

## INTERNATIONAL ISSUES

The Inter-American Tropical Tuna Commission (IATTC) resumed its 90th meeting October 12-14, 2016 to address outstanding issues not resolved at its June 27-July 1, 2016 annual meeting. Of most interest are resolutions to replace Resolution C-13-01, Tuna Conservation in the Eastern Pacific Ocean (EPO) 2014-2016, which covers bigeye, skipjack, and yellowfin tuna, and Resolution C-14-06, Conservation of Bluefin, 2015-2016. Only a replacement resolution for Pacific bluefin tuna was adopted at the meeting, based on a proposal submitted by the US (Attachment 1). National Marine Fisheries Service (NMFS) will report on the outcomes of this meeting (Agenda Item I.2.b, NMFS Report).

NMFS will publish regulations for the commercial Pacific bluefin tuna fishery to implement the IATTC Resolution. NMFS is soliciting comment from the Council on the domestic implementation of the IATTC Resolution.

The 13th Regular Session of the Western and Central Pacific Fisheries Commission (WCPFC13) is scheduled for December 5-9, 2016 (Attachment 2 is the provisional annotated agenda). The Council may be particularly interested in agenda items 8.1-8.2 (management objectives and acceptable levels of risk for all species), and 9.4-9.6 (review of conservation and management measures (CMMs) for South Pacific albacore, North Pacific albacore, and Pacific bluefin tuna). As discussed at the September Council meeting, the Northern Committee adopted a proposed replacement CMM for Pacific bluefin tuna (Attachment 3). If other proposals of interest to the Council are posted to WCPFC website before the Council meeting they will be circulated as supplemental attachments under this agenda item.

The Permanent Advisory Committee to the US Section to the WCPFC met October 8-9. Attachment 4 is its draft list of its recommendations to the Commissioners.

At its September meeting, the Council deferred responding to the petition for rulemaking submitted to NMFS by the Center for Biological Diversity (CBD). As noted in the attached public comment letter from CBD, the petition requested rulemaking to (1) include Pacific bluefin tuna as a prohibited species until the stock is rebuilt, thereby placing a moratorium on retention of Pacific bluefin tuna by U.S. fishing vessels, or establish annual catch limits and a minimum size requirement to protect age classes 0-2, and (2) amend the fishery management plan to establish specific reference points to guide science based management of the stock.

In its response to the first request (Agenda Item J.3, Attachment 1, September 2016) NMFS stated “There is little evidence to suggest that imposing a unilateral prohibition on the retention of PBF by U.S. West Coast fishermen would either end overfishing or have a consequential impact on reducing overfishing.” However, that does not preclude the Council from recommending additional domestic commercial or recreational fishery regulations if sufficient rationale can be presented. Magnuson-Stevens Fishery Conservation and Management Act Section 304(i) directs councils, in the case of excessive international fishing pressure, to develop recommendations for domestic regulations to address the relative impact of US fishing vessels on the stock. Revised National Standard 1 Guidelines provide further guidance on considering relative impact. Factors that may be considered include, but are not limited to: Domestic and international management

measures already in place, management history of a given nation, estimates of a nation's landings or catch (including bycatch) in a given fishery, and estimates of a nation's mortality contributions in a given fishery (50 CFR 310(k)(3)). In its report, (Agenda Item J.3.a, Supplemental HMSMT Report 2, September 2016) the HMSMT concurred with the NMFS response to this request and further stated "the HMSMT believes a prohibition on retention would have significant economic impacts and disproportionate burden on the U.S. West Coast fishing industry, and hence would not be in the best interest of the nation. Lastly, the U.S. has already implemented management measures (recreational and commercial) to address the relatively limited impact of the U.S. fleet on the PBF stock."

In its response to the second request NMFS stated "NMFS agrees with CBD that reference points assist in science-based management. Despite the lack of specific values to define certain status determination criteria (SDC) for PBF in the Highly Migratory Species (HMS) Fishery Management Plan (FMP), NMFS has continued to make stock status determinations based on the best scientific information available, notify the Pacific Council of these determinations, and adhere to obligations under Magnuson-Stevens Act (MSA) 304(i). Nonetheless, given the availability of subsequent years of PBF stock assessments, continued work to evaluate reference points, and the Pacific Council's upcoming biennial management cycle, NMFS encourages the Council to consider the adequacy of the FMP reference points and/or proxies for the PBF stock." In its report (Agenda Item J.3.a, Supplemental HMSMT Report 2, September 2016) the HMSMT notes "the HMSMT is currently evaluating reference points for management unit species in the HMS FMP." The Council may wish to provide further guidance on this task since the current biennial harvest specifications process has concluded.

### **Council Action:**

- 1. Provide Recommendations to the U.S. Delegations to the Thirteenth Meeting of the Western and Central Pacific Fisheries Commission (WCPFC); 2) Comment on Domestic Pacific Bluefin Commercial Fishery Regulations, as Appropriate; 3) Respond to the Center for Biological Diversity's Petition for Rulemaking.**

### **Reference Materials:**

1. Agenda Item I.2, Attachment 1: Resolution C-16-08, Measures for the Conservation and Management of Pacific Bluefin Tuna in the Eastern Pacific Ocean
2. Agenda Item I.2, Attachment 2: Western and Central Pacific Fisheries Commission, Thirteenth Regular Session, Denarau Island, Fiji, 5 – 9 December, 2016, Provisional Agenda.
3. Agenda Item I.2, Attachment 3: Conservation and Management Measure Proposed by the Northern Committee to Establish a Multi-Annual Rebuilding Plan for Pacific Bluefin Tuna.
4. Agenda Item I.2, Attachment 4: Recommendations from the Permanent Advisory Committee to the U.S. Commissioners for the Western and Central Pacific Fisheries Commission.
5. Agenda Item I.2.a, NMFS Report.
6. Agenda Item I.2.b, Public Comment.

Agenda Order:

I.2 International Issues

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- a. Reports and Comments of Advisory Bodies and Management Entities
- b. Public Comment
2. c. **Council Action:** 1) Provide Recommendations to the U.S. Delegations to the Thirteenth Meeting of the Western and Central Pacific Fisheries Commission (WCPFC); 2) Comment on Domestic Pacific Bluefin Commercial Fishery Regulations, as Appropriate; 3) Respond to the Center for Biological Diversity's Petition for Rulemaking

PFMC

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