

**DRAFT SUMMARY MINUTES**  
**Highly Migratory Species Advisory Subpanel**

Pacific Fishery Management Council  
DoubleTree Hotel - Columbia River  
Nehalem Room  
1401 N Hayden Island Drive  
Portland, OR 97217  
(503) 283-2111  
March 6-7, 2001

**Subpanel members present**

Jock Albright, recreational at large, Costa Mesa, CA  
Pete Dupuy, commercial at large, Tarzana, CA  
Robert Fletcher, charter boat, San Diego, CA  
Douglas Fricke, commercial at large, Hoquiam, WA  
Wayne Heikkila, commercial troll, Eureka, CA  
Chuck Janisse, commercial gillnet, Ventura, CA  
Marciel Klenk, public at large, Napa, CA  
Larry Mebust for Steve Lassley, commercial at large, Spring Valley, CA  
Kate Wing, conservation, San Francisco, CA

**Plan Development Team members present**

David Au, NMFS, La Jolla, CA  
Steve Crooke, CDFG, Long Beach, CA  
Sam Herrick, NMFS, La Jolla, CA  
Jean McCrae, ODFW, Newport, OR  
Michele Robinson, WDFW, Montesano, WA  
Susan Smith, NMFS, La Jolla, CA  
Dale Squires, NMFS, La Jolla, CA

**Others attending one or more days**

Larry Six, consultant-plan coordinator, Portland, OR  
Cinda Shedore, F/V Cinda S  
Russell Nelson, The Billfish Foundation, Ft. Lauderdale, FL  
Bob Osborn, United Anglers of Southern California  
Dick Stone, Recreational Fishing Alliance, Southport, NC  
Vidar Wespestad, American Fisheries Research Foundation  
Tana McHale, Western Fishboat Owners' Association, Sacramento, CA  
Rob Jones, Northwest Indian Fisheries Commission  
E. J. Guthrie, Guthrie Machinery Co., Portland, OR  
Mike McGettigan, Sea Watch, Inc.  
Jim Morgan, NMFS, Long Beach, CA  
Andy Oliver, World Wildlife Fund  
Dan Erickson, Wildlife Conservation Society, Dexter, OR  
Peter Flournoy, AFRF, San Diego, CA  
Brett Schneider, NMFS, Long Beach, CA  
Brian Corrigan, Coast Guard, Seattle, WA  
Svein Fougner, NMFS, Long Beach, WA  
Dan Waldeck, Council staff, Portland, OR  
Liz Lauck, Wildlife Conservation Society, Bronx, NY  
Merry Camhi, National Audubon Society  
Kevin Hill, CDFG, La Jolla, CA

Beth Babcock, Wildlife Conservation Society  
Tim Hobbs, National Coalition for Marine Conservation  
David Wilmot, Ocean Wildlife Campaign  
Andy Peters, MTL Group  
Sonja Fordham, Center for Marine Conservation, Washington, DC

## **Call to Order, Agenda, Minutes**

Chairman Bob Fletcher called the meeting to order at 10:30 a.m. on March 6, 2001. The agenda was approved as proposed. The second draft of the January 8-11, 2001 meeting summary was approved as revised.

## **Reports of Recent Activities**

### 1. International

Svein Fougner reported that the U.S. and Canada will meet April 10-11 to discuss the Albacore Treaty. The U.S. is proposing a change to Annex A of the Treaty which would require an agreement each year on a vessel limit in each Zone. The U.S. is proposing a limit of 75 Canadian vessels in U.S. waters for 2001. Canada has not accepted these proposals yet.

Chuck Janisse announced that the preparatory conference for the Central and Western Pacific Convention will take place April 23-28 in New Zealand. Also, the IATTC will meet April 16-21 in San Jose, Costa Rica to re-negotiate the Convention.

### 2. Domestic

Svein Fougner reported that the final EIS for the western Pacific longline fisheries is being prepared, and the ESA biological opinion on sea turtles has been drafted and is being reviewed internally in NMFS. The FEIS and BO are likely to contain permanent constraints on the Hawaiian longline fishery. A decision is expected in about 3 weeks.

Svein also announced that the NMFS Southwest Region is preparing national regulations to implement the new shark finning prohibition legislation. (April 22 deadline).

Finally, Svein distributed copies of a letter from the Southwest Regional Administrator to the Council concerning the draft HMS FMP.

## **Subpanel Comments on Draft FMP**

Dale Squires, co-chair of the plan development team, informed the group that there is a new assessment of the status of common thresher shark, which is not reflected in the draft FMP yet.

### General Comments

It was agreed that editorial comments of a non-substantive nature would not be addressed in this meeting. Individual Subpanel members will provide such comments directly to the authors in writing.

Some of the sets of options are not mutually exclusive. The Council has the flexibility to choose none, one or more options. In other sections, options are clearly mutually exclusive. This is confusing and needs to be clarified.

Is there going to be enough money to implement the FMP after it is adopted?

A table of contents for the entire document is needed.

A conversion table for metric measurements would be helpful.

An index would be helpful, also.

The fishery descriptions in Chapter 2 and the background statements on the fisheries in Chapter 8 need to be consistent.

A separate shark plan was discussed, but there was not agreement on this proposal.

### Chapter 1

Define “gear conflict” and “user conflict.” Gear conflicts should refer to physical conflicts between gears on the grounds.

Move up the list of acronyms and definitions to the front of the plan.

