NATIONAL MARINE FISHERIES SERVICE REPORT ON HIGHLY MIGRATORY SPECIES MANAGEMENT

National Marine Fisheries Service (NMFS) Southwest Region will briefly report on recent international and domestic developments relevant to highly migratory species (HMS) fisheries and issues of interest to the Council. NMFS Southwest Fisheries Science Center will briefly report on HMS-related science and research activities.

Reference material for this agenda item include the NMFS report (Attachment 1), a NMFS letter detailing issuance of a transhipment permit (Attachment 2), a Western Pacific Fishery Management Council (WPFMC) letter about Inter-American Tropical Tuna Commission (IATTC) related activities (Attachment 3), and two public comment letters pertaining to international matters related to the albacore fishery (Agendum H.1.d, Public Comment).

Council Task:

Discussion.

Reference Materials:

1. Agendum H.1, Attachment 1: NMFS Report on Highly Migratory Species Management.
2. Agendum H.1, Attachment 2: Transhipment Permit Approval Letter.
3. Agendum H.1, Attachment 3: WPFMC IATTC Letter.
4. Agendum H.1.d, Public Comment.

Agenda Order:

a. Regulatory Activities	Svein Fougner
b. Science Center Activities	Gary Sakagawa
c. Reports and Comments of Advisory Bodies	
d. Public Comment	
e. Council Discussion	

PFMC
08/25/04

International Activities

U.S. - Canada Albacore Treaty - NOAA Fisheries implemented final regulations effective June 1, 2004, to ensure that the U.S. could carry out its obligations under the amended U.S.- Canada Albacore Treaty, including the effort reduction program the next 3 years. The regulations require (among other things) that U.S. and Canadian vessel operators call in to a third party contractor prior to crossing the border to fish in the other Party's zone and prior to exiting those waters. The contractor provides a confirmation number to the caller, and the data are immediately posted on a website (access controlled) that U.S. and Canadian fishery officials can check to monitor fishing patterns during the season. If and when a Party finds that its fishery effort limit is being approached, it will notify its fleet and advise that further crossings to fish under the Treaty would be prohibited on a date certain. The crossing reports also will provide a solid basis for checking to ensure that relevant vessels have submitted logbooks covering their fishing. This is the first year of real monitoring of fishing in each others waters, but early reports indicate that the reporting system is working well. The SWR sent letters directly to over 1,000 troll fishing vessel owners earlier this year advising them of the new requirements. It appears that there have been few if any problems with performance of the contractor; we have not received any complaints to date. A complicating factor this year, however, was that Canadian vessels were faced with new requirements under the Trade Act of 2003. The U.S. Customs and Border Service imposed additional pre-port-call reporting and bonding requirements, and NMFS went to great efforts to ensure that Canadian fishery officials and fishermen would have complete and up-to-date information about these new requirements. We received excellent cooperation both from port managers and industry, as well as from the Customs and Border Service. However, we are aware that a number of Canadian fishermen had difficulties. We hope to minimize any such problems next year.

IATTC - The Inter-American Tropical Tuna Commission (IATTC) met June 24-27, 2004, in Lima, Peru. The United States was represented by all four U.S. Commissioners or Commissioners designate. The most significant action taken was adoption of a revised, multi-year conservation and management program for the tuna fisheries. What had been slated as a 6-week purse seine closure in the summer of 2004 was changed to be a 6-week closure with two potential time frames (summer and end-of-year); each Party would choose the time period in which purse seine fishing by its vessels would be prohibited. The measure also calls for 6-week purse seine closures in 2005 and 2006. Longline fishing would also be controlled in 2004-2006, with specific tonnage limits of bigeye tuna for some nations and with other nations (including the U.S.) to hold their longline catches to the levels reached in 2001. Other actions agreed to include: calling on each nation that has vessels fishing for species for which the Commission has established conservation and management measures to establish a VMS program, except that a nation that has such a program is not required to establish a new one; continuing its bycatch reduction program for juvenile tuna through 2006; and adopting a program to promote

research, gear development, and outreach to promote new and additional efforts to mitigate the impact of tuna fishing on sea turtles. Finally, it was reported that 10 current IATTC member nations have signed the new IATTC Convention (called the Antigua Convention) but none have yet deposited instruments of ratification. Therefore, the Antigua Convention has not yet gone into effect.

In this context, it should be noted that the IATTC recommendation to limit longline catches of bigeye tuna in the eastern Pacific is likely to affect fishing vessels both from the West Coast and in the central and western Pacific (especially Hawaii longliners). The SWR and Pacific Islands Region (and our respective science centers) are working together to ensure that the best available data are used to establish the U.S. catch limit.

Western and Central Pacific Fisheries Commission - The convention for the central and western Pacific commission has entered into force. However, the first plenary session has not yet been held and no specific conservation and management measures have been recommended for implementation. There was a recent meeting in the region focusing on the need to control fleet capacity, and especially purse seine capacity, and some recommendations were made to impose limits, although there was not unanimity on the importance of this action. There also is apparently some difference in view as to whether the commission is to focus on high seas fishery management to complement management of individual nations' exclusive economic zones or is to focus on the management of fisheries in all areas of the species' range. It is clear, however, that this commission and the IATTC will have to expand cooperation to deal with conservation of bigeye tuna and other species that clearly travel across the boundaries of both organizations' areas of competence. Representatives of each organization have attended meetings of the other organization but formal collaborative mechanisms and processes are not yet in place.

Meanwhile, the Standing Committee on Tuna and Billfish (SCTB, a regional scientific organization) met in August to review and discuss the condition of central and western Pacific stocks. This has implications for U.S. vessels as bigeye tuna is one of the principal stocks of concern and it has not yet been determined if bigeye are one stock or two stocks in the Pacific. In either case, however, the stock has been under heavy fishing pressure and there is a possibility that overfishing is occurring. The SCTB meeting may result in a better understanding of the situation. Results of the meeting will be reported to the Council in September.

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1315 East-West Highway
Silver Spring, Maryland 20910

THE DIRECTOR

JUN 3 0 2004

RECEIVED
JUL 0 6 2004
PFMC

Mr. Benjamin Fuss
Baja Aqua-Farms
2535 Kettner Boulevard
San Diego, California 92101

Dear Mr. Fuss:

I have reviewed your application for a permit to be issued under Section 204(d) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and made the following determinations:

1) The transportation of fish to be conducted under the permit will be in the interest of the United States and will meet the applicable requirements of the Magnuson-Stevens Act.

2) You have confirmed that you will comply with the requirements described in Section 201(c)(2) of the Magnuson-Stevens Act.

3) No bonds or financial assurances as provided for in Section 204(d)(3)(C) of the Magnuson-Stevens Act are necessary at this time.

4) No owner or operator of a vessel of the United States having adequate capacity to perform the transportation for which the application was submitted has indicated an interest in performing the transportation.

Accordingly, I have approved the application. Enclosed is a permit issued under Section 204(d) of the Magnuson-Stevens Act for the THOR and the XCARET. This permit governs fishing by the named vessels in calendar year 2004. It includes the initial permit conditions and restrictions. Additional conditions and restrictions may be issued, if appropriate.

Copies of the approved permit are being provided to the Southwest Regional Administrator of the National Marine Fisheries Service, the U.S. Coast Guard, the Pacific Fishery Management Council, and the Department of State.

Sincerely,

for William T. Hogarth, Ph.D.

Enclosure

THE ASSISTANT ADMINISTRATOR
FOR FISHERIES

MX-001

UNITED STATES OF AMERICA

DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

FOREIGN FISHING VESSEL PERMIT
FOR CALENDAR YEAR 2004

VESSEL NUMBER	NAME OF VESSEL	CALL SIGN	ACTIVITY
MX-04-0006	THOR	XCCH6	10
MX-04-0007	XCARET	XCDJ7	10

ACTIVITY : 10 -- TRANSSHIPPING [REFER TO 50 CFR 600.501(c)]

THE VESSELS IDENTIFIED ABOVE ARE SUBJECT TO THE ATTACHED CONDITIONS AND RESTRICTIONS AND TO ANY SUBSEQUENT CONDITIONS AND RESTRICTIONS WHICH MAY BE ISSUED AND MADE A PART OF THIS FOREIGN FISHING PERMIT.

FOR THE UNITED STATES OF AMERICA

for WILLIAM T. HOGARTH, Ph.D.
ASSISTANT ADMINISTRATOR
FOR FISHERIES

6/30/04
DATE

AUTHORIZATION NO. MX-001

ATTACHMENT FOR MX-001

UNITED STATES OF AMERICA

DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

FOREIGN FISHING VESSEL PERMIT
AUTHORIZED ACTIVITIES AND
CONDITIONS AND RESTRICTIONS

AUTHORIZED ACTIVITIES ARE AS FOLLOWS:

The named vessels are authorized to transship, within the area of the U.S. Exclusive Economic Zone south of 38° N. lat., live tuna for the purpose of transporting the tuna alive in a fish cage to the Mexican Exclusive Economic Zone.

CONDITIONS AND RESTRICTIONS ARE AS FOLLOWS:

In addition to the conditions and restrictions established by Section 204(b)(7) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) (16 U.S.C. 1801 et seq.), the named vessels are subject to the following conditions and restrictions:

Fishing must be conducted in accordance with the provisions of Section 204(d) of the MSFCMA, applicable Federal and State regulations, and any additional conditions and restrictions which may be issued and made a part of this permit. Any area closed to fishing by U.S. vessels being supported by the named vessels is also closed to the named vessels.

This permit is valid from the date of signature for calendar year 2004 unless otherwise limited in this permit or subsequent conditions and restrictions issued and made a part of this permit. Subsequent conditions and restrictions, if any, are valid on the date issued. This permit may be amended, suspended, canceled or revoked under provisions of 15 CFR Part 904.

Vessels authorized under this permit may engage in approved fishing activities only after:

(1) the permitted vessel has received notification of activities authorized under this permit, and of all additional conditions and restrictions pertaining to this permit and

(2) a copy of this permit is on board and readily available to an authorized officer or observer upon request.

The owners and operators of the vessels authorized under this permit must ensure that fish used to feed the caged tuna are

disease-free and caught from the area where the tuna were caught.

In lieu of a transshipment point and other particulars being specified in the permit application for the named vessels, this permit is issued contingent upon the owner or operators of the named vessels providing information satisfactory to the Southwest Regional Administrator, National Marine Fisheries Service (Regional Administrator), and to District Eleven of the U.S. Coast Guard (USCG), specifying the quantities of tuna transported from U.S. waters by the named vessels, and such other information as the Regional Administrator and USCG may deem necessary. Failure by the owner or operators of the named vessels to submit complete and accurate information to the satisfaction of the Regional Administrator and USCG may result in cancellation of the permit. The manner and schedule for reporting such information is set as follows by the Regional Administrator and USCG:

The owners and/or operators of the named vessels must report for each transshipment the following information on a weekly basis by the Tuesday following the week in which transshipments occurred:

a) Date of transshipment;

b) U.S. catcher vessel name and hull number;

c) Tuna species transshipped;

d) Volume of tuna transshipped in metric tons (mt);

e) Value of tuna transshipped in U.S. dollars per mt;

f) Transshipment point specified as latitude and longitude;

g) Name and address of company to which transshipped tuna is to be delivered.

The above information must be submitted by U.S. mail, electronic mail or fax to Trisha Culver at the following address:

National Marine Fisheries Service
Southwest Regional Office
P.O. Box 32469
Long Beach, CA 90832-2469
E-mail: Trisha.Culver@noaa.gov
Fax: (562) 980-4047

The owners and/or operators of the named vessels must report as follows to Coast Guard Activities, San Diego, CA, either via VHF-FM Channel 16 or via telephone to (619) 683-6470:

a) Prior to entering U.S. waters, but no earlier than 4 hours before entry, report time and place of entry and expected time and place of departure from U.S. waters;

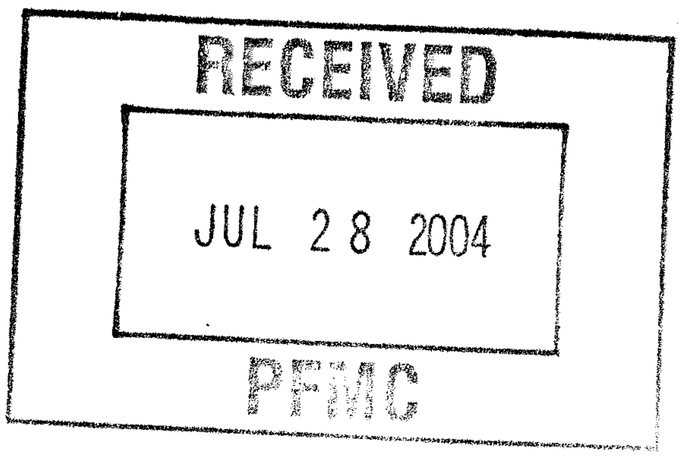
b) If delayed within U.S. waters for more than 24 hours past the estimated time of departure, report current position and new estimated departure time;

c) If contacted by the USCG.

WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

July 9, 2004

Rod McInnis
Acting Administrator
NMFS Southwest Region
501 West Ocean Blvd
Suite 4200
Long Beach
CA 90802



Dear Rod:

Please accept these comments on the June 25th proposed rule to implement the 2004 management measures to prevent overfishing of the eastern tropical Pacific Ocean (ETP) tuna stocks, consistent with recommendations by the Inter-American Tropical Tuna Commission (IATTC). However, it is the Council's position that the domestic implementation of such actions should be carried out through the Council process. This process provides a series of opportunities for fishery managers, participants and other stakeholders to assist in crafting implementing regulations that are consistent with existing fishery management plans, carefully consider any allocation issues, and are fully cognizant of local conditions.

In general, the Council is in favor of international actions to limit catches of bigeye tuna, as we are aware that the stocks, while not overfished per se, are probably being fished at a mortality rate greater than that associated with MSY.

The rule proposes limiting bigeye catches by US longliners in the convention area to 100 mt. We are concerned that 100 mt is an unrealistic total for the Hawaii fishery, particularly if there continues to be some longline fishing based out California. We would like to know if logbook data does indeed indicate that the 2001 landings for the Hawaii fishery amounts to only 100 mt. Perusal of data in the Pacific Council's highly migratory species fishery management plan indicates that in 1998 and 1999 bigeye catches by Hawaii-based longliners in the convention area were about 150 mt. We are following up on this with an inquiry to the Pacific Islands Fisheries Science Center on the annual volume of catch of bigeye by the Hawaii fleet in the convention area. We will communicate the results of this inquiry in a follow-up letter next week which we expect to be taken into consideration when the final rule is being drafted.

The tone of the proposed rule suggests that the rule will have little impact as Hawaii-based longliners are not thought to operate widely in the convention area. However, this may be incorrect and in addition, the Hawaii-based longline swordfish fishery has recently re-opened, which is the segment of the longline industry in Hawaii that is most likely to fish in the convention area. For these reasons we question the conclusion that a regulatory flexibility analysis is not required. We also note that there is no mention of a National Environmental Policy Act analysis, which we believe is also required for this measure

The resolution drafted by IATTC states that monthly longline catch reports must be provided to the IATTC Director if this rule is put into effect. Clearly this is necessary to monitor the running total of bigeye catch landed by US vessels in the convention area. However, the rule does not speak to this aspect of the management measure, nor indicate which region will take the lead in monitoring catches and making the report. Moreover, there is no discussion in the rule about the mechanism by which fishermen would be kept informed of the running total of bigeye catch through the year, what level of catch would trigger any action against continued fishing within the convention area, what this action would be, and how fishermen would be notified in advance any action? Again, working through the Council process can resolve these issues and lead to improved rule making.

Thank you for the opportunity to comment on this proposed rule.

Sincerely,

Kitty M. Simonds
Executive Director.

cc: Bill Robinson
Bill Hogarth
Bill Gibbons-Fly
Sam Pooley

WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

July 19, 2004

Rod McInnis
Regional Administrator
NMFS Southwest Region
501 West Ocean Blvd, Suite 4200
Long Beach, CA 90802

Dear Rod,

This letter contains additional comments on the June 25th proposed rule to implement the 2004 management measures to prevent overfishing of the eastern tropical Pacific Ocean (ETP) tuna stocks, consistent with recommendations by the Inter-American Tropical Tuna Commission (IATTC).

As referenced in my previous comments, we have received additional information from the Pacific Island Fisheries Science Center (PIFSC) on the volume of catches by US longliners within the IATTC convention area (east of 150 deg W). These data show that the selection of 2001 for the Hawaii as the target year for the IATTC resolution was unfortunate, since this year appears to have been the exception from the norm. The total annual US longline bigeye catch ranged from 106-216 mt/yr (average = 129 mt) in the IATTC convention area between 1999 and 2003 (see attached table). The lowest catch of 106 mt was taken in 2001. The contribution to this bigeye catch total from the Hawaii-based longline fleet over this period ranged from 52-171 mt (average = 162 mt), again with the lowest catch occurring in 2001.

The 100 mt bigeye cap in the proposed rule would be shared between the Hawaii-based longline fleet and those longliners still based in California. The Hawaii-based vessels have in the past caught on average about 80% of the US fleet annual bigeye total in the convention area. Based on this ratio, the Hawaii fleet can expect to catch only 80 mt or half of the expected average in recent years. Although a small fraction of the total longline bigeye catch in the IATTC area, the Council doubts that any of the other longline fleets will expect to have a 50% reduction of their bigeye catches in the convention area. Clearly there are sufficient grounds here for NMFS to reconsider a higher cap than the 100 mt in the proposed rule, and to provide sufficient justification for this to the IATTC.

You will recall that 2001was the year that the management of the Hawaii longline fishery was in flux due to litigation between NMFS and various environmental organizations. As a result, fishing to the north, east and south of Hawaii was limited and the entire fishery was shut down completely for two weeks in March of that year. This litigation was not resolved until April 1, 2001, at which time the Hawaii-based longline fleet took an additional month or so to resume fishing. The biggest impact of the management changes in 2001 was on those vessels which fished to the north and east of the Hawaiian Islands. This led to a major catch reduction of the longline fleet as a whole between 2000 and 2001 (about 35%) with a concomitant reduced bigeye catch in the IATTC convention area.

Based on this information, the negative impacts on Hawaii vessels will not be negligible, as indicated in the June 25th notice. Hawaii longline vessels (which are small business entities) will likely be

negatively affected by both the area closure and the quota. An Initial and Final Regulatory Flexibility Analysis (IRFA/FRFA) is required to present this information, analyze impacts, and discuss changes made to reduce these impacts. NMFS guidance on the preparation of these analyses should be followed. Similar guidelines exist for the documentation and certification necessary to waive the preparation of the IRFA/FRFA. However in general NMFS does not attempt certification as it is easier simply to conduct the IRFA/FRFA then to obtain certification. The summary presented in the proposed rule does not realistically discuss impacts on all small businesses (i.e. Hawaii and CA longline vessels) or the factors required for certification.

In addition, the rule's Regulatory Impact Review (RIR) should discuss net benefits to the nation, which it does not appear to do. It is also somewhat confusing that the document is entitled "RIR/IRFA" when the proposed rule states in one place that no IRFA was prepared, while in another place it says that it was prepared. If this is an IRFA, it does not address all the required factors (see NMFS' guidelines). In addition, the proposed rule does not appear to address National Environmental Policy Act requirements. With all the above impacts it would appear that an Environmental Impacts Statement, or at least an Environmental Assessment would be required. Further, the proposed rule does not contain any regulatory text, which compromises our ability to comment on what measures are being considered by NMFS in the event that the catch limit of bigeye is reached.

The Council would also like seek clarification about a statement on page 7 of the RIR/IRFA that the Tuna Conventions Act does not provide authority for the United States to take independent action to conserve and manage fisheries subject to management under the IATTC program". Does this imply that the provisions of this Council's pelagic fisheries management plan and those of the Pacific Council's pelagics plan do not apply to US vessels fishing within the IATTC convention area? Such a policy represents a significant change and should be discussed with the Councils in detail at the earliest opportunity.

Finally, the Council notes that the comment period (June 25-July 12) was extremely short, without justification for the brevity of the interval. We request that the comment period be re-opened. We would also like to reiterate that the domestic implementation of fishery management measures stemming from international treaties and conventions should be carried out through the Council process. Given the concerns about the status of Pacific pelagic stocks, it is likely that limits to fishing will become more common both in the IATTC area and in the central and western Pacific following the entry into force of a management convention in June this year. We all need to do a better job in the future of formulating coordinated science-based, and well informed responses to these types of management issues.

Sincerely,

Kitty M. Simonds

Kitty M. Simonds
Executive Director

cc: Western Pacific Council Members
Hawaii Longline Association
Bill Hogarth

Catch of bigeye tuna in the IATTC convention area by US longline vessels, 1999-2003. Source, NMFS Pacific Islands Fisheries Science Center, Honolulu

Year	Bigeye catch (mt)		Percent of bigeye catch by Hawaii longliners of total US longline catch in IATTC area
	Hawaii longliners only	Total US longliners	
1999	165.82	216.61	76.55%
2000	113.15	124.60	90.81%
2001	51.65	105.78	48.82%
2002	144.78	156.61	92.45%
2003	171.17	206.80	82.77%
Average	129.31	162.08	78.28%

236.602–1 Selection criteria.

(a) Establish the evaluation criteria before making the public announcement required by FAR 5.205(c) and include the criteria and their relative order of importance in the announcement. Follow the procedures at PGI 236.602–1.

236.602–2 and 236.602–4 [Removed]

3. Sections 236.602–2 and 236.602–4 are removed.

4. Section 236.604 is amended by revising paragraph (c)(ii) to read as follows:

236.604 Performance evaluation.

* * * * *

(c) * * *

(ii) File and use the DD Form 2631, Performance Evaluation (Architect-Engineer), in a manner similar to the SF 330, Architect-Engineer Qualifications, Part II.

