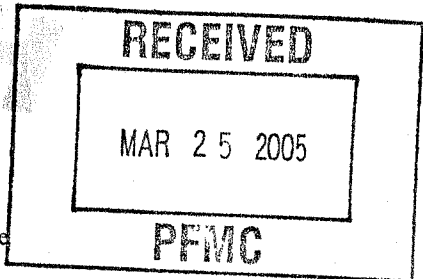


Federation of Independent Seafood Harvesters

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March 23, 2005

Don Hansen, Chairman
Pacific Regional Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, OR 97220-1384

Dear Don,

The Federation of Independent Seafood Harvesters (FISH) is a non-profit association of West Coast HMS fishermen utilizing harpoon, drift gillnet, and/or longline gears. FISH is a long-time participant in domestic and international HMS fishery management forums, and advocates for sound, science-based fishery management policy and practice.

Regarding international HMS management, in response to studies showing that stocks of bigeye tuna in the eastern Pacific Ocean (EPO) were below a level that would produce average maximum sustainable yield, the Inter-American Tropical Tuna Commission (IATTC) passed resolution C-04-09 at their June 2004 meeting calling for member countries with large-scale tuna longline vessels¹ in the EPO not to exceed 2001 catch levels of bigeye tuna for 2004, 2005, and 2006. Accordingly, under authority of the Pacific Tuna Convention Act, NMFS enacted a rule to close the U.S. longline fishery in the EPO in 2004 when bigeye catches reach the 2001 level of 150 metric tons.² It is noteworthy that U.S. longline fishing was largely prohibited in 2001 to reduce sea turtle takes while the longline fleet of Japan continued fishing (and taking sea turtles) and got a 34,076mt bigeye quota; Korea got 12,576mt; Taiwan got 7,953mt; and China got 2,369mt.

¹ The May 2004 meeting of the IATTC Working Group on Stock Assessments notes that longline vessels longer than 24 meters (78.74 ft.) in length, with freezing capability have been recently referred to as large-scale tuna longline vessels. It is also noted that the topic of "optimal" longline capacity has not been formally approached.

² This rule failed to exempt longline vessels less than 78.74 ft. in length, as specified in the IATTC's resolution.

FISH believes that there are more effective and equitable methods to conserve bigeye tuna than quotas based on vessel size limits. Bigeye mortality is proportional to fishing effort which is not effectively addressed by vessel size limits. FISH also believes that bigeye catch reduction is more effectively and equitably addressed by working from a TAC target rather than any one-year's catch total. Finally, FISH believes that quotas for U.S. longline fishermen should be adjusted upward to reflect required reduction in longline effort to reduce sea turtle takes.³

The IATTC meets again in June 2005. We urge the Council to provide the NMFS, the U.S. State Department, and U.S. IATTC Commissioners with its views regarding these matters.

Regarding domestic HMS management, the NMFS notified the Council that overfishing on bigeye tuna is occurring, and that the Magnuson-Stevens Fishery Management Act (M-SFMA) requires a Council responsible for preparing fishery management plans for federal waters to take appropriate action to address this overfishing. FISH, representing harpoon, and drift net fishermen operating within federal waters, is not aware of any bigeye catch in either of these fisheries. Therefore, although FISH encourages the Council to participate in international efforts to address the status of bigeye stocks in the EPO, the Council's responsibility to address bigeye overfishing under the M-SFA is satisfied.⁴

Respectfully,



Chuck Janisse

cc: Rod McInnis, NMFS
William Gibbons-Fly, U.S. State Dept.
Kitty Simonds, WPRFMC

³ In recognition of the possible adverse effects of tuna fishing on the populations of sea turtles in the EPO, the IATTC passed resolution C-04-07 in June 2004 calling for a three-year program to mitigate the impact of tuna fishing on sea turtles.

⁴ See March, 2005 press release from Western Pacific Regional Fishery Management Council regarding overfishing of bigeye tuna.

