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HMS Advisory Panel Wrap-Up (Non-Comprehensive Summary of Comments)

Spring 2022 HMS AP Meeting
May 18-20, 2022

Glossary of Acronyms and Abbreviations

AP – Advisory Panel

BOEM – Bureau of Ocean Energy Management

EFH – Essential Fish Habitat

EIS – Environmental Impact Statement

EM – Electronic Monitoring

ESA – Endangered Species Act

HMS – Highly Migratory Species

IBQ – Individual Bluefin Quota

ICCAT – International Commission for the Conservation of Atlantic Tunas

LPS – Large Pelagics Survey

MRIP – Marine Recreational Information Program

NEFSC – Northeast Fisheries Science Center

NMFS – National Marine Fisheries Service

OLE – Office of Law Enforcement

PSE – Percent Standard Error

RFD – Restricted Fishing Day



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AP Rulemaking Updates

- Concern re: timing of spatial management rule from pelagic longline industry; additional areas are closing; a number of factors making it difficult for fleet to survive
- Shortfin mako sharks: support for long-term protection; concern re: potential loss of tournament data and lack of recreational provisions in ICCAT recommendation; disappointment from pelagic longline industry re: loss of incentive to have EM; question re: status of ESA petition
- Request for flexibility to allow other gears on pelagic longline vessels (e.g., handline, rod and reel, bandit)
- Question on timing of Amendment 14 and implementation; request to increase trip limits in the shark fishery
- Support for a rule to prohibit shark species listed as threatened under ESA



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BFT Fishery Year in Review 2021 (and 2022 Management Issues)

- Interest in seeing how RFDs work in July/Aug
- Need to improve compliance with General category vessel reporting
- Interest in hearing more on dead discard estimates/methodology from handgear fisheries
- Interest in seeing how pelagic longline bluefin tuna catch evolves given high levels early in 2022
- Concern with early 2022 pelagic longline landings and how that may impact the fishery
- Increased interest in HMS fishing and availability of bluefin tuna inshore recently
- Suggestion to increase General category reporting requirements; concerns with lack of reporting
- Questions regarding decline of exports of bluefin tuna



Enforcement Review

- From OLE:
 - Common occurrences:
 - HMS fishing without a permit
 - Undersized fish
 - Failure to report
 - Improper landing
 - Higher number of first time anglers
- Questions/Comments
 - Fishing over the U.S./Bahamas boundary
 - Concerns re: illegal catch for sale, specifically swordfish, and utilization of illegal gear
 - Have bugs been worked out re: recreational reporting applications



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Amendment 13

- Clarification requests re: technical aspects of Amendment 13
- Support for elimination of Purse Seine category and redistribution of bluefin quota
- Appreciation for Agency responsiveness to public feedback in final measures
- IBQ Program electronic monitoring: Implement the booms and measuring grids carefully due to concerns about safety and impacts on vessel operations
- Equity concerns re: pelagic longline reporting and monitoring requirements vs. those of the directed commercial bluefin fishery
- Gulf of Mexico-designated IBQ shares: default cap of 35% is too high; 5% threshold for relaxation of regional accounting rules is too low
- Biological impact concern re:-moving quota from Purse Seine category (73"+)to Angling category (mostly <73")
- Suggestion that Agency reconsider the Trap category (use Reserve category quota)
- Suggestion that Agency consider how to increase Angling category landings, including encouraging headboat participation



HMS MRIP Regional Implementation Plan

- General agreement among the AP that LPS expansion (additional months) to cover early tuna fishing in the Mid-Atlantic warrants consideration
- Continued concern about high PSEs in MRIP, and the use of high PSE estimates for management
- Support for HMS consideration of data collection programs for quantifying shark depredation event frequency



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Offshore Wind

- Broad concern that fisheries impacts (HMS included) are being largely dismissed or patronized in the process (i.e., participants are "feeling small")
- Concerns re: burden on the public/stakeholders to keep up with the status of dozens of projects at different stages in the process (e.g., comment periods, public hearings)
- Challenges with potential compensation discussions with developers, especially in data-limited fisheries (e.g., charter fisheries). Lack of federal guidance or requirement for compensation.
- Concerns re: electromagnetic fields from cables on tuna/shark movements, especially for floating wind turbine arrays with cables in the water column. Current data are limited.
- Concerns re: losing pelagic longline fishing areas. Offshore wind sites are effectively closed areas for longline. Particularly relevant to pelagic longline areas with significant overlap with sites (e.g., Central Atlantic and Gulf of Mexico)
- Concerns about potential impacts of wind development on HMS EFH, specifically bluefin spawning grounds
- Positive feedback re: HMS logbook effort map overlaid on Wind Areas; support for additional analysis for other HMS sectors (e.g., LPS, Coastal Fisheries Logbook)



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NMFS Electronic Monitoring (EM) Cost Allocation Procedure

- Presentation purpose: Inform HMS Advisory Panel of NOAA Fisheries procedure directive entitled “Cost Allocation in Electronic Monitoring Programs for Federally Managed U.S. Fisheries” in preparation for continued discussion of cost allocation over coming months/years
- NOAA Fisheries electronic monitoring cost allocation procedure directive may be viewed at: <https://media.fisheries.noaa.gov/dam-migration/04-115-02.pdf>



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Janet Coit and Sam Rauch: Leadership Comments

- Offshore Wind:
 - Concern that fishermen's voices are relatively small in this BOEM process
 - Concern that the 30x30 effort and BOEM zoning will leave nothing "wild." NOAA Fisheries and fishermen must work to get data to BOEM.
 - Concern re: transiting and NOAA Fisheries research vessel access
- Sharks:
 - Concern that 2-year restriction on shortfin mako retention insufficient for conservation



Equity and Environmental Justice -- Suggestions

- For underserved communities, also consider:
 - Political situation - U.S. territories under-represented in Congress and thus local government, academics, and non-profits receive less resources.
 - Lower socio-economic standing
 - Access to HMS fisheries involves prohibitive costs (e.g., vessel, fuel)
 - Seafood consumers may be underserved; outreach needed
- Reach out to:
 - Academic institutions and non-profit organizations, particularly in U.S. territories
 - New England-located Native American tribes (e.g., Wampanoag)
- Consider the following regulatory changes that would improve access:
 - Permit requirements (particularly for limited-access fisheries)
 - Increase headboat retention limits (e.g., school bluefin tuna)
 - Ability to fillet fish at sea and to fish from shore vs. vessel permit only
- At international regional fishery management organizations:
 - ICCAT: Renegotiate a higher limit on school-sized bluefin tuna
 - Support developing nations efforts to gain access to quota allocation



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Shark Depredation

- Depredation is occurring off the northeast, not just the southeast (i.e., “South Atlantic” and Gulf of Mexico) as the request by Congress indicates
- Increasing shark populations are a sign of shark management success
- Need more and faster stock assessments on shark species
- Commercial shark fishery needs to be reinvigorated (e.g., management changes, markets)
- Need to revise public perception of sharks (e.g., population, fishery, education) to sustainably managed food source



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