

*Science, Service, Stewardship*



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

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# Outline

- Background
- Management Objectives
- Timeframe of Action
- Overview of Proposed Rule for Amendment 4
- Summary of Alternatives
- Request for Public Comment



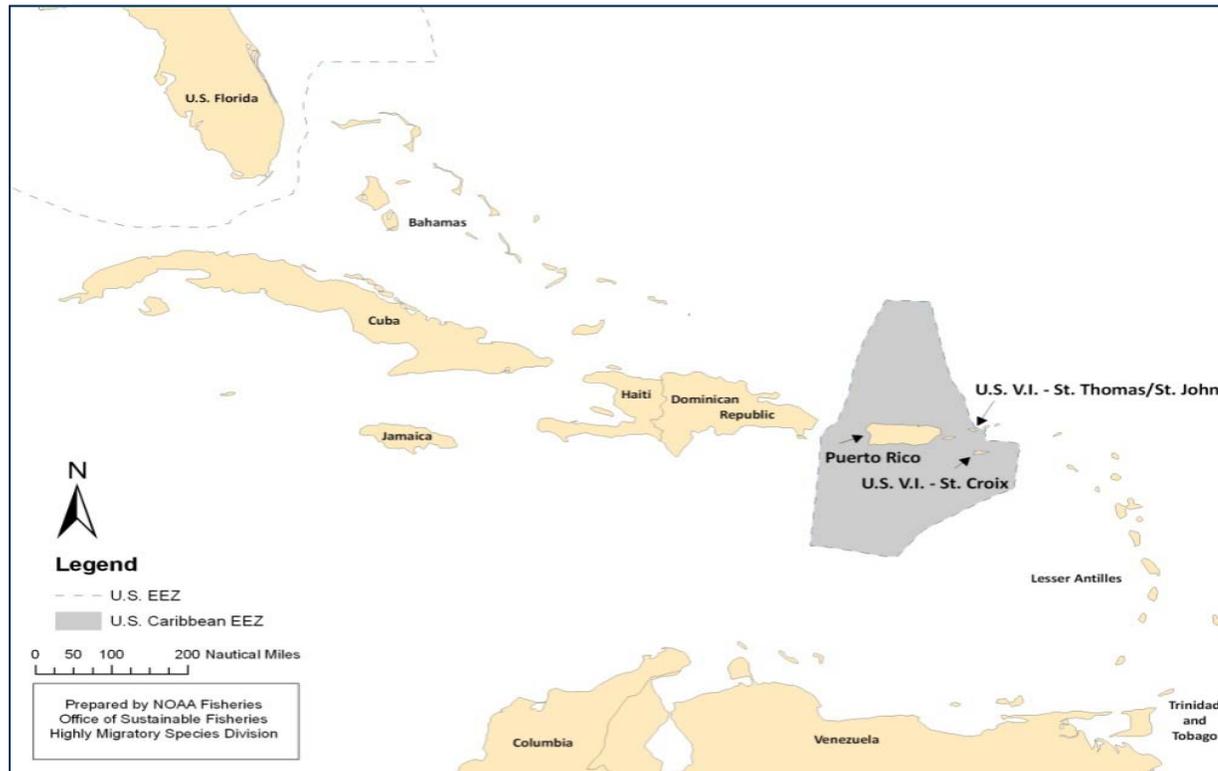


## Need for Action

- There is increasing interest in HMS in the U.S. Caribbean.
- Many HMS regulations established for the continental United States do not well fit the U.S. Caribbean Region:
  - Small-scale fisheries - small vessels with limited range and hold capacity
  - Small markets and few dealers - catch often sold directly to individuals or restaurants
  - High cost of limited access swordfish (SWO) and shark permits can be a barrier to entering the HMS fisheries for some
  - Low number of HMS fishing permits and dealer permits (mostly open access permits for bigeye, albacore, yellowfin and skipjack (BAYS) tunas) has resulted in limited HMS catch and landings data reported from the U.S. Caribbean



