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Amendment 13 to the 2006 Consolidated HMS FMP

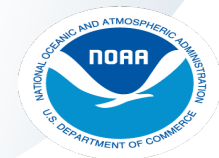
Bluefin Tuna Management

Status Update & Discussion

HMS Advisory Panel Meeting - September 2021

Presentation Outline

- Amendment 13 proposed rule rulemaking - status overview
- Review of Amendment 13 alternatives (preferred/proposed and non-preferred) in the Draft Environmental Impact Statement (DEIS)
 - Part I: Individual Bluefin Quota (IBQ) Program
 - Part II : Bluefin quota & Purse Seine category
 - Part III : Other issues



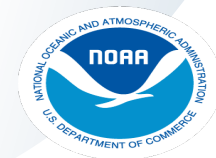
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Amendment 13 - Status Overview

Date (2021)	Action
May 21	Proposed rule Published and Draft Environmental Impact Statement (DEIS) released
May 25	HMS Advisory Panel presentation and discussion
June 8	Public hearing webinar
June 10	Mid-Atlantic Fishery Management Council briefing
June 21	Gulf of Mexico Fishery Management Council briefing
June 24	New England Fishery Management Council briefing
July 8	Public hearing webinar
July 14	Public hearing webinar
July 20	Original end of public comment period Comment period extended
September 20	Revised end of public comment period



Part 1 – IBQ Program Alternatives

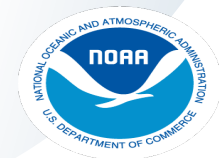


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Part 1 – IBQ Program Alternatives

Introductory Information

- Three-Year Review recommended that an alternative method of distribution of IBQ shares should be considered and showed that a large percentage of IBQ has been allocated to inactive vessels. Longline fishery representatives on AP recommended more dynamic methods of determining shares
- *IBQ Share:* An IBQ share is the percentage of the Longline category quota that is associated with a permitted vessel, based upon the IBQ share formula, which considers the relevant vessel history
- *IBQ Allocation:* IBQ allocation is the amount (mt) of bluefin quota that is associated with a permitted vessel, based upon the relevant IBQ share(s) and the annual Longline category quota



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Modifications to share eligibility, distribution and allocation alternatives ('A' Alternatives)

- No Action
- Dynamic Determination of IBQ Shares: Eliminate existing designations of IBQ shareholders and distribute IBQ shares only to currently active vessels
 - Based on hooks
 - Based on sets
 - Based on designated species landings
 - Based on equal allocation
- Amendment 7 allocation formula, using 2016-2018 data

➤ Alternatives indicated by an arrow; **proposed measures (preferred alternatives) in red font**



Modifications to share eligibility, distribution and allocation alternatives – **Proposed Measure – dynamic allocation - landings**

- Shares based upon *designated species landings* – eDealer data
- *Designated species*: swordfish, bigeye, albacore, yellowfin, and skipjack tunas
- Define shareholders annually based upon 3 most recent years of available data
- *Active vessels*: using pelagic longline gear at least once during the 3-year period
- Vessels must have a currently valid Atlantic Tunas Longline category permit (i.e., current at the time eligibility is assessed by NOAA Fisheries)
- For Deepwater Horizon Oceanic Fish Restoration Project participants, a proxy amount of effort was assigned, to represent the pelagic longline effort that each participating vessel would have had if it was not participating in the project

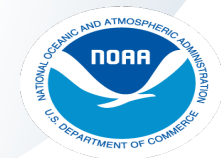


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Modifications to share eligibility, distribution and allocation alternatives – Comparison of Impacts – No Action

Tier	IBQ Allocation Per Shareholder (lb) (share %)	Number of Shareholders
High	4,317 (1.2)	43
Medium	2,157 (0.6)	62
Low	1,330 (0.37)	31
		Total 136

From Table 4.9 Amendment 13 DEIS;
based on Longline category quota of 360,656 lb



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Modifications to share eligibility, distribution and allocation alternatives – Comparison of Impacts – Dynamic Allocation

Quartile	IBQ allocation per shareholder (lb) (share %)			Number of Shareholders		
	Hooks	Sets	Landings	Hooks	Sets	Landings
4	7,407 (2.05)	6,665 (1.85)	7,555 (2.09)	24	23	25
3	4,435 (1.23)	4,880 (1.35)	4,237 (1.18)	24	24	25
2	2,634 (0.73)	2,944 (0.82)	2,303 (0.64)	23	24	24
1	610 (0.17)	609 (0.17)	423 (0.12)	26	26	25
				Total 97	Total 97	Total 99

From Tables 4.3, 4.6, 4.9 Amendment 13 DEIS

Equal allocation: 1.02%; 3,680 lb

Modifications to share eligibility, distribution and allocation alternatives – Comparison of Impacts* – Dynamic Allocation

	Hooks		Sets		Landings	
Metric (based on Longline category allocation of 360,656 pounds)	Gains	Losses	Gains	Losses	Gains	Losses
Number of vessels gaining and losing IBQ allocation	66 vessels	31 vessels	66 vessels	31 vessels	57 vessels	42 vessels

*Compared to No Action Alternative, Based on Tables 4.2, 4.5, 4.8 Amendment 13 DEIS



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Modifications to rules closely linked to IBQ allocations – Regional Designations of IBQ ('B' Alternatives)

- No Action
- Eliminate the Regional IBQ Designations and Cap Bluefin Catch from the Gulf of Mexico
- Modify Regional GOM (Gulf of Mexico) and ATL (Atlantic) Designations for a Dynamic Allocation System and Cap Bluefin Catch from the Gulf of Mexico



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Modifications to rules closely linked to IBQ allocations –

Proposed Measure - Modify Regional GOM and ATL Designations and Cap Bluefin Catch from the Gulf of Mexico

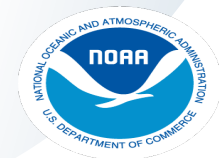
- In conjunction with the dynamic allocation alternatives
- Regional designations of IBQ shares and allocations determined on an annual basis
- No change in accounting rules: GOM IBQ may be used to account for bluefin in Gulf of Mexico or Atlantic; ATL IBQ may only be used to account for bluefin in the Atlantic
- For example, if a vessel landed 90 percent of their designated species landings in the Gulf of Mexico, and 10 percent in the Atlantic, their IBQ share designations would be designated as 90 percent GOM and 10 percent ATL
- Cap on percentage of total shares designated as GOM: Cap may be reduced from 35 percent



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Modifications to rules closely linked to IBQ allocations –

- Proposed Measure - Northeast Distant Gear Restricted Area (NED) Rules -
No Action: maintain the inclusion of any data associated with fishing in the NED as part of formulas that determine IBQ shares, and maintain the current IBQ catch accounting rules for fishing in the NED
- Do not include NED fishing activity under 25-mt set-aside as part of the data used in calculating IBQ Allocations



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Sale of IBQ Shares ('C' Alternatives)

- Proposed Measure – No sale of IBQ shares allowed – No Action
- Allow sale of IBQ shares



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Cap on IBQ shareholder percentage or IBQ allocation usage (‘D’ Alternatives)

