

Science, Service, Stewardship



Amendment 8 to the Consolidated Atlantic HMS Fishery Management Plan

HMS Advisory Panel Meeting

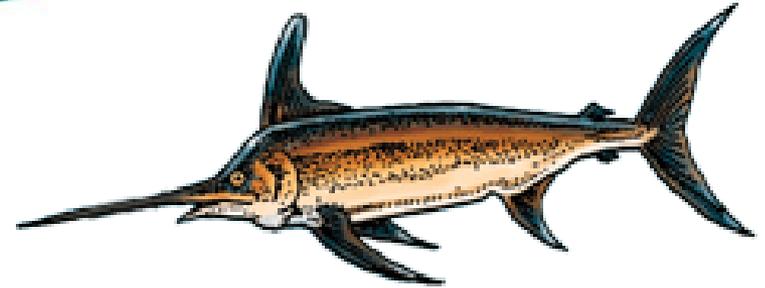
September 9, 2013

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Outline



- Background
- Alternatives Analyzed in the Draft EA & Proposed Rule
- Major Comments & Responses
- Final Management Measures
- Moving Forward



Background

- **June 2009**: Publication of ANPR (74 FR 26174)
- **2009 – 2012**: Discussions at HMS Advisory Panel meetings
- **March 14, 2012**: Pre-Draft of Amendment 8 Available
- **February 22, 2013**: Publication of Draft Environmental Assessment (EA) and Proposed Rule (78 FR 12273)
- **March – April 2013**: Seven Public Hearings Conducted
- **May 8, 2013**: Close of Comment Period
- **August 21, 2013**: Publication of Final Rule (78 FR 52012)
- **November 2013**: Availability of Swordfish General Commercial Permit



Amendment 8 to the 2006 Consolidated HMS FMP

- **Purpose**: To provide additional opportunities for U.S. fishermen to harvest available swordfish quota using selective gears that are low in bycatch, given the rebuilt status of swordfish and their increased availability.
- **Alternatives Analyzed in Draft EA** : (two main issues)
 - 1) Vessel Permitting
 - 2) Swordfish Retention Limits & Regional Management



Vessel Permitting Alternatives

Alt. 1.1 - No Action: Maintain Current Swordfish Limited Access Permit (LAP) Program

Alt. 1.2 - *Establish Open Access Commercial Swordfish Permit*

Sub-Alt. 1.2.1 - Modify existing Atlantic tunas General category permit by adding swordfish

Sub-Alt. 1.2.2 - Modify existing Atlantic tunas Harpoon category permit by adding swordfish

Sub-Alt. 1.2.3 - *Allow Charter/Headboat (C/HB) permit holders to fish under open access swordfish commercial regulations when not on a for-hire trip.*

