



**NOAA FISHERIES**

# Federal Fisheries Governance and Management

## *Mechanisms for Implementing and Monitoring Marine Managed Areas*

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***177<sup>th</sup> Caribbean Fishery Management Council***

***Regular Meeting***

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# Federal Fisheries Governance and Fisheries Management

- ***Fisheries governance*** is the sum of the legal, social, economic, and political arrangements used to manage fisheries.
- **Governance structure: Fisheries management authorities, other institutional arrangements.**
- ***Fisheries management*** is the process that creates and enforces the rules that are needed to prevent overfishing and help overfished stocks rebound.<sup>1</sup>

<sup>1</sup> <https://www.lawinsider.com/dictionary/marine-managed-area>

# Federal Fisheries Management

- Fisheries management involves regulating:
  - *When, where, how, and how much* can be fished to ensure fish are available now and in the future by implementing management strategies for a particular situation.
  - Also evaluates or measures the success of those strategies and adapt them if desired outcome is not reached.
- Federal fisheries management effectiveness:
  - Tailored to local context – needs to make sense in a local setting.
  - Best informed by local knowledge, ecosystem approaches, participatory research – needs to be a team effort.
  - Success requires participation and cooperation from fishers and other stakeholders, federal and local governments, scientist, NGOs, academia.

# Overview – Marine Managed Areas (MMA)/ Marine Protected Areas (MPA)

**Marine Managed Areas:** named, discrete geographic marine or estuarine area designated by statute, ordinance, resolution, or administrative action, whose designation is intended to protect, conserve, or otherwise manage the marine life and resources within the area.<sup>1</sup>

- The term 'marine managed areas' (MMA) often is used interchangeably with 'marine protected areas' (MPAs). MPAs can also be a subset of MMAs.
- MPAs involve the protective management of natural areas according to predefined management objectives.
- MPAs exist along a spectrum of protections.

