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#5a

Atlantic Highly Migratory Species Advisory Panel

HMS Management Overview

September 8, 2021

This Presentation...

Brief status update on

- Amendment 12
- Amendment 14
- 2022 shark specifications
- Maine/ATCA final rule
- Inseason actions
- Litigation update
- JES: Spring GOM Monitoring Area
- eReporting & future rulemaking
- Online workshops

AP Meeting Discussion...

Discussion Items

- JES: Assessment of fishing interference
- Spatial management update
- Best Scientific Information Available (BSIA)
- Leadership Update (Janet Coit/Sam Rauch)
- Fisheries Economic Situation Report
- Bluefin Tuna:
 - 2021 season update
 - Restricted-fishing days
- Amendment 13
- Gear considerations and pelagic/demersal species indicator list
- AP Term Limits



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Rulemaking/Notices since the Spring 2021 AP Meeting

Rulemaking	Type
Maine/ Atlantic Tunas Convention Act	Final Rule – effective Sept. 7, 2021
2022 Shark Specifications	Proposed Rule – comment period ends September 7, 2021
2021 Bluefin tuna restricted-fishing days (RFDs)	Final Rule – effective Aug. 9, 2021; first RFD: Sept. 3, 2021
Draft Amendment 13	Proposed Rule – comment period extended through September 20, 2021
Final Amendment 12	Notice of Availability – published Aug. 19, 2021

Operations in 2021 by the Numbers

Through August 20, 2021

Operations:	#
EFP/SRP/LOA	38
Shark Research Fishery Permits	4
HMS Tournaments Registered	202
Shark ID & Protected Species Workshops	24
Atlantic HMS News Subscribers	5,803
Recreational Shark Endorsements	17,147 (60.0%)
CHB Commercial Sale Endorsements	(~44%)



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Final Amendment 12

- 1) Revises some objectives in the 2006 Consolidated HMS FMP
- 2) Adopts the International Commission for the Conservation of Atlantic Tunas (ICCAT) stock determination criteria for ICCAT-managed HMS
- 3) Reviews the HMS standardized bycatch reporting methodology (SBRM)
- 4) Establishes triggers for review of allocations of quota-managed HMS
- 5) Notifies the public of modified timing for release of the HMS Stock Assessment and Fishery Evaluation (SAFE) Report

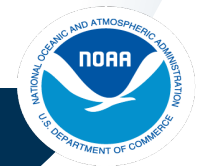
No implementing regulations -- any resulting operational changes to fishery management measures would be considered in future rulemakings, as appropriate

Notice of Availability published August 20, 2021 (86 FR 46836)



Amendment 14 (Atlantic Shark Fisheries)

- Comment period on draft Amendment 14 ended Dec. 31, 2020
 - Received 10 written comments and numerous oral comments from webinars, council meetings, and AP meeting
 - Overall, there was support for preferred management options, but some concern Amendment 14 contains neither specifics on the acceptable biological catch (ABC) control rule, nor details of how the fishery will be actively managed
- HMS and SEFSC staff are working on ABC control rule specifics
- Plan to release the revised ABC control rule portion and accept comments in the fall
- Final Amendment 14 anticipated to be released in 2022



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2022 Proposed Shark Specifications

- Commercial shark fishing year would open on January 1, 2022 for all shark management groups
- Commercial retention limit would start at 55 large coastal sharks other than sandbar sharks per vessel per trip for all regions
- Commercial retention limit for blacknose sharks would start at 8 sharks per vessel trip
- Public comment closed on September 7
- Final Rule expected to file in November or December 2021



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Maine/ATCA Final Rule

Added Maine to the list of states at 50 CFR 635.1(b) for which Federal Atlantic tunas regulations are applicable within state waters under the Atlantic Tunas Convention Act

- Applicable regulations include all part 635 tunas regulations, including: open and closed seasons, retention limits, size limits, authorized gears and gear restrictions, and permitting and reporting requirements
- Atlantic tunas managed under these regulations: bluefin, bigeye, albacore, yellowfin, and skipjack tunas
- Rule responsive to a request from Maine Dept. of Marine Resources