Cap on amount of **shares** an entity may **hold or acquire** (via purchasing permits)

- No Action
- Cap amount of IBQ shares at 7 percent
- Cap amount of IBQ shares at 25 percent - to prevent a single entity from holding a disproportionate amount of either IBQ shares or allocations
- Cap amount of IBQ shares at 50 percent

Cap on amount of IBQ **allocation** an entity may **lease or use**

- No Action
- Cap amount of IBQ an entity may use or lease at 25 percent of the total allocation



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Adjustments to other Aspects of the IBQ Program ('E' Alternatives)

Dealer Reporting Requirements

- No Action
- Modify dealer reporting requirements for IBQ Program
 - Eliminate requirement for dealer to report bluefin dead discards*
 - Eliminate requirement that dealer enters vessel PIN in order to account for the vessel's bluefin landings in the catch share online system

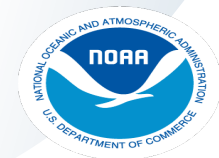
*Vessels currently report bluefin dead discards through VMS



Adjustments to other Aspects of the IBQ Program

Electronic Monitoring (video camera) Requirements

- No Action
- Hard drives mailed in every two trips instead of after every trip
- Clarify regulations that NOAA Fisheries may install hardware (such as a boom) so that video cameras can obtain optimal views (e.g., rail camera view of where gear and fish hauled from the water)
- Authorize NOAA Fisheries to install a measuring grid (painted or a mat) on deck, in view of the camera(s), as a standardized size reference to facilitate determination of fish size and species



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Adjustments to other Aspects of the IBQ Program

Cost Recovery Program

- No Action

- NOAA Fisheries would implement a system to recover its costs of administering the IBQ Program, as required for limited access privilege programs under the Magnuson-Stevens Act
 - Vessels would pay a fee based on amount of bluefin landed and average price
 - Annual decision whether or not to charge a fee
 - Total fees limited to a maximum of 3 percent of the ex-vessel value of bluefin landed by pelagic longline vessels
 - Would not assess fees if the total amount of fees that may be recovered is similar to or less than the estimated cost of implementing the cost recovery program.



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Adjustments to other Aspects of the Pelagic Longline Regulations

Retention of bluefin caught with green-stick gear (by a vessel with Atlantic Tunas Longline permit)

- No Action
- Clarify regulations to allow retention of one 73" bluefin caught incidentally on green-stick gear (per trip)
 - Account for bluefin using IBQ allocation
 - Report green-stick sets with bluefin interactions via vessel monitoring system (VMS)
 - Vessels abide by other IBQ Program requirements
 - Use of electronic monitoring not required on green-stick gear sets
 - Does not matter if pelagic longline gear is on board or not

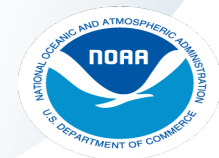


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Adjustments to other Aspects of the IBQ Program

Retention of bluefin caught with green-stick gear (by a vessel with Atlantic Tunas Longline permit)

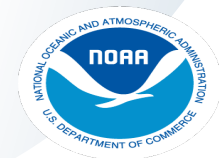
- Same as the proposed measure (previous slide); but with the requirement that pelagic longline gear is not on board



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Summary of comments received (through August) – IBQ

- Support use of designated species landings as metric for shares
- Do not support use of designated species landings as metric for IBQ shares
 - Metric would need to include mahi landings
 - Would incentivize retention of smaller/juvenile fish (currently released) and lower quality fish
 - Not a standardized metric
- Instead, support use of *sets* as metric for IBQ shares
 - limit analysis to one pelagic longline set per day
- Do not support use of quartiles or tiers
- Support custom shares for each vessel
- Distribute minimum amount of IBQ share as baseline for each vessel
- Implement method to facilitate new entrants into the pelagic longline fishery
- Support preferred alternative for ATL and GOM IBQ designations
- Support equal allocation of IBQ among vessels



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Summary of comments received (through August) – electronic monitoring

- Support modifying the requirement for mailing hard drives
- Be flexible regarding the method of data transfer to the Agency
- Do not support expanding regulations regarding installation of cameras
 - Safety concerns with the installation of booms
- Do not support specifying additional fish handling protocols
 - Measuring grid is not needed
- Support expansion of electronic monitoring requirements to improve vessel-level accountability



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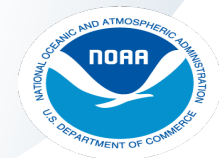
Questions for the AP

- Regarding the comments that do not support the proposed IBQ measures, can you prioritize any concerns or suggested modifications?
- Can you suggest data or analyses that might provide further insights on any of the alternatives considered (*that would either support or not support implementation of a measure*)?
- Is there a new comment or a nuance you would like to provide?



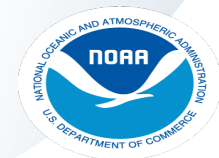
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~ End of Part 1 ~



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Part 2 – Bluefin Quota Alternatives



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Part 2 – Bluefin Quota Alternatives ('F' Alternatives)

Quota Allocation Procedures – all quota categories

- No Action
- Modify a relatively minor step in the annual quota allocation methods regarding the allocation of 68 mt to the Longline category
 - Instead of subtracting a fixed amount (in weight) from each category and adding 68 mt to the Longline quota, each quota category would have a slightly revised percentage allocation
 - Simplifies the annual quota allocation mathematical method from a two-step process to a one-step process

See slide 30



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Purse Seine Category and Quota Allocation

- No Action
- Discontinue Purse Seine category and reallocate quota upon implementation of Amendment 13
- Discontinue Purse Seine category and reallocate quota at a *future sunset date* (two years after implementation of Amendment 13)
 - Reallocate 75 percent of the Purse Seine category quota
 - Purse Seine category participants retain 25 percent, and may lease quota or fish with purse seine gear until sunset date
- Discontinue Purse Seine category and reallocate quota at a *future sunset date* (two years after implementation of Amendment 13)
 - Reallocate 75 percent of the Purse Seine category quota
 - Purse Seine category participants retain 25 percent, and may lease quota but not fish with purse seine gear until sunset date



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Purse Seine Category Quota Reallocation

