



Mid-Atlantic Fishery Management Council

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MEMORANDUM

Date: November 27, 2013
To: HMS Committee/Council
From: Jason Didden *JDD*
Subject: HMS Amendment 7 - Bluefin Tuna

The Highly Migratory Species (HMS) Committee is scheduled to meet from 3pm-5pm on Monday December 9 to develop Council comments on HMS Draft Amendment 7 (bluefin tuna management measures) for submission to NMFS on December 10. The Amendment addresses a variety of bluefin tuna management issues, which are summarized in the rest of this tab. Links to the proposed rule, its draft Environmental Impact Statement, and a public hearing presentation are available at: <http://www.nmfs.noaa.gov/sfa/hms/FMP/AM7.htm>



NOAA FISHERIES

Atlantic Highly Migratory Species

NMFS Extends Comment Period for Draft Amendment 7 (Bluefin Tuna Management Measures) Proposed Rule

September 17, 2013

The National Marine Fisheries Service (NMFS) announces the extension of the comment period for the proposed rule to implement management measures in Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan (78 FR 52032, August 21, 2013). The proposed measures would reduce and account for Atlantic bluefin tuna dead discards, revise bluefin quota allocations, and enhance monitoring and reporting in the incidental and directed bluefin fisheries, among other fishery management measures. In the proposed rule, NMFS announced the end of the comment period as October 23, 2013, which allowed an approximately 60-day comment period. Given the length and complexity of the rule, and to provide additional time for constituents to consider the proposed rule in light of any new recommendations by the International Commission for the Conservation of Atlantic Tunas at its November 2013 meeting, NMFS is extending the comment period for this action until December 10, 2013 to provide additional opportunities for public comment. The comment period is being extended from October 23, 2013, to December 10, 2013, to provide additional opportunities for comment from the public and other interested parties.

Submit Comments by December 10, 2013:

You may submit comments (identified by “NOAA-NMFS-2013-0101”) by using any one of the following methods:

- **Electronic Submissions:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to <http://www.regulations.gov/#!documentDetail;D=NOAA-NMFS-2013-0101-0001>, click the “Comment Now!” icon, complete the required fields, and enter or attach your comments.
- **Mail:** Thomas Warren, Highly Migratory Species Management Division, NMFS, 55 Great Republic Drive, Gloucester, MA 01930
- **Fax:** 978-281-9340, Attn: Thomas Warren

This notice is a courtesy to Atlantic HMS fishery participants to help keep you informed about the fishery. Official notice of Federal fishery actions is made through filing such notice with the Office of the Federal Register. For further information on this proposed rule and draft environmental impact statement, or to request copies of the proposed rule and supporting documents contact Thomas Warren at 978-281-9260. The information is also be available at www.nmfs.noaa.gov/hms/AM7.htm.

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An electronic newsletter informing you of the latest HMS-related actions

<http://www.nmfs.noaa.gov/sfa/hms/newslist/>



NMFS Announces the Publication of the Amendment 7 Proposed Rule, and Availability of Draft Amendment 7 to the 2006 Consolidated Highly Migratory Species Fishery Management Plan

August 20, 2013

The National Marine Fisheries Service (NMFS) is proposing Amendment 7 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) to address bluefin tuna management concerns due to recent trends and characteristics of the bluefin fisheries. This action is necessary to meet domestic management objectives of the Magnuson-Stevens Fishery Conservation and Management Act including preventing overfishing, achieving optimal yield, and minimizing bycatch to the extent practicable, as well as the objectives of the Atlantic Tunas Convention Act (ATCA) and obligations pursuant to binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). NMFS takes these actions to reduce and account for bluefin dead discards in all categories; optimize fishing opportunities in all categories within the United States' quota; enhance reporting and monitoring; and adjust other management measures as necessary.

What will it do?

The proposed rule, which will publish in the Federal Register on August 21, may be found at <http://www.nmfs.noaa.gov/sfa/hms/FMP/AM7.htm>. The full range of alternatives considered are included in the draft Environmental Impact Statement, which can be also be found on that page.

The preferred alternatives (proposed measures in the proposed rule) in Draft Amendment 7 to the 2006 Consolidated HMS FMP and the quota categories to which the Alternatives would apply are listed below:

	Preferred Alternatives in DEIS	Regulated Quota Category
Quota Allocation		
Permanent Reallocation	<i>Alternative A 2a - Reallocation to Longline Category Based on Historical 68-mt Dead Discard Allowance</i>	Longline, Purse Seine, General, Harpoon, Angling
Annual Reallocation	<i>Alternative A 3a - Annual Reallocation of Bluefin Quota from Purse Seine Category</i>	Longline, Purse Seine, General, Harpoon, Angling

