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Atlantic Highly Migratory Species Amendment 15

Spatial Fisheries Management and
Pelagic Longline Electronic Monitoring Cost Allocation

Fall AP Meeting,
September 6, 2023

Introduction

Goals of this presentation

- Present a summary of Amendment 15, focusing on the preferred alternative
- Share some of what we have heard so far during the public comment period
- Facilitate ongoing input from the HMS AP

Written comments submitted thus far are posted on regulations.gov

- <https://www.regulations.gov/document/NOAA-NMFS-2019-0035-0010>

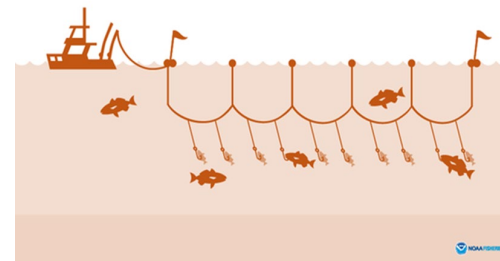
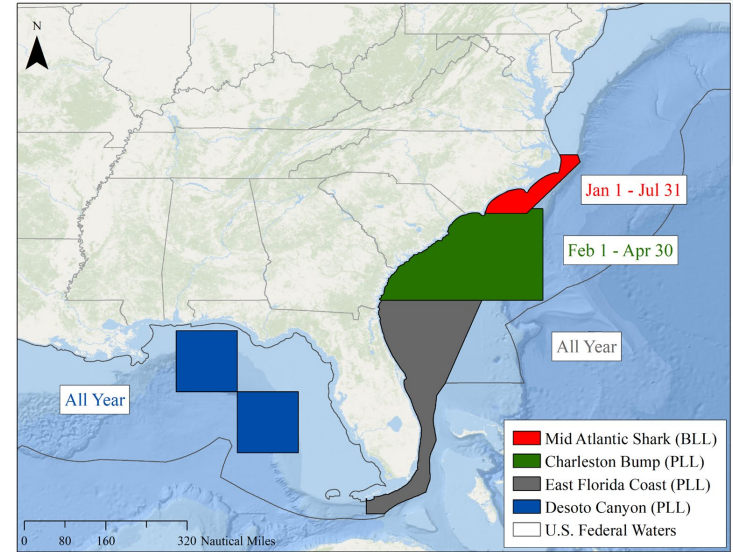


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Amendment 15 Components

2 Broad Components:

- Spatial Management: Consider modifications, data collection, and assessment for 4 spatial management areas
 - Mid-Atlantic Shark (bottom longline), Charleston Bump (pelagic longline), East Florida Coast (pelagic longline), and DeSoto Canyon (pelagic longline) closed areas
- Pelagic Longline Electronic Monitoring Cost Allocation: Consider shifting pelagic longline EM sampling costs from the Agency to industry