Classifications per Grorut-Colvert et al. 2019:<sup>2</sup>

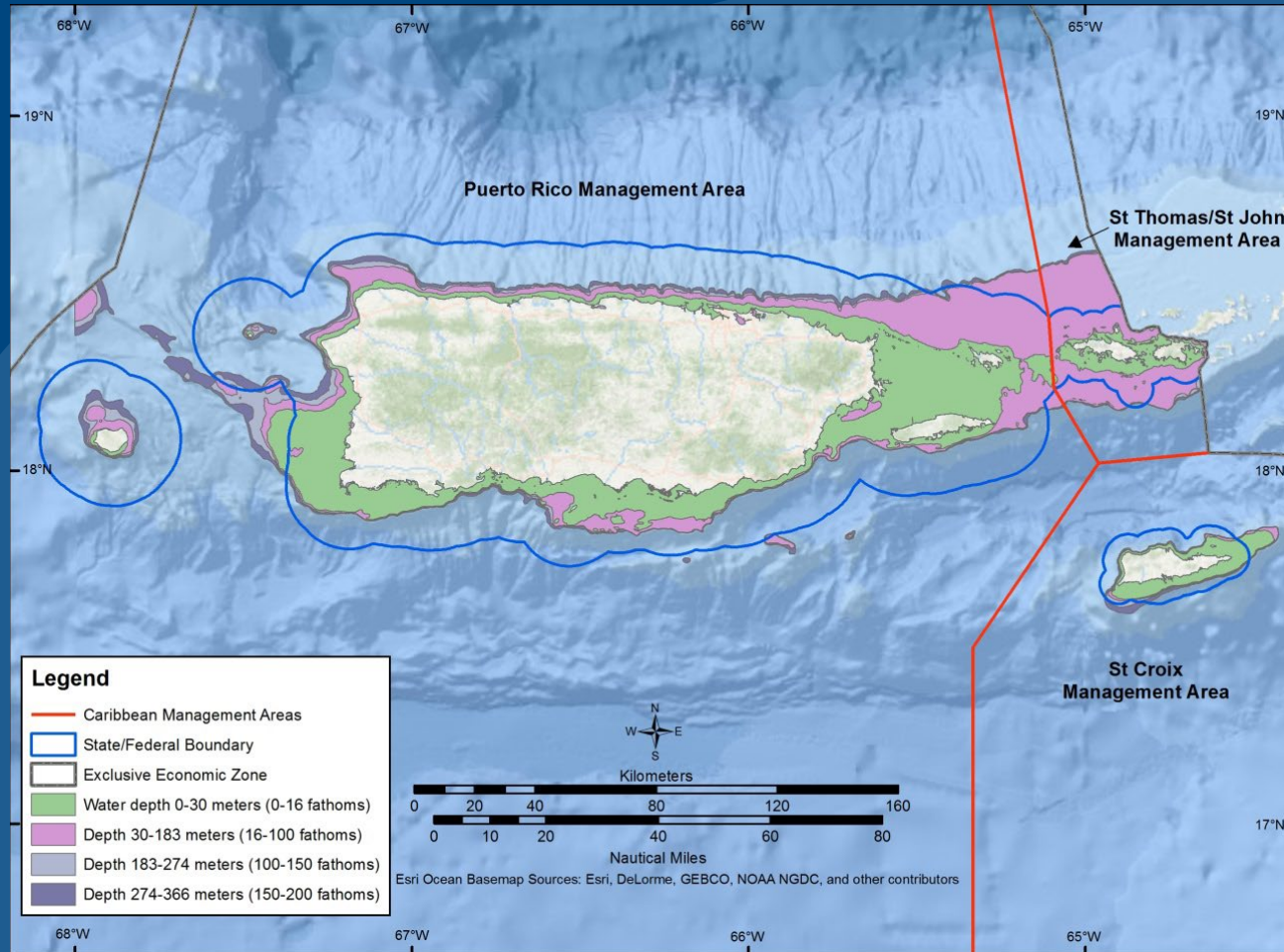
- 1) Minimally protected – may allow extensive extraction or lack enforcement, implementation or active management.
- 2) **Lightly protected - similar to fishery management areas (prohibit some activities but still allow commercial fishing with some restrictions).**
- 3) Highly protected – prohibit industrial extractive uses (national marine monuments).
- 4) Fully protected – prohibit all extractive activity.

<sup>1</sup> <https://www.lawinsider.com/dictionary/marine-managed-area>

<sup>2</sup> Grorud-Colvert et al. (2019)

<https://www.sciencedirect.com/science/article/pii/S0308597X18307371>

# U.S. Caribbean Exclusive Economic Zone (EEZ)



## Federal Waters:

USVI:

3-200 nm

Puerto Rico:

9-200 nm

## Federal Management

Caribbean Fishery  
Management Council  
(CFMC)

NOAA Fisheries-SERO

## Territorial Management:

USVI – DPNR

Puerto Rico – DNER

**CFMC manages species through fishery management plans\***

- Puerto Rico FMP - St Thomas and St. John FMP
- St. Croix FMP

**\*Magnuson-Stevens Fishery Conservation and Management Act (MSA)**

# Components and Connections

## *Federal fishery governance at the regional level*

### **NOAA Fisheries**

- Responsible for the stewardship of the nation's ocean resources and their habitat.
- Responsibilities mandated by legislation (e.g., the Magnuson-Stevens Act, the Marine Mammal Protection Act, the Endangered Species Act).

### **NOAA Fisheries Southeast Regional Office, Sustainable Fisheries Division**

- Responsible for conserving and managing marine fishery resources in federal waters of the Gulf of Mexico, Southeast U.S., and U.S. Caribbean.
- Works directly with the Southeast Fisheries Science Center.
- Works in partnership with the South Atlantic, Gulf, and Caribbean Councils to:
  - Assess and predict the status of fish stocks,
  - Set catch limits,
  - Ensure compliance with fisheries regulations, and
  - Reduce bycatch.

# Components and Connections

## Fishery Management Council Functions and responsibilities

- Draft Fishery Management Plans and amendments for fishery resources
- Creation of Advisory Panels (AP)

The Council benefits from the knowledge from persons from state and federal agencies, the academia, and the public.

