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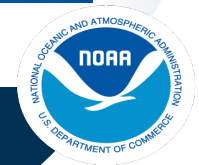
Atlantic Highly Migratory Species Advisory Panel

HMS Management Rulemaking Update

May 9, 2023

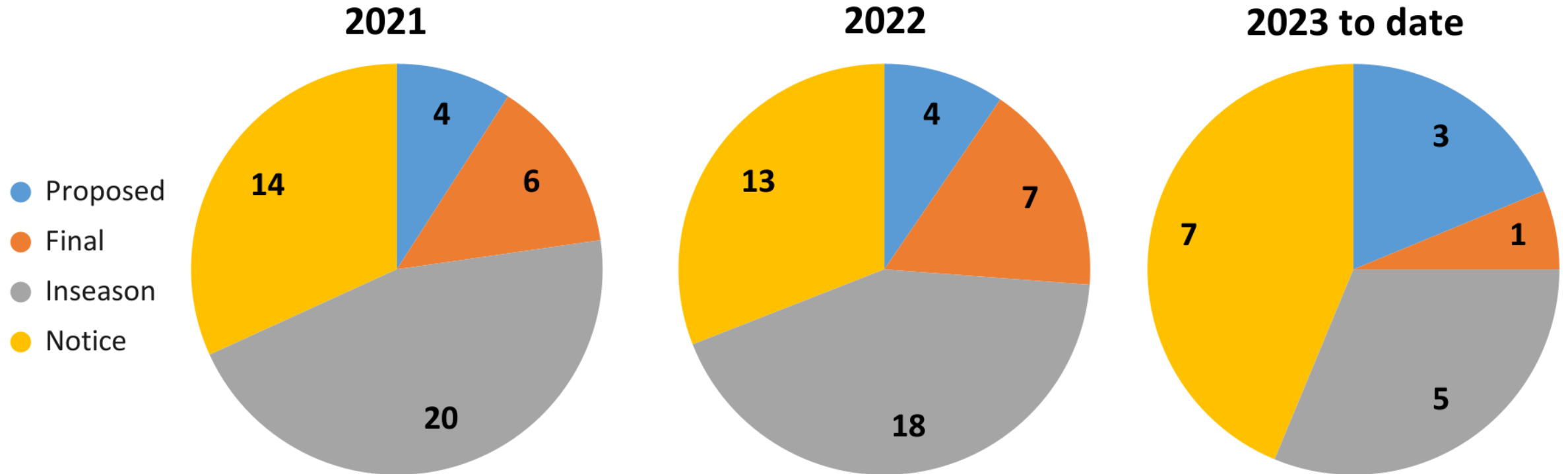
This Presentation...

- Completed Actions
- Recent Actions
- Requests for Actions and Upcoming Actions
- Further Information and Contacts



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HMS Completed Actions since 2021



Final Actions since the Fall 2022 AP Meeting

Inseason Actions	Fishery
Closures	<ul style="list-style-type: none"> • BFT 2022: Harpoon category; General category (Sept.; Oct.-Nov.; Dec.) • BFT 2023: Angling category (Trophy South); General category (Jan.-Mar.)
Quota Transfers/ Reallocation	<ul style="list-style-type: none"> • BFT 2022: Several transfers to the General category • BFT 2023: General category transfer (Jan-Mar) • SHK 2023: EGOM to WGOM for Aggregated LCS
Retention limit adjustments	<ul style="list-style-type: none"> • BFT 2023: Angling category

Final Actions

Amendment 13 - Bluefin tuna - 10/03/2022

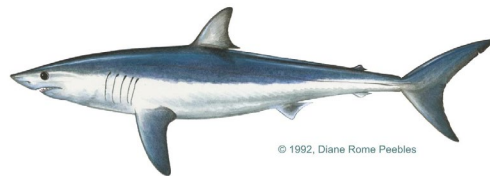
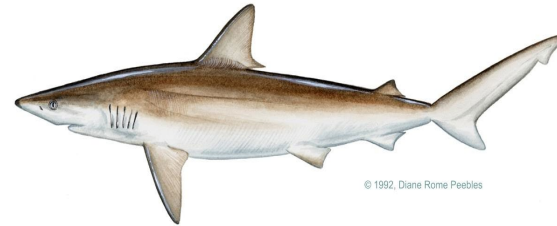
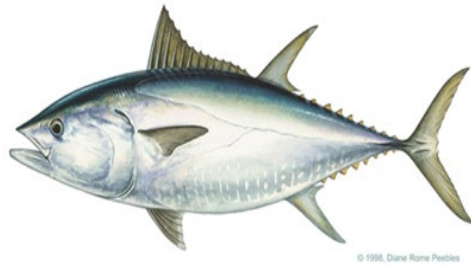
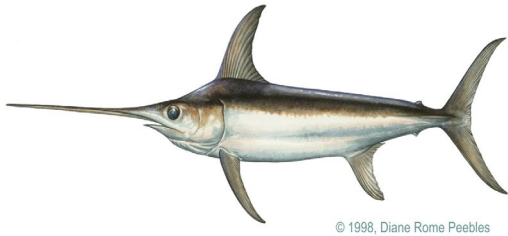
2023 Shark Specifications - 11/14/2022

