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# Proposed Atlantic bluefin tuna quotas and Atlantic tuna fisheries management measures

Highly Migratory Species Management Division  
March/April 2011

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# Proposed Rule

- Modify BFT base quotas, consistent with the 2010 ICCAT WBFT Recommendation (Rec. 10-03)
- Establish 2011 BFT quota specifications (adjusted quotas)
- Reinstate pelagic longline target catch requirements in the Northeast Distant Gear Restricted Area (NED)
- Allow the removal of tail lobes from Atlantic tunas
- Clarify transfer at sea regulations for Atlantic tunas

Atlantic tunas:

bluefin, bigeye, albacore, yellowfin, and skipjack tunas

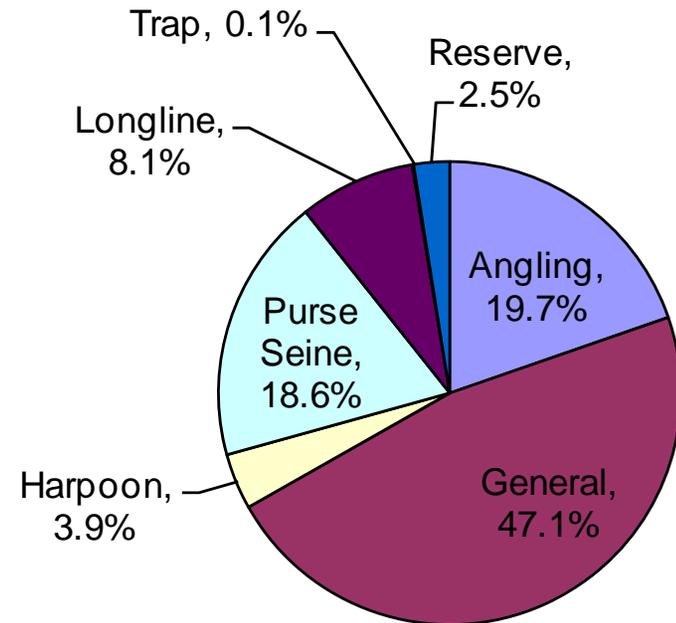


## First, a look back...

1999: Landings quota allocations established in Highly Migratory Species Fishery Management Plan

1999-2006: ICCAT Recommendations provided the United States a 68-mt dead discard allowance

2007 onward: No dead discard allowance; ICCAT Recommendations require TACs to be inclusive of dead discards.





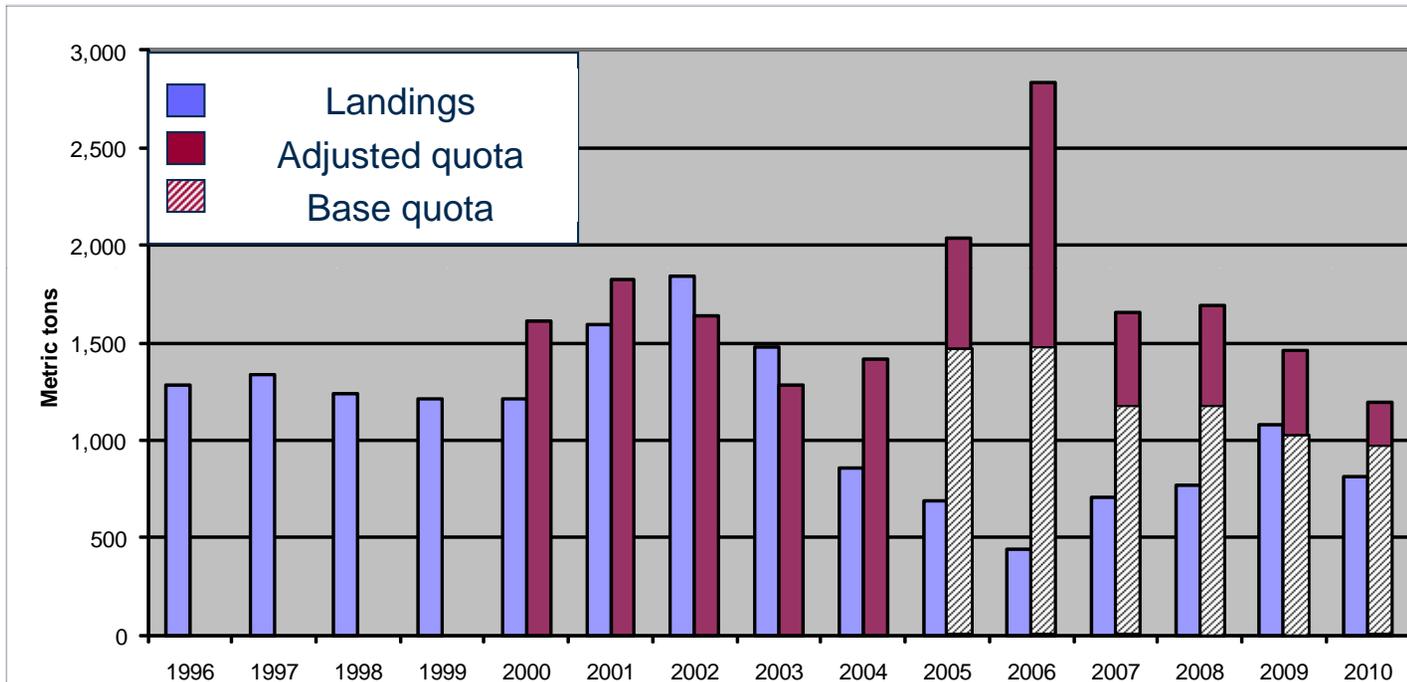
## First, a look back...