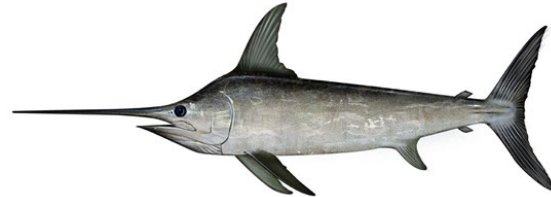
Spatial Management



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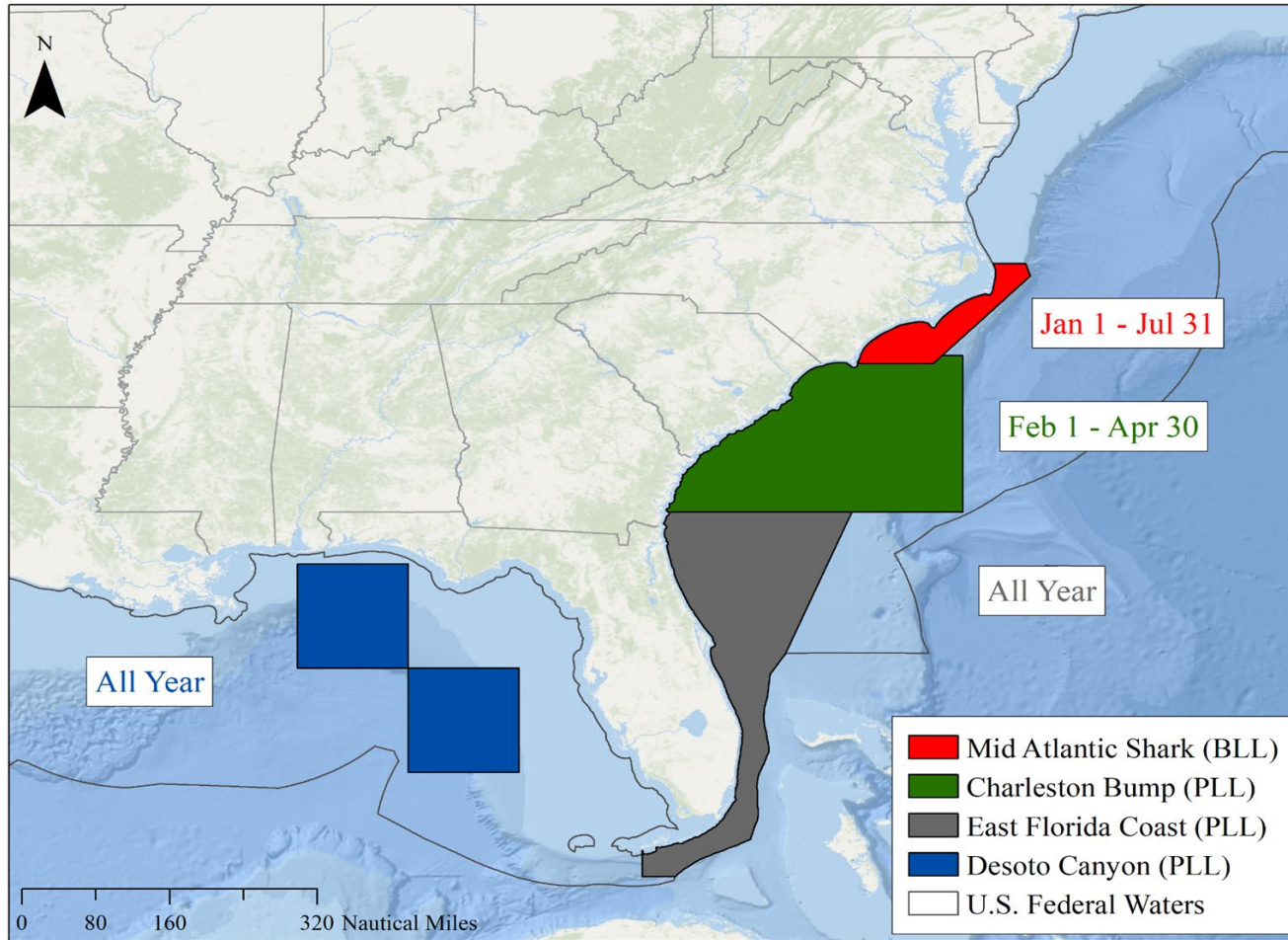
Background

- Currently, there are large areas in the Atlantic and Gulf of Mexico that restrict or prohibit longline fishing for HMS
 - Some in place for approximately 20 years
 - Goal was to reduce bycatch (e.g., sea turtles, undersized swordfish, billfish, some sharks)
- Closed areas can be effective in reducing fishing interactions between particular species and gears
- However, restricted fishing leads to a commensurate decrease in fishery-generated data
- Without these data, difficult to assess the effectiveness of closed areas in meeting conservation and management goals



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Background – Current Closed Areas

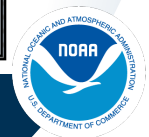
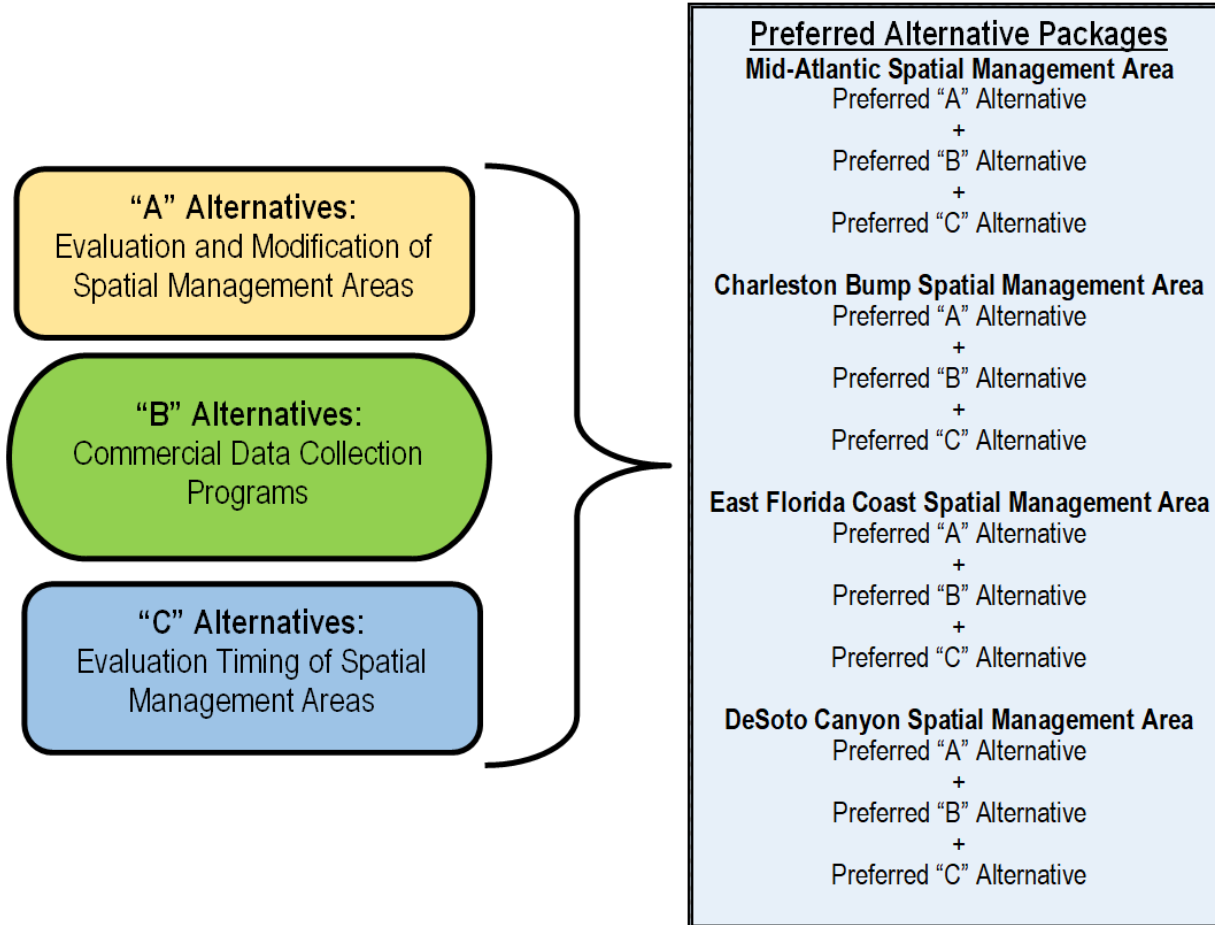


