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Atlantic Highly Migratory Species Advisory Panel

HMS Management Overview

May 19, 2020

This Presentation...

Brief Update of Recent Actions

- Inseason Actions
- PLL Bluefin Tuna Area-Based and Weak Hook Management Measures
- Amendment 5b litigation
- Sharks: Depredation, Fin Bans, Assessments
- Biological Opinion Update
- Observer Waivers

AP Meeting Discussion...

Rulemakings

- Swordfish and Shark Retention Limits
- Amendment 13 – Bluefin Tuna (update)

Other Discussion Items

- Fisheries Economic Situation Report
- ICCAT Annual Meeting Outcomes
- Bluefin Tuna Fishery Update

Updates from Other Offices

- Enforcement



Rulemaking - Since the Fall 2019 AP Meeting

Proposed Rule:

Swordfish and Shark Retention Limits

Final Rules:

-PLL Bluefin Tuna Area-Based and Weak Hook Management Measures

-2020 Shark Season Rule

Inseason Actions	Fishery
Retention Limit Adjustments	<ul style="list-style-type: none"> BFT (recreational) SWO Gen. Comm. Atl. Agg. LCS and HH Sharks (2019)
Closures	<ul style="list-style-type: none"> BFT (Trophy: Southern Area and Gulf of Mexico; General: Sept, Oct-Nov, Jan-Mar) Western GOM LCS and HH Shark Closure (2020)
Quota Transfers	<ul style="list-style-type: none"> BFT (Reserve to General) GOM Sharks (2019)

Quota Adjustments	Fishery
2019 Annual (for 2018 Underharvest)	<ul style="list-style-type: none"> NALB BFT (to Reserve) SWO
2020 Annual Purse Seine Reallocation	<ul style="list-style-type: none"> BFT (to Reserve)

Operations since the Fall 2019 AP Meeting

Through May 1, 2020

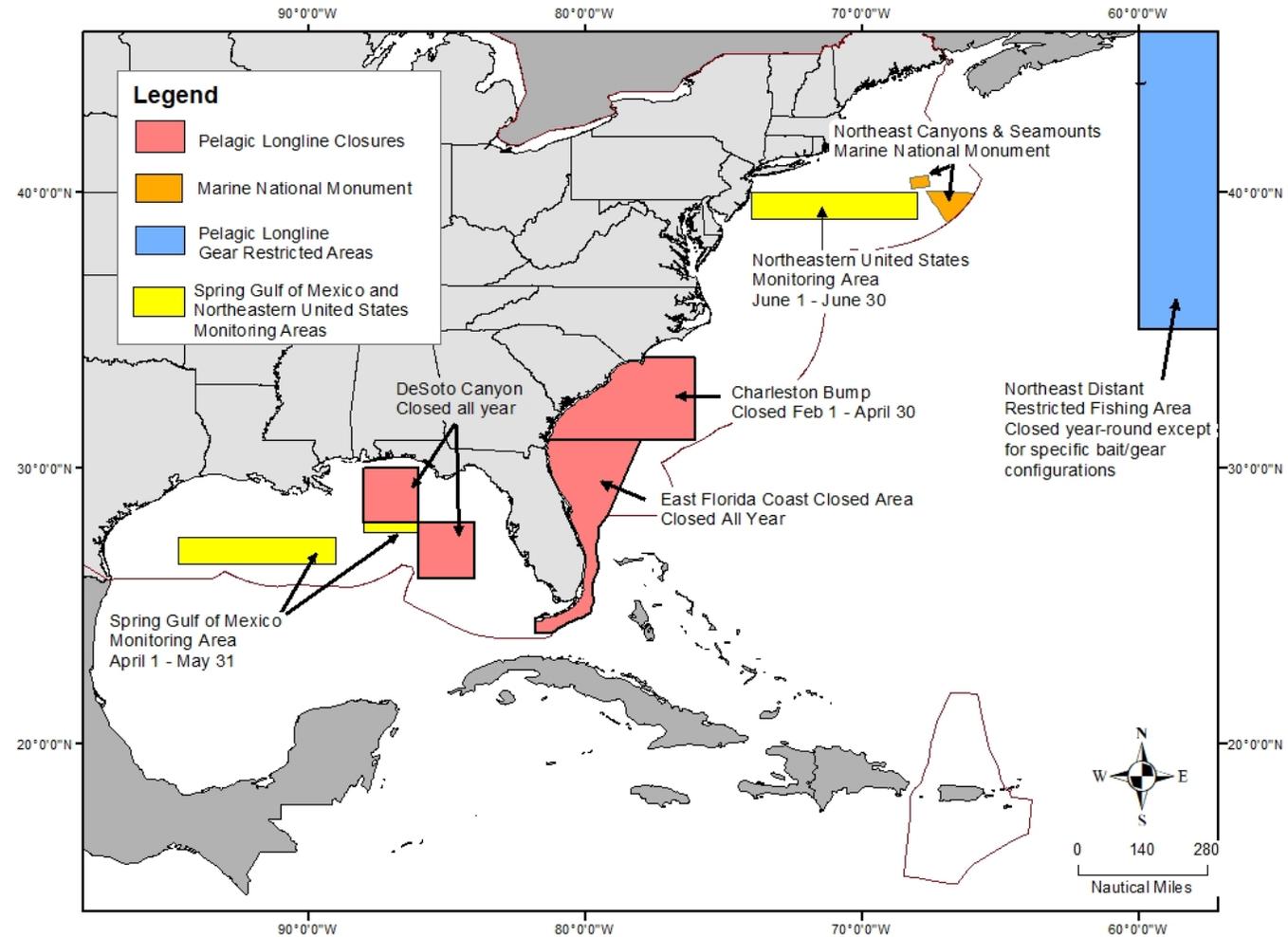
Operations:	#
EFP/SRP/LOA	14
Shark Research Fishery Permits	5
HMS Tournaments Registered	127
Shark ID & Protected Species Workshops	20
Atlantic HMS News Subscribers	5,7915
Recreational Shark Endorsements	7,892 (~54%)
CHB Commercial Sale Endorsements	961 (~42%)

