

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON
BIGEYE TUNA OVERFISHING RESPONSE

The Highly Migratory Species Management Team (HMSMT) reviewed the revised “Analysis of Management Options for Development of a Plan to End Overfishing of Pacific Bigeye Tuna in the Eastern Pacific Ocean” (Agenda Item G.1.a, Attachment 1), and has identified some issues, which will likely be discussed during the Inter-American Tropical Tuna Commission (IATTC) process, that could significantly affect portions or all of the U.S. fisheries that catch bigeye tuna. The HMSMT would like to highlight the following issues for the Council’s consideration:

Definition of “Fleet”

One of the primary issues for consideration is the definition of a “fleet” in the IATTC’s resolution and whether this would include all vessels fishing for one nation regardless of gear type, or if a “fleet” refers to a geographical area or a gear type (e.g., purse seine separate from longline). While the separation of areas and/or gear types may be attractive to some, especially if Option 3 is selected (which exempts “fleets” that catch < 1% of total bigeye catch), there are potential problems that may result from this approach, including: 1) Allowing other nations to subdivide their fleets—as a result, an unknown, but potentially significant, number of fleets could be “exempt” and the problem of bigeye tuna overfishing may not be adequately addressed; and 2) Limiting or capping the catch of a narrowly defined fleet (e.g., West Coast-based purse seine) may be constraining, whereas a shared cap for U.S. vessels may provide some flexibility.

< 1% Exemption

The HMSMT is unsure how the 1% exemption in Option 3 could affect the U.S. fisheries, and has identified these issues:

- 1) If the U.S. claims exemption for their fleet(s), then the argument might be made that an allocation of bigeye tuna for the U.S. is not needed. This could affect the U.S. fisheries in the future, should a new stock assessment produce a higher yield and/or if overfishing is adequately addressed through other means (e.g., limited entry programs);
- 2) The cumulative effects of the exemptions need to be addressed—e.g., as listed in Table 3. in the analysis, if the U.S. longline fleet is exempt, and the individual fleets in the “other fleets” category are exempt, then there is a cumulative total of over 5% of the catch being exempt. The cumulative effect of these exemptions should be examined to ensure that bigeye tuna overfishing would still be adequately addressed;
- 3) Because effort in these fisheries is not limited, the U.S. fleets that currently meet the exemption requirements now may not meet them in the future. How this is addressed (e.g., the duration of the exemption) needs to be further explored;
- 4) If an exemption is adopted, there needs to be a clear description of the specific vessels that would be exempt and/or a control date for which the exemption is based upon (e.g., all vessels that caught bigeye tuna prior to April 2006); and

- 5) If a nation's fleet met the 1% exemption criteria, but its national cap was higher than 1% of the total catch limit, then there would be a potential to increase bigeye tuna catches, while that nation's fleet was exempt from the fishing restrictions. This would appear to conflict with the overall purpose and objective; therefore, if a nation's fleet is exempt, then it would make sense to have its cap be 1% of the total catch limit (or less, which could be based on historical or recent catch levels).

Increased Effort and Limited Entry

The HMSMT notes that, while there are only three large West Coast-based purse seine vessels that catch appreciable amounts of bigeye tuna in the Eastern Pacific Ocean (EPO), there is the potential for additional West Coast-based vessels to enter the fishery, as well as 12-15 active vessels from the Western Pacific to move into the EPO. Given this potential for increased effort, the HMSMT believes it would be prudent to discuss how this will be addressed (i.e., development of a longer-term plan) in cooperation with the Western Pacific Fishery Management Council and the NMFS Pacific Islands Region.

The HMSMT is concerned that a blanket EPO seasonal closure on purse seine vessels that fish for tropical tunas may disadvantage the southern California based small purse seine fishery. This fishery relies on seasonal availability of tropical tunas (e.g., yellowfin, bluefin, skipjack) in the southern California Bight for added income and the percentage of bigeye in these seasonal catches is near zero. As there is also the potential for the West Coast small vessel purse seine fishery to incidentally encounter bigeye while targeting tropical tuna, there should be a consideration for an incidental catch allowance by these vessels, to avoid an increase in bycatch.

