

Science, Service, Stewardship



Highly Migratory Species Advisory Panel HMS Management Overview

September 21, 2010

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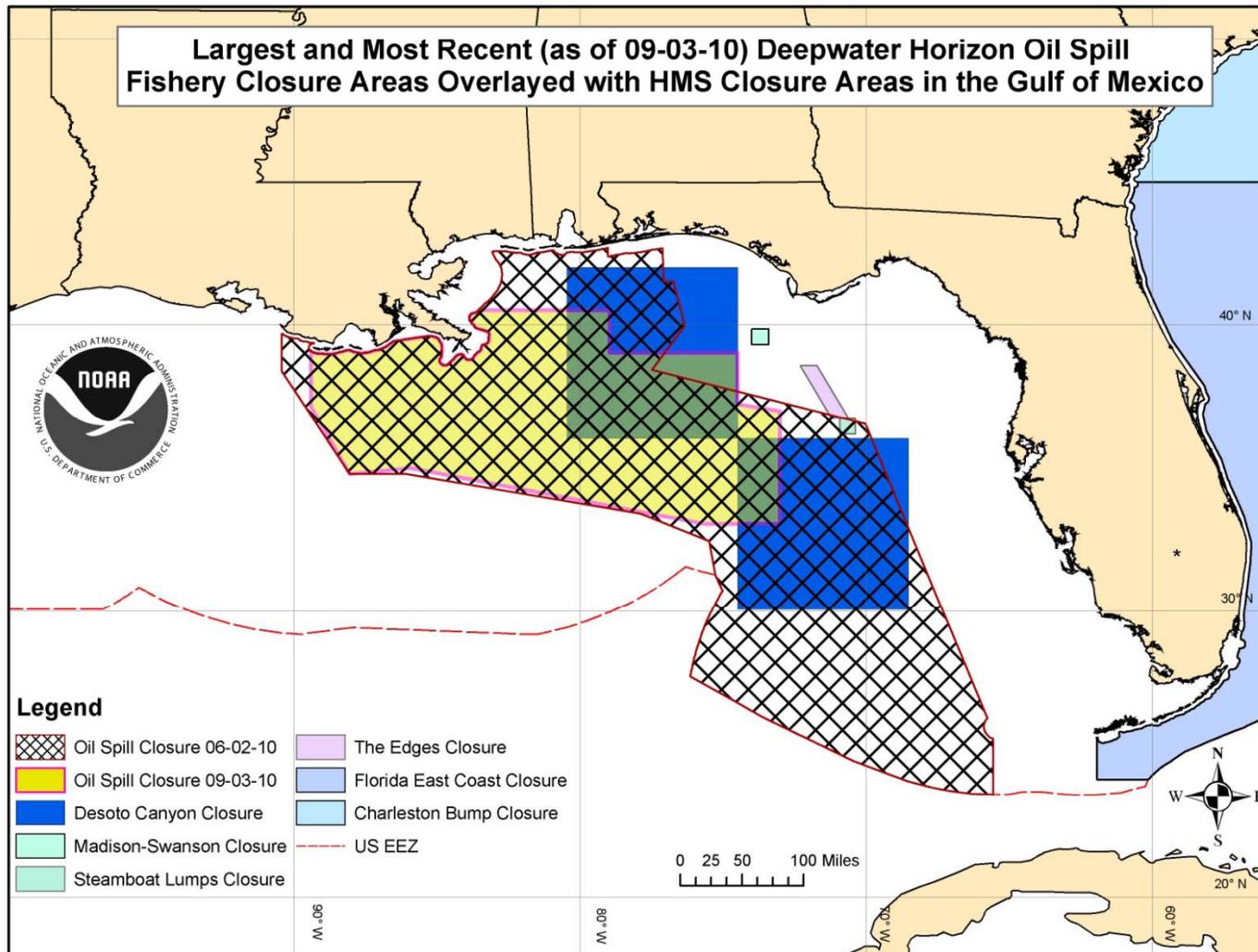
Rulemaking/Operations Update

Since the May 2010 AP meeting:

