

DRAFT SUMMARY MINUTES
Highly Migratory Species Advisory Subpanel

Pacific Fishery Management Council
Clarion Hotel San Francisco Airport
401 East Millbrae Avenue
Millbrae, CA 94030
(650) 692-6363
October 31, 2001

Highly Migratory Species Advisory Subpanel (HMSAS) Members Present:

Mr. Pete Dupuy, commercial at large, Tarzana, CA
Mr. August Felando, purse seine, San Diego, CA
Mr. Robert Fletcher, chair, charter boat, San Diego, CA
Mr. Douglas Fricke, commercial at large, Hoquiam, WA
Mr. Wayne Heikkila, vice-chair, troll, Eureka, CA
Mr. Chuck Janisse, gillnet, Ventura, CA
Ms. Heather Munro, northern processor, Waldport, OR
Mr. Bob Osborn, private recreational, Lakewood, CA
Mr. Tom Raftican for Jock Albright, recreational at large, Costa Mesa, CA
Ms. Kate Wing, conservation, San Francisco, CA

Highly Migratory Species Plan Development Team (HMSPDT) Members Present:

Dr. David Au, NMFS, La Jolla, CA
Dr. Norm Bartoo, NMFS, La Jolla, CA
Mr. Steve Crooke, CDFG, Los Alamitos, CA
Dr. Sam Herrick, NMFS, La Jolla, CA
Ms. Jean McCrae, ODFW, Newport, OR
Ms. Michele Robinson, WDFW, Montesano, WA
Ms. Susan Smith, NMFS, La Jolla, CA
Dr. Dale Squires, NMFS, La Jolla, CA

Others Attending:

Mr. Larry Six, consultant-plan coordinator, Portland, OR
Mr. Peter H. Flournoy, American Fishermen's Research Foundation, San Diego, CA
Dr. Jim Morgan, NMFS, Long Beach, CA
Mr. Svein Fougner, NMFS, Long Beach, CA
Mr. Ron Gaul, Forest Knolls, CA
Mr. Russell Nelson, Fort Lauderdale, FL
Ms. Beth Babcock, Bronx, NY
Mr. Dan Waldeck, Council staff, Portland, OR
Mr. Vidar Wespestad, Seattle, WA
Mr. Orlando Amoroso, San Pedro, CA

Call to Order, Agenda, Minutes

Chair Bob Fletcher called the meeting to order at 8 a.m. on October 31, 2001. The agenda was approved with the addition of a new item, the public hearing schedule. The draft summary of the August 26-27, 2001 meeting of the HMSAS was approved as drafted.

Highly Migratory Species Plan Development Team Summary

HMSPDT co-chair Dr. Dale Squires briefly summarized the third draft of the Fishery Management Plan (FMP) and the first draft of the initial regulatory measures (part B) dated October 2, 2001.

Advisor Comments on FMP

Mr. August Felando said Inter-American Tropical Tuna Commission (IATTC) regulations apply to U.S. longliners but there is no reference to this in part B. He questioned the ability of the U.S. to manage the U.S. high seas longline fishery given international jurisdiction.

Mr. Tom Raftican emphasized the lack of recreational data in Chapter 2 of the FMP, in particular, there is no mention of Orange County in the community descriptions. There is a large recreational economic impact, and data are available which could be included in the FMP. He added that there is no effort to collect new recreational data, while several surveys are underway for the commercial fishery. Ms. Kate Wing was disconcerted this is being raised at this late date in the process. If data are available, they should have been presented to the HMSPDT earlier. Mr. Chuck Janisse said there are gaps in the commercial data as well, but the issue is whether or not the gaps are significant enough to require a delay in the process. Mr. Raftican and Mr. Fletcher stated there are some data that could be included in the short term. Dr. Squires mentioned the HMSPDT could include some community information, but the collection of new data is a long-term project and requires budget authority to hire people and conduct research. Ms. Wing suggested that the public hearing process could be used to provide impetus for collecting the required data. The HMSAS agreed to recommend 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.

