



**NOAA**  
**FISHERIES**

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

Spring 2024 HMS AP Meeting  
May 14-16, 2024

# Glossary of Acronyms and Abbreviations

AIS – Automatic Identification System

AP – Advisory Panel

BFT – Atlantic bluefin tuna

CITES – Convention on International Trade in Endangered Species of Wild Fauna and Flora

CPUE – Catch Per Unit Effort

EEJ – Equity and Environmental Justice

EFH – Essential Fish Habitat

EFP – Exempted Fishing Permit

EM – Electronic Monitoring

ESA – Endangered Species Act

FMP – Fishery Management Plan

HAPC – Habitat Area of Particular Concern

HMS – Highly Migratory Species

HSBI – High Seas Boarding and Inspection

IBQ – Individual Bluefin Quota

ICCAT – International Commission for the Conservation of Atlantic Tunas

IUU – Illegal, Unreported, and Unregulated (Fishing)

LPS – Large Pelagics Survey

NMFS – National Marine Fisheries Service

PLL – Pelagic Longline

PVC – Percent Volume Contour

QA/QC – Quality Assurance Quality Control

SRF – Shark Research Fishery

USCG – United States Coast Guard

WECAFC – Western Central Atlantic Fishery Commission



# Results of the 2023 ICCAT Annual Meeting

## Atlantic bluefin tuna - questions about:

- Whether the latest U.S. quota and allocation represents an increase from previous quota and what the allocation is relative to other countries
- When ICCAT will reconsider the total allowable catch and quotas
- Regarding the management procedure, what would trigger “exceptional circumstances”
- The prohibition on landings in the Gulf of Mexico given its spawning area designation

## North Atlantic swordfish - questions about:

- The transfer of U.S. quota to Morocco
- How much of the U.S. quota has been caught in recent years



# Atlantic Bluefin Tuna Fishery Update: Management and Recent Trends

- Suggestion to have LPS timing match up with the changing of the fish distribution
- Concerns about potential negative impacts from 10-knot speed rule
- Questions about BFT Angling and General category inseason actions:
  - Potential closure of the Gulf of Maine Trophy Area
  - Angling category retention limit adjustment timing
  - General category retention limit adjustments if landings are high in June
  - General category quota reallocation to allow fishing November 1
- Support for the reductions in BFT dead discards by the PLL industry
- Comments regarding Angling category and General category reporting compliance rates
- Concerns about lower revenues/BFT exports and questions about extent to which NMFS can get involved with pursuing domestic market alternatives (and linkage to National Seafood Strategy)
- Suggestion to require all vessels fishing for HMS to use AIS to aid compliance and enforcement
- Question regarding the definition of a headboat
- Concerns with U.S. domestic market accepting international fish products



# Rulemaking Update

- Regarding **rulemakings**, concerns about the overall size and complexity of current actions; plain language would help improve understand of actions; need transparency on how the comments changed the actions; NMFS should have more flexibility for trip limits for all species
- Regarding **outreach**, increased facetime with local constituents (local docks, boat shows, tournaments, etc.) would improve spreading the word of actions; revise email outreach by species and user group; look at new ways to communicate (social media, text messages) and more advanced notice; need better translators and document translations
- Regarding the **hearing attendance**, Councils are dealing with the same attendance issue; support for both in-person and virtual webinars; rulemaking action drives attendance levels; need more evening hour hearings; solicit AP members on hearing locations; post webinars online for constituents; align public hearing location and times with council meetings



# EFH Final 5-Year Review

## Comments/Questions on Methodology:

- Concerns about continued use of Kernel Density / 95 PVC method to delineate EFH and existing QA/QC processes.
- Need to distinguish between “no updates are warranted” and “lack of scientific information available.”
- Consider a movement-based Kernel Density method.
- Provide more insights on how different data types are weighted.

## Comments/Questions on Communication:

- How best should AP members engage with NMFS on whether they agree or disagree with EFH boundaries? (*NMFS Suggestion: Visualization products that facilitate discussion*)
- How can AP members without datasets still contribute to ongoing discussions?
- Fishermen and stakeholders will need some education to provide good comments.

