

COUNCIL OPERATING PROCEDURE (COP) FOR PROVIDING HIGHLY MIGRATORY SPECIES (HMS) MANAGEMENT RECOMMENDATIONS TO REGIONAL FISHERY MANAGEMENT ORGANIZATIONS

At their April 2007, meeting the Council reviewed a draft COP to facilitate effective communication of management advice through the appropriate U.S. delegation to the Regional Fishery Management Organizations (RFMOs) involved in HMS management in the Pacific Ocean. According to the COP, such advice would be coordinated with input from the Western Pacific Fishery Management Council. This COP follows from a provision in the Amendment 1 to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species. In addition, new language in the Magnuson-Stevens Reauthorization Act of 2007 directs Councils to develop and submit recommendations to the Secretary of State and Congress for international actions that will end overfishing of a stock the Secretary determines is overfished or approaching a condition of being overfished due to excessive international fishing pressure and for which there are no management measures to end overfishing under an international agreement to which the United States is a party (§304(i)). The COP could also serve as a mechanism for the development of such recommendations. To this end, a sentence has been added to the preamble of the COP recognizing this role.

After reviewing the draft COP at the April 2007 meeting, the Council directed staff to incorporate any non-substantive edits proposed by the Highly Migratory Species Advisory Subpanel (HMSAS) in their report to the Council (Agenda Item J.5.c, HMSAS Report, April 2007) and make it available for public review. It should be noted that in the Nominations for RFMO Advisory Committee section of the draft COP, the HMSAS proposed changing consideration of a nominee representing the commercial troll fishery for North Pacific albacore to one representing West Coast HMS fisheries generally. Because this is a substantive change, it was not made in the revised draft COP. Attachment 1 is the revised draft COP, incorporating these edits. Insertions are underlined and deletions are struck-out.

The memorandum of understanding (MOU) called for in §503(f) of the Western and Central Pacific Fisheries Convention Implementation Act has been an ancillary matter associated with this agenda item. On Friday of the April 2007 Council meeting there may not have been sufficient time for full Council consideration of all implications related to the draft MOU presented at that time (Agenda Item J.5.a, Attachment 1, April 2007). At this meeting the Executive Director will provide further information and an update on the MOU.

Council Action:

- 1. Take final action to adopt the COP for HMS Management Recommendations to RFMOs with any additional changes, as appropriate.**
- 2. Consider further direction on the MOU.**

Reference Materials:

1. Agenda Item B.2.a, Attachment 1: Council Operating Procedure for Highly Migratory Species Management Recommendations to Regional Fishery Management Organizations

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Final COP

Kit Dahl

PFMC
05/23/07