PLL = pelagic longline
BLL = bottom longline



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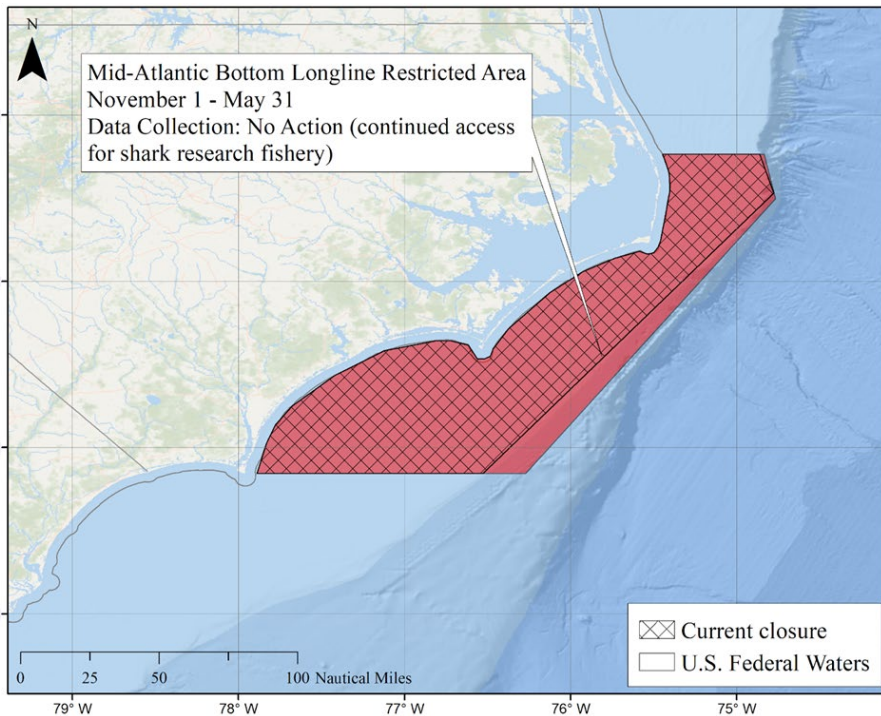
Organization of the Alternatives



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“D” Preferred Alternative Packages