NMFS has raised BFT bycatch issues at public hearings & with HMS Advisory Panel (AP) over last few years:

- June 2009 Advance Notice of Proposed Rulemaking
- Fall 2009 AP Meeting
- Spring 2010 AP Meeting
- Fall 2010 AP Meeting (incl. BFT Working Group)
  
- June 1, 2009, ANPR: requested public comment on (among other things) potential measures to:
  - Increase opportunities to fully harvest U.S. BFT and swordfish quotas
  - Continue efforts to revitalize swordfish fishery while minimizing bycatch to the extent practicable
    - Comments included *increasing* PLL BFT incidental retention limit



## U.S. BFT Landings vs. Adjusted Quotas (mt)



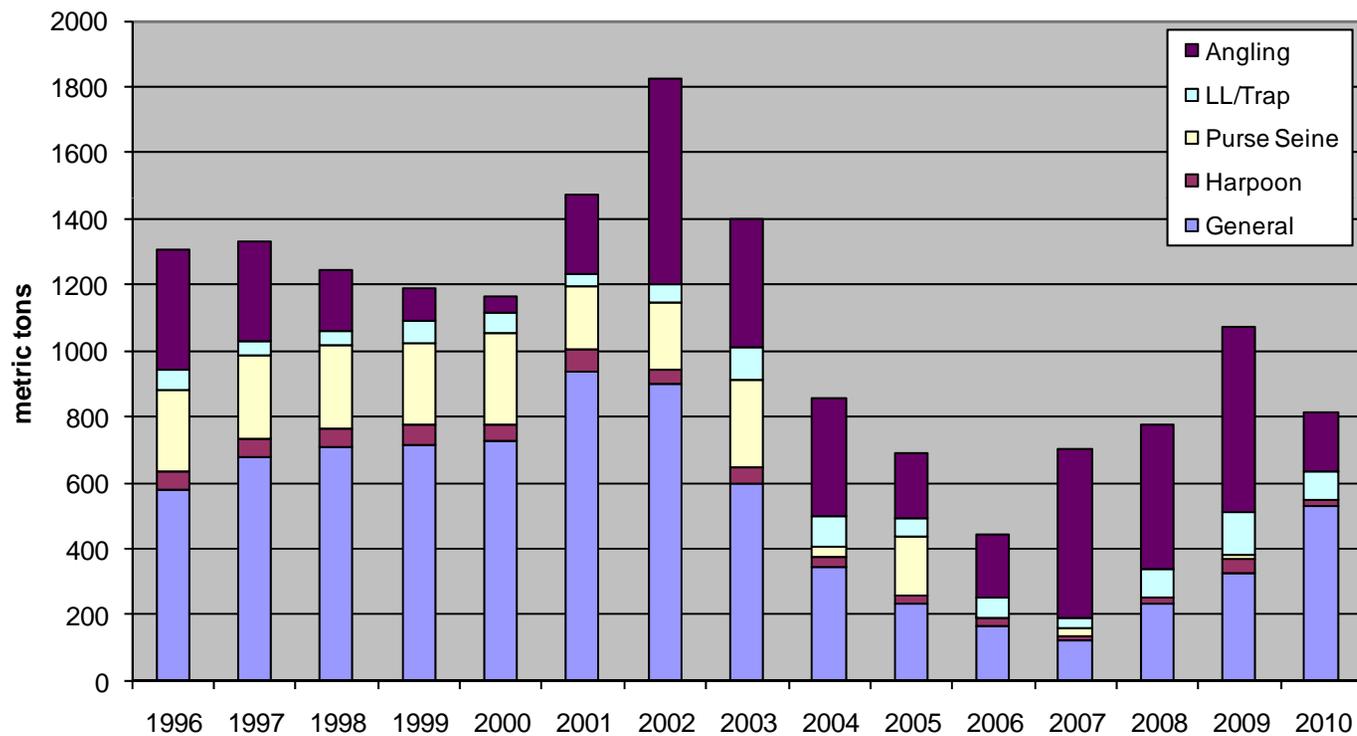
Reductions in landings and large amounts of underharvest beginning in the mid-2000s has precipitated requests for regulatory changes to more fully utilize U.S quota.

In 2010, total landings=813.7 mt which corresponded to 68% of adjusted quota (1,193.2 mt) and 83% of base quota (977.4 mt).

U.S. base quotas shown for 2005 through 2010 (hatched bars) to illustrate relation of recent landings to base quota.



## Landings by Category (mt)



Note the decline in General category landings from 2001 through 2007 and the large proportion of Angling category landings 2007 through 2009 (associated with a spike in large school/small medium BFT landings). General category landings grew from the 2007 low in 2008, 2009, and again in 2010.

Longline and Trap combined because both incidental fisheries and data at beginning of time series combined.