Sub Alt 1.2.4 - *Create new separate open access commercial permit*

Alt. 1.3 - Establish New Limited Access Commercial Swordfish Permit



Swordfish Retention Limit Alternatives

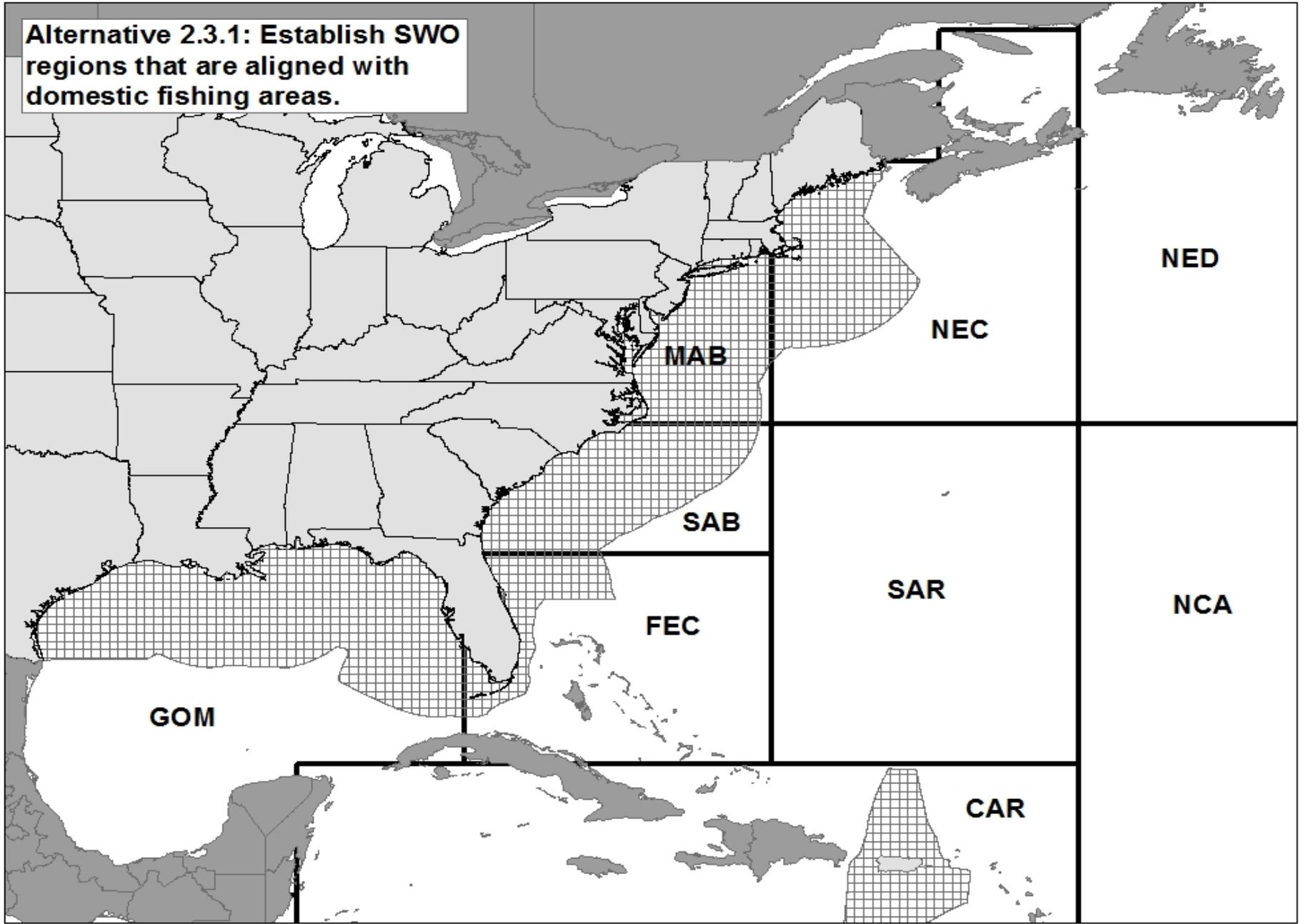
Alt. 2.1 – Establish a fishery-wide 0 to 6 fish limit range for new/modified permit and codify a single limit within range

