

## **NOAA**FISHERIES

Office of Sustainable Fisheries

# Atlantic HMS Exempted Fishing Permit Program Overview

Webinar Presentation November 2018



#### **Outline**

- Public notification
- Management authorities
- Permit types
- Permit application requirements
- Submitting reports
- Questions and comments



#### **Public Notification**

- Every year, NOAA Fisheries publishes a Notice of Intent to issue EFPs.
  - 30 day comment period
  - Outlines types of permits requests expected
  - Anything different needs its own **Notice**
- Generally begin drafting permits in early part of the year (e.g. January 2019)
- NOAA Fisheries receives data from applicants that is summarized in this notice.



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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric

Atlantic Highly Migratory Species: Exempted Fishing, Scientific Research, Display, and Shark Research Fishery

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA),

ACTION: Notice of intent; request for comments; public webinar. SUMMARY: NMFS announces its intent to issue exempted fishing permits (EFPs), scientific research permits (SRPs), display permits, letters of acknowledgment (LOAs), and shark research fishery permits for Atlantic highly migratory species (HMS) in 2019. EFPs and related permits would authorize collection of a limited number of HMS, including tunas, swordfish. billfishes, and sharks, from Federal waters in the Atlantic Ocean, Caribbean Sea, and Gulf of Mexico for the purposes of scientific research, data llection, the investigation of bycatch and public display, among other things LOAs acknowledge that scientific research activity aboard a scientific research vessel is being conducted. Generally, EFPs and related permits would be valid from the date of issuance otherwise specified, subject to the terms and conditions of individual permits. This notice also schedules a public webinar/conference call for applicants, during which NMFS will provide a general overview of the EFP program nd hold a question and answer se DATE: Writen comments receives as response to this notice will be considered by NMFS when issuing EPPs and related permits and must be and related permits and must be represented as small portion of the overall fishing mortality for HMS, and this characteristic properties of the control of 4 p.m. EDT, providing an opportunity for applicants to listen to a general overview of the EFP program and hold

a question and answer session. ADDRESSES: Comments may be submitted by any of the following methods: • Email: nmfs.hms.efp2019@

- noon.gov. Include in the subject line the following identifier: 0648–XG583.

   Mail: Cruig Cockrell, Highly
- Migratory Species Management (F/SF1), NMFS, 1315 East-West

Instructions: The public webinar conference call information is phone number (888) 942-8612; participant strongly encouraged to log/dial in 15 minutes prior to the meeting. NMFS will show a brief overview presentation via webinar followed by a question and answer session: https:// noagevents2.webex.com/noagevents2/ onstage/g.php?MTID= ee7c953be8b128d064d6557dbb5e5423b; password: NOAA.

FOR FURTHER INFORMATION CONTACT: Craig Cockrell, phone: (301) 427-8503

SUPPLEMENTARY INFORMATION: Issuance of EFPs and related permits are necessary because HMS regulations (e.g., regarding fishing seasons, prohibited species, authorized gear, closed areas, and minimum sizes) may otherwise prohibit the collection of live animals and/or biological samples for data collection and public display purposes or may otherwise prohibit certain fishing activity that NMFS has an interest in permitting or acknowledging. Pursuant to 50 CFR parts 600 and 635, a NMFS Regional Administrator or Director may authorize, for limited testing, public display, data collection, explo-fishing, compensation fishing. conservation engineering, health and safety surveys, environmental cleanu and/or hazard removal purposes, the target or incidental harvest of species nanaged under an FMP or fishery regulations that would otherwise be prohibited. These permits exempt permit holders from the specific portions of the regulations that may otherwise prohibit the collection of HMS for public education, public display, or scientific research. Permit holders are not exempted from the conditions of individual permits are unique; however, all permits will include reporting requirements, limit the number and/or species of HMS to be collected, and only authorize collection

Gulf of Mexico, and Caribbean Sea. EFPs and related permits are issued under the authority of the Magnuson-Management Reauthorization Act

et seq.). Regulations at 50 CFR 600.745 and 635.32 govern scientific research activity, exempted fishing, and exempted public display and educational activities with respect to Atlantic HMS. Because the Mag Stevens Act states that scientific research activity which is conducted on a scientific research vessel is not fishing, NMFS issues LOAs and not EFPs for bona fide research activities e.g., scientific research being conducted from a research vessel and not a commercial or recreational fishing vessel) involving species that are only regulated under the Magnuson-Stevens Act (e.g., most species of sharks) and not under ATCA. NMFS generally does not consider recreational or commercial vessels to be bona fide research vess However, if the vessels have been contracted only to conduct research and not participate in any commercial or recreational fishing activities during that research, NMFS may consider those vessels as bona fide research platforms while conducting the specified research For example, in the past, NMFS has determined that commercial pelagic longline vessels assisting with population surveys for sharks may be considered "bona fide research vessels while eneaged only in the specified research. For such activities, NMFS reviews scientific research plans and may issue an LOA acknowledging that the proposed activity is scientific research under the Magnuson-Steven Act. Examples of research acknowledged by LOAs include tagging and releasing sharks during bottom longline surveys to understand the distribution and seasonal abundance of different shark species, and collecting and sampling sharks caught during trawl surveys for life history and

