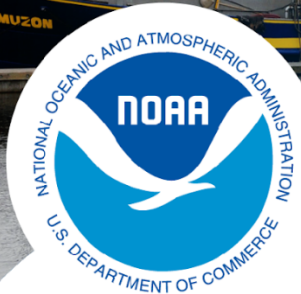


Tab M, No. 4

Draft Amendment 14 Shark Quota Management



NOAA
FISHERIES

Office of
Sustainable
Fisheries

Atlantic Highly Migratory Species Management Division

Fall 2020

Acronyms

- ABC - Acceptable biological catch
- ACL - Annual catch limit
- AM - Accountability Measure
- F - Fishing mortality
- F_{MSY} - Fishing mortality at maximum sustainable yield
- MFMT - Maximum fishing mortality threshold
- OY - Optimum yield
- SDC - Status determination criteria
- TAC - Total allowable catch
- OFL - Overfishing limit

National Standard 1 (NS1) Guidelines

- NS1 requires that management measures:
 - Prevent overfishing
 - Achieve OY on a continuing basis
- NS1 guidelines provide guidance on how to achieve these requirements
- 2016 revisions to NS1 guidelines allow for increased management flexibility as a result of lessons learned through the implementation of ACLs and AMs
- Generally, $OFL > ABC > ACL$ (may consider $OFL=ABC=ACL$ if sufficient analysis and justification on preventing overfishing)

History of HMS SDCs and ACLs

- The 1999 Fishery Management Plan (FMP) for Atlantic Tunas, Swordfish, and Sharks and the 1999 Billfish FMP Amendment 1 defined the SDCs
- The 2006 Consolidated Atlantic Highly Migratory Species (HMS) FMP incorporated the SDCs without changes
- Amendment 3 established ACL mechanism for federally managed sharks
- Amendment 5b clarified that the ACL for prohibited shark species = 0; Amendment 14 does not propose changing the ACL for prohibited shark species

Objectives for Amendment 14

- Optimize the ability for the commercial shark fishery to harvest shark quotas, while also considering fairness among sectors
- Revise the ABC control rule methodology to increase accountability and transparency when implementing ABCs for shark fisheries
- Revise the ACL framework to reflect changes in the ABC control rule methodology
- Modify the process for accounting for and distributing quota underharvest or overharvest in the commercial sector ACLs
- Increase management flexibility to react to and account for changes in the distribution of shark harvest among sectors
- Increase management flexibility to appropriately react to scientific uncertainties, changes in stock status, or changes in allowable harvest levels to ensure stability within the fishery

Management Options Considered

- Topic A: ABC Control Rule (Options A1-A3)
- Topic B: Phase-In ABC Control Rule (Options B1-B4)
- Topic C: ACL Development (Options C1-C6)
- Topic D: Carry-Over of Underharvested ACL (Options D1-D6)
- Topic E: Multi-Year Overfishing Status Determination Criteria (Options E1-E3)

ABC Control Rule Options

Option A1: No Action; maintain existing ABC methodology
(OFL = ABC = TAC = Sum of Sector ACLs)

Option A2: Create a standardized ABC control rule

Option A3: Create a tiered ABC control rule (Preferred Option)

- The tiers may be assessment level focused or based on scientific uncertainty
- Will be implemented for all authorized shark species

Phase-in ABC Control Options

Option B1: No Action. Do not use phase-in ABC control rule for HMS stocks

Option B2: Allow consideration of phase-in ABC control rule for modifications in ABC (Preferred Option)

- Would be evaluated on a stock by stock basis
- Any reduction/increase in ABC, regardless of stock status, could be phased in over a three-year period
- Some factors that could influence the use of phase-in could be percentage change in ABC and impacts on the market

Option B3: Use phase-in ABC control rule for healthy stocks; no phase-in for overfished/overfishing stocks

Option B4: Use a phase-in ABC control rule, unless the stock is overfished with overfishing occurring

ACL Development Options

Option C1: No action. No change to current mechanism for determining ACLs

Option C2: **Actively manage sector ACLs (commercial and recreational)**
(Preferred Option)