NATIONAL MARINE FISHERIES SERVICE REPORT ON
HIGHLY MIGRATORY SPECIES MANAGEMENT

National Marine Fisheries Service (NMFS) Southwest Region will briefly report on recent regulatory developments relevant to highly migratory species (HMS) fisheries and issues of interest to the Council.

Council Task:

Discussion.

Reference Materials:

None.

Agenda Order:

- a. Regulatory Activities
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Discussion

Mark Helvey/Craig Heberer

PFMC
03/22/05

PLANNING FOR FISHERY MANAGEMENT PLAN (FMP) IMPLEMENTATION

Since approval of the Highly Migratory Species (HMS) FMP early last year a funding shortfall has curtailed Council-related HMS FMP activities. The limited funding received provides for part-time Council staffing, three meetings of the Highly Migratory Species Advisory Subpanel (HMSAS), four meetings of the Highly Migratory Species Management Team (HMSMT), and about \$5,000 in discretionary travel. In early March 2005 National Marine Fisheries Service (NMFS) notified the Council of supplemental funding to reinitiate HMS activities. Because of the lack of funding in 2004 and early 2005, a number of Council HMS initiatives have been on hold while several new issues have emerged. With the need to restart these activities the Council has the opportunity to do some planning and prioritization of HMS-related work over the next six months to a year. The Council may wish to discuss the following issues, listed in rough order of priority:

Bigeye tuna overfishing. NMFS has formally declared overfishing is occurring on Pacific bigeye tuna and asked the Council to respond with measures to limit fishing mortality on this stock by June 14, 2005. At the March meeting, Mr. Mark Helvey informed the Council that NMFS is developing a strategy, which will focus on channeling Council initiatives to international organizations involved in HMS management. Because the Magnuson-Stevens Act requires the preparation of an FMP, plan amendment, or proposed regulations to address overfishing (16 U.S.C. 1854(c)(3)), he suggested an FMP amendment would be needed to institute such a framework.

Developing sea turtle bycatch mitigation measures for the high seas longline fishery. Currently West Coast longline vessels are prohibited from targeting swordfish because of the incidental take of ESA-listed sea turtles. Vessels operating from Hawaii under a pelagic limited entry permit (pursuant to the Western Pacific Fishery Management Council (WPFMC) FMP) may target swordfish under gear and operating requirements that demonstrably reduce sea turtle interactions. Framework provision under the HMS FMP could be used to implement a similar regulatory framework for West Coast vessels.

Establishing a limited entry program. During 2004 the HMSAS and HMSMT started to develop concepts and baseline information for a limited entry program for the high seas longline and drift gillnet fisheries, which would be implemented by FMP amendment. However, neither body has met since last September so no further progress has been made on this issue.

Exempted fishing permit (EFP) applications. NMFS has received two EFP applications for the HMS fishery. At the September 2004 Council meeting the HMSMT noted that EFPs could be used to test shallow-set longline techniques for turtle bycatch mitigation, currently prohibited east of 150° W longitude. The HMS FMP states that the HMSMT will develop a protocol for Council review and approval of EFP applications, which would be adopted as a Council operating procedure. The protocol has not yet been developed, so the Council will need to consider an interim procedure for these applications. The Council may wish to assign initial review of these applications to the HMSAS and/or the HMSMT.

Stock Assessment Fishery Evaluation (SAFE) Report. Under the HMS FMP the HMSMT is scheduled to deliver a draft and final SAFE Report at the June and September Council meetings. The Team has not had the opportunity to meet and begin planning the structure and contents of the first SAFE Report. Therefore, providing a draft report at the June meeting will not be possible. However, if the team is able to meet in advance of the June meeting, they could develop an outline for the SAFE report for presentation at the June meeting, with the final Report submitted at the September meeting.

Review of observer sampling protocol. The Council requested NMFS to prepare an observer sampling protocol for HMS fisheries. A NMFS contractor has completed this project and it is now ready for review by Council bodies (HMSAS, HMSMT, and Scientific and Statistical Committee) at Council discretion.

