



**NOAA
FISHERIES**

Atlantic Highly Migratory Species Amendment 10 Essential Fish Habitat

**HMS Advisory Panel meeting
September 9, 2015**

Background

- Magnuson-Stevens Act requires ID and description of EFH for federally managed species
- Regulations require periodic review/revision of EFH in FMPs

Timeline of HMS EFH Actions

2006: Consolidated HMS FMP – Announced intent to revise EFH

2009: Amendment 1 – Completed initial 5-year review and update of EFH for Atlantic HMS

2010: Amendment 3 – Designated EFH for smoothhound complex

Interpretive rule – Recognized roundscale spearfish, added species to the management unit, and designated EFH

2014: Atlantic HMS EFH 5-Year Review - Initiated

Summer 2015: Atlantic HMS EFH 5-Year Review – Finalized; NOI for A10

Fall 2015: Draft Amendment 10 in development

Approach to EFH 5-Year Review

Request and Evaluate New Information

March 2014 – February 2015

- Published request for information (79 FR 15959)
- Evaluated changes to the 10 EFH components
- Intra-agency scientific researchers reviewed draft findings

March 2015

- Published NOA of the draft 5-year review and requested-comments (80 FR 11981)
- Requested comments from HMS Advisory Panel

Following the comment period

- HMS Management Division staff evaluated comments

Finalization of the 5-Year Review

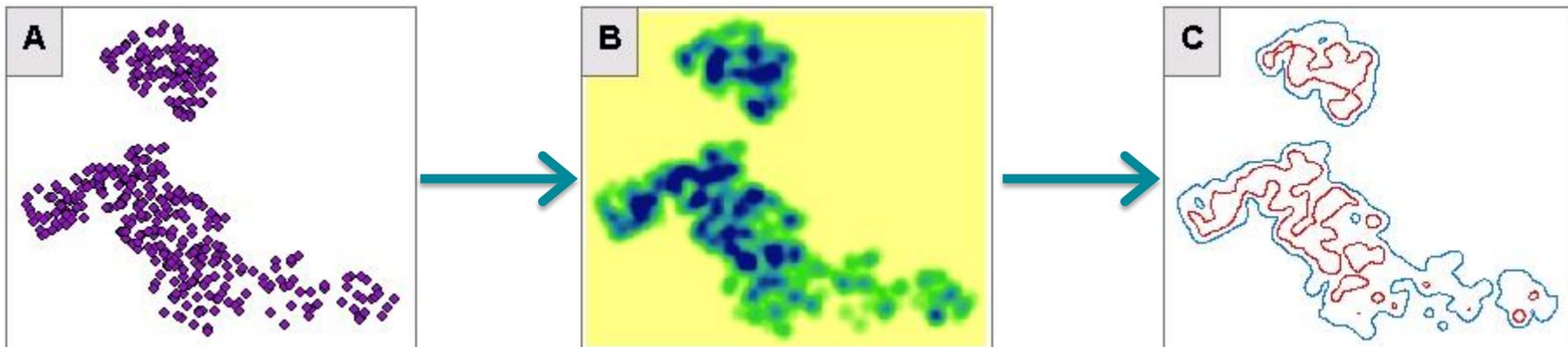
- An Amendment to the 2006 Consolidated HMS FMP is warranted.

Does New Info Require Updates to:	...Life History Description?	...EFH Boundaries?
Swordfish	YES	NO
White & Blue Marlin	YES	YES
Roundscale & Longbill Spearfish	YES	YES
Bluefin Tuna	YES	YES
BAYS Tunas	YES (YFT only)	YES (YFT only)
HMS Sharks	YES	YES (at least 18)

Delineation of HMS EFH

- Researched other methods of delineating EFH in Final 5-Year Review
- No comments on methods of delineating EFH in the Final 5-Year Review were received from AP or public