Mid-Atlantic Shark Area



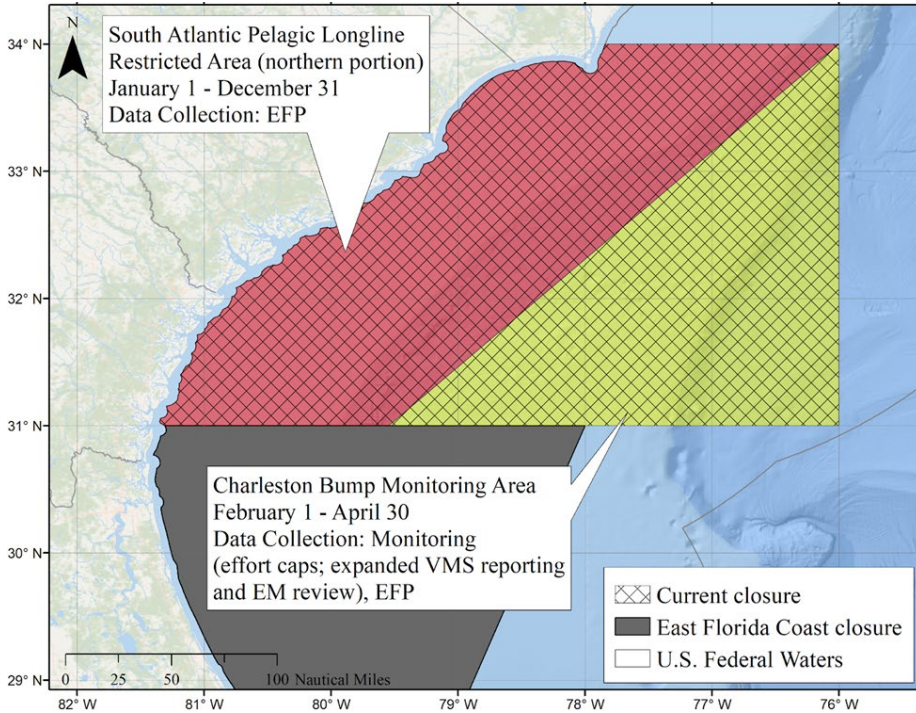
Alternative	Preferred Alternative
“A” - Evaluation and Modification of Areas	A1d - Extend eastern boundary; Shift closed timing to November 1 – May 31
“B” - Commercial Data Collection	High-Bycatch-Risk Area: B1 - No Action, maintain current data collection programs
	Low-Bycatch-Risk Area: B1 - No low-bycatch-risk area defined
“C” - Evaluation Timing	C2 - Evaluate every 3 years
	C4 - Triggered evaluation



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“D” Preferred Alternative Packages

Charleston Bump



Alternative	Preferred Alternative
“A” - Evaluation and Modification of Areas	A2c -Shift eastern boundary to diagonal bisect; Inshore portion high-bycatch-risk area year-round; Offshore portion low-bycatch-risk area Feb. 1 - April 30
“B” - Commercial Data Collection	High-Bycatch-Risk Area: B4 - Cooperative research via EFP
	Low-Bycatch-Risk Area: B3 - Monitoring Area; Sub-Alternative B3a (effort caps: 69 sets between Feb 1 and April 30) and Sub-Alternative B3e (electronic monitoring). Note that the Charleston Bump Monitoring Area would be open to normal pelagic longline fishing May 1 - January 31. and B4 - Cooperative research via EFP
“C” - Evaluation Timing	C2 - Evaluate every 3 years
	C4 - Triggered evaluation



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“B” Alternatives

Commercial Data Collection Programs

- **Alternative B3: Monitoring areas**

- Special access areas for data collection
- Commercial vessels would be authorized to fish in certain areas to collect data
- Strict effort and catch controls to avoid jeopardizing conservation goals
- Real-time reporting of select bycatch species after each set
- NOAA Fisheries could close and/or not reopen monitoring areas if conditions warrant

Sub-Alternative B3a: Effort Caps

- Charleston Bump: 69 sets from Feb 1 - April 30
- East Florida Coast: 124 sets/year

Sub-Alternative B3e: Electronic Monitoring

- Vessel owner pays for 100% electronic monitoring on trips operating in monitoring areas
- Operators must report effort and catch within 12 hours of the end of each set



