



NOAA Fisheries Considering Increasing Opportunities to Sustainably Harvest Swordfish

In a few months, complying with swordfish minimum size requirements might be a little easier. NOAA Fisheries Service recently proposed a new minimum size measurement. The proposed change would mean that dressed swordfish (gutted with the head and tail removed) could be retained as long as the cleithrum-to-caudal-keel (CK) measurement is 25" or greater, which is 4" smaller than the current CK minimum size.

This smaller CK size is not a reduction in the swordfish minimum size. Rather, it is a size that more closely equates to the existing lower jaw-fork length (LJFL) measurement.

Currently, US fishermen must ensure that swordfish measure at least 47" LJFL if the head is attached to the body or 29" CK if the head has been removed. In most instances, swordfish meet both of these minimum sizes. But, there are some cases when a fish meets only one.

Just like people, swordfish come in all shapes and sizes: short, squat fish; long, lean fish; and everything in between.

Some swordfish that measure 47" LJFL might measure less than 29" CK. In order to legally retain a swordfish that meets the LJFL measurement but not the CK measurement, the head must remain attached to the body.

This does not present a problem if a fishermen wishes to leave the head on the fish, as is the case for many recreational anglers, but it can create complications if a fishermen does not need or want the head. This is particularly true in the commercial fishery where packing the fish well in ice is essential since the fish are going to be sold for consumption by the general public.

That is where the new 25" CK minimum size comes in. The new 25" CK is an equivalent measurement for a greater number of 47" LJFL swordfish than the current 29" CK minimum size.

Consequently, fishermen would rarely need to keep the head on a swordfish to prove that it meets the minimum size, simplifying compliance and increasing fishing and storage efficiency.

Simplifying enforcement and compliance could lead to an increase in the number of fish retained, but NOAA Fisheries expects that this increase would be modest and well within the minimum size requirements established by the International Commission for the Conservation of Atlantic Tunas.

And, the best part is that all of these benefits can be realized without impacting the sustainability of the North Atlantic swordfish fishery. This measure, if implemented, would not reduce the scientifically determined minimum size for swordfish and would continue to ensure a sustainable harvest.

Total landings also would continue to be constrained

by the allocated quota. Modifying the CK measurement for dressed swordfish really could be a win-win situation for fishermen and swordfish. The 25" CK minimum size may become effective later this year.

Amendment 8

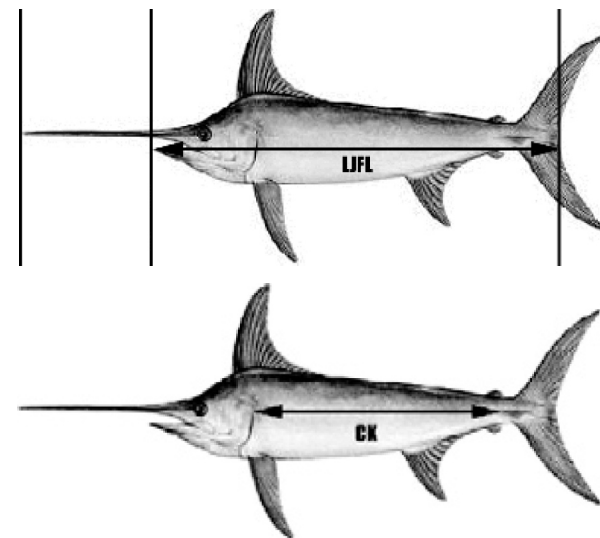
NOAA Fisheries also is considering changes to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP) through Amendment 8 to the HMS FMP that would provide additional opportunities to sustainably harvest swordfish.

In recent years, the North Atlantic swordfish stock has experienced significant growth due largely to ongoing domestic and international conservation measures designed to reduce mortality, protect juvenile swordfish, monitor international trade, reduce bycatch, and improve data collection. The 2009 ICCAT stock assessment found the North Atlantic swordfish population to be fully rebuilt and that overfishing is no longer occurring.

Although NOAA Fisheries' fishery revitalization efforts and the increased availability of fish due to stock rebuilding have resulted in a 40% increase in domestic catch since 2006, additional revitalization action may be necessary.

As the swordfish stock rebuilds, more fish recruit to larger sizes, which increases the economic viability of gears with lower bycatch interaction and post-release mortality rates (e.g., handgear such as rod and reel, handline, bandit gear, and harpoon). Amendment 8 considers establishing a new swordfish permit to increase access by these gear types.