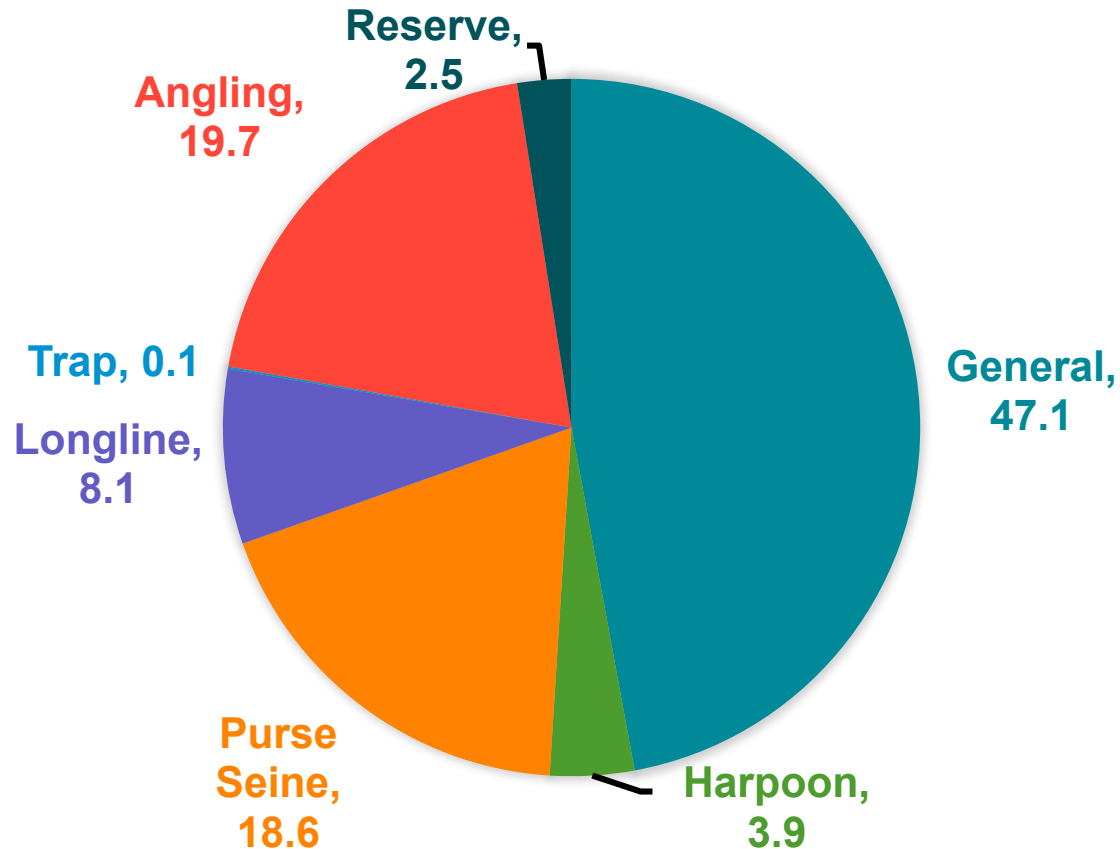
- Reallocate proportionally to *all* other categories (based on the current percentages associated with each quota category as revised with the removal of the Purse Seine category percentage)
 - Sub-Alternative – Apply Longline category increase to *all geographic areas*
 - Sub-Alternative – Apply Longline category increase *only to Atlantic* (i.e., designated as ATL IBQ)
- Reallocate proportionally among the directed categories (General, Harpoon, Angling, and Reserve quota categories; *not to the Longline or Trap categories because they are incidental quota categories*)



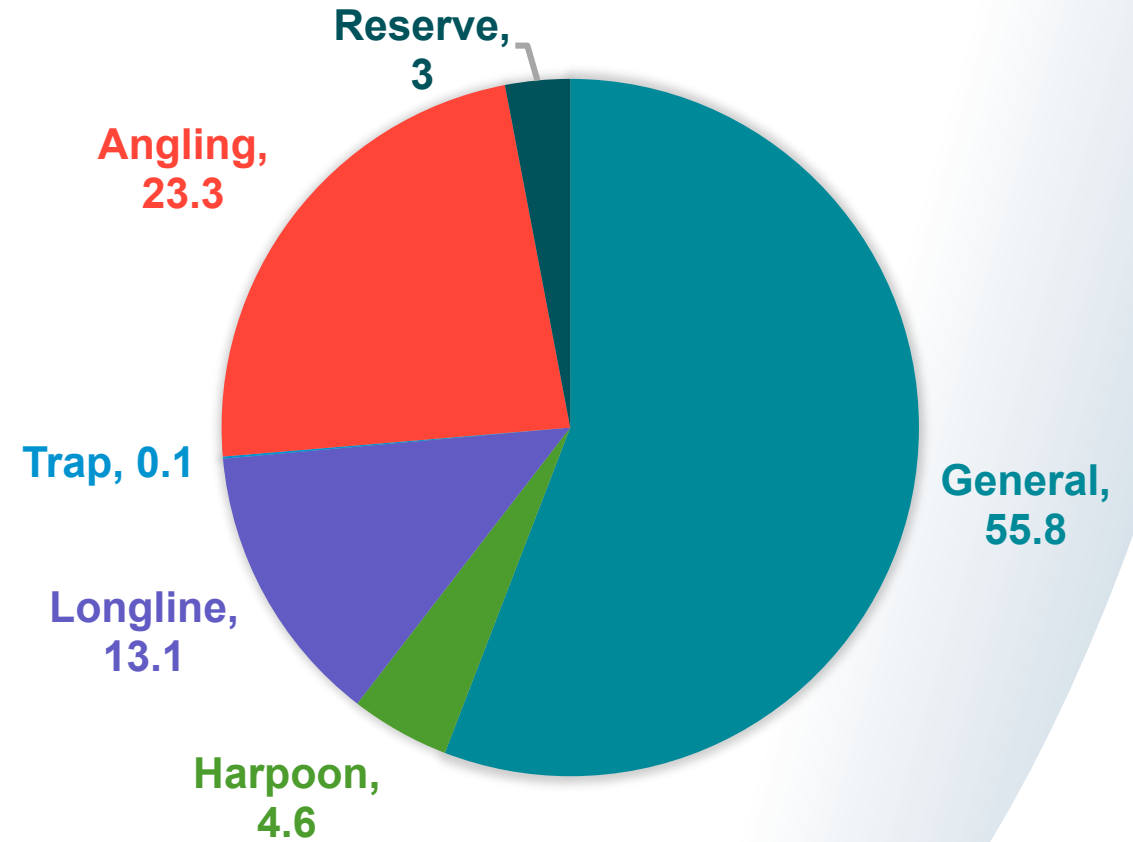
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Bluefin quota percentages

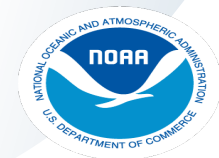
Current



Proposed



Proposed longline increase to 13.1% is result of simplified method of allocating 68 mt (*no Purse Seine quota reallocated to longline*)

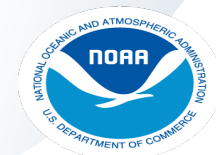


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Proposed bluefin quota percentages

Quota Category	Current Percentages	Column A (Revisions from Simplified Method of Allocating 68 mt to Longline category*)	Net Revisions Proposed (from "A" and Reallocation of Purse Seine category quota)
General	47.1	44.5	55.8
Harpoon	3.9	3.7	4.6
Purse Seine	18.6	17.6	0
Longline	8.1	13.1	13.1
Trap	0.1	0.1	0.1
Angling	19.7	18.6	23.3
Reserve	2.5	2.4	3.0

*slide 26

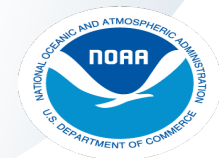


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Exploration: How much quota does the Longline category need?