	Preferred Alternatives in DEIS	Regulated Quota Category
Reserve Category	<i>Alternative A 4b - Modify Reserve Category</i>	Longline, Purse Seine, General, Harpoon, Angling
Area Based Measures		
Gear Restricted Areas	<i>Alternative B 1c – Cape Hatteras Gear Restricted Area with Access based on Performance</i> <i>Alternative B 1d - Allow Pelagic Longline Vessels to Fish under General Category Rules</i> <i>Alternative B 1f – Small Gulf of Mexico Gear Restricted Area</i>	Longline
Gear Measures	<i>No Action</i>	Longline
Access to Closed Areas Using Pelagic Longline Gear	<i>Alternative B 3b – Access to Closed Areas</i> <i>SubAlternative B 3b – Performance Criteria for Access to Closed Areas</i>	Longline
Bluefin Tuna Quota Controls		
Individual Bluefin Quotas (IBQ)	<i>Alternative C 2 - Individual Bluefin Quotas</i> <i>Alternative C 2i – Cost Recovery</i> <i>Alternative C 2j - Appeals of Quota Shares</i> <i>Alternative C 2k – Control Date</i> <i>Alternative C 2l - Measures Associated with an IBQ – Elimination of Target Catch Requirements, Mandatory Retention of Legal-Size Bluefin</i>	Longline
NMFS Authority to Close the Pelagic Longline Fishery	<i>Alternative C 4b – NMFS Ability to Close the Pelagic Longline Fishery</i>	Longline
Enhanced Reporting Measures		
VMS Requirements	<i>Alternative D 1b – VMS Requirements for the Purse Seine and Longline Categories</i>	Longline Purse Seine
Electronic Monitoring of Longline Category	<i>Alternative D 2b –Electronic Monitoring of Longline Category</i>	Longline
Automated Catch Reporting	<i>Alternative D 3b - Automated Catch Reporting</i>	General, Harpoon Charter/Headboat
Logbook Requirement	<i>Alternative D 5a - No Action</i>	General, Harpoon, Angling
Expand the Scope of the Large Pelagics Survey	<i>Alternative D 6a - No Action</i>	Angling

	Preferred Alternatives in DEIS	Regulated Quota Category
Other Measures		
Modify General Category Time-Period Subquota Allocations	<i>Alternative E 1c - Provide Additional Flexibility for General Category Quota Adjustment</i>	General
NMFS Authority to Adjust Harpoon Category Retention Limits Inseason	<i>Alternative E 2b - NMFS Authority to Adjust Harpoon Category Retention Limits Inseason</i>	Harpoon
Angling Category Trophy Subquota Distribution	<i>Alternative E 3b - Allocate a Portion of the Trophy South Sub-Quota to the Gulf of Mexico</i>	Angling Charter/Headboat
Change Start Date of Purse Seine Category to June 1	<i>Alternative E 4b – Change Start Date of Purse Seine Category to June 1</i>	Purse Seine
Rules Regarding Permit Category Changes	<i>Alternative E 5b - Modify Rules Regarding Permit Category Changes</i>	Longline, Purse Seine, General, Harpoon, Angling, Charter/Headboat, Trap
North Atlantic Albacore Tuna Quota	<i>Alternative E 6b - Implement North Atlantic Albacore Tuna Quota</i>	Longline, Purse Seine, General, Harpoon, Angling, Charter/Headboat, Trap
Transiting	<i>Alternative E 7b – Pelagic and Bottom Longline Transiting Closed Areas</i>	Longline

Who is affected?

Draft Amendment 7 could affect:

- Any commercial fishermen using pelagic longline gear, handgear, or purse seines to catch bluefin tuna.
- Any recreational fishermen using handgear to catch bluefin tuna.
- Any dealers who buy bluefin tuna.



Summary of Current Situation

- Difficult to account for mortality, and limited dead discard information
- Too many BFT interactions resulting in dead discards (~21% of 2012 catch)
- FMP quota allocation percentages do not take into account recent changes in ICCAT recommendations or recent trends in fishery
- Longline category vessels may continue to fish when their incidental bluefin quota is attained (but may no longer retain bluefin), resulting in continuing discards.

Amendment 7 Objectives

- Prevent **overfishing and rebuild** bluefin tuna, achieve on a continuing basis optimum yield, and **minimize bluefin bycatch** to the extent practicable by ensuring that domestic bluefin tuna fisheries continue to **operate within the overall TAC** set by ICCAT consistent with the existing rebuilding plan
- **Optimize** the ability for all permit categories to **harvest** full bluefin quota; **account for mortality and** associated discarded bluefin in all categories; **maintain flexibility of quota management** to account for the highly variable nature of the bluefin fishery from year-to-year; and **maintain fairness** among permit/quota categories

Amendment 7 objectives - continued

- Reduce **incidental interactions** of bluefin and minimize reductions in target catch in both directed and incidental bluefin fisheries, to the extent practicable
- Improve the **timeliness and quality of catch data** through enhanced reporting and monitoring to ensure that landings and dead discards do not exceed the quota and to improve accounting for all sources of fishing mortality
- Adjust **other** aspects of the 2006 Consolidated HMS FMP as necessary and appropriate

Overview of Proposed Management Measures

- **Reallocate quota** among categories, adjusting quotas based on historical dead discard allowance
- Reduce pelagic longline bluefin interactions with **gear restricted areas**
- Increase accountability and create strong incentives to avoid bluefin with **individual bluefin quotas** for pelagic longline fishermen
- Improve quality and timeliness of catch data with enhanced **reporting requirements** for commercial quota categories
- Optimize fishing opportunity with adjustments to **General and Harpoon** category quota rules
- Implement **other** measures (e.g., northern albacore quota)