[FR Doc. 04–14341 Filed 6–24–04; 8:45 am]

BILLING CODE 5001–08–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 300

[Docket No. 040617186–4186–01; I.D. 051704D]

RIN 0648–AS39

International Fisheries; Pacific Tuna Fisheries; Restrictions for 2004 Purse Seine and Longline Fisheries in the Eastern Tropical Pacific Ocean

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes this rule to implement the 2004 management measures to prevent overfishing of the eastern tropical Pacific Ocean (ETP) tuna stocks, consistent with recommendations by the Inter-American Tropical Tuna Commission (IATTC) that have been approved by the Department of State (DOS) under the Tuna Conventions Act. The purse seine fishery for tuna in a portion of the Convention Area would be closed for a 6–week period beginning August 1, 2004. This proposed rule would also close the U.S. longline fishery in the IATTC Convention Area if the catch reaches the estimated level of 2001. This action is taken to limit fishing mortality caused by purse seine fishing and longline fishing in the Convention Area and contribute to long-term conservation of the tuna stocks at levels that support healthy fisheries.

DATES: Comments must be received by July 12, 2004.

ADDRESSES: Comments on the proposed rule should be sent to Rodney R. McInnis, Acting Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802 or by email to the Southwest Region at *0648–AS39@noaa.gov*. Comments may also be submitted by email through the Federal e-Rulemaking portal: *http://www.regulations.gov*. Include in the subject line of the e-mail comment the following document identifier: 0648–AS39. Comments also may be submitted by fax to (562) 980–4047. Copies of the regulatory impact review/regulatory analysis may be obtained from the Southwest Regional Administrator, Southwest Region, NMFS, 501 W. Ocean Blvd., Long Beach, CA 90902–4213.

This **Federal Register** document is also accessible via the Internet at the Office of the **Federal Register**'s website at *http://www.access.gpo.gov/su-docs/acces/*.

FOR FURTHER INFORMATION CONTACT: J. Allison Routt, Sustainable Fisheries Division, Southwest Region, NMFS, (562) 980–4030.

SUPPLEMENTARY INFORMATION: The United States is a member of the IATTC, which was established under the Convention for the Establishment of an Inter-American Tropical Tuna Commission signed in 1949 (Convention). The IATTC was established to provide an international arrangement to ensure the effective international conservation and management of highly migratory species of fish in the Convention Area. The Convention Area is defined to include the waters of the eastern tropical Pacific Ocean bounded by the coast of the Americas, the 40°N. and 40° S. parallels, and the 150° W. meridian. The IATTC has maintained a scientific research and fishery monitoring program for many years and annually assesses the status of stocks of tuna and the fisheries to determine appropriate harvest limits or other measures to prevent overexploitation of the stocks and promote viable fisheries. Under the Tuna Conventions Act, 16 U.S.C. 951–961 and 971 *et seq.*, NFMS must publish proposed rules to carry out IATTC recommendations that have been approved by DOS. The Southwest Regional Administrator, also is required by rules at 50 CFR 300.29(b)(3) to issue a direct notice to the owners or agents of all U.S. purse seine vessels that operate in the ETP of actions recommended by the IATTC and approved by the DOS.

At an extraordinary meeting in October 2003, the IATTC adopted a resolution addressing yellowfin, bigeye, and skipjack tuna conservation for 2003 and 2004. The resolution calls upon the Parties to the Convention and cooperating non-Parties to prohibit tuna purse seine fishing in a portion of the IATTC Convention Area for the month of December 2003 and for a 6–week period beginning August 1, 2004. The 2003 closure was implemented by separate action last year. The 2004 closure would be of waters bounded by a line from the point where the 95° W. long. meridian intersects the west coast of the Americas, south to 10° N. lat., then west to 120° W. long., then south to 5° S. lat. then east to 100° W. long., then north to 5° N. lat., then east to 85° W. long., and then north to the point of intersection with the west coast of the Americas. This closure will target fishing that has higher catches of juvenile tuna. Therefore, there should be improved yields from the stocks later in the year. The resolution also calls upon Parties and cooperating non-Parties to take measures necessary to ensure that their total longline catches of bigeye tuna in the ETP during 2004 will not exceed those of 2001. The catch level for 2001 is estimated to be approximately 100 metric tons in the Convention Area. This is intended to prevent overfishing of the stock, which has declined in recent years while longline fishing effort has greatly expanded. The IATTC action at the extraordinary meeting in October 2003 came after considering a variety of measures, including the use of quotas and partial fishery closures as in 1999 through 2002 and the full month purse seine closure used in 2003. The selected measures should provide protection against overfishing of the stocks in a manner that is fair, equitable, and readily enforceable. The DOS has approved the IATTC recommendations.

The proposed 2004 time/area closure is based on 2003 assessments of the condition of the tuna stocks in the ETP and historic catch and effort data for different portions of the ETP, as well as records relating to implementation of quotas and closures in prior years. The closure is targeted to areas with high catches of bigeye tuna in the purse seine fishery and is believed by the IATTC scientific staff to be sufficient to reduce the risk of overfishing of that stock, especially when considered in

combination with the measures implemented in December 2003. The IATTC will meet in June 2004 and review new tuna stock assessments and fishery information and will consider that new information in evaluating the need for management measures for 2005 and future years.

The Acting Regional Administrator, Southwest Region, sent a notice October 10, 2003, to owners and agents of U.S. tuna purse seine fishing vessels of the actions that were recommended by the IATTC and have been approved by the DOS.

Classification

This action is proposed under the regulations for the Pacific Tuna Fisheries found at 50 CFR 200.29.

On December 8, 1999, NMFS prepared a biological opinion (BO) assessing the impacts of the fisheries as they would operate under the regulations (65 FR 47, January 3, 2000) implementing the International Dolphin Conservation Program Act (IDCPA) that amended the Marine Mammal Protection Act (MMPA). NMFS concluded that the fishing activities conducted under those regulations are not likely to jeopardize the continued existence of any endangered or threatened species under the jurisdiction of NMFS or result in the destruction or adverse modification of critical habitat. This rule will not result in any changes in the fisheries such that there would be impacts beyond those considered in that BO. The IATTC has also taken action to reduce sea turtle injury and mortality from interactions in the purse seine fishery so impacts of the fisheries should be lower than in the past. Because this closure does not alter the scope of the fishery management regime analyzed in the IDCPA rule, or the scope of the impacts considered in that consultation, NMFS is relying on that analysis to conclude that this rule will not likely adversely effect any endangered or threatened species under the jurisdiction of NMFS or result in the destruction or adverse modification of critical habitat. Therefore, NMFS has determined that additional consultation is not required for this action.

The U.S. ETP tuna purse seine fisheries occasionally interact with a variety of species of dolphin, and dolphin takes are authorized and managed under the IDCPA. These conservation management measures in this proposed rule do not affect the administration of that program, which is consistent with section 303(a)(2) of the MMPA.

This proposed rule has been determined to be not significant for the purposes of Executive Order 12866.

The Chief Counsel for Regulation of the Department of Commerce certified to the Chief Counsel for Advocacy of the Small Business Administration that this proposed rule, if adopted, would not have a significant economic impact on as substantial number of small entities as follows:

This action would prohibit the use of purse seine gear to harvest tuna in a portion of the Convention Area for a 6–week period beginning August 1, 2004, and limit the 2004 U.S. catch of bigeye tuna caught by longline in the ETP to the level reached in 2001 (approximately 100 metric tons). The proposed purse seine closure would apply to the U.S. tuna purse seine fleet, which consists of 10–20 small vessels (carrying capacity below 400 short tons (363 metric tons)) and 4–6 large vessels (carrying capacity 400 short tons (363 metric tons) or greater). The large vessels usually fish outside U.S. waters and deliver their catch to foreign ports or transship to processors outside the mainland United States. The large vessels are categorized as large business entities (revenues in excess of $3.5 million per year). A large purse seine vessel typically generates 4,000 to 5,000 metric tons of tuna valued at between $4 and $5 million per year. The closure should not significantly affect their operations as they are capable of fishing in other areas that would remain open. The small vessels are categorized as small business entities (revenues below $3.5 million per year). They fish out of California in the U.S. exclusive economic zone (EEZ) most of the year for small pelagic fish (Pacific sardine, Pacific mackerel) and for market squid in summer. Some small vessels harvest tuna seasonally when they are available. The proposed time/area closure will have no effect on small vessels because they do not have the endurance and markets to fish that far south.

The portion of the U.S. longline fleet (approximately 18 vessels) operating out of California has historically caught bigeye tuna in the swordfish fishery (now closed), so they should not be affected by the longline fishery limit. Further, the recent prohibition of swordfish targeting by this fleet has encouraged many of the vessel owners to relocate their activity to Hawaii (5 have moved or are moving to date); therefore, the likelihood that they will fish in the ETP for bigeye tuna is reduced. The portion of the fleet operating out of Hawaii has generally operated outside the boundaries of the IATTC Convention Area, and has not made significant catches in those waters. Also, with the reopening of the swordfish fishery for that fleet, effort directed at bigeye tuna (which has mainly occurred west of the Convention Area) should decrease, so there is a very low likelihood that the bigeye catch limit of 100 metric tons will be reached and trigger a closure.

As a result, a regulatory flexibility analysis is not required and none has been prepared.

Authority: 16 U.S.C. 951–961 and 971 *et seq.*

Dated: June 21, 2004.

William T. Hogarth,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 04–14473 Filed 6–24–04; 8:45 am]

BILLING CODE 3510–22–S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 660

[Docket No. 040617187–4187–01; I.D. 060704H]

RIN 0648–AR85

Fisheries Off West Coast States and in the Western Pacific; Western Pacific Bottomfish Fishery; Fishing Moratorium

AGENCY: National Marine Fisheries Service, National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS proposes to extend the current moratorium on harvesting seamount groundfish from the Hancock Seamount in the Northwestern Hawaiian Islands (NWHI) for 6 years, until August 31, 2010. The fishery has been under a moratorium since 1986. This action is being taken in response to a recommendation by the Western Pacific Fishery Management Council from its Bottomfish Plan Team (Plan Team) and Scientific and Statistical Committee (SSC) that revealed that pelagic armorhead (*Pseudopentaceros wheeleri*; formerly, *Pentaceros richardsoni*), an overfished stock, has not recovered. The intent of this action is to allow the protection provided for this resource to continue.

DATES: Comments must be submitted by July 12, 2004.

ADDRESSES: You may submit comments on this proposed rule by any of the following methods:

- E-mail: *0648–AR85.PIR@noaa.gov.* Include in the subject line of the e-mail comment the following document identifier: 0648–AR85.
- Federal e-Rulemaking portal: *http://www.regulations.gov* Follow the instructions for submitting comments.
- Mail: William L. Robinson, Regional Administrator, Pacific Islands Region, NOAA Fisheries, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI 96814.

Agendum H.1.c
Supplemental HMSAS Report
September 2004

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON NATIONAL MARINE FISHERIES SERVICE REPORT

The Highly Migratory Species Advisory Subpanel (HMSAS) recommends the Council initiate consideration of developing bag limits for highly migratory species recreational fisheries. If developed, the HMSAS suggests these bag limits be consistent among the West Coast states.

The HMSAS wishes to express concern to the Council on a reported increase in illegal high seas driftnet fishing by unmarked vessels. This type of fishing has been observed in the region West of the international dateline where the U.S. troll albacore fleet fishes. The activity occurs primarily in May and June. Industry groups have requested an investigation of nationality and where landings are taking place. The HMSAS recommends the Council request NMFS formally report on this issue at the March Council meeting.

PFMC
09/16/04

Agendum H.1.d
Public Comment
September 2004

WESTERN FISHBOAT OWNERS ASSOCIATION©

P.O. Box 138
Eureka, CA 95502

Ph. (707) 443-1098
Fax (707) 443-1074

e-mail <wfoa@cox.net>
website: <http://www.wfoa-tuna.org>

August 18, 2004

Mr. Jimmy Story
OES / OMC , Room # 7820
U.S. Dept. of State
Washington, DC 20502

Re: U.S. Canada Albacore Treaty

Dear Jimmy:

As we have discussed in the past with the State Department, there continues to be crowding on the fishing grounds in the North Pacific U.S. EEZ by Canadian vessels, problems concerning the markings on vessels, and differences over the defintion of albacore troll vessels under the Treaty. A number of U.S. vessels have also reported a generally arrogant and intimidating attitude by a number of the Canadian albacore vessels, that was not the case in the past. I have asked WFOA members to document this activity and I should have a report on it at the end of this summer season. There have also been questions raised concerning Canadian port access by U.S. troll vessels.

Additionally, there is talk of capacity reduction through limited entry or other methods from NGO's working within the Federal Council system under the Magnuson Act, and the recently published NOAA-NMFS United States National Plan of Action for the Management of Fishing Capacity . The PFMC already is doing preliminary work on a limited entry plan for HMS longline fisheries. Thus, we expect an effort to be made to limit the U.S. troll albacore fleet within a reasonably short period of time. Without an understanding of the crucial impact that international cooperation has on the albacore fisheries in the North Pacific, which should include a clear understanding of the operation and responsibilities of the Canadian fleet under the Treaty, we fear the PFMC might make the decision to take unilateral action to reduce the capacity of the U.S. fleet, regardless of the consequences for that fleet given international competition.

For this and other reasons we are encouraged that for the first time in many years a representative of the State Department will be attending the September meeting of the PFMC in San Diego. We would greatly appreciate, and think it would be very constructive, to meet briefly with you before that meeting, possibly when you first arrive in San Diego. Would it be possible to make such arrangements with you?

Sincerely,

NP Albacore 2004

Wayne Heikkila
Executive Director

cc: Rebecca Lent - NMFS
Svein Fougner - NMFS
Gary Sakagawa - NOAA/NMFS
Don McIsaac - Pacific Fisheries Management Council
Louis Hill - WFOA President
John LaGrange - AFRF President
Peter Flournoy - WFOA/AFRF Counsel
Dr. Vidar Wespestad - AFRF scientific advisor

WESTERN FISHBOAT OWNERS ASSOCIATION©

P.O. Box 138
Eureka, CA 95502

Ph. (707) 443-1098
Fax (707) 443-1074

e-mail <wfoa@cox.net>
website: <http://www.wfoa-tuna.org>

Mr. Bill Gibbons-Fly
OES / OMC , Room # 7820
U.S. Dept. of State
Washington, DC 20502

August 17, 2004

Re: Northern Committee / CWPFC

Dear Bill:

Thank you for the response to our letter of July 9, 2004 in which WFOA expressed our concerns with regard to international management of Northern Albacore. Just to followup with a few other thoughts on developing issues affecting the U.S. troll fleet, I have listed them below.

As you are aware, out of the approximate 120,000 mt of albacore landed in the North Pacific above 30"N latitude, the U.S. lands about 12% to 15%, the Japanese land about 65%,and the balance from other Asian nations . (Canada lands only about 1.5% of which 80% is generally caught in U.S. waters). Thus, the two major players are the U.S. and Japan.

So far in 2004 there has been an observed increase in illegal high-seas drifnetting for various species, including albacore, in the region west of the international dateline between latitudes 35"N to 45"N and longitudes 175"E to 165"E. Our member's vessels have documented and filmed this activity and WFOA has relayed the information to the USCG & DHS in Honolulu and Seattle. We are very concerned that many of these vessels fly no flag and have no identifying marks. Also, we would like to find out where and to whom these vessel market their product of which much could be albacore tuna. We believe Japan has the same concerns about IUU fishing and that Japan could be very helpful in using its resources to trace this illegally caught albacore, (just as they have traced the ownership of various Taiwanese purse seiners in the Western Pacific).

As producers of North Pacific albacore we are also troubled by the possibility of Japan and the U.S. not having sufficient input in the management process within the CWPFC, even with the approval of the as yet unstructured Northern Committee. The daily news reports, as well as the discussions on capacity in the meetings in Sapporo, indicate that the Pacific Island Nations are apparently influenced more by short term opportunities, than by the long term economic and biological health of the fishery. It would be unfortunate for a block of countries, that can't seem to get it together
themselves in their own backyard, to have such a great impact on a resource which U.S. albacore trollers depend upon, possibly by simple inaction.

Because of these issues mentioned above it becomes increasing important that the two nations catching most of the North Pacific albacore (U.S. & Japan), and doing much of the research on this stock of fish caught north of 30"N, be able to get together soon to have a dialog on the issues --- the health of the albacore fishery, illegal, unreported and unregulated fishing in the North Pacific for albacore, and a

strategy for the Northern Committee and its influence over North Pacific albacore. In this context we were wondering if progress has been made to arrange for bilateral albacore discussions with the Japanese in October when they will be on the West Coast.

Sincerely,

Wayne Heikkila
Executive Director

cc: Rebecca Lent - NMFS
Svein Fougner - NMFS
Gary Sakagawa - NOAA/NMFS
Don McIsaac - Pacific Fisheries Management Council
Louis Hill - WFOA President
John LaGrange - AFRF President
Peter Flournoy - WFOA/AFRF Counsel
Dr. Vidar Wespestad - AFRF scientific advisor

FISHERY MANAGEMENT PLAN AMENDMENT FOR LIMITED ENTRY IN THE HIGH SEAS PELAGIC LONGLINE FISHERY

At this meeting, the Council will consider how to proceed with development of an amendment to the Highly Migratory Species (HMS) Fishery Management Plan (FMP).

At the April 2004 meeting, the Council was updated on HMS Management Team (HMSMT) progress in developing information for a limited entry program for the high seas shallow set longline fishery. The HMSMT has developed a data framework to describe participation in the high seas longline fishery. The database will inform decision making for selecting qualifying window periods and landings. One goal of the limited entry program would be to reduce fishing effort to a level that minimizes protected resource impacts, notably "take" of ESA-listed sea turtles. Based on recommendations from NMFS, the HMSMT, and HMS Advisory Subpanel (HMSAS), the Council broadened the scope of the FMP amendment to include limited entry considerations and management alternatives that could be similar to those implemented for the Western Pacific Fishery Management Council-managed longline fishery. The Council directed the HMSMT to develop, in collaboration with the NMFS-Southwest Region, estimates of thresholds of species-specific sea turtle takes under the HMS FMP.

The Council also directed the HMSMT to add information from the FMP-managed drift gillnet (DGN) fishery to the fleet profile database; specifically, information on current DGN permit holders and active fishery participants, and landings history for the period 1997 through the present. This additional information could provide a means to consider re-structuring the DGN fishery in concert with the high seas longline fishery. The rationale for this request is that both of these fisheries might need to be re-structured if the shallow set longline fishery were to be re-opened and sea turtle takes are to be kept at levels that will not result in jeopardy to any ESA-listed species.

The HMSMT met June 1-2, 2004 to begin to carry out Council direction from the April Council meeting. Members of the HMSMT have also been coordinating with NMFS-Protected Resources staff to develop projected sea turtle takes under different scenarios for the longline and DGN fisheries. The HMSAS is scheduled to review information provided by the HMSMT, including projected sea turtle takes and initial management considerations. The Scientific and Statistical Committee (SSC) is also scheduled to review the projected sea turtle interaction data.

Based on the advice of NMFS and recommendations of the SSC, HMSMT, and HMSAS, the Council should consider how to proceed with developing an amendment to the HMS FMP.

Council Task:

Recommendations for Proceeding with Implementation of Limited Entry in the High Seas Pelagic Longline Fishery.

Reference Materials:

1. Agendum H.2.d, Public Comment
2. Agendum H.2.c, Supplemental SSC Report
3. Agendum H.2.c, Supplemental HMSMT Report
4. Agendum H.2.c, Supplemental HMSAS Report

Agenda Order:

a. Agendum Overview	Dan Waldeck
b. NMFS Report	Svein Fougner
c. Reports and Comments of Advisory Bodies	
d. Public Comment	
e. Council Recommendations for Proceeding with Implementation of Limited Entry in the High Seas Pelagic Longline Fishery	

PFMC
08/26/04

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL STATEMENT ON FISHERY MANAGEMENT PLAN AMENDMENT FOR LIMITED ENTRY IN THE HIGH SEAS PELAGIC LONGLINE FISHERY

The Highly Migratory Species Advisory Subpanel (HMSAS) is very concerned about the lack of dedicated highly migratory species (HMS) funds. The lack of funds prevents the Council from addressing critical HMS fishery management plan (FMP) issues.

The HMSAS recognizes the Council and Executive Director have steadfastly pursued dedicated HMS funding from NMFS. The HMSAS encourages the Council to continue to pursue these much- needed funds.

Segments of the HMS fishery have suffered economic losses and are in jeopardy of going out of business because of the Endangered Species Act-based regulations promulgated by NMFS that banned the West Coast-based high seas longline swordfish fishery.

Given the lengthy federal rulemaking process that could be required to amend the FMP, the HMSAS encourages the industry to apply for exempted fishing permits (EFPs) (e.g., for a limited number of vessels to test gear and bait modifications) for high seas longline swordfish fishing. Per the HMS FMP and federal EFP requirements, the EFP applications would be reviewed through the Council process.

If funds become available, to also provide relief from negative economic impacts, the HMSAS recommends using FMP framework provisions to modify time and area restrictions currently in place for the drift gillnet (DGN) fishery. The HMSAS requests the Council direct the HMS Management Team (HMSMT) to provide proposed DGN management measures for Council consideration at the November 2004 meeting.

Also contingent on funding, the HMSAS recommends the Council direct the HMSMT continue work on developing an FMP amendment to establish a high seas swordfish target longline fishery. This fishery would be modeled upon the recent Western Pacific Fishery Management Council (WPFMC) swordfish fishery, i.e., including hook, bait, and total number of set requirements.

For the long-term, if a high seas swordfish target longline fishery is allowed, the HMSAS supports developing a limited entry program for that fishery.

Finally, related to development of a high seas longline fishery modeled on the WPFMC swordfish fishery, the HMSAS recommends the Council request special dispensation from NMFS (for example, under the FMPs abbreviated rulemaking provisions) to expedite development, review, and implementation under the federal rulemaking process.