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“B” Alternatives

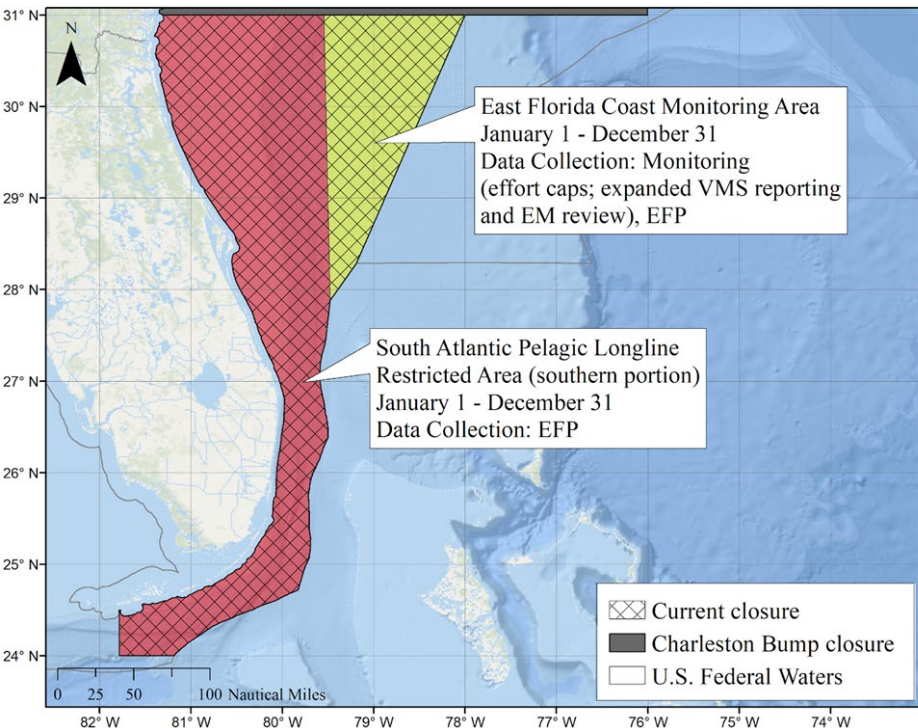
Commercial Data Collection Programs

- **Alternative B4: Cooperative research via an EFP**
 - EFP applications accepted to perform gear-specific research in a spatial management area
 - Particular consideration given to collaborative research projects with participation by two or more industry, recreational, academic, eNGO, or government groups
 - Additional conditions should be incorporated to be consistent with Amendment 15 analyses:
 - Effort Cap (50% of the monitoring area level)
 - Bycatch Caps
 - Reporting (must report all effort and catch)
 - Observers and electronic monitoring (100% observer or EM coverage)
 - Applicability of Study Design (research must be designed to provide useful management information)
 - Exclusion Areas (avoid areas of high bycatch or gear conflict, e.g., no research within 40 nm of shore)
 - Fleet Communication (participating research vessels must communicate bycatch events so other vessels can avoid the area)



“D” Preferred Alternative Packages

East Florida Coast



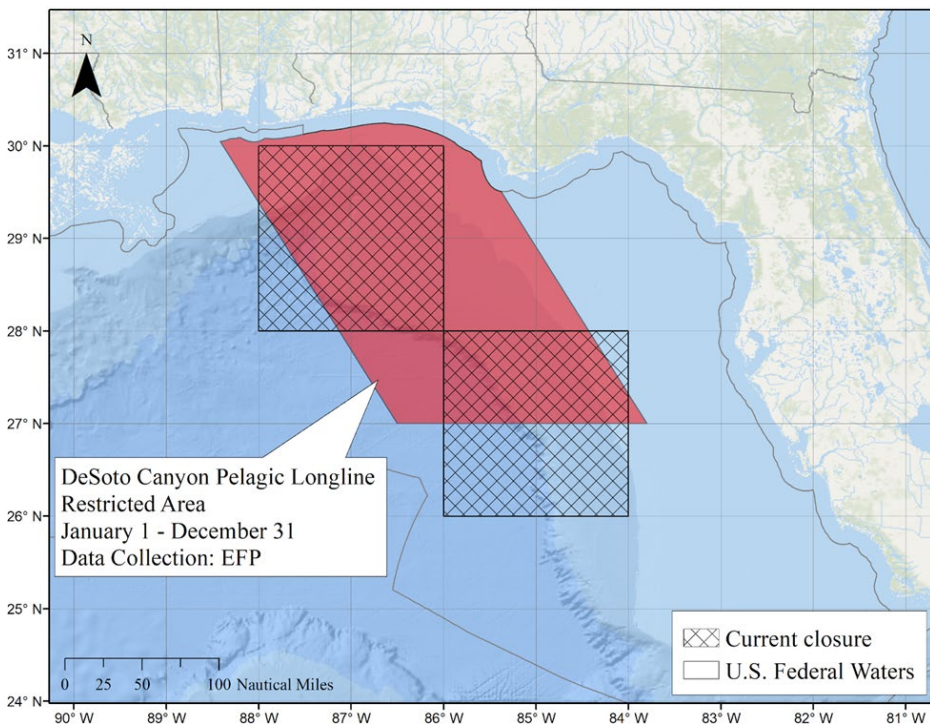
Alternative	Preferred Alternative
“A” - Evaluation and Modification of Areas	A3d - Shift northeastern boundary to 79° 32' 46" W. long; Maintain year-round timing of high-bycatch-risk area
“B” - Commercial Data Collection	High-Bycatch-Risk Area: B4 - Cooperative research via EFP
	Low-Bycatch-Risk Area: B3 - Monitoring Area; Sub-Alternative B3a (effort caps - 124 sets/year) and Sub-Alternative B3e (electronic monitoring) <u>and</u> B4 - Cooperative research via EFP
“C” - Evaluation Timing	C2 - Evaluate every 3 years
	C4 - Triggered evaluation



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“D” Preferred Alternative Packages