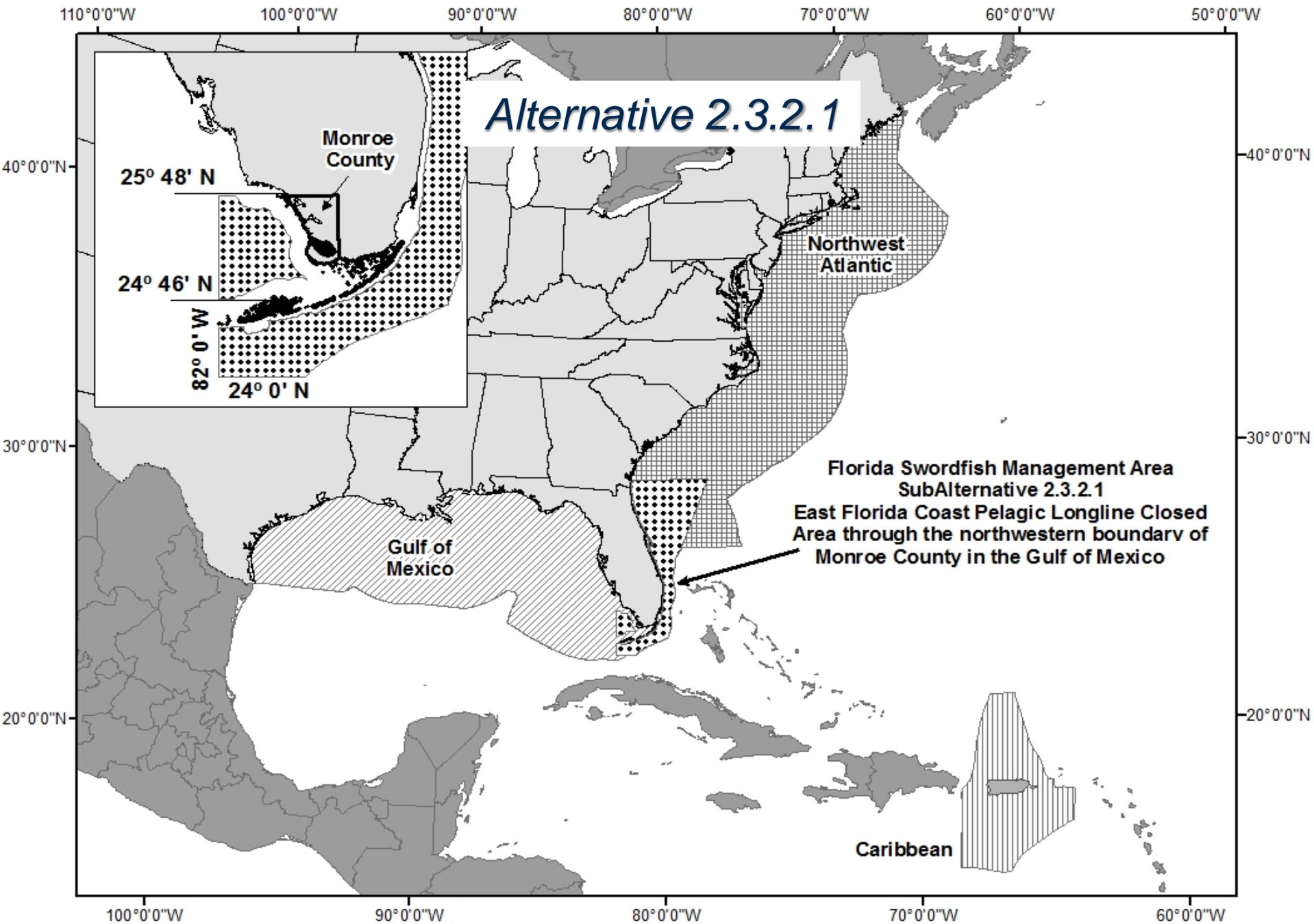
Alt 2.2 - Establish a fishery-wide 0 to 6 fish limit range for new/modified permit; codify a single limit within range; and, establish in-season authority to adjust limit

Alt. 2.3 - *Establish swordfish management regions, a 0 to 6 limit range for each region, and codify a single limit for each region with in-season authority to adjust the limit within each region*