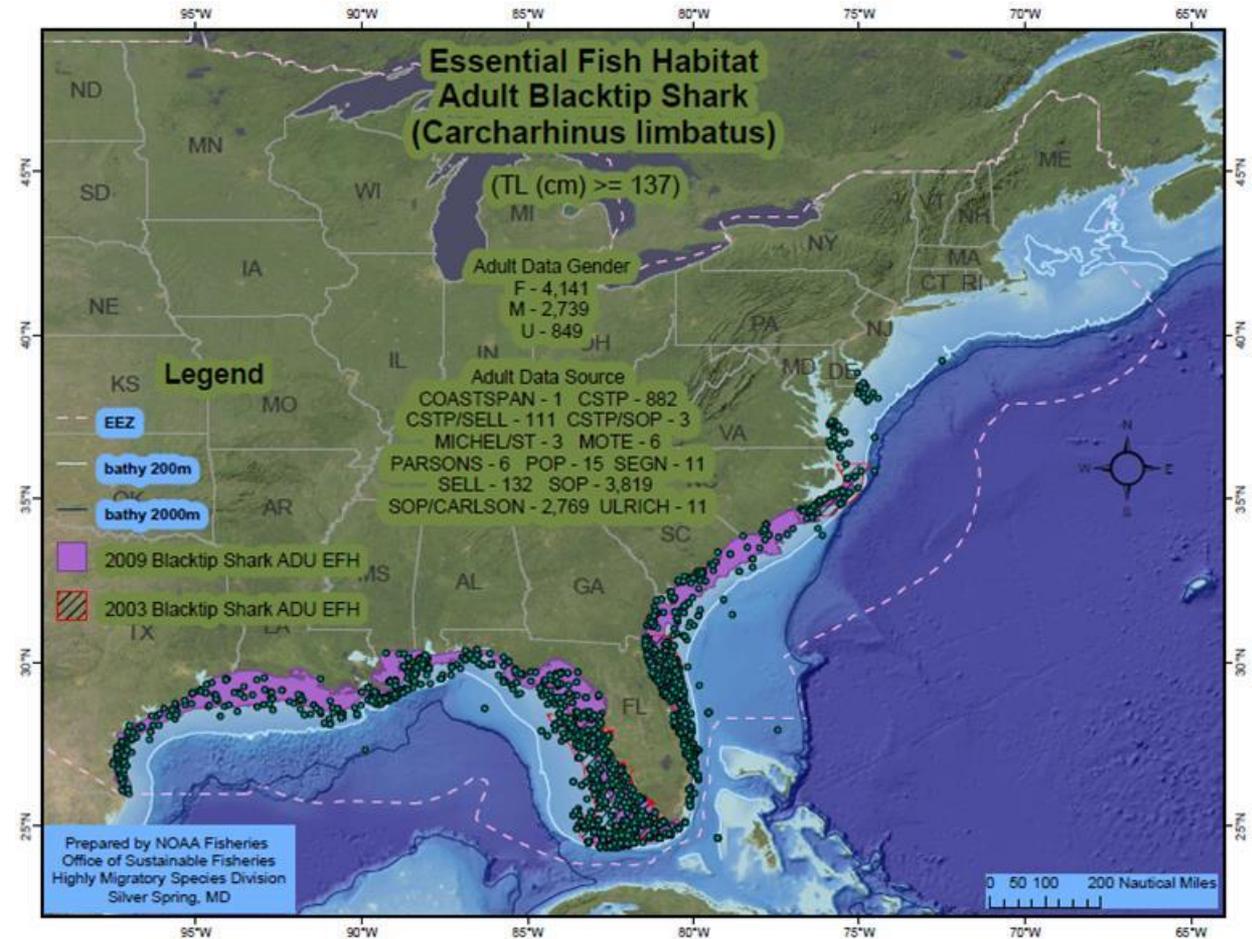
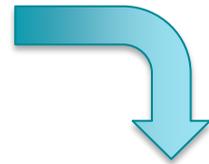
Conclusion: Kernel Density Estimation / 95 Percent Volume Contour approach is still appropriate for HMS EFH data



Images of an example depicted on the Hawth's Tools Homepage, www.spatalecolology.com

Update Fishery
Independent Data
Points
(2009 – 2014)

Create New EFH Maps for All Atlantic HMS Species



Review of Seismic Survey Activities

BOEM Programmatic EIS for oil & gas exploration in the Atlantic
<http://www.boem.gov/Atlantic-G-G-PEIS/>

- BOEM included HMS in the affected environment.
- BOEM concluded that there were **Minor to Moderate direct** adverse effects on fish as a result of seismic surveys:
 - Minor effect – detectable; temporary displacement or interruption of behavior
 - Moderate effect – detectable and extensive but not severe; physiological or anatomical damage, population level mortality, or extended displacement of populations
 - BOEM expects effects to vary based on the location of surveys, # of sites in a survey, and the length of time spent surveying a single area