Reasons an active vessel needs IBQ:

- Satisfy the minimum amount requirement:
276 lb ATL or 551 lb GOM of IBQ allocation required to fish on the first trip of each quarter
- Account for bluefin catch
- Insurance against future catches of bluefin

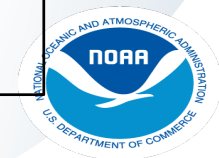


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IBQ leasing data*

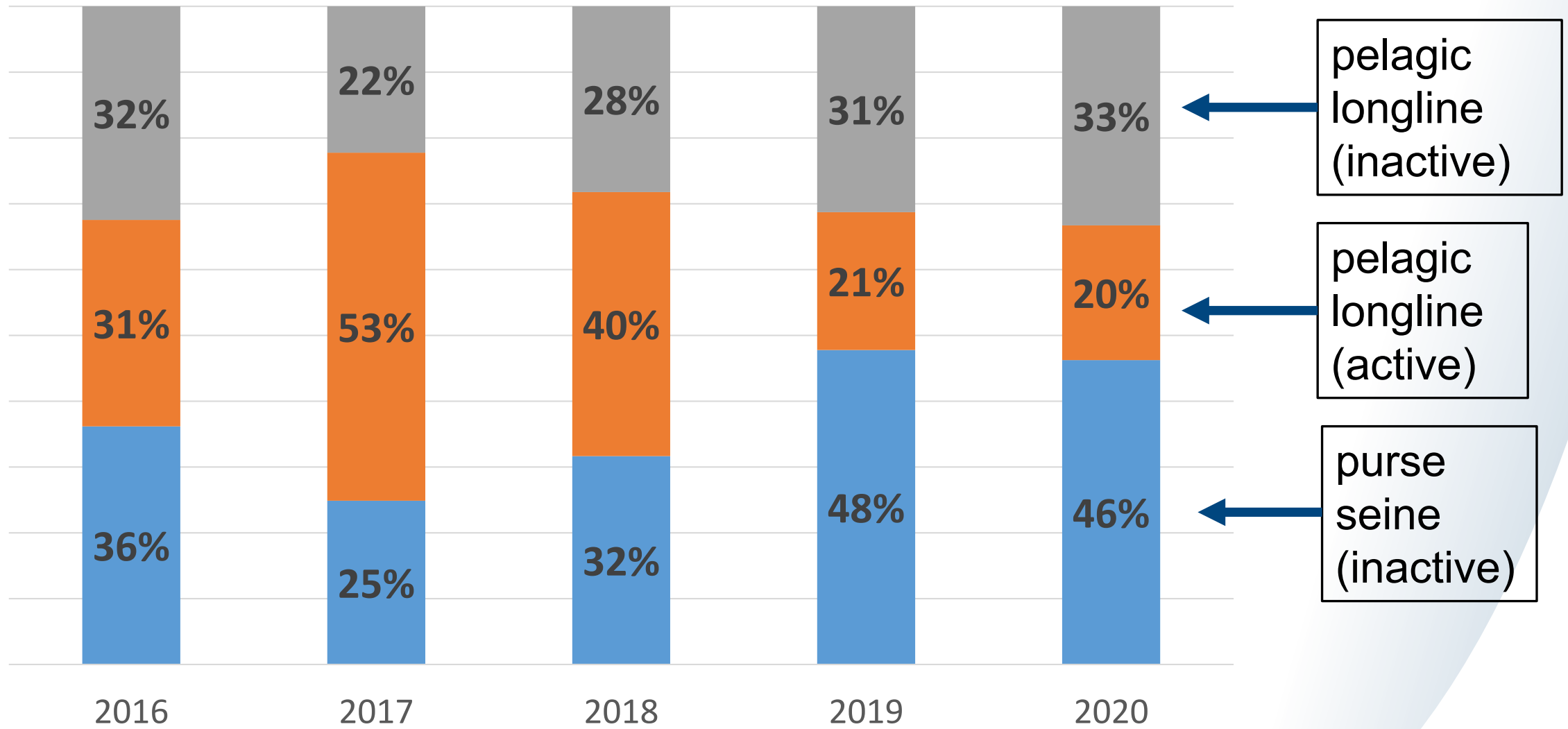
Year	Amount of Purse Seine Quota Leased by PLL vessels (lb)	Total amount of Quota leased by PLL vessels (lb)	Percent of Total Leased Quota from Purse Seine participants (%)
2015	20,283	126,407	16%
2016	51,068	141,183	36%
2017	38,061	152,050	25%
2018	47,440	149,844	32%
2019	74,469	156,472	48%
2020	39,300	84,994	46%

*revised from DEIS (Table 3.17, 3.18) to remove purse seine-to-purse seine leases, and make corrections; see slide 56 for comparison to DEIS data

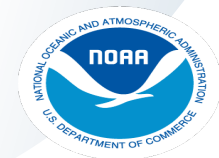


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Source of IBQ Leased* (based on pounds)



*new analysis; not in DEIS



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Longline bluefin catch* and percent of quota used

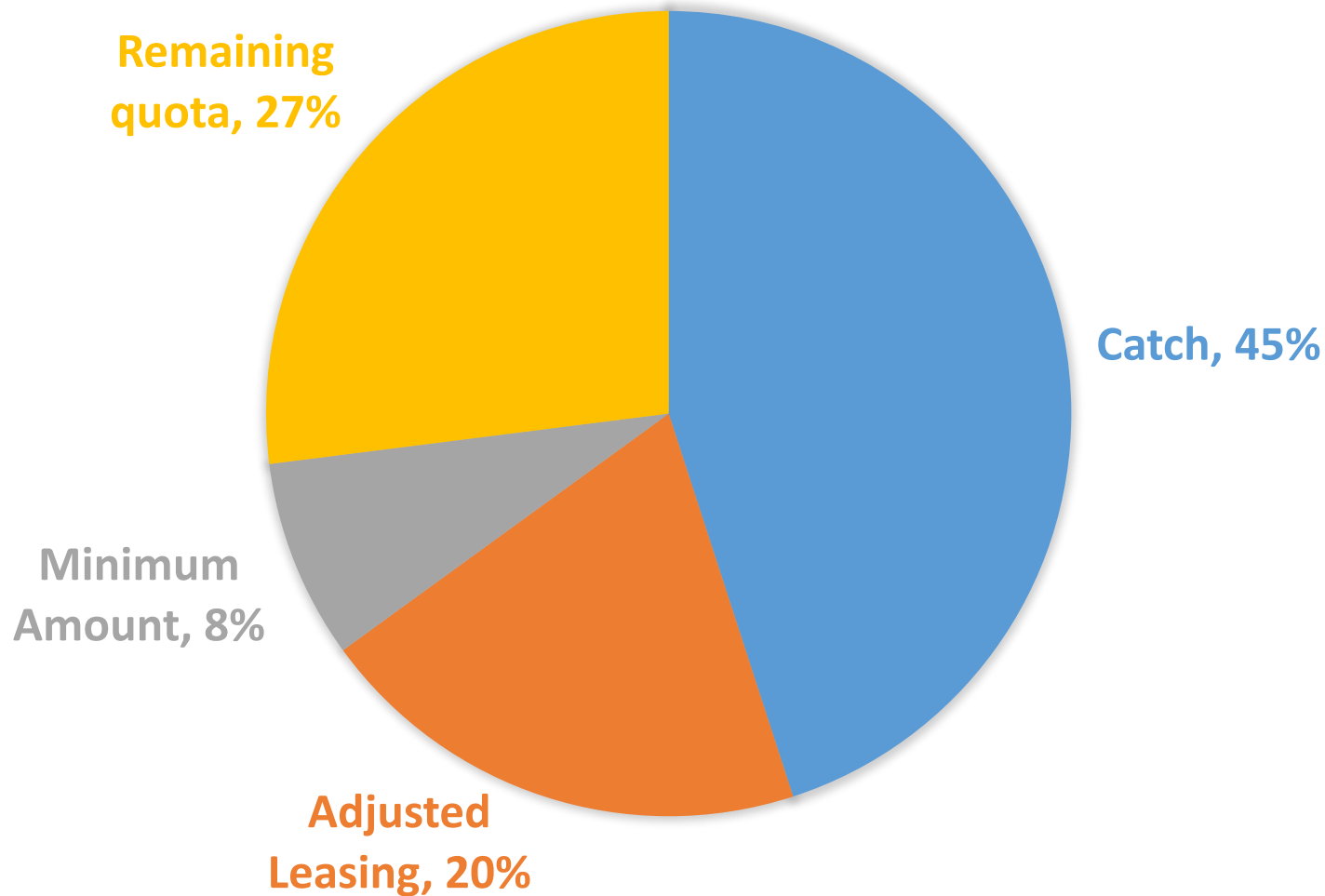
Year	Landings (mt)	Dead Discards (mt)	Total Catch (mt)	Adjusted Longline category quota (mt)	Total Catch (percent of Longline quota)
2015	46.4	17.1	63.5	182.3	35%
2016	68.4	24.3	92.7	182.3	51%
2017	78.4	8.9	87.7	193.3	45%
2018	84.4	14.6	98.6	208.1	47%
2019	76.7	3.5	80.2	163.6	49%
2020	50.7	5.4	56.1	163.6	34%