- Scientific and Statistical Committee (SSC)
- Advisory Panel (AP) (e.g., District AP, Outreach and Education AP)
- Southeast Data, Assessment, and Review
- Public input
- Specify annual catch limits with a scientific base
- Develop along with the SSC, research priorities
- Conduct public hearings, information, and scoping meetings.

\*Council Fisheries Liaisons

# Mechanisms for Implementing/Modifying Fishery MMAs/MPAs

- Fishery Management Plan
- Amendments
- Frameworks Amendments
- Temporary rules (interim rules, emergency rules)

Regulations to implement actions in the amendment, etc.

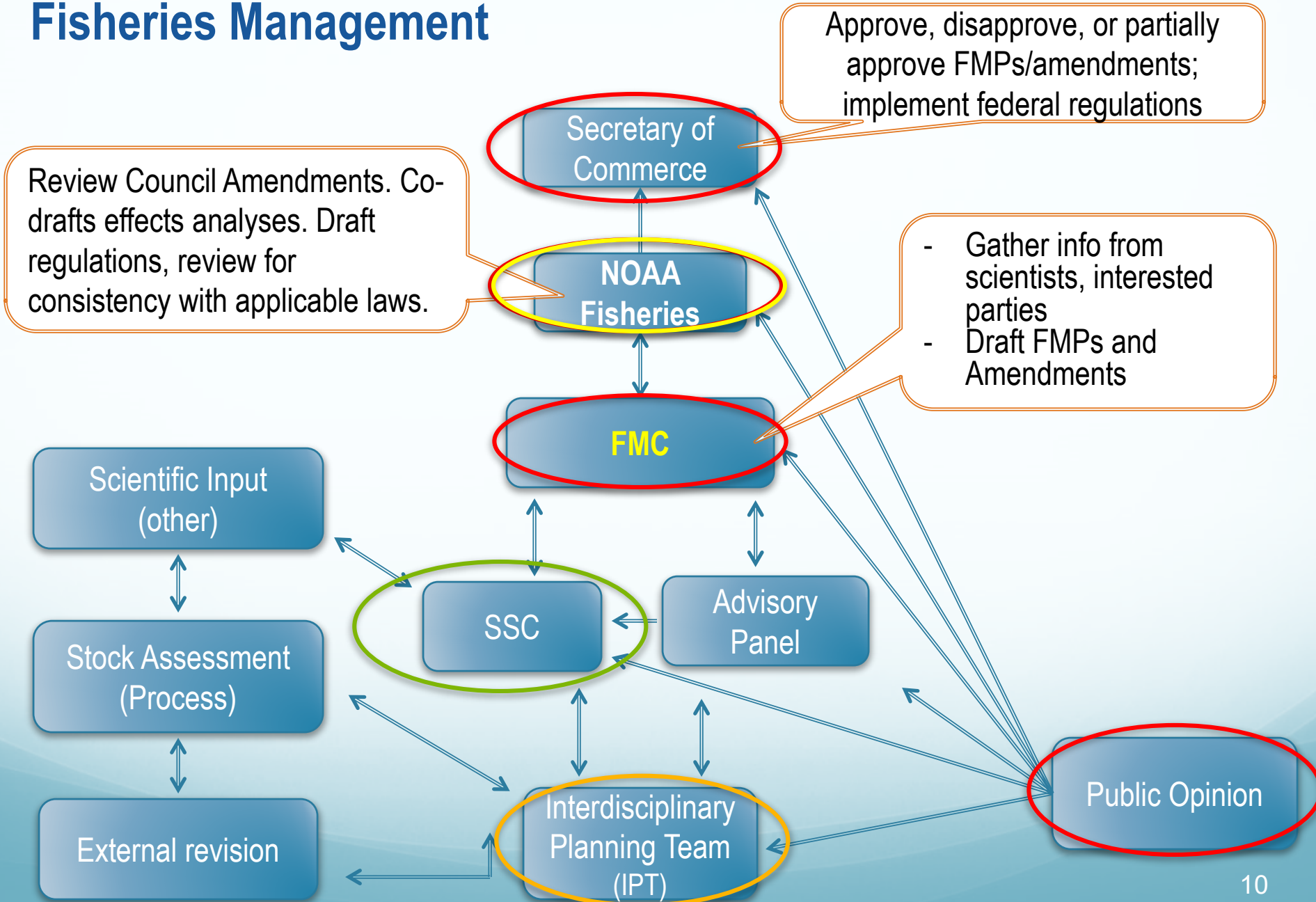
Next slides: **How to get it done (process), how long it takes, how is it put into practice**