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM PROGRESS STATEMENT ON FISHERY MANAGEMENT PLAN AMENDMENT FOR LIMITED ENTRY IN THE HIGH SEAS PELAGIC LONGLINE FISHERY

Since its meeting in June 2004, the Highly Migratory Species Management Team (HMSMT) has been working on recommendations for a limited entry amendment for the West Coast-based high seas longline fishery and also examining ways to re-structure both the former high seas swordfish longline and Exclusive Economic Zone (EEZ) driftnet fisheries, so these fisheries might be modified to maintain an acceptable cumulative level of impact on protected species, such as sea turtles. This summer, a subcommittee of the team worked with NMFS' Southwest Region and Southwest Fisheries Science Center staff on new, updated projected takes and mortalities of sea turtles in both fisheries, information recently presented at this Council meeting to the Scientific and Statistical Committee (SSC) and the Highly Migratory Species Advisory Subpanel (HMSAS) by Mr. Jim Caretta. These include scenarios involving modified bait and hook types under given effort levels, methods shown in the Atlantic to greatly reduce turtle takes, and now being tested in the Pacific by the Hawaiian fleet. It also includes projected turtle mortalities, given the reduced effort of the driftnet fleet in recent years.

Because the HMSMT expects the limited entry amendment to take years before implementation, it hopes that using new fishing methods and controlled effort, certain intervening measures can be implemented for these fisheries without jeopardizing turtles and seabirds. Perhaps these measures can be put in place through the framework process, which envisions an expedited regulatory process. Proposed interim options with analyses could be presented to the Council in November, along with the HMSMT's scheduled progress report on the high seas longline fishery amendment.

In the meantime, an Experimental Fishing Permit (EFP) for the shallow set longline fishery, incorporating the new gear technology, would allow a subset of the longline fishing fleet to resume fishing. Each EFP would necessarily be limited to a segment of the longline fleet of less than 10 vessels.

To enhance the economic viability of the drift gillnet fishery, the HMSMT seeks guidance from the Council on whether or not it should start examining changes in time/area closures for the drift gillnet fishery.

1. This can be conducted through the framework process without an amendment to the highly migratory species (HMS) fishery management plan (FMP).
2. Fishing effort in the drift gillnet fishery is now substantially lower than when the initial drift gillnet closures were established.
3. As an example, preliminary analysis of opening the area closure south of Point Sur shows that the drift gillnet takes and mortality of leatherbacks (the key species of concern to this fishery) might not bring the drift gillnet fishery into jeopardy.

HMS funding is necessary to support the HMS FMP in order to prepare a draft Stock Assessment and Fishery Evaluation document for the Council by June 2004.

The HMSMT can continue meeting and constructing draft work products that can be quickly turned into final products should sufficient funding be found to support the HMS FMP. To this end, the HMSMT can meet in La Jolla prior to the November Council meeting, recognizing the need for a 30-day notice. At the November Council meeting, proposed options for the drift gillnet and longline fisheries can be presented under the guidance of the Council.

PFMC
09/16/04

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON FISHERY MANAGEMENT PLAN AMENDMENT FOR LIMITED ENTRY IN THE HIGH SEAS PELAGIC LONGLINE FISHERY

Dr. Jim Carretta (National Marine Fisheries Service Southwest Fisheries Science Center) briefed the Scientific and Statistical Committee (SSC) on an updated analysis of projected sea turtle takes and mortalities from the California-based high seas longline fishery for swordfish. This analysis differs from Dr. Carretta's earlier work (presented to the SSC in June 2003), in that, it posits changes in fishing methods that may reduce takes and mortalities of Endangered Species Act-listed sea turtles. Specifically, the updated analysis assumes that: (1) circle hooks will be used in place of J-hooks; and (2) mackerel (rather than squid) will be used to bait the hooks. Both of these factors have been shown to reduce substantially the sea turtle takes and mortalities in swordfish longline fisheries in the Atlantic Ocean.

While the revised analysis appears to be reasonable, the SSC received no documentation and was, thus, unable to formally review the work. However, the SSC offers the following considerations for future work.

1. The applicability of the results from the Atlantic to the California-based swordfish fishery should be examined. In particular, there may be differences in the size composition of loggerheads taken in the Atlantic- and California-based fisheries that should be considered. For example, there is some indication that smaller sea turtles (i.e., less likely to be hooked in the mouth) interact with the Atlantic-based fishery.

2. The Monte-Carlo simulation approach may be improved by the use of non-parametric distributions for some of the input parameters.

PFMC
09/15/04

815 Ramon Ave
SPRING VALLEY CA 91977

RECEIVED
MAY 17 2004
PFMC

MAY 12 2004

To Highly Migratory Species Management Team

I Just received a letter from you regarding the mettngs in San Deigo June 1-2. I will not be able to Atend.

I N The letter it talks about a meaws to consider restructuring the D G N fishery in Concent with the high Seas longline Fishery.

I Am a D G N. I have spoken to lots of D G Netters. I only know of 2 That have any Desire to longline.

The majority of us centainly have no Desire to Fish outside 200 Miles

I want you to know the Maronity of D G Netters Dont want

To longline. or fish
outside 200 Miles

Keith Langman
F/V Trailblazer

STOCK ASSESSMENTS FOR ALBACORE AND BLUE FIN TUNA

The Pacific Fishery Management Council (Council) will be presented information on the status of north Pacific albacore and northern bluefin tuna stocks.

At the April 2004 Council meeting, National Marine Fisheries Service (NMFS) briefed the Council about reports from the Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) about fishing rates and population status for (north Pacific) albacore and northern bluefin tuna. It was highlighted that information provided by the ISC is important, should be tracked by the Council's Highly Migratory Species (HMS) Management Team, and included in the HMS stock assessment and fishery evaluation (SAFE) document. NMFS-Southwest Fisheries Science Center offered to formally brief the Council about the population status and fishing rates for these stocks at the September 2004 Council meeting.

Council Task:

Discussion.

Reference Materials:

1. Agendum H.3.b, Attachment 1: *Report of the Plenary Session of the Fourth Meeting of the Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific, February 2-4, 2004*.

Agenda Order:

a. Agendum Overview	Dan Waldeck
b. NMFS Report	Gary Sakagawa
c. Reports and Comments of Advisory Bodies	
d. Public Comment	
e. Council Discussion	

PFMC
08/25/04

Report of the Plenary Session of the Fourth Meeting of the Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific

Honolulu, Hawaii, USA
February 2–4, 2004

1) Opening

Dr. Jeffrey Polovina, Acting Director of the U.S. Pacific Islands Fisheries Science Center, NOAA Fisheries, opened the fourth meeting of the ISC Plenary and welcomed the participants. Going around the table, the heads of national delegation Members introduced themselves and others in their delegations. Participating observers were also invited to introduce themselves.

2) Opening Statement

Dr. Samuel Pooley, Acting Director of the U.S. Pacific Islands Regional Office, NOAA Fisheries, welcomed participants on behalf of the newly formed Pacific Islands Region as well as the Southwest Fisheries Science Center, with Center Director Dr. William Fox serving as the head of the U.S. delegation. He briefly described the splitting off of the Pacific Islands Region from the Southwest Region to better focus on the conservation and management issues of Pacific Island and central and western Pacific fishery resources. He noted the significance of the ISC regarding the science of tuna and tuna-like resources in the North Pacific and the successful meeting of working groups last week, with the first assessment of Pacific bluefin tuna, the first meeting of the Marlins Working Group, and work on fishery statistics and the ISC database. An updated assessment of swordfish was particularly timely with the U.S. intent of reopening the Hawaii swordfish fishery. Dr. Pooley noted three key issues facing the ISC: 1) the inclusion of the North Pacific Albacore Working Group into the ISC, particularly since the scientific output of the working group provides a robust foundation for monitoring the status of the albacore fishery; 2) finalizing rules of procedure; and 3) determining the relationship of the ISC with international fishery management bodies particularly regarding provision of scientific advice including the shortly to be established Western Central Pacific Fishery Commission and Inter-American Tropical Tuna Commission.

3) Selection of Chairman and Rapporteurs

By acclimation of Members, Dr. Polovina was selected as Chairman of this meeting of the ISC. The U.S. nominated Robert Skillman and Paul Crone as rapporteurs, and Japan did likewise with Miki Ogura and Koji Uosaki. They were also accepted by acclimation.

4) Adoption of Agenda (Appendix 1)

The following additions to the agenda were proposed, discussed and agreed to by the Members:

a) Assessments from the Standing Committee on Tuna and Billfish (SCTB) and Inter-American Tropical Tuna Commission (IATTC) to be added to the bigeye tuna, yellowfin tuna, and marlin reviews in agenda topic 6;
b) A summary of the assessments of the individual species reviewed in agenda topic 6, as new subparagraph 6g;
c) Proposal to establish an ISC Secretariat, as new topic 11;
d) Consider adjustment to the Working Groups, as new agenda topic 12.

The list of the working papers from the 4th ISC Plenary is given in Appendix 2, and the list of participants is attached in Appendix 3.

5) Delegation Reports of Fisheries Regarding Tuna and Tuna-like Species

Canada (ISC/04/Plenary/01)

The Canadian fishery for albacore in the North Pacific Ocean is a troll fishery that use tuna jigs. Canadian fishermen have been fishing albacore since the mid-1930s. The fishery started in the coastal waters off British Columbia (BC). It has now developed into four fleet types classified by fishing area: (1) BC coastal, (2) BC/U.S. coastal, (3) high seas North Pacific and (4) high seas South Pacific. The coastal fleets contain the majority of the vessels. Many of the smaller Canadian vessels have been following the tuna concentrations offshore, thus extending their traditional fishing range to include the high seas.

Starting in 1945, sales slip records were the source for Canadian catches of albacore. In 1995, Canada implemented a comprehensive database for collecting albacore fishery statistics. All Canadian vessels must carry logbooks while fishing for highly migratory species in any waters. Detailed analysis of a combination of sales slips, logbooks, phone-in and transshipment records is undertaken to report fisheries statistics for the Canadian albacore fishery.

The total estimated Canadian catch for 2002 was 4,996 metric tons (t), slightly higher than in 2001 (4,985 t). Most of the catch in 2002 was taken in United Nations Food and Agriculture (FAO) Area 67 (4,703 t). The average catch for 1995–2002 was 3,627 t. The total estimated effort of the Canadian albacore troll fleet in the North Pacific in 2002 was 8,263 fishing vessel days. The average effort for the period 1995–2002 was 7,453 fishing vessel days. Catch per unit of effort (CPUE) in 2002 for the Canadian fleet was 612 kg/vessel-day. The average CPUE for the period 1995–2002 was 487 kg per vessel day.

During the 2000 fishing season, Department of Fisheries and Oceans (DFO), in collaboration with the members of the British Columbia Tuna Fisherman's

Association (BCTFA), recorded fork lengths and body weights from 67 albacore. Lengths and weights were recorded from frozen fish at dockside from a sample stratified by length. From the sample of 67 fish a weight-length relationship was developed ($W(kg) = 0.0000595 \bullet L(cm)^{2.754}$).

Discussion: Regarding variability in fishing effort for albacore, the success of the salmon season has some effect on effort from year to year and successful completion and amendment of a treaty with the U.S. affected the effort trend in later years.

Mexico (ISC/04/Plenary/02)

The National Institute of Fisheries of Mexico (Instituto Nacional de la Pesca, INP) has conducted scientific research on marine resources for more than 40 years. Since 1992, the Programa Nacional de Aprovechamiento del Atun y Proteccion al Delfin (PNAAPD) has brought monitoring and studying the tuna purse seine and longline fleets to the effort. In 2002, the Mexican tuna fishery landed 164,000 t of yellowfin, bigeye, and skipjack tuna and 181,000 t in 2003. Yellowfin accounted for 94% of the total catch in 2002 and 90% in 2003. A collaborative observer program between the PNAAPD and the IATTC of the tuna fishery has 100% coverage. Since 1990, the taking of billfishes within a 50 nautical mile coastal zone has been reserved for sport fishing. A swordfish fishery occurs outside the restricted area, and PNAAPD observers monitor this fishery.

Discussion: Participants found the list of scientific papers quite useful for keeping up with research progress in Mexico.

Chinese-Taipei (ISC/04/Plenary/03)

Three types of tuna fisheries currently operate in the North Pacific, the distant water longline (DWLL), distant water purse seine (DWPS) and offshore longline (OSLL) fisheries. Total number of DWLL vessels operating in 2002 was about 140. The dominant species caught was albacore at about 58% of the total catch in recent years, with bigeye and yellowfin tunas together accounting for 37%. The effort exerted in the North Pacific by this fleet was low before 1994 but increased significantly thereafter. Most of the effort was concentrated in the central and mid- to high-latitudes. There are 36 purse seine vessels currently operating in the Pacific Ocean, and the dominant species in the catch is skipjack tuna (80%). Yellowfin tuna accounted for 19% and bigeye tuna only 1% of the total catch. The major fishing ground of DWPS fishery varied dynamically during recent years though mainly in the western and central tropical Pacific (135˚ E to 180˚ long., 8˚ N–8˚ S lat.). In 2002, the fishing grounds extended to 152˚ W, possibly due to the impact of El Niño. The total number of OSLL vessels operating in both the Pacific and Indian oceans in 2002 was estimated to be about 1,700. The catches of this fleet included those based at domestic ports and those at foreign ports. Yellowfin tuna was the dominant species in the landing in domestic ports of Taiwan, while bigeye and yellowfin tunas were co-dominate in foreign base landings. In addition, fishery monitoring and statistical data

collection activities as well as an observer program and research conducted by scientists in Taiwan were presented.

Discussion: Regarding the coverage rate for logbooks, the recovery of logbooks in the offshore longline fleet (about 1,700 boats) was said to be low but at 50-70% for the DWLL fleet. Catch information recorded by observers in the North Pacific are being entered into a computer system but are not yet available for use. Regarding catches for Taiwanese vessels owned but flagged in Vanuatu, Chinese-Taipei felt that the catch statistics and the vessels should be provided by the Vanuatu government. If data exist for Vanuatu vessels operating in eastern Pacific Ocean (EPO), the IATTC indicated they would have these data available for the ISC Statistics WG.

Japan (ISC/04/Plenary/04)

Japanese tuna fisheries consist of three major fisheries, i.e., longline, pure seine, pole-and-line, and other miscellaneous fisheries like troll, drift-net, set-net fisheries. Total landing of tunas, skipjack, swordfish and billfishes in the Pacific Ocean in 2001 was 500,301 t. Three major fisheries represent more than 93 % of catch in the recent years.

Longline fisheries are classified into three categories, i.e., coastal, offshore and distant water. Total catch of coastal longline fishery (vessels smaller than 20 gross registered ton (GRT)) is more than 40 thousand t in 2001. Albacore catch comprises almost half of the total catch and has increased remarkably since 1993. Total catch of offshore and distant water longline fisheries was 111,363 t in 2002. Bigeye has been the dominant species, and the catch in 2002 was 30,000 t. There are two different types of purse seine fleets that target tunas in Japan. The group seine fleet operates in temperate waters and consists of net purse seine vessels (100–200 GRT), searching vessels and carrier vessels. The single purse seine fleet (349–500 GRT) fishes mainly in the tropical waters, seasonally moving into the temperate water fishing ground. Total catch of the purse seine fishery was 220,000 t in 2002. Skipjack dominates the catch followed by yellowfin and bluefin tuna. The pole-and-line fishery is composed of three different categories, i.e., coastal (less than 20 GRT), offshore, and distant water boats. Catch by the coastal pole-and-line fishery is 10,000 t or less annually. Total catch of offshore and distant water pole-and-line was 145,000 t in 2002. Skipjack and albacore catches dominate total catch and were 91,000 t and 49,000 t, respectively.

Research on tuna includes aging, tagging with conventional and electrical tags, sonic tracking, and stock assessment.

Discussion: Regarding Figure 3 in the report showing Japanese purse seine effort southwest of Korea, Korea noted that they do not fish in that area. Japanese purse seine effort in the Yellow Sea targets small pelagic fish, and there are no Pacific bluefin tuna catches. It was clarified that while size distribution data for Pacific bluefin tuna were not included in the national report, they were provided to the species working group. The size range of most Pacific bluefin taken from waters off

Kyūshū is 50–60 cm fork length (FL). Purse seine vessels operating north of 20˚ N lat. do not employ fish aggregating devices (FADs).

Korea (ISC/04/Plenary/12)

Pacific bluefin tuna (PBF) are fished by various gears, either as target or bycatch species in the North Pacific. In Korean waters, PBF are mainly an incidental catch in the domestic purse seine fishery targeting mackerels. Therefore, the catches and size composition are not well monitored by the fishery statistical system. PBF caught in Korean waters are generally of small size less than one meter in length. Most are exported to the Japanese market for sashimi, with minor quantities consumed in Korea. The Korean government initiated an observer program for both domestic and high seas fisheries including tuna fisheries. During the years 2002 and 2003, the PBF catch amounted to 675 t and 1,591 t, respectively at the southern waters of Korea.

U.S.A. (ISC/04/Plenary/05)

The U.S. fishery consists of three large-scale commercial fisheries, the purse seine fishery for skipjack and yellowfin tunas, the distant-water troll fishery for albacore, and the longline fishery for large tunas and billfishes. There are also four mostly coastal commercial and recreational fisheries, the troll and handline fishery for tunas and billfish, a gill net fishery for tunas, a harpoon fishery for swordfish, and a pole-and-line fishery for skipjack tuna. Fishery monitoring activities include port, market, logbook, observer, and biological sampling. These programs are carried out by the newly formed Pacific Islands Fisheries Science Center (PIFSC) and the Southwest Fisheries Science Center (SWFSC) and are described for each fishery in the report. The number of boats participating in the U.S. fishery is provided in Table 1 of the US report while Table 2 of the US report contains catches from 1987-2003 by U.S. fleet. Both the 2002 and 2003 data are incomplete. The total production of the U.S. fishery was 35,700 t in 2002. The purse seine fishery in 2002 accounted for 36% of the total catch, with distant-water troll and longline accounting for 30% and 21%, respectively. Catches of albacore comprised 39% of the total catch, followed by yellowfin (22%), bigeye (16%), and skipjack (14%) tunas. The U.S. purse seine fishery is made up of an eastern and a western component. The eastern component started in the late 1950s and occurs off the Central American coast between 20º N and 20º S latitude west to 150º W longitude. There were only 4 boats participating in the fishery in 2001-2003. The estimated 2003 catch was 293 t of yellowfin tuna and 3,000 t of skipjack tuna. The central and western Pacific purse seine fishery started in 1976 and occurs between 10º N and 10º S latitude and from 150º W to 130º E longitude. Most of the catch is taken south of the equator. Skipjack tuna is the dominant component of the catch (73%). In 2002, the total catch was 3,600 t. The distant-water troll fishery for albacore started in the early 1960s and takes place off the U.S. Pacific coast west to 170º E longitude. In 2003, 670 vessels participated in the fishery, and in 2002 the catch was 10,700 t. The longline fishery started in the mid-1940s in Hawaii, expanded, contracted, and then expanded again in the late 1980s with establishment of the swordfish fishery and expansion of the market for sashimi-quality tuna. A longline fishery was established in California in 1991, targeting swordfish, and the

distribution of the two fisheries overlap in the North Pacific. The U.S. longline currently harvests around 8,000 t annually, with 1-2,000 t being swordfish and the remainder largely tunas. The PIFSC and the SWFSC conduct a number of research projects on tuna and tuna-like species including studies on the status of stocks, life history and ecology, fisheries oceanography, and movement and distribution.

6) Review and Assessment of Fish Species

a) **Pacific Bluefin Tuna Working Group (Z. Suzuki Chair, ISC/04/Plenary/06).** Participating in the Working Group were 23 scientists representing seven ISC Members and Observers. Exploitation of Pacific bluefin tuna (PBF) has a long history with catch statistics about 100 years long for fisheries in the coastal eastern Pacific. As a brief review of the biology and stock structure of PBF, the spawning grounds are located off southern Japan although some spawning occurs up the Pacific coast of Japan to 40˚ N. Age-0 occur in the waters around Japan, and then ages-1 and 2 migrate across the ocean to the eastern Pacific coastal area. Most of the fish of ages 3 to 5 migrate westward to the western Pacific. Some catches of PBF occur off Australia and New Zealand. Japan has the largest catch, with 70-80% purse seine, followed by troll, longline and set net. U.S. catches, primarily purse seine, were quite significant but in recent years Mexican purse seine replaced the US fishery. Chinese-Taipei has recently started catching large size PBF, and Korea has some purse seine catches of small PBF. The total catch has varied from 10,000–35,000 t, with an average between 20–25,000 t. Most of the catch is age 0 and 1, followed by age 3. A complicating factor in conducting the stock assessments was that some of the fishery statistics are substandard. MULTIFAN-CL and ADAPT VPA assessments show similar biomass trends, though some combinations of various size weightings of the MULTIFAN-CL analysis result in different long-term trends. Biomass was high in the mid 1950s, 1979, and mid-1990s. Recruitment has fluctuated with a large pulse in 1994 and very low recruitment in 1992. Changes in biomass and spawning stock biomass have been driven by recruitment. Yield per recruit estimates from the ADAPT modeling showed recent fishing mortality (F) exceeding $F_{max.}$ The status of the stock may be characterized as: 1) biomass appears to have recovered from a record low level in the late 1980s to a more intermediate level in recent years, largely due to better than average recruitment during the 1990s; 2) the SSB has generally declined since 1995 despite good recruitment and will likely continue to decline if recent fishing mortality rates continue; 3) recent fishing mortality is greater than F_{max}, which has both economic implications and is an indicator of biological concern; and 4) the high fishing mortality on young fish (ages 0–2) and older fish (ages 6+) may be cause for concern with respect to maintaining a sustainable fishery in future years. Implications of the stock status include: 1) no further increases in fishing mortality (F) for any of the fisheries taking PBF; and 2) reduce the uncertainty associated with the assessment results by undertaking improvement in the data collection, data analyses, and assessment models used. Several recommendations were made by the planning team involving fishery statistics, biological studies, and stock assessment, with a note that making significant progress on stock assessment may require an intercessional meeting.

Discussion: The Working Group recognizes that food web and predator- prey studies will be needed in the future to address ecosystem management concerns. The concern of the Working Group regarding the high exploitation rates on age 0–1 was noted.

b) Swordfish (B. Humphreys Chair, P. Kleiber presenting, ISC/04/Plenary/07)
Participating in the Working Group were 25 scientists representing six ISC Members and Observers. Regarding fishery statistics, it was not clear to what extent Chinese-Taipei landings at Pacific island ports and catches in the Indian Ocean were included.

