



Pacific Fishery Management Council

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May 1, 2007

Mr. Rodney McInnis
Regional Administrator
National Marine Fisheries Service Southwest Region
501 West Ocean Blvd.
Long Beach, CA 90802-4213

Dear Mr. McInnis,

At our April 1–6, 2007, meeting, the Council discussed management measures that should be taken at the international level to address overfishing of Pacific-wide bigeye and eastern Pacific yellowfin tuna stocks. For the eastern Pacific Ocean such management measures would have to be adopted by the Inter-American Tropical Tuna Commission (IATTC) by resolutions committing members to implement domestic measures. The Council discussed possible recommendations they would like to forward to the U.S. Section to the IATTC for consideration in the development of a U.S. position for the June 25–29, 2007, IATTC meeting in Cancun, Mexico. Recognizing that the General Advisory Committee has a statutory role to advise the U.S. Section, this letter is copied to its Chair.

The Council has a direct interest in the status of these stocks because they are part of the management unit in our Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species. As such, the Council was previously notified by you of the Secretarial determination for these two stocks, which obligates a response. For bigeye tuna, the Council submitted an amendment to our fishery management plan (FMP) in response to the requirements of the Magnuson-Stevens Fishery Conservation and Management Act at §304(e)(3). However, we recognize the limits of unilateral action; furthermore, new provisions in the Magnuson-Stevens Reauthorization Act of 2006 (§406(a)) expressly call on Councils to develop and submit recommendations to the Secretary of State and Congress for international actions to end overfishing. If, at their next meetings, the IATTC and, for bigeye tuna, the Western and Central Pacific Fisheries Commission (WCPFC) are unable to adopt conservation measures that demonstrably end overfishing, we expect to continue making recommendations on a U.S. position in subsequent years.

At their April meeting, the Council was informed that significant new information in relation to these stocks and the efficacy of potential conservation measures will become available at the 8th Meeting of the Working Group on Stock Assessment (May 7–11, 2007). Although the Council will meet again in June, this offers scant time to transmit a formal recommendation to the U.S. Section prior to the IATTC meeting. In addition, the General Advisory Committee will meet on May 30 and we would like to offer this input for that meeting as well. Recognizing the limitation on information available to the Council at the time of their meeting, the Council identified the following general recommendations for the U.S. Section to consider for this year's IATTC meeting, based on input from our Highly Migratory Species Management Team and

Highly Migratory Species Advisory Subpanel (the Highly Migratory Species Management Team's report is attached for your information).

Controlling fishing capacity is an important precursor to implementing catch controls that achieve F_{MSY} . The IATTC has made progress in controlling capacity through the adoption of Resolution C-98-11 (Resolution on Fleet Capacity), Resolution C-00-01 (Resolution on the Capacity of the Tuna Fleet Operating in the Eastern Pacific Ocean) and Resolution C-02-03 (Resolution on the Capacity of the Tuna Fleet Operating in the Eastern Pacific Ocean [Revised]). The Council encourages the U.S. Section to continue to work with the IATTC to implement effective capacity limits, such as the Capacity Plan identified in Resolution C-02-03. Capacity limits should first focus on purse seine vessels. If capacity reduction measures are identified and implemented they should take into account patterns of historical participation.

Depending on recruitment to the stocks, conservation measures that limit total catch may be necessary. The most direct mechanism would be to establish a total allowable catch (TAC) level, which is a measure identified by the IATTC at the February 5–6, 2007, Ad Hoc meeting for analysis by the Working Group on Stock Assessment. The IATTC has previous experience with the application of a TAC and the U.S. Section should propose a workable formula that could end overfishing. If appropriate, allocation or subdivision of the TAC by fleet; area; or Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (CPCs) should be considered.

Time-area closures are an indirect method to limit catch. The time-area closure for purse seine vessels implemented under Resolution C-06-02 may not be sufficient to end overfishing on the two stocks (in concert with other, existing conservation measures). At the February Ad Hoc IATTC meeting the U.S. recommended, for analysis, an ongoing closed area for purse seine vessels focused to an area from which slightly less than half the 2001–05 bigeye tuna catch originated. While not advocating, without further analysis, the specific closed area identified by the U.S., the Council recognizes that area closures can be an effective tool to limit catch and encourages the consideration of closed area proposals that would have a demonstrable effect on reducing or ending overfishing on the two stocks; any analysis of closed area proposals should consider the effect on the U.S. fleet. In order to monitor compliance, the IATTC should implement a vessel monitoring system (VMS) that would require uniform participation by subject vessels. The VMS should consolidate data originated from national VMS programs or operate transnationally and independently. Such a consolidated VMS should be administered by a neutral third party to ensure transparency and enhance accountability.

One source of overfishing, particularly for yellowfin tuna, is the catch of fish of lower average weight, reducing yield-per-recruit below a level that could achieve average maximum sustainable yield (AMSY). In general, the floating-object, unassociated, and pole-and-line fisheries capture younger, smaller fish than do the dolphin-associated and longline fisheries. The floating object segment has shown the largest decline in average weight of yellowfin tuna caught, 2001–06, of about 70 percent. Conservation measures should address these catches, and catches of juvenile bigeye tuna, directly. At the February Ad Hoc IATTC meeting, the U.S. proposed area closures to limit fishing in areas with high catch of juvenile fish. The Council encourages further development of this proposal.

Increased use of artificial fish aggregating devices (FADs) may be contributing to high catches of juvenile fish. Free-floating FADs may be deployed for long periods and intentionally or

inadvertently fished on by multiple vessels. As with fishing vessels overall, the number, or “capacity,” of FADs may be an issue. The U.S. should propose a requirement that all FADs be appropriately marked to allow identification by deploying vessel and/or nation of origin. A marking requirement could be linked to a registry system in order to account for the number of FADs in use. In concert with, or as an alternative to, the closed area proposals discussed above, the U.S. should press for the implementation of measures to limit the use of FADs in areas of high juvenile catch.

The development of conservation measures should be guided by catch or effort targets corresponding to a level of fishing mortality at or below F_{MSY} for the two stocks. Such targets should be based on actual or proxy reference points derived from the most recent stock assessments, periodically updated upon the receipt of new information, and used, in addition to identifying measures, to assess the efficacy of any measures that have been implemented. As appropriate, such targets should be established for different fishery segments, recognizing differences in the age composition of catches. In the case of bigeye tuna, which is considered a single, Pacific-wide stock, any such targets should take into account fishing in the Western Pacific and be coordinated with the WCPFC.

The Council recognizes the challenges of negotiating agreements among sovereign entities, since it is the CPCs who will actually implement most control measures for their fleets. For this reason, conservation measures should also be adjudged according to the practicability of monitoring and enforcement, and their transparency at the international level. Without effective compliance even the most well-crafted conservation measures cannot end overfishing.

In addition to communicating the Council’s recommendations, with this letter I would like to indicate the Council’s ongoing commitment to engage with regional fishery management organizations to encourage effective management of highly migratory species. To this end, we wish to strengthen our relationship with the U.S. Section to the IATTC and engage with the WCPFC through our Commissioner.

Sincerely,



Donald K. Hansen
Chairman

Enclosure (1)

cc: Peter Flournoy, Chairman, General Advisory Committee
David Hogan, Department of State
Edwin Ebisui, Chair, Western Pacific Fishery Management Council
Kitty Simonds, Executive Director, Western Pacific Fishery Management Council
Paul Dalzell, Pelagics Program Coordinator, Western Pacific Fishery Management Council