The HMS Advisory Panel reviewed a predraft of a possible amendment in March 2012. The predraft and



the AP presentation can be found online under "Day 2 meeting materials" at www.nmfs.noaa.gov/sfa/hms/Advisory%20Panels/AP2012/Spring/Agenda.htm.

The predraft presents a range of options that could be considered in the creation of this new permit. Advisory panel members provided thoughtful feedback that will be incorporated into alternatives for a proposed rule, which is expected to be published later this summer.

NOAA Fisheries is still considering next steps for the proposed rule, and we encourage interested individuals to share their thoughts on the predraft.

Please call Rick Pearson or Randy Blankinship at (727) 824-5399 for more information on Amendment 8. For information on Amendment 8 or the new swordfish minimum size, please call (301) 427-8503.

Watch for Socio-economic Surveys this Summer

Last year, NOAA economist Drew Kitts and his colleagues at the Northeast Fisheries Science Center (NEFSC) reported on fishery revenues and employment for one segment of the Northeast commercial fisheries – groundfish. Despite being the most detailed look yet at an ongoing fishery's performance, the results left many wanting more.

What was missing?

"The people," said Matt McPherson. "It's as simple and as complicated as that. To truly understand and measure fishery performance, we need more than trip revenue, effort, costs, and employment, and we don't have it right now."

McPherson leads the NEFSC Social Science Branch. This team has been working toward comprehensive evaluations of fishery performance for about three years. To make comprehensive evaluations, they need

to fill the data gaps by getting better information on fishery businesses, communities, income, and attitudes across the region and across all fisheries.

Tammy Murphy is the NEFSC's point person on the multi-year effort, which includes a series of surveys that will start this summer.

"Telling us more about your situation will be voluntary," said Murphy. "Collecting this information is absolutely essential to showing how fisheries and fishermen are faring as management and fishery stock conditions change."

NOAA Fisheries Service now collects some financial information and a bit of social data from vessel owners, but there's nothing on either for crew. Because the data gaps and ways of connecting with owners and crew differ, two different surveys for social and economic

See *SURVEYS*, next page

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High Rate of Harbor Porpoise Take Results in Fall GOM Gillnet Closure

In 2010, NOAA Fisheries Service implemented a “consequence closure” strategy to ensure compliance with the Harbor Porpoise Take Reduction Plan’s (TRP) pinger requirements.

The plan aims to reduce harbor porpoise bycatch in gillnets through a variety of measures. Consequence closure areas are specific areas of historically high levels of harbor porpoise bycatch that seasonally close if the average bycatch rates over two consecutive management seasons in surrounding management areas exceed a specified rate.

Under the TRP, if the combined harbor porpoise bycatch rate in the three Gulf of Maine management areas – Mid-Coast, Massachusetts Bay, and Stellwagen Bank – exceeds 0.031 harbor porpoises per metric ton of fish landed after two consecutive management seasons, the Coastal Gulf of Maine Consequence Closure Area will be closed to gillnet fishing each year during the months of October and November.

The 0.031 figure is equivalent to one harbor porpoise take per 71,117 pounds of fish landed.

NOAA Fisheries Service recently completed the analysis of the bycatch rates for these areas for the first management season, which was September 2010 through May 2011, and determined that the bycatch rate for the Coastal Gulf of Maine Consequence Closure Area exceeded the target rate.