Review of the biology, ecology, and oceanography included studies on: 1) age and growth, including very young fish and regional differences in the growth of older fish, 2) movement – 18 returns from 521 traditional tag releases showing some long east-west movement; 29 popup satellite archival tags (PSATs) with recovered data showed expected diurnal movement, surprising periods of resting at surface, and tag attachment problems were experienced, 3) stock structure – the most recent study suggested a sideways horse shoe distribution with the two ends in the northwest and southwest Pacific representing the greatest divergence; genetic samples have recently been collected but not yet analyzed; so far, less genetic differentiation has be found in the Pacific than in the Atlantic; a micro-chemical study has been started, and 4) a feeding habit study – found seasonal shifts; these data may be useful for EcoSim type modeling.

Status of stocks studies included: 1) three different analyses for standardizing CPUE – generalized linear model (GLM) and habitat-based both showing declining CPUE trend, with greater decreases in NW, 2) a MULTIFAN-CL modeling effort – difficulty with size sampling protocols that ignore small fish (e.g., in Japan) complicate the analysis; overall impact of the fishery is minor at worst; use of a simulation data set to test MULTIFAN-CL indicated a significant tendency to overestimate natural mortality (M) and thus underestimate stock levels.

Conclusions reached by the Working Group on the status of swordfish in the North Pacific are: 1) GLM and habitat-based standardization of CPUE based data from Japanese longline vessels show declining trends mainly driven by declines in CPUE in the northwest portion of the study area; 2) a MULTIFAN-CL assessment also detected such a decline in the northwest region of the fishery; and 3) in all MULTIFAN-CL model runs, the model showed fisheries as playing no more than a modest role in causing declines in abundance.

The work plan developed by the Working Group includes further development of spatially explicit, integrated models for stock assessment, continued biological and oceanographic research, and establishing a comprehensive swordfish database. Regarding requests from the Statistics Working Group, the Swordfish

Working Group recommended against defining sub-areas at this time, recommended adopting eye-to-fork length (EFL) as the standard length measure for swordfish, recommended that size conversion formulae will need to be re-examined periodically to maintain their usefulness, and lastly recommended strongly that the annual catch totals must include catches from major fisheries that are unloaded in foreign ports. The Working Group suggested an intercessional meeting be held before the next ISC Plenary.

Discussion: While the North Pacific-wide swordfish stock assessment suggests that the fishery is not having a substantial impact on the stock, the recently described declining trends in the index of abundance in the northwest Pacific are cause for some concern. These fishing grounds have been fished continuously since the beginning of the longline fishery and have long been a high production area. It was suggested that the declines in the northwest might be the first signs of a problem in the fishery, though the declines could be due to a number of factors in addition to fishing pressure. With the level of uncertainty in the status of the stock, whether the stock could sustain further increases in fishing effort has the same level of uncertainty. Whether increases in fishing mortality for the entire fishery or in areas more lightly fished than in the northwest should be viewed with the same level of concern was discussed but not resolved. It was suggested that the level of uncertainly in the assessment could be reduced by incorporating additional size composition data, by expanding swordfish tagging efforts, and possibly by using other stock assessment models in addition to MULTIFAN-CL. Allowing MULTIFAN-CL to estimate natural mortality estimate (0.7 per annum) or fixing it at 0.2 had considerable impact on estimates of fishing mortality; however, all model runs suggested the fishery had not approached the maximum sustainable yield (MSY) level.

c) Marlins (G. DiNardo presenting, ISC/04/Plenary/08).

This was the first meeting of the Working Group. Participating in the Working Group were 26 scientists representing six ISC Members and Observers. Reviewed were studies on the size composition and sex ratios of blue and striped marlins, a GLM standardization of CPUE for striped marlin, comparison of observer and logbook data for blue marlin in the Hawaii longline fishery, stock structure hypotheses for Pacific marlins, sport angler survey program, and post release mortality. Emerging issues identified by the Working Group included: 1) the need for a collaborative Pacific-wide assessment of striped marlin to be undertaken, 2) the desirability of including oceanographic information into the stock assessments; 3) the need for coordination and collaborating among ongoing tagging programs Pacific-wide; and 4) in the short-term, stock assessment efforts should concentrate on blue and striped marlin. A detailed work plan involving movement and stock structure, age and growth, stock assessment modeling, and development of a comprehensive data base was developed. The Working Group indicated that an intercessional meeting would be beneficial before the 2005 ISC meeting.

Discussion: In response to a question from the Chair, tagging to identify vertical habitat use was indeed part of the work plan.

d) Albacore tuna (G. Sakagawa presenting on behalf of the NPAWS, ISC/04/Plenary/09).

The Eighteenth North Pacific Albacore Workshop (NPALBW) was held at the Southwest Fisheries Science Center, NOAA Fisheries, La Jolla, California from December 4 to 11, 2002. Scientists from Canada, Japan, Taiwan, United States and the Inter-American Tropical Tuna Commission participated in the Workshop. A total of 17 working papers and nine information documents were submitted for reference and review.

The NPALBW focused largely on reviewing progress with work plan and research assignments applicable to the North Pacific albacore population (*Thunnus alalunga*), particularly, in the context of preparing stock assessment models based on various estimation approaches, which are to be reviewed late in 2004 at the Nineteenth NPALBW. Also, the review included catch statistics and fishery developments.

Catch statistics for the past five years indicated that Japan accounted for the largest share (69%), followed by the United States (15%), Taiwan (12%) and Canada (4%). Belize, Cook Islands, Ecuador, Korea, Mexico and Tonga 'flag' vessels also caught albacore, but accounted for minor amounts. Total catch varied annually, but during the 1950s averaged close to 60,000 t. In the 1960s and 1970s, total catch increased to a peak of 125,400 t in 1976, before declining to a record low of 37, 900 t in 1991. In the early 1990s, the catch began increasing once again, reaching a high of 121,300 t in 1999, before falling back to 84,000 t in 2000, 92,000 t in 2001 and 89,000 t in 2002. The fishing areas and sizes of fish caught by the major fisheries remained virtually unchanged during these years of varied catches.

The review of work plan assignments indicated that considerable progress was being made with developing catch-at-size and catch-at-age matrices, estimating abundance indices based on catch-per-unit-effort (e.g., fishery-specific CPUE time series) and biological (e.g., size distributions) data and with developing length-based, age-structured assessment models. Progress was also being made with increasing understanding of albacore behavior and movements based on archival tagging studies, and with designing a study on albacore reproductive biology for purposes of re-examining hypothesized maturity schedules.

A primary focus of the NPALBW was review of methods and results generated from length-based, age-structured stock assessments, including virtual population analysis (VPA) based on ADAPT models and preliminary, fully-integrated statistical models based on MULTIFAN-CL software (see Plenary Document 09). Results from the ADAPT models indicated that annual estimates of biomass over the last decade were relatively 'high' (i.e., compared with estimated biomass in

the mid 1970s through the late 1980s); however, very recent population estimates suggest a 'leveling off' of the stock at large. Estimated recruitment is quite variable and suggests two oceanographic regimes: a low 'productivity' period from 1975 to 1989; and a higher 'productivity' period since that time. Based on recent and forecasted catch and recruitment levels, fishing mortality is relatively high (roughly, F 20%), either in excess of that required to produce MSY assuming a low productivity scenario or roughly at the MSY level assuming a high productivity scenario and proxy biological reference points for this species.

Further progress with work plan assignments is expected in the coming months leading up to the Nineteenth NPALBW in Nanaimo, Canada in December 2004. Best information available at that time will be used in an analysis of the stock status of North Pacific albacore.

Discussion: The current poor understanding of the recruitment process resulting recently in high stock levels and the different trajectories of biomass under the two recruitment regimes do not support further increases in fishing mortality. The albacore researchers looked at F_{MSY} proxies as a proxy or benchmark, rather than an official reference point.

e) Bigeye tuna (N. Miyabe presenting from 16th Standing Committee on Tuna and Billfish meeting)

Scientists from Chinese-Taipei, Japan, the IATTC, the U.S., and the SPC's Ocean Fisheries Program collaborated on assessing western and central Pacific bigeye tuna. The longline fishery dominated until early 1990. In the EPO, the surface fishery dominates in some years thereafter while in western and central Pacific; the surface fishery has become more important but still secondary to the longline fishery. MULTIFAN-CL was used as the assessment tool. Five different standardized CPUE series were used, namely GLM, habitat (using Tahiti and Hawaii sonic tracking data), StatHBS (statistical habitat-based model), and FPOW (assumed increase in fishing power efficiency). The GLM standardization series was given preference because archival tagging studies yielded variable results, thus impacting the habitat type standardization approaches. In contrast to last year's assessment, recruitment shows an increasing trend in recent years in many areas. Biomass exhibits a generally declining trend. The model estimates that the fishery is having an impact on biomass, particularly in regions 2 and 3 where the stock is most heavily exploited. Exploitation rates have negative slopes exceeding MSY levels in these two regions. The yield production curve estimated from the analysis indicates that overfishing is occurring. $Biomass/Biomass_{MSY}$ is still over 1.0 but down from earlier years (all in light of increased recruitment). Possible reasons why results differ between last year and this year include: 1) extension of the data back to 1952 and 2) different effort (CPUE) standardized series for longline fishery used to calibrate the model. Other points raised include: 1) recent yields could be continued only if recent average recruit levels continued; 2) current biomass is greater than B_{MSY} because of above-average recent recruitment; 3) biomass would decline if recruitment returns to the average level;

and 4) MSY is estimated at 40- 90,000 t given long-term average recruitment, and 80, 000 t given recent recruitment levels.

(IATTC assessment by S. Harley for the EPO presented by M. Hinton)
This assessment was conducted using the A-SCALA model. Recruitment was stable during the period 1975–1993 (at or below replacement), at higher levels for some years but wider bounds, then down generally to the low previous level. The spawning biomass ratio (SBR) was level during the period 1975–1989, then fluctuated but eventually fell below the critical level. Under assumed recent effort and recruitment levels, predicted future catch has a slight upward trend for the surface fishery and a very modest decline for the longline fishery. In summary, most cohorts since 1998 have been below average and total and spawning biomass will decrease in future. The IATTC has implemented restrictions for the conservation of bigeye tuna, specifically a sub-area closure (12/1 – 12/31/2003), a closure of the entire EPO (8/1 – 9/11, 2004), and longline catch by flag in 2004 not to exceed 2001 levels.

Discussion: Vertical habitat utilization data from sonic tracking and archival tags are essential for developing the habitat-based effort standardization models. Since there is high variability in diving patterns, collecting more data may help but redesign of the tagging studies may be required as well. It was observed that some of the conclusions stated and estimated trends differed or indeed were in conflict. The different standardized CPUE time series resulted in substantially different assessment results, but in all cases in the aggregate, current biomass is above biomass at MSY.

f) Yellowfin tuna.
(IATTC assessment by M. Maunder for the EPO presented by M. Hinton).
The assessment model used is A-SCALA, which is an open source code run under AD Model builder. There seem to be high and low recruitment periods in the fishery. Comparative results in sequential years resulted in similar biomass trends except in the last 2 years. SBR fell below 0.4 early in the time series but was generally above in later years. Sequential SBR plots have similar trends but at two different levels. The results seem to be robust. Conclusions resulting from the analysis are: 1) SBR ~ SBR_{MSY}; 2) $F < F_{MSY}$; 3) average weight is much less than critical weight and increasing average weight could substantially increase MSY.

(**Western-central Pacific assessment from SCTB16 presented by K. Bigelow)**
Purse seine accounts for the largest catch, with longline at 100,000 t, followed by mixed fisheries in the Philippines and elsewhere. The Philippine and Indonesian fisheries harvest small fish, the purse seine fishery middle sized fish, and mid-sized by the longline fishery. The fishery occurs mostly in the tropics. Five standardized CPUE time series were used (GLM, habitat based, statistical habitat-based, and FPOW-GLM (assumptions regarding fishing power). Five sub-areas were employed. The GLM CPUE time series resulted in the most pessimistic assessment. Catch and effort data since 1952 were incorporated into the

assessment. Regarding recruitment, it appeared to be stable in most sub-areas with fluctuations. The habitat standardization series indicate increased recruitment while others CPUE trends result in stable recruitment. The model indicated declining biomass trends in most areas and increasing fishing mortality. The fishery has the greatest impact on biomass in the two tropical areas. Regarding reference points, F/F_{MSY} increases after 1990 but remains below the critical point while B/B_{MSY} is fluctuating but is above the critical point. In conclusions, the impact of the fishery overall has been mild, but substantial in the two tropical regions where the reference points fall below their MSY levels.

Discussion. The SCTB did make recommendations regarding effort controls in spite of the uncertainty in the assessment, namely it repeated its recommendation from last year that F levels should not be allowed to increase, particularly on juveniles.

g) Summary of Stock Status and Recommendations

The ISC was presented with stock assessments reviewed by the SCTB and conducted by the IATTC for yellowfin and bigeye tunas. In reviewing these assessments, the ISC noted that the IATTC has instituted management measures to reduce the fishing mortality on younger bigeye tuna with the same effect on yellowfin tuna in the EPO. The SCTB assessments recommend that there be no increase in fishing mortality for yellowfin and bigeye tunas in the western and central Pacific.

The ISC noted that the assessments presented to it for albacore and Pacific bluefin tuna in the North Pacific conclude that the current fishing mortality for each species exceeds most standard reference points for sustainable levels of fishing mortality. Therefore, while there is currently no management authority specifically requesting management advice from the ISC, the ISC noted that the advice given by the SCTB for their assessed species is also consistent with the current condition of both albacore and Pacific bluefin tuna in the North Pacific.

Furthermore, the ISC is aware of the global concern for excess fishing capacity and that there is an FAO International Plan of Action for Overcapacity, and the resolutions of the IATTC limiting the capacity of vessels fishing for tunas in the EPO. Taking into account the assessments for all major tuna species within the Pacific Ocean, except skipjack tuna, the ISC noted that any increases in tuna fishing capacity for any and all of those species would make worse the condition of those stocks and significantly complicate future management efforts.

Assessment summaries for ISC species of interest

Pacific bluefin tuna. Recent F is greater than F_{max}, which has economic implications (too much fishing effort for the yield returned) and is also generally taken as an indicator of biological concern. In particular, the high F on young fish (ages 0-2) and older fish (ages 6+) are cause for concern with respect to maintaining sustainable fisheries in the future.

Albacore tuna in the North Pacific. Assessment results indicate that due to good recruitment, biomass has generally trended upward over the last decade. However, recent fishing mortality rates (F) are at a high level (roughly, $F_{20\%}$) and both total biomass and spawning stock biomass are projected to decline even if good recruitment persists. Current F is in excess of many biological reference points that are commonly used as candidates for Fmsy proxies for fish populations.

Yellowfin tuna in the western and central Pacific (WCPO) and eastern Pacific Ocean (EPO). The ISC was presented with stock assessments reviewed by the SCTB and conducted by the IATTC for yellowfin and bigeye tunas. The ISC noted the concern of full exploitation of the yellowfin stock in equatorial areas and concurs with the SCTB in regard to no further increases in fishing mortality, especially for juvenile yellowfin. Similar to yellowfin in the WCPO, the stock in the EPO is also estimated to be near or at full exploitation and there is uncertainty about recent and future recruitment and biomass levels.

Pacific bigeye tuna. The ISC notes the inconsistency in results between the 2002 and 2003 assessment and hopes that future assessments will resolve the issue. The SCTB believes that there should be no further increase in the fishing mortality rate for bigeye tuna, until the results are further confirmed. The ISC also notes the pessimistic view of the 2003 assessment suggesting that overfishing may be occurring ($F_{current}/F_{MSY}>1.0$), but the bigeye stock is not yet overfished ($B_{current}/B_{MSY}>1.0$). In the EPO, the IATTC has implemented conservation measures to limit fishing mortality through area and/or time closures.

Swordfish. Results of preliminary modeling of a north Pacific swordfish stock in areas north of 10°N indicate that in recent years the biomass level has been stable and well above 50% of the unexploited levels of stock biomass, implying that swordfish are not over-exploited at current levels of fishing effort. The current interpretation is that the stock is neither overfished ($B_{current}/B_{MSY}=1.7$) nor is overfishing occurring ($F_{current}/F_{MSY}=0.3$).

Marlins. As this was the first meeting of the Marlin Working Group, there is no status of stock information presented. The working group did agree that a striped marlin stock assessment should proceed, but in a collaborative setting, including scientists from the U.S. Pacific Islands Fishery Science Center, National Research Institute of Far Seas Fisheries, and the Inter-American Tropical Tuna Commission. An assessment from the EPO indicated that the stock(s) of striped marlin are apparently in good condition, with current and nearterm anticipated fishing effort less than that required to produce the MSY. The most recent stock assessment for blue marlin in 2002 indicted that a Pacific-wide stock was near MSY.

7) Report of Statistics Working Group (ISC/04/Plenary/10)

Twenty-seven participants from Members and the IATTC participated in this session. The Working Group reviewed the results of the previous meeting: 1) the definitions of and terms of reporting for Category I, II, and III data; 2) the ISC Web site has been up and running since Dec. 2002 and contains press releases, guidelines, membership, structure, and meeting reports; 3) the ISC database on which little progress has been made; and 4) requests made to the species working groups to designate standard measures and conversion formulae as well as sub-areas for compiling Category I data.

The inventory of available data in Categories I, II, and III was updated with additional years of data. During these proceedings, the Swordfish Working Group and the Marlin Working Group designated eye-to-fork length as the standard length measure while the Pacific Bluefin Working Group designated fork length as the standard. Recommendation and future plans include the following. First, Japan will establish the central database by April 2004 via contract, starting with a simple design and improving incrementally. Since some agencies are starting to use observer collected data in stock assessment work rather than logbook data, the Working Group considered adding an additional data category. With the considerable variation in purpose of observer programs and data elements collected by member nations, the Working Group decided at this time to have members submit a description of their observer programs consisting of purpose, scope, and data fields. The Working Group reviewed issues regarding monitoring of fish farming activities and recommended that all fish captured for fish farming, including those discarded before being transferred to the pens be considered as "catch" and be reported together with retained and landed catches. For clarity, a statement to this effect should be included with the submitted data. The production (weight of farmed fish sales) should not be concluded in catch statistics, but rather reported separately. Members and contributors are to submit data by December 31, 2004, with the regular schedule given in last years report thereafter commencing. The list of data correspondents was updated, and Japan agreed to contact China for the name of their correspondent. Next meeting will be held in conjunction with the next ISC Plenary, and should be held after the species working group meetings.

8) ISC Assumption of North Pacific Albacore Working Group (ISC/04/Plenary/11)

A consensus of the Members was quickly reached for inviting the NPAWG to join the ISC as well as sending a letter immediately after the ISC formally inviting them to join. It was noted that the NPAWG will convene following this meeting and consider this invitation.

9) Review and Adoption of Operational Rules (Chair NPAWG Sakagawa, ISC/04/Plenary/11)

During the18th meeting of the NPALBW given likely involvement with the ISC, the rules and procedures were formalized to ensure continued effectiveness of the NPAWG. Participants also looked at procedures used by other international scientific

bodies. The draft includes two types of "observers", permanent observers such as intergovernmental agencies like the IATTC and invited observers such as non-governmental organizations. Various paragraphs were described, such as C1 Membership, C2 Chairperson (the job, how nominated, election, term of 3 years), C3 Vice Chair (responsibilities, selection, term of office 3 years), C4 Reports, C5 Exchange of data rules, C6 Invited experts and observers (basically closed to members and permanent observers), C7 Subsidiary bodies, C8 Frequency of meetings, C9 Peer review, and C10 Other procedures (allow to adopt others as needed). The working group paragraphs were also described: W1 Membership, W2 Chairperson (responsibility; term of office (3 years)), W3 Frequency of meeting & intersession meetings, W4 Experts and invited observers, W5 Format for species working group reports, and W6 Format of Statistics Working Group report. The draft calls for a Steering Group made up of the chair, vice-chair, and working group chairs.

Discussion. The rules and procedures were discussed at length resulting in a number of changes to the draft text. The final, edited version is attached as Appendix 4.

10) Relationship between ISC and the WCPFC

The relationship of the ISC to the WCPFC (including its Northern Committee) and IATTC were discussed at length. It was the consensus of the Members to continue the ISC as an independent body to provide scientific advice from a Pacific-wide perspective on North Pacific tuna and tuna-like resources. The specifics of any relationship with the WCPFC and the IATTC will be decided in the future.

11) Establishment of an ISC Secretariat

Japan offered to host a permanent Secretariat that is minimal but efficient. The early focus would be on maintaining the ISC database and Web site for providing access to data and information on a timely basis. In addition, coordination with the WCPFC and other international bodies would become an increasingly more important function with time. There was consensus of the Members that this represented a positive step forward in strengthening of the ISC. Financial matters, staffing, and running of the Secretariat need to be worked out, as well as how the Secretariat relates to the rules and procedures being adopted. Japan indicated they would provide a more formal proposal (dollars, etc.) for their financial support of the minimal secretariat. Katsumasa Miyauchi, Fisheries Agency of Japan, will be the correspondent for exchanging communications regarding the proposal.

12) Bycatch Working Group Establishment

The U.S. proposed that a bycatch working group be established because bycatch is an important fishery issue. Since the species involved have pan-North Pacific populations, it would be appropriate for the ISC to address the issue. There was consensus of the Members for the formation of such a working group. Member countries need to nominate participants to the working group so the group can start moving forward. The working group would focus on sea turtles, sea birds, and sharks.

Important functions of the working group would be to compile data throughout the range of the species and assess their status. Members approved terms of reference for the Bycatch Working Group (Appendix 5).

13) Other Matters

Bigeye Tuna Working Group. The Chair observed that the Bigeye Working Group had never met and asked whether it should be dissolved. The delegate from Japan indicated that they had proposed establishment of the Working Group, but since it had never met and the SCTB and the IATTC have active working groups, and the WCPFC would likely have as well, he recommended that it be dissolved. Consensus was reached by Members to dissolve the Bigeye Tuna Working Group.

