



**NOAA**  
**FISHERIES**

# Proposed Rule to Adjust Individual Bluefin Quota (IBQ) Program Regulations for Distribution of Inseason Quota Transfers

Public Hearing Conference Call and Webinar

October 4, 2016

# Background



# Background – IBQ Program Regulations

- IBQ allocation is used to account for BFT bycatch landings and dead discards while fishing for target species with pelagic longline (PLL) gear
- At start of each year, qualified IBQ share recipients (those IBQ share recipients with ATL permit on a vessel) receive annual IBQ allocation of Longline category bluefin tuna (BFT) quota (148.3 mt in 2016)
  - Annual IBQ allocation is distributed according to three shareholder percentages (low, medium, or high) based on recipient's score related to criteria analyzed in Amendment 7
- As of January 1, 2016, a vessel fishing with PLL gear must have a minimum IBQ allocation to fish
  - PLL vessels may lease IBQ allocation to obtain sufficient amount for fishing trips or to account for quota debt

# Background – Recent Inseason Transfers

In July 2015 and January 2016, NMFS made inseason BFT quota transfers of 34 mt from Reserve category to Longline category

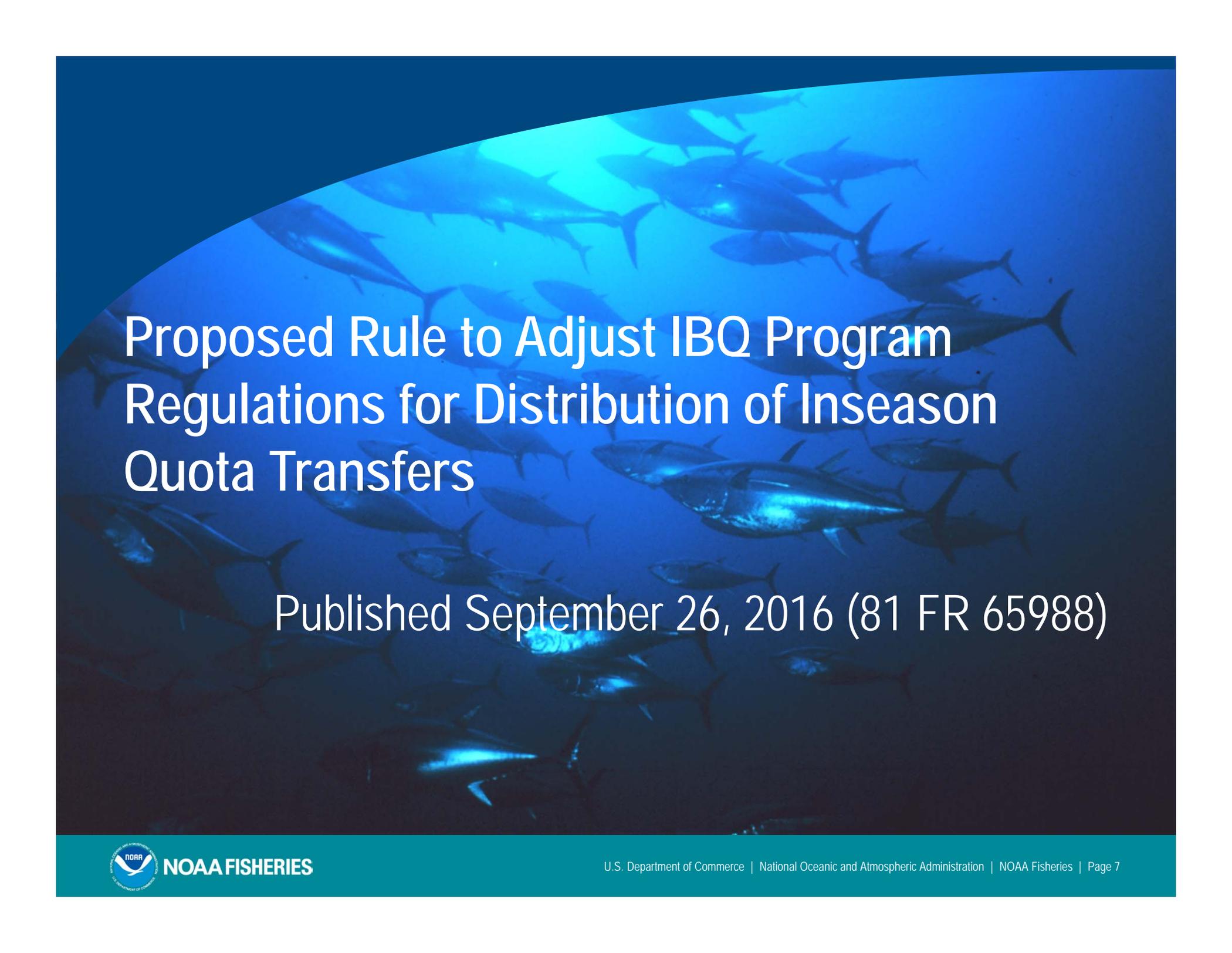
- Considered the relevant regulatory determination criteria
- Distributed the transferred quota in equal amounts to qualified IBQ share recipients (0.25 mt, or 551 lb, each)