- Published 2 proposed rules and 1 ANPR
- Published 3 final rules with 1 more in progress
- Published final rule for Shark Amendment 3
- Progressed with next steps on several issues from the 2009 ANPR
- Continued participation in Caribbean Com. Fisheries Data Improvement Initiative with Puerto Rico, USVI, CFMC, SERO, & SEFSC
- Issued 32 EFPs, SRPs, & LOAs to date for 2010
- Oversaw 14 workshops
- Registered 255 HMS tournaments to date; e-mail registration available (HMStournamentregistry@noaa.gov)
- ~2,900 people receiving Atlantic HMS News
- Deepwater Horizon oil spill – 3 emergency rules closing areas of GOM around the spill to all fishing for public safety; areas re-opening under sampling protocol



BP Oil Spill Emergency Fishery Closure





Shark Amendment 3

- Rebuilding plan for blacknose sharks, prevent overfishing of blacknose and shortfin mako, add new smoothhound complex
 - 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 (75 FR 13276)
- Final rule published June 1, 2010 (75 FR 30484); corrected August 17, 2010 (75 FR 50715)
- Meetings with smooth dogfish fishermen/dealers underway; follow up rulemaking anticipated 2011
- Shortfin mako live release outreach in development



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

- Final Rule published January 5, 2010 (75 FR 250)
 - Base quotas established in Amendment 2
 - 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 opened July 15, 2010
- Porbeagle fishery closed Sept 4, 2010 (Sept 2, 2010; 75 FR 53871)
- 2010 shark research fishery underway
- 2011 shark research request for applications published September 20, 2010 (75 FR 57259)



2011 Shark Specifications

- Proposed rule published September 20, 2010 (75 FR 57240)
- Base quotas as established in Amendment 2; adjustment for 2009 Atlantic non-sandbar LCS revised landings
- Revisits trip limits from Amendment 2 based on season lengths in 2009 and 2010
- Proposes to add inseason management authority and criteria for trip limits adjustments and determining fishing season opening dates each year
- *Public hearing Wednesday evening at 6:30 pm*
- 2 additional public hearings and a conference call in September and October



Swordfish 2010 Specifications

- Final Rule published September 21, 2010
- Adjust the North Atlantic Swordfish (NSWO) quota to 4,406.4 mt dw, based on 2009 underharvest
- Adjust the South Atlantic Swordfish (SSWO) quota to 75.2 mt dw, based on 2009 underharvest and transfer to other countries
 - Per ICCAT Recommendation 09-03, 100 mt ww (75.2 mt dw) of 2009 underharvest was transferred to Namibia (50 mt ww; 37.6 mt dw), Cote d'Ivoire (25 mt ww, 18.8 mt dw), and Belize (25 mt ww, 18.8 mt dw)
- Transfer 18.8 mt dw from the North Atlantic reserve to Canada



2010 Bluefin Tuna Specifications

- Final Rule: Published June 2, 2010 (75 FR 30732)
- Base quota: 952.4 mt Adj.quota: 1,168.2 mt (+25 mt NED)
- Implemented reduced ICCAT-recommended quota for 2010 (1,800 mt for Western Atlantic BFT)
- Category quotas finalized as proposed. Smaller amount placed in Reserve based on complete 2009 landings information. Maintained intention to:
 - ensure that the Longline category has sufficient quota to operate after required accounting for BFT dead discards
 - maintain some 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

- Proposed rule published November 4, 2009 (74 FR 57128); comment period extended to March 31, 2010

General category

- Increase maximum daily retention limit from 3 to 5 BFT $\geq 73''$
- 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

- A final decision not likely before ICCAT annual meeting where a new WBFT recommendation is expected



Bluefin Tuna (continued)

2010 Inseason Actions (since last AP mtg)

- General Category retention limit of 3 lg med/giant effective:
June through August (June 2, 2010; 75 FR 30730)
September through December (August 19, 2010; 75 FR 51182)
- Angling category:
Retention limit of one school/large school BFT for private vessels and one school BFT plus one lg school BFT for Charter/Headboat vessels;
southern trophy BFT fishery closure; 1.7 mt transfer from Reserve to northern trophy BFT subquota, effective June 12-December 31
(June 14, 2010; 75 FR 33531)

Northern trophy closure, effective July 19-December 31

(July 20, 2010; 75 FR 41995)



Bluefin Tuna (continued)