Revisit to the ISC data protocol. The IATTC recommended that paragraph C5 Exchange of data be amended so that when non-contributing member requests specific data, only the contributor of the data need be contacted for approval to distribute rather than all contributors. There was consensus of the Members on this suggestion. The revised data protocol is included as an attachment to Appendix 4.

14) Next Meeting

Japan offered to host the next meeting of the ISC Plenary which probably will occur in February 2005. Japan suggested that it was not necessary to schedule a meeting of the working groups, noting that a number of them had scheduled intercessional meetings.

15) Adoption of the Report

The U.S. suggests that the Chair of the ISC will serve as Chair until the next meeting to facilitate progress on work items agreed to in the ISC4. The draft report of the fourth meeting of the ISC plenary was adopted.

16) Closing

The meeting was adjourned at 14:30 on 4 February 2004. The chairman thanked all of the participants for their efforts in making ISC4 a successful meeting.

Appendix 1

Fourth Meeting of the Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific

Plenary Session

1) Opening
2) Opening Statement
3) Selection of Chairman and Rapporteurs
4) Adoption of Agenda
5) Delegation Reports of Fisheries Regarding Tuna and Tuna-like Species
6) Review and Assessment of Fish Species
    a) Pacific Bluefin Tuna
    b) Swordfish
    c) Marlins
    d) Albacore tuna
    e) Bigeye tuna
    f) Yellowfin tuna
    g) Summary of Stock Status and Recommendations
7) Report of Statistics Working Group
8) ISC Assumption of North Pacific Albacore Working Group
9) Review and Adoption of Operational Rules
10) Relationship between ISC and the WCPFC
11) Establishment of an ISC Secretariat
12) Establishment of a Bycatch Working Group
13) Other Matters
14) Next Meeting
15) Adoption of Report
16) Closing

Appendix 2

ISC/04/Plenary/1	The 2002 Canadian North Pacific Albacore Troll Fishery Max Stocker and William Shaw (Canada)
ISC/04/Plenary/2	Mexico Progress Report on Tuna and Tuna-Like Species Pedro Ulloa, Luis Fleischer, Michel Dreyfrus and Juan Guillermo Vaca R. (Mexico)
ISC/04/Plenary/3	Recent Status of Taiwanese Tuna Fisheries in the North Pacific Region Chou Shih-Chin and Chin-Lau Kuo (Taipei, Taiwan)
ISC/04/Plenary/4	National Report of Japan Miki Ogura (Japan)
ISC/04/Plenary/5	U.S. National Report to ISC4 on North Pacific Pelagic Fisheries Pacific Islands Fisheries Science Center (PIFSC) and Southwest Fisheries Science Center SWFSC (United States)
ISC/04/Plenary/6	Report of the 3rd ISC Pacific Bluefin Tuna Working Group
ISC/04/Plenary/7	Report of the Swordfish Working Group
ISC/04/Plenary/8	Report of the Marlin Working Group
ISC/04/Plenary/9	Report of the Eighteenth North Pacific Albacore Workshop P.R. Crone and R.J. Conser (United States)
ISC/04/Plenary/10	Report of the Statistics Working Group
ISC/04/Plenary/11	Draft Rules and Procedures for Conduct of the ISC Committee and Subsidiary Bodies North Pacific Albacore Group
ISC/04/Plenary/12	Korean National Report to 4th ISC on Tuna Fisheries in the Waters off Korea as By-catch species Jeongrack Koh and Dae-Yeon Moon (Korea)
ISC/04/Plenary/BP/1	Report of the Plenary Session of the Third Meeting of the Interim Scientific Committee on Tunas and Tuna-Like Species in the North Pacific (ISC), Nagasaki, Japan
ISC/04/Plenary/BP/2	Stock Status – WCPO Yellowin Tuna

Appendix 3

Canada

Max Stocker
Department of Fisheries and Oceans
Science Branch
Pacific Biological Station
3190 Hammond Bay Road
Nanaimo, B.C.
Canada V9T6N7
250-756-7200
250-756-7053
stockerm@pac.dfo-mpo.gc.ca

Chinese-Taipei

Chin-Lau Kuo
Fisheries Agency, Taipei, Taiwan
No. 2 Chaochow St.
Taipei, Taiwan, ROC
886-2-3343-6013
886-2-2341-1953 (fax)
chinlau@ms1.fa.gov.tw

Chien-Chung Hsu
Institute of Oceanography
National Taiwan University
1, Sect. 4, Roosevelt Rd.
Taipei, Taiwan, 106
886-2-23622987
886-2-23661198
hsucc@ccms.ntu.edu.tw

Shih-Chin Chou
Overseas Fisheries Development Council of the Republic of China
19, Lane 113, Roosevelt Rd., Sec. 4
Taipei, Taiwan, ROC
886-2-33436139
886-2-33436268 (fax)
cshihchin@msl.ta.gov.tw

Japan

Naozumi Miyabe
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
miyabe@fra.affrc.go.jp

M.P. Miyake
Japan Tuna
3-3-4, Shimorenjaku
Mitaka-Shi, Tokyo, Japan
81-422-46-3917
81-422-43-7089
miyake@sistelcom.com

Katsumasa Miyauchi
Fisheries Agency, Japan
1-2-1, Kasumigaseki
Tokyo, Japan
81-33591-1086
81-33502-0571 (fax)
katsumasa_miyauchi@nm.maff.go.jp

Miki Ogura
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6032
81-543-35-9642 (fax)
ogura@fra.affrc.go.jp

Hirokazu Saito
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6035
81-543-35-9642 (fax)
hisaito@fra.affrc.go.jp

Ziro Suzuki
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
zsuzuki@fra.affrc.go.jp

Mio Takahashi

National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
m.takahashi@fra.affrc.go.jp

Yukio Takeuchi
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
yukiot@fra.affrc.go.jp

Koji Uosaki
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6033
81-543-35-9642 (fax)
uosaki@fra.affrc.go.jp

Yuji Uozumi
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
uozumi@fra.affrc.go.jp

Harumi Yamada
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
hyamada@fra.affrc.go.jp

Kotaro Yokawa
National Research Institute of Far Seas Fisheries
5-7-1 Shimizu-orido
Shizuoka, Japan, 424-8633
81-543-36-6000
81-543-35-9642 (fax)
yokawa@fra.affrc.go.jp

Korea

Jeong-rack Koh
National Fisheries Research & Development Institute
Sirang-ri, Gijang-Gun, Busan, Korea
82-51-720-2325
82-51-720-2337 (fax)
jrkoh@nfrdi.re.kr

Mexico

Luis Fleischer
CRIP-LA PAZ
Instituto Nacional de la Pesca Mexico
Km 1. Carretera A. Pichnilingue
La Paz, B.C.S. CP. 23000
Mexico
52-612-12-21367 (ext. 107)
52-612-12-51623 (fax)
lfleischer21@yahoo.com

Pedro Ulloa
Instituto Nacional de la Pesca Mexico
Calle Tortuga #1, La Cruz Huanacaxtle
Nayarit, C.P. 63732
Mexico
52-322-29-72140
52-329-29-55630 (fax)
ulloapedro@hotmail.com;
cripbadeba@prodigy.net.mx

United States

Keith Bigelow
NOAA/NMFS PIFSC
2570 Dole Street
Honolulu, HI 96822
808-983-5388
808-983-2902 (fax)
Keith.Bigelow@noaa.gov

Raymond Clarke
NOAA/NMFS PIRO
1601 Kapiolani Blvd., Suite1100
Honolulu, HI 96814
808-973-2935 x205
808-973-2941 (fax)
Raymond.Clarke@noaa.gov

Ray Conser
NOAA/NMFS SWFSC
8604 La Jolla Shores Dr.
La Jolla, CA 92037
858-546-5688
858-546-7003 (fax)
rconser@ucsd.edu

Paul Crone
NOAA/NMFS SWFSC
8604 La Jolla Shores Dr.
La Jolla, CA 92037
858-546-7069
858-546-5653 (fax)
pcrone@ucsd.edu

Gerard DiNardo
NOAA/NMFS PIFSC
2570 Dole Street
Honolulu, HI 96822
808-983-5397
808-983-2902
Gerard.DiNardo@noaa.gov

Bill Fox
NOAA/NMFS SWFSC
8604 La Jolla Shores Dr.
La Jolla, CA 92037
858-546-7067
858-546-7003 (fax)
William.Fox@noaa.gov

William Gibbons-Fly
Department of State
2201 C. St., NW #5806
Washington, D.C. 20520-7818
202-647-2335
202-736-7350 (fax)
GIBBONS-FLYWH@STATE.GOV

Russell Ito
NOAA/NMFS PIFSC
2570 Dole Street
Honolulu, HI 96822
808-983-5424
808-983-2902 (fax)
Russell.Ito@noaa.gov

Pierre Kleiber
NOAA/NMFS PIFSC
2570 Dole Street
Honolulu, HI 96822
808-983-5399
808-983-2902 (fax)
Pierre.Kleiber@noaa.gov

Jeffrey Polovina
NOAA/NMFS PIFSC
2570 Dole Street
Honolulu, HI 96822
808-983-5390
808-983-2902 (fax)
Jeffrey.Polovina@noaa.gov

Sam Pooley
NOAA/NMFS PIRO
1601 Kapiolani Blvd., Suite1100
Honolulu, HI 96814
808-973-2935
808- 973-2941 (fax)
Samuel.Pooley@noaa.gov

Gary Sakagawa
NOAA/NMFS SWFSC
8604 La Jolla Shores Dr.
La Jolla, CA 92037
858-546-7177
858-546-7003 (fax)
Gary.Sakagawa@noaa.gov

Bob Skillman
NOAA/NMFS PIFSC
2570 Dole Street
Honolulu, HI 96822
808-983-5345
808-983-2902 (fax)
Robert.Skillman@noaa.gov

IATTC

Michael G. Hinton
Inter-American Tropical Tuna Commission
8604 La Jolla Shores Drive
La Jolla, CA 92307-1508
858-546-7033
858-546-7133 (fax)
mhinton@iattc.org

Appendix 4

RULES AND PROCEDURES FOR CONDUCT OF THE ISC COMMITTEE AND SUBSIDIARY BODIES

Background

The Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) was established in 1995 for the purpose of enhancing scientific research and cooperation for conservation and rational utilization of tuna and tuna-like species (HMS) of the North Pacific Ocean, and to establish the scientific groundwork, if at some point in the future it is decided to create a multilateral regime for the conservation and rational utilization of the HMS species in the North Pacific Ocean.

The Committee

The Committee is made up of Members from coastal states and fishing entities of the region and coastal states and fishing entities with vessels fishing for HMS in the region, and permanent observers (Observers) from relevant intergovernmental fishery and marine science organizations, recognized by all members. Its functions are to regularly assess and analyze fishery and other relevant information concerning the species covered; prepare reports of its findings or conclusions on the status of the species covered, including trends in population abundance, developments in fisheries, and conservation needs. It promotes research cooperation and collaboration among members by developing proposals for conduct of and, to the extent possible, coordinates international and national programs of research addressing the species covered. Furthermore, it takes into account the work and findings of other relevant technical and scientific organizations in execution of its functions.

C1. *Membership.* The Committee consists of representatives with suitable scientific and fisheries qualifications. Current Members shall review the eligibility of prospective Members and permanent Observers before admission. Each Member and Observer shall have the right to appoint one representative (Leader), an alternate, if desired, and to be accompanied by experts or advisors with suitable scientific and fisheries qualifications to participate on the Committee. The Leaders are the main source of contact for ISC communications.

C2. *Chairperson*. A Chairperson shall be elected by Members of the Committee.

The Chairperson serves as the leader of the Committee and is responsible for advancing the objectives of the ISC in a cost-effective and efficient manner. Responsibilities include chairing meetings of the Committee and supervising the work of subsidiary bodies, organizing meetings of the Committee, ensuring that ISC assignments and commitments

are completed in a timely, efficient manner, and coordinates activities with the Chairpersons of subsidiary bodies. Additional duties with respect to preparations for meetings include: (1) distribute a draft meeting agenda 90 days in advance and soliciting comments, (2) coordinate arrangements, (3) ensure that reports of subsidiary bodies and results of assignments are available on a timely basis, (4) appoint and distribute a list of proposed invited experts for approval by Members in advance of the meeting (see C6), (5) appoint rapporteurs, and (6) perform other matters that are required for smooth preparation and functioning of a meeting. In conducting meetings, the Chairperson shall strive for consensus of all Members in Committee decisions, conclusions and findings.

- Nominees for Chairperson are from Members attending the meeting.

- The Chairperson is elected by secret ballot, one vote per Member and by majority vote of Members attending the meeting. The first round of an election will consist of each voting Member having the opportunity to submit one nominee's name on a secret ballot. If the same name appears on a majority of ballots submitted, that candidate shall be declared the elected Chairperson. If no majority of nominee appears on the ballots, the two nominees receiving the most votes would be the candidates for the second round. Members would vote for one of the candidates in the second round and the candidate receiving the majority of votes submitted shall be declared the elected Chairperson. If a tie vote results, a third round of voting between the two nominees shall be held in order to secure a candidate with majority votes.

- The Chairperson serves for a term of three years and is eligible for re-election for one additional three-year term.

C3. *Vice Chairperson.* A Vice Chairperson shall be elected by members of the Committee. In the absence of the Chairperson, the Vice Chairperson assumes all duties and responsibilities of the Chairperson.

- The runner-up candidate in the second or third round of the election for Chairperson shall be declared the elected Vice Chairperson. If only one nominee results from the first round of the election for Chairperson, the Chairperson election process shall be applied to elect a Vice Chairperson

- The Vice Chairperson serves for a term of three years and is eligible for re-election for additional terms.

C4. *Reports*. Reports of findings, decisions and conclusions are prepared by the Committee for the record and for distribution. In adopting a report, the Committee strives for consensus of all Members; however, if reasonable efforts fail to reach a consensus, reports and findings may reflect opinions and the differing views.

C5. *Exchange of fisheries and biological data*. Timely exchange of complete and accurate fisheries and biological data are primary obligations of participants of the ISC.

Each Member and Observer of the Committee shall appoint a Data Correspondent, who shall be responsible for meeting all requirements for timely submission of complete and accurate data as specified by the Data Protocol of the ISC (Attachment).

C6. *Invited experts.* Scientific and fisheries experts, who are not Members of the Committee may be invited to participate in the deliberations or work of the Committee. Decision on inviting experts, nominated by Members, shall be made by consensus of Members of the Committee. The Chairperson will be responsible for preparing the list of nominees, nominated by Members no later than 90 days before the event, and immediately distribute to Members for approval. If no objections are received by 45 days of the event, the Chairperson shall issue invitations to approved nominees. The manner of invited experts' participation shall be decided by the Members. Invited experts are not eligible to vote on ISC matters.

C7. *Subsidiary bodies.* The Committee may establish subsidiary bodies, including Working Groups, which may meet in the interim between Committee meetings, or more frequently, and report to the Committee.

C8. *Frequency of meetings.* The Committee shall meet once every two years or more frequently if required and agreed to by the Members. The time and place of meetings shall be decided by the Members. The working language of all meetings will be English and for the plenary sessions of Committee meetings only, with formal interpretation into Japanese.

C9. *Peer review of function.* Every five years, or more frequently as may be decided, the Committee shall organize a team of three recognized peers with no Committee affiliation, to review the function of the Committee and subsidiary bodies and to offer recommendations for improvement.

C10. *Other procedures.* The Committee will establish by consensus other procedures as required for conduct of activities. It can be dissolved by consensus of Members.

Working Groups

In 1996, the ISC Committee established three species Working Groups (Bigeye Tuna Working Group, Pacific Bluefin Tuna Working Group and Swordfish Working Group) and a Statistical Working Group. A fourth species Working Group, the Marlin Working Group, was created in 1999. In 2004, the Bigeye Tuna Working Group was dissolved and a By-Catch Working Group was created. These Working Groups are subsidiary bodies of the Committee and report to the Committee. Each provide a forum for cooperation/collaboration in research by Member and Observer scientists as well as for focused consideration of technical matters assigned by the Committee. The species Working Groups' primarily focus is on understanding the dynamics and ecology of the HMS and associated-species populations in order to accurately assess stock condition and status. The Statistical Working Group focuses on collection, exchange and archiving of fishery, biological and other data needed for stock assessments and for monitoring fishery

developments and by-catch. The work of these Working Groups is guided by multi-year work plans and demands by the Committee.

W1. *Membership*. Working Groups shall be constituted of scientists with appropriate credentials and experience. They are appointed by Members and Observers of the Committee.

W2. *Chairperson.* A Chairperson with appropriate expertise and knowledge is to be chosen by members of each Working Group.

- The Working Group Chairpersons are responsible for chairing meetings of the Working Groups, facilitating the development of multi-year work plans and coordinating work plan assignments, organizing meetings, including advanced preparation of agendas, scheduling of presenters, appointing of rapporteurs, providing assignments for reports, and ensuring that Committee assignments are completed as required. The Chairpersons also serves as facilitators of views, to ensure that participants with differing views get an opportunity to be heard. They strive for consensus of all members in reporting of Working Group findings, conclusions and decisions to the Committee.

- The Chairperson serves a three-year term and may be reappointed for an additional three-year term, but not for more than two consecutive terms.

W3. *Frequency of meetings*. Time and place of Working Group meetings are decided in consultation with the Committee. In general, Working Groups meet between Committee meetings, or more frequently as needed to complete assignments and with a view to reporting findings and results to the Committee in a timely manner.

W4. *Invited experts*. Occasionally, a Working Group may have a need for special expertise to assist in assignments or may receive requests for participation from experts. On such occasions, the Working Group Chairperson is responsible for following Rule C6 and consulting with the Committee Chairperson.

W5. *Format for species Working Group reports*. The focus of species Working Groups is largely understanding the population dynamics of the concerned species in order to accurately assess stock condition. Sufficient understanding for conducting a stock assessment may not accumulate on a regular, predictable schedule for conducting a stock assessment on a regular basis. Species Working Group findings, therefore, may be progress reports for stretches of time before a "current" stock assessment is available. To maintain consistency among reports of species Working Groups and from one year to the next, the following is an outline for Working Group reports destined for submission to the Committee. This outline may be modified by the Committee to meet changing assignments.

A. Introduction.

B. Review of Recent Fisheries (Description of recent developments and issues of fisheries.)
C. Fishery Statistics (Presentation of fishing area by gear, time series of landings or catches, catch-effort or CPUE trends, size composition and other biological statistics, e.g., sex ratio and by-catch.)
D. Review of Biological Studies (Research results from biological working papers and summary of comments by participants.)
E. Review of Stock Assessment Studies (Research results from stock assessment working papers and summary of discussion.)
F. Current Stock Status (If results of stock assessment studies provide a basis for an overall assessment of stock condition, conclusions on current stock condition, including relative to conventional acceptable biological reference points and uncertainty should be provided.)
G. Special Assignments. (Advice on assignments from the Committee, including scientific advice on potential biological consequences of fisheries management actions and natural events.)
H. Research Recommendations and Updated Work Plan (Recommendations should be reported by category, statistics, biological studies and stock assessment and focused for advancing understanding of the resource, particularly for more accurate stock assessments.)
I. Administrative Matters (A catch-all section for time and place for next meeting, acknowledgments, and discussion of other administrative matters.)
J. Adjournment.

Findings, conclusions, and decisions of Working Groups are to be agreed by consensus; however, if reasonable efforts are made and fail to yield consensus, reports and findings may reflect opinions and the differing views. A research plan that would resolve or clarify the different views might also be proposed.

W6. *Format for the Statistical Working Group report.* The main focus of the Statistical Working Group is the collection of accurate fishery statistics, biological and other data in support of stock assessment research, and to coordinate timely exchange and reporting of those data. As such, Data Correspondents should serve on this Working Group. The following is an outline for reports of the Statistical Working Group:

A. Introduction.
B. Review of Data Requirements for Stock Assessment and Fishery Monitoring.
C. Review of Data Collected by Participants.
D. Updating of Data Inventory and Depository.
E. Review of Data Reporting Protocol (reporting schedule, data access and availability, data correspondence).
F. Conclusions, Recommendations and Updated Work Plan.
G. Administrative Matters.
H. Adjournment.

Steering Group

The Steering Group is an ad hoc body consisting of the Committee Chairperson and Vice Chairperson, Chairpersons of the Working Groups and one to three experienced Committee scientists invited to serve by the Committee Chairperson. This Group is responsible for assisting the Committee Chairperson in planning, organizing and coordinating activities and meetings of the Committee and for providing advice to the Committee Chairperson on administrative matters that arise during the inter-sessional period.

Adopted ISC4, February 4, 2004

Attachment

DATA REPORTING AND EXCHANGE REQUIREMENTS AND PROTOCOL

DATA REPORTING AND EXCHANGE

The minimum data required for ISC fishery monitoring and resource assessment fall into three categories:

Category I: total annual catch (round weight by species)
total annual effort (active vessels by fishery)
Category II: catch-effort (summary of logbook data)
Category III: biological data, (size composition, length or weight frequencies, sex information).

CATEGORY I (Total annual catch and total annual effort):

Total annual catch in metric tons (round weight) should be reported by gear, species and country for fisheries in the North Pacific (north of the equator). When established, data should be reported by subarea (see Section 2). If round weight is estimated from processed weight, the conversion procedure is to be noted.

