



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.

Submit Comments by October 23, 2013:

NMFS will hold numerous public hearings for this rulemaking along the Atlantic Coast, including the Caribbean and Gulf of Mexico regions until the end of the comment period. During these hearings, NMFS will receive public feedback on the proposed management measures. In addition, NMFS will consult with the HMS Advisory Panel at its September 9-12, 2013, meeting, and there will be additional opportunities for public comment. Dates, times and locations of the public hearings are available at www.nmfs.noaa.gov/sfa/hms/AM7.htm. NMFS has also asked to present information on the proposed rule and Draft Amendment 7 to the Gulf, South Atlantic, Mid-Atlantic, and New England Fishery Management Councils. Information on the date and time of that/those presentations will be provided on the Council agenda(s).

You may submit comments (identified by “NOAA-NMFS-2013-0101”) through October 23, 2013, by using any one of the following methods:

- Electronic Submissions: Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to www.regulations.gov#!docketDetail;D=NOAA-NMFS-2013-0101, 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

Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and generally will be posted for public viewing on www.regulations.gov without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

This notice is a courtesy to Atlantic HMS fishery participants to help keep you informed about the fisheries. 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, contact Thomas Warren at 978-281-9260. Copies of the proposed rule and supporting documents are available upon request from the HMS Management Division at (978) 281-9260. The information is also available at www.nmfs.noaa.gov/sfa/hms/AM7.htm.

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