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FISHERIES

Office of
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Amendment 12 to the 2006 Consolidated Atlantic HMS FMP to Implement Recent NMFS National Policy Directives

Background

- The purpose of Amendment 12 to the 2006 Consolidated Atlantic is to comply with recently published Magnuson-Stevens Act guidelines and national policy directives.
- NMFS publishes guidelines to interpret & implement the ten National Standards (NS) in the Magnuson Stevens Act. National Standard 1 (NS1) guidelines were updated in 2016 (81 FR 71858, October 18, 2016) to address:
 - ***Reassessment of an FMP's management objectives***
 - ***Review of stock status determination criteria***
- NMFS also publishes national policy directives to ensure that certain issues are addressed consistently nationwide. These include:
 - ***Review of standardized bycatch reporting methodology***
 - ***Consideration of triggers that can be used to determine when to review allocation decisions***



Reassessment of HMS FMP Objectives

- The 2006 Consolidated Atlantic HMS FMP reassessed and revised objectives in the 1999 Tunas, Swordfish, and Shark FMP and the Billfish FMP to:
 - Remove redundancy
 - Update objectives
- Currently, there are 16 objectives from the 2006 HMS FMP plus several other objectives from ten FMP amendments
- Per the final rule revising the NS1 guidelines (50 CFR § 600.305(b)(2)):

“FMP objectives should be reassessed on a regular basis to reflect the changing needs of the fishery over time”

Reassessment of HMS FMP Objectives (cont.)

- FMP objectives should be:
 - Clearly stated;
 - Practicably attainable;
 - Framed in terms of definable events and measurable benefits; and
 - Based upon a comprehensive rather than a fragmentary approach to the problems addressed.

Current HMS FMP Objectives (abbreviated)

1. Prevent or end overfishing... and adopt precautionary approach...
2. Rebuild overfished HMS stocks...promote Atlantic-wide stock recovery to MSY level...
3. Minimize bycatch and bycatch mortality...minimize post-release mortality in billfish fishery
4. ...foundation for international negotiation...to rebuild overfished fisheries and promote...optimum yield...
5. Minimize social & economic impacts on fishing communities and rec & commercial activities...
6. Provide data necessary for assessing fish stocks & managing the fisheries, including addressing inadequacies...
7. Manage HMS fisheries for continuing Optimum Yield (OY) ...to provide greatest overall benefit to the Nation
8. ...coordinate...conservation & management ... considering multi-species nature...participation, international.....
9. Provide a framework to take necessary action under ICCAT recommendations...
10. Promote conservation and enhancement of areas identified as essential fish habitat for HMS...
11. Simplify and streamline HMS management...
12. Promote the live release & tagging of HMS that are voluntarily released or cannot be legally landed...
13. Maintain the highest availability of billfishes to the U.S. recreational fishery...
14. Optimize social and economic benefits by reserving billfish for...recreational fishery
15. Increase understanding of the condition of HMS stocks and HMS fisheries
16. ...create a management system to make fleet capacity commensurate with resource status...

Objectives of Subsequent FMP Amendments*

Most frequently included references to:

- 1 - Prevent or end overfishing...
- 2 - Rebuild overfished HMS stocks...
- 3 - Minimize bycatch and bycatch mortality...
- 6 - Provide data necessary for assessing fish stocks & managing the fisheries
- 7 - Manage HMS fisheries for continuing OY...to provide greatest overall benefit to the Nation
- 8 - ...coordinate...conservation & management ...

* Other objectives in the subsequent amendments were more narrowly focused (e.g., increase opportunities to harvest swordfish; implement smoothhound measures; update EFH, reduce BFT dead discards; increase Caribbean participation in HMS fisheries)



Examples of How We Could Revise Objectives

- Streamline language
- Use inclusive language
- Combine similar objectives

Objective 5 - Minimize, to the extent practicable, adverse social and economic impacts on fishing communities and ~~recreational and commercial activities during the transition from overfished fisheries to healthy ones,~~ consistent with ensuring achievement of the other **FMP** objectives ~~of this plan and with all applicable laws*~~

* For example purposes only (not proposed)

Examples of How We Could Revise Objectives

- Objective 6 – **Identify and collect** ~~Provide the data necessary to~~ **support and enhance effective management of** ~~for assessing the fish stocks and managing the fisheries, including addressing inadequacies in current collection and ongoing collection of social, economic, and bycatch data on Atlantic HMS fisheries*~~
- Objective 10 - ~~Promote~~ **Identify**, ~~conserve, ation and enhance ment of areas identified as essential fish habitat for Atlantic HMS, particularly for critical life stages*~~

* For example purposes only (not proposed)

Potential for New FMP Objectives?