Total nominal effort in numbers of active vessels fishing should be reported by fishery, gear and size category for fisheries in the North Pacific. As with catch, reporting should be done by subarea of the North Pacific. However, if effort cannot be reported by subarea or even for the North Pacific, effort should be reported for a larger area and noted. Vessel size categories to be used in reporting effort are:

Vessels	Size Category
Longline	1. Distant-water and 2. offshore (*Chinese-Taipei*) 1. Distant-water, 2. offshore, and 3. coastal (*Japan*)
Purse seine	1. large (>260 cubic meter capacity; ~300 mt) 2. small (<260 cubic meter capacity; ~300 mt) 1. distant-water and 2. offshore (*Japan*)
Harpoon, handline, Troll, gill net, etc.	aggregated by type

CATEGORY II (Catch-effort):

Catch and effort (logbook) data should be reported by country, gear type, and month. The resolution is as follows:

Gear	By Month	Catch	Effort	Region
Longline	5x5 deg.	.no. or wt.	hooks (all species recorded)	entire Pacific

Purse seine	1x1 deg.*	wt.	days fishing (include searching)	entire Pacific
Troll	1x1 deg.	no.	days fishing (include searching)	North Pacific
Gill net	1x1 deg.	no.	tans or net-days	North Pacific
Harpoon	1x1 deg.	no.	days fishing	North Pacific
Handline	1x1 deg.	no.	no lines	North Pacific
Pole and line	1x1 deg.	no.	no poles/successful days	North Pacific
Other	1x1 deg.	no. or wt.	as needed	North Pacific

*5x5 degree data if 1x1 is not practicable

CATEGORY III (Biological data):

Size composition (length or weight frequencies) and sex data (for swordfish, striped and blue marlins) should be reported by gear type and with the same area resolution as required for Category II data. However, coarser area resolution may be substituted if this requirement can not be applied. Reporting of length-frequencies should be with intervals of 1 or 2 cm. After standard measurements are established (see Section 2, above), both standard measurement and the actual sampling measurement unit should be reported.

All size composition data should include notes on collection method, e.g. port sampled, observer sampled, fisherman sampled, etc. Accuracy of measurement should also be reported (e.g. to the nearest cm, next larger cm, nearest kg, etc.).

DATA ACCESS AND AVAILABILITY

The participants agreed that some extracts from ISC database, that do not contain proprietary information, should be made available to the general public. Category I data aggregated over the entire North Pacific will be considered public domain (PD) data. The PD data will include the caveat that some discards are not reported in the catch statistics provided. Data provided for use and held by the ISC in whatever form remains the property of the individual contributors [1]. Release of these data to the general public may be governed by policies of the contributor.

However, raw Category I data as well as Category II and Category III data contain proprietary information and, therefore, shall be made available to contributors only and to scientists of ISC working groups. Japan will be responsible for managing the central data depository and will designate a control person.

When a request for non-PD data is received from a member of the general public, the data manager will notify and seek approval and conditions from the contributors of the specific data requested prior to release. A record of all requests received from the general public and the disposition of the request will be maintained and reported at each meeting of the ISC Plenary.

Requests for non-PD data by contributors for purposes other than ISC stock assessment activities will be handled by the control person, following the same procedures delineated in the previous paragraph.

1 As used here and throughout this report, "contributors" are all ISC participants who have provided data to ISC for inclusion in its database.

While there is consensus among all contributors regarding the data access rules, outlined above, there is concern that these rules may be changed at some point in the future without the consent of all contributors. It was recommended that the rules not be changed without consensus of all contributors.

Adopted ISC4, February 4, 2004

Appendix 5

Bycatch Working Group – Terms of Reference

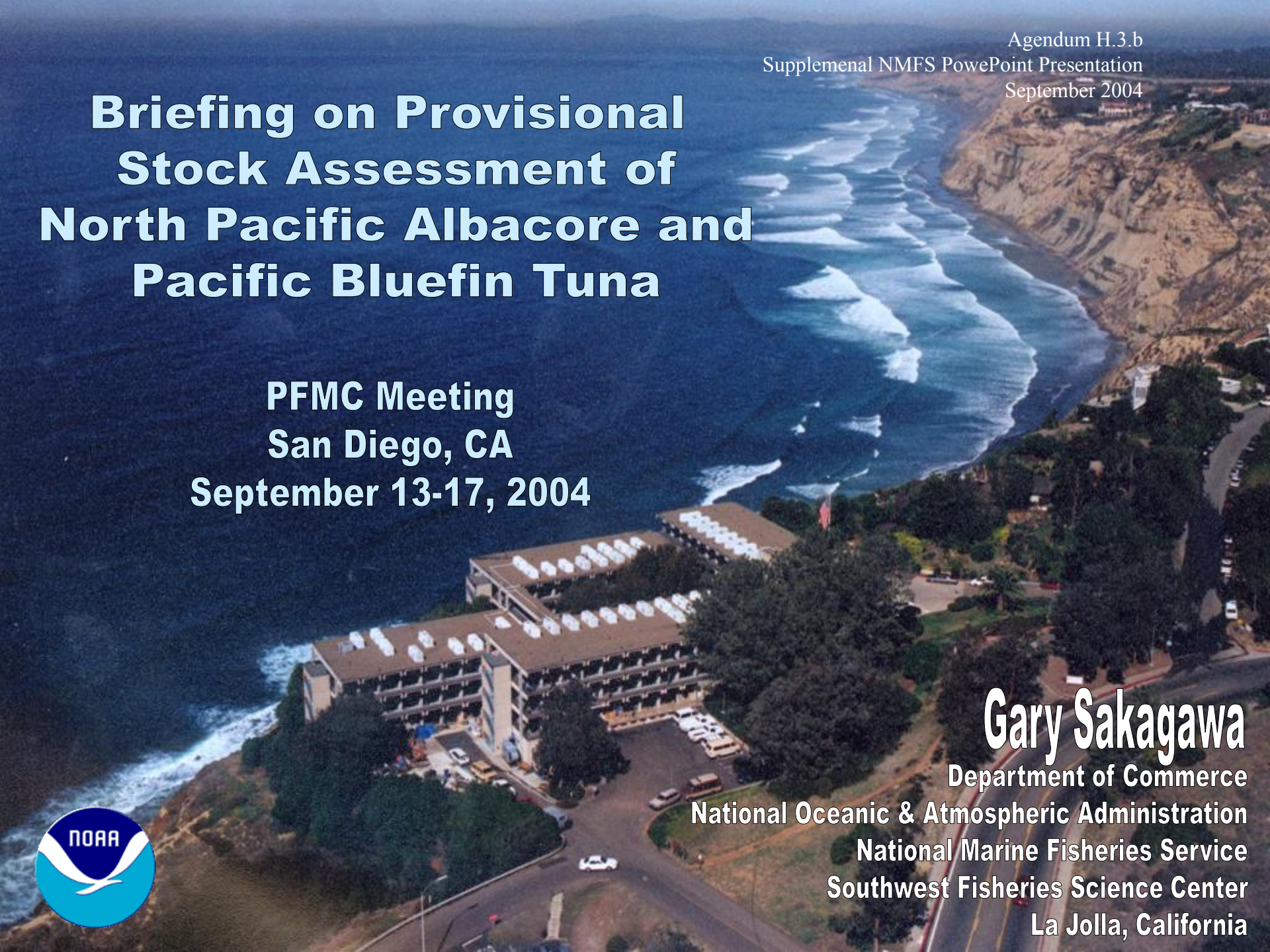
The goal of the Bycatch Working Group (BWG) is to assemble data on and where possible assess the status of populations of animals considered to be by-catch species caught by fisheries capturing tuna and tuna-like species in the northern Pacific Ocean. Important objectives will be to assess the interaction between the fisheries and bycatch animals, and as well mitigation measures to reduce bycatch. The initial focus of the BWG will be sea turtles, sea birds, and sharks. Other species will be considered as issues arise and are presented to the BWG by ISC plenary or its working groups. A holistic approach which considers the entire life history of the animal should be taken.

The work of the BWG shall be conducted by collaboration of scientists from member countries, bycatch working groups of international bodies, and other scientists with appropriate credentials and experience in accordance with ISC rules and procedures. The BWG conducts stock assessments on by-catch species where possible, and in support of this research will collect statistics throughout the range of these species. Such data will include catch, effort, size distribution and any other relevant fishery data as well as biological and ecological information concerning the by-catch species.

Agendum H.3.b
Supplemenal NMFS PowePoint Presentation
September 2004

Briefing on Provisional Stock Assessment of North Pacific Albacore and Pacific Bluefin Tuna

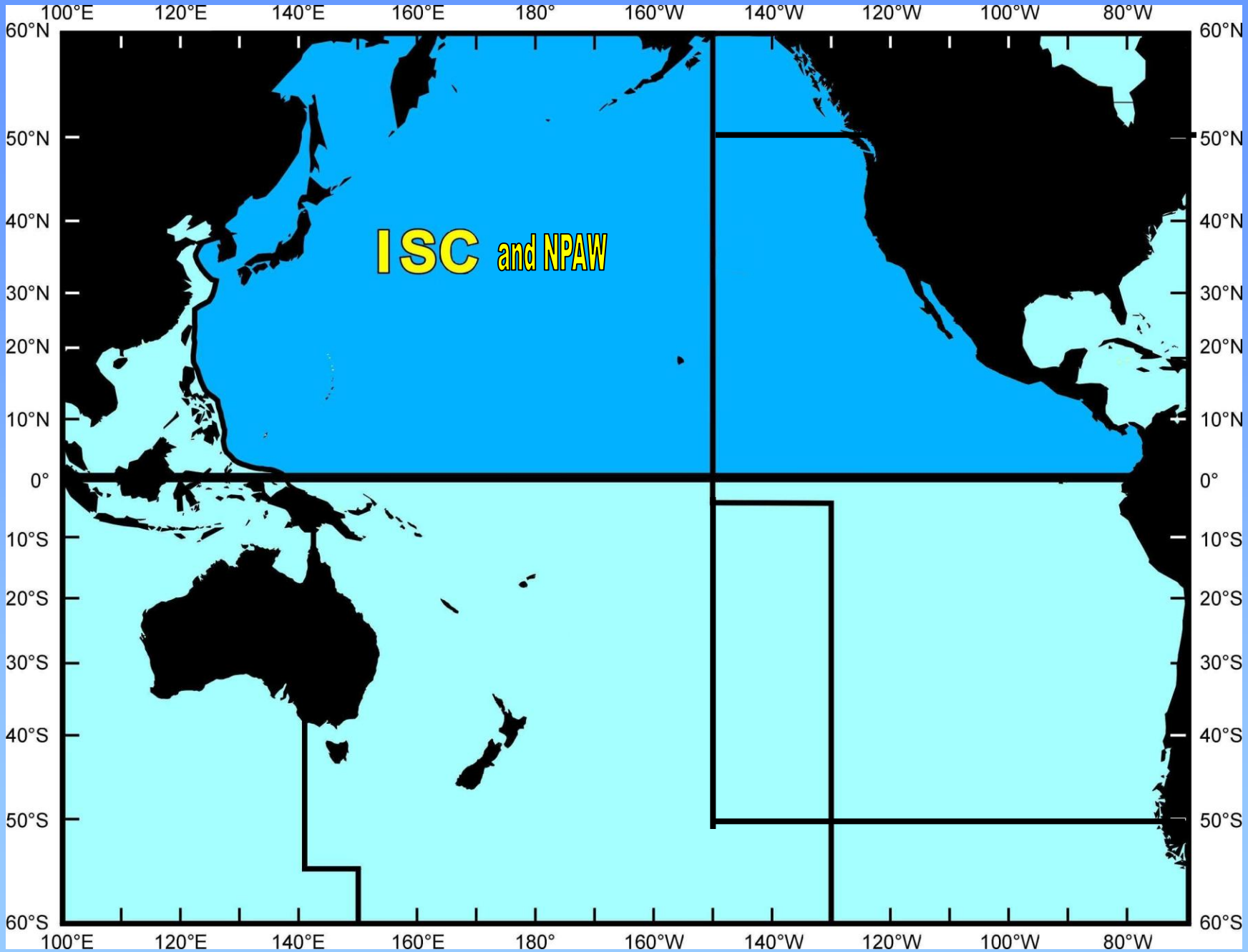
PFMC Meeting
San Diego, CA
September 13-17, 2004



Gary Sakagawa
Department of Commerce
National Oceanic & Atmospheric Administration
National Marine Fisheries Service
Southwest Fisheries Science Center
La Jolla, California

INTERNATIONAL HMS ORGANIZATIONS

- **NPAW** North Pacific Albacore Workshop (1974)
- **ISC** Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific (1995)
- **IATTC** Inter-American Tropical Tuna Commission (1950)
- **WCPFC** Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific (2004)


ISC and NPAW
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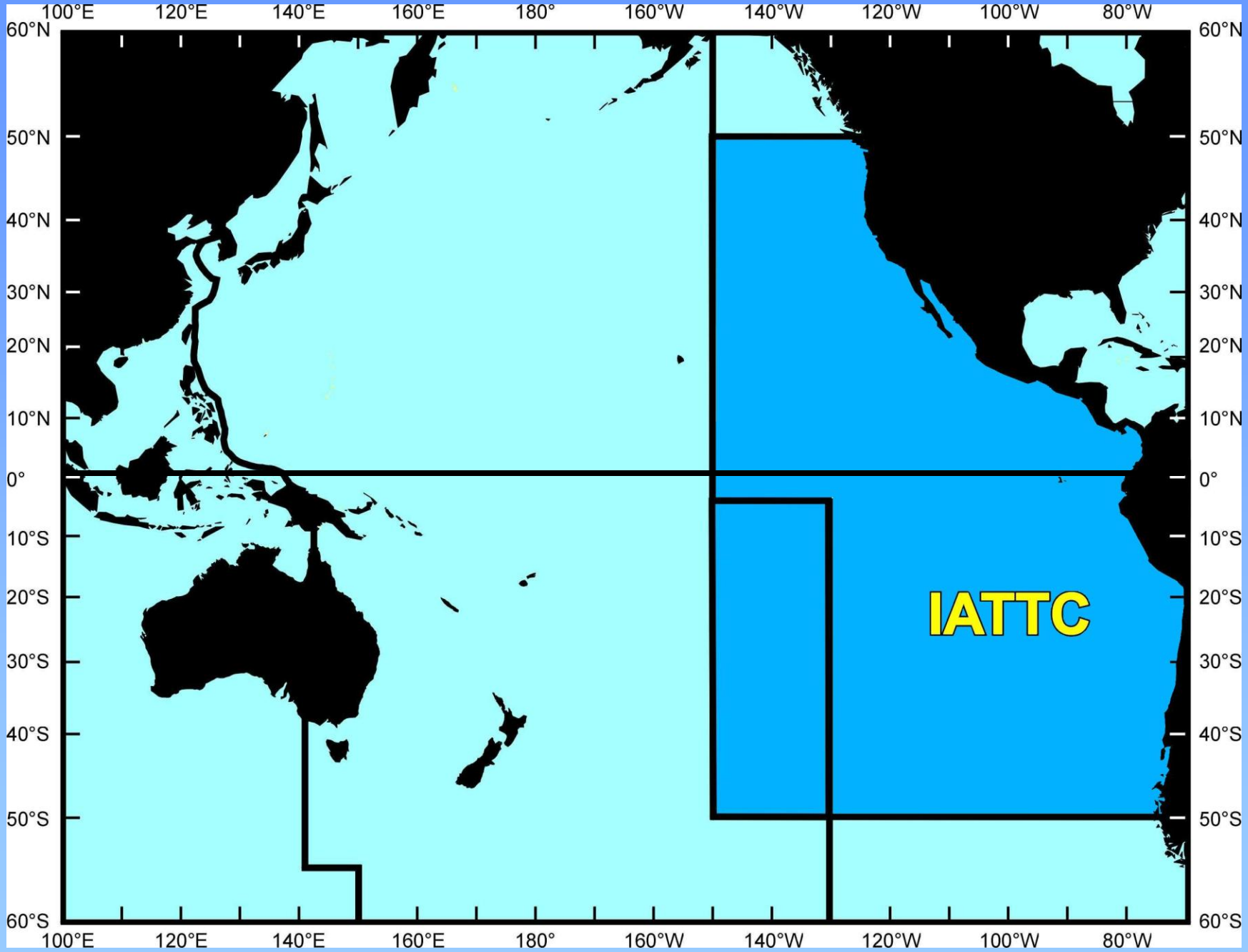
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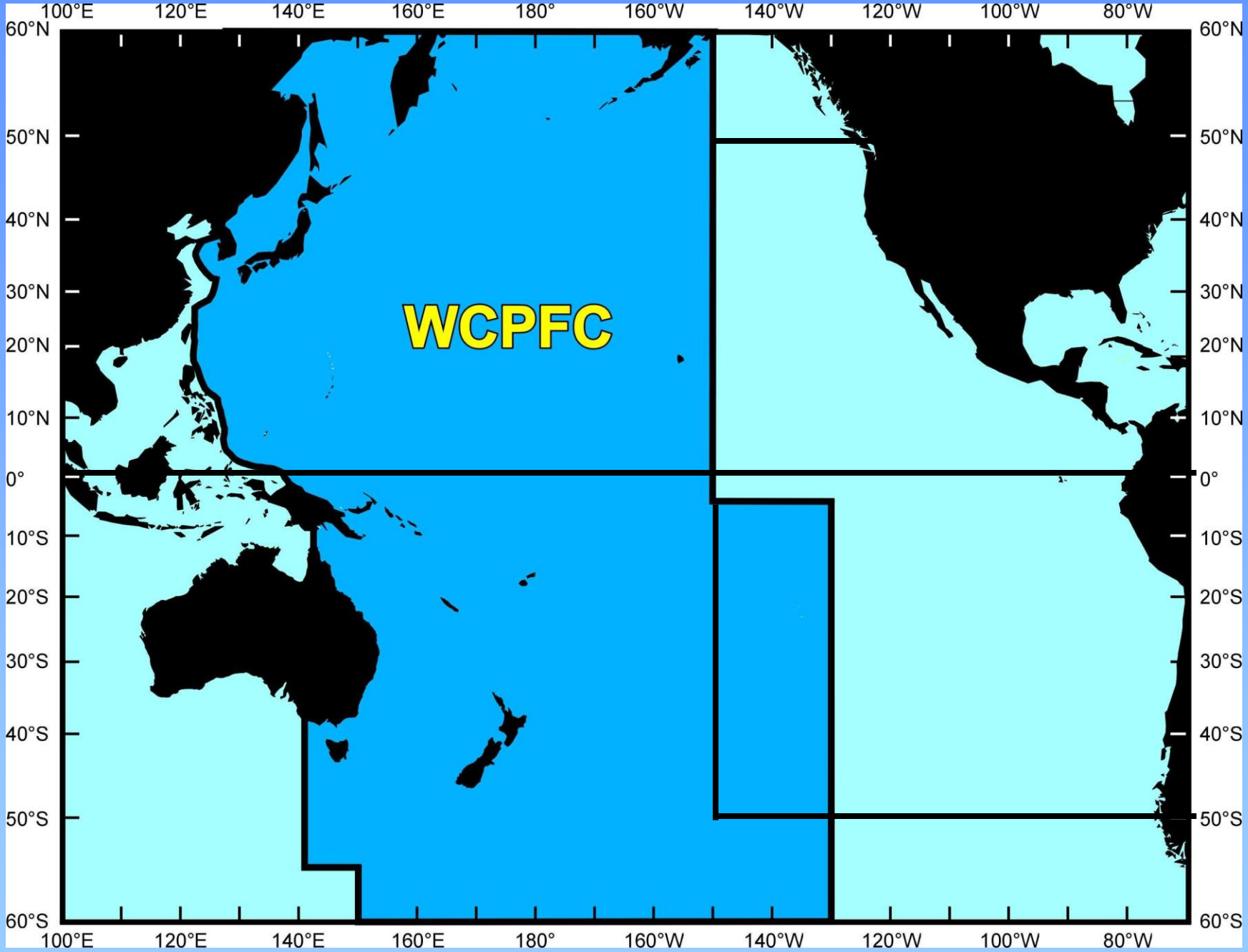
IATTC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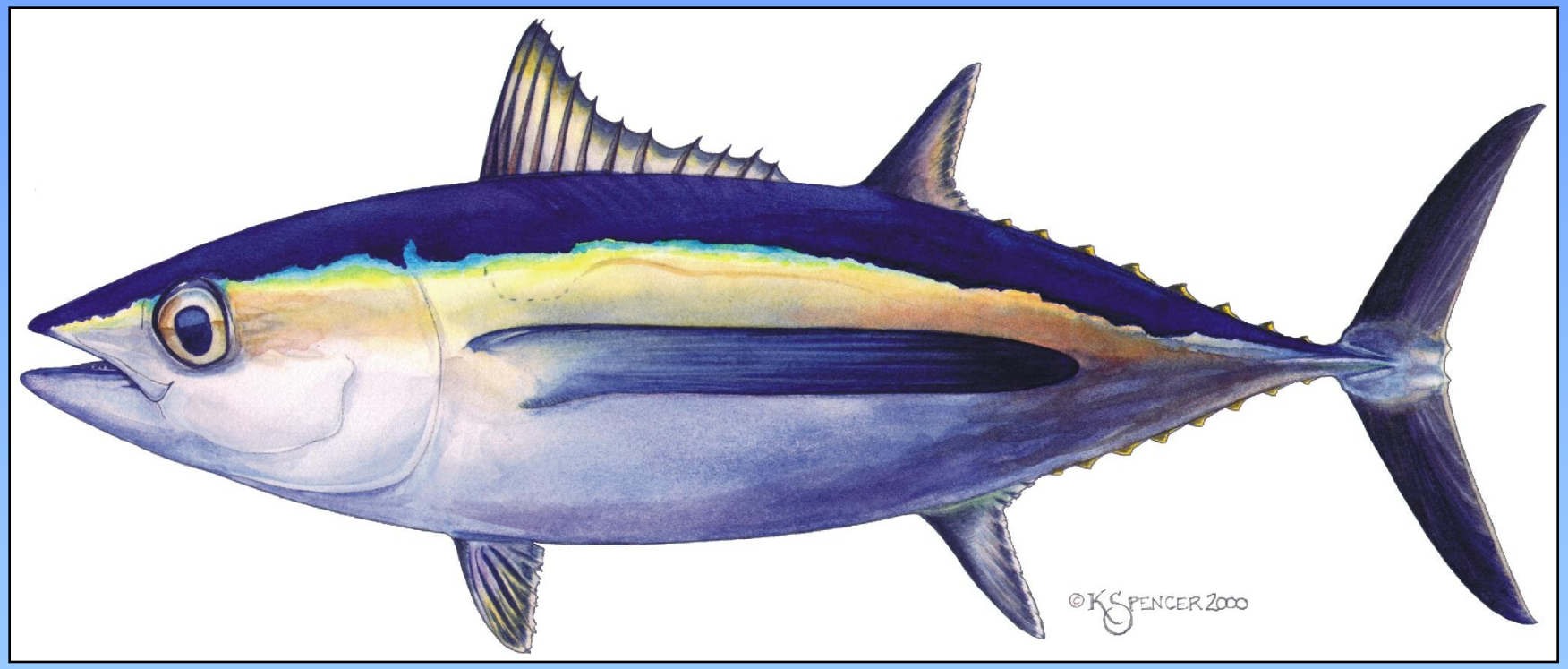
Provisional Stock Assessment