Also, if there are catch limits imposed, then there could be a need for increased monitoring of the fisheries and real-time catch reporting to ensure that the catch limits are not exceeded. It is not clear whether there are mechanisms and funding in place to accommodate the increased monitoring and reporting levels.

Target vs. Catch

Another issue is the use of the term "target"—Tables 1. and 2. in the analysis refer to vessels "targeting tropical tuna." As fleets are defined, the regulations need to address how to determine whether a vessel is "targeting" bigeye tuna. For example, a percentage of the landing, by weight, could be used and, again, vessels that occasionally catch incidental amounts could be provided an incidental catch allowance.

Options and Conclusions

With regard to the different options in the analysis, the HMSMT notes that it is unclear whether the sub-options (a, b, and c) listed in Option 2 should be considered separately (they are listed as and/or) or if they all need to be in place to address bigeye tuna overfishing. Also, it is unclear whether the same six-month period would be chosen for the area closures listed in sub-option (a) and (b), and the effects of the different configurations on the purse seine fleets.

Based on the information presented in the analysis, the HMSMT drew the following conclusions about the options:

- Option 1 (No Action) should not be considered, as it does not meet the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.
- Option 2 alone may not be enough to end bigeye tuna overfishing in the EPO.
- It is unclear whether Option 3 would end bigeye tuna overfishing in the EPO and/or whether Option 3 in combination with the WPFMC action for the Western Pacific would end bigeye tuna overfishing Pacific-wide.
- Option 4 (establishing a control date) is more of a longer-term measure that could be considered following the IATTC's action.
- Option 5 (close all Pacific Council fisheries that target bigeye in the EPO) should not be considered, as it would place an unfair burden on West Coast-based fleets that catch insignificant amounts of bigeye.
- Option 6 (which includes a portion of Option 2 plus the < 1% exemption in Option 3) may not be enough to end bigeye overfishing, since Option 2 in its entirety was insufficient; however, this is not explicitly stated.

HMSMT Recommendations:

1. In all cases, support international action (as opposed to unilateral action) that would end bigeye tuna overfishing in the EPO.
2. Support a hybrid of Options 2 and 3 that would include everything in Option 2 plus the establishment of an annual international fishing quota (total allowable catch), but, at this point, would not include the exemption for fleets that caught 1% or less of the total Pacific bigeye tuna landings in the EPO. In general, the HMSMT supports the intent of exempting fleets that have had minimal impacts on an internationally managed stock; however, there is not enough information about how this would be implemented to evaluate the trade-offs associated with this exemption proposal. Because of the number of nations that target bigeye tuna and the lack of clarity about how a fleet would be defined, allowing this exemption could conflict with accomplishing the objective—that is, to end overfishing of bigeye tuna.
3. Support a definition of “fleet” that includes all of the vessels fishing under one nation, regardless of area or gear type.
4. Support an exemption for small purse seine vessels (e.g., by applying the purse seine area closures to vessels with a minimum length or size).
5. Support adoption of an incidental catch allowance for vessels that could encounter incidental amounts of bigeye tuna, such as small vessel purse seine, while targeting other tropical tunas.

6. Support Option 4 to establish a control date and develop a limited entry plan to address conservation of bigeye tuna over the longer-term. The HMSMT would then develop and analyze alternatives for limited entry for the Council's consideration.
7. Work with WPFMC and NMFS Regional Offices—Southwest Region and Pacific Island Region—to cooperatively address the overfishing of bigeye tuna Pacific-wide. Under Option 6, it is our understanding that there is the potential to add the IATTC's action to the WPFMC's Amendment 14 to address bigeye overfishing throughout the Pacific. If possible, the Pacific Council should take advantage of this opportunity so there is a comprehensive description and analysis of the actions taken in both the Western Pacific and EPO that, in combination, end overfishing of bigeye tuna.

PFMC
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