PLL Gulf of Mexico Spawning Season Observer Coverage

- 2007-2009 Goal: 100% for comprehensive view of stock & fishery on spawning grounds (achieved approximately 85% in 2009)
- 2010 coverage was expected to reach approximately 50% - coverage levels not available yet
 - 115 BFT caught: 12 kept; 47 released dead; 45 released alive; 11 lost

Weak hook research

- Preliminary results promising
- *Detailed presentation today*



HMS Advanced Notice of Proposed Rulemaking (ANPR)

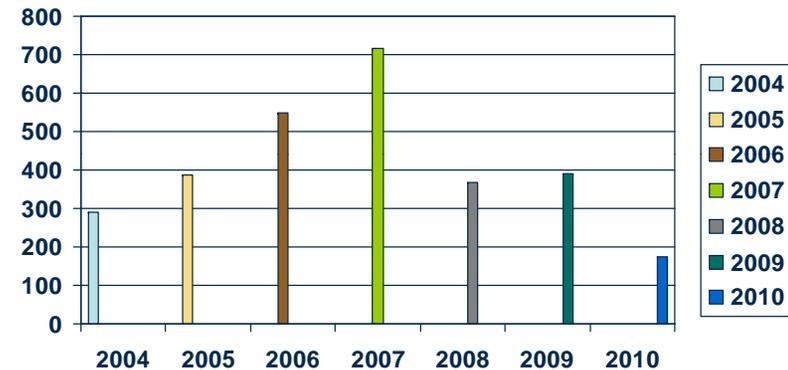
- ANPR published June 1, 2009 (same day as 2009 final BFT specs because of related issues)
- Intended to obtain public input on
 - Increasing opportunities to harvest U.S. quotas while ending overfishing & rebuilding BFT
 - Continue efforts to revitalize SWO fishery while minimizing bycatch
 - Clarify & simplify HMS permit structure
 - Implications of catch shares for HMS fisheries
- Status – *Detailed discussion Wed of some items from the ANPR*
 - Squid Trawl Permit requirements
 - Limited access permit renewals/re-issuance
 - Limited access vessel upgrade restrictions
 - Bycatch management



Recreational Swordfish Issues

Non-Tournament SWO Landings

• CY 2004: 290	• CY 2008: 369
• CY 2005: 388	• CY 2009: 389
• CY 2006: 549	• CY 2010: 175
• CY 2007: 716	



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



Roundscale Spearfish and White Marlin

- Interpretive rule and final action to add roundscale spearfish (RSP) to the management unit and change white marlin (WHM) genus publishes Sept 22, 2010
- RSP management measures identical to WHM
 - Size limit; inseason adjustment authority; inclusion in marlin 250 landings limit
- WHM regulations modified to reflect genus change to *Kajikia*
- Management measure changes will not impact anglers