Amendment 14 - Shark ABC Control Rule Framework - 1/24/2023



Actions Proposed and Not Yet Final

(not being discussed later in the meeting)



BFT General Category Restricted-Fishing Days (RFDs)

- Proposed rule published 03/06/2023; comment period ended 04/05/2023
- 43 written comments received
- Proposed RFD schedule:
 - Every Tuesday, Friday, and Saturday from July 1 through Nov. 30, 2023
 - Every Tuesday and Friday from Dec. 1, 2023 through Mar. 31, 2024
- On an RFD, Atlantic Tunas General category permitted vessels may not fish for (including catch-and-release or tag-and-release fishing), possess, retain, land, or sell BFT
- On an RFD, HMS Charter/Headboat vessels with a commercial sale endorsement are also subject to these restrictions, but they may fish for, possess, retain, or land BFT when fishing recreationally under applicable HMS Angling category rules
- Final rule expected to be effective on or about July 1



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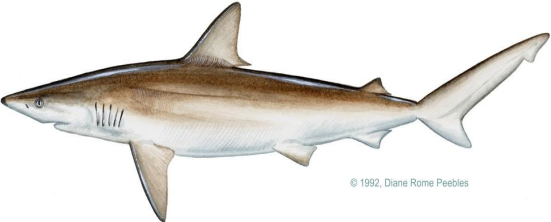
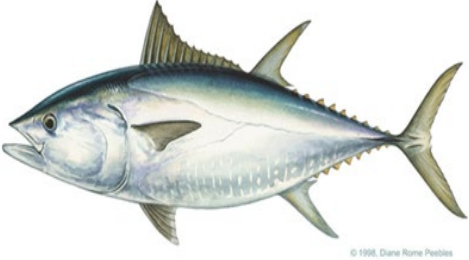
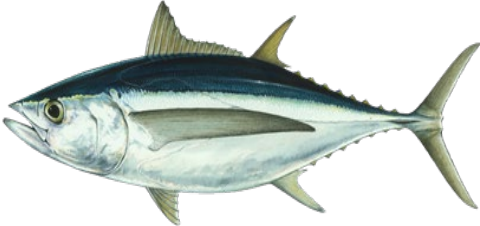
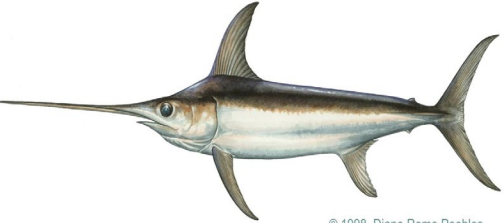
Prohibition of Oceanic Whitetip (everywhere) and Hammerhead Sharks (Caribbean only)

- Proposed rule published 03/22/2023; comment period ends 05/22/2023
- Responsive to two 2020 HMS Biological Opinions
- Proposed rule would:
 - Add oceanic whitetip sharks to the prohibited shark species group
 - Prohibit the commercial and recreational retention of great, smooth, and scalloped hammerhead sharks in the U.S. Caribbean region
- Final rule expected late 2023



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Requests for Action and Upcoming Rules



Commercial Spearfishing for Tunas

- Request to allow the commercial harvest of tunas with speargun while free diving
- Current regulations:
 - Speargun gear means: a muscle-powered speargun equipped with a trigger mechanism, a spear with a tip designed to penetrate and retain fish, and terminal gear. Terminal gear may include, but is not limited to, trailing lines, reels, and floats. The term “muscle-powered speargun” for the purposes of this part means a speargun that stores potential energy provided from the operator's muscles, and that releases only the amount of energy that the operator has provided to it from his or her own muscles.
 - Authorized only recreationally for BAYS (bigeye, albacore, yellowfin, and skipjack) tunas by Atlantic Tunas Angling and Atlantic HMS Charter/Headboat permit holders.
 - Persons using speargun gear must be physically in the water, and may freedive, use SCUBA, or other underwater breathing devices. Only free-swimming BAYS tunas, not those restricted by fishing lines or other means, may be taken by speargun fishing gear.
- We welcome any information or opinions on this issue.