Pelagic Longline BFT  
Incidental Catch Requirements  
Public feedback

**In favor of altering**

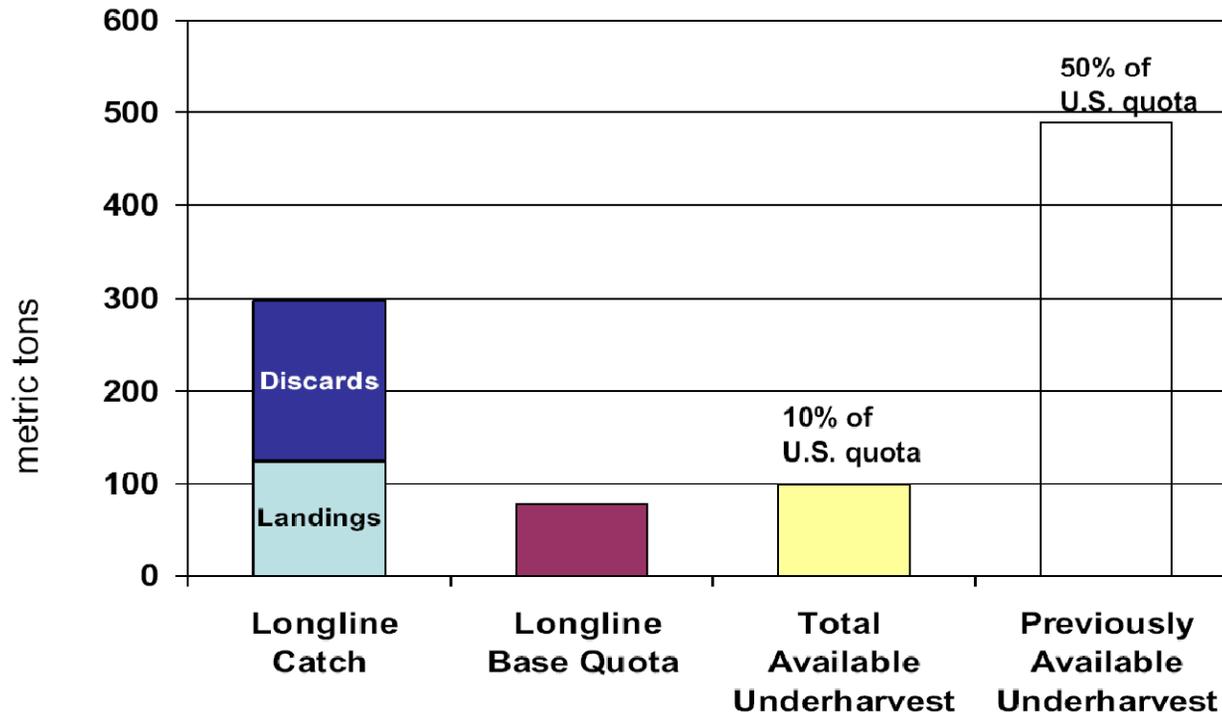
- Convert discards into marketable product
- Trips more profitable
- Assist in more swordfish trips

**Opposed to altering**

- Close the GOM to LL fishing (Yearly/Seasonally)
- May result in targeted fishery
- U.S. should support a CITES listing
- Faulty logic regarding more trips being taken
- Quota limited
- Bycatch concerns – turtles/billfish



The Longline category needs more underharvest than likely to be available in 2011



The previous underharvests that allowed NMFS to provide the Longline category sufficient quota to operate during the entire fishing year may no longer exist due to: likely same or decreased 2011 ICCAT BFT quota, reduced amount of underharvest that can be carried forward, and expected increased availability of fish to the commercial categories in the next few years.



**From Sept. 2010 AP Mtg.  
(Swordfish Revitalization presentation)**

# Challenges: PLL Bluefin Tuna Landings & Quota Allocation

| 2009 Longline Category Landings | # of Bluefin Tuna | Weight (lb) | Avg. Weight (lb) | Weight (mt) | Quota (mt) | % Quota Taken |
|---------------------------------|-------------------|-------------|------------------|-------------|------------|---------------|
| Longline                        | 601               | 285,682     | 475.3            | 129.6       | 99.3       | 130.5%        |
| -North                          | 398               | 167,299     | 420.3            | 75.9        | 54.7       | 138.7%        |
| -South                          | 203               | 118,383     | 583.2            | 53.7        | 44.6       | 120.4%        |

\*Dead discards for 2009 were 160 mt and must be accounted for.



From Sept. 2010 AP Mtg.  
(Bluefin Tuna Working Group presentation)

## Convergence of factors – current issues regarding PLL BFT interactions

- As swordfish effort and landings increase, potential for increase in PLL BFT catch
- Deepwater Horizon/BP Oil Spill in Gulf of Mexico
- Petition to list BFT as threatened or endangered under the ESA
- Weak hook research promising
- Availability of commercial-sized BFT expected to increase (marching cohort)
- Must account for PLL dead discards annually (in quota specifications)
- Available quota for 2011 is uncertain at this time
- Ability to carry forward unharvested quota diminishing
- Accounting for all PLL landings and dead discards while keeping within U.S. TAC could result in decreased quotas for directed fishing categories
- Continued requests to prohibit PLL in the Gulf of Mexico



## Summary

As we move into 2011, some options for reducing and addressing PLL BFT interactions:

- Changing how we set the annual quota specifications
- Re-establishing target catch requirements in the NED
- Expanding weak hook use