## Background – 2015 PLL Fishing Activity

- 104 vessels fished with PLL gear in 2015
  - 100 vessels were associated with IBQ shares
  - 4 vessels were not associated with IBQ shares (leased IBQ allocation from share recipients to fish)
- 36 IBQ share recipients did not fish with PLL gear in 2015 (26% of 136 IBQ share recipients)
  - Only 5 of those share recipients leased out IBQ allocation
  - Results in unused IBQ allocation (136 mt in 2015)

# Background – Feedback from PLL Fishery

- Requests to distribute quota inseason only to those vessels that are currently fishing to optimize fishing opportunity and account for dead discards, rather than distributing it equally to all IBQ share recipients
- Concerns about the availability of IBQ allocation given IBQ accounting requirements effective in 2016 and potential for IBQ program to negatively impact vessel operations and finances given:
  - Pricing of IBQ
  - Distribution of quota among permit holders
  - Behavior of some permit holders (e.g., holding on to IBQ for the entire season without participating in the fishery or engaging in leasing)



# Proposed Rule to Adjust IBQ Program Regulations for Distribution of Inseason Quota Transfers

Published September 26, 2016 (81 FR 65988)



# Proposed Rule

- Would adjust the IBQ program regulations to provide additional flexibility regarding the distribution of inseason BFT quota transfers to the Longline category
- After the decision to make an inseason transfer, NMFS could distribute BFT quota transferred inseason:
  - To all qualified IBQ share recipients, or
  - To permitted ATL vessels with recent fishing activity, whether or not they are associated with IBQ shares

# Proposed Rule

Additional flexibility to distribute BFT quota inseason would:

- Assist NMFS in providing reasonable opportunities to fish for target species under the IBQ Program and optimize distribution of BFT quota transferred inseason to the Longline category
- Provide flexibility in the quota system and maintain flexibility of the regulations to account for the highly variable nature of the BFT catch, which are some of the objectives of the IBQ program and Amendment 7
- Assist new entry to the fishery when there is an inseason quota transfer to the Longline category

# Proposed Rule

Recent fishing activity would be determined by:

- Logbook, vessel monitoring system (VMS), or electronic monitoring data from the subject and previous year indicating fishing activity with PLL gear
  - e.g., for inseason transfers in 2016, NMFS would examine fishing activity data for 2015 and 2016 to determine if there was fishing activity during that period
- Would include both active, permitted ATL vessels associated with IBQ shares and active permitted ATL vessels that are not associated with IBQ shares but leased IBQ allocation in order to fish with PLL gear

# Proposed Rule

Regional designations for quota distributed inseason:

- Qualified IBQ share recipients: quota would be designated as either Gulf of Mexico (GOM) IBQ, Atlantic IBQ, or both GOM and Atlantic IBQ, according to the share recipient's regional designations
- Vessels with recent fishing activity that are not IBQ share recipients: quota would include a regional designation of Atlantic or GOM based on where the majority of their "recent fishing activity" occurred for the relevant period analyzed

# Proposed Rule

In making the determination how to distribute inseason Longline category BFT quota, NMFS would consider how best to meet the objectives for the IBQ Program and Amendment 7 generally, considering the following factors for the subject and previous year:

- the number of BFT landings and dead discards,
- the number of IBQ lease transactions,
- the average amount of IBQ leased,
- the average amount of quota debt,
- the annual amount of IBQ allocation,
- any previous inseason allocations of IBQ,
- the amount of BFT quota in the Reserve category,
- the percentage of BFT quota harvested by the other quota categories,
- the remaining number of days in the year,
- the number of active vessels fishing not associated with IBQ share,
- the number of vessels that had incurred quota debt or that have low levels of IBQ allocation.

