

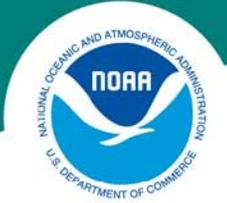
Science, Service, Stewardship



Highly Migratory Species Advisory Panel HMS Management Overview

September 9, 2009

**NOAA
FISHERIES
SERVICE**



Rulemaking/Operations Update

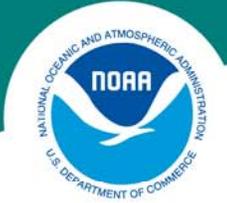
Since the February 2009 AP meeting,

- Published 2 proposed rules with 3 more in progress
- Published 2 final rules with 1 more in progress
- Published Advance Notice of Proposed Rulemaking & held 5 public meetings
- Released Final EFH Amendment 1
- Released & held hearings on Draft Shark Amendment 3
- Released Predraft for Caribbean Amendment 4
- Issued 30 EFPs, SRPs, & LOAs to date for 2009
- Oversaw 27 workshops in 2009 to date
- ~2,600 people receiving Atlantic HMS News



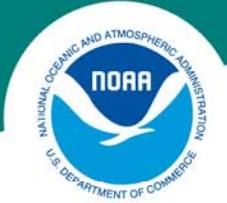
EFH Amendment 1

- Consolidated HMS FMP - Phase 1 of EFH 5-year review – presented updated data
- Final Amendment 1 - Phase 2 updated EFH and considered measures to minimize fishing impacts
 - NOI to prepare EIS published Nov 7, 2006
 - Scoping at March & Oct 2007 AP meetings
 - Notice of Availability of Draft published Sept 19, 2008
 - Designated new Habitat Area of Particular Concern for BFT in Gulf of Mexico
 - Final EFH Amendment 1 published June 12, 2009



Shark Amendment 3

- NOI to Prepare EIS published May 7, 2008
- Blacknose sharks are overfished/overfishing occurring; a rebuilding plan must be implemented; ACLs must be implemented by 2010
- Shortfin mako sharks are experiencing overfishing
- Smooth dogfish considered for federal management
- Predraft released February 11, 2009
- Proposed rule and DEIS released on July 24, 2009; comment period closes September 25, 2009
- Public hearings underway
- Final rule and FEIS are expected spring 2010



Caribbean Amendment 4

- To address permitting, authorized gears, data collection, and Agency outreach in Puerto Rico & USVI
- Pre-scoping – Winter 2007/2008
- Notice of Intent to Prepare EIS published May 27, 2008
- Notice of Availability of Issues/Options paper & scoping meetings published July 14, 2008; comment period closed October 31, 2008
- Scoping summary released Jan 15, 2009
- Predraft released August 21, 2009
 - comments requested by **October 1, 2009**
- Agency producing outreach materials & coordinating data collection improvements with PR, USVI, and CFMC



2009 Shark Season

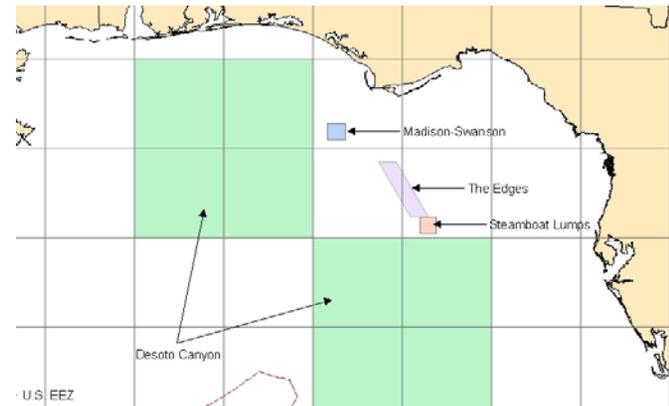
- Base quotas established in Amendment 2
- 2009 season final rule published Dec 24, 2008; Fisheries opened Jan 23, 2009
- Gulf of Mexico non-SB LCS fishery closed June 6, 2009
- Atlantic non-SB LCS fishery closed July 1, 2009
- NMFS is looking at reasons 2009 quotas were achieved so quickly & is considering potential rule changes
- 2010 Shark Research fishery notice to publish soon
- Florida fisheries disaster declaration request