## From Sept. 2010 AP Mtg. (Bluefin Tuna Working Group presentation)

Annual BFT Quota Specification – A Look Back and Details to Consider for 2011

| All units mt                                    | 2008                       | 2009                       | 2010              | 2011                |       |
|---|----------------------------|----------------------------|-------------------|---------------------|-------|
| WBFT TAC  | 2,100                      | 1,900                      | 1,800             | 1,800?              |       |
| U.S. TAC  | 1,190.1                    | 1,034.9                    | 977.4             | 977?                | A     |
| Available BFT Underharvest<br>(from prior year) | 595.1<br>(max. possible)   | 517.5<br>(max. possible)   | 388.6             | Max.97.7?           | B     |
| → Longline category                             | 53.6                       | 82.5                       | 170.7             | 160?<br>(‘09 proxy) |       |
| → Reserve                                       | 178.5<br>(15% of U.S. TAC) | 155.2<br>(15% of U.S. TAC) | 46.5*             | ?                   |       |
| → Directed fishing<br>categories per FMP %s     | 363                        | 279.8                      | 171.4             | ?                   |       |
| Dead discard estimate used<br>(source year)     | 91.3<br>(2006)             | 90<br>(2007)               | 172.8**<br>(2008) | 160<br>(2009)       | C     |
| Final Adjusted U.S. TAC                         | 1,693.9                    | 1,462.3                    | 1,193.2           | 917?                | A+B-C |

\* Reduced from proposed amount to maintain proposed amount of underharvest allocated to directed fishing categories

\*\*Latest information: 158 mt, from U.S. Report to ICCAT, 2010



## 2010 ICCAT WBFT Recommendation -- Quotas

|  | Recommendation<br>for 2010<br>(Rec. 08-04) | Recommendation<br>for 2011 and 2012<br>(annually)<br>(Rec. 10-03) |
|--|--|---|
| W. Atl. TAC  | 1,800 mt                                   | 1,750 mt  |
| U.S. baseline quota                                      | 952.4 mt                                   | 923.7 mt  |
| Total U.S. quota (including<br>25 mt for bycatch in NED) | 977.4 mt                                   | 948.7 mt  |



## ICCAT WBFT Recommendation -- Other Provisions

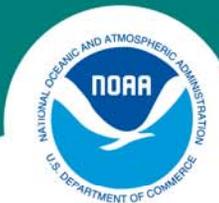
- Limit carryforward of underharvest to 10% of a country's quota
  - 10% of 2011 U.S. total quota (948.7) = 94.9 mt
  - prior to 2011, limit was 50% of a country's quota (489 mt for 2010)
- Limit the harvest of BFT < 115 cm (school BFT) to no more than 10% of a country's quota, on average, over 2011-2012 period
  - 10% of 948.7 is 94.9 mt



## 2011 Domestic Implications – Accounting for Dead Discards

- U.S. quota is inclusive of dead discards
- Best available estimate (2009) of U.S. dead discards is 160 mt from pelagic longline (PLL) vessels
- In 2007 through 2010 quota specifications:
  - First, dead discards were accounted for
  - Second, carryover applied
  - Third, remainder was allocated according to 1999 FMP percentages
- Difference from 2010: dead discards were accounted for within the Longline category & the large amount of underharvest still resulted in increases for other categories

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**Table 1. Atlantic Bluefin Tuna Final Quota Specifications (in metric tons) for the 2010 Fishing Year (January 1-December 31, 2010)**

| Category (% share of baseline quota) | Baseline Allocation   | Dead Discard Deduction | Adjustment to Baseline Quota <sup>1</sup> | Final 2010 Fishing Year Quota |
|--------------------------------------|-----------------------|------------------------|---|-------------------------------|
| Angling (19.7)                       | 187.6                 |                        | 37.8                                      | 225.4                         |
|                                      | <b>SUBQUOTAS:</b>     |                        |   | <b>SUBQUOTAS:</b>             |
|                                      | School 97.7           |                        |   | School 97.7                   |
|                                      | Reserve 18.1          |                        |   | Reserve 18.1                  |
|                                      | North 37.6            |                        |   | North 37.6                    |
|                                      | South 42.1            |                        |   | South 42.1                    |
|                                      | Lg. Sch/Sm. Med 85.6  |                        |   | Lg. Sch/Sm. Med 122.5         |
|                                      | North 40.4            |                        |   | North 57.8                    |
|                                      | South 45.2            |                        |   | South 64.7                    |
|                                      | Trophy 4.3            |                        |   | Trophy 5.2                    |
| North 1.4                            |                       |                        | North 1.7                                 |                               |
| South 2.9                            |                       |                        | South 3.5                                 |                               |
| General (47.1)                       | Total: 448.6          |                        | 90.3                                      | 538.9                         |
|                                      | <b>SUBQUOTAS:</b>     |                        |   | <b>SUBQUOTAS:</b>             |
|                                      | Jan 23.8              |                        |   | Jan 28.6                      |
|                                      | Jun-Aug 224.3         |                        |   | Jun-Aug 269.4                 |
|                                      | Sept 118.9            |                        |   | Sept 142.8                    |
|                                      | Oct-Nov 58.3          |                        |   | Oct-Nov 70.1                  |
| Dec 23.3                             |                       |                        | Dec 28.0                                  |                               |
| Harpoon (3.9)                        | 37.1                  |                        | 7.5                                       | 44.6                          |
| Purse Seine (18.6)                   | 177.2                 |                        | 35.6                                      | 212.8                         |
| Longline (8.1)                       | 77.1                  | -172.8                 | 170.7 <sup>2</sup>                        | 75.0                          |
|                                      | <b>SUBQUOTAS:</b>     |                        |   | <b>SUBQUOTAS:</b>             |
|                                      | North (-NED) 30.9     |                        |   | North (-NED) 30.0             |
|                                      | NED 25.0 <sup>3</sup> |                        |   | NED 25.0 <sup>3</sup>         |
| South 46.2                           |                       |                        | South 45.0                                |                               |
| Trap (0.1)                           | 1.0                   |                        | 0.2                                       | 1.1                           |
| Reserve (2.5)                        | 23.8                  |                        | 46.5 <sup>4</sup>                         | 70.3                          |
| <b>Total (100)<sup>5</sup></b>       | <b>952.4</b>          | <b>-172.8</b>          | <b>388.6</b>                              | <b>1,168.2</b>                |