## Comments/Questions on Data:

- What tagging data is being used - does ICCAT have access to it?
- State of NJ has inshore trawl data that might be helpful. NOAA should contact state partners to identify available data.



# EFH Final 5-Year Review (con't)

## Comments/Questions on Non-Fishing Impacts:

- Has this evaluation taken into account the impacts of climate change - shifting stocks, shifting forage, shifting predator-prey relationships?
- Water quality and chemicals in the water could be impacting recruitment in our fisheries.
- NOAA should look for information on pharmaceuticals, water pollution, and chemicals.

## Comments/Questions on Habitat Areas of Particular Concern:

- In the 1970s there were reports of juvenile white sharks caught in the New York Bight. Never saw them until 2019. The renewal of this nursery area is real. White sharks are falling prey to different gears (e.g., trawl).



# Amendment 15

## **Fleet-wide EM cost allocation in the PLL fishery:**

- Widespread support for No Action at this time.
- Many expressed caution that the same financial and implementation concerns will apply when NMFS revisits.

## **Spatial management:**

- Mixed support and opposition to using monitoring areas and EFP research to collect data.
- Several comments noting reduction in PLL effort since implementation of closed areas.
- Questions about standards and transparency regarding review of bycatch reports in monitoring areas and conditions that would trigger a closure.
- Some opposition to vessel owner funding of enhanced EM in monitoring areas and requests for help complying with vessel-funded EM after the 1st year.
- Many clarifying questions on fishermen's requirements to fish in the monitoring areas.
- Questions about the EFP process to conduct research in spatial management areas and opportunities to provide public comment.





# Deepwater Horizon Restoration Update

## Clarification questions on potential projects:

- Are you using hotspot communication programs to reduce interactions with protected species and marine mammals?
- Characterization of Caribbean Fisheries Interactions with HMS:
  - Describe situation in the Caribbean with regards to blue marlin and yellowfin tuna reporting - is there a problem?
  - Title is less specific than what is being described by ICCAT.
  - Are you working with WECAFC?

## Comments:

- AP members identified some research needs (e.g., bluefin tuna DNA sampling, Slope Sea as a spawning aggregation site).
  - Note: The restoration activities being considered under the new Open Ocean restoration plan have not been described yet with this specificity.
- Restoration projects have made Vietnamese fleet feel included for the first time, and opened us up to do other things. Engaging the local communities is very important.



# Enforcement Updates

## AP members expressed:

- Concern about illegal sales of HMS to restaurants; uncertainty surrounding reporting procedures.
- Concern surrounding the Caribbean small boat permit and enforcement of downstream sales.
- Discussion regarding IUU fishing and protected species bycatch by Mexican vessels, repeat offenders, and partnerships to document IUU catch.
- Concern regarding the necessity of boarding of vessels with inspection decals.
- Support for using AIS on PLL gear to prevent gear entanglements and ghost gear.
- Discussion surrounding USCG recruitment shortages and support for hiring civilians.
- Suggestion to modify regulations to allow small amounts of tuna for personal use.



# Fishing Gear Considerations

- Overall support to increase fishing opportunities, and maintain maximum flexibility.
- Regarding **buoy gear**, general support for allowing power assist; some opposition to authorizing this gear for Swordfish General Commercial permit holders; some concern regarding gear conflict.
- Regarding **deep-set PLL**, support for and opposition to revising the current PLL definition; opposition to enhanced communication or additional hail out requirements; regional differences need to be considered; deep sets should be identified to correct for selectivity/CPUE in catch data.
- Regarding **small bait collection nets**, support to modify regulations to allow nets; suggestions regarding definitions for bait collection gear (e.g., mesh sizes, gear definitions from other regions or states).
- Regarding **spearguns**, no objections to increasing fishing opportunities with spearguns, but safety and gear conflict concerns were expressed.