Swordfish 2009 Specifications

- Proposed rule published Aug 5, 2009; comment period closed Sept 4, 2009
- Adjust 2009 North and South Atlantic swordfish quotas based on 2008 underharvests
- Backstop GMFMC time/area closures in the Gulf of Mexico

- Eliminate the sunset provision of the Madison-Swanson and Steamboat Lumps t/a closure
- Implement the Edges 40 Fathom Contour t/a closure



- Perform 5 administrative regulatory modifications

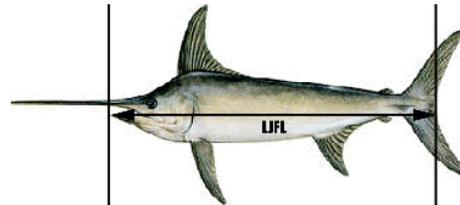


Swordfish 2009 Specifications

5 Administrative Regulatory Modifications

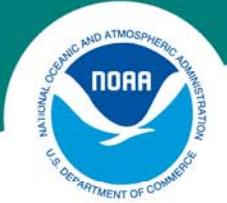
1. Swordfish minimum size standards

Separate, singular measurements for whole swordfish and swordfish with the head and/or tail removed



2. Shark identification workshops

Issue “participant certificates” to individuals entering the shark dealer market



Swordfish 2009 Specifications

3. Observer requirements

Dead, incidentally caught HMS to be brought onboard for biological sampling at the observer's request



4. Changes in permit information

Atlantic Tunas Longline Permit holders must make changes to permit information in writing

5. HMS importation information requirements

Regulatory text regarding data requirements of HMS importation documents will be made more general. Will allow NMFS flexibility to change data requirements per international agreements



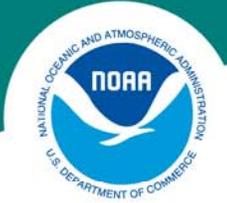
Bluefin Tuna Specifications

- 2009 Specs: Implemented revised annual BFT quota and General and Angling Category effort controls
- Final Rule: Published June 1, 2009
 - 2009 Base Quota: 1009.9 mt; Adjusted Quota: 1437.4 mt
 - Additional 25 mt set-aside to account for BFT bycatch in NED PLL fishery
 - General category limit at 3 lg med/giant for June - Aug
- 1 Inseason action
 - General category at 3 lg med/giant, effective Sept 1 – Dec 31
- 2010 Specs in development



Bluefin Tuna Continued

- Gulf of Mexico observer coverage
 - PLL vessels; goal to obtain comprehensive view of stock & fishery on spawning grounds via 100% observer coverage
 - March 30 – June 12
 - Continuation of 2007 & 2008 efforts
- Weak hook research
- CITES listing implications



HMS Advanced Notice of Proposed Rulemaking (ANPR)

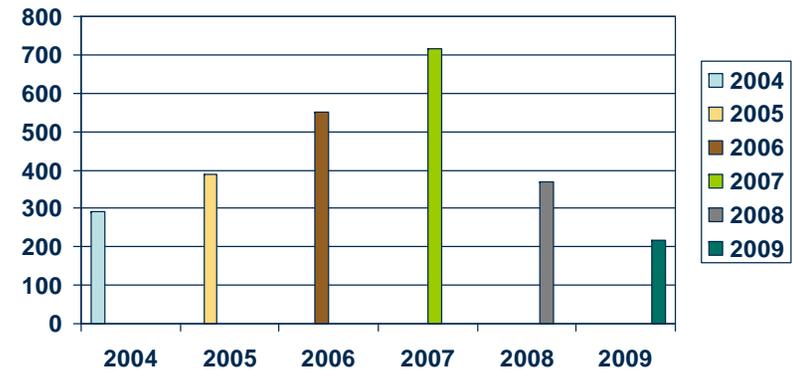
- ANPR published June 1 (same day as 2009 final BFT specs because of related issues)
- 2 comment periods – June 30 for BFT specific issues; Aug 31 for other HMS issues; 5 public meetings
- Intended to obtain public input on
 - Increasing opportunities to harvest U.S. quotas while ending overfishing & rebuilding BFT
 - Continue efforts to revitalize SWO fishery while minimizing bycatch
 - Clarify & simplify HMS permit structure
 - Implications of Limited Access Privilege Programs for HMS fisheries
 - Implications of Individual Bycatch Caps in HMS fisheries