(1) The distribution of 388.6 mt of underharvest (per ICCAT recommendation) to the quota categories is consistent with FMP allocations, after considerations as calculated below for the Longline category and the Reserve.

(2) Adjustment to Longline category quota is intended to provide sufficient quota for the 2010 fishing year. Longline category quota=77.1-172.8+170.7=75 mt. Dead discard deduction consistent with § 635.27(a)(10).

(3) 25 mt to account for bycatch of BFT in pelagic longline fisheries in the NED. Not included in total baseline allocation, which is allocated according to the category percentages contained in the Consolidated FMS FMP.

(4) Allocation of 46.5 mt to the Reserve for potential ICCAT transfer and other domestic management objectives.

(5) Totals are subject to rounding error.



## 2011 Domestic Implications – Accounting for Dead Discards

- Impracticable to use 2007-2010 method of accounting for dead discards
  - Amount of underharvest allowed to carry forward (94.9 mt) is insufficient to cover dead discards (160 mt)
  - Deducting from Longline category would result in 0 mt Longline subquota; *would still need to reduce other subquotas by 85 mt total*
  - The conversion of pelagic longline BFT landings to dead discards would exacerbate the situation and those dead discards would have to be accounted for in 2012



## Proposed 2011 Quota Specifications

- NMFS proposes to:
  - Subtract the dead discard estimate of 160 mt from the U.S. baseline quota of 923.7 mt\*
  - Add the 94.9 mt of underharvest allowed to be carried forward
  - Apply the Consolidated HMS FMP allocation scheme to the remainder:  
$$923.7 - 160 + 94.9 \text{ mt} = \mathbf{858.6 \text{ mt}^*}$$
    - these amounts do not include the 25-mt NED allocation
- This proposed specification of adjusted quotas is consistent with the BFT regulations

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| Category<br>(% share of<br>baseline<br>quota) | Baseline Allocation for<br>2011 and 2012<br>(per 2010 ICCAT<br>Recommendation and<br>Consolidated HMS<br>FMP allocations)  | 2011 Quota Specifications                       |  |  |
|---|--|---|--|--|
|   |  | Dead<br>Discard<br>Deduction<br>(2009<br>proxy) | 2010<br>Underharvest<br>to Carry<br>Forward to<br>2011 | 2011 Fishing Year Quota  |
| <b>Total (100)</b>                            | <b>923.7</b>   | <b>-160.0</b>                                   | <b>+94.9</b>   | <b>858.6</b>   |
| <b>Angling<br/>(19.7)</b>                     | <b>182.0</b><br><u>SUBQUOTAS:</u><br>School 94.9<br>Reserve 17.6<br>North 36.5<br>South 40.8<br>LS/SM 82.9<br>North 39.1<br>South 43.8<br>Trophy 4.2<br>North 1.4<br>South 2.8 |   |  | <b>169.1</b><br><u>SUBQUOTAS:</u><br>School 94.9<br>Reserve 17.6<br>North 36.5<br>South 40.8<br>LS/SM 70.4<br>North 33.2<br>South 37.2<br>Trophy 3.9<br>North 1.3<br>South 2.6 |
| <b>General<br/>(47.1)</b>                     | <b>435.1</b><br><u>SUBQUOTAS:</u><br>Jan 23.1<br>Jun-Aug 217.6<br>Sept 115.3<br>Oct-Nov 56.6<br>Dec 22.6   |   |  | <b>404.4</b><br><u>SUBQUOTAS:</u><br>Jan 21.4<br>Jun-Aug 202.2<br>Sept 107.2<br>Oct-Nov 52.6<br>Dec 21.0   |
| <b>Harpoon<br/>(3.9)</b>                      | <b>36.0</b>  |   |  | <b>33.5</b>  |
| <b>Purse Seine<br/>(18.6)</b>                 | <b>171.8</b>   |   |  | <b>159.7</b>   |
| <b>Longline<br/>(8.1)</b>                     | <b>74.8</b><br><u>SUBQUOTAS:</u><br>North (-NED) 29.9<br>NED 25.0*<br>South 44.9   |   |  | <b>69.5</b><br><u>SUBQUOTAS:</u><br>North (-NED) 27.8<br>NED 25.0*<br>South 41.7   |
| <b>Trap (0.1)</b>                             | <b>0.9</b>   |   |  | <b>0.9</b>   |
| <b>Reserve (2.5)</b>                          | <b>23.1</b>  |   |  | <b>21.5</b>  |

\*25 mt to account for bycatch of BFT in pelagic longline fisheries in the NED. Not included in totals at top of table.