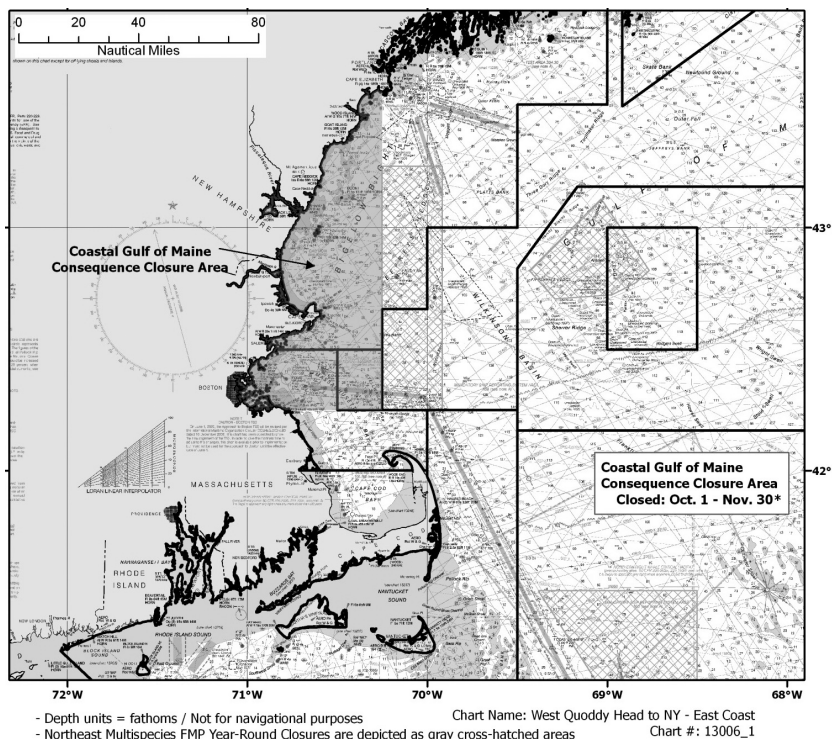
In fact, the bycatch rate in the Coastal Gulf of Maine Consequence Closure Area for that time period was more than *twice* the target bycatch rate.

Therefore, it was so high that the two-season average – September 2010 through May 2011 season and September 2011 through May 2012 season combined – cannot be reduced below the target bycatch rate for this area, even if no harbor porpoises are observed captured during the second season.

As a result, beginning Oct. 1, 2012 through Nov. 30, 2012, the Coastal Gulf of Maine Closure Area closure will be in effect and will remain in effect annually during October and November each year until further notice.

Other areas

For the Southern New England Management Area, the TRP further specifies that a harbor porpoise bycatch rate of over 0.023 harbor porpoises per metric ton landed – equivalent to one harbor porpoise take per 95,853 pounds of fish landed – after two consecutive management seasons will result in the closure to gillnet fishing of both



Please note that this figure depicts the location of Coastal Gulf of Maine Consequence Closure Area. This closure area will be in effect from Oct. 1, 2012 through Nov. 30, 2012 and will remain in effect annually during this timeframe until further notice.

the Cape Cod South Expansion Consequence Closure Area and the Eastern Cape Cod Consequence Closure Area each year from February through April.

Surveys *Continued from previous page*

data collection have been developed – one for each.

About 800 owners will get the survey, which will be sent and responded to by mail. It will be available in English, Spanish, and Portuguese. The crew survey will be conducted face-to-face on the docks with about 1,300 willing participants. It will continue for a year to capture seasonality and port diversity.

Survey responses are considered confidential data, just like vessel trip, observer, and dealer reports.

Much of the data collection is new, so Murphy is hoping for a high return rate.

“The more responses we get, the more accurate our results can be,” she said.

Monthly updates

An annual vessel cost survey for vessel owners, last conducted in 2009, has been significantly redesigned with the help of fishermen. It also will be distributed to gather more detailed cost information across different fisheries, gear types, and vessel sizes than that collected by fishery observers. About 1,600 vessel owners will receive it by mail.

Low compliance with pinger requirements is the primary cause of high harbor porpoise bycatch rates.

The bycatch rate for the Eastern Cape Cod and Cape Cod South Expansion Consequence Closure Areas has not exceeded the target rate, therefore, this consequence closure area will not be implemented at this time. A second analysis of bycatch rates for this area will be conducted at the end of the 2012 management season.

Low compliance with pinger requirements is the primary cause of high harbor porpoise bycatch rates. We urge gillnetters to comply with pinger requirements by using the appropriate number of functional pingers to prevent the implementation of additional closure areas, which will be required if harbor porpoise bycatch levels remain too high.

We would be happy to review the pinger requirements with you, and let you know how to determine whether or not your pingers are working properly.

For more information, please visit the Harbor Porpoise Take Reduction Plan website at <www.nero.noaa.gov/hptrp> or call the Northeast Regional Office Protected Resources Division at (978) 281-9328.

Aside from natural reluctance to provide detailed information on our lives to the government, we’re also awash in surveys. A quick Google search for “take our survey” nets more than 43 million hits in a fraction of a second. McPherson and his group understand that these dynamics present a challenge.

“We have been talking to fishermen and have heard that they’ve taken other surveys but have not been kept informed about what happens to the data collected or how they are used” he said. “We are listening, and we are working hard to do a better job.”

