National Marine Fisheries Service (NMFS) notified the Council and the Western Pacific Fishery Management Council (WPFMC) that they must take action to address overfishing of bigeye tuna by June 14, 2005. The Council has considered their response to this notification at their March 2005, June 2005, September 2005, November 2005, March 2006, April 2006, and September 2006 meetings. During these meetings, the Council has identified recommendations for addressing bigeye tuna overfishing at the international level and considered amending the Fishery Management Plan (FMP) for U.S. West Coast Fisheries for Highly Migratory Species (HMS). At their last meeting (September 2006), the Council concluded that it could take final action to either adopt an FMP amendment or concur with the measures identified in Amendment 14 to the FMP for the Pelagic Fisheries of the WPFMC. National Oceanic and Atmospheric Administration General Counsel has advised that the Pacific Council formally concurring with WPFMC Amendment 14 would obviate the need to incorporate duplicate measures into the HMS FMP. The WPFMC Amendment 14 is a “Pacific-wide response” to bigeye overfishing, including recommendations for both the Eastern Pacific Ocean (EPO) and Western and Central Pacific Ocean (WCPO), whereas the Pacific Council recommendations apply only to the EPO.

Attachment 1 describes alternatives for Council final action, based on previous discussion and guidance. Four alternatives are described, including No Action. The three action alternatives are: 1) amend the HMS FMP based on previous Council recommendations; 2) amend the HMS FMP to incorporate measures in WPFMC Pelagics FMP Amendment 14 specific to the EPO; or 3) concur with the measures identified in WPFMC Pelagics FMP Amendment 14 (no separate amendment to the HMS FMP would be done). Attachment 1 includes proposed amendment text (i.e., actual changes to the FMP) for those alternatives that would amend the FMP.

If the Council decides to amend the HMS FMP, a broad, ‘non-substantive’ reorganization of the FMP is also proposed. This reorganization is presented in Attachment 2. Currently the HMS FMP is combined with the final environmental impact statement (FEIS) that evaluated its adoption, and is awkward in that it includes alternatives not selected by the Council as well as substantial analysis not necessary for a direct policy document like an FMP. The reorganization would extract those elements specific to the management plan while moving descriptive elements to appendices and removing the analysis of alternatives, which is no longer relevant. (It should be noted that the original combined FMP/FEIS will remain a public document for reference purposes.) The amended, reorganized FMP would be a more streamlined, “user-friendly” document.

**Council Task:**

1. Decide whether to amend HMS FMP at this time.
2. If amending the HMS FMP, take final action to identify the contents of the amendment with regard to text relative to bigeye tuna overfishing.
3. If amending the HMS FMP, provide guidance on the proposed “non-substantive” reorganization of the document.
Reference Materials:

1. Agenda Item C.4.a, Attachment 1: Alternatives for Amending the HMS FMP to Address Bigeye Tuna Overfishing.
2. Agenda Item C.4.a, Attachment 2: Proposed Non-substantive Reorganization of the HMS FMP.

Agenda Order:

a. Agenda Item Overview
b. Reports and Comments of Advisory Bodies
c. Public Comment
d. **Council Action:** Adopt Final Preferred FMP Amendment Alternative

PFMC
10/24/06