enforcement of regulations
- Such changes are needed to ensure compliance with U.S. regulations and that the United States is in compliance with multilateral treaties relating to HMS



Issues Unique to the Caribbean Region

- Small, artisanal fisheries mostly in territorial waters
- Many fishermen sell their catch directly to restaurants or individuals that are not Federally permitted dealers.
- Due to the expense of limited access permits, many Caribbean fishermen cannot afford to enter commercial fisheries for SWO or SHK.
- If fishermen do not have Federal permits, they do not have to report to NMFS, and NMFS does not receive data on catch amount or catch composition in the Caribbean region.
- Fish aggregation devices (FADs) are being used in the Caribbean region. The effect of FADs on pelagic stocks is not well understood.



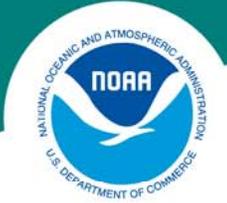
Outline of Predraft

- Permitting
 - Vessel Permitting
 - Dealer Permitting
- Reporting
 - Commercial Reporting
 - Recreational Reporting
- Offshore Fishery Resources
 - Fish Aggregating Devices
- Agency Outreach
 - Training Workshops and Education



Permitting Vessel Permitting

- 1) Maintain current Limited Access Permit (LAP) program (Status quo)
- 2) In the Caribbean, expand the species allowed to be harvested under the Atlantic Tunas General permit to include swordfish (SWO) and sharks, thus converting the permit to an open access Caribbean HMS General Commercial Handgear permit (GCHP)
 - 2.a.1) Authorize rod and reel (including downriggers), handline, harpoon, bandit gear, and green stick gear for use on vessels issued a Caribbean HMS GCHP



Permitting Vessel Permitting

- 2.a.2) Authorize rod and reel (including downriggers), handline, harpoon, bandit gear, green stick gear, and buoy gear for use on vessels issued a Caribbean HMS GCHP .

- 2.b.1) Limit the length of vessels eligible for a Caribbean HMS GCHP

- 2.b.2) Do not limit the length of vessels eligible for a Caribbean HMS GCHP



Permitting Vessel Permitting

- 2.c.1) Establish Caribbean HMS GCHP retention limits for allowable species based on stock status, available quota, *etc.*; retention limits could be set in a range and may be altered through a framework process
- 2.c.2) Establish Caribbean HMS GCHP retention limits based on current incidental SWO and shark trip limits
- 2.d.1) Allow Caribbean HMS GCHP holders to participate in recreational HMS fishing tournaments and to retain billfish (BLF) if captured on rod and reel while participating in a registered HMS tournament

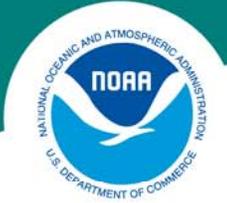


Permitting Vessel Permitting

- 2.d.2) Do not allow Caribbean HMS GCHP holders to participate in recreational HMS fishing tournaments or retain BLF if captured on rod and reel while participating in a registered HMS tournament

- 2.e.1) Allow Caribbean HMS GCHP holders to possess HMS when unauthorized gears are onboard

- 2.e.2) Do not allow Caribbean HMS GCHP holders to possess HMS when unauthorized gears are onboard



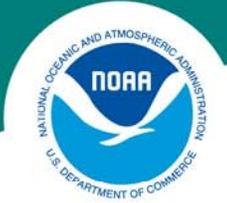
Permitting Dealer Permitting

- 1) Maintain current dealer permitting regime – Require separate SWO, shark, and tunas dealer permits (Status quo)
- 2) Create a single Caribbean HMS dealer permit allowing the purchase and sale of SWO, shark, and tunas (requirement to take shark identification workshop)
- 3) Allow Caribbean HMS GCHP holders to wholesale/retail catches (requirement to take shark identification workshop; consider having dealer endorsement)



Reporting Commercial Reporting

- 1) Maintain current reporting regulations (Status quo)
- 2) Collect catch and effort data from the Department of Natural and Environmental Resources (DNER) in Puerto Rico and the Department of Planning and Natural Resources (DPNR) in the USVI
- 3) Require vessel logbooks for Caribbean HMS GCHP holders, if selected
- 4) Require vessel logbooks (if selected) and dealer reports from Caribbean HMS GCHP holders – if allowed to wholesale/retail catch