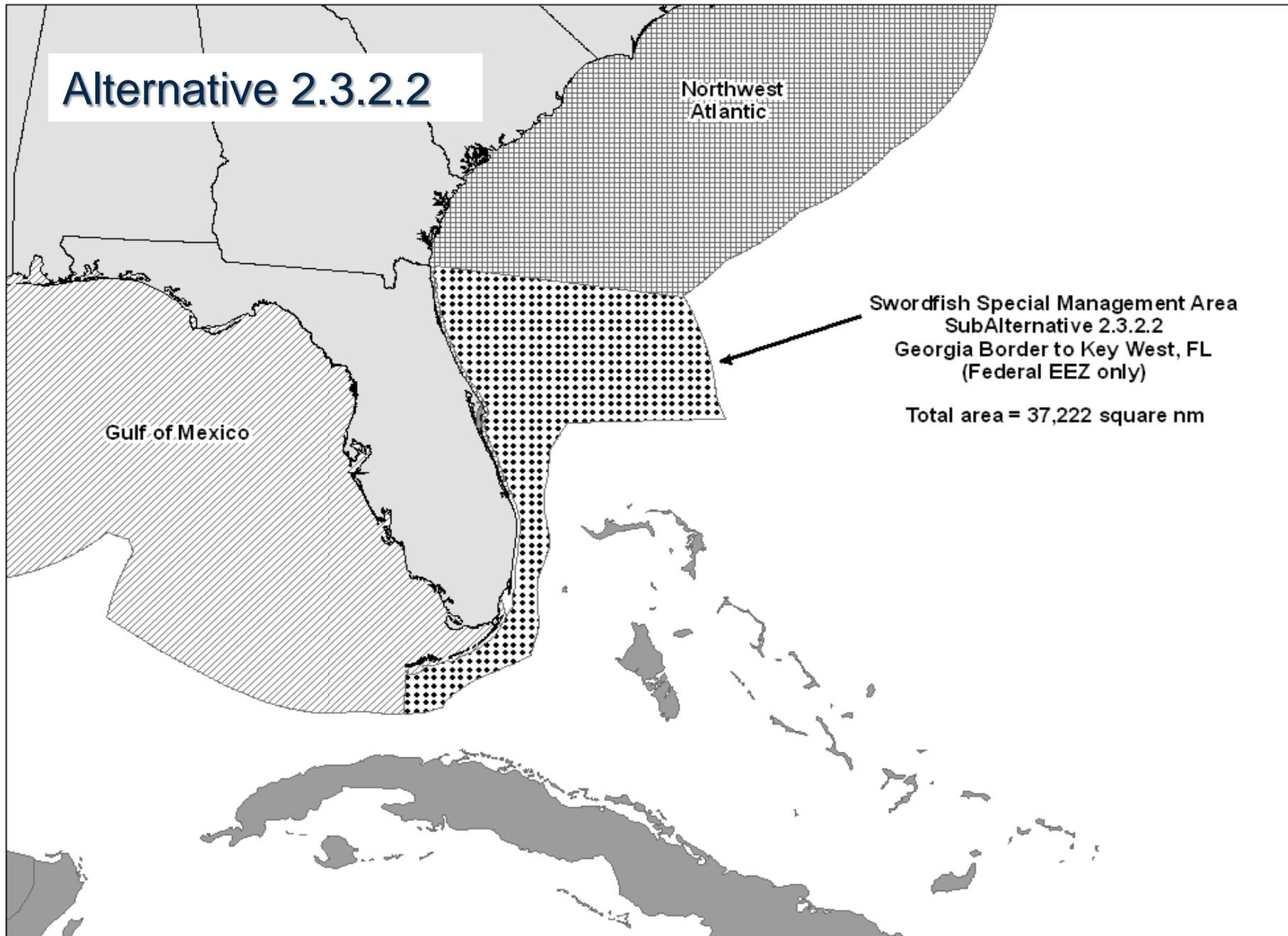
- Several sub-alternatives to designate regions to account for unique environmental and biological factors affecting swordfish stock

Alternative 2.3.1: Establish SWO regions that are aligned with domestic fishing areas.