PLL Bluefin Tuna Area-Based and Weak Hook Management Measures

- Final Rule published & effective on April 2 (50 CFR 18812)
- Implemented two monitoring areas, removed one gear restricted area, and adjusted to seasonal weak hook requirement (January – June) in the Gulf of Mexico
- Monitoring process for the Spring Gulf of Mexico Monitoring Area – daily evaluation of multiple data sources (e.g., VMS and IBQ System; and at times EM)
- April and May:
 - Only pelagic longline vessels that entered area were OFRP participants fishing under alternative gear (e.g., greenstick or buoy gear) declaration codes
 - No pelagic longline interactions with bluefin from sets in this area



PLL Bluefin Tuna Area-Based and Weak Hook Management Measures



PLL Bluefin Tuna Area-Based and Weak Hook Management Measures: Litigation

- Lawsuit filed by EarthJustice, on behalf of Healthy Gulf and Turtle Island Network
- Filed on April 29, 2020



Amendment 5b Litigation - Dusky sharks

- Oceana's challenge to Amendment 5b continues
- In response to court's order, U.S. filed a NOAA Remand Document providing additional explanation for actions taken in Amendment 5b
- Plaintiff again challenged those actions, including an "expert declaration" with their motion
- The U.S. Motion for Summary Judgment is next step, due May 29



Sharks: Depredation, Fin Bans, and Assessments

- Depredation: Presentations to Gulf of Mexico and South Atlantic Fishery Management Councils in Jan. and Mar. 2020
 - We are working to collect data to quantify and help mitigate the problem - Considered a high management priority for research
- Fin Bans: Several bills in front of Congress; FL considered ban earlier this year; NJ ban effective Jan. 2021; Agency message from Chris Oliver released Jan. 2020 (<https://www.fisheries.noaa.gov/leadership-message/shark-fin-sale-bans-would-hurt-us-fishermen-without-improving-shark-conservation>)
- Assessments: Atlantic blacktip underway; expected completion Dec. 2020; Hammerhead research track starting 2021



Recent Biological Opinions (BiOps) Under ESA Section 7

- On August 1, 2019, the National Marine Fisheries Service (NMFS) was sued by Defenders of Wildlife and Center for Biological Diversity for failure to complete consultation under the ESA on oceanic whitetip shark and giant manta ray
- On November 25, 2019, the NMFS and Plaintiffs agreed to stay the litigation pending completion of the two ongoing ESA Section 7 consultations analyzing the effects of the Atlantic highly migratory species fisheries on the giant manta ray and oceanic whitetip shark by certain dates (January 10, 2020, and May 15, 2020).

Non-PLL BiOp (all HMS Fisheries but PLL - signed Jan. 10, 2020)/ **PLL BiOp** (signed May 15, 2020)

- No Jeopardy determination found for listed species
- New Incidental Take Statement; Reasonable and Prudent Measures (RPMs) and Terms and Conditions (T&Cs)
- RPMS/ T&Cs are related to fisheries observer coverage, safe handling procedures, and educational outreach



Observer Waivers

- SEFSC issued a two-week blanket waiver for Atlantic HMS and southeast fisheries that was extended once
- Waiver dates covered April 6— May 4, 2020

Observers and at-sea monitors are an essential component of commercial fishing operations and provide critical information that is necessary to keep fisheries open and to provide sustainable seafood to our nation during this time. We will continue to monitor all local public health notifications, as well as the Centers for Disease Control and Prevention (CDC) for updates. We are committed to protecting the public health and ensuring the safety of fishermen, observers, and others, while fulfilling our mission to maintain our nation's seafood supply and conserving marine life.