Reporting Commercial Reporting

- 5) Improve awareness of importance of data reporting through increased outreach efforts



Reporting Recreational Reporting

- 1) Maintain current recreational reporting requirements (Status quo)
- 2) Increase outreach and education regarding recreational reporting requirements
- 3) Establish mandatory HMS reporting stations in the U.S. Caribbean (dockside reporting/catch card programs)
- 4) Implement MRIP recommendations regarding recreational reporting



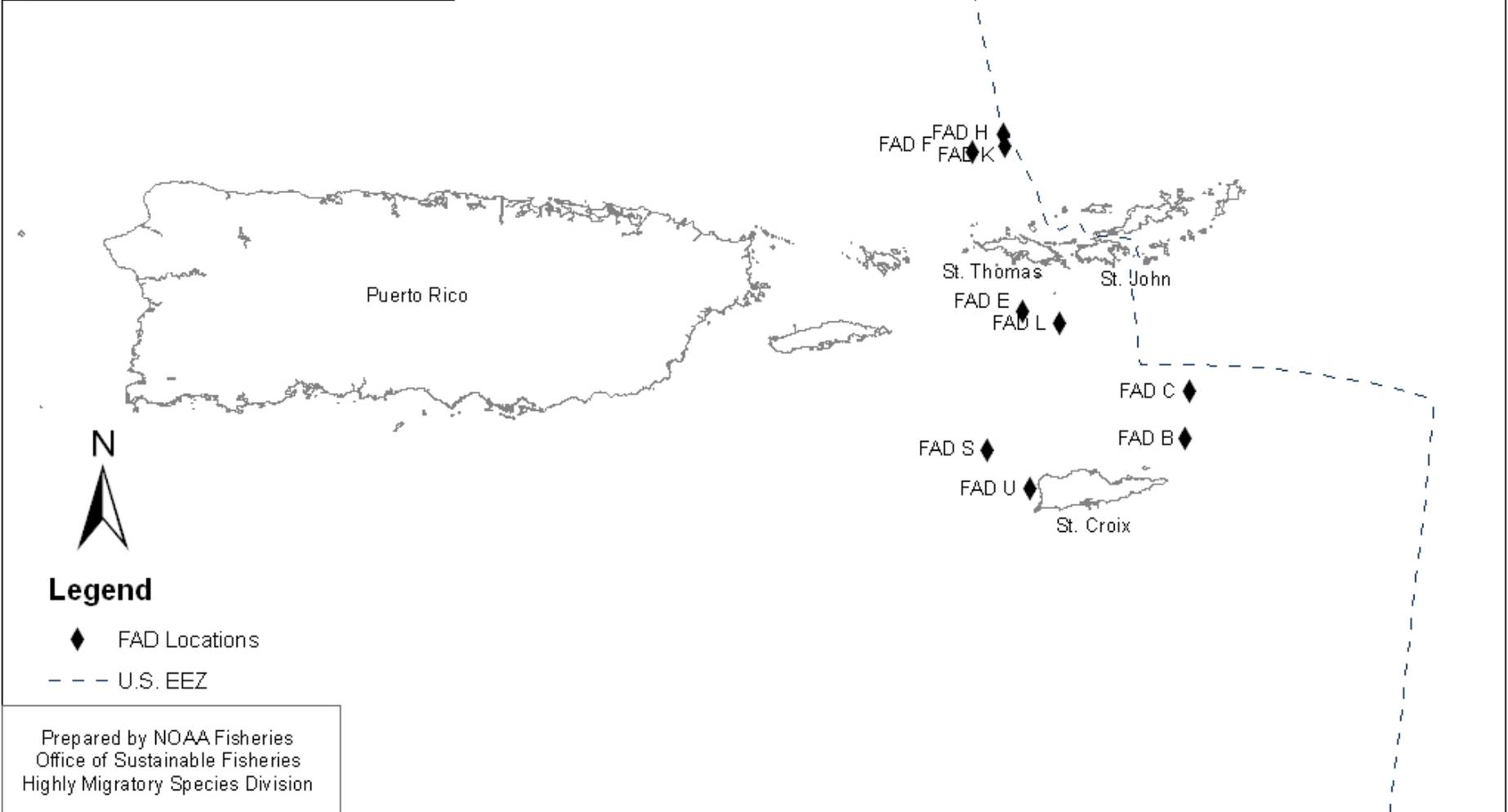
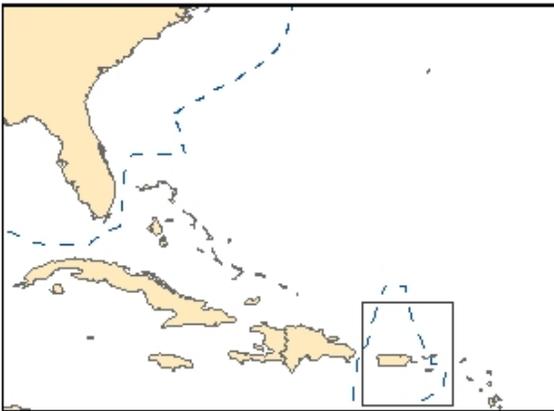
Offshore Fishery Resources Fish Aggregating Devices

