

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL STATEMENT ON  
DRAFT HIGHLY MIGRATORY SPECIES FISHERY MANAGEMENT PLAN

The Highly Migratory Species Advisory Subpanel (HMSAS) met October 31 to review the third draft of the highly migratory species (HMS) fishery management plan (FMP) and the first draft of the initial regulatory measures. The HMSAS has a number of recommendations for improving the draft documents, which are identified below. We believe that most of these improvements can be made prior to release of the documents for the formal public review process, without delaying the plan development schedule. Recommendations are by consensus unless otherwise noted.

Suggested improvements include:

- Addition of available historical and economic information on recreational HMS fisheries to FMP Chapter 2, including Orange County information. This information should be included prior to adoption of the final FMP. In addition, for the long term, the Council should get a commitment from NMFS to allocate funds for the collection of economic and biological data on recreational fisheries for HMS.
- Addition of a new option to part B, section 1.4.2.6, which clearly prohibits longlining in the exclusive economic zone (EEZ), and is not tied to any specific research program or exempted fishing permit (EFP).
- Addition of a new longline option which is less restrictive than the existing industry proposal (option 1, section 1.4.2.6, part B), but does not allow wide open longlining in the EEZ (vote: 6 yes, 2 no, 2 abstain).
- Modification of the recreational catch and release program to include all HMS, not just striped marlin (part B, section 1.6).
- Deletion of the fourth bullet in FMP section 8.2, p. 8-3: "If the stock is overfished and the international fishery organization takes no action, the required rebuilding would be unilateral." (vote: 6 yes, 2 no).  
*See in to work on alternative language*
- Include in the analysis of the options for management authority of the drift gillnet fishery (1.4.1.2, part B) a discussion of how each of the options satisfies the fundamental reasons why the FMP is needed, as described in section 1.5 of the FMP.
- Some HMSAS members feel that the regulatory document should be part of the FMP and combined into one document, although there was no consensus on this point. Possibly NMFS or NOAA General Counsel can advise the Council on the best approach.

The HMSAS notes that the HMS Plan Development Team (HMSPDT) has identified certain preferred options in the draft documents for the benefit of the Council at this meeting, but we assume that HMSPDT preferences will be removed from the documents that go out to public review. While the HMSAS did not have time to identify preferred options at this meeting, several members expressed concern about some of the HMSPDT preferred options.

The Council should be aware that some vessels are targeting albacore with small-mesh gillnets, which is currently legal in California. The FMP as currently drafted would define legal drift gillnet gear as having a minimum stretched mesh of 14 inches. This would preclude use of small mesh gillnets to target HMS, although some amount of incidental landing would be allowed under the incidental catch provision.

Finally, the HMSAS recommends that hearings be held in Eureka, California and San Diego, California in addition to the locations recommended in the briefing document. Also, the HMSAS recommends that northern hearings be held in late January and California hearings be held in February, since the drift gillnet fishery operates in January.