Recreational Swordfish Issues

Non-Tournament SWO Landings

- CY 2004: 290
- CY 2005: 388
- CY 2006: 549
- CY 2007: 716
- CY 2008: 369
- CY 2009: 216 (to date)



- 2008 Non-tournament landings were far below recent years even though recreational retention limits were increased in 2007
- 2009 Non-tournament landings also currently below recent years
 - Non-reporting remains problematic



Recreational Billfish Update

- Preliminary Marlin Landings
 - CY 2008: 58 BUM; 59 WHM = 117 total
 - CY 2009: 29 BUM; 26 WHM (to date, incomplete reporting*)
- Preliminary Sailfish Landings
 - CY 2008: 143 total
 - CY 2009: 88 (to date)
- 2008 tournaments (all species) - 267
- 2009 tournaments (all species) - 248 (to date)
- Roundscale spearfish – add to HMS management unit?
- White marlin – potential genus change to *Kajikia* from *Tetrapturus*

*Includes data from RBS and Swordfish/Billfish Non-Tournament Reporting Systems only



PLL Closed Area Research

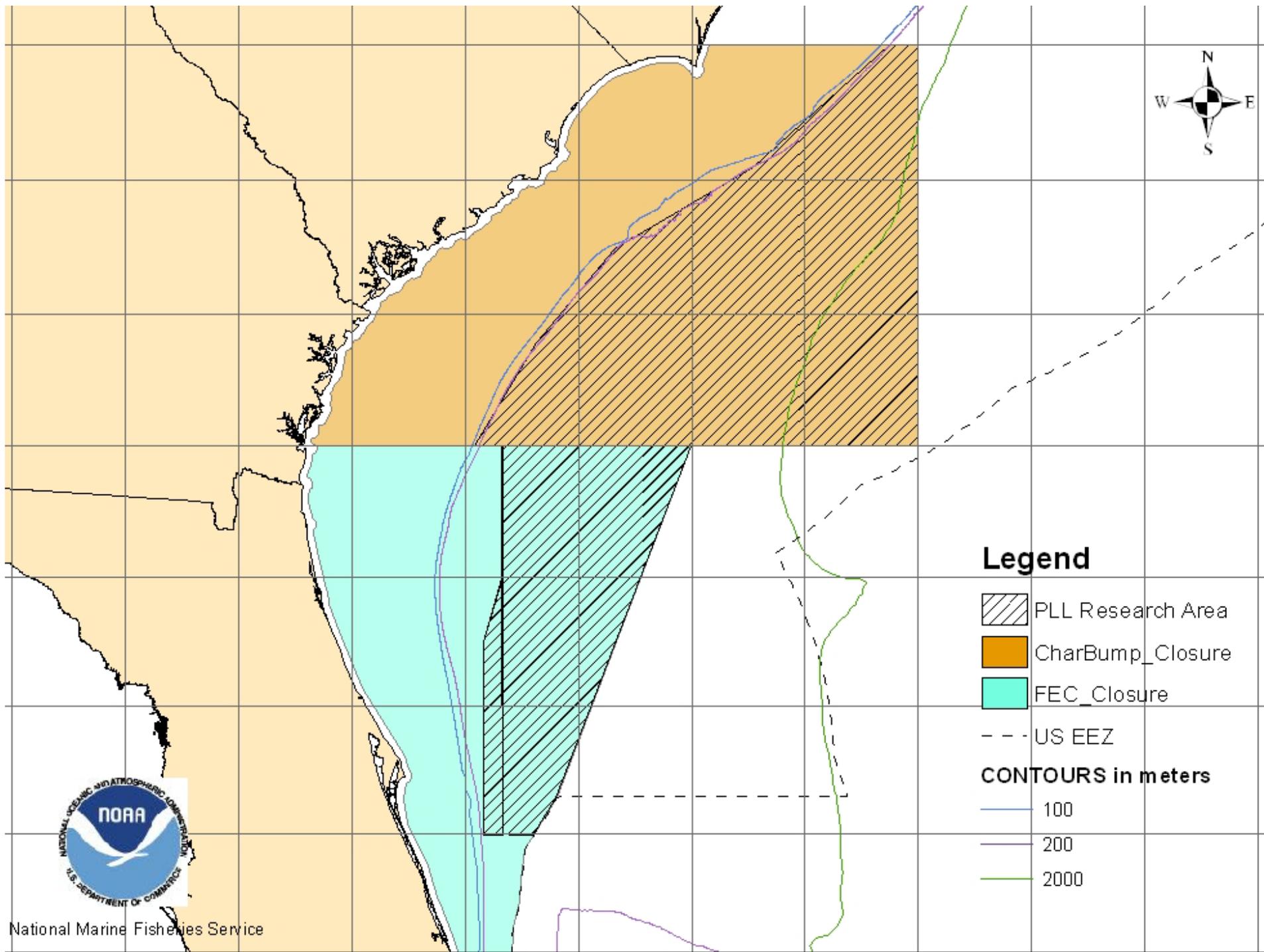
Notice of Availability of Final EA published on Jan 3, 2008 (73 FR 450)