- 1) Allow retention of HMS in the vicinity of FADs (Status quo)
- 2) Allow retention of HMS in the vicinity of FADs and monitor fishing effort and catches near FADs (via a checkbox on reporting forms or other methods as specified by NMFS).



Offshore Fishery Resources Fish Aggregating Devices

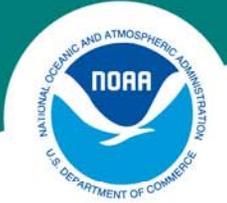
- 3) Allow retention of HMS in the vicinity of a limited number of FADs
- 4) Prohibit the possession of HMS in the vicinity of FADs



Legend

- ◆ FAD Locations
- - - U.S. EEZ

Prepared by NOAA Fisheries
Office of Sustainable Fisheries
Highly Migratory Species Division



Agency Outreach Training Workshops and Education

- 1) Maintain status quo (compliance guides, existing placards, list serve notices, HMS website, workshops for some LAP holders)
- 2) Create HMS outreach documents explaining how the United States is allocated quota by ICCAT, why permitting and reporting are important, how and when to participate in the rulemaking process, and include ID guides for Caribbean HMS; have documents available in English and Spanish



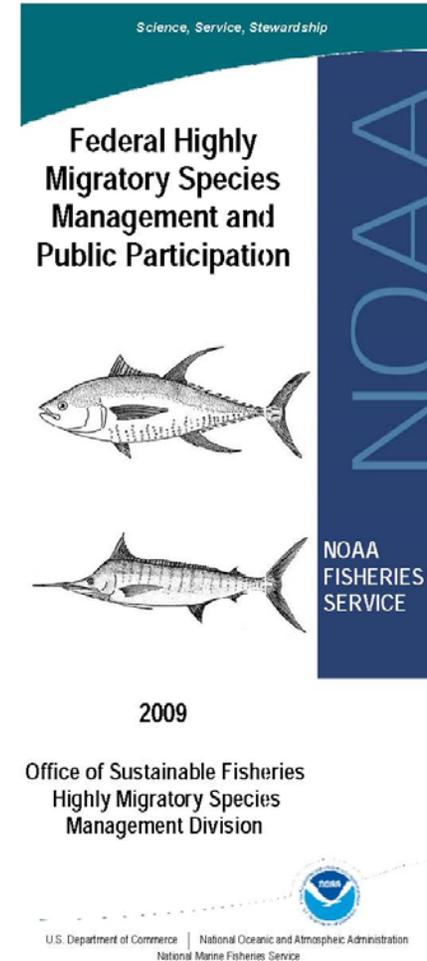
Agency Outreach Training Workshops and Education