*not including Northeast Distant Area (NED)



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Relative size of IBQ Metrics compared to adjusted Longline quota (average 2016 through 2020)



Challenge: We do not know how much of the catch was accounted for by leased IBQ vs. annual allocation of IBQ

Quota debt is proxy for the amount of leased IBQ used to account for bluefin catch

Adjusted leasing amount:
Leased IBQ minus quota debt* – **proxy to represent IBQ leased as 'insurance' against future catches**

*Quota debt data on slide 58



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Summary of comments received (through August) – Purse Seine quota reallocation

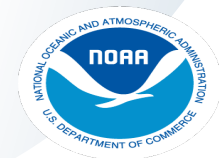
- Support/do not support discontinuing the Purse Seine category and reallocating bluefin quota
- Support reallocating Purse Seine category quota to directed categories
- Support reallocating Purse Seine category quota to all other categories, including Longline
 - Longline vessels rely on leasing Purse Seine category quota
 - Concerns about fairness of reallocating quota to General category vs. Longline category
 - Should implement annual accountability in the IBQ Program if Longline category does not receive Purse Seine category quota



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Questions for the AP

- Regarding the comments that do not support the proposed bluefin quota measures, can you prioritize any concerns or suggested modifications?
- Can you suggest data or analyses that might provide further insights on any of the alternatives considered (*that would either support or not support implementation of a measure*)?
- Is there a new comment or a nuance you would like to provide?



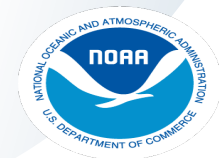
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~ End of Part 2 ~



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Part 3 – Other Alternatives



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Part 3 – Other Alternatives ('G' Alternatives)

Modifications to General Category subquota periods and/or allocations

➤ No Action (preferred alternative):

Subquota Time-Periods	Percentage of General Category Annual Bluefin Quota
January - March	5.3
June - August	50
September	26.5
October – November	13
December	5.2



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Modifications to General Category subquota periods and/or allocations

- Modify General category subquota time-periods
 - 12 equal months
 - Extend the January through March subquota period until April 30
- Modify General category subquota allocation percentages
 - Increase January through March subquota
 - Increase amounts for September and for October through November; decrease June through August amount
 - If reallocate Purse Seine category quota, put all of the General category quota in the September and the October through November time periods



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General Category Trip Locations

