

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON YELLOWFIN TUNA OVERFISHING

As outlined in the Situation Summary, the Magnuson Stevens Act (MSA) includes new Council requirements related to international overfishing. For overfishing of yellowfin tuna in the Eastern Pacific Ocean (EPO), the Council has until March 30, 2008, to meet these requirements. Specifically, the Council is required to develop recommendations for domestic regulations to address the relative impact of United States vessels on the stock (MSA Section 304(i)(2)(A)) and to submit recommendations to the Secretary of State and Congress for international actions to end overfishing and rebuild the stock (MSA Section 304(i)(2)(B)).

The Highly Migratory Species Management Team (HMSMT) is uncertain whether these MSA requirements are fully satisfied with the Council's recommendations due on March 30, 2008, or they are on-going requirements for the Council. If they are on-going requirements, what are the frequency and schedule for complying with them? For example, are these annual requirements due every March 30 until overfishing of yellowfin tuna ends and stocks are rebuilt?

The HMSMT considered information on the status of yellowfin tuna and potential management measures contained in Attachments 1 through 5 to the Situation Summary. Given the short time period allowed to develop recommendations, the HMSMT has relied on recommendations and proposals already developed by the United States, the International Scientific Committee for Tuna and Tuna-like Species (ISC) and the Inter-American Tropical Tuna Commission (IATTC) to address yellowfin tuna overfishing. The HMSMT would also like to incorporate relevant outcomes from the October 2007 IATTC meeting into the draft report to Congress and the State Department; the Council is scheduled to consider for final action at its March 2008 meeting. Upon Council direction, the HMSMT could conduct a more in-depth analysis and potentially recommend other management measures in the future if MSA poses an on-going requirement.

For domestic regulations, the HMSMT does not recommend new management measures. The HMSMT considers current measures included in the HMS fishery management plan adequate to address the very low impact of U.S. fisheries on the stock. Based on the best available estimates, U.S. domestic fisheries account for a very small portion (about 1 percent) of the total yellowfin tuna catch. Of particular note, the sport fishery is a significant component of the U.S. domestic fishery and accounts for about one-third of the U.S. catch. The full complement of domestic regulations (federal and state) for U.S. fisheries catching EPO yellowfin tuna will be included in the draft report provided for Council consideration in March 2008.

For international measures, the HMSMT considers capacity reduction a key component to ending overfishing and rebuilding the EPO yellowfin tuna stock. Progress to reduce

fishing capacity in the international fisheries arena has been slow. Decisions are heavily politicized and numerous regional fishery management organization (RFMO) staff recommendations to work at reducing capacity have been disregarded. The HMSMT encourages the Council to strongly support faster adoption and full implementation of recommended measures.

The HMSMT recommends the Council further evaluate the measures proposed by the IATTC and its staff in 2007 (Attachments 3 and 4) to be presented in March 2008. In February, IATTC staff noted that the *Plan for regional management of fishing capacity* has not been implemented and its target for purse seine capacity has not been reached. They indicated that the target may not be sufficient to meet conservation goals and other measures may be needed. Staff also identified several management tools to evaluate for potential conservation benefits, including closing critical areas for juvenile yellowfin, setting a total allowable catch, considering national quotas or individual fishing quotas, implementing the *Plan for regional management of fishing capacity*, and assessing the impacts of fish aggregation devices (FADs) and fishing on adult yellowfin tuna.

In June the IATTC staff further developed management recommendations. As described in Document IATTC 75-07b REV (Agenda Item F.3.a, Attachment 4) key management proposals are:

1. Extend the closure periods for the purse seine fishery to 74 days, and longer if the capacity of the purse seine fleet continues to increase.
2. Set a total allowable catch of 200,000 mt for the purse seine fleet in the EPO, with Director's discretion to increase or decrease the cap if conditions warrant.
3. Consider seasonal closures of coastal areas to purse seine vessels fishing for tropical tunas. The IATTC also noted some of the interactions and impacts of recommended measures for fisheries for bigeye and skipjack tunas. They recommended evaluating the impact of using FADs to address conservation of bigeye tunas which may also be beneficial for yellowfin tuna, especially juveniles.

The HMSMT recommends the Council also consider and evaluate the recommendations included in the U.S. proposal for the conservation of tuna in the EPO for 2008, 2009, and 2010 (Attachment 5). The objective of the U.S. proposal is to reduce fishing levels to those that will produce the average maximum sustainable yield of yellowfin tuna within three years. The recommendations would apply to all purse seine and longline vessels fishing for yellowfin, bigeye, and skipjack tunas, but pole-and-line, troll and sportfishing vessels would be exempt. The U.S. proposal includes the following measures beneficial for yellowfin tuna conservation:

1. Set a total allowable catch of 200,000 mt of yellowfin tuna with Director's discretion. This is the same as the IATTC proposal.
2. Indirectly reduce some purse seine effort on yellowfin tuna via catch caps for bigeye tuna. When bigeye catch caps on individual purse seine vessels are met, the vessel must remain in port or carry an observer and not fish in the EPO.
3. Prohibit landings, transshipments and commercial transactions in tuna products that have been identified as taken in contravention of the U.S. proposal.

In summary, the HMSMT suggests the Council consider the following to meet Magnuson-Stevens Act Section 304(i) requirements:

1. Clarify if MSA requirements are met in March 2008 for yellowfin tuna overfishing and if not, the schedule for any on-going requirements.
2. For U.S. domestic regulations (Section 304(i)(2)(A)), maintain that current domestic regulations are satisfactory and no new domestic regulations are needed to address overfishing of yellowfin tuna.
3. For international management measures (Section 304(i)(2)(B)), the HMSMT recommends evaluating the following conservation and management measures for public review, with final adoption of a suite of recommendations in March 2008:
 - a) Specify further measures to limit capacity of the purse seine fleet as discussed in Document IATTC-75-7b REV and the Council's previous letter to the U.S. delegation (Agenda Item F.3.a, Attachment 1).
 - b) Extend the current purse-seine time/area closure to 74 days, as discussed in Document IATTC-75-7b REV.
 - c) Apply the additional coastal area closure discussed in Document IATTC-75-7b REV.
 - d) Adopt the elements of the U.S. proposal (Agenda Item F.3.a, Attachment 5) for 2008–10 as may be modified in any proposal submitted at the October 22-24, 2007, IATTC meeting. These include an adjustable 200,000 mt TAC for purse seine catches, purse seine vessel catch limits of 500 mt for bigeye tuna, and extension of the current national quotas for longline catches of bigeye.
 - e) Further develop proposals for a registry of FADs, FAD marking, and limits on the total number of FADs that may be deployed, as discussed in the Council's previous recommendations (Agenda Item F.3.a, Attachment 1).
4. Consider making specific recommendations to the U.S. delegation at the October 2007 IATTC meeting, based on the range of measures outlined above.

PFMC
08/23/07