- 3) Hold HMS identification and regulatory compliance workshops throughout the Caribbean region for commercial and recreational fisheries; participation would be voluntary
- 4) Hold HMS identification and regulatory compliance workshops throughout the Caribbean region; participation would be mandatory for Caribbean HMS GCHP holders
- 5) Hold HMS identification and regulatory compliance workshops throughout the Caribbean region; participation would be mandatory for HMS Angling and HMS CHB permit holders operating in the Caribbean Region



Current Outreach Initiatives

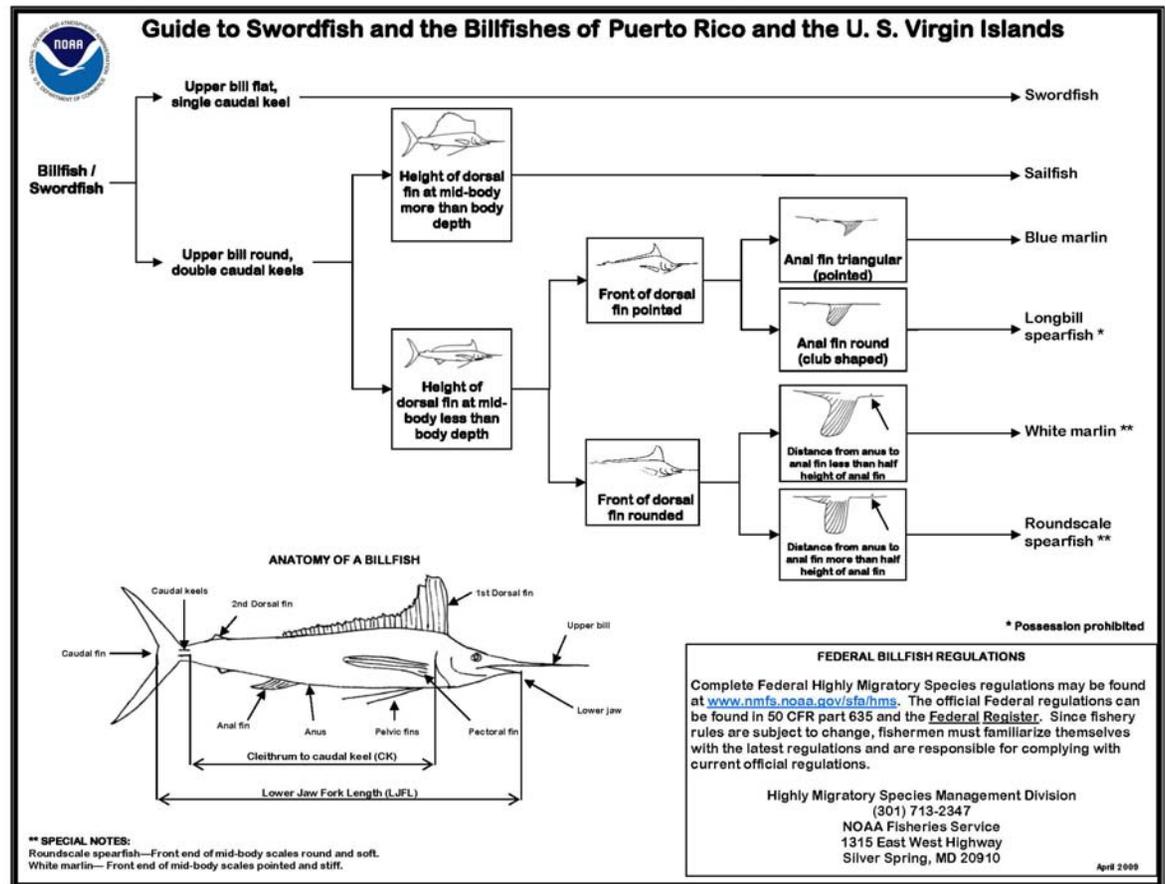
- NMFS has finalized on an outreach document to help inform fishermen about the importance of reporting their catch to NMFS and their participation in HMS fisheries. This is available in both English and Spanish.





Current Outreach Initiatives

- NMFS has finalized identification guides to help fishermen accurately identify Atlantic swordfish, billfish, tunas, and sharks. These are also available in English and Spanish.