DeSoto Canyon



Alternative	Preferred Alternative
“A” - Evaluation and Modification of Areas	A4d - Parallelogram; Year-round high bycatch risk area
“B” - Commercial Data Collection	High Bycatch Risk Area: B5 - Cooperative research via EFP
	Low Bycatch Risk Area: B1 - No Action. The area would open to normal commercial pelagic longline fishing.
“C” - Evaluation Timing	C2 - Evaluate every 3 years
	C4 - Triggered evaluation



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“E” Alternatives

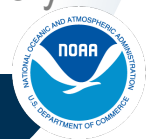
Spatial Management Area Regulatory Provisions

- Existing HMS regulations contain considerations for framework adjustments to add, change, or modify time/area closures and gear restricted areas
- “E” Alternatives consider changes to the regulatory provisions to include:
 - Regular review of areas
 - High-level design elements of specific objectives
 - Timing of evaluation
 - Data collection access
- Adoption of the preferred alternative would not result in short-term changes. Instead, it would guide future Agency spatial management rulemaking
- **Alternative E1:** No action
- **Preferred Alternative E2:** Add regulatory provisions for review of spatial management areas to 50 CFR 635.35(c)
 - Proposed regulatory text available in the DEIS and proposed rule



Public Comments Heard Thus Far - Spatial Management

- The modified 12-month Charleston Bump closure would result in a significant reduction in pelagic longline access in the area
 - The “red” Charleston Bump area includes the western edge of the Gulf Stream
 - The dividing line between high and low bycatch areas should be pushed to the 100-fathom shelf break
 - Tradeoff of limited offshore access and decreased inshore access is worse than status quo
 - If HMS PRiSM indicates lower bycatch risk offshore that could allow some data collection, it does not follow that the inshore area closure timeframe should increase
- The proposed Charleston Bump effort cap (69 sets from Feb 1 – April 30) is too low
- DeSoto Canyon
 - Modification would eliminate productive pelagic longline fishing grounds
 - Support for preferred Sub-Alternative A4d (parallelogram)
 - Expand protection for Rice’s whale habitat
- Concern that the proposed alternatives would not revitalize the pelagic longline fishery



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Public Comments Heard Thus Far - Spatial Management

- HMS PRiSM does not account for recent increase in deep set pelagic longline technique
- Some opposition to the expanded EM requirements in monitoring areas at vessel owners' expense
 - Increased cost would prevent any data collection
 - Fishermen shouldn't pay for NOAA Fisheries' data collection needs
 - Current review rate (10%) is good enough to incentivize enhanced reporting in monitoring areas
- Should consider bycatch caps and observer requirements in monitoring areas
- Opposition to any increased access for pelagic longlines, even for data collection
- Concern that pelagic longline data collection would adversely impact recreational fisheries through gear conflict or bycatch of recreationally targeted species
- Comments on relative impacts between recreational and longline fisheries regarding bycatch, target catch, climate changes, etc.



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Pelagic Longline Electronic Monitoring Cost Allocation



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“F” Alternatives

Pelagic Longline Electronic Monitoring Cost Allocation

- Since 2015, HMS pelagic longline vessels are required to install cameras on their vessels that record haulback of longline sets to monitor catch and discards
 - The program was initially implemented to ensure compliance with the bluefin tuna IBQ program and was later expanded to include shortfin mako shark disposition
- Since implementation, NOAA Fisheries has paid for the program
 - Equipment installation (cameras, hard drives, etc.)
 - Data review, analysis, and storage (contract with single vendor)
- On May 7, 2019, NOAA Fisheries issued Procedure 04-115-02 “Cost Allocation in Electronic Monitoring Programs for Federally Managed Fisheries”
 - Outlines guidance and directives for EM cost allocation framework between fishery participants and the Agency