## U.S. Caribbean Region



➤ U.S Caribbean Region as defined in the Code of Federal Regulations (CFR) at 50 CFR §622.2



# Background

## Distribution of HMS Permits in Puerto Rico and the USVI (2010)

<b>Permit Category</b>	<b>Puerto Rico</b>	<b>St. Thomas</b>	<b>St. Croix</b>	<b>St. John</b>
Atlantic Tunas General	92	4	6	0
HMS Charter/Headboat	23	10	7	4
HMS Angling	770	24	20	0
Atlantic Tunas Trap	1	0	0	0
Dealer Permit	7 (BAYS)	2 (BAYS)	3 (BAYS)	0

- Source: NMFS NE Regional Office
- In 2010, there were no other HMS fishing permits held in the U.S. Caribbean.



# Background

## Catches and Landings of HMS in the Caribbean Reported in 2010 (in mt) by Gear and Species

Species	Pelagic Longline**	Handline	Rod and Reel*	Total
Bigeye Tuna	5.1	0	0	<b>5.1</b>
Albacore Tuna	0.7	0.05	103.6	<b>104.35</b>
Yellowfin Tuna	183.4	1.9	4.5	<b>189.8</b>
Skipjack Tuna	0	6.2	0.4	<b>6.6</b>
Bluefin Tuna	0	0	0	<b>0</b>
Swordfish	41.4	0	0	<b>41.4</b>

\*Rod and Reel catches and landings include estimates of landings and dead discards based on statistical surveys of the U.S. recreational harvesting sector

\*\*Pelagic longline statistics include landings and estimated discards from scientific observer and logbook sampling programs

Source: U.S. National Report to ICCAT

- In 2010, Puerto Rico reported approximately 11.8 mt of commercial shark landings and less than one mt was reported by St. Thomas and St. John combined



## Amendment 4

### Management Objectives

- Increase participation in the HMS federal fishery management program in the U.S. Caribbean Region;
- Expand regional HMS permit availability and increase permitting program awareness, participation, and compliance in the U.S. Caribbean Region;
- Improve regional HMS catch and fishing effort data;
- Examine and implement regionally tailored HMS management strategies, as appropriate;
- Provide targeted training and outreach to Caribbean HMS fishery participants; and,
- Improve the Agency's capability to monitor and sustainably manage U.S. Caribbean HMS fisheries.



## Timeframe of Action

- Notice of Intent (73 FR 30381)
- Scoping (73 FR 40301)
- Findings from scoping process summarized in a Predraft
- Notice of Intent to Prepare and Environmental Assessment (EA) for Amendment 4 - July 13, 2011 (76 FR 41216)
- Draft EA and Proposed Rule – March 16, 2012 (77 FR 15701) – comment period ends **June 14, 2012**
- Final EA and Rule – **Late 2012**



## Amendment 4

### **Proposes Development of Caribbean-specific Management Measures for Small-scale HMS Commercial Fishermen that Include:**

- New vessel permit - Caribbean Small Boat Commercial Permit (CSBP); vessel size restrictions
- Specific authorized gears and retention limits for BAYS tunas, SWO, and sharks (large coastal sharks (LCS); small coastal sharks (SCS); and, pelagic sharks)
- Modification of reporting requirements
- Mandatory workshop training



# Alternatives

- Alternative 1: Maintain existing HMS regulatory structure in the U.S Caribbean Region (Status quo)
- Alternative 2: Create a CSBP allowing fishing for and sales of BAYS tunas and Atlantic swordfish under specific limitations and place restrictions on vessel size
- *Alternative 3: Create a CSBP allowing fishing for and sales of BAYS tunas, Atlantic swordfish, and Atlantic sharks under specific limitations and restrict vessel size (Preferred Alternative)*
- Alternative 4: Create a CSBP allowing fishing for and sales of BAYS tunas, Atlantic swordfish, and Atlantic sharks under specific limitations and no restrictions on vessel size