Current Outreach Initiatives

Guide to the Tunas of Puerto Rico and the U. S. Virgin Islands

Tuna

- Ventral finlets silver or dark
 - Pectoral fin reaches 2nd dorsal fin**
 - Pectoral fin reaches beyond anal fin base → Albacore
 - Pectoral fin does not reach beyond anal fin base → Blackfin tuna
 - Pectoral fin does not reach 2nd dorsal fin**
 - 9-12 diagonal stripes on upper sides → Atlantic bonito
 - 4-6 horizontal stripes on lower sides → Skipjack
 - 4-8 dark chest spots → Little tunny
 - Ventral finlets yellow
 - Pectoral fin reaches 2nd dorsal fin**
 - Pectoral fin extends beyond origin of 2nd dorsal fin. Pattern of alternating light lines and dots on belly region → Yellowfin tuna
 - Pectoral fin only reaches origin of 2nd dorsal fin. No dot and line pattern on belly region → Bigeye tuna
 - Pectoral fin does not reach 2nd dorsal fin** → Bluefin tuna

FEDERAL TUNA REGULATIONS

Complete Federal Highly Migratory Species regulations may be found at www.nmfs.noaa.gov/sfa/hms. The official Federal regulations can be found in 50 CFR part 635 and the Federal Register. Since fishery rules are subject to change, fishermen must familiarize themselves with the latest regulations and are responsible for complying with current official regulations.

Highly Migratory Species Management Division
(301) 713-2347
NOAA Fisheries Service
1315 East West Highway
Silver Spring, MD 20910