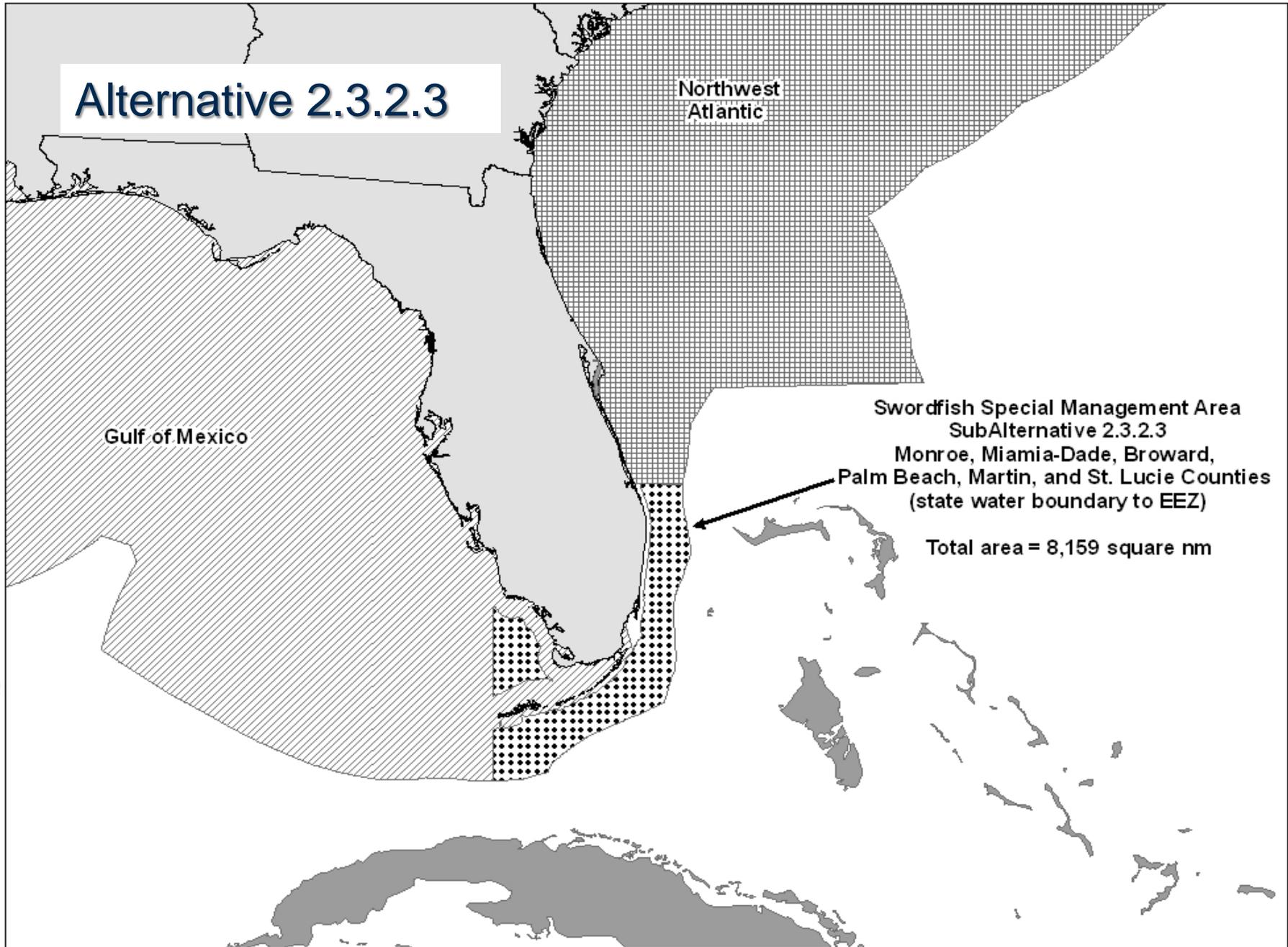




Alternative 2.3.2.2



Alternative 2.3.2.3



Swordfish Special Management Area
SubAlternative 2.3.2.3
Monroe, Miami-Dade, Broward,
Palm Beach, Martin, and St. Lucie Counties
(state water boundary to EEZ)
Total area = 8,159 square nm



Public Comments Received

- 210 written comments and numerous verbal comments received
- In general:
 - Support from existing Atlantic tunas General category permit holders, especially in the Northeast
 - Opposition from some existing swordfish LAP holders
 - Concern about potential for rapid growth of commercial swordfish fishery in SE Florida
 - Support for higher/lower initial swordfish retention limits
 - Questions regarding supporting analyses & projections



Comments & Responses

Comment:

- New permit would provide additional opportunities to fish for a fully rebuilt species using selective fishing gears
- Creates new opportunities to catch more U.S. swordfish quota
- Generates economic opportunities for commercial fishermen during difficult economic times
- Safely increases number of available handgear permits without threatening the long-term sustainability of the stock

Response: Comment is consistent with the purpose of final rule



Comments & Responses

Comment:

- No need to expand harvesting capacity in the swordfish fishery;
- U.S. quota is almost fully utilized
- A new permit could prompt early closure of directed fishery
- Open-access commercial swordfish permit would lower LAP values and ex-vessel prices

Response:

- Large amount of unused quota remains (767 mt < baseline quota in 2011)
- Landings will be closely monitored through e-dealer reports
- In-season adjustments to retention limits can be quickly implemented
- New permit is very different from existing LAPs (0-6 swordfish)
- Only handgear authorized



Comments & Responses

Comment:

- Need flexibility for the Florida Swordfish Management Area/Northwest Atlantic area boundary so there could be more swordfish fishing effort in areas north of Palm Beach, FL

Response:

- Florida Swordfish Management Area in final rule modified by removing the portion of the Area north of 28° 17' 10" N. lat.
- New northern boundary line intersects the U.S. mainland near Rockledge, FL, and the coastline near Cocoa Beach, FL
- Modified area smaller than the proposed area, but more closely encompasses Florida Straits and unique oceanographic features
- Large enough to provide enforceable buffer area



Comments & Responses

Comment:

- Differing comments regarding initial retention limit in the Florida Swordfish Management Area
- 1-fish limit would not provide enough revenue to make a commercial trip economically feasible
- A 0-fish limit is needed because large number of new entrants commercially targeting swordfish could cause user conflicts
- NMFS should not increase commercial fishing effort in an important swordfish spawning and juvenile habitat area

Response:

- Based upon public comments, including from the FL FWCC, indicating a high potential for rapid growth of a commercial fishery under the proposed 1-fish limit, NMFS has determined that an initial limit of 0 fish is appropriate. NMFS will continue to evaluate this and other limits.



