

## YELLOWFIN TUNA OVERFISHING

In 2006 the Council was notified that the Eastern Pacific Ocean (EPO) yellowfin tuna stock is subject to overfishing, requiring a Council response under the Magnuson-Stevens Act (MSA). In April 2007 the Council was briefed on new provisions in the MSA at §304(i) applicable to international overfishing. The Council also received a letter from Mr. Rod McInnis, National Marine Fisheries Service Southwest Regional Administrator, informing the Council that these provisions are applicable to yellowfin tuna. Based on this letter, the Council has until March 30, 2008 to (1) develop recommendations for domestic regulations to address the relative impact of United States fishing vessels on the stock, and (2) develop and submit recommendations to the Secretary of State and Congress for international actions to end overfishing and rebuild the stocks, recognizing the relative impact of foreign vessels and U.S. vessels.

According to data from the Inter-American Tropical Tuna Commission (IATTC), U.S. catches of yellowfin tuna amounted to 3,698 mt in 2004, 1.3 percent of the total catch (291,471 mt) recorded by the IATTC in the EPO for that year. Of the U.S. catch, recreational fishing accounted for 1,159 mt. The Council may wish to consider whether current domestic conservation and management measures pursuant to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (50 CFR 660, subpart K) are sufficient to address MSA §304(i)(2)(A), or new measures should be proposed. If new measures are proposed, they would be promulgated under the standard rulemaking process and associated review requirements.

With respect to any recommendations for international actions the Council may develop to address MSA §304(i)(2)(B), it is likely that they would be categorically excluded from further analysis under the National Environmental Policy Act. That being the case, the Council would not be required to develop a range of alternatives when considering recommendations, although for the purposes of public review and input the Council may wish to do so. Presuming the identification of a proposal or alternatives at this meeting, the Council is scheduled for final action at the March 2008 Council Meeting in Sacramento, California.

At the April 2007 meeting the Council made recommendations to the U.S. Section of the IATTC on measures they should communicate during the 75th IATTC meeting (June 25–29, 2007). Attachment 1 is the letter sent to Mr. Rod McInnis containing these recommendations. The IATTC subsequently prepared a new yellowfin tuna stock assessment in May 2007, which the Scientific and Statistical Committee is scheduled to review and report on to the Council at the September 2007 meeting. (The stock assessment is provided in electronic format as Attachment 2.) Attachments 3 and 4 are papers prepared by IATTC staff evaluating conservation proposals and making recommendations in advance of the 75th meeting. Attachment 5 is a U.S. proposal for tuna conservation measures tabled at the meeting but not adopted. These materials provide background information that can help in the formulation of recommendations for international measures to address yellowfin tuna overfishing per MSA §304(i)(2)(B).

At the 75th meeting the IATTC did not adopt any new resolutions for the conservation of yellowfin and bigeye tuna for the period after 2007. Resolution C-04-09, replacing Resolution C-06-02, is in effect through the end of 2007. The principal measure applicable to yellowfin tuna contained in this Resolution is a closure of purse seine fisheries for either the period August

1-September 11 or November 20 to December 31, the choice of period being at the discretion of IATTC Parties. The 76th IATTC meeting is scheduled for October 22–24, 2007, in La Jolla, California. The main purpose of this meeting is to adopt conservation recommendations for 2008 and beyond.

**Council Task:**

1. **Consider the need for additional domestic regulations to address MSA §304(i)(2)(A); if needed, identify preliminary proposal or alternatives for public review.**
2. **Identify recommendations for international actions to address MSA §304(i)(2)(B), in the form of a proposal or alternatives, for public review.**
3. **Consider recommendations to the U.S. delegation to the October 22–24, 2007, IATTC meeting for tuna conservation measures to adopted by the Commission for 2008 and beyond.**

**Reference Materials:**

1. Agenda Item F3.a, Attachment 1: May 1, 2007, letter from Mr. Donald Hanson to Mr. Rod McInnis containing recommendations to the U.S. Section of the IATTC on conservation measures
2. Agenda Item F3.a, Attachment 2: Status of Yellowfin Tuna in the Eastern Pacific Ocean, IATTC Document SAR-08-08a (*CD-ROM and Web only*)
3. Agenda Item F3.a, Attachment 3: Staff Response to Request from *Ad Hoc* Meeting, February 2007, Document IATTC-75-05a
4. Agenda Item F3.a, Attachment 4: Conservation Recommendations, Document IATTC-75-07b
5. Agenda Item F.3.a, Attachment 5: Proposal D1 Submitted by the United States; Resolution on a Multi-Annual Program on the Conservation of Tuna in the Eastern Pacific Ocean for 2008, 2009, and 2010
6. Agenda Item F.3.b, Highly Migratory Species Management Team Report
7. Agenda Item F.3.b, Highly Migratory Species Advisory Subpanel Report

**Agenda Order:**

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Adopt Alternatives for Public Review to Address Yellowfin Tuna Overfishing

PFMC  
8/14/07