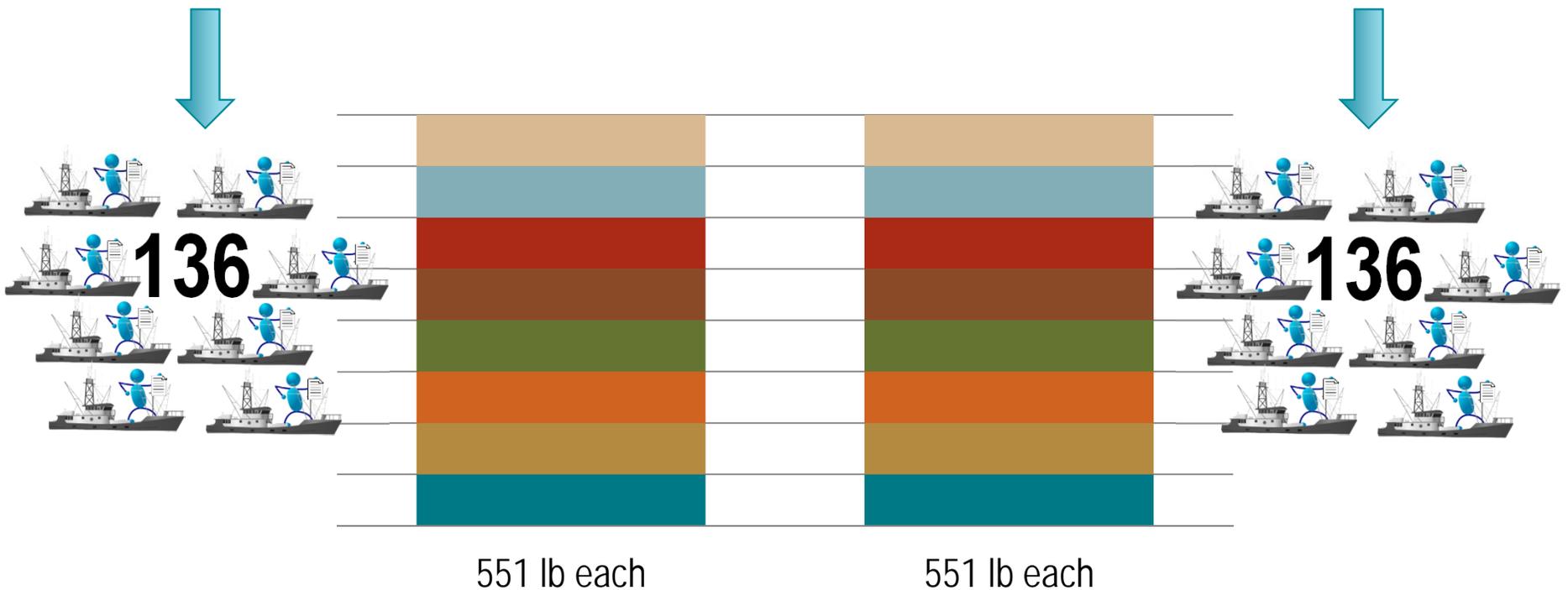
# Proposed Rule

- Would NOT change annual IBQ allocation to qualified IBQ share recipients at the start of each year
- Would NOT change regulatory determination criteria used to determine if/when to transfer BFT quota inseason to the Longline category
  - Would only apply to distribution of BFT quota transferred inseason after it has been transferred to the Longline category

# Illustration of Potential Implications of Proposed Action

34 mt  
(74,936 lb)

34 mt  
(74,936 lb)