Comments & Responses

Comment:

- Differing comments regarding the initial retention limit in the NW Atlantic and the Gulf of Mexico areas
- A 3-fish limit would not provide enough revenue to make a commercial trip economically feasible
- A lower limit is needed to preserve the value of existing LAPs, to conserve swordfish, and prevent early closure of the directed fishery

Response:

- A 3-fish initial limit is being implemented for these two areas
- Middle of the range of allowable limits
- Appropriate for initial establishment of a new supplemental or seasonal open-access fishery
- NMFS will continue to evaluate appropriateness of regional limits



Comments & Responses

Comment:

- Potential environmental effects associated with the new permit are misrepresented
- Under/over estimated number of potential new permits
- Under/over estimated amount of additional landings that might occur

Response:

- Analyses are based upon best available information and appropriately consider the potential effects
- Atlantic Tunas General category permit used as proxy to determine the potential number of new applicants and projected landings
- Predicted to yield 265 mt dw of additional landings
- Landings monitored using e-dealer and could be adjusted in-season to ensure landings do not exceed available quota



Final Management Measures

- 1) Create a new open-access commercial swordfish permit called the “Swordfish General Commercial Permit”
 - Authorized gears: rod & reel, handline, harpoon, bandit gear, and green-stick

- 2) Allow HMS C/HB permit holders to commercially fish under the new permit’s regulations when on a non for-hire trip.
 - Authorized swordfish gears: rod & reel and handline



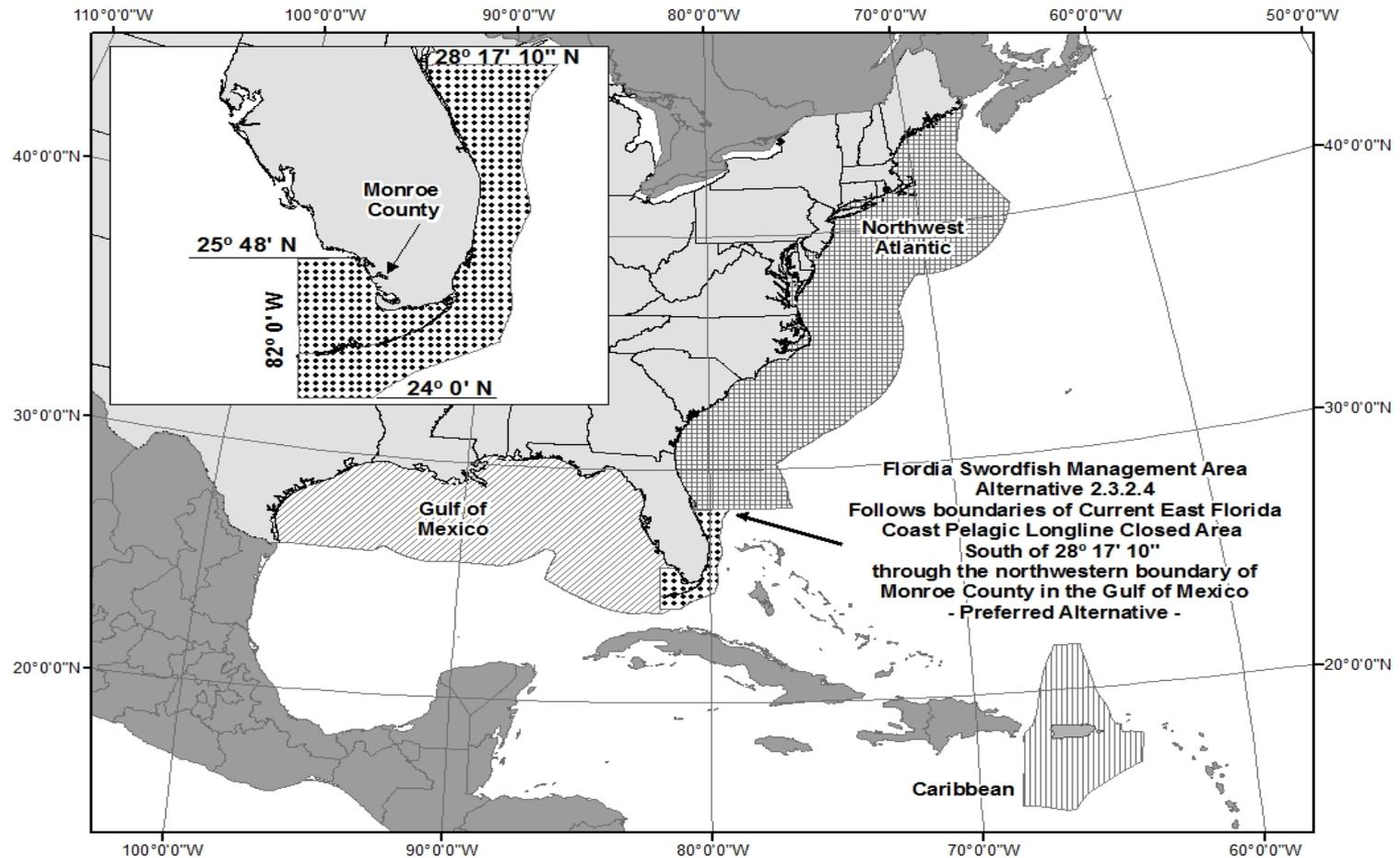
Retention Limits for the New and Modified Permits