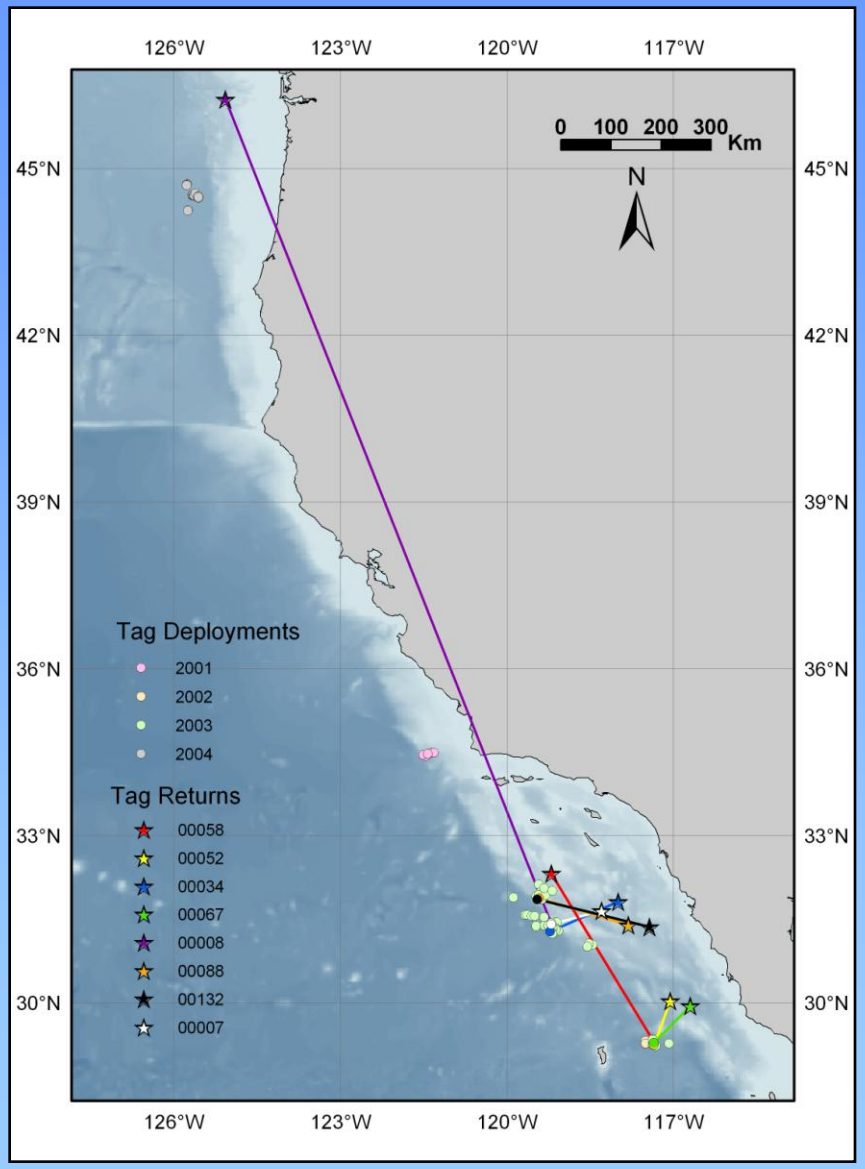
Species/ Stock	Catch (mt)			ISC4 Assessment
	High	Recent	Trend	
North Pacific albacore	125,400 (’76)	91,400 (‘02)	Increasing	$F_c > F_{20\%} = 0.42$
Pacific bluefin tuna	34,800 (‘56)	13,100 (‘02)	Decreasing	$F_c > F_{max} = 0.43\sim0.48$

Albacore (*Thunnus alalunga*)

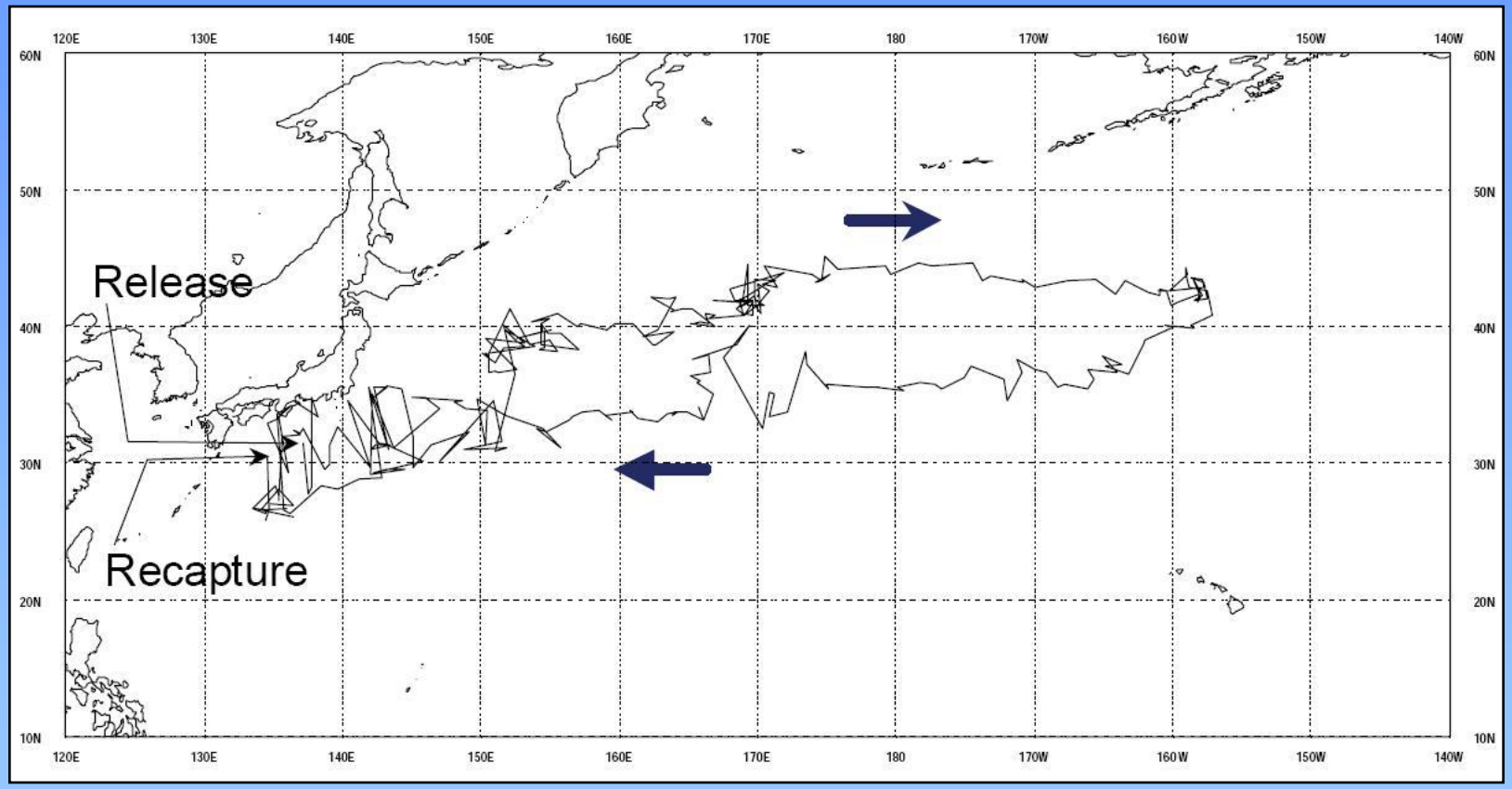
- Maximum size of 60 kg (130 lb)
- Maximum age about 10-12 years old
- Sexual maturity at age 4 years

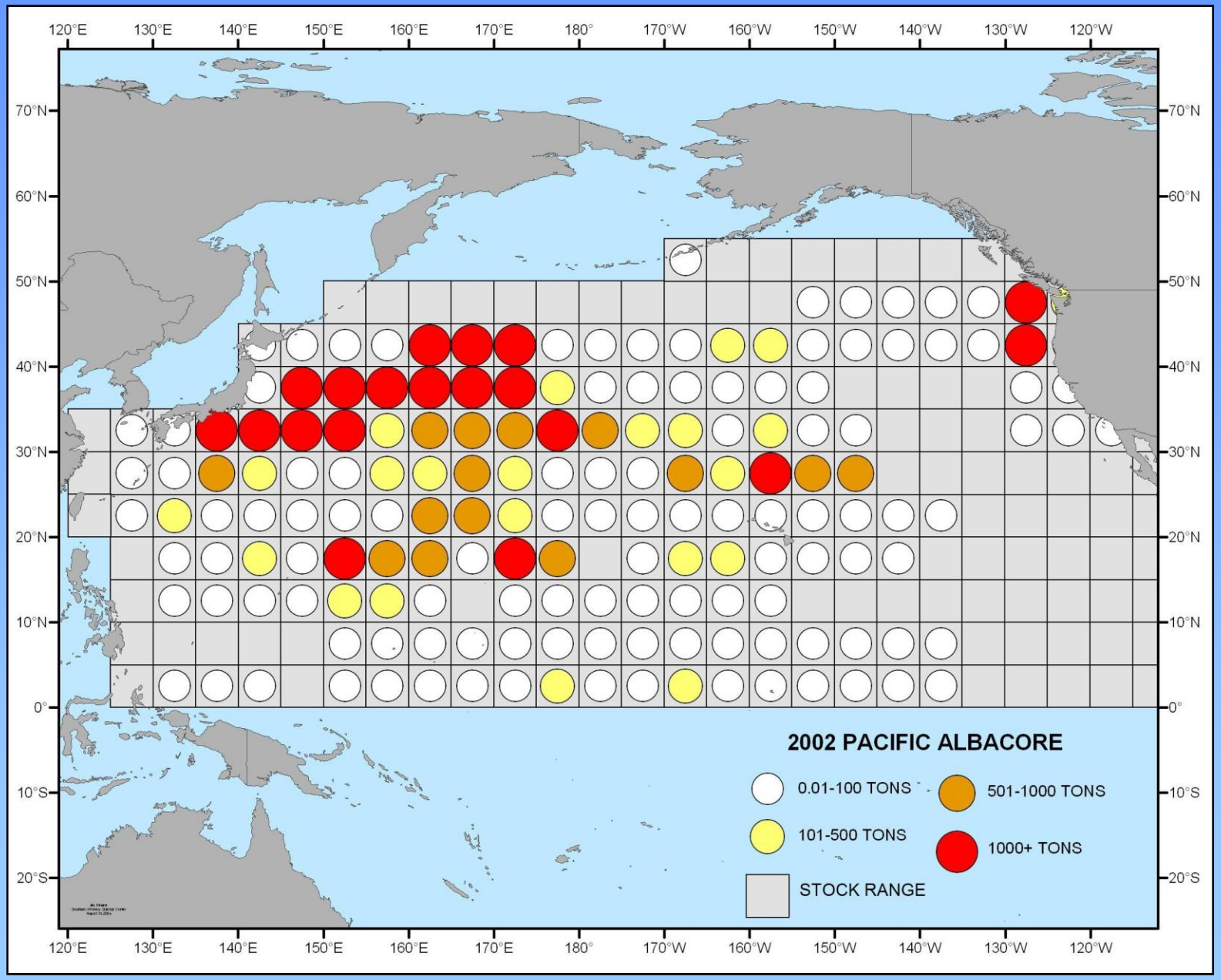


Movement of North Pacific Albacore from Archival Tagging off the U.S.



Migration Track for North Pacific Albacore from Archival Tagging off Japan

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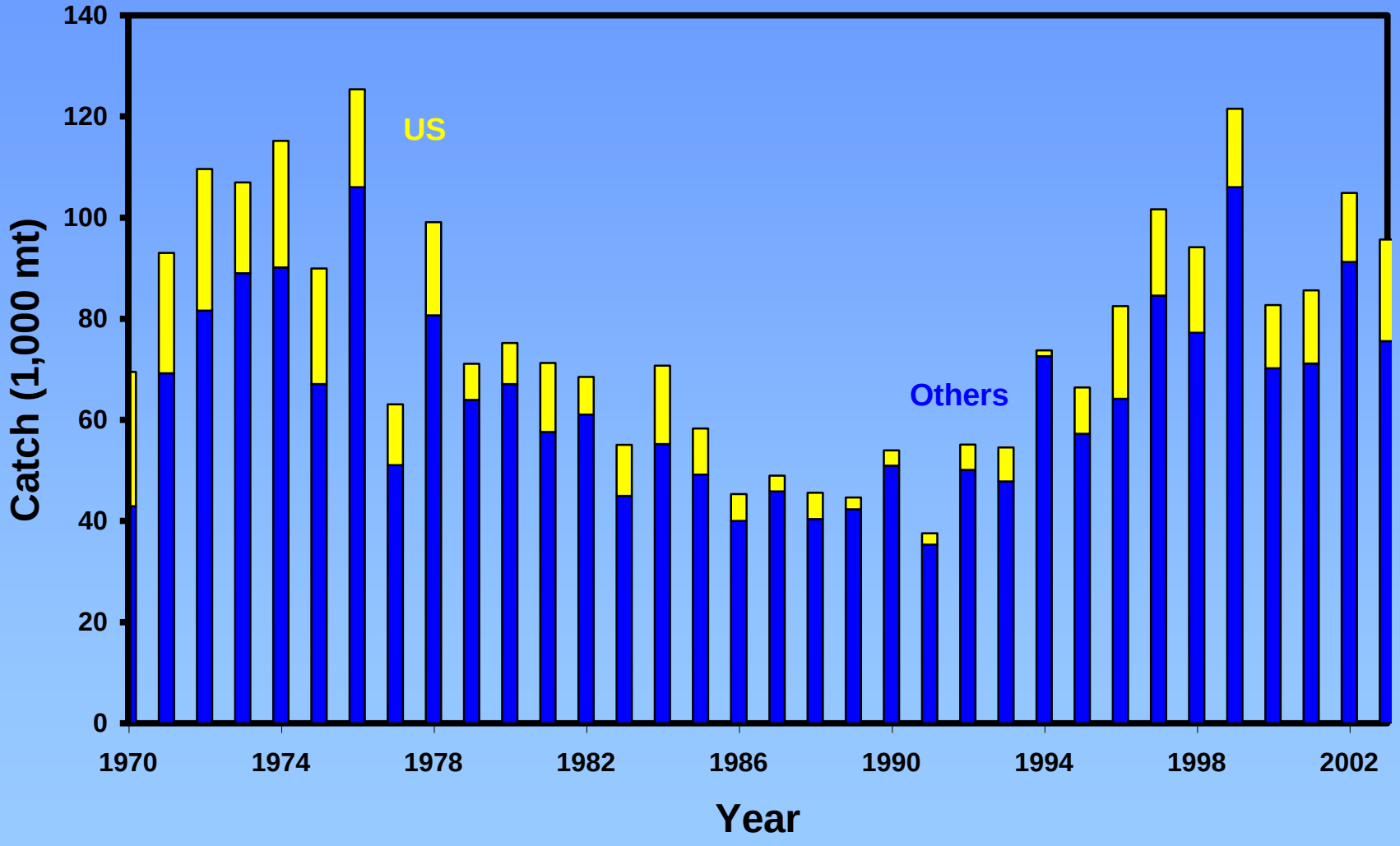
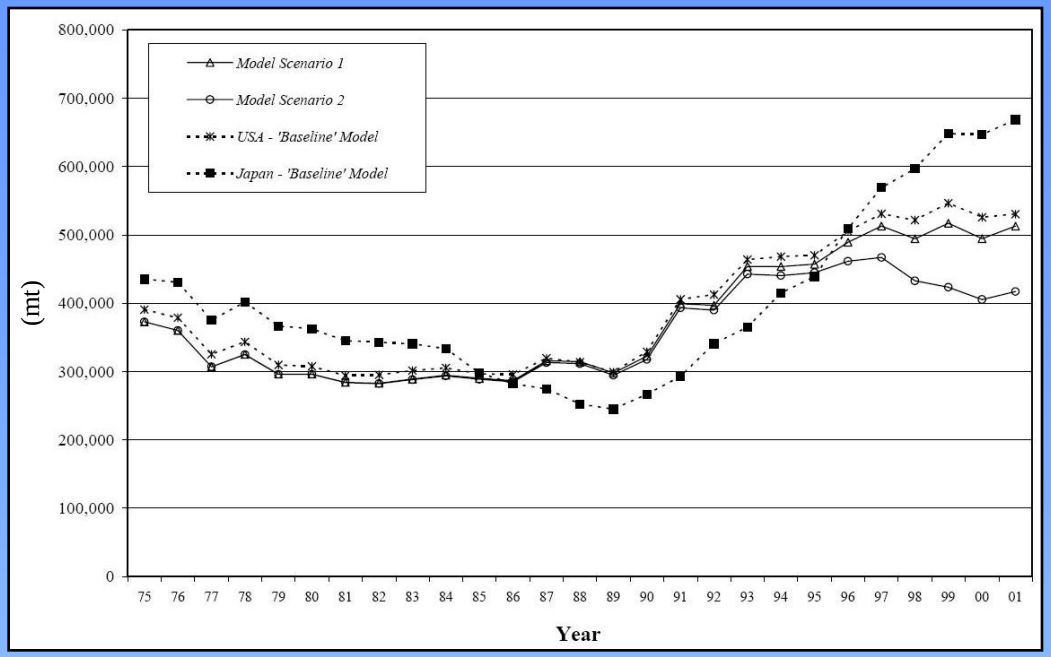
60°N
50°N
40°N
30°N
20°N
10°N
0°
10°S
20°S
2002 PACIFIC ALBACORE
0.01-100 TONS
501-1000 TONS
101-500 TONS
1000+ TONS
STOCK RANGE