# How to start working on an amendment/regulation for fisheries-MMAs/MPAs at the federal level?

- Scientists, fishermen, Council members, others, bring topic to the Council.
- The Council discusses topic at the meeting.
- The Council determines if evaluating further for potential action:
  - May task the SSC to evaluate the action and request assistance from the SEFSC. The SSC provides assistance to the Council in the development, collection, and evaluation of scientific information. SSC brings recommendations to Council (during Council meeting).
  - May create working groups, advisory panels to make evaluations and recommendations. Obtains public input on potential MMAs/MPAs.
  - The Council evaluates and recommends action (*management strategy*), through an amendment (or framework amendment) to the management plan, or if necessary, an emergency action.

# Regulatory process for Federal Fisheries Management



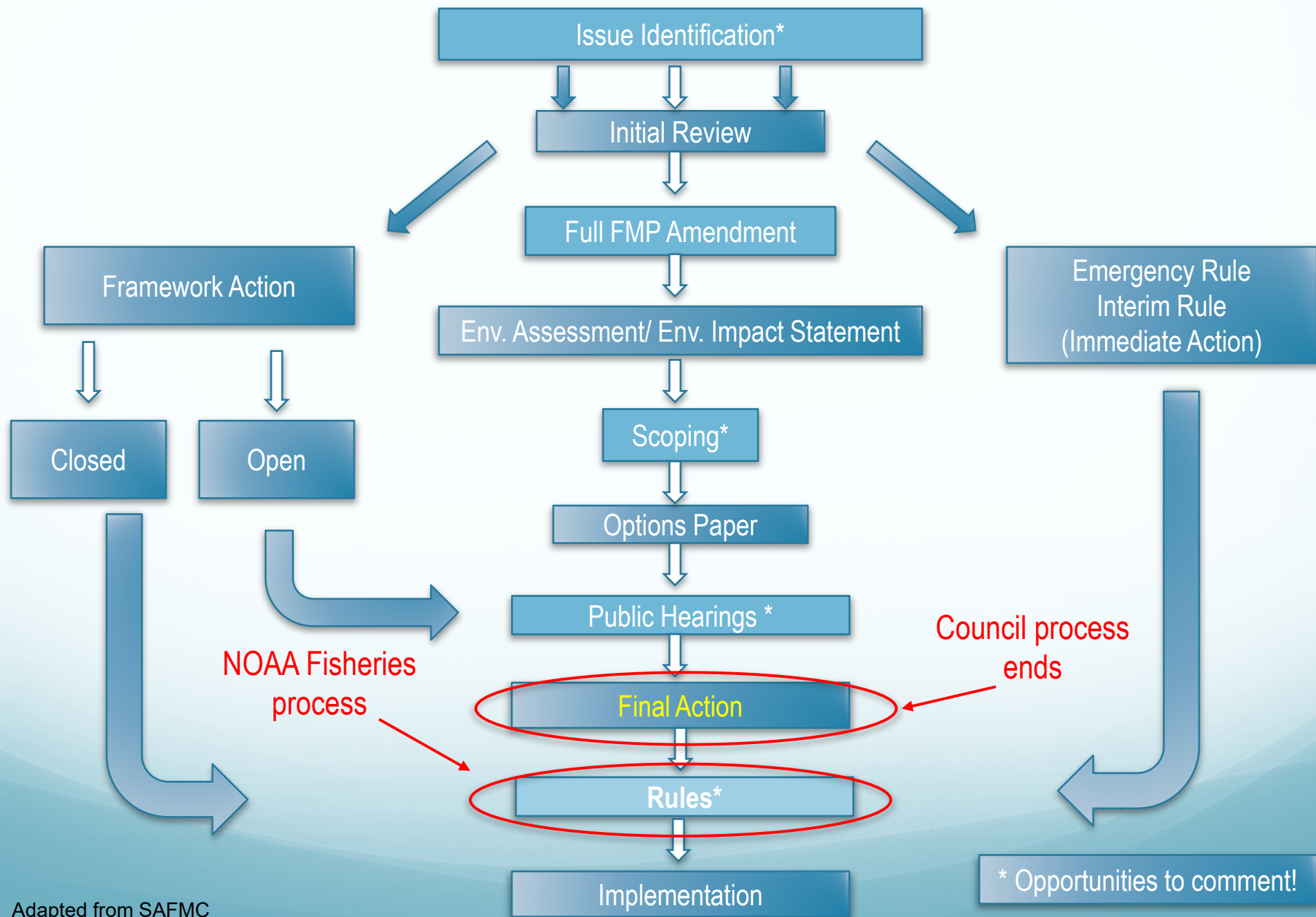
# Fishery Management Strategies/Methods for MMAs/MPAs