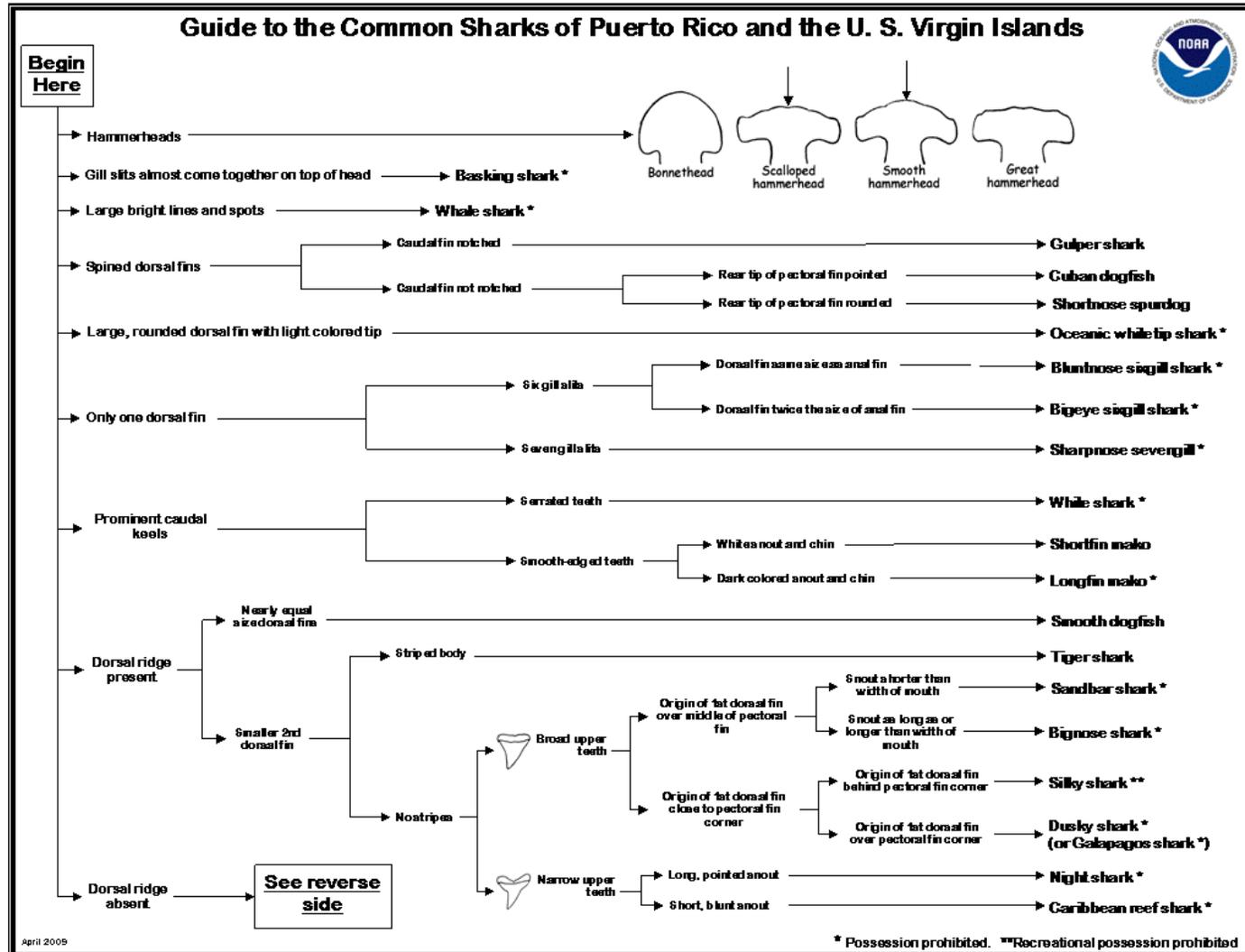
April 2009

From Florida Fish & Wildlife Conservation Commission's FWC Guide to Atlantic Tunas. Adapted with permission by Eric Sander.

ANATOMY OF A TUNA



Current Outreach Initiatives





Current Outreach Initiatives

Guide to the Common Sharks of Puerto Rico and the U. S. Virgin Islands

From Reverse Side

- Dorsal ridge absent**
 - Nearly equal sized 1st & 2nd dorsal fins**
 - Nasal barbels → Nurse shark
 - No nasal barbels → Lemon shark
 - Distinctly smaller 2nd dorsal fin**
 - Origin of 2nd dorsal fin over or behind origin of anal fin**
 - Distinct "Z" line present
 - Dark tipped anal fin → Spinner shark
 - White anal fin → Blacktip shark
 - "Z" line absent
 - 2nd dorsal fin behind anal fin → Caribbean sharpnose shark *
 - Dusky spot on tip of snout → Blacknose shark
 - Bright blue coloration → Blue shark
 - Origin of 2nd dorsal fin forward of origin of anal fin** → Bull shark

ANATOMY OF A SHARK

* Possession prohibited.

FEDERAL SHARK REGULATIONS

Complete Federal Highly Migratory Species regulations may be found at www.nmfs.noaa.gov/sfa/hms. The official Federal regulations can be found in 50 CFR part 635 and the *Federal Register*. Since fishery rules are subject to change, fishermen must familiarize themselves with the latest regulations and are responsible for complying with current official regulations.

Highly Migratory Species Management Division
(301) 713-2347
NOAA Fisheries Service
1315 East West Highway
Silver Spring, MD 20910

April 2009



Current and Future Steps

- NMFS is also working with the DNER in Puerto Rico and the DPNR in the U.S. Virgin Islands to modify the territorial trip tickets and catch cards to gather more HMS species-specific information
- NMFS, in conjunction with DNER, DPNR, and the Southeast Fisheries Science Center, is working on a collaborative effort to improve data collection in Puerto Rico and the U.S. Virgin Islands so that these data can be more effectively used in future stock assessments



Tentative Timeline

- Scoping: Summer/Fall 2008
- Outreach Documents: Spring 2009
- Predraft: Summer 2009
- Draft Environmental Impact Statement (DEIS) and Proposed Rule: Summer 2010, 60 day comment period
- Final EIS: Spring 2011, 30 day comment period
- Final Rule: Early 2011, 30 days until effective



Comments/Questions

Send Comments on the Predraft by 5p.m., October 1, 2009

Mail:

- Greg Fairclough, HMS Management Division, 263 13th Avenue South, Saint Petersburg, FL 33701 – indicate “Comments on Predraft for Amendment 4 to the Consolidated HMS FMP ” on envelope

FAX:

- (727) 824-5398
- Indicate “Comments on Predraft for Amendment 4 to the Consolidated HMS FMP ”