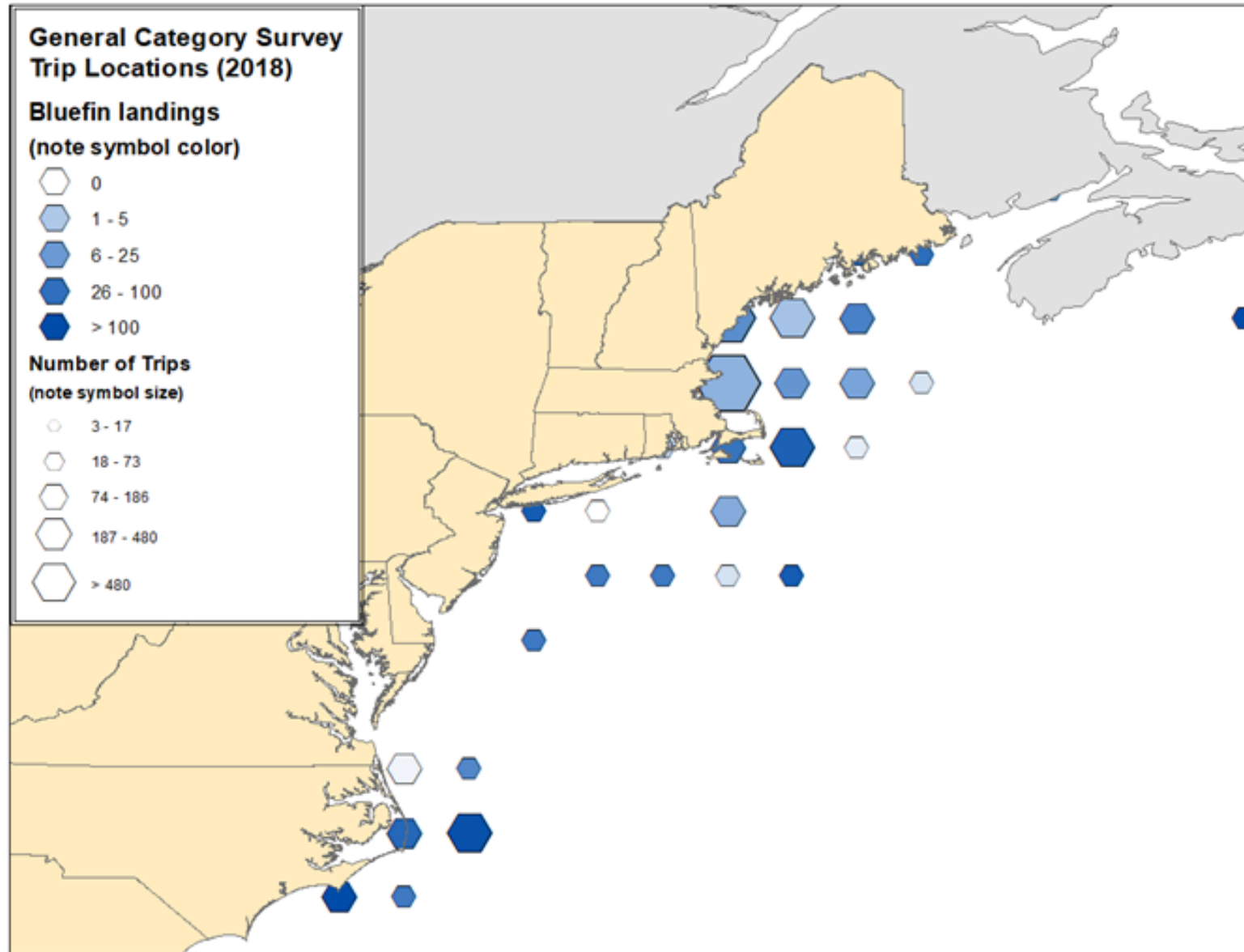


Figure 3.3,
Amendment 13 DEIS

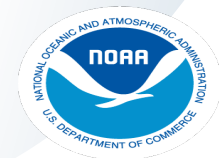
Source: NMFS. 2018.
Atlantic Tunas General
Category Cost
Earnings Logbook
Database

Number of unique vessels landing at least one bluefin (commercial*), by subquota period, 2016 through 2019

Subquota period	2016	2017	2018	2019
Jan – Mar	50	90	58	84
Jun-Aug	361	493	545	539
Sep	346	461	533	557
Oct-Nov	403	302	358	460
Dec	0	72	52	75

Table 4.32 Amendment 13 DEIS

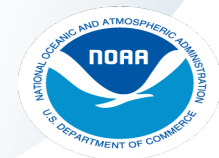
SAFIS data; *Commercial bluefin landings by General or Charter/Headboat category vessels.



Number of days the fishery was open, 2016 through 2019

Subquota period (and number of days in subquota period)	2016	2017	2018	2019
Jan – Mar (93 days)	91	88	60	59
Jun-Aug (92 days)	92	77	92	69
Sep (30 days)	31	17	23	13
Oct-Nov (61 days)	35	5	13	13
Dec (31 days)	0	6	31	31

Table 4.33 Amendment 13 DEIS



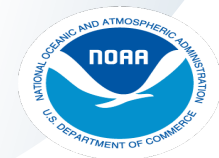
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Commercial* bluefin (metric tons) landed per day open by subquota period, 2016 through 2019

Subquota period	2016	2017	2018	2019
Jan – Mar	0.6	1.2	1.0	1.8
Jun-Aug	2.5	4.3	3.6	4.0
Sep	6.2	9.7	10.4	17.4
Oct-Nov	7.9	14.7	11.0	13.8
Dec	0	3.0	0.5	0.7

Table 4.35 Amendment 13 DEIS

SAFIS data; *Commercial bluefin landings by General or Charter/Headboat category vessels.



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Commercial* bluefin (metric tons) landed per unique vessel that landed bluefin, 2016 through 2019

Subquota period	2016	2017	2018	2019
Jan – Mar	1.0	1.2	1.0	1.3
Jun-Aug	0.6	0.7	0.6	0.5
Sep	0.6	0.4	0.4	0.4
Oct-Nov	0.7	0.2	0.4	0.4
Dec	0	0.3	0.3	0.3

Table 4.36 Amendment 13 DEIS

SAFIS data; *Commercial bluefin landings by General or Charter/Headboat category vessels.



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Modifications to the Angling Category Trophy Fishery ('H' Alternatives)

➤ No Action

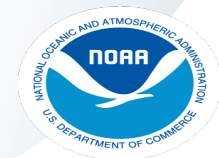
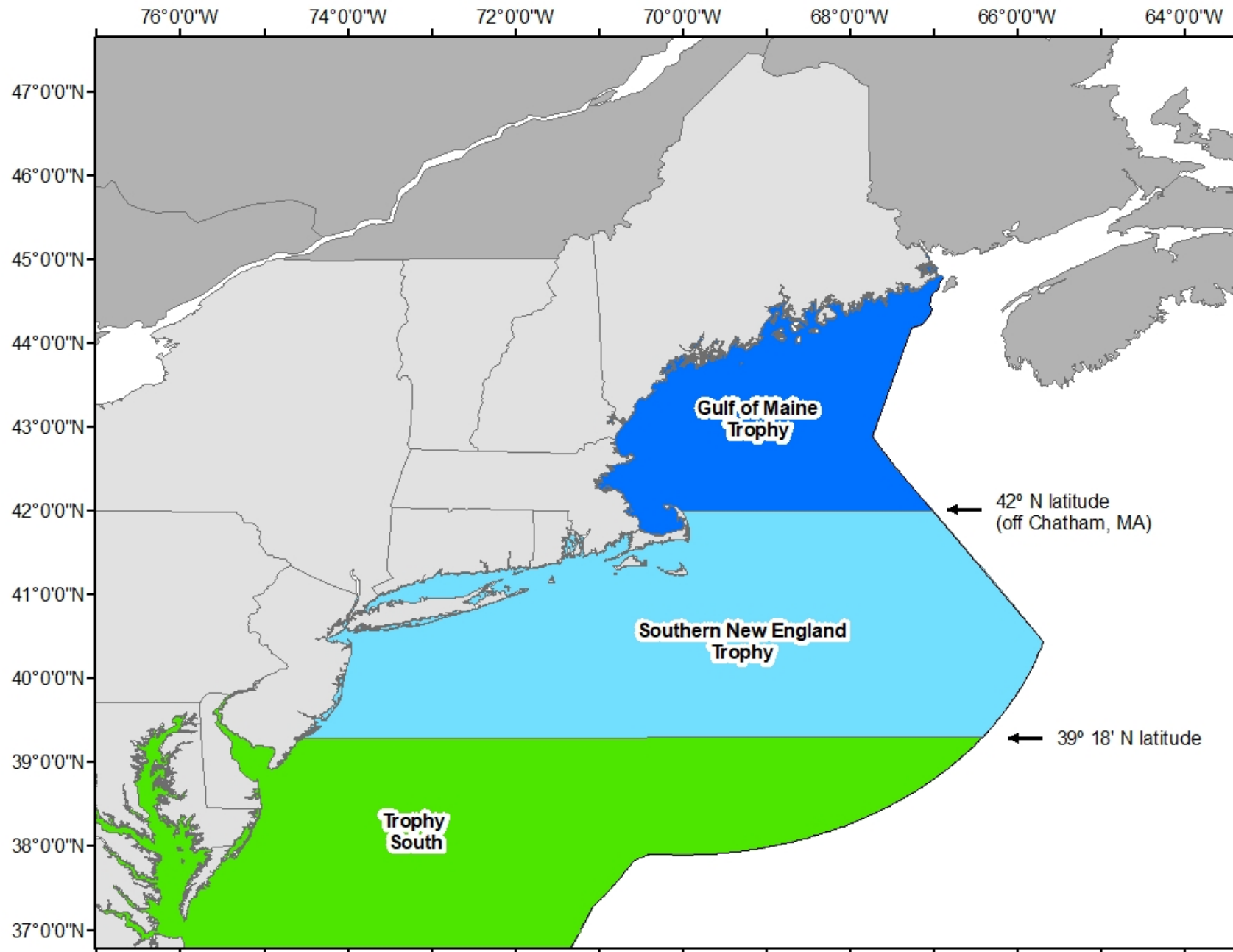
➤ Modify Angling category trophy areas and allocations

