

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON INITIAL SCOPING OF BIENNIAL SPECIFICATIONS

The situation summary for this item notes that this biennial cycle could focus on making housekeeping updates to the Highly Migratory Species (HMS) Fishery Management Plan (FMP), especially related to management reference points discussed in Chapter 4. The Highly Migratory Species Management Team (HMSMT) recommends the Council take up the following tasks related to the biennial process:

1. Make “housekeeping” changes to the HMS FMP as discussed in the situation summary and Agenda Item I.3.a, Supplemental HMSMT Report, March 2016. This task would involve changes to the FMP to update or correct dated information.
2. Clarify maximum sustainable yield (MSY), optimum yield (OY), and status determination criteria (SDC) for management unit species in the HMS FMP and publish up-to-date values for these reference points in the Stock Assessment Fisheries Evaluation (SAFE) document. This process would dovetail with National Marine Fisheries Service’s (NMFS’) stock status determination process. Further, it could align the process of notifying the Council of stock status findings that trigger action under MSA sections 304(e) and 304(i) (describing Council obligations relative to overfishing and overfished determinations) with the Council’s biennial management cycle.
3. Respond to the requests contained in the Center for Biological Diversity’s (CBD) petition for additional domestic actions regarding Pacific bluefin tuna that NMFS referred to the Council.

Timing and workload considerations for accomplishing these tasks are offered at the end of this report.

Housekeeping Changes

The HMSMT proposes comprehensively reviewing the FMP to update outdated information and copy editing. An initial review identified the following sections that merit updating:

- Section 1.5 (Chapter 1) describes the development of the FMP but does not carry through the final adoption and partial approval. This section could be shortened and updated to cover events through FMP implementation.
- Section 1.6 (Chapter 1) describes the management context in terms of other regional and international management organizations. Because of the level of detail, these descriptions are vulnerable to becoming out of date and inaccurate. This section could be revised so that the descriptions are brief and generic. The activities of the IATTC and WCPFC are already described and regularly updated in the HMS SAFE. This section of the SAFE could be expanded, as appropriate, to cover the range of management entities currently described in the FMP.
- Chapter 4: This chapter covers the identification of MSY, OY, SDC, harvest control rules, and response to overfishing and overfished status. As discussed in more detail in the next section of this report, some revisions may be necessary to remove references to dated stock

assessments including stock definitions. Reference points specified in the HMS FMP are used by NMFS in its status determination process. If NMFS determines that a stock is subject to overfishing or overfished it informs the Council, which triggers the obligation that the Council respond per MSA section 304(e) or 304(i).

- Chapter 6 describes management measures for HMS FMP fisheries. The HMSMT will review this chapter to see if these descriptions are still accurate and update them as necessary.
- Chapter 8 covers research and data needs. Past HMS SAFE documents included updated recommendations. The Council's SSC periodically publishes a report identifying research and data needs across the full range of Council responsibilities. The HMSMT recommends removing the discussion of research and data needs from the FMP, because it can quickly become dated. Instead, the HMSMT will identify these needs periodically in support of the SSC's report.

Although not an FMP housekeeping task, the HMSMT plans to change the reporting period in the HMS SAFE so it aligns with the April to March fishing year designated in the FMP, rather than the calendar year as is currently used.

Clarifying MSY, OY, SDC and Aligning Stock Status Determinations and the Council's Response to 304 (e) and (i) with the Biennial Management Cycle

In concert with a comprehensive review of the HMS FMP, the HMSMT proposes to clarify reference points for management unit species. The FMP contains dated estimates for MSY and OY for management unit species in the plan. Like for the Coastal Pelagic Species and Groundfish FMPs, the HMSMT proposes to remove the numerical estimates for reference points from the HMS FMP and to clarify the descriptions of MSY, OY, and SDCs. The HMSMT also proposes clarifying how these reference points and/or their proxies are used to derive numerical estimates (when available) for Management Unit Species (MUS) and reported in the SAFE. Because the SAFE is updated on an annual basis, updates to the numerical estimates of reference points could keep pace with the best scientific information available (e.g. recent stock assessments), whereas amendments to the HMS FMP occur less often and require Secretarial review.

Another issue related to clarifying reference points for MUS is the need for updates to stock definitions based on new information in recent assessments and other studies regarding stock structure. The two-stock scenario for North Pacific swordfish is one such example. Because separate stock assessments have been conducted for the Eastern Pacific Ocean and Western and Central North Pacific Ocean stocks, reference points are estimated at the stock, rather than species, level.

Clarifying descriptions of reference points for MUS in the HMS FMP and updating numerical values in the SAFE offers an opportunity to align NMFS' status determination process with the Council's biennial management cycle. SDCs identified in FMPs are used by NMFS to make status determinations. If the Secretary of Commerce determines that a stock is subject to overfishing or overfished, NMFS informs the Council of these findings, which then triggers action under MSA sections 304(e) and 304(i).

The HMSMT proposes to develop and present to the Council a plan for aligning NMFS' status determination process and the statutory timelines for Council response to MSA 304 (e) and (i) triggers with the biennial management cycle. The objective is to increase efficiencies in decision-making based on stock status and the use of the best scientific information available.

Responding to Requests in the Center for Biological Diversity (CBD) Petition as Referred by NMFS

As outlined in the NMFS Report ([Agenda Item D.4.a, Supplemental NMFS Report](#)), NMFS referred the CBD's requests for additional domestic actions regarding Pacific bluefin tuna by the Council for further consideration. The HMSMT proposes to evaluate NMFS' response to these requests, including summaries of public comment, and make recommendations to the Council in subsequent meetings during this biennial cycle. The HMSMT regards its proposal to clarify descriptions of reference points in the HMS FMP and the SAFE as integral to its evaluation.

Recommendations on Schedule and Work Products

For the three tasks described above, the HMSMT plans to produce a draft HMS SAFE Report,¹ mark-ups to the HMS FMP, a plan for aligning the biennial management process and NMFS' status determination process, and draft recommendations for a Council response to the CBD bluefin petition. The HMSMT proposes to convene a meeting in advance of the September briefing book deadline to accomplish these three tasks.

It is unclear whether the Council's objectives for some or all of these tasks would be best accomplished through considering ranges of alternatives, as currently listed under the draft September agenda. Therefore, the HMSMT requests some leeway to decide how to structure potential alternatives in its September report.

The HMSMT needs to further discuss how to best prioritize the tasks outlined above, which the HMSMT will undertake as part of its proposed August meeting. In general, addressing the CBD petition takes highest priority, but there are linkages to the other tasks. For this reason, the HMSMT requests the Council allow them some leeway to prioritize completion of these tasks.

PFMC
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¹ Council Operating Procedure 9, describing the HMS FMP biennial process, states that the HMSMT will present an annual SAFE document to the Council at its September meeting. Currently, an online version of the HMS SAFE is updated periodically as new information becomes available. At the end of the calendar year the online contents are archived in a pdf file. The HMSMT will adapt the current SAFE process so that reporting stock related information to the Council in September is integrated. This would involve producing a report for the September briefing book.