The NEFSC Social Sciences Branch intends to post monthly updates about the surveys on its website and to send a final report on the results to all participants.

“Fishermen have told us that our analyses do not reflect the complete story of the economic and social effects of fisheries regulations on fishermen, ports, and communities,” said Murphy. “If you believe that the cost of running a fishing business and factors like family well-being, job satisfaction, and access to health insurance should be part of story when policy decisions are made, then tell us the story” she said. “We need the story directly from the people who are living it.”

For more information, call Tammy Murphy at (508) 495-2054 or e-mail her at <tammy.murphy@noaa.gov>.

Changes Implemented for the Northeast Small-Mesh Fishery

NOAA Fisheries Service has implemented a final rule affecting the small-mesh multispecies fishery. The measures that became effective on May 1, 2012 establish annual catch limits and accountability measures for silver hake, red hake, and offshore hake.

The specific measures include:

- A stock area-wide acceptable biological catch;
- Annual catch limits and total allowable landings (TAL) limits for the four stocks of small-mesh multispecies – northern red hake, northern silver hake, southern red hake, and southern silver and offshore hake combined;
- An in-season accountability measure that would be triggered if 90% of the TAL is reached and would reduce the possession limit of red hake to 400 pounds and the possession limit of silver and offshore hake combined to 1,000 pounds; and
- A pound-for-pound payback if an annual catch limit is exceeded.

These regulations were put in place by NOAA Fisheries Service. The New England Fishery Management Council is nearly finished with an additional action that will impact the small-mesh multispecies fishery. We expect the council to adopt the overall catch limit structure, but some of the measures may be changed in Amendment 19 to the Northeast Multispecies Fishery Management Plan.

The council is proposing to increase the incidental possession limit to 2,000 pounds for silver hake and offshore hake combined for both stock areas. It also is recommending a 5,000-pound year-round possession limit for both stocks of red hake.

The council prefers a yearly stock-wide TAL in the southern area, but it would switch to a quarterly system if two-thirds of a TAL were harvested in a year so that landings will be evenly distributed throughout the year.

Instead of the “pound-for-pound” payback that would occur if the annual catch limit is exceeded, the

council proposes to reduce the incidental possession limit trigger – currently 90% – by the same percentage that the limit was exceeded. That is, if the annual catch limit is exceeded by 5% in one year, the incidental possession limit trigger for a later year would be 85%.

Lastly, to improve catch monitoring, the council is proposing to require vessel owners fishing for small-mesh multispecies to send in vessel trip reports on a weekly basis instead of monthly.

Also, a measure was added in April that would increase the combined possession limit for silver hake and offshore hake from 30,000 pounds to 40,000 pounds for vessels using mesh that is 3” or larger in the southern area. This measure will be discussed and voted on at the June 2012 council meeting in Portland, ME.

For more information, call Moira Kelly, Sustainable Fisheries Division, at (978) 281-9218 or e-mail her at <moira.kelly@noaa.gov>.

FW 47 Sets New Groundfish Catch Limits, Management Measures for '12

Last year, NOAA Fisheries Service supported efforts to pass new legislation that provides more flexibility in setting annual catch limits for groundfish stocks shared with Canada.

We implemented emergency measures in 2011 for Georges Bank yellowtail flounder so fishermen could immediately benefit from the legislation. As a result, Framework 47 to the Northeast Multispecies Fishery Management Plan extends the rebuilding timeframe for Georges Bank yellowtail flounder to 2032, enabling a more gradual rebuilding strategy and providing better fishing opportunities.

The new measures also give groundfish fishermen more opportunities to catch Georges Bank yellowtail flounder. If the scallop fishery does not catch its entire quota of Georges Bank yellowtail flounder, any remaining quota can be transferred to the commercial groundfish fishery. Any additional groundfish quota will be divided between sectors and the common pool fishery, which may help minimize some of the impacts of the reduced 2012 Georges Bank yellowtail flounder allocation.

Framework 47 removes some gear-restricted areas for common pool vessels that are no longer needed. Beginning in 2010, common pool vessels were required to use selective gear in certain areas in Southern New England and on Western Georges Bank. Removing these gear restrictions gives common pool vessels more flexibility and may result in greater landings of some groundfish stocks that are currently underutilized by the common pool fishery.