Recreational Billfish Update

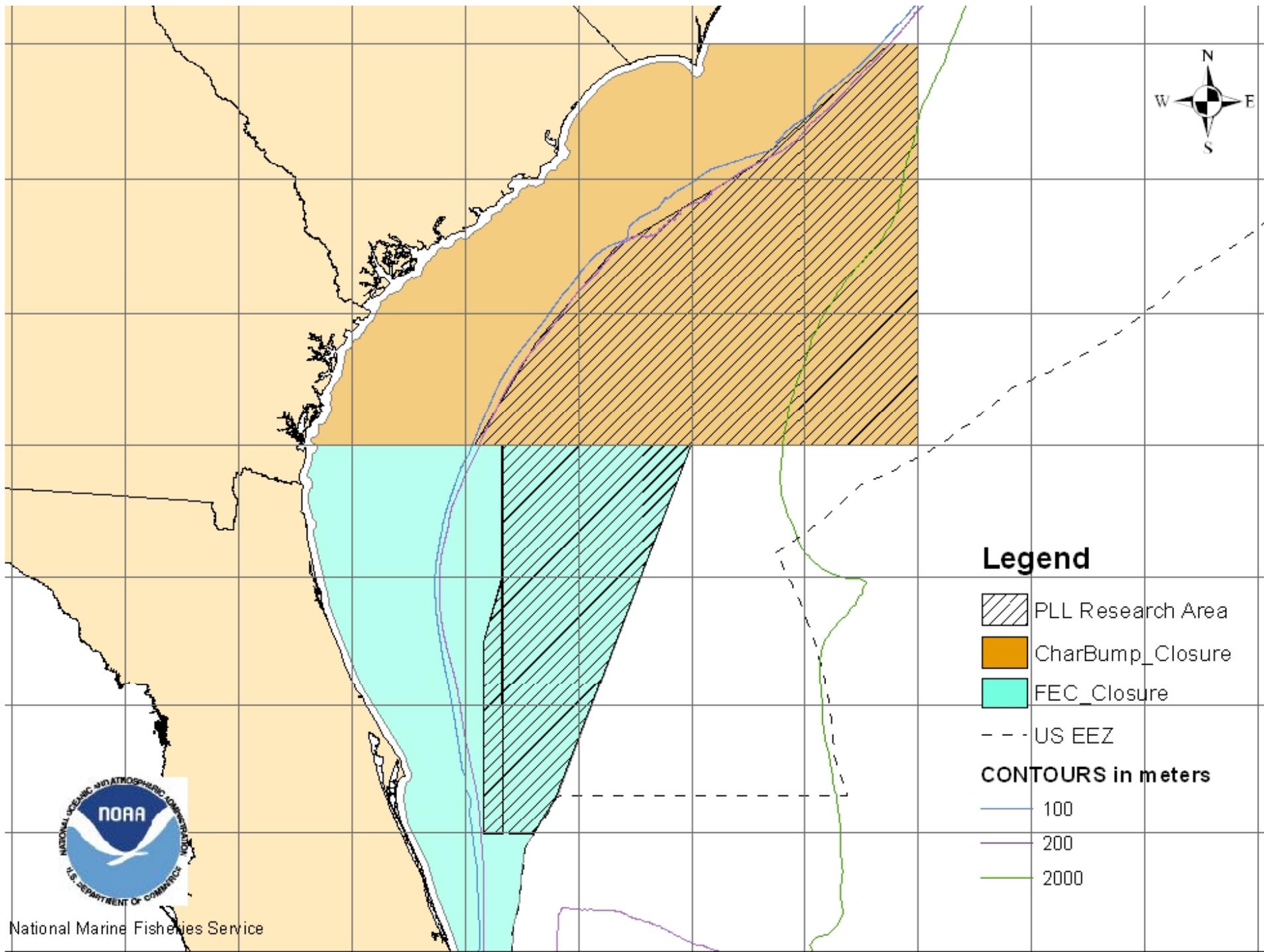
- Preliminary Marlin Landings
 - CY 2009: 44 BUM; 53 WHM (final)
 - CY 2010: 15 BUM; 37 WHM (to date, incomplete reporting*)
- Preliminary Sailfish Landings
 - CY 2009: 140 total (non-tournament)
 - CY 1010: 113 (non-tournament to date)
- 2009 tournaments (all species) - 269
- 2010 tournaments (all species) – 255 (to date)

*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
- 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
- 185 sets completed: 105 closed areas; 80 open areas





International Issues

- **ICCAT**
 - 2010: NSWO, BFT, sharks, BET, BLF, CDS for all ICCAT-managed species
 - Federal Register notice published Sept 15, 2010 (75 FR 56055) seeking IAC nominations by October 15, 2010
- **MMPA ANPR** published April 30, 2010; 75 FR 22731
 - Considers options for assessing whether foreign fisheries whose products are exported to the United States meet U.S. standards to protect marine mammals while fishing. Comment period closed.
- **MSRA Identification** process begun for 2010
 - Federal Register Notice published April 6, 2010 (75 FR 17379); closed April 23, 2010.
- **International Trade** - continues to increase in complexity and scrutiny; Agency is exploring options for increasing efficiencies



Workshops

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

New for 2010: Reminder postcards sent to people with expiring certificates.