- All sectors will have an ACL which will be evaluated on a regular interval

Option C3: Establish a “reserve” sector ACL

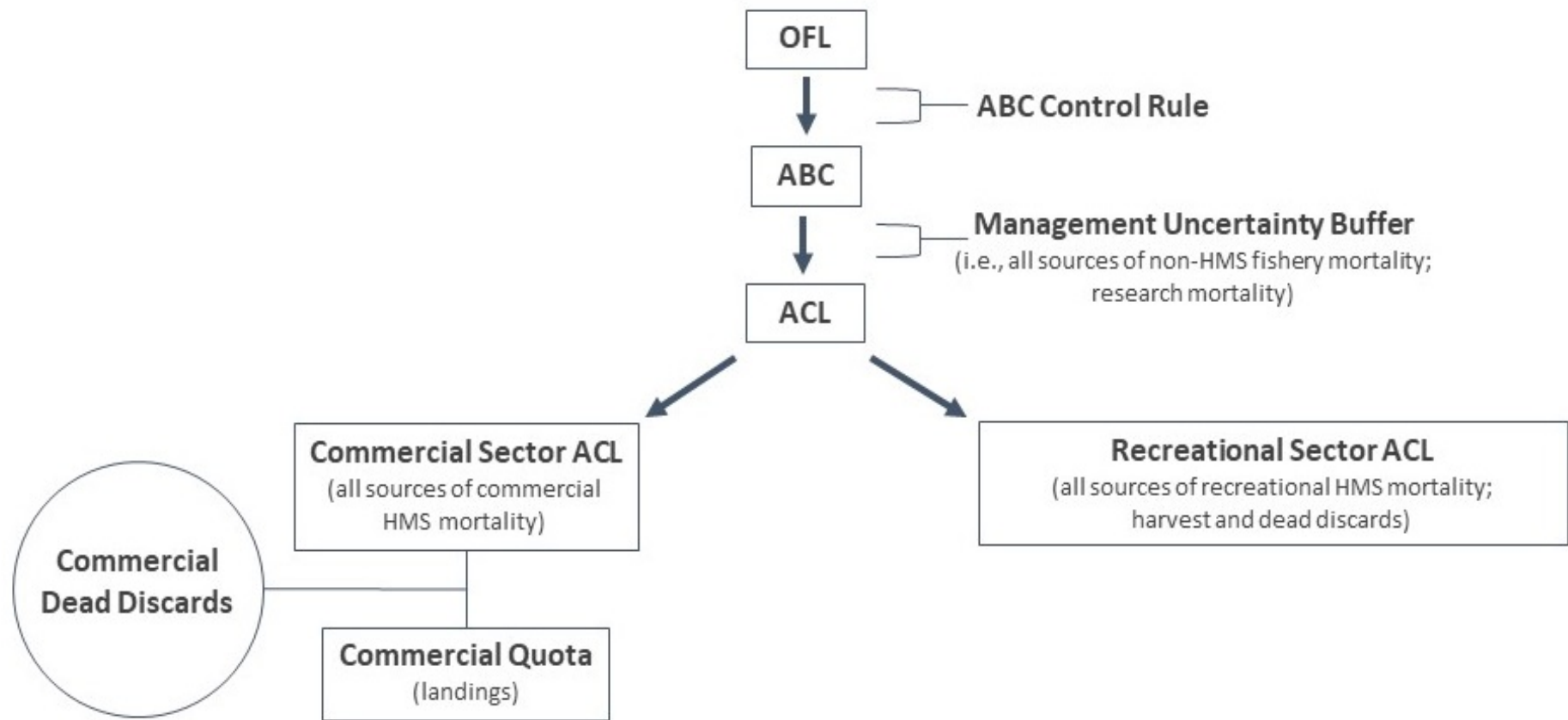
Option C4: Establish ACL for each management group as a whole, without focus on individual species

Option C5: **Establish ACL for each shark management group, without commercial ACL quota linkages (Preferred Option)**

- Management groups will not have species linkages, and therefore, will not close when one species has reached its quota

Option C6: Create species-specific ACLs with commercial ACL linkage

ACL Framework for Non-Prohibited Shark Species



- The ACL framework is under preferred Management Option C2 (Figure 2.1)

Carry-over of Underharvested ACL Options

Option D1: No Action: Allow up to 50% carry-over of commercial landings sector ACL if stock is only healthy

Option D2: Distribute any unused catch to the sector where the underharvest occurs

Option D3: Distribute any unused catch across all sectors based on the regulatory proportion of the sector distribution

Option D4: Distribute any unused portion of ACLs to the “reserve” sector ACL

Option D5: Allow limited carry-over of any underharvest to be distributed equally

Option D6: **Allow carry-over only for underharvests of commercial quotas (landings only) under certain conditions (Preferred Option)**

- Stocks that are healthy, have overfishing occurring, or have an unknown status would be eligible for carry over of commercial quota
- Carry-over will not occur for stocks that are both overfished and subject to overfishing
- This option restricts the available underharvests that can be carried over to ensure the ABC is not exceeded per NS1

Multi-Year Overfishing Status Determination Criteria Options

Option E1: No Action: Do not allow for multi-year overfishing SDC; overfishing when $F > MFMT = FMSY$

Option E2: Change stock status annually in response to fishing mortality estimates

Option E3: Compare a 3-year average of fishing mortality to the OFL to determine overfishing status (Preferred Option)

- Using a rolling average would help account for the recent data uncertainty
- Could determine if a stock is/is not subject to overfishing
- Would not be used to determine or change “overfished” stock status

Potential Timeline

- December 7, 2020 – HMS Advisory Panel Meeting
- December 31, 2020 – Public Comment Period Ends
- Winter/Spring 2021 – Review Public Comment
- Mid-2021 – Release Final Amendment 14; begin process for adjusting shark quotas per new framework

Amendment 14 website

<https://www.fisheries.noaa.gov/action/amendment-14-2006-consolidated-hms-fishery-management-plan-shark-quota-management>



NOAA FISHERIES

Request for Public Comments

Comment period closes on:
December 31, 2020



Please submit comments to:
<http://www.regulations.gov>
Keyword - "NOAA-NMFS-2019-0040"

For more information go to the [HMS website](#) or contact:
Guy DuBeck Guy.DuBeck@noaa.gov and
Karyl Brewster-Geisz Karyl.Brewster-Geisz@noaa.gov
at (301) 427-8503