

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL UPDATE ON  
FISHERY MANAGEMENT PLAN DEVELOPMENT

The Highly Migratory Species Advisory Subpanel (HMSAS) met August 26-27, 2001 with some members of the Highly Migratory Species Plan Development Team (HMSAS) to review changes to fishery management plan (FMP) chapters 3 and 8 and a first partial draft of the initial regulatory measures. Following are comments on the FMP. No formal comments are provided at this time on the regulatory document, which has not been completed.

The HMSAS should draft a separate document that analyzes the management unit option which excludes sharks and present it to the Council at the September meeting.

The HMSAS notes that maximum sustainable yield (MSY) has not been estimated for some HMS due to lack of information and recommends that NMFS provide guidance on the legal requirement for MSY estimates in data poor cases and on any precedent for including species in the management unit without an MSY estimate.

The HMSAS also believes NMFS needs to clarify requirements for unilateral U.S. action to rebuild overfished HMS in the Pacific in cases where U.S. catch is a small fraction of the total harvest.

The term "local depletion" needs to be defined in the FMP.

The HMSAS supports an annual management cycle for HMS fisheries, but points out that June and September are not good times for commercial and recreational participants to attend meetings, because of ongoing fisheries. We further recommend the Council start holding meetings in southern California as soon as practicable.

The definitions of surface hook-and-line and longline gears need to be revised to make sure there is a clear distinction between these gears. The definitions of HMS gear in the Code of Federal Regulations need to be reviewed and incorporated in the FMP where appropriate.

One option in the legal gear section would not include longlines as legal gear, as requested by the Council in June. Was it the Council's intent that this option would prohibit all landings of HMS with longline gear (including fish harvested beyond the exclusive economic zone [EEZ]), or was it the intent to prohibit longline fishing only in the EEZ?

The HMSAS recommends that shark finning not be addressed as an option in the FMP since these regulations will be implemented by NMFS in a separate process to implement the new legislation. Shark finning restrictions should be referenced in chapter 9 which describes other applicable law.

The HMSAS would like to meet during the November Council meeting to comment on the next draft of the FMP and regulatory document prior to adoption for the public review process.