Inseason Actions since the Spring AP Meeting

Inseason Actions	Fishery
Retention Limit Adjustments	<ul style="list-style-type: none">• BFT General category reduction (Jun-Aug)• SHK LCS increase in Gulf of Mexico
Closures	<ul style="list-style-type: none">• BFT: General category (Jun-Aug)
Quota Transfers	<ul style="list-style-type: none">• BFT: Harpoon category

Litigation: Amendment 5b/Dusky Shark

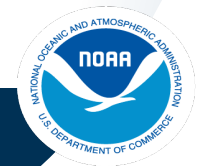
- In March 2021, the District Court for the District of Columbia upheld Amendment 5b, which addressed dusky shark overfishing and rebuilding
- Oceana has appealed the decision to the D.C. Circuit
- Appellate briefing starts in October 2021



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Litigation: PLL Bluefin Tuna Area-Based and Weak Hook Management Measures

- Lawsuit filed by EarthJustice, on behalf of Healthy Gulf and Turtle Island Network
- Filed on April 29, 2020
- Administrative record filed June 18, 2020
- Supplement to the record filed August 25, 2020
- Briefing completed in December 2020
- Awaiting judge's ruling



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2021 Appropriations Act Joint Explanatory Statement (JES) – Spring Gulf of Mexico Monitoring Area

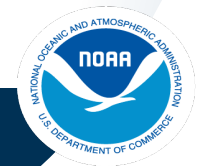
- Language in the JES directed NOAA Fisheries to reconsider the Gear Restricted Area/Weak Hook (GRA/WH) Rule decision to open the Spring Gulf of Mexico Monitoring Area or to increase monitoring in the area
- NOAA Fisheries published a public request for any information not considered in development of the final rule
- NOAA Fisheries accepted comments and information from June 15 through July 15 and held two public webinars
- Bluefin tuna catch data is posted on the [GRA/WH rulemaking page](#)
- NOAA Fisheries is reviewing information submitted and determining next steps



Electronic Reporting (eReporting) & Future Rulemaking

HMS Management Division is involved with the One Stop Reporting (OSR) initiative to create and streamline vessel eReporting (i.e., accommodate reporting requirements for multiple fisheries in different regions)

- Streamline eReporting for vessels that have multiple permits
- Timeline driven by GARFO need for system by November 2021
- Currently, eTrips program fulfills reporting requirements associated with GARFO, HMS handgear, and SEFHIER fishing permits
- In near future the Southeast Coastal Fisheries and HMS Logbooks requirements will also be included in eTrips
- HMS Management Division is reviewing how permit holders will be impacted; more information will be forthcoming



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Online Workshops

- NOAA Fisheries anticipates implementing online recertification workshops in the fall of 2021 for persons who have already attended an in-person workshop
- This option will be available for both the Safe Handling, Release, and Identification workshop and the Atlantic Shark Identification workshop
- In-person workshops will continue to be conducted, but at a reduced frequency
- Permit holders will be notified of this option when it becomes available this fall



Landings & Tournaments Updates

Species	Link to Monthly/Annual Landings Updates and Tournament Information
Swordfish, BAYS tunas, Sharks, Bluefin tuna, and Billfish	www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-landings-updates
Tournaments	www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-tournaments
Daily Bluefin Tuna Landing Updates	hmspermits.noaa.gov
Minimum Sizes and Bag Limits	www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-minimum-sizes-and-bag-limits

There is a lot happening outside the HMS Division

NOAA Fisheries recognizes that economic conditions have continued to change over the course of the year. An upcoming agenda item will allow for a more detailed discussion.