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“F” Alternatives

Pelagic Longline Electronic Monitoring Cost Allocation

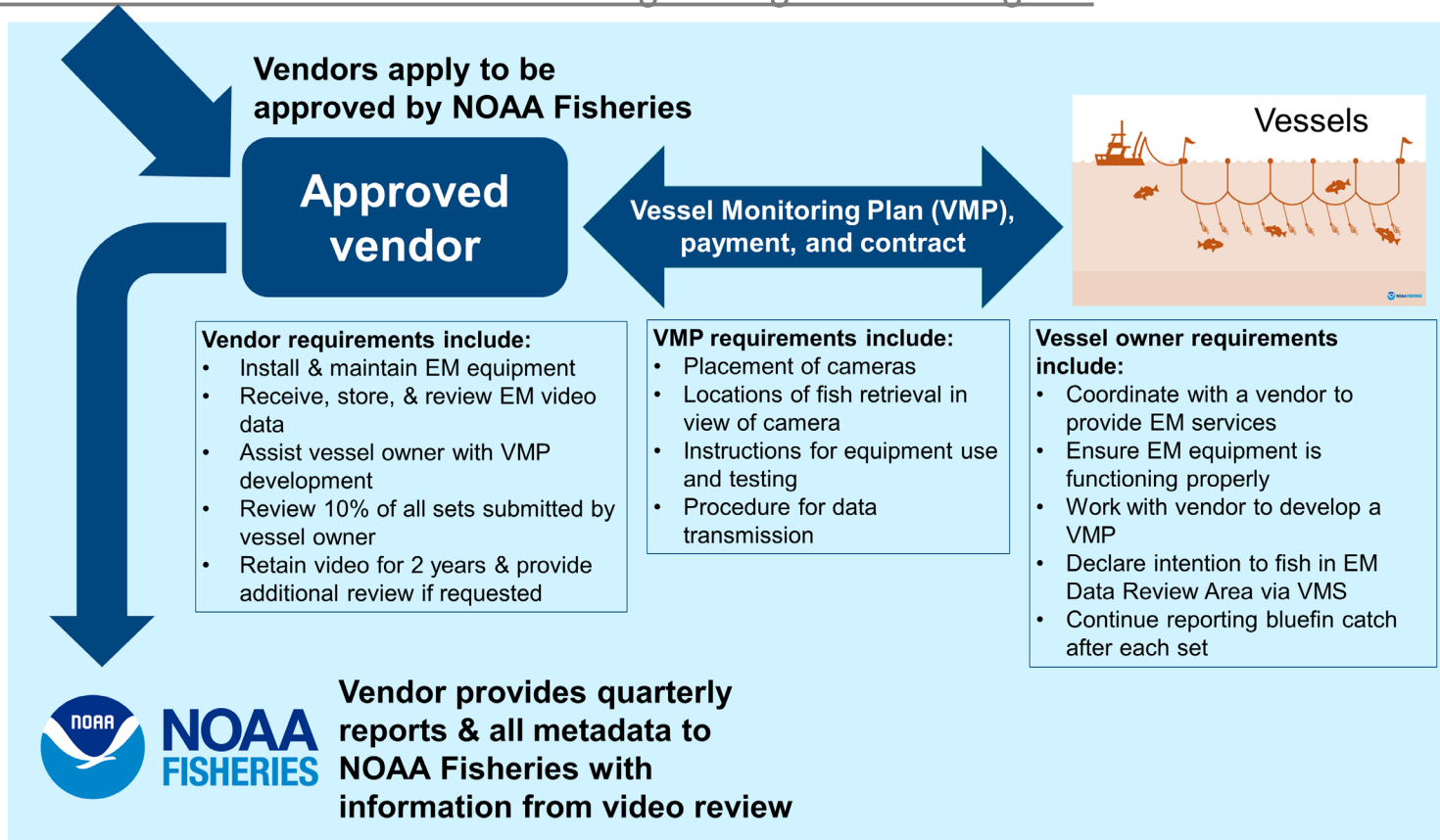
- Alternative F2: Transfer Electronic Monitoring Sampling Costs to Industry - Preferred Alternative
 - Industry pays 100% of sampling costs
 - Phased-in over 3 years
 - Year 1: 25%; Year 2: 50%; Year 3: 75%
 - Note there are 4 components to this alternative:
 - Vendor requirements
 - Vessel requirements
 - Vessel monitoring plan
 - Modification of EM IBQ spatial/temporal requirements
 - Designate “EM Data Review Areas”