Goals:

- 1) Collect baseline data in closed areas under current fishery conditions; 2) Evaluate existing bycatch reduction measures, and 3) Collect data to examine the effectiveness of existing area closures to meet current conservation and harvesting goals

Conditions:

- Max of 3 boats (only 2 fishing at one time), 289 sets (145 in closed areas) w/500 18/0 non-offset circle hooks, 100% observer coverage
- November 14, 2008, published NOI to issue EFPs and request comment on temporal extension and movement of western boundary 10 NM
- Feb. 26, 2009, Agency announced decision to extend research program through February 2010 and approve 10 NM westward boundary expansion
- Current Issues
 - <50% of research sets completed
 - few vessels interested/able to participate

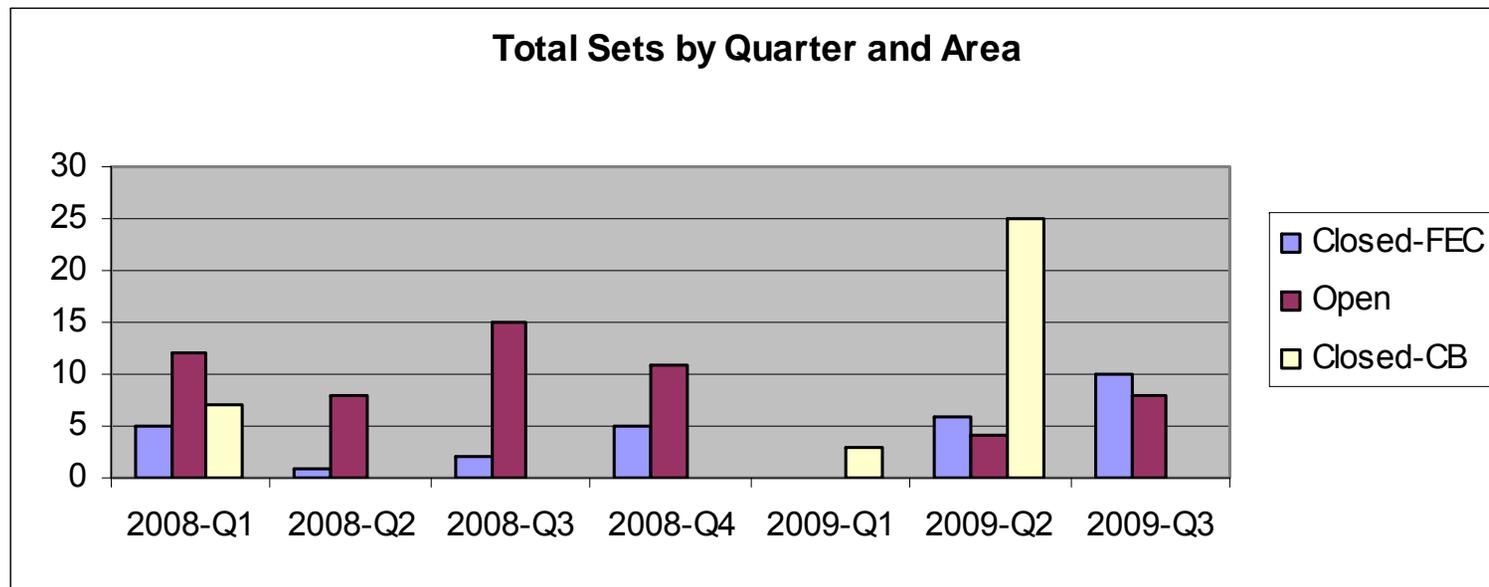


National Marine Fisheries Service



PLL Closed Area Research Results Feb. 2008 – Aug. 2009

- Trips completed: 14 in 2008; 11 in 2009
- 122 sets completed: 35 Charleston Bump closed area; 29 Florida East Coast closed area; 58 open areas





PLL Closed Area Research Results Feb. 2008 – Aug. 2009

- No bluefin tuna
- Closed Areas
 - SWO Kept 689 (108 Released Alive (ra), 151 Dead Discards (dd))
 - BUM 24 (15 ra, 9 dd); WHM 4 (4 ra, 0 dd); SAI 44 (43 ra, 1 dd)