Examples based on work of other Councils:

- “Promote understanding, compliance, and effective enforcement of HMS regulations”
- “Promote ecosystem-based science to support and enhance effective HMS management”

Others?

Review of Stock Status Determination Criteria (SDC) for Internationally Managed HMS

- Magnuson-Stevens Act: ACLs and AMs apply to all fisheries “unless otherwise provided for under an international agreement in which the United States participates.” (50 CFR § 600.310(h)(ii))
- For these stocks, NS1 guidelines provide that NMFS “may decide to use the SDC defined by the relevant international body.”
- This could apply to some ICCAT-managed Atlantic tunas, swordfish, and billfish, and sharks. (50 CFR 600.310(e)(2)(ii))

HMS Stock Status Summaries: Domestic and International Examples*

Species	International Threshold	International Stock Status	Domestic Threshold	Domestic Stock Status
Atlantic bigeye tuna	B_{MSY}	Overfished	$0.6B_{MSY}$	Not overfished (rebuilding)
North Atlantic swordfish	B_{MSY}	Not overfished	$0.8B_{MSY}$	Not overfished
West Atlantic sailfish	B_{MSY}	Not likely overfished	$0.75B_{MSY}$	Not overfished (rebuilding)
Blue shark	B_{MSY}	Not likely overfished	$(1-M) B_{MSY}$	Not overfished

* Information on slide based upon most recent stock assessments as described in 2017 HMS SAFE Report. BET to be reassessed in 2018

Domestic vs. International Status Determinations - Two Examples*

Atlantic bigeye tuna: 2015 assessment

- ICCAT status: “overfishing occurring”; “**overfished**” because $B_{2014} < B_{MSY}$
- Domestic status: “overfishing occurring”; “**not overfished – rebuilding**” because $B_{2014} > MSST$ (i.e., $B_{2014} > 0.6 B_{MSY}$); not rebuilt because $B_{2014} < B_{MSY}$
- Issue: Different threshold for "overfished" status

West Atlantic Sailfish: 2016 assessment

- ICCAT status: “overfishing is **not likely occurring**”; “**not likely overfished**”
- Domestic status: “overfishing is **not occurring**”; “**not overfished - rebuilding**”
- Issue: Domestic SDC terminology does not include "likely"

Consideration: Domestic vs. International Standard? See 50 CFR 600.310(e)(2)(ii)

* Information on slide based upon most recent stock assessments as described in 2017 HMS SAFE Report. BET to be reassessed in 2018.

Review of SDC for Internationally Managed HMS (cont.)

- Reduces confusion: Consistent with ICCAT stock assessments and international SDCs
- Stocks not previously identified as overfished/overfishing may now be identified as overfished/overfishing
 - Magnuson-Stevens Act requirements?
 - Assess effectiveness of international rebuilding plan and U.S. compliance with ICCAT rebuilding plan
- Management implications may be mitigated due to presence of international rebuilding plans, U.S. compliance with international rebuilding plans, where applicable, and the relatively small impact of U.S. vessels
- Use of “not likely” for sailfish may create some uncertainty

Review of HMS Standardized Bycatch Reporting Methodology

- Magnuson-Stevens Act: Any FMP, with respect to any fishery, must establish a standardized bycatch reporting methodology (SBRM) to assess the amount and type of bycatch occurring (50 CFR 600.1600)
- SBRM required procedures may include, but are not limited to:
 - Observer programs;
 - Electronic monitoring & reporting technologies; and,
 - Self-reported mechanisms

Review of HMS Standardized Bycatch Reporting Methodology (cont.)