“F” Alternatives

Pelagic Longline Electronic Monitoring Cost Allocation

Proposed Modification to the HMS Pelagic Longline EM Program

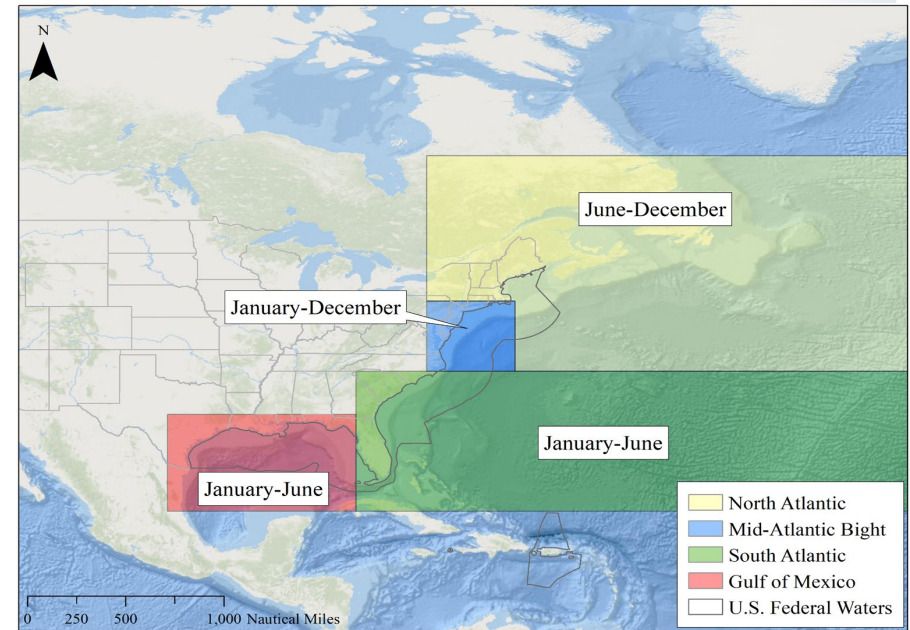


“F” Alternatives

Pelagic Longline Electronic Monitoring Cost Allocation

Proposed Modification of EM spatial/temporal requirements would:

- Identify times and locations of likely bluefin tuna interactions
- Designate those areas as “EM Data Review Areas”
- Require vessels to activate EM and submit video only when operating in EM Data Review Areas during all or a portion of a trip
 - reduce cost
 - limit video submission to those areas that are more likely to be reviewed, providing vendors with more certainty
 - incentivize avoiding areas with likely bluefin tuna interactions
- Operationalize the current video review sampling protocol so that it can be implemented by EM vendors



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“F” Alternatives

Pelagic Longline Electronic Monitoring Cost Allocation

Impacts

- Ecological impacts likely neutral
- Socioeconomic impacts likely moderate adverse
 - Comparison of Revenue and EM Costs, per trip
 - Preliminary and do not take into account cost mitigation measures

Cost per set	Cost per 6/set trip (median trip size)	Median profit per 6-set trip (2018-2020)	EM cost/profit per 6- set trip
\$280	\$1,680	\$8,991	19 %

Proposed Cost Mitigation Measures

- Cost shift would be phased in over 3 years
- Program structure would encourage multiple vendors to enter market to increase competition and leverage existing vendor infrastructure
- NOAA-Fisheries provided EM equipment could continue to be used.
- Flexibility in equipment and data transmission specifications
- EM requirement would be limited to EM Data Review Areas where bluefin tuna interactions are likely (follows current SEFSC sampling protocol)



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Public Comments Heard Thus Far - EM Cost Allocation

- Strong negative reaction to estimated EM costs for vessel owners
 - Additional costs would cause many to exit the fishery
 - The loss of U.S. pelagic longline vessels would lead to adverse ecological impacts as less conservation-minded foreign fisheries fill the gap
 - Other costs (e.g., technician hourly and travel costs) not included
- Skepticism that cost mitigation measures would lower EM costs for vessel owners
- Suggestions to use money from Infrastructure Reduction Act and other funds to continue paying for EM
- Facilitate workshops for EM vendors and vessel owners to meet
- Questions about overlap between cost allocation policy and MSA LAPP cost recovery limits
- Disagreement with the EM Data Review Areas, particularly the timing of bluefin catch in the Mid-Atlantic Bight
- Questions on what would happen if there are no EM vendors
- Support and opposition for Alternative F3 (remove EM requirement but maintain IBQ program)



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Additional Information and Next Steps



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Additional Information and Next Steps

Two recent updates

- Public comment period extended to October 2, 2023
- Panama City, FL public hearing rescheduled due to forecasted impacts to Hurricane Idalia
 - New date: September 18, 2023, 5-8 pm, NOAA Fisheries SEFSC, Panama City, FL



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Additional Information and Next Steps

Comments

- Comment period ends **October 2, 2023**
- Comments can be submitted through the Amendment 15 website

Amendment 15 to the 2006 Consolidated HMS Fishery Management Plan: Spatial Fisheries Management and Electronic Monitoring Cost Allocation
Proposed Rule | Highly Migratory Species

Overview

Fishery Management
[Consolidated Atlantic Highly Migratory Species Management Plan](#)

Fishing Type
Commercial

Action Status
Proposed Rule

Issued
05/01/2023

Comments Close
09/15/2023 - [Submit Comment](#)

Summary

Draft Amendment 15 and its proposed rule have two broad components:

- 1) Modification, data collection, and assessment of four commercial longline management areas.
- 2) Administration and funding of the HMS pelagic longline electronic monitoring program.

Public Hearing and Webinar Schedule

Venue	Date/time	Street Address / Webinar Information
	June 15, 2023	Please register to participate in the webinar.
Webinar	2:00 – 4:00 pm.	Password: HMS2023 A confirmation email with webinar log-in information will be sent after registration.

Amendment 15 Website:

<https://tinyurl.com/A15homepage>

○ Or QR Code:

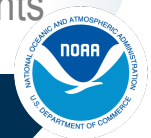


Website includes:

- Outreach material, including StoryMap
- HMS PRiSM information
- Proposed Rule
- Draft Environmental Impact Statement
- Link to submit comments

Contact Information

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