The accountability measures for several groundfish stocks that are not currently allocated to sectors also were revised. Gear-restricted areas were established for sector and common pool vessels if the total catch limit is exceeded for windowpane flounder or ocean pout. In addition, if the total catch limit for Atlantic halibut is exceeded, possession of this stock will be prohibited for sector and common pool vessels. These measures apply to all commercial groundfish vessels.

Further, a number of increased fishing opportunities were created for the Atlantic sea scallop fishery. Because the scallop fishery is restricted by a yellowtail

flounder annual catch limit, Framework 47 removes the cap on the amount of yellowtail flounder that can be caught in the scallop access areas. Also, the amount of yellowtail flounder that can be caught before an accountability measure is triggered for the scallop fishery was increased.

Use of the mid-size Ruhle trawl also was approved to enable smaller groundfish vessels to reduce bycatch of yellowtail flounder and other stocks while targeting other groundfish species.

More information on these changes is available online at <www.nero.noaa.gov/sfd/sfdmulti.html>. You also may call Sarah Heil, NOAA Fisheries Service's Sustainable Fisheries Division, at (978) 281-9257 or e-mail her at <Sarah.Heil@noaa.gov>.

Summary of Framework 47 measures:

- Sets catch limits for 2012-2014 for nine groundfish stocks;
- Sets total allowable catches for three stocks that are managed in cooperation with Canada;
- Extends the Georges Bank yellowtail flounder rebuilding schedule;
- Allows unused Georges Bank yellowtail flounder quota to be transferred from the scallop fishery to the groundfish fishery;
- Revises the accountability measures for six groundfish stocks; and,
- Modifies yellowtail flounder management measures for the Atlantic sea scallop fishery.

Rec Bluefish Quota Shared with Commercial Industry

The Atlantic Bluefish Fishery Management Plan is unique because it allows a transfer of total allowable landings (TAL), or quota, from the recreational sector to the commercial sector.

This tool, available since 2000, provides a way to minimize the adverse economic impact of closing the commercial bluefish fishery when quota is still available in the overall fishery.

Any bluefish quota remaining after the expected recreational harvest is accounted for can be transferred from the recreational to the commercial fishery as long as the final commercial quota does not exceed 10.5 million pounds.

As part of the annual quota setting process, an annual catch limit (ACL) is established and then divided into catch targets for the commercial and the recreational fisheries.

The commercial catch target is 17% of the ACL and the recreational target is 83% of the ACL. Estimated discards in each fishery are then accounted for and deducted from the catch targets to determine the initial commercial and recreational quotas.

For 2012, the initial commercial TAL was 5.447 million pounds, while preliminary recreational total allowable landings equaled 22.819 million pounds.

However, the maximum transfer of 5.052 million pounds was made from the recreational fishery to the commercial fishery, which resulted in a maximum commercial quota of 10.5 million pounds and a recreational harvest limit of 17.767 million pounds.

It was possible to transfer this amount because the resulting recreational harvest limit was greater than the expected recreational harvest for the year.

NOAA Fisheries Service recently published the final 2012 Atlantic bluefish commercial and recreational quotas. The final quotas were adjusted based on updated information on research set-aside landings and state-level quota overages and/or transfers. The final commercial bluefish quota is 10.317 million pounds and the recreational harvest limit is 17.457 million pounds.

For more information, please call Carly Bari of NOAA Fisheries' Sustainable Fisheries Division at (978)-281-9224 or e-mail her at <carly.bari@noaa.gov>.

Northeast Port Biological Sampling Program: Collecting Critical Stock Assessment Data

Since the 1930s, NOAA Fisheries Service's biological sampling program has been collecting information and materials from fish species landed at ports throughout the Northeast region on a daily basis.

These samples complement information collected through the Northeast Fisheries Science Center (NEFSC) observer and research survey programs by providing data on the ages of landed fish, which helps to determine the stock structure of sampled species.

Samples are collected throughout the year from most species, market categories, gears fished, and stock areas.

Every day, members of our staff, based in port offices from Portland, ME to Hampton, VA, go to seafood dealers, packing companies, and auction houses to measure and collect scales and ear bones from commercially landed fish at the docks.

They work with company floor managers to see what fish is available and from which boats that day. Based on a quarterly listing of desired samples and a list of sampling already completed, the port sampler then collects samples from those stocks needed to complete quarterly requests.