# Atlantic Shark Fishery Update: management and recent trends

- Regarding the **Shark Fin Sales Elimination Act**, frustration concerning impacts on the commercial fishing industry (i.e., on the market) and the wastefulness of discarding fins; AP members recognized that modification of the Act would need to be addressed through Congress.
- Regarding **shark depredation**, concerns about impacts to recreational fishing (including tourism) and commercial fishing due to the loss of depredated catch and damaged fishing gear; identified need to better characterize the extent of shark depredation and to develop shark deterrent strategies.
- Regarding **fisheries management**, frustration that NMFS is not responding quickly to the needs of the shark fishery; urged NMFS to break Amendment 16 up into multiple, smaller actions that could be implemented quickly to maximize harvest and optimize full utilization of available quotas.
- Regarding the **market**, concerns about negative impacts of CITES listings on the shark meat market that is already very small; urged NMFS to take steps to better highlight sharks as a sustainable seafood choice (e.g., FishWatch, updated NMFS online content).



# Leadership Update

## AP members expressed:

- Opposition to industry funding of EM in monitoring areas to collect data for research
- Concern about the effect of seafood imports such as swordfish on U.S. commercial fishermen and dealers
- Support for more regulatory flexibility for commercial sector to take advantage of rebuilt stocks
- Concern about reduced funds in grant programs such as the Cooperative Research Program
- Concern about the level of effectiveness of EEJ efforts for the Gulf of Mexico Vietnamese fishing fleet



# Logic Model Description for Exploring Fishery Issues

## Comments:

- Note that this modeling tool can help crystallize or clarify topics, though confounding elements may pose an issue.
- Recommendation to try the logic model process with something innocuous at first.
- Request to explain how to read the plots and learn more about the modeling process to achieve buy-in from stakeholders. Specific question regarding the sources of assumptions in the model.
- Suggestion that the information to feed the models is critical to generate meaningful results
  - Ex. lots of unknowns about shark depredation from Gulf of Mexico logic model workshops
- The presentation prompted several questions about how the modeling process occurs such as:
  - How are the central topics decided? How is what is included or excluded decided? How are uncertainty or differing opinions treated?
  - Dropdown menu that describes model type (e.g., sigmoid was default) - how are model type options selected from the dropdown menu, and what factors decide that relationship?



# Public Comments

## Sharks

- Concerns regarding shark depredation of fish during tournaments.
- Dissatisfaction with the Shark Fin Sales Elimination Act:
  - concern that the Act is leading to an increase in unsustainable finning practices outside of U.S.;
  - concern that the domestic shark fishery will collapse;
  - encouragement for outreach and promotion for shark meat market by NMFS.
- Suggestion to educate the public on the benefits of eating shark meat and dispelling misinformation about toxicity and overfishing; request for NMFS to promote sharks as a sustainable seafood option.
- Suggestion for compensation for SRF participants; operating costs vastly outweigh meat sales without being able to sell fins; desire for domestic shark fin market.
- Support for the Endangered Species Act listing of oceanic whitetip shark; interest in the species recovery plan; suggestion for NMFS to establish a recovery team of stakeholders.
- Concern regarding the stock status of the common thresher and that the quota is too high; suggestion to prioritize the evaluation of thresher stock status; support for NMFS to commit to long-term prohibition of shortfin mako shark.
- Warming waters are pushing small coastal sharks northward; movement and migration data exists for various shark species.





# Public Comments (con't)

## Fishing Gear Considerations:

- Support for electric and hydraulic assist for buoy gear.
- Endorsement of spearfishing as a method to commercially harvest tuna.

## Uncategorized Public Comments:

- Regarding the denial of the Harpoon category petition, disappointment with NMFS's decision and suggestion that NMFS make efforts/changes to collect data on Harpoon category activity that was the subject of the request (regarding harpooning near mobile-gear fishing vessels).
- Request for NMFS to promote a sustainable seafood certificate to support domestic seafood market; request for help from NMFS in promoting U.S.-caught seafood.
- Ethnic enclaves in large cities are important consumers of underutilized fish.
- Encouragement for NMFS to send physical outreach documents and mailers for fishermen who aren't tech savvy and to hold more workshops; provide a specific NMFS point of contact/phone number to answer questions.
- Request to move faster on large FMP Amendments by breaking them into smaller actions.
- Opposition to increasing dealer reporting requirements, e.g., reporting gear type used.