# Alternative 1

## Status Quo

Alternative	Vessel; Dealer Permits; Workshop Certifications	Authorized Species	Retention Limit Ranges	Gear	Reporting	Vessel Size	Regions in Which New Permit Applies
A1 Status quo	-Current vessel and dealer permits and structure; including that permitted fishermen must sell catch to an HMS permitted dealer	-Current authorized species and gear structure	-Current retention limits based on existing vessel permits	-Current authorized gears	-Current observer and logbook requirements  -Current dealer reports received within 10 days of the end of a reporting period	Current upgrading restrictions	N/A



## Impacts of Status Quo

➤ Environmental Impacts → **Negative**

- Lack of fisheries data would impact fishery management capabilities (e.g., catch reports for stock assessments, barriers to meeting international reporting requirements)

➤ Socio-economic impacts → **Negative**

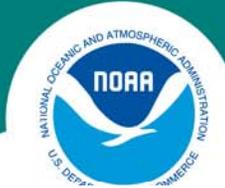
- Limits access to the commercial limited access swordfish and shark fisheries
- Continues current prohibition on primary gear in the BAYS tuna fishery in the region
- Lack of dealer structure limits ability to sell HMS in the region



# Alternative 2

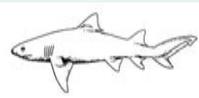
Alternative	Vessel; Dealer Permits; Workshop Certifications	Authorized Species	Retention Limit Ranges*	Gear	Reporting	Vessel Size	Regions in Which New Permit Applies
A2  HMS CSBP for BAYS tunas and SWO	-HMS CSBP holders authorized to sell catch but do not have to sell only to an HMS permitted dealer. Must possess permit or a copy at point of sale  -CSBP permit may not be held in combination with any other HMS permit.	-BAYS tunas* 	-0 to 24 -initial limit set at <b>10 BAYS per trip</b>	- Rod and reel, handline, harpoon, bandit gear, green-stick, and buoy gear	-Vessel/dealer reports collected through cooperative territorial/NMFS data collection efforts	< 45 ft length	CSBP valid only in U.S. Caribbean Region
		-SWO* 	-0 to 6 -initial limit set at <b>2 SWO per trip</b>	-Rod and reel, handline, harpoon, bandit gear, and buoy gear			

\*current size and landing condition restrictions apply



# Alternative 3

## Preferred Alternative

Alternative	Vessel; Dealer Permits; Workshop Certifications	Authorized Species	Retention Limit Ranges	Gear	Reporting	Vessel Size	Regions in Which New Permit Applies
A3 (Preferred Alternative)  HMS CSBP for BAYS tunas, SWO, and sharks	-HMS CSBP holders authorized to sell catch  - Consider submission of valid Shark Dealer Permit (SDP) for a CSBP and possessing permit (copy) of Shark Dealer Workshop at point of sale if shark trip limit set > 0 in future rulemaking  -CSBP permit may not be held in combination with any other HMS permit.	-BAYS tunas* 	-0 to 24 - initial limit set at <b>10 BAYS per trip</b>	-Rod and reel, handline, harpoon, bandit gear, green-stick, and buoy gear	-Vessel/dealer reports collected through cooperative territorial/NMFS data collection efforts	< 45 ft length	CSBP valid only in U.S. Caribbean Region
		-SWO* 	-0 to 6 -initial limit set at <b>2 SWO per trip</b>	-Rod and reel, handline, harpoon, bandit gear, and buoy gear			
		-Sharks*  (excluding sandbar)	-0 to 3 non-sandbar LCS / trip & 16 SCS/pelagic sharks / trip (combined), no size limits, current landing condition restrictions apply. <b>Initial shark limit set at 0</b>	-Rod and reel, handline, bandit gear			