NOAA Research Cruises continue to collect data. [Includes the NEFSC BLL cruise, which caught ~2,500 sharks](#)

Some other things might impact HMS fisheries

- [Atlantic Large Whale Take Reduction Plan](#) - Phase 2 (Modifications including for gillnet fisheries): Notice of intent published 8/11/21; scoping period ends 10/21/21
- [Pelagic Longline Take Reduction Plan Changes](#): [Proposed rule](#) published 12/15/2020



There is a lot happening outside the HMS Division

Some other things might impact HMS fisheries

- Expansion of Florida Keys National Marine Sanctuary: DEIS and [Restoration Blueprint](#) released 8/20/19 and comment period ended 1/31/2020
- Aquaculture: Southeast Region planning team (Aquaculture Opportunity Areas, other projects)
- Modification of Fishing Access in Eastern Gulf of Mexico MPAs (Madison-Swanson / Steamboat Lumps): Request for commensurate regulations for Atlantic HMS from the Gulf Council
- NE Canyons and Seamounts: Pursuant to E.O. 13990, Sec. of Interior must review the June 5, 2020 Presidential Proclamation that lifted the prohibition on commercial fishing in the Canyons and Seamounts Marine National Monuments



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Report on Limited Access Privilege Programs (LAPPs) in Mixed-Use Fisheries

- Modern Fish Act of 2018 instructed the National Academies of Sciences, Engineering, and Medicine (NASEM) to examine the effects of LAPPs in mixed-use fisheries (i.e., commercial, recreational, charter)
- LAPP fisheries examined included the Individual Bluefin Quota (IBQ) program as well as the red snapper, grouper-tilefish, golden tilefish, and wreckfish Individual Fishing Quota (IFQ) programs
- General findings: strong evidence IFQs reduce the race to fish and increase fishery profitability; some evidence they reduce wasteful fleet overcapacity; no evidence they have led to fleet consolidation or of direct effects on private or for-hire recreational sectors
- Found strong evidence the IBQ program has ecological benefits from reduced discards and bycatch by incentivizing avoidance (i.e., encouraging vessels to avoid bluefin)
- Final report can be downloaded at the NASEM website [here](#)



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U.S./Bahamas Boundary Information

- At the May 2021 AP meeting, there were questions about boundary location and rules for recreational fishing/transiting following [news](#) of a case involving illegal harvest of commercial quantities of reef fish from Bahamian waters
- See the hyperlink in the online agenda for resource slides provided by NMFS Office of Law Enforcement



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Looking Ahead

Upcoming Dates:

- Amendment 13 - comments on proposed rule due September 20, 2021

Upcoming Rules/Actions/Notices:

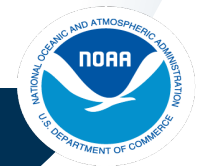
- 2021 Annual northern albacore, swordfish, bluefin tuna Reserve category quota adjustment - expected this fall
- Draft Amendment 14 ABC control rule specifics - expected this fall
- Final Amendment 14 - expected early 2022
- 2022 Shark specifications - final rule expected this fall
- SHARE (shark fishery review) - expected this fall



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Communication Goal: No Surprises

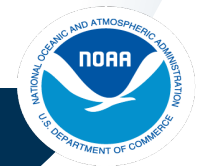
- **Goals for All**
 - Advisors/Public aware, informed, and engaged
 - Agency aware, informed, and engaged
 - R-E-S-P-E-C-T
- **AP Member Role**
 - Listen and engage in discussions
 - Share with your constituents
 - Bring ideas to and advise Agency
- **Agency Role**
 - Ensure compliance with all domestic & international requirements
 - Raise issues and inform AP and public
 - Listen and engage in discussions
 - Make decisions considering feedback



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Contacting the HMS Management Division

- **All HMS staff are working remotely; HQ and regional offices are closed**
- If you need to contact us, you can:
 - Email specific staff
 - Call the main phone line (301-427-8503) and leave a voicemail
- While we're not physically in the office, we are monitoring voicemails and will call/email people back



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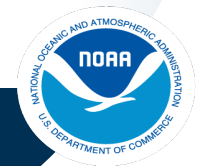
Conclusion/Looking Forward

In conclusion:

- We are covering a lot of ground at this meeting
- Operational activities require substantial agency resources

Looking forward:

- We value your input and want your input on priorities and potential solutions



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Questions?

Thank you!



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