

HMSAS REPORT ON AMENDMENT 4 TO THE FISHERY MANAGEMENT PLAN FOR WEST COAST FISHERIES FOR HIGHLY MIGRATORY SPECIES (HMS FMP)

The Highly Migratory Species Advisory Subpanel (HMSAS) finds that discussion of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requirements in the current HMS FMP Amendment 4 such as acceptable biological catch (ABC), annual catch limits (ACLs), annual catch targets (ACTs), and accountability measures (AMs) is confusing, because all the current HMS species managed by the Council are exempt from the above requirements due to National Standard 1 Guidelines (50CFR600.310(h)(1)(ii)). We advise the addition of the following sentence to the end of the first paragraph of Amendment 4, Section 1.1:

“Currently stocks covered under the HMS FMP fall under the National Standard 1 Guidelines (50CFR600.310(h)(1)(ii)) as internationally managed and therefore are exempt from MSA 303(a)(15), which requires specification of ABC, ACLs, ACTs, and AMs. The Council has a long-standing practice of advising the US delegations to regional fishery management organizations (RFMOs) and implementing the recommendations and resolutions of the RFMOs. The logic here is to not disadvantage the US fleets in relation to fleets from other countries.”

Considering the same logic, the HMSAS suggest that the following sentence at the start of Amendment 4, Section 4.5.1 be considered:

“Currently stocks covered under the HMS FMP fall under the National Standard 1 Guidelines (50CFR600.310(h)(1)(ii)) as internationally managed and therefore are exempt from MSA 303(a)(15) which requires specification of ABC, ACLs, ACTs, and AMs. The Council has a long-standing practice of following the recommendations and resolutions of the RFMOs.”

Council recommendations should be based on the science provided to each RFMO. We are concerned about the possibility that a stockwide domestic management measure (limit reference points and harvest control rules, for example) may differ from those formally agreed upon by the RFMOs. There is no justification for trying to come up with alternate values for HMS that could possibly be in conflict with the RFMO’s choices. National Marine Fisheries Service (NMFS) Southwest and Pacific Island Fisheries Science Center staffs, and Council members attend these meetings as part of US delegations.

Section 303 of the MSA says that FMPs shall contain a description of the fishery including but not limited to number of vessels, quantity of fishing gear, species of fish involved, their location, management costs likely to be incurred, actual and potential revenues from the fishery, and the extent of the foreign fishery. The HMSAS agrees that this information should be put into the HMS Stock Assessment and Fishery Evaluation (SAFE) Report. It is the understanding of the HMSAS that the SAFE Report is incorporated by reference into the FMP.

The HMSAS endorses the list of stocks identified in Agenda Item H.2.a, HMSMT Report, for which the Council could consider itself appropriate for notifications of stock status determinations by NMFS.

PFMC
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