\*current size and landing condition restrictions apply



## Impacts of Alternative 2 and 3

➤ Environmental Impacts → Neutral

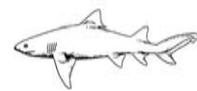
- Non-substantial increase in actual landings due to the limited number of vessels involved, limited market, nature of trips, limited vessel size requirement proposed for the CSBP, and conservative retention limits analogous to existing HMS permits
- Improved reporting of landings and improved overall data collection through cooperative territorial/NMFS data collection efforts may improve the Agency's capability to monitor and sustainably manage U.S. Caribbean HMS fisheries

➤ Socio-economic impacts → Positive

- Allows use of specific handgears (including buoy gear) and green-stick gear to harvest BAYS tunas
- Allows use of specific handgears to harvest swordfish
- Allowing sales to individuals who are not dealers better reflects U.S. Caribbean markets
- Anticipated to result in increased revenues for fishermen in U.S. Caribbean Region



# Alternative 4

Alternative	Vessel; Dealer Permits; Workshop Certifications	Authorized Species	Retention Limit Ranges	Gear	Reporting	Vessel Size	Regions in Which New Permit Applies
<p>A4</p> <p>HMS CSBP for BAYS tunas, SWO, and sharks</p>	<p>-HMS CSBP holders authorized to sell catch</p> <p>- Consider submission of valid Shark Dealer Permit (SDP) for a CSBP and possessing permit (copy) of Shark Dealer Workshop at point of sale if shark trip limit set &gt; 0 in future rulemaking</p> <p>- CSBP permit may not be held in combination with any other HMS permit.</p>	<p>-BAYS tunas*</p> 	<p>-0 to 24 - initial limit set at <b>24 BAYS per trip</b></p>	<p>- Rod and reel, handline, harpoon, bandit gear, green-stick and buoy gear</p>	<p>-Vessel/dealer reports collected through cooperative territorial/NMFS data collection efforts</p>	<p><b>Unlimited</b></p>	<p>CSBP valid only in U.S. Caribbean Region</p>
		<p>-SWO*</p> 	<p>-0 to 6 -initial limit set at <b>6 SWO per trip</b></p>	<p>-Rod and reel, handline, harpoon, bandit gear, and buoy gear</p>			
		<p>-Sharks*</p>  <p>(excluding sandbar)</p>	<p>-0 to 33 non-sandbar LCS / trip &amp; no trip limit for SCS/pelagic sharks / trip, no size limits. <b>Initial shark limit set at 1 non-sandbar LCS, and 2 SCS or pelagic sharks (combined) per trip</b></p>	<p>-Rod and reel, handline, bandit gear</p>			

\*current size and landing condition restrictions apply



## Impacts of Alternative 4

➤ Environmental Impacts → **Negative**

-Unlimited vessel size restrictions could lead to fishery overcapitalization and an increase in local fishing effort on HMS

➤ Socio-economic impacts → **Positive\***

- Short term: potential increased revenues from higher retention limits of BAYS tunas, swordfish, and sharks

\*Long-term: could result in regional overcapitalization of resources and locally depressed prices



## Comments

- Comment Period Ends June 14, 2012
- Identify comments with “NOAA-NMFS-2012-0053”
- Federal eRulemaking Portal - <http://www.regulations.gov>
- Fax: 301-713-1917
- Mail: Margo Schulze-Haugen  
Highly Migratory Species Management Division  
National Marine Fisheries Service  
1315 East-West Highway  
Silver Spring, MD 20910



## Location of Public Hearings

<b>Date</b>	<b>Time</b>	<b>Meeting Locations</b>	<b>City</b>
April 10, 2012	6:00-9:00 p.m.	Buccaneer Hotel	St. Croix
April 11, 2012	8:00 a.m.	Buccaneer Hotel	St. Croix
April 12, 2012	6:00-9:00 p.m.	Frenchman's Reef Marriot	St. Thomas
May 8, 2012	3:00-5:00 p.m.	Biblioteca del Ateneo Puertorriqueno	San Juan, PR
May 9, 2012	2:00-5:00 p.m.	Servicio de Extension Agricola	Ponce, PR
May 10, 2012	6:00-9:00 p.m.	Universidad de Puerto Rico	Mayaguez, PR