It takes coordination between the dealer and the sampler to move fish around in a way that causes the least disruption and to leave the fish in as marketable

a condition as they were before sampling, minus an ear bone or two.

Once a plan for the day has been developed, the sampler measures up to 100 fish and removes age structures – ear bones (otoliths) or scales. They then send the collected parts to the NEFSC to determine the age of the fish measured. The samples and data collected by our staff at the docks are critical for determining the size makeup, age, and relative health of commercially landed fish. These data are used in the stock assessments conducted by the science center.

In 2011, our port sampling program collected almost 4,700 samples consisting of 50-100 individual measurements per sample. The samplers also measured at total of 330,000 fish and collected 52,000 age structures.

The sampling design depends on anticipated landings. Therefore, the most commonly landed fish are also the most frequently sampled species. Last year, samples were collected from approximately 40 species with cod, haddock and the flounders among the most commonly sampled.



Measuring cod.

While the program focuses on fish managed in the Northeast, we recently began working with the Southeast Fisheries Science Center to begin sampling bluefin tuna landed on the North Shore of Massachusetts.

For more information on this program, call Greg Power, Fisheries Data Services Division, at (978) 281-9304 or e-mail him at <greg.power@noaa.gov>.

NOAA Fisheries Begins Bluefin Tuna Scoping

In April, NOAA Fisheries Service announced the start of a public scoping process aimed at gathering input on potential adjustments to the management of the bluefin tuna fishery.

We are considering whether existing measures are the best means of achieving current management objectives and if they will provide the needed flexibility for future management actions.

We hope to identify all of the relevant issues that may be considered in the development of Amendment 7 to the 2006 Consolidated Highly Migratory Species (HMS) Fishery Management Plan (FMP).

The need for a comprehensive review of bluefin tuna management became apparent during another rulemaking process last year when many comments offered by the public indicated broad interest in updating bluefin management.

Some of the issues raised included: holding quota categories accountable for their own dead discards; changing domestic allocations among fishing categories; reducing bluefin tuna bycatch; improving monitoring of catch in all categories; examining time-area closures; and reducing dead discards in the pelagic longline fishery.

The HMS FMP Amendment 7 scoping document, including a description of these and other issues, is available online under the "Recent News" tab at <www.nmfs.noaa.gov/sfa/hms/hmsdocument_files/Tuna.htm>.

Accounting for dead discards is challenging, making the annual quota specification process difficult. Increasing catches, declining quotas, and recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT) are factors that have contributed to this challenge.

Recent ICCAT recommendations have had the effect of reducing the amount of unharvested quota that can be carried forward from one year to the next and also have eliminated a separate allowance of total allowable catch for dead discards.

Although we were able to manage the bluefin tuna fishery in recent years without going over the quota, these emerging challenges and issues highlight the need for revised measures to manage bluefin tuna effectively into the future and meet all management objectives and legal requirements. The Amendment 7 scoping process will begin to define approaches to address these challenges.

In May and June, we held public scoping meetings in the geographic areas most likely to be affected by changes to bluefin tuna management measures. These included meetings in Maine, Massachusetts, New Jersey, North Carolina, Florida, and Louisiana.

The deadline for public comment is July 15, 2012. Written comments should be submitted online at <www.regulations.gov>. In the "Search" box, type "NOAA-NMFS-2012-0082" and click "enter." Comments also may be submitted by fax at (978)

281-9340. Or mail comments to: Tom Warren, Highly Migratory Species Management Division, NMFS, 55 Great Republic Drive, Gloucester, MA 01930.

After scoping has been completed and public comment analyzed, we will prepare a draft Environmental Impact Statement (EIS) and proposed rule, which also will be available for public review and comment. The draft EIS will include the range of actions, alternatives, and impacts to be considered in Amendment 7.

The process of developing this fishery management plan amendment is expected to take two years. In addition to future HMS Advisory Panel input, public comment, and future analyses, there are other relevant upcoming events that may impact the development of Amendment 7.

These include: a bluefin tuna stock assessment that will take place this fall; a meeting of the Convention on the International Trade of Endangered Species in the spring of 2013; a revisiting of the "Species of Concern" designation for bluefin tuna under the Endangered Species Act during 2013; and the annual meetings of ICCAT in November 2012 and 2013.

For further information about development of Amendment 7 or to ask questions about how to submit scoping comments, please call Tom Warren at (978) 281-9347 or e-mail him at <thomas.warren@noaa.gov>.



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