

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON NEW ROUTINE MANAGEMENT MEASURES FOR 2015-2016 FISHERIES

The Highly Migratory Species Advisory Subpanel (HMSAS) reviewed the list of issues adopted by the Council in June 2014 for consideration in the biennial management process and offers the following comments.

Recreational Fisheries for Pacific Bluefin Tuna

The HMSAS is concerned with the fairness of the process which has determined how much fish the U.S. recreational fishery should be expected to give up. Using catch data timelines from different year groups has created a situation where the playing field is not level. As we noted in our comment on Agenda Item G.2 yesterday, the net Japanese cut is 33% or less (further analysis suggests a Japanese cut of less than 5% with no cap on adult bluefin) and the Mexican issue is still undecided. This combined with no reporting of recreational catches by Japan or Mexico is creating a great concern for how US recreational interests are affected. We also feel that the recreational catch of bluefin by US anglers over the expected length of this rebuilding period is statistically insignificant.

Regarding the issue of filleting of tuna at sea, the HMSAS would like vessel crews to continue to process fish at sea. This represents a substantial part of each crewman's income. The fish would be cut into four loins with the skin left on each loin. Enforcement and industry should engage in a collaborative workshop to determine if this is a feasible method of identification.

The HMSAS recommends a 3 fish per day bag limit per angler for Pacific bluefin with a possession limit of 9 fish for trips of 3 days or longer. This would include bluefin tuna imported from outside the U.S. Exclusive Economic Zone.

This should increase the net savings according to 2013 figures by 11,546 fish. This data comes directly from CPFV logbook data.

Hard Cap Establishment

The HMSAS advises that hard caps (take caps) should not be necessary for consideration in the routine management measures for 2015-2016 for the following reasons:

- Currently the Pacific Offshore Cetacean Take Reduction Team (POCTRT) has guidelines if in fact there is an interaction. If there is an interaction, then the POCTRT implements the necessary management regulations to protect the encountered species.
- The 2010 encounter with the two sperm whales was a rare event; the last encounter was 14 years prior to the current interaction.
- In Agenda Item G.4.b, HMSMT Report 3, in the third paragraph, "Protected species take in the DGN fishery are rare events,..."
- In the Federal Register, agenda item G.4.A., Supplemental Attachment 4, "NMFS has made a preliminary determination that incidental taking from commercial fishing will

have a negligible impact on the endangered humpback whale (CA/OR/WA stock) and the endangered sperm whale (CA/OR/WA stock).”

- Agenda Item G.4.b., HMSMT Report 3, p. 11, there is a discussion of the DGN Fishery Bycatch Reduction Achievements to-Date:

The DGN fishery has undergone extensive changes and regulations over the last two decades. Since implementation in 1997 of final regulations based on Pacific Offshore Cetacean Take Reduction Team (POCTRT) recommendations, gear modifications have included adding acoustic pingers to signal marine mammals of their proximity to the gear and net extenders to allow safe passage past the gear of surface dwelling species (particularly turtles). Since 2001, the Pacific Leatherback Conservation Area (PLCA) has annually closed the primary core of the available DGN fishing habitat from Aug 15 - Nov 15 since 2001. Mandatory VMS inclusion on vessels has allowed time-area monitoring of fleet-wide effort to ensure compliance with regulations, and inclusion of observers on DGN vessels has enabled independent data collection on catch composition to estimate bycatch rates and compliance with regulations. Data collected through the observer program have demonstrated substantial reductions in interactions and mortalities with protected species and species of concern associated with these changes made in the fishery.

The number of permits available to the fishery has been declining consistently, with over 200 permits issued in the early 1980s, down to 126 in 2000, and now 70 permits in 2014. While the decreased effort has been a contributing factor to bycatch reduction, it has also reduced the revenue and profit generated by the fishery.

Seven of the species at risk of entanglement in DGN gear are listed under the ESA (fin, humpback and sperm whales; leatherback, loggerhead, olive ridley and green sea turtles). The 2013 Biological Opinion stated, “NMFS’ Opinion concludes that the continued management of the drift gillnet fishery under the US West Coast Highly Migratory Species Fishery Management Plan, given the proposed action, including the protective measures to minimize bycatch of the protected species that have already previously been implemented, is not likely to jeopardize the continued existence of these species, or adversely modify or destroy any critical habitat designated under the ESA”.

Our understanding is that hard caps require 100% observer coverage which is not economically feasible or available, and will create excessive additional management resources. Also, if hard caps are established, they need to be done scientifically and by the PBR criteria.

VMS Ping Rate

The HMSAS sees no value in increasing the ping rate from the current rate of one ping per hour to every 15 minutes for the following reasons:

- There is no way that drift gillnet gear can be deployed and retrieved in less than 2-1/2 hours.
- The typical top speed of drift gillnet is eight knots or less.
- There is a significant increase (in some cases quadruple) in the cost to the fishery participants.
- Commercial fishermen attended the hearing on the referenced OLE court case and ping rate was not a deciding factor in the judge’s ruling.

Hawaii Shallow Set Longline/Longline Fishery Inside EEZ

The HMSAS recommends that consideration for a fishery opportunity for west coast fishermen similar to the Hawaiian shallow set longline fishery and a longline fishery inside the EEZ should go forward, as the HMSAS has recommended consideration of those fisheries for the last 10 years.

Transition California Limited Entry DGN Permit

The HMSAS strongly endorses transition of California limited entry DGN permits to a federal limited entry program under the HMS FMP.

Observers or Electronic Monitoring on DGN Vessels

Currently the HMSAS remains opposed to either 100% observers or 100% electronic monitoring on DGN vessels. Future management regulations may require the DGN fleet to consider monitoring devices.

PFMC
09/14/14