BFT Harpoon Fishery and Trawl Vessels

- Request to ban harpoon fishing around trawl vessels (groundfish, scallop, or clam dredge vessels)
- Original Petition for Rulemaking denied in early 2022; requests continue
- Requesters are concerned that:
 - Activity goes against the intent of the Harpoon category fishery and traditional practices
 - Could cause the Harpoon category quota to be harvested quickly
 - Could bring more and larger vessels into the fishery
 - Activity purportedly creates a dangerous situation in which vessels could collide or become tangled in one another's lines
 - Increasing number of vessels participating in behavior could exacerbate the above concerns



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Harpoon Fishery continued

- Current regulations:
 - Harpoon gear means fishing gear consisting of a pointed dart or iron attached to the end of a line several hundred feet in length, the other end of which is attached to a floatation device. Harpoon gear is attached to a pole or stick that is propelled only by hand, and not by mechanical means.
 - Harpoon gear for BFT can be used by:
 - Harpoon category permit holders under a specific quota and trip limits; season opens June 1 and closes Nov. 15, unless closed earlier
 - General category permit holders under General category rules
- We welcome any information or opinions on this issue including thoughts on:
 - Limiting the use of harpoon gear around trawl vessels
 - Defining the activity



Open Comment Periods:

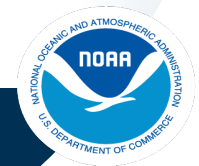
- Prohibiting retention of oceanic whitetip (everywhere) and hammerhead sharks (Caribbean only) - *Comment period ends 5/22/23*
- EFH 5-year Review - *Comment period ends 7/3/2023*
- Amendment 16 - Sharks - *Scoping comment period ends 8/18/23*
- eReporting - *Advance Notice of Proposed Rulemaking (ANPR) comment period expected to end 8/18/23*
- Amendment 15 - Spatial management and electronic monitoring - *Comment period ends 9/15/23*



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Upcoming Rules:

- BFT General category RFDs - *Final rule ~June*
- 2023 Annual swordfish, albacore, and bluefin quota adjustment - *Final rule ~Summer*
- 2024 Shark specifications - *Proposed rule ~Summer*
- Updating Sea Turtle Safe Handling Requirements consistent with the Technical Memorandum - *Final rule ~Fall/Winter*
- Consideration of pelagic and bottom longline indicator species list - *Proposed rule ~Fall/Winter*
- Consideration of various gear changes (e.g., powered haulback of buoy gear) - *Scoping ~Fall/Winter*
- Prohibition of oceanic whitetip (everywhere) and hammerhead sharks (Caribbean only) - *Final rule ~Fall/Winter*



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Further Information Available:

Action	Webpage
Amendment 13 - Bluefin tuna (Final)	https://www.fisheries.noaa.gov/action/amendment-13-2006-consolidated-hms-fishery-management-plan-bluefin-management-measures
Amendment 14 - Sharks (Final)	https://www.fisheries.noaa.gov/action/amendment-14-2006-consolidated-hms-fishery-management-plan-shark-quota-management
Shark Fishery Review (SHARE) (Final)	https://www.fisheries.noaa.gov/action/final-atlantic-shark-fishery-review
Amendment 15 - Spatial management and EM (Proposed)	https://www.fisheries.noaa.gov/action/amendment-15-2006-consolidated-hms-fishery-management-plan-spatial-management-EM
Amendment 16 - Sharks (Scoping)	https://www.fisheries.noaa.gov/action/scoping-amendment-16-2006-consolidated-atlantic-highly-migratory-species-fishery-management
BFT RFDs (Proposed)	https://www.fisheries.noaa.gov/action/proposed-restricted-fishing-days-atlantic-bluefin-tuna-fishery-parts-2023-and-2024
Oceanic whitetip and hammerhead sharks (Proposed)	https://www.fisheries.noaa.gov/action/proposed-rule-retention-prohibition-oceanic-whitetip-sharks-us-atlantic-waters-and
EFH 5-year Review (Draft)	https://www.fisheries.noaa.gov/action/essential-fish-habitat-5-year-review-0
eReporting (ANPR) - <i>expected</i>	https://www.fisheries.noaa.gov/action/advance-notice-proposed-rulemaking-electronic-reporting-requirements



Questions?

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Thank you!



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