

NMFS REPORT

National Marine Fisheries Service (NMFS) notified this Council and the Western Pacific Fishery Management Council (WPFMC) that they must take action to address overfishing of bigeye tuna by June 14, 2005. In response, at the June 2005 meeting, the Council moved to begin work on Amendment 1 to the Fishery Management Plan (FMP) for U.S. West Coast Fisheries for Highly Migratory Species (HMS). NMFS Southwest Region agreed to take lead responsibility on developing the amendment package for Council consideration. A draft of the amendment was presented at the November 2005 Council meeting.

Soon after NMFS staff began the development of Amendment 1, it was determined that no regulatory action would result from an amendment since future actions depend on conservation and management measures adopted internationally. Furthermore, the U.S. contribution to bigeye tuna fishing mortality is negligible, so unilateral action by the U.S. would not meaningfully reduce it; multilateral management action is essential to end this overfishing.

In response, NMFS provided the Council with an analysis to support the development of a U.S. West Coast position on how to control fishing mortality on bigeye tuna in the Eastern Pacific Ocean (EPO). (See Agenda Item G.1.a, Attachment 1, April 2006, reproduced here as Agenda Item E.2.a, Attachment 1.) In April 2006, the Council adopted recommendations based on this management options analysis which were forwarded to the U.S. delegation to the Inter-American Tropical Tuna Commission (IATTC) in advance of the June 2006 IATTC meeting, and to the WPFMC (Agenda Item E.2.a, Attachment 2). The letter to the WPFMC supported their recommendations to address overfishing of bigeye tuna Pacific-wide, which have been subsequently incorporated into a revised version of Amendment 14 to the WPFMC's Pelagics FMP. (Agenda Item E.2.a, Attachment 3 provides the revised recommendations and management measures that the WPFMC considered at their June 2006 meeting. Agenda Item E.2.a, Attachment 4 describes WPFMC action at that meeting.) At the time, NMFS was considering whether the PFMF recommendations, along with the adoption of an FMP amendment by the WPFMC containing Pacific-wide conservation measures, could substitute for the proposed amendment to the HMS FMP.

At their June of 2006 meeting, the IATTC adopted resolution C-06-02-C, Program on the Conservation of Tuna in the Eastern Pacific Ocean for 2007 (Agenda Item E.2.a Attachment 5). This resolution changes the national quotas for longline catches of bigeye so that they are either 500 mt or equal to the 2001 national catch, whichever is greater. For the U.S. this increases the annual longline catch quota from 150 mt to 500 mt.

Subsequent to the June Council meeting, consultations between Council and NMFS staff concluded that the HMS FMP does in fact need to be amended in order to comply with the requirements of the Magnuson-Stevens Act. Under this agenda item NMFS requests the Council continue the process for developing the FMP amendment, based on the materials previously presented, the Council recommendations previously made to the IATTC and WPFMC, IATTC resolution C-06-02-C, and the elements of the WPFMC's Amendment 14 that are general recommendations or relevant to ending overfishing on bigeye tuna in the EPO. Considering previous Council discussion and recommendations sufficient to serve as an adopted range of alternatives, NMFS will prepare a draft environmental assessment (EA), including a range of

alternatives for inclusion in the November 2006 Council meeting briefing book. Draft FMP amendment text will also be provided. This will serve for public review of the range of alternatives and NMFS proposes that the Council take final action to adopt a preferred alternative at the November 2006 meeting.

Agenda Item E.2.a, Attachment 6 is the stock assessment for EPO yellowfin tuna for 2005, the most recent available. It was presented at the 7th meeting of the IATTC Working Group on Stock Assessment, May 2006. (Additional materials from this meeting are available at <http://iattc.org/IATTCandAIDCPMeetingMay06ENG.htm>.) This assessment raises concerns about the current level of fishing mortality on EPO yellowfin tuna, which could form the basis for an overfishing declaration as required by §304(e) of the Magnuson-Stevens Act. The Science and Statistical Committee will provide the Council with a report on this stock assessment at a future meeting.

Council Task:

Provide guidance on the recommended schedule and process for adoption of Amendment 1 to the HMS FMP, addressing bigeye overfishing in the EPO; discuss yellowfin assessment, as appropriate.

Reference Materials:

1. Agenda Item E.2.a, Attachment 1: Analysis of Management Options for Development of a Plan to End Overfishing of Pacific Bigeye Tuna in the Eastern Pacific Ocean (originally Agenda Item G.1.a, Attachment 1, April 2006).
2. Agenda Item E.2.a, Attachment 2: Letters from the PFMC to the U.S. Delegation to the IATTC and to the WPFMC With Recommendations to End Overfishing of Pacific Bigeye Tuna in the Eastern Pacific Ocean.
3. Agenda Item E.2.a, Attachment 3: Issues Paper on Amendment 14: Bigeye and Yellowfin Overfishing Measures- Outstanding Issues (with email attached).
4. Agenda Item E.2.a, Attachment 4: Summary of WPFMC Action on Pelagics FMP Amendment 14, June 2006.
5. Agenda Item E.2.a, Attachment 5: IATTC Resolution C-06-02-C, Program on the Conservation of Tuna in the Eastern Pacific Ocean for 2007.
6. Agenda Item E.2.a, Attachment 6: Status of Yellowfin Tuna in the Eastern Pacific Ocean in 2004 and Outlook for 2005.

Agenda Order:

- a. Activity Reports:
 1. Southwest Region
 2. Science Center
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Discussion of Bigeye Overfishing Response and Yellowfin Assessment

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