Catch of North Pacific Albacore for 1970-2003

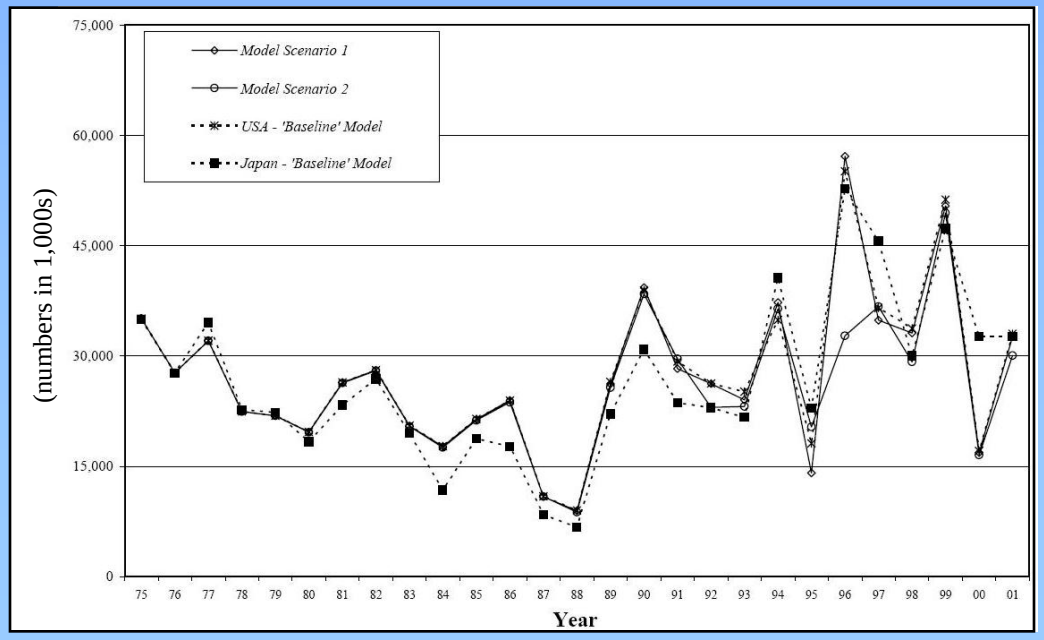


Estimated Stock Parameters for North Pacific Albacore



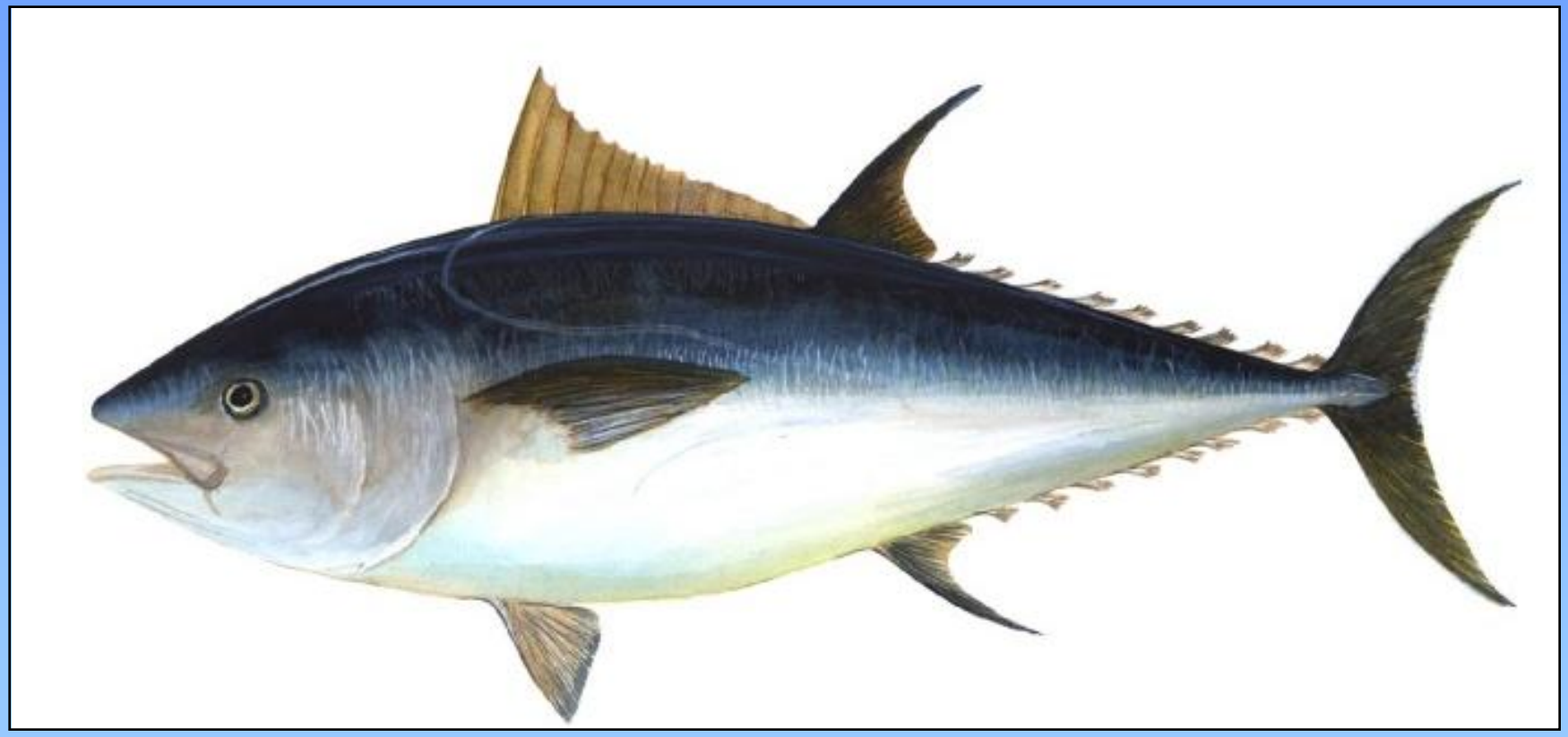
Stock Biomass

Recruitment

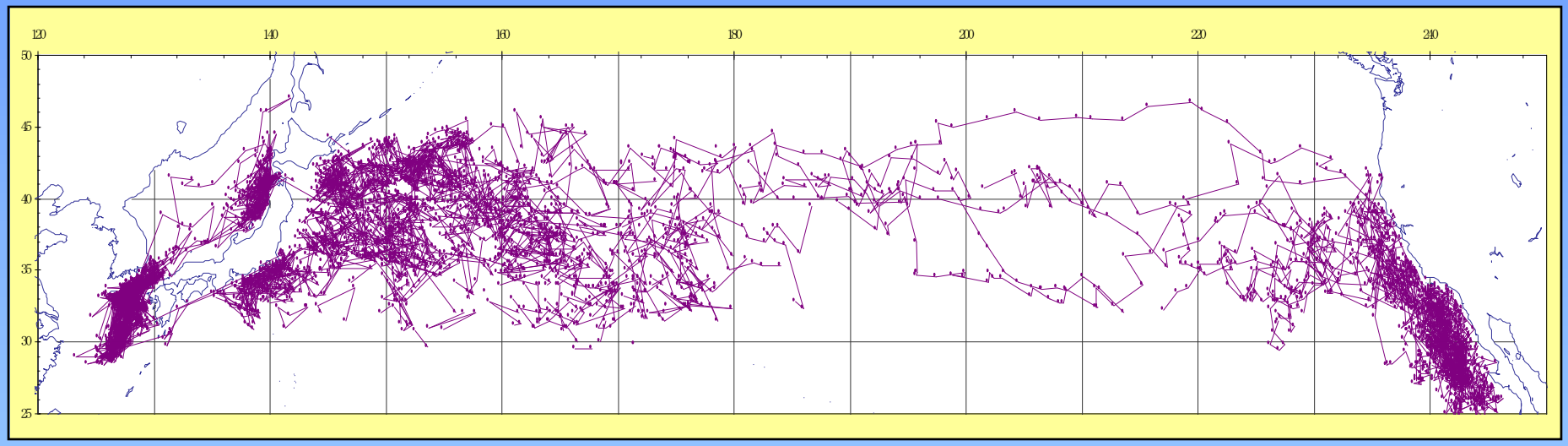


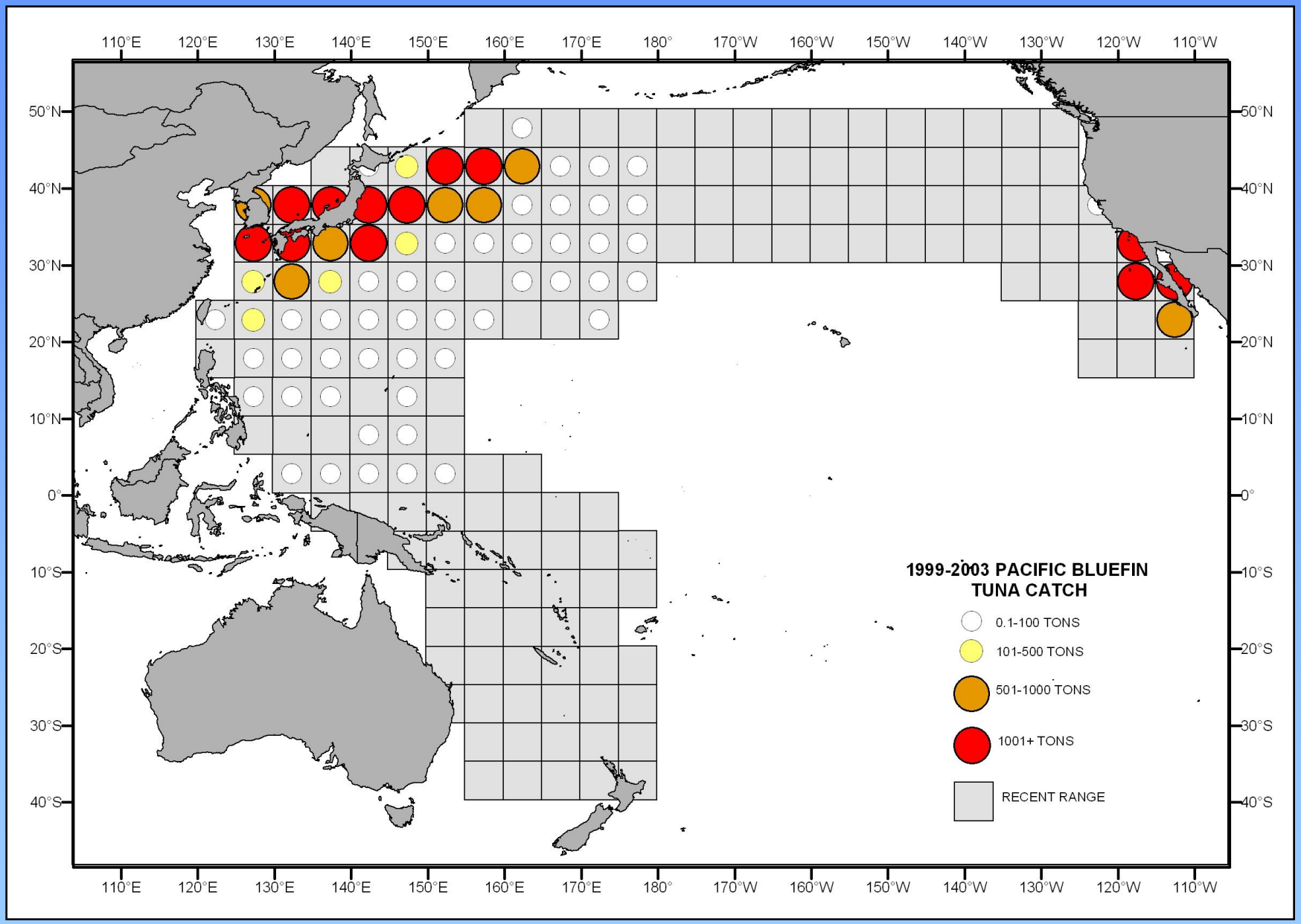
Pacific bluefin tuna (*Thunnus orientalis*)

- Maximum size of 560 KG (1,200 LB)
- Maximum age of 10-15 years old
- Sexual maturity at about age 5 years



Migration Tracks for Pacific Bluefin Tuna from Archival Tags

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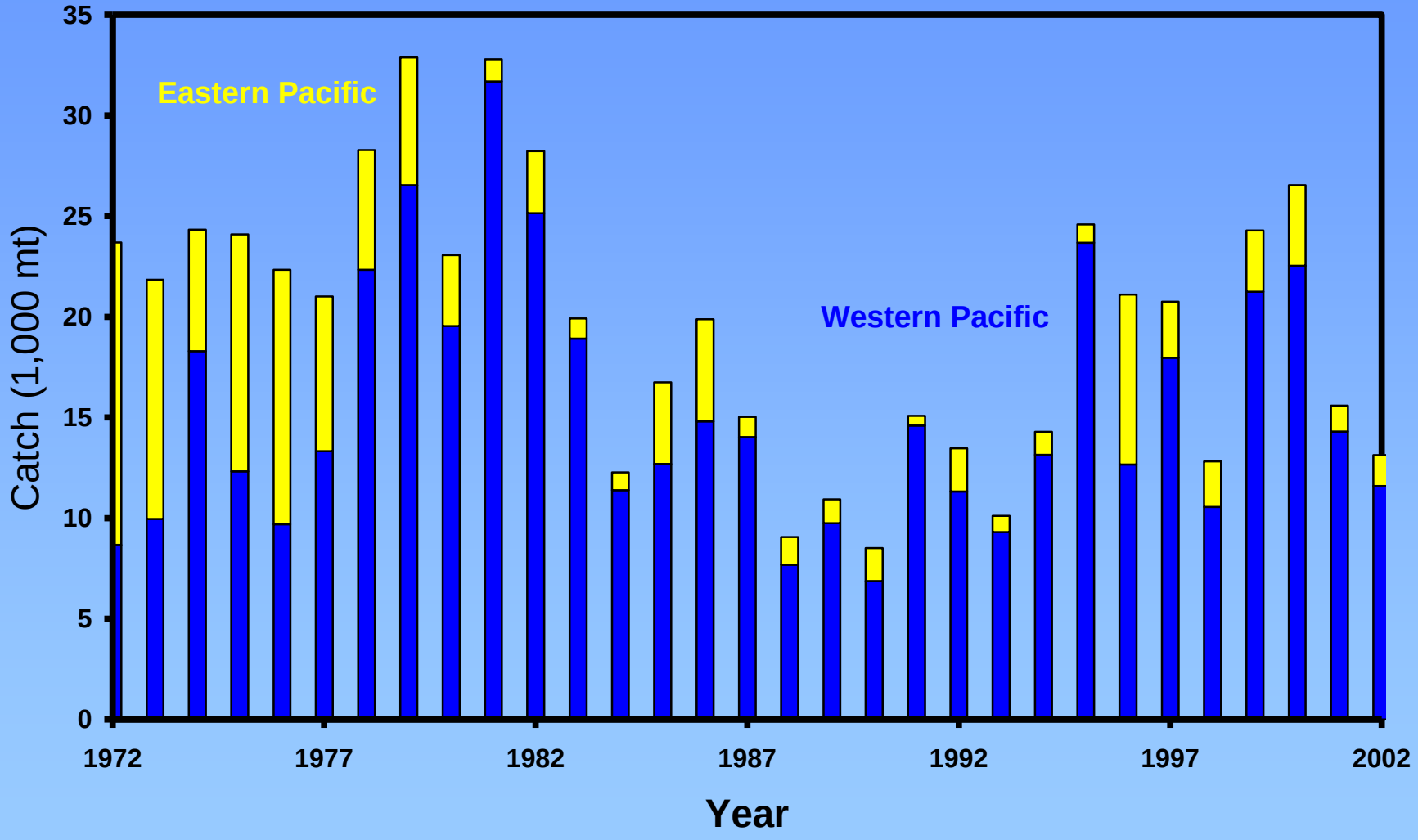
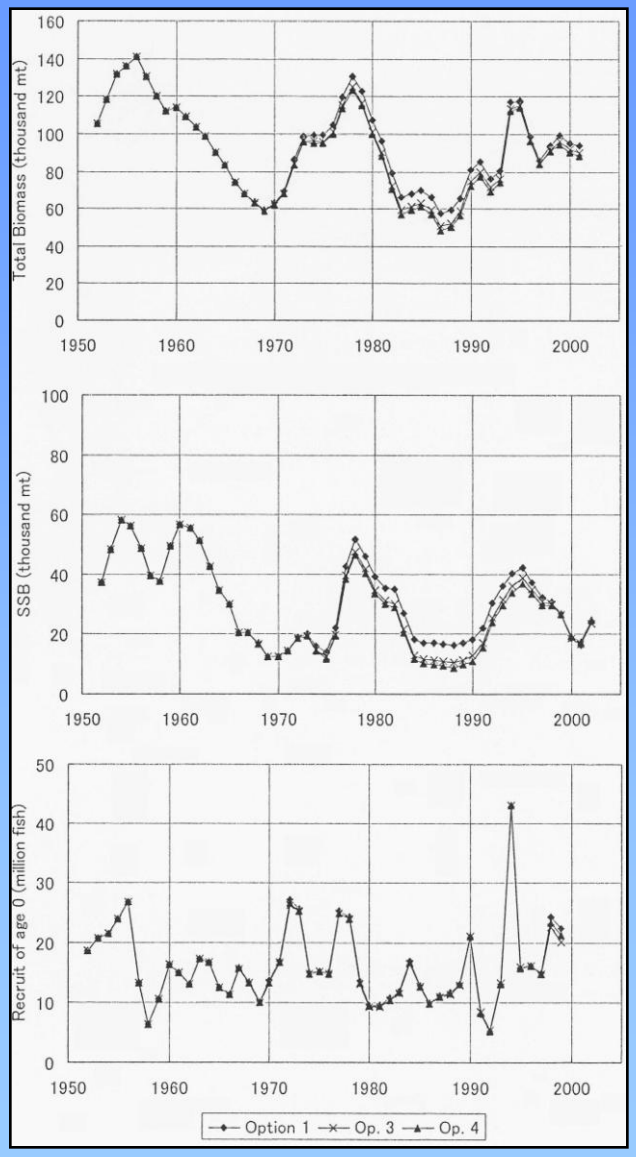
110°W
50°N
40°N
30°N
20°N
10°N
0°
10°S
20°S
30°S
40°S
1999-2003 PACIFIC BLUEFIN TUNA CATCH
0.1-100 TONS
101-500 TONS
501-1000 TONS
1001+ TONS
RECENT RANGE

Catch of Pacific Bluefin Tuna for 1972-2002



Estimated Stock Parameters for Pacific Bluefin Tuna

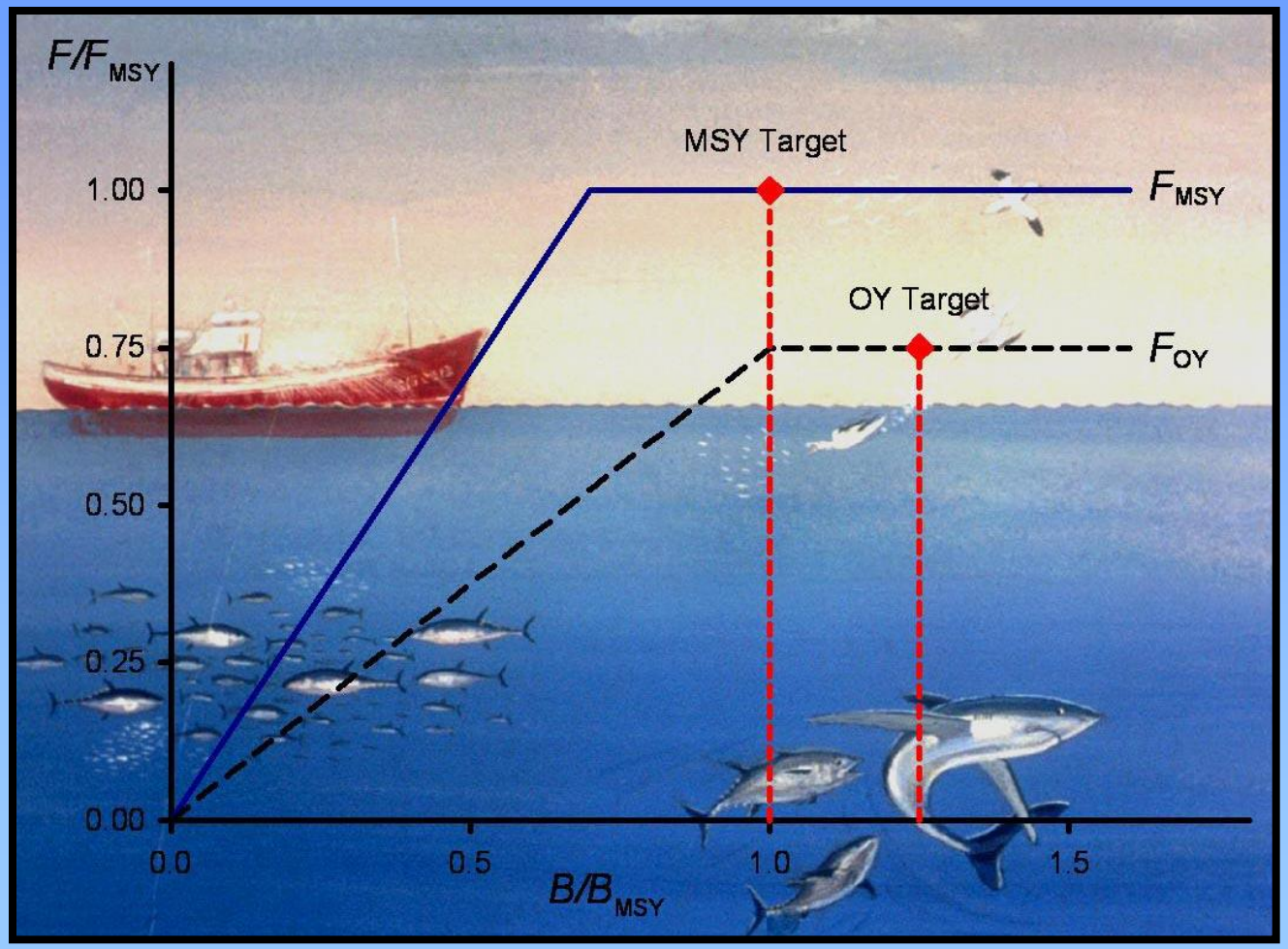


Total Stock Biomass

Spawning Stock Biomass

Recruitment

Reference Points for Management



F_{MSY} and F_{Limit} proxies for North Pacific albacore with a "high productivity" regime of about 33 million recruits (age-1 fish) annually.

Reference Points	F (per yr)	C (1,000 mt per yr)	B (1,000 mt)	SSB (1,000 mt)
F_{MSY}	$F_{40\%} = 0.22$	$C_{MSY} = 94$	$B_{MSY} = 694$	$SSB_{MSY} = 306$
	$F_{35\%} = 0.26$	$C_{MSY} = 100$	$B_{MSY} = 648$	$SSB_{MSY} = 268$
	$F_{30\%} = 0.30$	$C_{MSY} = 105$	$B_{MSY} = 598$	$SSB_{MSY} = 228$
	$F_{0.1} = 0.32$	$C_{MSY} = 107$	$B_{MSY} = 581$	$SSB_{MSY} = 214$
F_{Limit}	$F_{20\%} = 0.42$	$C_{Limit} = 114$	$B_{Limit} = 503$	$SSB_{Limit} = 153$
	$F_{MAX} = 0.90$	$C_{Limit} = 121$	$B_{Limit} = 330$	$SSB_{Limit} = 40$
No Fishing (F_0)	$F_0 = 0.00$	$C_0 = 0$	$B_0 = 1,215$	$SSB_0 = 762$

SUMMARY

- Provisional stock assessments indicate:
  - North Pacific Albacore, $F_c > F\text{-}_{20\%}$
  - Pacific Bluefin Tuna, $F_c > F\text{-}_{max}$
- More comprehensive and refined assessments are underway by the NPAW and the Working Group on Bluefin Tuna of the ISC.
- Proxy reference points need to be specified/ agreed on and ideally the same ones for all organizations dealing with the stocks.

Agendum H.3.c
Supplemental HMSAS Report
September 2004

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON STOCK ASSESSMENTS FOR ALBACORE AND BLUE FIN TUNA

The Highly Migratory Species Advisory Subpanel (HMSAS) received a report from Dr. Gary Sakagawa about recent findings of the Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) related to the status of bluefin tuna and north pacific albacore. The HMSAS notes that these are provisional assessments and recommends the Council withhold formal consideration until the full and final assessments are presented to the Council.

Whether overfishing is occurring cannot be determined at this time. To do so would require a baseline F_{MSY} proxy be agreed to at the international level.

The HMSAS also reviewed the Scientific and Statistical Committee (SSC) report about this agenda item. The HMSAS fully supports the SSC's comments.

Finally, to ensure effective international management of highly migratory species (HMS) stocks, the Council should consider increasing its participation in both the science and policy fora related to international HMS fisheries. As in our previous statements, this recommendation is contingent on the Council receiving secure, long-term, dedicated funding for HMS.

PFMC
09/16/04

Agendum H.3.c
Supplemental SSC Report
September 2004

SCIENTIFIC AND STATISTICAL COMMITTEE REPORT ON REVIEW OF STOCK ASSESSMENTS FOR ALBACORE AND BLUEFIN TUNA

Dr. Gary Sakagawa, National Marine Fisheries Service Southwest Fisheries Science Center, presented an overview to the Scientific and Statistical Committee (SSC) of the results of the stock assessments for North Pacific albacore and Pacific bluefin tuna. These stock assessments were conducted by an international body of scientists convened by the Interim Scientific Committee on Tuna and Tuna-like Fishes in the North Pacific (ISC), which is consistent with the intent of National Standard 1 guidelines relative to international fisheries and the Highly Migratory Species Fishery Management Plan. The SSC notes that its role will be limited to receiving these reports, unless an SSC representative actively participates in assessments as a member of the U.S. scientific delegation to the ISC. The SSC notes that this level of participation will require a substantial commitment of time and resources on the part of the Council and SSC.

PFMC
09/15/04