bycatch studies. While scientific research is not defined as "fishing" subject to the MSA, scientific research is not exempt from ulation under ATCA. Therefore NMFS issues SRPs that authorize researchers to collect HMS from bone fide research vessels for collection of species managed under this statute (e.g. tunas, swordfish, and billfish). One example of research conducted under SRPs consists of scientific surveys of tunas, swordfish and billfish conducted from NOAA research vessels

in Federal waters of the Atlantic Ocean. EFPs are issued for activities conducted from commercial or recreational fishing vessels. Examples of activities conducted under EFPs include collection of young-of-year bluefin tuna for genetic research; conducting billfish Management reasuration reas
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(Magnussor-Sevens Act) [16 U.S.C. 191
(Convention Act (ATCA) (16 U.S.C. 971

history, and population structure, and



#### **Management Authorities**

Atlantic Highly Migratory Species fisheries are managed under the dual authority of the Magnuson-Stevens Fishery Conservation and Management Act and the Atlantic Tunas Convention Act

Because of these dual authorities, we issue a variety of permits to account for different situations.





### Permit Types

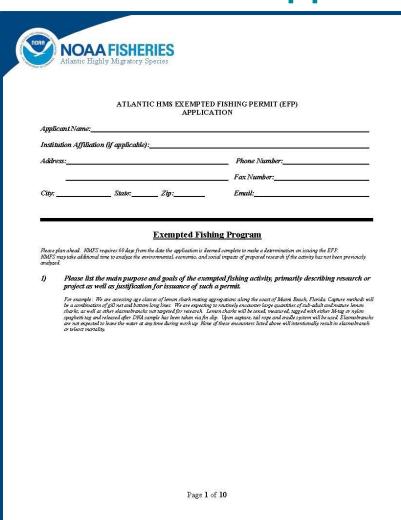
Four Permit Types (Other than shark research fishery permits):

- Exempt fishing permits (EFPs) Reporting required
- Scientific research permits (SRPs) Reporting required
- Letters of acknowledgement (LOAs) Reporting requested\*
- Display permits Reporting required

Vessel Type	Sharks	All Tunas	Swordfish	Billfish
Opportunistic research on Commercial or Recreational Vessels	EFP	EFP	EFP	EFP
Only research carried out on Commercial or Recreational Vessels	LOA	SRP	SRP	SRP
Research on bonafide research vessels	LOA	SRP	SRP	SRP
Research on NOAA vessels by NOAA scientist	SRP	SRP	SRP	SRP
Public display of Atlantic HMS	Display	Display	Display	Display



#### Permit Application Requirements



Individual Species		Number of Species			Do you expect to keep parts of the animal (I.e. fin clips)? If so, please indicate which parts below	Do you wish to sell all or part of the animal?*
1	Kept	Released Dead	Released Alive	Tagged		
					Species (list below)	



### **Permit Application Requirements**

Vessel Information				
Guard/state registration) are not included. We ca deem	e, HMS Permits, and vessel documentation (i.e. U.S. Coo muot begin processing your application until it has been ed complete. owner's name, please fill in the appropriate information			
Participating Vessel(s) <sup>1</sup> : 1. Vessel Name	Owner's Name:			
Phone Number:	Owner's Address			
Operator's Name	6			
Vessel Documentation Included? YesNo_  HMS Fishing Permit Included? YesNo_	Vessel ID #			
2. Vessel Name	Owner's Name:			
Phone Number:	Owner's Address			
Operator's Name				
Vessel Documentation Included? YesNo_ HMS Fishing Permit Included? YesNo_	V essel ID#:			
3. Vessel Name	Owner's Name			
Phone Number:	Owner's Address			
Operator's Name				
Vessel Documentation Included? YesNo_	Vessel ID#			
HMS Fishing Permit Included? YesNo				
Applicants				
	Date			



### **Submitting Reports**

Atlantic HMS Regulations requiring reporting:

50 CFR 653.32 (h) Terms and conditions. (1)

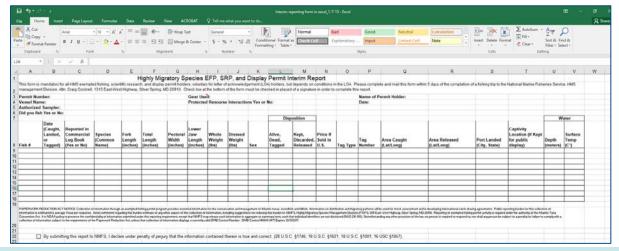
#### These regulations require:

- An interim report within 5 days of a fishing trip or a no fishing interim report within 5 days of the end of the month
- An annual report within 30 days of the expiration date of the permit.
- Only use forms that are provided by the agency

#### Reporting forms available here:

https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-permits-and-reporting-

forms





## **Questions or Comments?**

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