

HMS Permit Reform: What Should Change?

Presented to HMS AP
April 2008



Objectives of Presentation

- Provide a brief permit history
- Current landscape
- Short term objectives
 - Describe some options including those identified by the AP
 - Describe the scale of the main issues
 - Describe some of the ramifications of the issues
 - Prioritize the issues
- Long term objectives
 - Hold more in-depth discussions at Fall AP meeting
 - AP and HMS staff learn how to best develop HMS fisheries for the future

In the early years...

- Open Access vessel and dealer permits, except Purse Seine BFT (IVQ)
- Species-specific vessel permits
- Species-specific dealer permits
- BFT permits also gear-specific
- No requirements to have several permits
- Exempted fishing permits

1999 Limited Access Permits

- Goal: rationalize harvesting capacity with quota; reduce latent effort
- Regulations:
 - SHK, SWO, Tuna longline limited access
 - SHK & SWO Handgear could be held on own; SWO D&I and Tuna longline needed all three permits
 - Directed and incidental permits; SWO handgear
- Initial Issuance
 - Certain criteria required: historical permit, landings, “current” permit
 - Automatic issuance; applications; appeals

Problems that arose

- Not every vessel fits in those boxes
 - Squid vessels needed SHK, tuna longline, and SWO for swordfish bycatch
 - Some tuna vessels did not want/need a tuna longline permit
 - Confusion over the three different permits, when to renew, different offices renewing different permits, vessel upgrading restrictions
- For first few years, issued EFPs to help address some problems.

Changes to Permits Since 1999

- Creation of an HMS Recreational Permit
- Creation of an HMS Charter/Headboat Permit
- Additional EFPs - display, chartering, shark research fishery
- Creation of an International Trade Permit
- Addition of Buoy Gear
- Changes to upgrading restrictions and retention limits in swordfish revitalization rule
- Proposed rule regarding tuna longline renewal provisions and greenstick gear

Current Permit Regulations in a Nutshell

- Limited Access SHK, SWO, Tuna Longline
- IVQ Purse Seine
- Tuna permits by gear
- HMS Angling, HMS CHB, HMS ITP
- EFPs, SRPs, LOAs, Display, Chartering, Shark Research Fishery
- Species Based Dealer Permits

The Permit You Have Affects Everything

- What gear you can use
- How you fish with that gear
- When you can fish
- What fish you can fish for
- Where you can fish
- What size vessel you have
- Level of observer coverage
- What species you can buy
- What workshops you must attend
- Interactions with other fisheries
- Reporting requirements

Permit Structure Drives Fisheries

- **Open Access** permit structure often results in a fishery with many small scale participants that tend to collectively overexploit the resource.
- **Limited Access** permit structure can result in fewer fishery participants, but can encourage an overinvestment in capacity in a race for the fish.
- **Individual Fishing Quotas** can result in a fishery that is harvested more consistently throughout the year to match market demands. It may result in more efficient fishing operations and higher profits. However, the fishery may become more concentrated.

Issues with Current Regulations

- Different NMFS offices issue permits and handle transfers; this can lead to confusion on handling “novesselid” permits and upgrading restrictions
- Different NMFS offices handle “leasing” differently
- Limited access permits must be renewed within one year of expiration
- Tuna permit categories can only be changed once a year; 10 day grace period
- Can only have a tuna permit, HMS angling permit, or HMS CHB permit (e.g., cannot have tuna permit and HMS angling)

Issues continued

- Few limited access permits in Caribbean
- Confusion over what permits needed to fish with what gear and for what species (e.g., fishing for sharks with PLL)
- Stock status has changed for some fisheries/stocks since 1999 (e.g., swordfish)
- Other regulations/drivers in place (e.g., time/area closures, gear, bycatch reduction measures, sea turtle issues, pilot whale issues)

Some Possible Options

- ITQs/LAPPs for some or all HMS fisheries*
- Gear-based permits or gear/species based permits*
- Open access for swordfish permits - completely or partially (e.g., open access for handgear vessels)*
- Allow new swordfish permits to be issued*
- Issue squid trawlers the permits they need*
- Reissue lapsed permits*
- Restructure permits so BFT and other HMS are consistent (e.g., can have HMS angling and General category)
- Move some EFPs to regular permitting structure (e.g., display permit would be permit, not exemption)

* indicates idea from Oct. 2007 AP Meeting

Options continued

- All HMS permits issued from one location with one expiration date*
- One overall HMS dealer permit
- HMS operator permits
- Allowance for vessel leasing*
- Removal of upgrading restrictions*
- Use or lose provisions*
- Chartering permits allowing foreign vessels to land US quota*
- Remove need for multiple permits*

* indicates idea from Oct. 2007 AP Meeting

How would you prioritize issues?

- Are there other options and/or issues to consider?
- What is the scope HMS should address?
 - all species or a few?
 - all permits or some of them?
- Should HMS address all issues in one rule?
 - Implementing limited access took from 1995 to 1999
 - Would allow for an overall approach
- Should HMS address issues one or two at a time?
 - Each rule could take a year or more depending on issues
 - What issue should be first, second, etc?
 - What issues can be combined into one rule?

Remember:

Your permit is
not just a piece of paper.
It's your keystone to complying
with HMS regulations.