Landings & Tournaments Updates

Species	Link to Monthly/Annual Landings Updates and Tournament Information
Swordfish, BAYS tunas, Sharks, Bluefin tuna, and Billfish	https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-landings-updates
Tournaments	https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-tournaments
Daily Bluefin Tuna Landing Updates	https://hmspermits.noaa.gov/
Minimum Sizes and Bag Limits	https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-minimum-sizes-and-bag-limits



There is a lot happening outside the HMS Division

NOAA Fisheries recognizes that economic conditions have drastically changed over the past several weeks. An upcoming agenda item will allow for a more detailed discussion.

Some other things might impact HMS fisheries

- Pelagic Longline Take Reduction Plan Changes: Proposed rule in development, expected to be released shortly
- Expansion of Flower Gardens Banks National Marine Sanctuary (DEIS published in 2016)
<https://flowergarden.noaa.gov/management/expansiondeis.html>
 - Proposed Rule published 5/1/2020 (15 CFR 922), comment period ends 7/3/2020 -
<https://www.regulations.gov/docket?D=NOAA-NOS-2019-0033>



There is a lot happening outside the HMS Division

Some other things might impact HMS fisheries

- Gulf of Mexico Coral Amendment 9: final rule in development
- Expansion of Florida Keys National Marine Sanctuary - DEIS and Restoration Blueprint released 8/20/19 and comment period ends 1/31/2020
<https://sanctuaries.noaa.gov/news/aug19/shape-the-future-of-florida-keys-national-marine-sanctuary.html>
- Wind Energy: HMS continues to coordinate with GARFO, SERO, Science Centers, Councils, and others on the fishery-related impacts of multiple offshore wind projects



Southeast For-Hire Electronic Logbook Reporting

South Atlantic final rule published February 24, 2020

- Implements mandatory for-hire electronic logbook reporting for South Atlantic charter/headboat permit holders beginning September 1, 2020
- Atlantic Dolphin/Wahoo; South Atlantic Pelagic Fish and Snapper/Grouper

Gulf of Mexico and VMS type-approval final rules anticipated to publish soon

- Intend to implement reporting September 1, 2020, and VMS requirements in 2021
- Gulf of Mexico CHB Pelagic Fish and Reef Fish permits

HMS Division has worked with ACCSP and GARFO to incorporate HMS Catch Reporting data elements to eTRIPS and eVTR to eliminate need for duplicate reporting



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Looking Ahead

Upcoming Dates:

- Swordfish and Shark Retention Limits Proposed Rule Comment Period Ends – June 26, 2020

Proposed Rules/Actions/Notices:

- Draft Amendment 12 - expected Summer 2020
- Draft Amendment 13 and Proposed Rule – expected Summer 2020
- Draft Amendment 14 expected Summer 2020
- Spatial Management Data Collection Proposed Rule – expected Early 2021
- 2021 Shark Specifications Proposed Rule – expected Summer 2020



Communication Goal: No Surprises

- **Goals for All**
 - Advisors/Public aware, informed, and engaged
 - Agency aware, informed, and engaged
 - R-E-S-P-E-C-T
- **AP Member Role**
 - Listen and engage in discussions
 - Share with your constituents
 - Bring ideas to and advise Agency
- **Agency Role**
 - Ensure compliance with all domestic & int'l requirements
 - Raise issues and inform AP and public
 - Listen and engage in discussions
 - Make decisions considering feedback



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Contacting the HMS Management Division

- All HMS staff are working remotely; HQ and regional offices are closed
- If you need to contact us, you can:
 - Email specific staff
 - Call the main phone line (301-427-8503) and leave a voicemail
- While we're not physically in the office, we are monitoring voicemails and will call/email people back



Conclusion/Looking Forward

In conclusion,

- We are covering a lot of ground at this short meeting
- Operational activities require substantial agency resources