Management Tool	Caribbean Example
Area closure (year-round [yr], seasonal [s])	Seasonal -Abrir La Sierra, Bajo de Sico, Tourmaline; year-round - Hind Bank
<ul style="list-style-type: none"><li>• Limits to fishing effort:<ul style="list-style-type: none"><li>- Restriction on harvest of certain/all species</li><li>- Number of boats/persons</li><li>- Restrictions on the use of certain fishing gear types</li></ul></li></ul>	<p>Bajo de Sico (PR) – no harvest of Council managed reef fish</p> <p>Abrir La Sierra, Tourmaline, Bajo de Sico, Grammanik – No bottom tending gear</p>

## Other Management Tools

- Number of fishing trips
- Managing recreational uses (bag limits)
- Limited access controls (fishing permits to fish for certain species)
- Special zoning
- No-take zones
- Intervention areas
- Network of protected areas
- Adaptive management

# Steps for a FMP or Amendment



## Other Actions related to MMAs/MPAs

- **Research/Monitoring related to MMAs/MPAs:**
  - NOAA Grants (SK, MARFIN, CRCP, CRP)
  - SEFSC-led Monitoring/evaluation
  - Council-led Monitoring/evaluation
- **Fishers collaboration in science and management:**
  - Cooperative Research (CRP)
  - Community participation in Council-led activities
  - Stakeholder participation in Advisory Panels, Working Groups
- **Fishing in MMAs – NOAA Letters of Acknowledgement, Exempted Fishing Permits, Scientific Research Permits**

# Fishing in Marine Management Areas (MMA)

- Cooperative research between scientists, managers, and the fishing community promotes robust and resilient science and fosters healthy partnerships.
- However, some research activities may require a research permit. *For example*, possession of certain prohibited species or fishing during seasonal or area closures.
- Letters of acknowledgment (LOA) and Exempted Fishing Permits (EFP) are issued by SERO under the authority of the Magnuson-Stevens Act (MSA).