Design of HMS logbooks. An HMS logbook requirement is coming into effect as of April 11, 2005. NMFS is seeking input from the HMSAS and HMSMT on the design and distribution of a logbook for Oregon and Washington charter recreational fleets. (California already has such a logbook program in place.)

Appointment of a representative from the Inter-American Tropical Tuna Commission (IATTC) scientific staff to the HMSMT. Appointing an IATTC scientific staff member to the HMSMT would improve coordination, increase science expertise, and raise visibility in the international arena. IATTC offices are located in La Jolla, California, so additional travel costs would be modest. At the March Council meeting, the Council replaced one NMFS Southwest Region Science Center Representative on the HMSMT with a NMFS Southwest Region representative. Three Science Center positions remain, one of which is currently vacant.

Council participation in HMS forums. Attachment 1 lists upcoming meetings of international HMS-related organizations and the WPFMC.

Joint Council meeting with the WPFMC. In a September 27, 2004, letter Ms. Kitty Simonds, Executive Director of the WPFMC, proposed a joint meeting of the two Councils in 2005. Such a meeting would help coordinate Council action on HMS issues of common interest. (The letter was provided to the Council as part of briefing materials for the November 2004 meeting.)

The Council may wish to provide guidance on the prioritization of these issues (including any additions to or deletions from the list) and give direction to the HMSAS and HMSMT on future work to address these issues.

Council Task:

Council Discussion and Guidance

Reference Materials:

1. Agenda Item I.2.a, Attachment 1: Schedule of Meetings of Fishery Organizations in 2005 Relevant to Highly Migratory Species.

Agenda Order:

- a. Agenda Item Overview
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. Council Discussion and Guidance

Kit Dahl

PFMC
03/22/05

Schedule of Meetings of Fishery Organizations in 2005 Relevant to Highly Migratory Species

Dates	Meeting	Venue
<u>March</u>		
14-17	126 th Meeting of the WPFMC	Honolulu, Hawaii
28-30	5 th Meeting of the ISC	Tokyo, Japan
<u>April</u>		
25-28	AICDP Ad hoc well volume review group	La Jolla, California
26-27	US/Canada Albacore Treaty Meeting	Long Beach, California
29-30	AIDCP 1 st Meeting of Data Correspondents	La Jolla, California
<u>May</u>		
2-6	IATTC 6 th Meeting of the Working Group on Stock Assessment	La Jolla, California
12	General Advisory Committee Meeting to the U.S. Section of the IATTC	Long Beach, California
<u>June</u>		
7-10	127 th Meeting of the WPFMC	TBD
13	AIDCP 19 th Meeting of the Tuna Tracking Working Group	Lanzarote, Spain
13	AIDCP 5 th Meeting of the Working Group to promote and publicize the AIDCP dolphin-safe tuna certification system	Lanzarote, Spain
14	AIDCP 39 th Meeting of the International Review Panel	Lanzarote, Spain
15	AIDCP 13 th Meeting of the Parties	Lanzarote, Spain
16	AIDCP and IATTC 4 th Meeting of the Joint Working Group on Fishing by Non-Parties	Lanzarote, Spain
17	AIDCP and IATTC 6 th Meeting of the Compliance Working Group	Lanzarote, Spain

20-24	73 rd Meeting of the IATTC	Lanzarote, Spain
<u>August</u>		
8-19	Scientific Committee Meeting of the WCPFC	Noumea, New Caledonia
<u>October</u>		
TBD	AIDCP Meetings of the International Review Panel and Meeting of the Parties	La Jolla, California
17-20	128 th Meeting of the WPFMC	TBD
<u>December</u>		
5-16	Technical and Compliance Committee Meeting of the WCPFC	Pohnpei, Federated States of Micronesia
5-16	2 nd Meeting of the WCPFC	Pohnpei, Federated States of Micronesia

Acronym Key

- AIDCP Agreement on the International Dolphin Conservation Program
- IATTC Inter-American Tropical Tuna Commission
- ISC Interim Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean
- WCPFC Western and Central Pacific Fisheries Convention
- WPFMC Western Pacific Fishery Management Council

Note: Not all meetings are open to the public. Some meetings require membership.