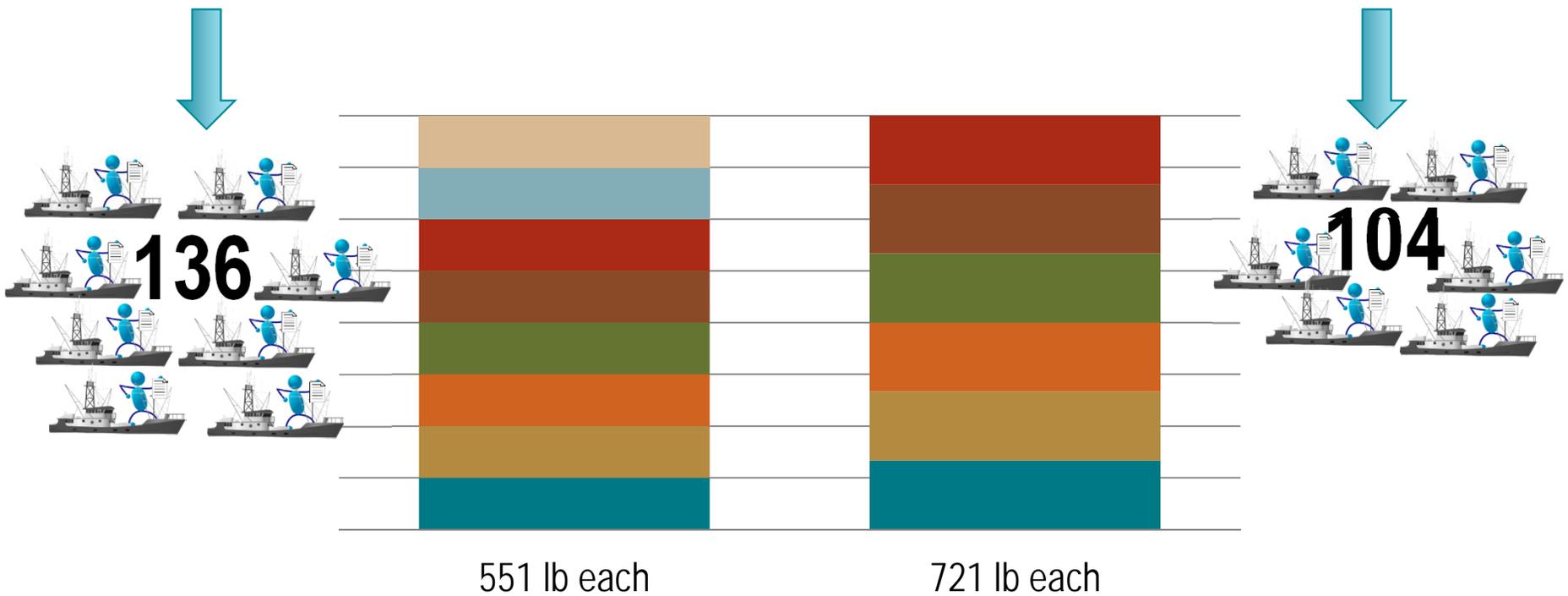


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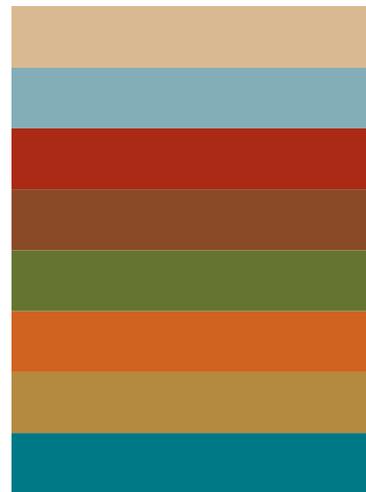
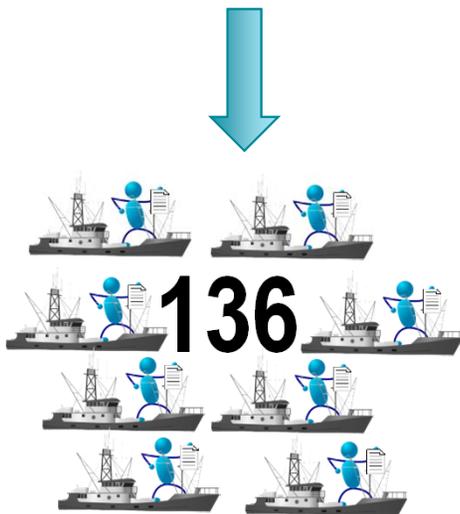


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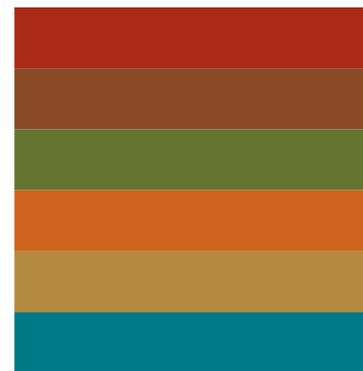
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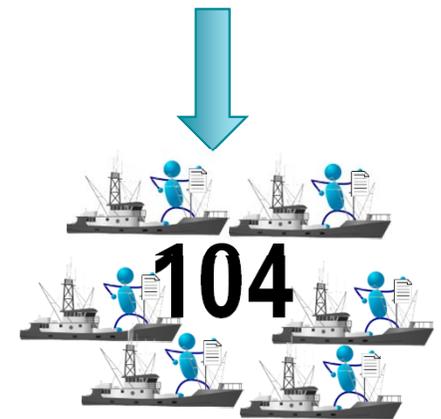
26 mt  
(57,304 lb)



551 lb each



551 lb each



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# Public Comment and Contacts

- **Comment period ends October 26, 2016**
  - Submit comments online at [www.regulations.gov](http://www.regulations.gov), search NOAA-NMFS-2016-0067
  - By mail to: Thomas Warren, Highly Migratory Species Management Division, Office of Sustainable Fisheries (F/SF1), NMFS, 55 Great Republic Drive, Gloucester, MA 01930
- **For further information contact:** Thomas Warren or Sarah McLaughlin, 978-281-9260; Carrie Soltanoff, 301-427-8503

## Questions and Comments?