

Southwest Region NMFS Report HMS

REGULATORY ACTIONS

HMS FMP Permit Fee Final Rule update – On December 19, 2008, NMFS published a proposed rule for collecting permit fees for vessel owners participating in commercial and charter recreational fishing for HMS in the U.S. West Coast EEZ. The comment period closed on January 20, 2009 and no public comments were received. NMFS is drafting the final rule to implement the regulation with an effective date slated for the summer of 2009. The HMS permits will be issued under the HMS FMP implementing regulations and will specify that an application for an HMS permit, as well as a renewal of an existing permit, will require a fee payable to NMFS. The exact fee amount will be listed on the application form and is expected to be approximately \$30-\$40 which is the estimated cost of processing and issuing the two-year permits.

Proposed Rule to Address IUU Fishing Activities - On January 14, 2009, NMFS published a proposed rule for implementing identification and certification procedures to address IUU fishing activities and bycatch of protected living marine resources (PLMRs) under authority of the High Seas Fishing Moratorium Protection Act. The proposed rule, requires NMFS to submit a biennial report to Congress that identifies foreign nations whose fishing vessels are engaged in IUU fishing or fishing activities or practices that result in bycatch of PLMRs. Once identified, NMFS would initiate a notification and consultation process with the nation and consider evidence of whether sufficient corrective action has been taken or whether a relevant international fishery management organization has implemented measures effectively ending the IUU fishing activity by vessels of that nation. Nations will either receive a positive or a negative certification. The absence of sufficient action by an identified nation to address IUU fishing and/or PLMR bycatch may lead to the denial of U.S. port privileges for vessels of that nation, imposition of prohibitions on the importation of certain fish or fish products into the United States from that nation, or other measures deemed necessary and permissible under U.S. Federal law.

Written comments on the proposed rule are due to NMFS no later than May 14, 2009. Two public hearings on the proposed rule will be held on the West Coast: Monday, April 13, 2009, 4-6pm, NMFS Southwest Fisheries Science Center; Tuesday, April 14, 2009, 4-6pm, NMFS Northwest Fisheries Science Center.

FISHERY ACTIONS

HMS Recreational Shark and Albacore MRIP Proposals - The Council's HMS Management Team, working in collaboration with the HMS Working Group of the Marine Recreational Information Program (MRIP; the former MRFSS program), has submitted two proposals requesting funding support for HMS survey design, validation,

and data collection needs. Proposal one requests funding to develop a Phase 1 sampling design for the collection of recreational fisheries data needed to produce an albacore CPUE index of abundance, an index identified by stock assessment scientists as a high priority need for improving the stock assessment model. If approved, the project team would begin work during the 2009 North Pacific albacore. Phase 2 of the project would entail implementation of the sampling design developed in Phase 1 for the 2010 North Pacific albacore season.

The second MRIP proposal requests funding to initiate a phased development and validation of recreational survey design elements for HMS sharks. This proposal addresses the Council's recommendation to initiate efforts to improve the quality of data used to manage HMS species, in particular, sharks. As with the albacore proposal, the work will be conducted in a two-phase approach in 2009 and 2010 seasons. Included in the proposal is a complete census of HMS shark tournaments as well as investigation of the validity of sampling HMS shark catch and landings via an adaptive sampling framework to cater for the "pulse" or "patchy" nature of the fishery.

OCRM Denial Letter to CCC on their Request for Reconsideration of Review Denial of the Shallow-set Longline Exempted Fishing Permit (EFP) – NOAA's Office of Ocean and Coastal Resource Management (OCRM) twice denied the California Coastal Commission's (CCC) requests to review the shallow-set longline fishing exempted permit on December 18, 2008 and March 6, 2009. In both letters, OCRM concluded that the CCC failed to demonstrate that the EFP application would have a reasonable foreseeable effect on the uses or resources of the California coastal zone.

Status of White Paper on Albacore Management Options - NMFS funded the preparation of a white paper exploring potential management options for the U.S. west coast North Pacific albacore fisheries. A preliminary overview of the white paper objectives and framework that was scheduled to be presented at the April Council meeting has been rescheduled for the June Council meeting. The consultants working on the white paper plan to meet with the HMSMT and HMSAS during the developmental phase of the white paper.

First Biennial IUU Report to Congress - On January 13, 2009, NOAA submitted its initial report to Congress identifying nations whose fishing vessels were engaged in IUU fishing in 2007 or 2008. This report opens the way for consultations between the U.S. government and officials of each of the six nations to encourage them to take corrective action to stop IUU fishing by their vessels. NMFS identified the following nations under Section 609(a) of the High Seas Driftnet Fishing Moratorium Protection Act for having vessels engaged in IUU fishing activity: France, Italy, Libya, Panama, People's Republic of China, and Tunisia. The press release, biennial report to Congress, and draft proposed rule for the identification and certification process can be viewed at: <http://www.nmfs.noaa.gov/msa2007/intlprovisions.html>.

MEETINGS

IATTC 10th Stock Assessment and Review Meeting – The IATTC will host the 10th Stock Assessment Review on May 12-15, 2009, in Del Mar, California. The provisional agenda includes an update on the stock assessment and status of bigeye, yellowfin and skipjack tunas, and striped marlin, as well as a review of the stock assessments conducted by the International Scientific Committee for North Pacific bluefin tuna and swordfish (preliminary). The provisional agenda and supporting documents can be viewed on the IATTC website at: <http://www.iattc.org/PDFFiles2/SARM-10-Provisional-agenda-May-09.pdf>.

IATTC Annual Meeting – The IATTC and AIDCP (Agreement on the International Dolphin Conservation Program) annual Commission meetings are scheduled for June 1-12, 2009, in San Diego, California. A meeting venue and provisional agenda are not yet available, but will be posted on the IATTC website (<http://www.iattc.org/MeetingsENG.htm>).