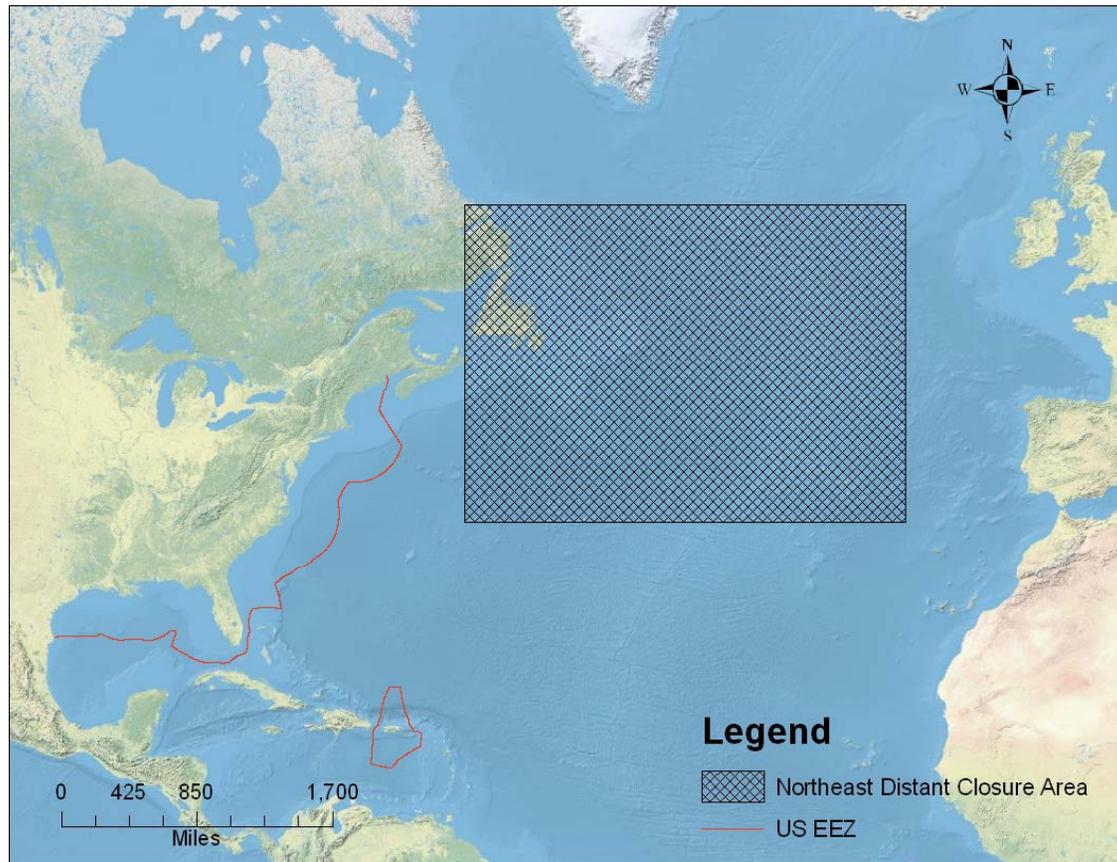
## Pelagic longline fishery and target catch requirements

- Target catch requirements in effect for pelagic longline fishery since 1981
- In 2002, NMFS closed the NED to U.S. PLL vessels and conducted a research experiment on gear modifications to reduce sea turtle bycatch and bycatch mortality
- Regulations adjusted to allow vessels to fish in NED with specific gear and safe handling requirements
- PLL vessels could retain all BFT > 73", up to the 25-mt NED allocation, with no target catch amount required



## Proposed reinstatement of BFT target catch requirements in the NED

Current  
target catch  
requirements  
(outside NED):  
1 BFT: 2,000 lb  
2 BFT: 6,000 lb  
3 BFT: 30,000 lb





## Proposed reinstatement of BFT target catch requirements in the NED

- 2004-2008: NED PLL BFT landings <25 mt (30-61 fish)
- In 2009:
  - NED BFT landings: 51 mt (223 fish)
  - Total Longline BFT landings: 131 mt (> the 100-mt quota)
  - Target catch requirements implemented in NED Oct 2009
- Reinstatement of target catch requirements would:
  - reduce need for BFT quota reallocation from the Reserve or from directed fisheries to cover excess PLL BFT landings
  - allow PLL fleet to continue directed fisheries (yellowfin tuna and swordfish) with less risk of fishery interruption due to insufficient BFT quota availability