# Letters of Acknowledgment (LOA)

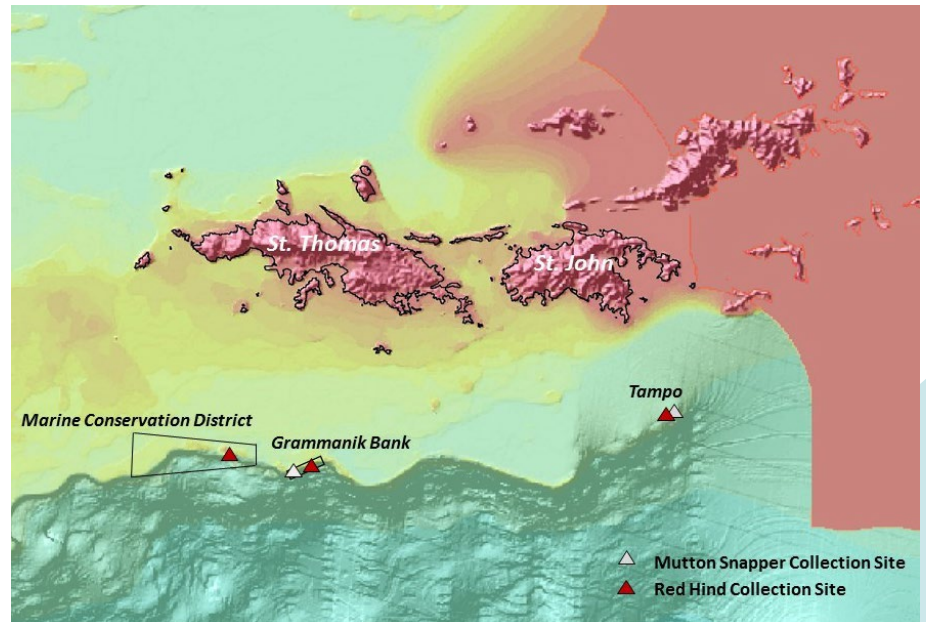
- Recognizes certain activities as scientific research conducted from a scientific research vessel.
  - E.g.: sampling, collecting, observing, or surveying fish in federal waters.
- Exempt from the MSA fishing definition and, therefore, are not subject to fishing regulations developed under the MSA.
- LOA establishes to the researcher, the vessel(s), NOAA Fisheries, NOAA's Office of Law Enforcement, and the U.S. Coast Guard that the activity is not considered fishing, and thus is exempt from the regulations.

# LOA – U.S. Caribbean Example

LOA issued in 2020 to Drs. Nemeth and Smith (University of the Virgin Islands) to evaluate life history characteristics of mutton snapper (*Lutjanus analis*) and ciguatoxin in red hind (*Epinephelus guttatus*) in the U.S. Virgin Islands.

Adult mutton snapper were collected from Grammanik Bank MMA using fish traps, rod and reels, and handlines.

Adult red hind grouper were collected from Grammanik Bank and the Marine Conservation District MMAs using rod and reels and handlines.



Map from LOA application showing proposed sampling locations for mutton snapper and red hind.



# Exempted Fishing Permits (EFP)

- Permit that authorizes a fishing vessel to conduct fishing activities that would otherwise be prohibited under the regulations.
- Generally issued in support of fisheries-related research and may include landing undersized fish or fish from an area closed to fishing.
- NOAA Fisheries to determine if warrants further consideration, if yes, request brought to Council and published in the *Federal Register* for public comment.
- If approved, the Regional Administrator will attach terms and conditions to the EFP, consistent with the purpose of the exempted fishing and necessary for the conservation and management of the fishery resources and the marine environment.
- EFP recipients are required to sign the EFP acknowledging the terms and conditions, and must adhere to those terms and conditions. Failure to do so may result in permit revocation.

*Other authorization may be required for research activities that would occur in marine sanctuaries, marine protected areas, or special management zones.*

Recent EFPs issued for U.S. Caribbean federal waters listed on SERO [website](#).