Total: 95 Protected Species workshops since 2006
49 Shark Identification workshops since 2007

Future Workshop Locations

Protected Species

9/22/10 – Kenner, LA
10/20/10 – Panama City, FL
10/27/10 - Kitty Hawk, NC
11/10/10 - Warwick, RI
11/17/10 – Gulfport, MS
12/15/10 – Ronkonkoma, NY
12/22/10 – Port St. Lucie, FL

Shark Identification

10/7/10 - Bohemia, NY
10/14/10 - S. Daytona, FL
11/3/10 – Madeira Beach, FL
12/2/10 – Charleston, SC



Exempted Fishing Permits

- 2010 to date – total 32
 - 18 EFPs
 - 3 Scientific Research Permits
 - 4 SHK & HMS Display permits
 - 7 SHK Letters of Acknowledgement
 - 7 related to DWH/BP oil spill sampling/research
- 2009 - 31 total
- 2008 - 32 total
- 2007 - 41 total
- 2006 - 44 total
- All require some level of analysis



Operations/Other

- Council/Commissions:
 - ASMFC
 - Smooth dogfish addendum
 - New Jersey non-compliance & moratorium unnecessary
- BFT dealer reporting successfully moved to NEFSC
- Modernization of international BFT trade tracking underway
- Electronic dealer reporting system in development
- Greenstick gear study underway
- HMS Research Plan in development – *update on Thurs*
- Creation of SEDAR Pool for current 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
- Ten trips observed in 2009-10; >176 total fishing hours; trip length = 1-3 days
- Catch to date includes – YFT (47%), skipjack tuna (38%), blackfin tuna (10%), dolphin (mahi) (3%), other (2%)
- YFT catch rate = approx. 0.5 fish/hr; success fluctuates greatly
- Bycatch to date includes one undersized BFT, one SAI, undersized YFT (all released alive and in good condition)
- Data collection continuing into fall 2010
- Observed 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 Closed – September 13, 2010



Looking Ahead – 2010/2011

- ICCAT support – IAC, multilateral & annual meetings
- Rules likely needed for new ICCAT recommendations
 - Western BFT, SWO, SHK, BLF?, Catch Documents?
 - Would need to be implemented by summer 2011
- Public hearings for 2011 shark specs
- Public workshops for shark ANPR future of the fishery
- Electronic dealer reporting changes for SHK, SWO, BAYS
- Shark research fishery, EFP/SRP & shark SEDAR notices
- AP member nominations
- SAFE Report



Suggestions from Prior AP meetings Completed

- ✓ BFT Angling category daily retention limit modified for 2010 to reduce likelihood of overharvest
- ✓ Increased BFT General category daily retention limit to 3 fish for remainder of 2010
- ✓ Delay non-sandbar LCS fishery in the Atlantic until July to provide more opportunities for all fishery participants
- ✓ WHM genus change to *Kajikia* and adding roundscale spearfish to Atlantic HMS management unit
- ✓ Developed Careful Catch & Release fishing brochure
- ✓ Distributed information on decontamination ports in the Gulf of Mexico and monitor effects of oil and dispersants on HMS
- ✓ Dedicated sessions on recreational monitoring and VMS at this meeting



Suggestions from Prior AP meetings Underway

- Conduct time/area research
- Improve SWO information – FishWatch updates (ongoing)
- Outreach –
 - Provide placards to tournament directors as part of registration
 - Make website easier to navigate
- Conduct research in the Mid-Atlantic BLL closed area
- Improve dealer reporting, i.e., electronic reporting on a real time basis
- Add North Carolina data to LPS figures
- Consider permit stacking and species-specific quotas, included as part of workshops on the future of shark fishery



Suggestions Still Under Consideration from Prior AP meetings Included in ANPR

- Permit-Related Suggestions – *discussion Wednesday*
 - Renew/issue lapsed permits; Use or lose permit requirement; Reopen SWO handgear permits; Allow permit leasing
 - Establish gear-based permits or Limited Access Privilege Programs
 - Create SWO General category permit
 - Eliminate triple permit requirement for squid trawlers
- Potentially adjust PLL incidental catch limits to reduce BFT discards (*discussion during BFT working group*)
- Possibility of allowing the removal of tuna tail lobes
- Role of catch shares in HMS fisheries



Suggestions from Prior AP meetings Under Consideration

- Change CHB SWO retention limit to 1/person
- Create placards for other HMS species
- Create billfish landings update



Communication

- No Surprises Goal
 - Advisors/Constituents aware, informed, and engaged
 - Agency aware, informed, and engaged
 - How do we ensure there are No Surprises?
- Changes from the May 2010 AP meeting format:
 - Species working groups for targeted discussions
 - NMFS-invited participants to Future of the Shark Fishery Working Group
 - Square table seating arrangement



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!