- Divide current Trophy North subquota area into two zones: north and south of 42° North Latitude (off Chatham, MA)
- Net result: Trophy category divided into four zones, each with an equal amount of quota
- Increase portion of Angling category quota allocated for trophy bluefin from 2.3 to 3.1 percent
- Equivalent reduction of the subquota for large school/small medium bluefin (47" - < 73")



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Proposed Gulf of Maine Trophy and Southern New England Trophy Subquota Areas

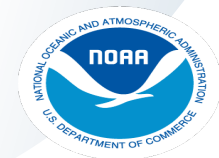


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Modifications to other handgear fishery regulations ('I' Alternatives)

- Use of harpoon gear on vessels other than Harpoon category-permitted vessels
 - No action – maintain current authorized gears
 - Allow use of harpoon gear on Charter/Headboat permitted vessels
 - Remove harpoon gear as an authorized gear for General category permitted vessels
- Harpoon category daily retention limit
 - No action
 - Set a Harpoon category limit on the total number of bluefin at 10 fish (combined large medium (>73") and giant bluefin (>81")), per day or trip; and maintain current retention limit* (range) on large medium bluefin

*2 fish is the current default retention limit of large medium fish; may be adjusted by NOAA Fisheries to up to 4 fish inseason



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Modifications to other handgear fishery regulations

➤ Harpoon Category Season

- No action – maintain current start and closure dates
- Lengthen Harpoon category start date: set at May 1 (instead of June 1) (would still close on November 15)



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Changes in Permit categories

- No Action – maintain current 45 day restriction – permit holders may not change permit categories after 45 days from date of issuance
- For vessels issued an open access permit*, allow to change permit categories within a fishing year, provided the vessel has not landed any bluefin

*Open access permits: Atlantic Tunas General category, Charter/Headboat category, Angling category



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Summary of comments received (through August)

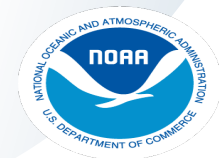
- General category
 - Support no action alternative
 - Should create a separate August subquota
 - Provide the increase from Purse Seine reallocation only to September through December subquota periods
- Angling category
 - Support/do not support preferred alternative for Trophy areas
 - Should allocate more quota to the Angling category and to Trophy subquota
 - Concern about decrease in large school/small medium subquota
 - Support additional Trophy area changes
 - Should move Trophy South line from Great Egg Inlet, NJ to Ocean City, MD
 - Should divide Trophy South into two areas



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Questions for the AP

- Regarding the comments that do not support the proposed measures, can you prioritize any concerns or suggested modifications?
- Can you suggest data or analyses that might provide further insights on any of the alternatives considered (*that would either support or not support implementation of a measure*)?
- Is there a new comment or a nuance you would like to provide?



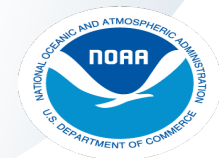
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~ End of Part 3 ~



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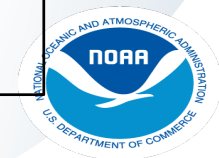
~ Additional Information ~



IBQ leasing data* - Revised versus DEIS (addendum to slide 31)

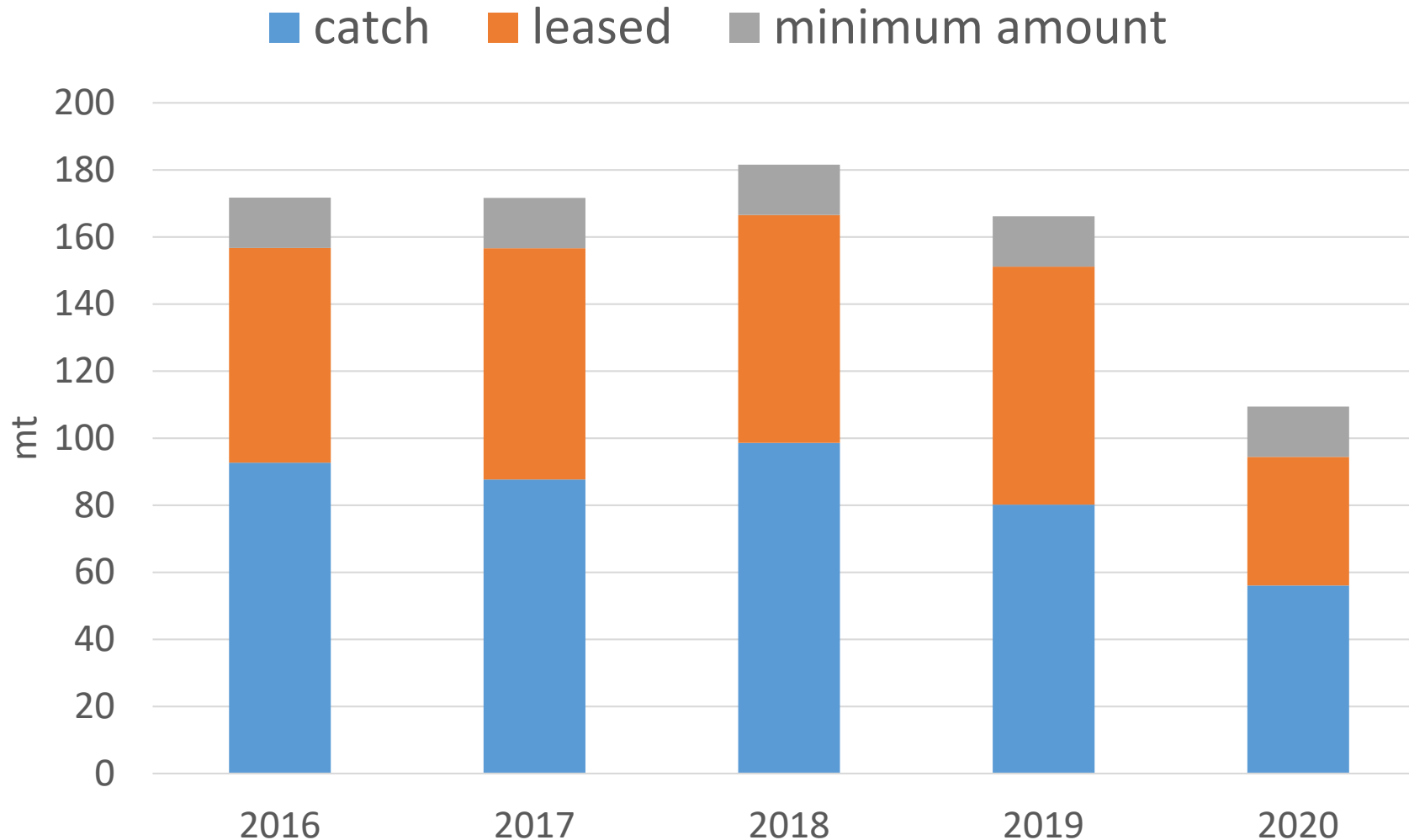
Year	Amount of Purse Seine Quota Leased by PLL vessels (lb) <i>(DEIS value in italics)</i>	Total amount of Quota leased by PLL vessels (lb) <i>(DEIS value in italics)</i>	Percent of Total Leased Quota from Purse Seine participants (%) <i>(DEIS value in italics)</i>
2015	20,283	126,407	16%
2016	51,068 <i>(39,647)</i>	141,183	36% <i>(28%)</i>
2017	38,061 <i>(9,950)</i>	152,050	25% <i>(7%)</i>
2018	47,440 <i>(25,816)</i>	149,844 <i>(170,160)</i>	32% <i>(15%)</i>
2019	74,469 <i>(57,869)</i>	156,472 <i>(180,756)</i>	48% <i>(32%)</i>
2020	39,300	84,994	46%