 - Sea turtle interactions: Leatherback 3; Loggerhead 0
- Open Area
 - SWO Kept 275 (36 ra, 74 dd)
 - BUM 34 (22 ra, 12 dd); WHM 4 (3 ra, 1 dd); SAI 27 (23 ra, 4 dd)
 - Sea turtle interactions: Leatherback 0; Loggerhead 2



Workshops

- Protected Resources Handling & Release
 - Pelagic & bottom longline & shark gillnet vessel owners & operators
 - Mandated by 2004 PLL Biological Opinion
 - Required for permit renewal starting in 2007; must be on board vessel
 - Valid for three years
- Shark Carcass Identification
 - Shark dealers
 - Required for permit renewal as of Jan 2008
 - Valid for three years
- Outreach
 - Certified mailing & press release when HMS FMP final rule published; directed mailings to permit holders quarterly; HMS workshops webpage; list serve notices; fact sheets



Workshops

Since January 2009, 15 Protected Species Release and Disentanglement workshops and 12 Atlantic Shark Identification workshops have been conducted.

Total: 71 Protected Species workshops since 2006
37 Shark ID workshops since 2007

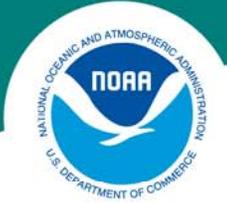
Future Workshop Locations

Protected Species

9/30/09 - Manahawkin, NJ
10/14/09 - Panama City, FL
10/28/09 - Manteo, NC
11/11/09 - Warwick, RI
11/18/09 - Gulfport, MS
12/01/09 - Ft. Pierce, FL
12/16/09 - Ronkonkoma, NY