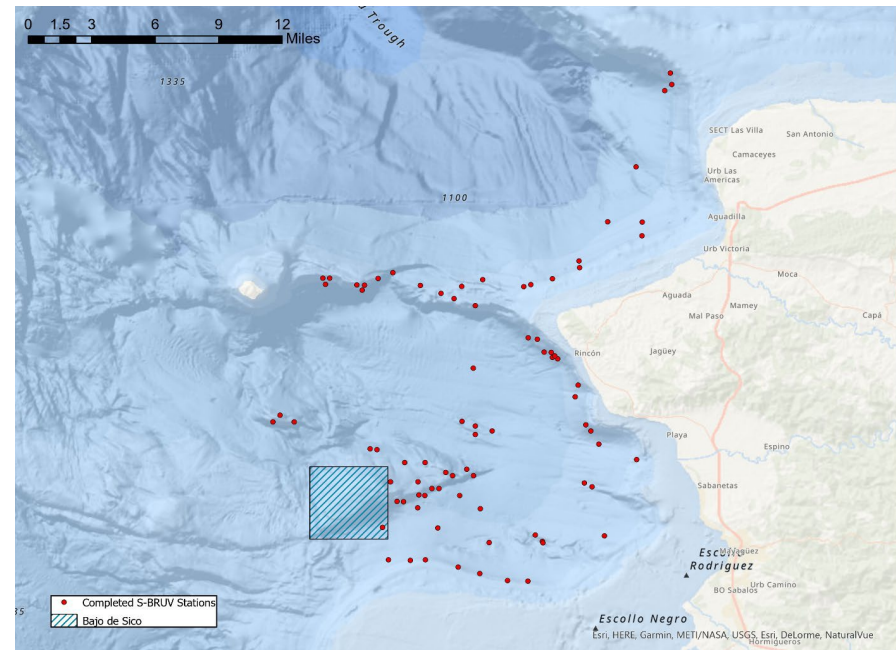
# EFP – U.S. Caribbean Example

EFP issued in 2021 to Kate Overly (NMFS Southeast Fisheries Science Center Panama City, Florida Laboratory) to describe habitat use and life history characteristics of deep-water snappers in Puerto Rico.

EFP exempts scientists and commercial fishermen from seasonal and area closures applicable in federal waters off Puerto Rico.

EFP authorizes a partial exemption of the Bajo de Sico, October 1 – March 31 closure.

The EFP only allows fishing in Bajo de Sico from October 1-November 30 and only for the Targeted and Non-Targeted Species specified in the EFP.



Map from previous EFP report showing sampling locations for deep-water snappers off Puerto Rico, including the Bajo de Sico management area.

Questions?



# Additional Slides

# Overview

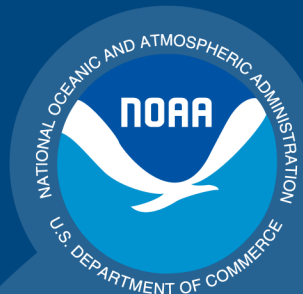
## **Marine Managed Areas (fishery-related) in federal waters of the US. Caribbean**

### **Puerto Rico**

- ▶ Abrir La Sierra: Seasonal area closure (Dec 1 to Feb 28/29)
- ▶ Tourmaline Bank: Seasonal are closure (Dec 1 to Feb 28/29)
- ▶ Bajo del Sico: Seasonal area closure (Oct 1 to Mar 31)

### **U.S. Virgin Islands**

- ▶ Grammanik Bank: Seasonal area closure (Feb 1 to Apr 30)
- ▶ Red Hind Marine Conservation District: Year-round closure
- ▶ Red hind Closure at Lang Bank: Seasonal area closure (Dec 1 to Feb 28)
- ▶ Mutton Snapper Spawning Aggregation: Seasonal area closure (Apr 1 to Jun 30)



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# National Standards

- 1) Achieve OY and prevent overfishing.
- 2) Use best available scientific information.
- 3) Manage stocks as a unit.
- 4) Allocations fair and equitable, promote conservation, and prevent excessive shares.
- 5) Consider efficiency in utilization; not have economic allocation as sole purpose.
- 6) Allow for variations and contingencies.
- 7) Minimize costs, avoid duplication.
- 8) Consider fishing communities to provide for their sustained participation and to minimize adverse economic impacts.
- 9) Minimize bycatch, and bycatch mortality.
- 10) Promote safety of human life at sea.

