

RECOMMENDATIONS TO THE WESTERN AND CENTRAL PACIFIC FISHERIES
COMMISSION (WCPFC)

The Western and Central Pacific Fisheries Commission (WCPFC) will hold its Sixth Regular Session of the WCPFC (WCPFC6) December 7-17, 2009, in Papeete, Tahiti. Attachment 1 is the provisional annotated agenda for this meeting. Several meetings have occurred that develop advice and recommendations feeding into this plenary meeting:

- The International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean Ninth Plenary Meeting (ISC9) met July 15-20 2009, in Kaohsiung, Taiwan. Attachment 2 (CD-Rom and web only) is the Plenary Report. Attachment 3 excepts the conservation advice from the Plenary Report. The ISC provides scientific advice to the WCPFC on certain northern stocks.
- The WCPFC Scientific Committee Fifth Regular Meeting (SC5) occurred August 10-21, 2009, in Port Vila, Vanuatu. Attachment 4 is the SC Chair's summary report.
- The WCPFC Northern Committee Fifth Regular Meeting (NC5) occurred September 7-10, 2009, in Nagasaki, Japan. The NC is responsible for developing conservation and management recommendations for stocks occurring north of 20° N latitude in the Pacific Ocean and comprises members situated in the area or fishing on such stocks. Attachment 5 is the summary report for this meeting.
- The WCPFC Technical and Compliance Committee Fifth Regular Meeting (TCC5) occurred October 1-6, 2009, in Pohnpei, Federated States of Micronesia. Attachment 6 is the Summary Report by the United States. (The WCPFC Secretariat's Summary Report is pending.)

Annexes to the ISC Plenary Report (working group reports) are available at their website, <http://isc.ac.affrc.go.jp/isc9/ISC9rep.html>. Materials for all WCPFC meetings are available at their website, <http://www.wcpfc.int/>.

Of note in the report of the SC Chair (Attachment 4) is that the bigeye stock status "became more pessimistic" and "the objective of a 30% reduction in fishing mortality on bigeye by 2011 [the objective in CMM-2008-01] will not be achieved." On the other hand, the Chair's report notes that yellowfin is not experiencing overfishing or in an overfished state.

Mr. Mark Helvey reported on the results of NC5 at the last Council meeting (Agenda Item D.1.a, Supplemental NMFS Report, September 2009). The NC adopted two draft conservation measures for consideration at WCPFC6, a revision to CMM-2005-03, North Pacific Albacore, proposed by the U.S. and a new measure for Pacific Bluefin Tuna proposed by Japan.

The proposed revision to CMM-2005-03 would make the definition of "current effort" more specific by rewording paragraphs 1 and 2 so that they specify that fishing effort shall not be increased beyond 2002-2004 levels, which is the time period used to define F_{CUR} in the last stock assessment. Revisions to paragraph 4 and new paragraphs 11 and 12 strengthen reporting requirements. The proposal adopted by the NC is substantially in line with the U.S. position at the meeting.

The proposed conservation measure for bluefin tuna is weaker than some members, including the U.S., desired. It may be noted that ISC conservation advice for bluefin tuna reflects differing opinions (see Attachment 3), with one view stating simply that fishing mortality (F) should not be increased and the other view stating that F should be reduced, especially F on juveniles (ages 0-3). The proposed conservation measure identifies the management objective as not increasing the current level of fishing mortality, although paragraph 2 does call on members to “take into account the need to reduce the effort on juveniles (age 0-3) to the 2000-2004 level.” A lot of discussion revolved around small-scale fisheries of Japan and Korea, which are responsible for much of the juvenile fishing mortality. Japan originally proposed a 3-year measure that included an exemption for “artisanal” fisheries (the definition covering most of the Japanese fisheries affecting juvenile mortality) and for fisheries in the Korean EEZ in 2010, with NC6 considering application of measures to the Korean Exclusive Economic Zone (EEZ) (i.e., 2011-2012). However, Korea could not agree to even future consideration of its applicability to fisheries within their zone. In order to reach agreement, the Chairman changed the proposal to a 1-year period and retained the exemptions. Korea made the argument that it had little information and ability to regulate its fisheries taking juvenile bluefin. In response, paragraph 6 states “Korea shall provide ISC 10 and NC 6 with a report on its fisheries involving bluefin tuna catches” without any mention of potential future applicability of the measure. The U.S. voiced concern that the concept of “compatibility” (that conservation measures should apply equally in-zone and on the high seas) was being flouted in this case.

TCC5 covered a wide range of issues as reflected in Attachment 6. The following proposals, discussed at TCC5, will be taken up at WCPFC6:

- Republic of the Marshall Islands (RMI) proposal on monitoring and regulating transshipment in the Convention Area (see paragraph 13 in Attachment 6). A version of this CMM was considered at WCPFC5 and WCPFC4 but so far has not been adopted.
- Draft U.S. and RMI proposals for non-member carriers and bunkers (paragraphs 14 and 15).
- Fiji-led working group proposal on chartering arrangements (paragraph 21).
- Terms of References for the Compliance with Conservation and Management Measures Working Group (paragraph 22).
- Rules and Procedures for the Protection of, Access to, and Dissemination of Non-Public Domain Data for MCS Purposes (RAPs) (paragraph 27).
- U.S. proposal on Damage to Data Buoys by Fishing Vessels (paragraph 29).
- WCPFC Draft IUU Vessel List (paragraphs 30-37).
- Tongan proposal to amend paragraph 15 of CMM-2007-03 relating to reasons why a vessel would not be included on the WCPFC Provisional IUU Vessel List (paragraph 40).
- New Zealand proposal on the Control of Nationals (paragraph 41).
- U.S. proposal on vessels without nationality (paragraph 42).

Some of these proposals, in the form of Delegation Papers submitted prior to TCC5, are available from the WCPFC website at <http://www.wcpfc.int/meetings/2009/5th-regular-session-technical-and-compliance-committee>. Revised versions of these proposals reflecting discussion at TCC5, as Delegation Papers for WCPFC6, are unlikely to be available prior to the Council meeting.

The Council may make recommendations for action at WCPFC6. These recommendations will be transmitted to the U.S. delegation for consideration when formulating U.S. positions taken at the meeting.

Council Task:

Adopt Recommendations for U.S. positions at the Western and Central Pacific Fisheries Commission Sixth Regular Session.

Reference Materials:

1. Agenda Item F.2.a, Attachment 1: Provisional Annotated Agenda, WCPFC6.
2. Agenda Item F.2.a, Attachment 2 (CD-ROM and Web Only): Report of the Ninth Meeting of the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean Plenary Session.
3. Agenda Item F.2.a, Attachment 3: Excerpt of Conservation Recommendations from the ISC9 Plenary Report.
4. Agenda Item F.2.a, Attachment 4: Summary Report of the Fifth Regular Session of the Scientific Committee by the SC Chair.
5. Agenda Item F.2.a, Attachment 5: Summary Report of the Northern Committee Fifth Regular Meeting
6. Agenda Item F.2.a, Attachment 6: Summary Report by the United States of the WCPFC Technical and Compliance Committee Fifth Regular Meeting.

Agenda Order:

- a. Agenda Item Overview **Christopher (Kit) Dahl**
- b. Reports and Comments of Management Entities and Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Recommendations for the WCPFC Annual Meeting

PFMC
10/14/09