*revised from DEIS (Table 3.17, 3.18) to remove purse seine-to-purse seine leases, and make corrections; 2020 data was not in DEIS



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IBQ Metrics – illustration of relative amounts*

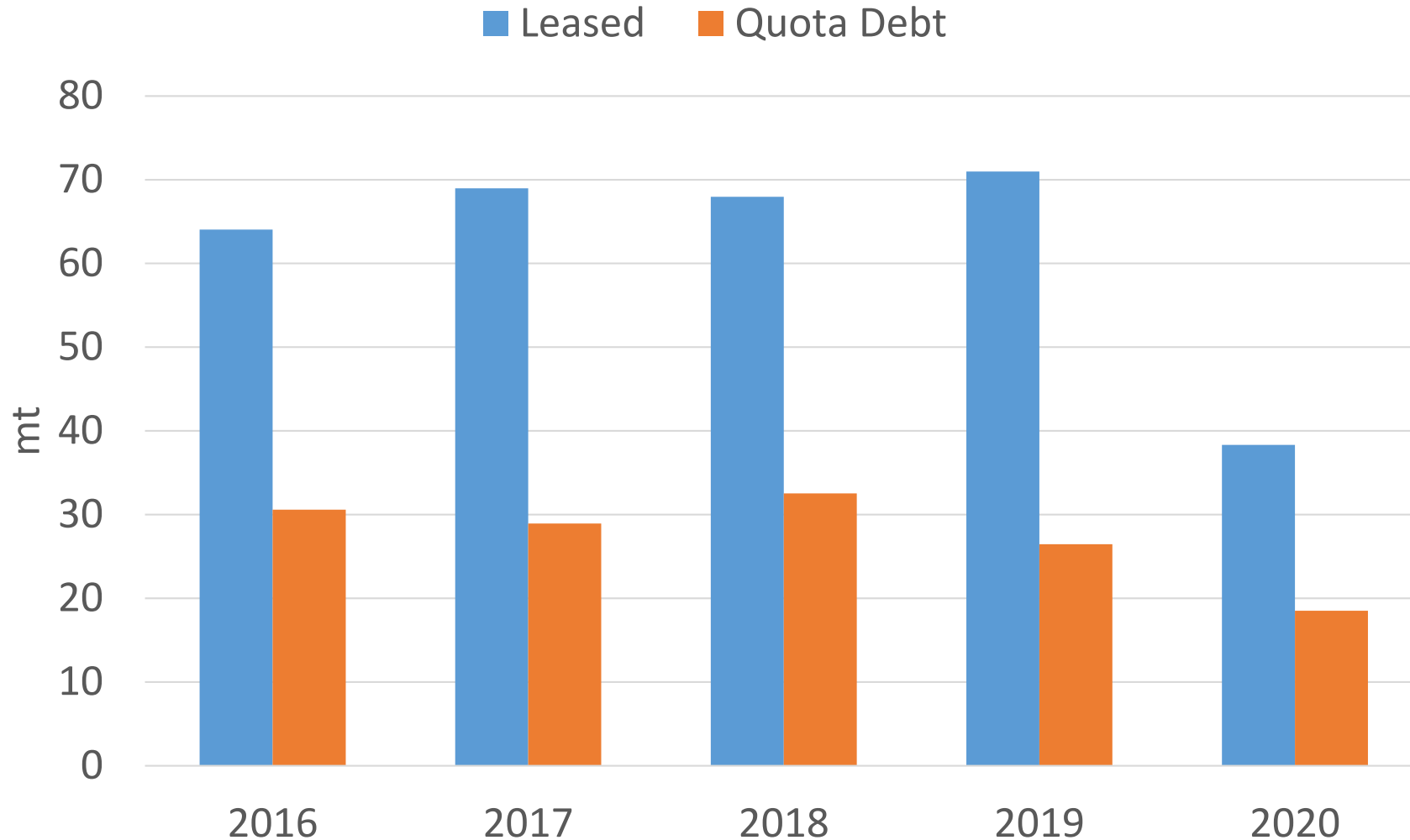


Note: IBQ metrics ‘overlap’; i.e., a portion of catch is accounted for with leased IBQ

The portion of catch accounted for with leased IBQ is not tracked, so must be estimated

*new analysis; not in DEIS

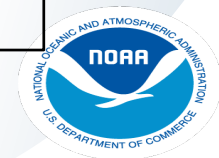
IBQ Metrics – How much of leased IBQ is used to account for bluefin catch?



Quota debt is proxy for the amount of leased IBQ used to account for bluefin catch.

Adjusted leasing amount:
Leased IBQ minus quota debt – proxy to represent IBQ leased as ‘insurance’ against future catches.

Quota debt is a negative balance of IBQ; analogous to monetary debt



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Average price by month for bluefin landed under General category quota, 2017 through 2020

Month	2017	2018	2019	2020*
Jan	\$ 10.27	\$ 7.49	\$ 6.99	\$ 7.63
Feb	\$ 5.55	\$ 7.54	\$ 5.13	\$ 4.63
Mar	\$ 6.10	\$ 7.25		
Jun	\$ 8.03	\$ 6.08	\$ 6.49	\$ 5.32
Jul	\$ 6.13	\$ 6.96	\$ 4.75	\$ 4.36
Aug	\$ 6.00	\$ 7.67	\$ 5.58	\$ 5.03
Sep	\$ 7.08	\$ 6.54	\$ 6.36	\$ 5.21
Oct	\$ 7.57	\$ 6.92	\$ 5.53	\$ 4.98
Nov		\$ 8.25		\$ 6.24
Dec	\$ 9.83	\$ 9.56	\$ 12.22	\$ 5.76

From Figure 3.3, Amendment 13 DEIS, *2020 data not in DEIS

Source: SAFIS federal dealer landings data



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