Legend

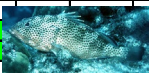


GREEN Fishing allowed  
RED NO FISHING

All fish have to be landed intact

# FEDERAL AND STATE WATERS - Puerto Rico

## Commercial and Recreational Regulations

### FISHING CALENDAR

	January	February	March	April	May	June	July	August	September	October	November	December
<b>Red Hind*</b>												
Federal Waters												
PR State Waters												
<b>Mutton snapper</b>												
Federal Waters												
PR State Waters												
<b>Lane snapper</b>												
Federal Waters												
PR State Waters												
<b>Grouper Unit 4</b>												
Federal Waters												
Red grouper												
Black grouper												
Tiger grouper												
Yellowedge grouper												
Yellowfin grouper												
PR State Waters												
Yellowfin grouper												
<b>Snapper Unit 1</b>												
Federal Waters												
Black snapper												
Vermillion												
Blackfin snapper												
Silk snapper												
PR State Waters												
Blackfin snapper												
Silk snapper												
<b>Aquarium Species</b>												
Butterflyfishes												
Federal Waters												
PR State Waters												
<b>Seahorses</b>												
Federal Waters												
PR State Waters												
<b>Queen Conch**</b>												
Federal Waters												
PR State Waters												
<b>Nassau grouper</b>												
Federal Waters												
PR State Waters												
<b>Goliath grouper</b>												
Federal Waters												
PR State Waters												
<b>Corals</b>												
Federal Waters												
PR State Waters												

\* Federal waters west of 67°10' W closed December-January-February every year to fishing for red hind.

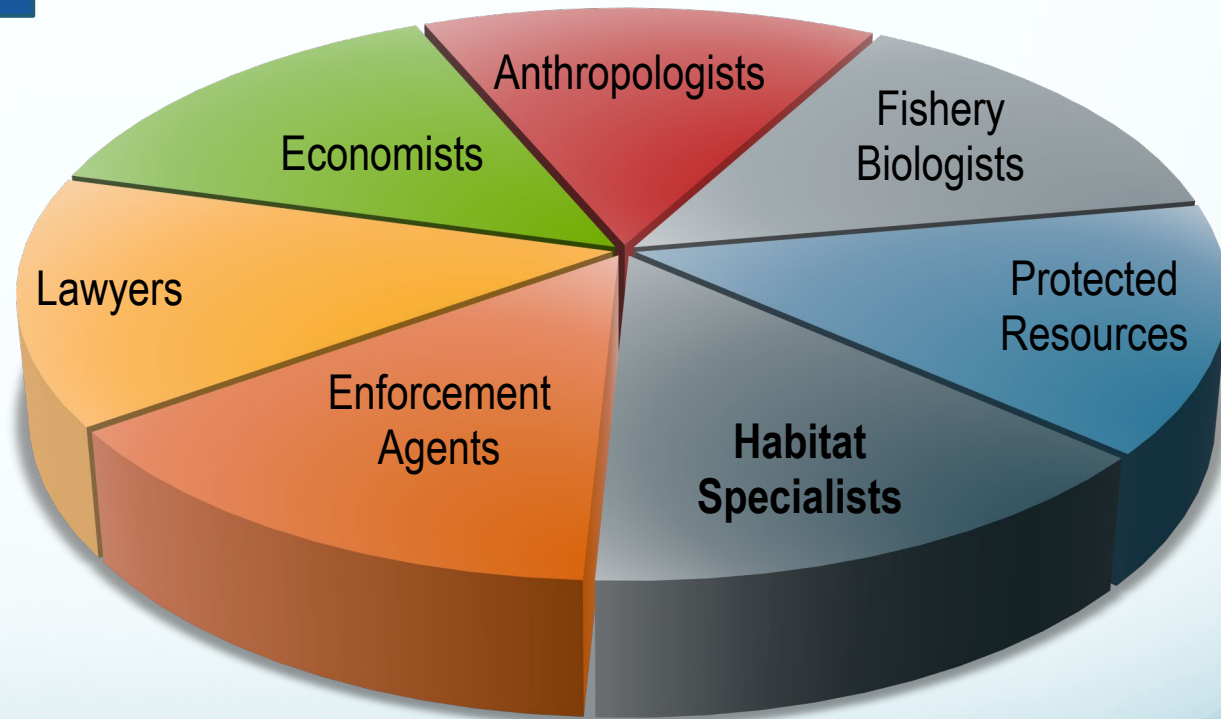
\*\* Federal waters west of 64°34' W closed to fishing for queen conch (except Lang Bank).

Caribbean Fishery Management Council  
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**IPT** is a group of experts on various fields for each amendment of FMP

Interdisciplinary **P**lan **T**eam



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NOAA Law Enforcement  
NOAA General Counsel