

NMFS REPORT ON HIGHLY MIGRATORY SPECIES (HMS) MANAGEMENT

International HMS Fisheries

The National Marine Fisheries Service (NMFS) – Southwest Region hosted a meeting January 16-17, 2003, of U.S. government and albacore fishery representatives and counterparts from Canada to discuss progress in preparing to carry out the amended U.S. - Canada Albacore Treaty beginning June 1, 2003. Most of the steps to formally amend the Treaty have been taken. Canada has completed its internal government clearance actions, and the President has forwarded the Treaty amendment to the U.S. Senate for ratification. The Department of State has exchanged diplomatic notes with Canada to the extent practicable for implementation. However, the legislation needed to authorize regulations to implement some aspects of the amended Treaty has not been enacted. This is most critical for the reporting requirements needed to monitor fleet activity and enforce the fishing limits of the amended Treaty. National Oceanographic and Atmospheric Administration (NOAA) and the Department of State are working with legislative offices to complete this critical element. Meanwhile, the Southwest Region has almost completed the proposed regulations and associated documentation in anticipation that legislation will be enacted in a timely manner. Among the requirements would be vessel marking and identification, hail-in and hail-out reports, and logbook reports. Proposed regulations would have to be published by early April to have any chance of final regulations being in effect June 1, 2003.

On January 28-29, 2003, the United States and Japan Consultative Committee on Fisheries met for the first time in several years. While not exclusively directed at HMS fisheries, there were several HMS-related items on the agenda. The United States expressed its gratitude for Japan's constructive engagement at the "PrepCon" talks that are seeking to move toward implementation of the western Pacific HMS fisheries conservation agreement and indicated it will continue to work with Japan to seek arrangements that will result in Japan's full participation in the new western Pacific agreement. In response to presentations by Japan, the United States agreed that Illegal, Undocumented and Unreported (IUU) fishing is a major problem that needs to be addressed internationally. The United States also urged Japan to participate fully in international efforts to address sea turtle conservation concerns relative to longline fishing. Both sides agreed that resumption of the Consultative Committee was very useful and that it is important to communicate and coordinate on a large number of issues, even those in which there is not full agreement.

Domestic HMS Fisheries

California/Oregon Drift Gillnet

On December 24, 2002, NMFS published an interim final rule implementing the time and area closure identified in the October 2000 biological opinion on the authorization to take listed marine mammals incidental to commercial fishing operations. The time and area closure (Pacific Loggerhead Conservation Area) prohibits fishing with drift gillnets by the California/Oregon thresher shark/swordfish drift gillnet fishery in U.S. waters off southern California, south of Point Conception (34°27' N latitude) and west to the 120°W longitude, from August 15 through August 31, and January 1 through January 31, when the Assistant Administrator for Fisheries publishes a notice that El Niño conditions are present.

On February 12, 2003, NMFS published a Federal Register notice to extend the public comment period through March 24, 2003, on the interim final rule published on December 24, 2002, to implement the Pacific Loggerhead Conservation Area. The comment period, which originally ended on February 7, 2003, was extended in response to a request from the public to provide more time to review the loggerhead turtle entanglement data and the sea surface temperature data.