The jurisdiction over vessels on the high seas needs to be clarified by legal counsel (Eileen Cooney later attended the meeting and provided answers to Subpanel questions.)

Add a paragraph on the U.S./Canada Albacore Treaty on p. 12.

Section 1.6.3 should mention that major fishing nations need to participate in the Central and Western Pacific Convention (MHLIC); also need to mention that the U.S. has not ratified this convention and that entry into force will occur sometime in the future.

There was a suggestion to change “fisher” to “fisherman.”

The definitions of “high seas” and “far offshore” need to be revised.

### Chapter 2

Editorial comments on section 2.2.1 (albacore fishery) were provided by Doug Fricke.

Chuck Janisse stated that he would re-draft the description of the DGN fishery.

There are concerns with the inclusion of non-HMS species in Table 2.2.2-1. Sam Herrick will revise this table.

Larry Mebust offered to re-draft the harpoon fishery description.

Bob Osborn said that United Anglers of Southern California will be providing historical information on the recreational fisheries.

### Chapter 3

David Au of the team continues to work on an assessment of the common thresher shark stock. David reported that the stock is in better shape than previously thought. MSY is estimated to about 400 mt.

The Council needs to understand that there are options which are not in Chapter 8, for instance control rule options in Chapter 3.

Methodologies and parameter estimates should be added where information is available. A table of parameters would be helpful.

### Chapter 4

No comments were provided.

## Chapter 5

Table 5.3.3-1 which presents unedited longline data should be omitted, since the data are misleading.

## Chapter 6

This chapter contains some incorrect information and is missing some information. The Team will work with the SWR Protected Resources staff to improve this chapter.

## Chapter 7

The paragraph on the California statute on shark finning needs to be revised (p.4).

## Chapter 8

Include a matrix summarizing each set of management alternatives and a brief analysis of their relationship to the evaluation factors. This would not replace detailed text describing the full analysis of each alternative, but would serve to organize Chapter 8 and make it easier to read.

An option to recognize the importance of providing recreational fishing opportunities as one of the management objectives was discussed, but no agreement was reached. There was concern that adding this management objective would disturb the balance between recreational and commercial interests in the objectives.

The analyses of options need to include how the proposed measures relate to the National Standards of the M-S Act and to the National Plan of Action for Sharks. The executive order on environmental justice also needs to be considered.

The “no-action” alternative (defer to states) and “federalize existing state regulations” need to be added to every set of management alternatives.

The Subpanel declined to identify any preferred options at this early stage of the draft.

By a vote of 7 to 2, the Subpanel voted against including an option to set quotas/harvest levels for each of the management unit species with the adoption of the FMP.

Licensing: Commercial license option 1 should be revised to include the area outside the EEZ.

Add an option for no recreational vessel permit.

Omit the option for license endorsements for individual fisheries.

License provisions should not be implemented (required) until NMFS is prepared to administer the new program.

The Washington recreational fishery does not support a federal recreational license.

Reporting: Add an option for fishery-by-fishery reporting requirements plus a framework to adjust reporting requirements.

Require compliance with sampling programs.

Drift Gillnet: Need to address limited entry in the FMP (federalize the existing program). The Team should request guidance from the Council on this.

Harpoon: Revise option 1 to reflect current State of Washington policy.

Longline Within EEZ: Option 4 does not completely reflect the intent of the environmental community. Language will be provided.

Longline Outside EEZ: Add an option for limited entry.

Pete Dupuy envisions the longline fishery as one fishery (inside and outside EEZ), not separate fisheries. Clarifying language should be added.

Recreational: Remove the option to permit the sale of recreationally caught fish. Add the no-action alternative (as in all other fisheries) and an option for federal bag limits.

Shark Conservation: The Team is considering dropping options 2, 7, 8 and 10. This will be discussed at the next Team meeting. The Team will also discuss a minimum size limit for the sport fishery.

Bycatch: Don't repeat reporting requirements here. Cross-reference the earlier section. Review bycatch reduction needs for each fishery on a case-by-case basis. Don't repeat the list of measures for each fishery.

Protected Species: Include 3 options as follows:

1. No action
2. Incorporate existing federal regulations (MMPA, ESA, MBTA) into the FMP
3. Adopt selected portions of the western Pacific regulations

#### Chapter 9

Sections 9.9 and 9.12 need to be updated to reflect that these plans of action have been finalized.

The List of Fisheries requirement of the MSFCMA needs to be added to Chapter 9 or 7.

#### Appendix A

No comments.

#### Appendix B

The California regulations on emerging fisheries are missing from this appendix.

### **Meeting Schedule and Plan Development Schedule**

Because of the broad nature and scope of the suggested changes to the FMP, the Subpanel recommends that the next draft be presented to the Council at the June meeting (not the April meeting as scheduled).

The next Team meeting will occur April 9-13, 2001, in the large conference room at the Southwest Fisheries Science Center (beginning at 8:00 a.m. each day).

The Subpanel recommends that the next Subpanel meeting should take place during the June Council meeting.

The Subpanel is concerned that there be adequate funding for the development and administration of the plan and asks the Council to encourage NMFS to continue funding.

### **Attendance**

The Subpanel recommends that the Council notify Subpanel members who have missed two or more meetings per calendar year (without providing an alternate) and determine their intent to serve.

### **Report to Council**

The Subpanel prepared and a statement to the Council for presentation on March 8 (see Exhibit E.2.d, Supplemental HMSAS Report, March 2001).

PFMC  
05/23/01