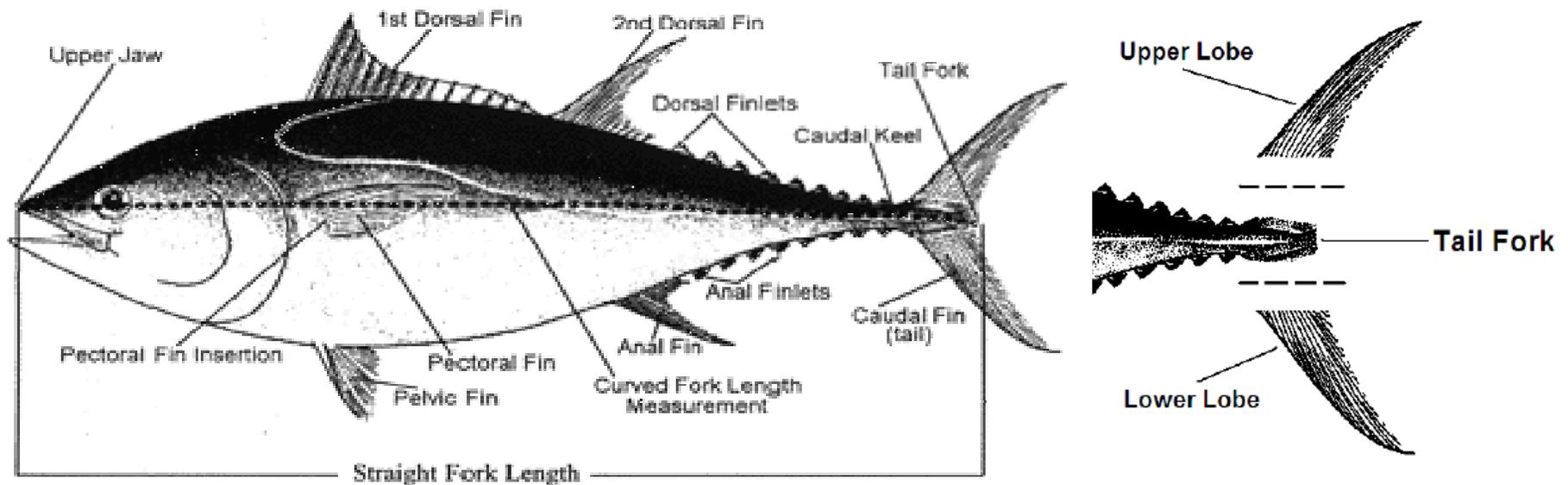
## Proposed reinstatement of BFT target catch requirements in the NED

- To address similar issues, as well as to increase the survival of spawning BFT, NMFS published a proposed rule to require weak hook use in the Gulf of Mexico PLL fishery (76 FR 2313, January 13, 2011), and the final rule is forthcoming.
- Both of these efforts regarding the PLL fishery are consistent with the agency's efforts to address bycatch issues and manage BFT catch and landings within available quotas.



## Other proposed changes re: Atlantic tuna fisheries

- Allow the removal of Atlantic tunas tail lobes





## Other proposed changes re: Atlantic tuna fisheries

- Clarify the transfer at sea regulations
  - add: “...transfer includes, but is not limited to, moving or attempting to move an Atlantic tuna that is on fishing gear in the water from one vessel to another vessel...”
- Follows a recent NOAA Administrative Law Judge decision involving the transfer of a BFT at sea
- NMFS may make similar clarifications regarding transfer at sea for other Atlantic HMS via separate actions pertaining to those species.



## General and Angling Category Daily Retention Limits

As in past years, NMFS plans to make daily retention limit adjustments, if and as needed, for the 2011 fishing year via Federal Register notices separate from the final specifications.



## Timeline for Rulemaking

- Proposed rule published March 14, 2011
- Comment period extended through April 28, 2011
- Public Hearings:
  - Barneгат, NJ – March 22
  - Manteo, NC – March 28
  - Gloucester, MA – April 1
  - Silver Spring, MD – April 5
  - Adding hearings for Portland, ME and Fairhaven, MA
- Intend to publish final rule May/June 2011
- ICCAT BFT Recommendation effective: June 14, 2011  
(need U.S. quotas for 2011 in place by then to be in compliance)



## Public Comments due April 28, 2011

- You may submit comments, identified by “0648-BA65,” by any one of the following methods:
- Federal Rulemaking Portal: <http://www.regulations.gov>  
**(Preferred method)**
- Mail: Sarah McLaughlin  
HMS Management Division  
National Marine Fisheries Service  
55 Great Republic Drive  
Gloucester, MA 01930
- Fax: (978) 281-9340
- ***Please do not submit electronic comments to NMFS staff***



## Comments? Questions?

- For further information on this rulemaking or Atlantic tunas management, contact Sarah McLaughlin at (978) 281-9260
- For information on other HMS issues, contact the HMS Management Division at (301) 713-2347

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| Category                      | 2010         |                |  |                                     |
|-------------------------------|--------------|----------------|--|-------------------------------------|
|                               | Base Quota   | Adjusted Quota | Landings & LL dead discards            | % of Adjusted Quota                 |
| <i>General</i>                | 448.6        | 538.9          | 528.3                                  | 98                                  |
| <i>Harpoon</i>                | 37.1         | 44.6           | 18.4                                   | 41                                  |
| <i>Longline</i>               | 102.1        | 100            | 88.5                                   | 89 (248 if include dead discards)   |
| North                         | 30.9         | 30             | 35.3                                   | 118                                 |
| NED                           | 25           | 25             | 9.4                                    | 38                                  |
| South                         | 46.2         | 45             | 43.8                                   | 97                                  |
| dead discards                 |              |                | Not available – using 160 mt as proxy  |                                     |
| <i>Trap</i>                   | 1.0          | 1.1            | 0                                      | 0                                   |
| <i>Purse Seine</i>            | 177.2        | 212.8          | 0                                      | 0                                   |
| <i>Angling</i>                | 187.6        | 227.1*         | 178.5                                  | 79                                  |
| School                        | 97.7         | 97.7           | 33                                     | 34                                  |
| Large school/Small medium     | 85.6         | 122.5          | 139.3**                                | 114                                 |
| Large Medium/Giant (“trophy”) | 4.3          | 6.9*           | 6.2                                    | 90                                  |
| <i>Reserve</i>                | 23.8         | 68.6*          | 0                                      |                                     |
| <b>TOTAL</b>                  | <b>977.4</b> | <b>1,193.2</b> | <b>813.7</b>                           | <b>68</b>                           |
| <i>TOTAL (incl. DD)</i>       | <i>977.4</i> | <i>1,193.2</i> | <i>973.7 if assume 160 mt for 2010</i> | <i>82 if assume 160 mt for 2010</i> |

Data for the 2010 fishing year are as of January 28, 2011.