- Establish swordfish management regions with a 0 to 6 fish range for each region, and codify one initial default limit for each region with in-season authority to adjust limit:

| Management Region | Initial Retention Limit |
|------------------------------|--------------------------------|
| Northwest Atlantic | 3 SWO/Vessel/Trip |
| Gulf of Mexico | 3 SWO/Vessel/Trip |
| U.S. Caribbean | 2 SWO/Vessel/Trip |
| FL Swordfish Management Area | 0 SWO/Vessel/Trip |



Swordfish Management Regions





In-Season Adjustment Criteria

(retention limits can be increased or decreased)

- (A) Information from biological sampling and monitoring
- (B) Ability of vessels participating in fishery to land quota
- (C) Amounts by which quotas for other categories of fishery might be exceeded
- (D) Effects of adjustment on accomplishing objectives of 2006 Consolidated HMS FMP
- (E) Variations in seasonal distribution, abundance, or migration patterns
- (F) Effects of catch rates in one region precluding vessels in other regions from opportunity to harvest a portion of overall quota
- (G) Review of dealer reports, landing trends, and availability of swordfish



Other Regulatory Measures in Amendment 8

- New permit cannot be held in combination on vessels with HMS Angling, C/HB, CCSB, or other swordfish limited access permits
- New permit can be held on vessel with Atlantic tunas General or Harpoon category permits
- Vessels issued Swordfish General Commercial permit can fish in registered HMS tournaments. Otherwise, no recreational fishing for billfish, or for sharks and tunas unless the vessel has been issued proper commercial permits for sharks and tunas.



Other Regulatory Measures in Amendment 8 (cont.)

- Vessels issued new permit (and C/HB vessels on non for-hire trip) must comply with the specified regional retention limits in the region in which the vessel is located
- Swordfish may only be purchased by permitted swordfish dealers
- Swordfish landings will be deducted from semi-annual directed swordfish quota
- All other swordfish regulations apply (e.g., minimum size, landing requirements, gear definitions, etc.)



Moving Forward

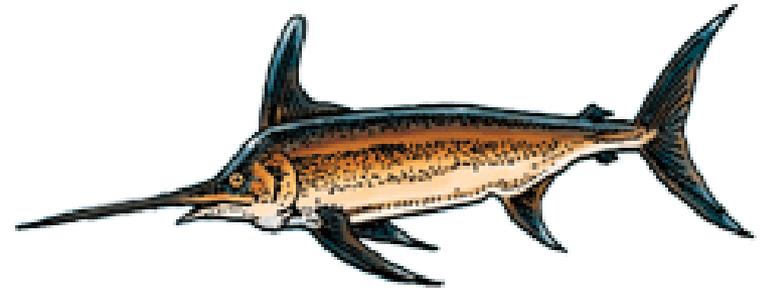
Effective Date: 30 days after publication in Federal Register (September 20, 2013), however the new Swordfish General Commercial Permit and the allowance for HMS Charter/Headboat permitted vessels to sell swordfish on non-for hire trips will first become ***effective upon issuance of the 2014 fishing permit.***

Permit Availability:

- Permits for 2014 will become available in late November of 2013.
- To obtain permit go to <https://hmspermits.noaa.gov/> or call 888-872-8862. The cost is approximately \$20.



The End



- Questions?
- Comments?

We value your input!

