

STATUS OF THE PACIFIC COUNCIL HIGHLY MIGRATORY SPECIES
FISHERY MANAGEMENT PLAN

Situation: At the November 2002 meeting, the Council adopted a fishery management plan (FMP) to manage West Coast-based highly migratory species (HMS) fisheries. The Council directed the HMS Plan Development Team (HMSPDT) and staff to finalize the FMP and transmit it to National Marine Fisheries Service (NMFS) for their review.

However, NMFS has expressed concern about one of the Council's proposed actions (i.e., a preferred alternative). The proposed action adopted by the Council for longline fishing outside of the U.S. Exclusive Economic Zone (EEZ) requires that several (but not all) of the restrictions currently applied to Hawaii-based longline vessels fishing on the high seas also be applied to West Coast-based longline vessels fishing on the high seas. The proposed action would provide opportunity for West Coast-based longline fishing vessels to target swordfish when operating east of 150° W longitude. When operating west of 150° W longitude, West Coast-based vessels would not be allowed to target swordfish. One basis for this decision was lack of information on bycatch and protected species impacts from longline vessels fishing east of 150° W longitude. At the time of the Council's decision, the NMFS representative on the Council noted this proposed action (which differed from the original preferred alternative) could be of concern and potentially affect approvability of the HMS FMP.

Recent information from longline fishing operations east of 150° W longitude has been reviewed by NMFS. Based on this initial review, NMFS is concerned that longline vessels targeting swordfish could have interactions with sea turtles at rates similar to rates in waters west of 150° W longitude. These latter rates were the basis for total turtle take and mortality estimates that resulted in a jeopardy determination and the prohibition of swordfish targeting by Hawaii-based longline vessels. A similar conclusion for West Coast-based fishing under the FMP could result in partial disapproval of the FMP. Therefore, NMFS is requesting the Council delay submission of the HMS FMP to provide time for NMFS to conduct a rigorous scientific review of the new data and present the results to the Scientific and Statistical Committee (SSC), HMSPDT, and HMS Advisory Subpanel (HMSAS) for their discussion and recommendations to the Council. NMFS will present preliminary results of the data review at the March meeting.

If the Council delays submission of the FMP and directs the SSC, HMSPDT, and HMSAS to review the new information, the Council could schedule reconsideration of the preferred alternative for high seas longline fishing, e.g., at the June 2003 meeting. Prior to such action, the SSC, HMSPDT, and HMSAS would have the opportunity to review the new information and develop recommendations for the Council.

In summary, at this meeting NMFS will provide the Council with preliminary analysis of new information about potential impacts on sea turtles from high seas longline fishing east of 150° W longitude and request the Council delay submission of the HMS FMP to allow time for NMFS-Southwest Fisheries Science Center to perform systematic analysis of the new information. If the Council decides to delay submission, the SSC, HMSPDT, and HMSAS could be directed to review the new information. The Council could then schedule further discussion of the final data analysis and SSC, HMSPDT, and HMSAS recommendations, and possibly reconsideration of the high seas longline preferred alternative, at the June 2003 meeting.

Conversely, the Council could opt to not delay submission of the HMS FMP and request staff to transmit the completed document in its current form to NMFS.

Council Action:

- 1. Consider delaying FMP transmittal to NMFS. If decision is to delay, consider next steps.**

Reference Materials:

1. Exhibit G.2.b, NMFS Report.
2. Exhibit G.2.d, Public Comment.

Agenda Order:

- a. Agendum Overview
- b. NMFS Report on New Turtle Impact Data
- c. Reports and Comments of Advisory Bodies
- d. Public Comment
- e. **Council Action:** Consider Delaying FMP Transmittal to NMFS

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