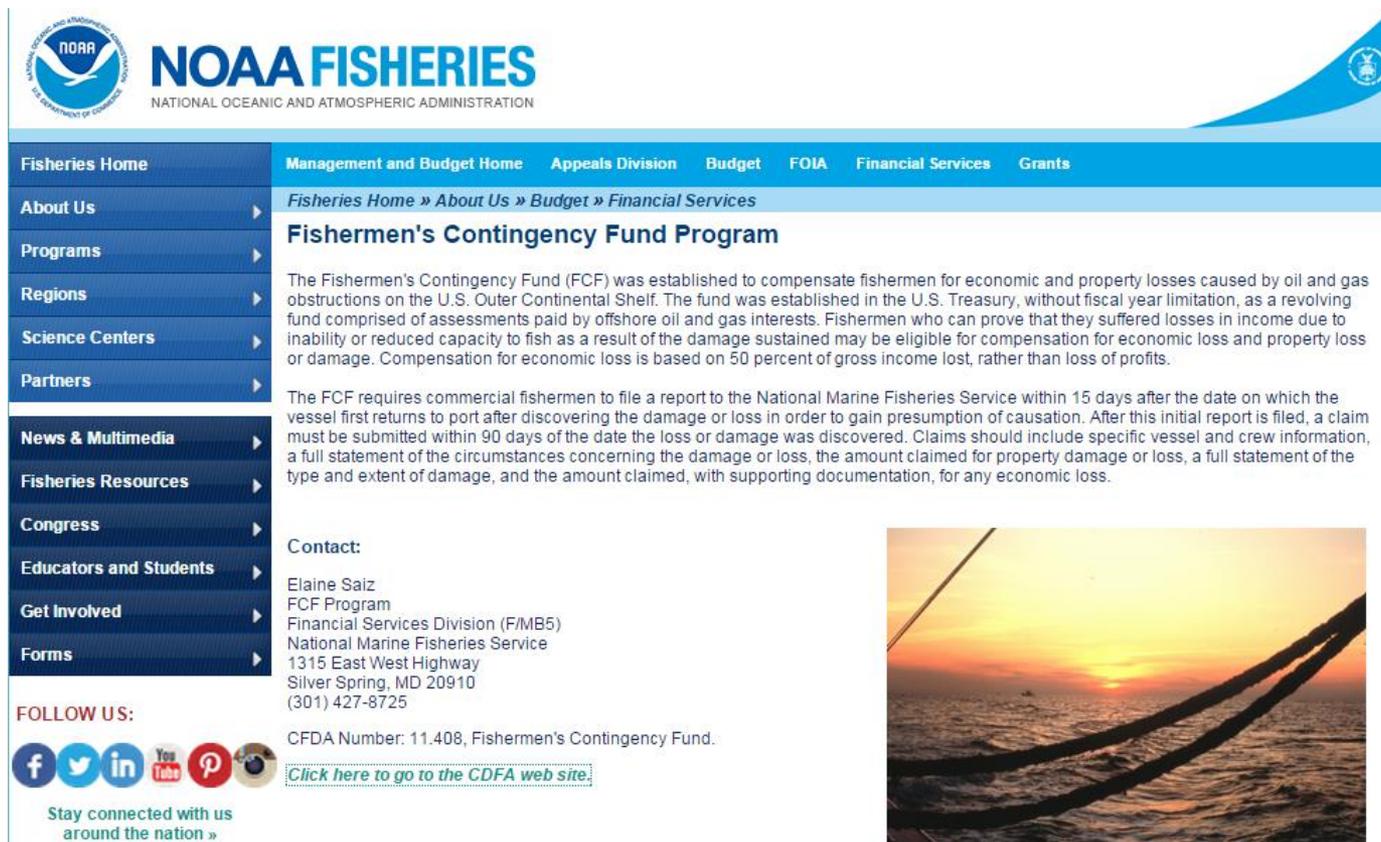
Review of Seismic Survey Activities

- HMS AP requested evaluation of seismic survey effects on EFH in Final 5-Year review (Ch 3; Ch 13)
- Literature on seismic survey impacts on fish with swim bladders and marine mammals. Tuna response to underwater sound (e.g., boat noise)

Conclusion: Evaluation of seismic survey effects on HMS EFH in Final 5-Year review did not find scientific papers analyzing effects directly on Atlantic HMS or Atlantic HMS EFH. Additional research to understand direct effects and, if necessary, to warrant future management actions for HMS EFH is needed.

Review of Seismic Survey Activities

- AP members and HMS constituents expressed concerns about gear conflicts with seismic survey vessels



The screenshot shows the NOAA Fisheries website. At the top left is the NOAA logo with the text "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION". To its right is the "NOAA FISHERIES" logo. Below the logo is a navigation bar with links: "Fisheries Home", "Management and Budget Home", "Appeals Division", "Budget", "FOIA", "Financial Services", and "Grants". The main content area is titled "Fishermen's Contingency Fund Program". It includes a breadcrumb trail: "Fisheries Home » About Us » Budget » Financial Services". The text describes the FCF, established to compensate fishermen for economic and property losses caused by oil and gas obstructions on the U.S. Outer Continental Shelf. It states that the fund was established in the U.S. Treasury, without fiscal year limitation, as a revolving fund. Compensation for economic loss is based on 50 percent of gross income lost, rather than loss of profits. The FCF requires commercial fishermen to file a report to the National Marine Fisheries Service within 15 days after the date on which the vessel first returns to port after discovering the damage or loss in order to gain presumption of causation. After this initial report is filed, a claim must be submitted within 90 days of the date the loss or damage was discovered. Claims should include specific vessel and crew information, a full statement of the circumstances concerning the damage or loss, the amount claimed for property damage or loss, a full statement of the type and extent of damage, and the amount claimed, with supporting documentation, for any economic loss. A "Contact:" section lists Elaine Saiz, FCF Program, Financial Services Division (F/MB5), National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910, (301) 427-8725. A "CFDA Number: 11.408, Fishermen's Contingency Fund." is also provided. A link is provided: "Click here to go to the CDFA web site". On the left side, there is a "FOLLOW US:" section with social media icons for Facebook, Twitter, LinkedIn, YouTube, and Pinterest. Below the icons is the text "Stay connected with us around the nation »". On the right side, there is a photograph of a fishing vessel at sunset, with the sun low on the horizon and the water dark.

Process from here...

Fall 2015 - Development of Draft Amendment 10:

- Update life history text
- Request data from partners
- Complete analyses
- Update EFH text descriptions

Spring/Summer 2016 - Draft Amendment 10 available for public comment

Fall 2016 - Final Amendment 10 available

Questions?

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