

PACIFIC FISHERY MANAGEMENT COUNCIL

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May 8, 2006

Mr. Rodney McInnis, Regional Administrator
National Marine Fisheries Service Southwest Region
501 W Ocean Blvd., Suite 4200
Long Beach, CA 90802

Dear Mr. ^{Rod-}McInnis:

As you are aware, both the Pacific Fishery Management Council (Pacific Council) and the Western Pacific Fishery Management Council (Western Pacific Council) were notified by the National Marine Fisheries Service (NMFS) (69 FR, page 78397-78398) of their need to take action to address Pacific-wide overfishing of Pacific bigeye tuna. The Councils have since moved forward with respective responses aimed at meeting international (Inter-American Tropical Tuna Commission [IATTC] Resolution C-04-09) and domestic (Magnuson-Stevens Fishery Conservation and Management Act [MSA]) requirements to end overfishing of Pacific bigeye. We understand the Western Pacific Council has proceeded with Amendment 14 to their Pelagics Fishery Management Plan. The Pacific Council submitted comments to the Western Pacific Council on Amendment 14, which are intended to facilitate a consistent position between the two Councils. Additionally, the Pacific Council has recently adopted a U.S. West Coast position for international consideration (described below). The purpose of this letter is to request that the U.S. delegation consider the Pacific Council's position in the development of a U.S. position on future management measures for Pacific bigeye during the upcoming IATTC meeting.

At the March 2006 Pacific Council meeting, NMFS provided the Council with an Analysis of Management Options for Development of a Plan to End Overfishing of Pacific Bigeye Tuna in the Eastern Pacific Ocean (EPO) (attachment 1). The goal of this document was to provide the Council with information necessary to help develop a position that has the potential to influence future conservation and management decisions adopted by the IATTC, in the EPO.

At its April 2006 meeting, the Pacific Council considered additional analysis (attachments 2 and 3) as well as public comments to assist in the final process of developing a position. Based on the open public process that took place at its March and April 2006 meetings, the Pacific Council adopted a position composed of a suite of measures to end overfishing in the EPO, including actions to reduce fishing mortality on juvenile bigeye by purse seine fleets.

The Pacific Council believes that the recommendations below can form an important component of the Pacific-wide response to bigeye overfishing and for that reason would like such measure to

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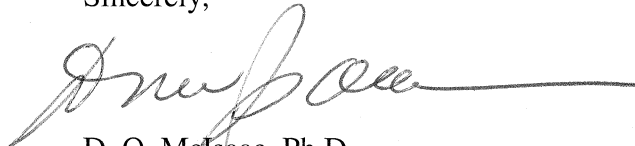
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be considered when developing the United States position for a multi-annual program on the conservation of tuna in the EPO. The Pacific Council position calls for the following actions:

- The actions described in Management Option 3 with the exclusion of an exemption for fleets that catch one percent or less of the total Pacific bigeye tuna landings described under that Option. The Pacific Council may reconsider application of such an exemption, but believes that at this point there is insufficient information available to define the full necessities of such an exemption.
- Establish a definition for a nation's fleet which includes all of the vessels fishing under one nation regardless of area, or gear type.
- Establish an exemption for small purse seine vessels (less than 400-short ton carrying capacity) that fish in the nearshore environment off the coast of California. These vessels primarily target coastal pelagic species (anchovy, sardine, mackerel), but occasionally fish for tropical tunas when these species enter West Coast waters during the months of May through October. A similar exemption could be applied to other gear types or sectors that incidentally catch negligible amounts of bigeye tuna.
- Support international action (as opposed to unilateral action) that would end bigeye tuna overfishing in the EPO.

The Pacific Council requests that the U.S. delegation to the IATTC consider the Pacific Council position when making recommendations on tuna conservation measures for 2007 through 2009. Any new actions taken at the upcoming meeting by the IATTC to end or prevent overfishing will be considered by the Council when developing its recommendation to NMFS as to what additional U.S. regulations, if any, may be necessary to end or prevent overfishing domestically. The Council's plan to end overfishing will reflect traditional participation in the fishery, relative to other nations, by fishers of the United States, consistent with Section 304(e)(4)(C) of the MSA.