- Final rule published in the Federal Register on Jan. 19, 2017 (82 FR 6317)
- Defines “standardized bycatch reporting methodology” as established, consistent procedures used to collect, record, and report bycatch data in a fishery
- Clarifies requirements to:
 - Identify SBRMs in FMPs
 - Explain how an SBRM meets its purpose based on a fishery-specific analysis
 - Provides for regular review of SBRMs

Fishery-Specific Analysis

The SBRM rule requires a **fishery-specific analysis** when establishing or reviewing an SBRM that addresses:

1. The **characteristics of the bycatch** occurring in the fishery
2. The **feasibility of the methodology** from cost, technical and operational perspectives
3. The **uncertainty of the data** resulting from the methodology
4. How **data resulting from the methodology are used** to assess bycatch in the fishery

HMS Fisheries

- Directed Commercial Fisheries
 - Pelagic Longline
 - Bottom Longline
 - Handgear (rod and reel, handline, harpoon, bandit gear)
 - Buoy Gear
 - Gillnet
 - Greenstick
 - Purse Seine
- Recreational Fisheries
 - Handgear (rod and reel, handline, greenstick, speargun for BAYS tunas)

Current Methods for Bycatch Data Collection

- Self-Reporting
 - HMS and Coastal Fisheries logbooks
 - Open Access Reporting (hmspermits.noaa.gov, cellphone apps)
 - Individual Bluefin Tuna Quota Program/VMS catch reports
- Observers
 - Pelagic Longline
 - Commercial Shark Fishery – Bottom Longline, Gillnet
 - Purse Seine
- Large Pelagics Survey/Marine Recreation Information Program
- Electronic Monitoring
 - Pelagic Longline camera systems

SBRM Next Steps....

- Prepare an amendment to the 2006 Consolidated Atlantic HMS FMP to ensure consistency with SBRM final rule
- Update the 2018 SAFE Report to include descriptions of SBRM for greenstick, speargun, and buoy gear (and other gears if necessary)
- All FMPs must be consistent with the SBRM final rule by February 21, 2022
- Continue review every 5 years to verify continued compliance

Consideration of Allocation Triggers for Quota-Managed HMS

- Fisheries Allocation Policy Directive 01-119 (February 23, 2017) creates a transparent process for assessing when a fishery allocation may need to be reviewed and what should be considered
- Describes a three-step mechanism to ensure that fisheries allocations are periodically evaluated
- For fisheries with an allocation, trigger(s) should be identified within three years (or as soon as practicable)*