Shark Identification

10/29/09 - Norfolk, VA
11/19/09 - Dania Beach, FL
12/03/09 - Madeira Beach, FL



Exempted Fishing Permits

- 2009 to date – total 30
 - 15 EFPs
 - 4 Scientific Research Permits
 - 6 SHK display
 - 5 SHK letters of acknowledgement
- 2008 - 32 total
- 2007 – 41 total
- 2006 - 44 total
- All require some level of analysis



Litigation Update

- Blue Ocean Institute
 - Challenged NMFS denying their petition for BFT spawning area/time closure in Gulf of Mexico
 - Agency was granted summary judgment on all counts
 - Appeal filed January 7, 2009
 - Voluntarily dismissed May 5, 2009



Operations/Other

- Council/Commissions:
 - GFMC
 - Grouper/reefish turtle takes & Gulf Council recent action
 - ASMFC
 - Interstate Shark FMP implementation in January 2010
 - Smooth dogfish addendum
- Modernization of BFT dealer reporting underway
- ✓ Development of web-fillable BFT int'l trade reports complete
- International Trade Data System in development
- Greenstick gear study underway
- ✓ BFT Length-weight study complete (copies available)



Green-Stick Gear Characterization Study

Purpose: to characterize the catch and bycatch of the green-stick gear fishery off North Carolina

Funding: Bycatch Reduction Engineering Program

Partner: North Carolina Division of Marine Fisheries Observer Program

- Green-stick gear has been used along the Atlantic coast for several years (concentrated in NC)
- Touted as having low bycatch and bycatch mortality
- Need to substantiate and document
- May have potential as alternative to PLL in some areas



Green-Stick Gear Characterization Study

Study Update:

- Fishing vessels contracted to carry observers
- Vessels fish normally
- Four trips observed in July and August; trip length = 1-3 days
- Catch to date includes – YFT, skipjack tuna, blackfin tuna, mahi
- Bycatch to date includes – one undersized BFT, one sailfish (both released alive and in good condition)
- Data collection continuing into fall



Suggestions from Prior AP meetings Completed

- ✓ BFT Angling category retention limit implemented at 2 fish

- ✓ Improve SWO marketing
 - ✓ Brochure assistance
 - ✓ Seafood Cook-off

- ✓ Outreach
 - ✓ Send compliance guides to permit holders



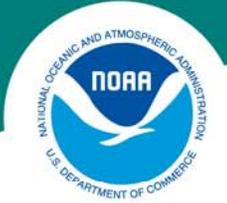
Suggestions from Prior AP meetings Underway

- Conduct time/area research
- Create BLF recreational landings update
- Improve SWO marketing
 - FishWatch website updates (ongoing)
- Outreach –
 - Provide placards to tournament directors as part of registration
 - Create placards for other HMS species
 - Make website easier to navigate
- Address FADs in Caribbean (included in Amend 4)



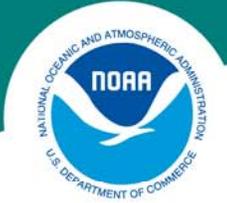
Suggestions from Prior AP meetings Included in ANPR

- Permit-Related Suggestions:
 - Renew/issue lapsed permits
 - Allow permit leasing
 - Establish gear-based permits or Limited Access Privilege Programs
 - Use or lose permit requirement
 - Reopen SWO handgear permits
 - Create SWO General category permit
 - Eliminate triple permit requirement for squid trawlers
- Potentially adjust PLL incidental catch limits to reduce BFT discards



Suggestions from Prior AP meetings Under Consideration

- Change CHB SWO retention limit to 1/person
- Improve dealer reporting, i.e., electronic reporting
- Require circle hooks on buoy gear



Conclusion/Looking Forward

In conclusion,

- Meeting agenda very full
- Rulemaking schedule is quite full
- Operational activities continue/continuing challenge to balance regulatory & operational tasks

Looking forward,

- We value your input & want your input on priorities & potential solutions
- We need you to take the information from the AP meeting back to your constituents & give us feedback

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Questions?

Thank you!