Mr. Raftican introduced a motion to add 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). After some discussion, the Subpanel voted unanimously to approve the motion.

Ms. Wing suggested the HMSAS focus on the larger issues regarding adequacy of the documents for public review.

Mr. Janisse stated the FMP sufficiently documents the reasons an FMP is needed (e.g., need to prepare for and contribute to international management), but the fundamental management authority options in Part B fail to analyze how the options impact these goals. The HMSAS agreed to recommend that Part B (section 1.4.1.2) include in the analysis of the options for management authority of the drift gillnet fishery 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.

Mr. Pete Dupuy recommended a new option which would legalize longlining in the EEZ without restrictions, in order to provide a "sideboard" at the other end of the range of options. It was suggested that some restrictions would be needed because of protected species concerns, but the restrictions were not specified. Ms. Wing suggested the legal gear section in Chapter 8 of the FMP should include an analysis of a completely unrestricted longline fishery in the EEZ. This would happen if longlines were adopted as legal gear and if Document B were not adopted. There was a concern the HMSPDT might not be able to analyze this option in time, although a general analysis might be possible. Mr. Svein Fougner suggested this option might be listed as an option that was considered but not evaluated. A motion was made to add 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. Sport representatives expressed concerns the option was not realistic. Mr. Dupuy responded that he rescinds his support of the new option proposed by the sport fishery. Ms. Wing said she would abstain. She feels that this option already exists, but has not been analyzed. The motion was passed on a vote of 6 yes, 2 no, and 2 abstain.

Mr. Osborn suggested inclusion of an option to have harvest guidelines for management unit species. He noted that no harvest guidelines are recommended for most species. It was noted the HMSPDT is on record in opposition to precautionary quotas.

Mr. Osborn also recommended the catch and release program in Document B be expanded from striped marlin to all HMS. The HMSAS agreed.

There was a discussion of the small-mesh gillnet fishery in California which is targeting albacore at this time. Mr Dupuy said that these vessels wish to continue this practice, and there should be a provision for them. The draft FMP currently would preclude use of this gear to target HMS, since legal drift gillnet gear must be at least 14 inch stretched mesh. There was no consensus on what to recommend to the Council on this matter, so it was agreed the issue would be raised in the report.

Mr. Fletcher questioned why the HMSPDT preferred a federal recreational vessel permit, when Option 3, which allows existing state permits, would be more flexible. Mr. Raftican said that there should be an option for no federal recreational permit. Mr. Osborn added that a federal permit may not achieve what is intended.

Mr. Osborn suggested the HMSAS ask the Council to adopt preferred options. Mr. Fricke was not comfortable doing this. It was noted the designation of HMSPDT preferences was for the benefit of the Council at this meeting, but such preferences should be removed from the documents which go out to public hearings. The HMSAS does not have time at this meeting to specify preferred options. Some HMSAS members were concerned about some of the HMSPDT preferences.

Ms. Wing did not have any concerns that were strong enough to warrant delay of the plan, but is concerned about the separation of Parts A and B. There should be one document going through the process, not separate documents which might be out of phase. Mr. Janisse agreed. Ms. Wing further stated some of the measures in Part B should be fixed elements of the FMP. Mr. Wayne Heikkila and Mr Felando liked the separate documents. There was no consensus on this issue, but it will be raised as an issue in the HMSAS report.

The HMSAS recommended deletion of the fourth item on page 8-3 of the FMP: "If the stock is overfished and the international fishery organization takes no action, the required rebuilding would be unilateral."

Mr. Felando questioned a statement on page ES-5 that the IATTC does not have criteria for determining if a stock is overfished. Mr. David Au explained that the IATTC does not have control rules like those in the FMP. The HMSPDT will clarify this.

Mr. Felando moved that the draft documents be revised as requested and submitted for the public review process as scheduled. The motion was approved unanimously.

Public Hearing Schedule

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

Report to Council

The HMSAS reviewed and approved a report to the Council to be presented on November 1, 2001 (Exhibit G.2.c, Supplemental HMSAS Report, November 2001).

PFMC

02/25/02