* This is where we are in the process

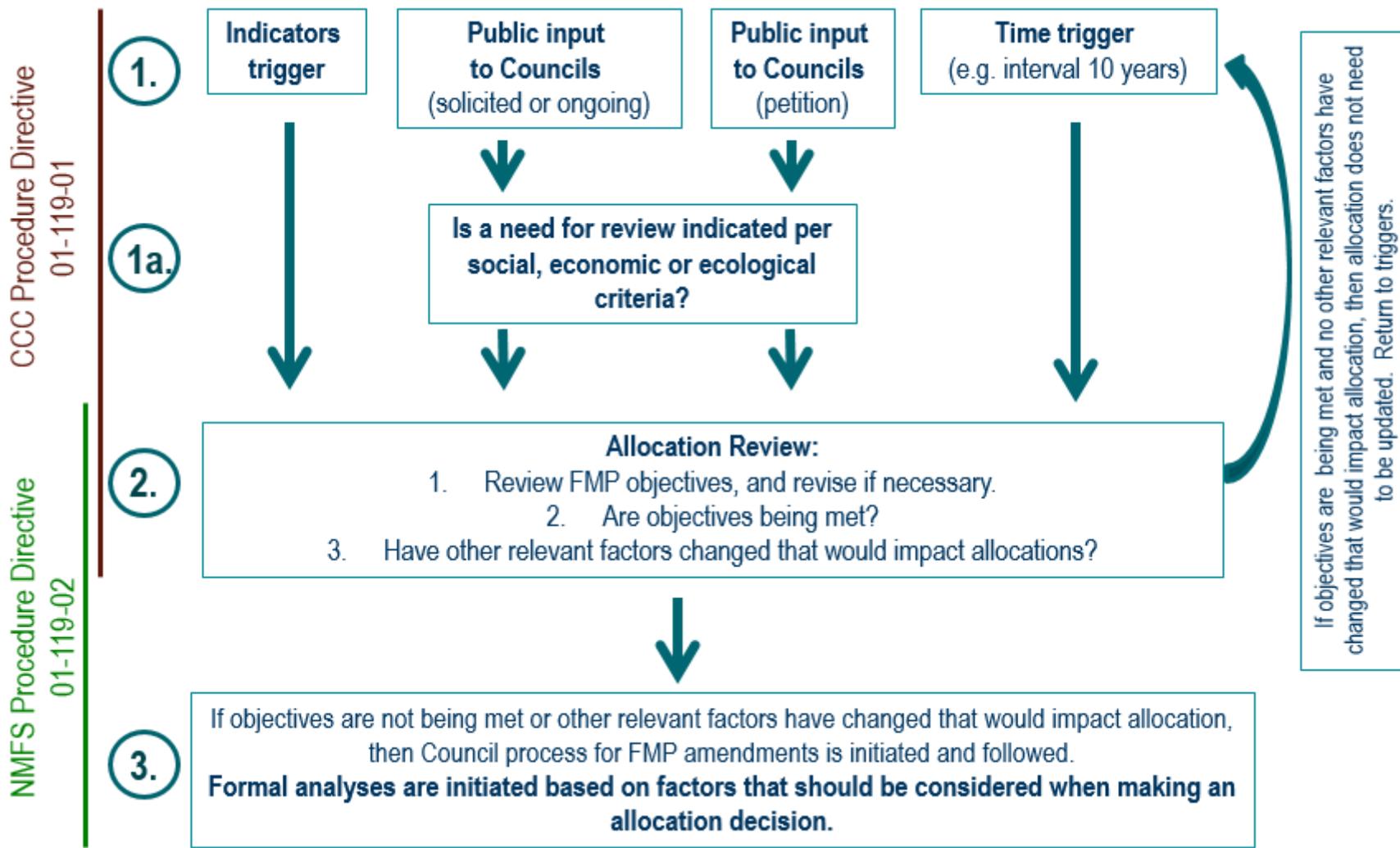
Consideration of Allocation Triggers for Quota-Managed HMS (cont.)

- Only one trigger could be met to initiate an allocation review. Examples of triggers that could be used to initiate a quota allocation review include:
 - Public Interest
 - Time
 - Fishery Indicators

Consideration of Allocation Triggers for Quota-Managed HMS (cont.)

- HMS has preliminarily identified the following potential triggers to initiate an allocation review:
 - Public comment received by NMFS with new information to review (interest)
 - A maximum of 10 years between review of the allocation for a management group and/or species (time)
 - A species and/or management group stock status change based on a recent stock assessment or ICCAT recommendation (fishery indicator)
 - Change in effort or participation in HMS fisheries (fishery indicator)
 - Implementation of a national rulemaking that impacts HMS fisheries

Steps in Adaptive Management of Allocations



Environmental Impacts

- Amendment 12 is entirely administrative in nature
- No change to the human environment
- No change in fishing locations, effort, or timing of fishing
- Any actions resulting from changes to the FMP objectives, SBRM, stock status determination criteria, or allocation criteria would occur in a future action
 - Such future actions would be analyzed as appropriate under NEPA at that time (with opportunity for comment)
- We anticipate that this action may be categorically excluded from the need to prepare an Environmental Assessment

Timeline

- Spring 2019 – Present Pre-Draft FMP Amendment to HMS Advisory Panel to solicit input
- Fall 2019 – Present Draft FMP to HMS Advisory Panel; Conduct public hearings and/or webinars; Comment period closes after 60 days
- Winter/Spring 2020 – Final FMP Amendment

QUESTIONS or COMMENTS?

Thank You!