Commercial landings information is from the NERO dealer report database.

Recreational landings information is from Large Pelagics Survey estimates, NC catch card data, and the NMFS Automated Landings Reporting System.

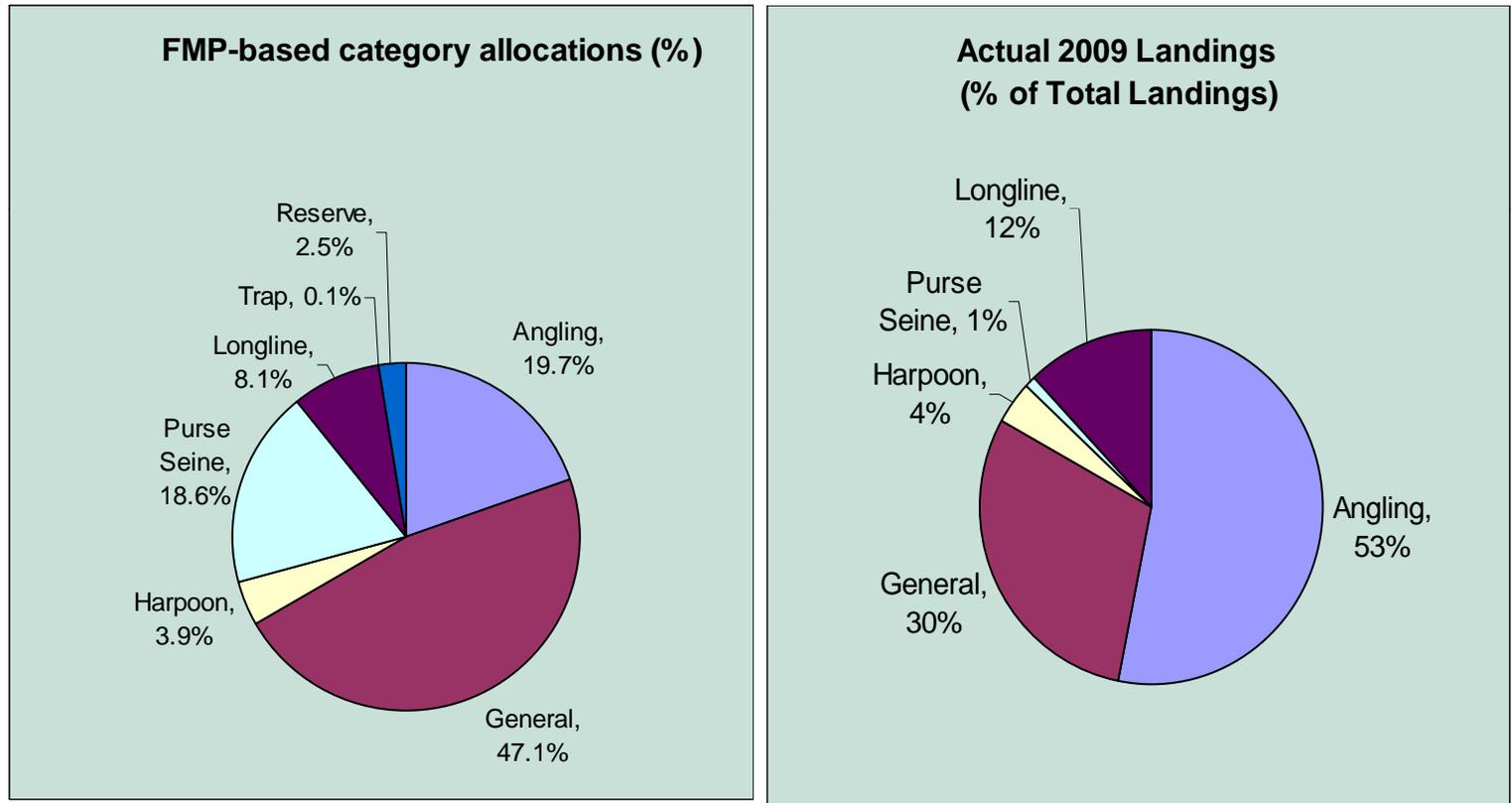
Landings of BFT<47” made under Exempted Fishing Permits are counted against the School reserve, part of the School BFT subquota.

\* Includes transfer of 1.7 mt from the Reserve to the Angling category northern area trophy subquota effective June 12, 2010 (75 FR 33531, June 14, 2010)

\*\* Note that Angling category landings of small medium BFT were prohibited, June 12 – December 31, 2010.



## Comparison of FMP allocations to % of 2009 Landings



Recent landings by category as a percent of total landings (at right) compared to allocations established in the 1999 HMS FMP (at left).