Looking forward,

- We value your input & want your input on priorities & potential solutions



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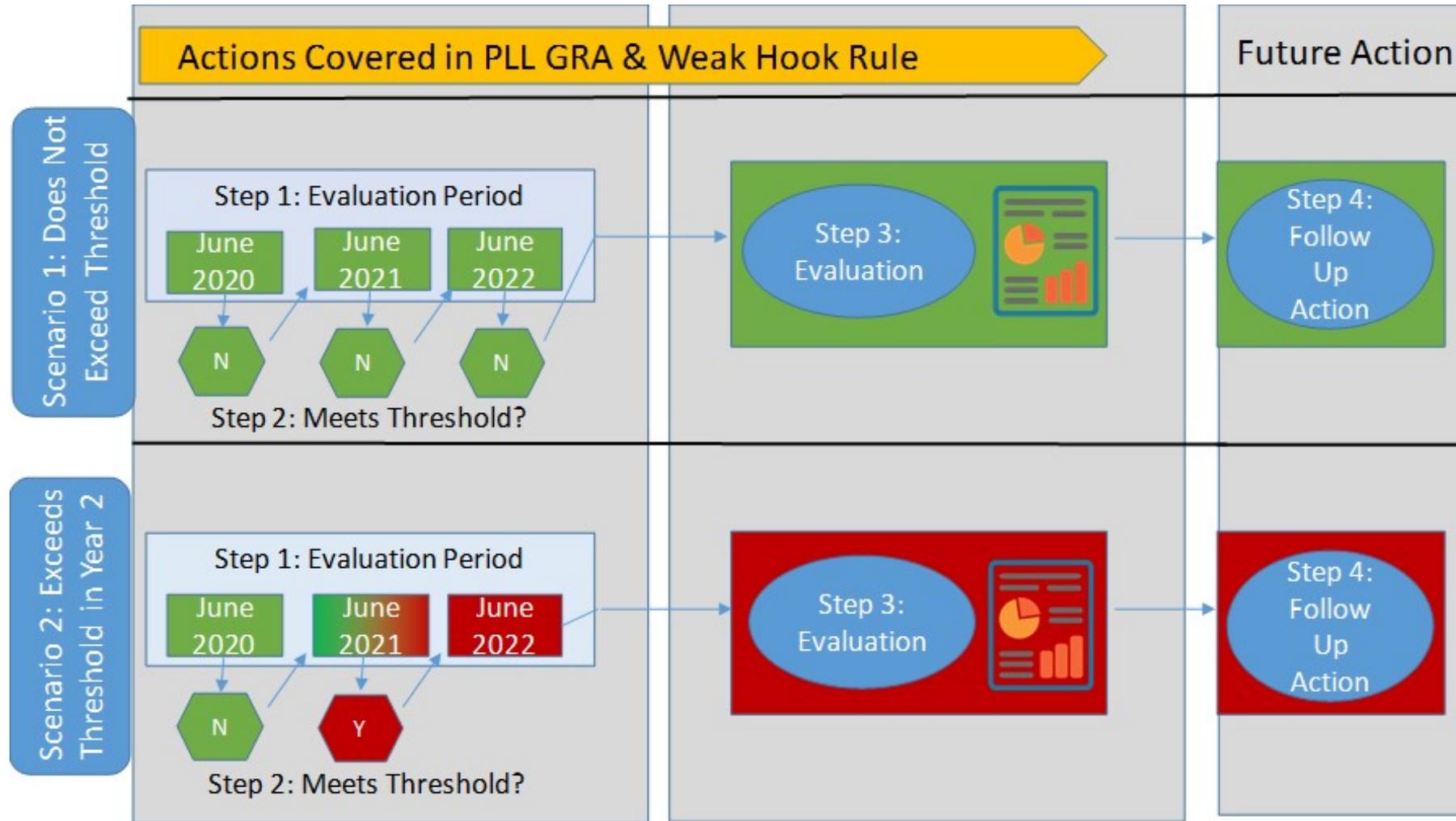
Questions?

Thank you!



Northeastern United States Closed Area

- *A4: Undertake review process to evaluate continued need*



Backup Slide - PLL Bluefin Tuna Area-Based and Weak Hook Management Measures

Target Species	n	Percent Reduction (%)	p-value
Bluefin Tuna	134	46	0.0007**
Yellowfin Tuna Total	3312	3.1	0.3723
Yellowfin Tuna Kept	2547	6.0	0.1203
Swordfish Total	290	-7.1*	0.597
Swordfish Kept	69	27.5	0.02283
Dolphinfish	918	9.9	0.1201
Wahoo	375	22.3	0.0173**
Restricted Species-Billfish			
Blue Marlin	157	1.3	1
Atlantic Sailfish	62	22.9	0.3741
White Marlin / Roundscale Spearfish	172	-45.7*	0.0178**
Managed Sharks			
Large Coastal Sharks	108	16.9	0.3865
Pelagic Sharks	33	5.9	1