Sincerely,



D. O. McIsaac, Ph.D.
Executive Director

HLT:rdd

Attachments: Analysis of Management Options for Development of a Plan to End Overfishing of Pacific Bigeye Tuna in the Eastern Pacific Ocean

Highly Migratory Species Management Team Report on Bigeye Tuna Overfishing Response

Highly Migratory Species Advisory Subpanel Report on Bigeye Tuna Overfishing Response

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c: Mr. Scott Burns
Dr. John Coon
Dr. Kit Dahl
Mr. Robert Fletcher
Mr. Peter Flournoy
Mr. William Gibbons-Fly
Mr. Mark Helvey
Mr. Dave Hogan
Mr. William Robinson
Mr. Patrick Rose
Ms. Kitty Simmons
Ms. Heidi Taylor
Highly Migratory Species Management Team
Highly Migratory Species Advisory Subpanel

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May 8, 2006

Ms. Kitty Simonds, Executive Director
Western Pacific Fishery Management Council
1164 Bishop Street, Suite 1400
Honolulu, HI 96813-2856

Dear Ms. ^{Kitty} Simonds:

Thank you for your March 30, 2006, letter regarding matters of mutual interest to our respective Councils with regard to highly migratory species. The purpose of this letter is to describe the Pacific Fishery Management Council's (Pacific Council's) position on the subject of bigeye tuna overfishing in the Eastern Pacific Ocean (EPO) and to reply to your suggestion for future collaboration between the Pacific and the Western Pacific Councils on pelagic fisheries management. We have also sent Mr. Rod McInnis a letter containing additional material on the development of the Pacific Council's position, for use in the upcoming negotiations at Inter-American Tropical Tuna Commission's (IATTC's) June meeting; you will receive a copy of that letter and attachments.

Based on the open public process that took place at its March and April 2006 meetings, the Pacific Council adopted a position composed of a suite of measures to end overfishing in the EPO, including actions to reduce fishing mortality on juvenile bigeye by purse seine fleets. The Pacific Council position calls for the following actions:

- The actions described in Management Option 3 with the exclusion of an exemption for fleets that catch one percent or less of the total Pacific bigeye tuna landings described under that Option. The Pacific Council may reconsider application of such an exemption, but believes that at this point there is insufficient information available to define the full necessities of such an exemption.
- Establish a definition for a nation's fleet which includes all of the vessels fishing under one nation regardless of area, or gear type.
- Establish an exemption for small purse seine vessels (less than 400-short ton carrying capacity) that fish in the nearshore environment off the coast of California. These vessels primarily target coastal pelagic species (anchovy, sardine, mackerel), but occasionally fish for tropical tunas when these species enter West Coast waters during the months of May through October. A similar exemption could be applied to other gear types or sectors that incidentally catch negligible amounts of bigeye tuna.
- Support international action (as opposed to unilateral action) that would end bigeye tuna overfishing in the EPO.

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The Pacific Council agrees with you that a joint Council plan addressing bigeye tuna overfishing can send a compelling message of support for creating an international consensus on ending overfishing of bigeye tuna Pacific-wide. For that reason, the Council requests that the Western Pacific Council consider incorporating the above measures into the Pelagics Fishery Management Plan (FMP) Amendment 14. Should National Marine Fisheries Service (NMFS) approve essentially identical content in the FMPs for both Councils and the State Department also agree, this could serve as a U.S. Pacific-wide response to bigeye tuna overfishing.

With regard to the component of your March 30, 2006, letter recommending a joint council colloquium or its equivalent, we agree and want to encourage increased cooperation between our two Councils. Ms. Heidi Taylor of NMFS Southwest Region is now on detail to the Pacific Council, and I have asked her to take the lead in coordinating an initial meeting to accomplish this goal. Please advise as to who on your staff she should work with in developing logistical and content alternatives for our joint consideration.

Sincerely,



D. O. McIsaac, Ph.D.
Executive Director

HLT:ckc

c: Dr. John Coon
Dr. Christopher Dahl
Mr. Mark Helvey
Mr. William Robinson
Ms. Heidi Taylor
Highly Migratory Species Management Team
Highly Migratory Species Advisory Subpanel