

AMENDMENT 4 TO THE FISHERY MANAGEMENT PLAN FOR WEST COAST
FISHERIES FOR HIGHLY MIGRATORY SPECIES (HMS FMP)

In March 2017, the Council was presented with proposed changes to the HMS FMP as Amendment 4. These proposed changes originated from a 2016 recommendation from the HMS Management Team (HMSMT) for housekeeping changes that would revise dated and inaccurate text. The Council did not adopt the amendment for public review, because the HMS Advisory Subpanel (HMSAS) asked for more time to review and develop comments on the proposed changes. A joint HMSAS-HMSMT meeting is scheduled on this matter as part of this Council meeting. The proposed Amendment 4 text, as presented in March, is included here as Attachment 1.

Related to this, National Marine Fisheries Service (NMFS) has presented information and made recommendations about the process it undergoes to make HMS status determinations. These determinations—whether a stock is subject to overfishing or overfished—are based on the status determination criteria described in Chapter 4 of the HMS FMP. Because HMS FMP management unit species status is largely a function of international fishing pressure, the provisions in Magnuson-Stevens Act (MSA) section 304(i) apply. When notified that a stock is overfished or subject to overfishing, the appropriate Council shall develop recommendations for domestic regulations to address the relative impact of United States fishing vessels and recommendations for international actions that will end overfishing and rebuild the stock. At the March meeting, NMFS submitted a report ([Agenda Item J.4.a, Supplemental NMFS Report, March 2017](#)) describing how it makes stock status determinations and how this process could be aligned with the Council’s HMS biennial management cycle. The report also enumerates the maximum sustainable yield- (MSY) proxies and related reference points used to complete recent status determinations for several HMS stocks.

NMFS included several recommendations in its report, which were endorsed and expanded upon by the Council. In summary, these are:

1. Shift the biennial management cycle from a June-September-November meeting schedule to a September-November-March meeting schedule to better align it with the NMFS status determination process. This would allow the Council to more effectively review and comment on the basis for status determinations made by NMFS. It would result in a more consistent schedule for notifications to the Council when stocks are determined to be subject to overfishing or overfished. This would be accomplished through Amendment 4. The FMP also authorizes the Council to change the biennial management schedule by a vote with six months advance notice. Depending on how long it takes for the amendment to be finalized and approved, the Council may want to consider this alternate procedure as a backup for the next biennial cycle starting in 2018.
2. For the managed species in the HMS FMP, identify those stocks the Council deems itself the “appropriate council” for making management recommendations related to stock status per MSA section 304(i). NMFS would then take these findings into account when deciding whether it is necessary to notify the Council about a status determination for a particular HMS stock. At any time, the Council could notify NMFS of its renewed interest in a particular stock, for example if conditions change. It should be emphasized that for relevant stocks both the Pacific Council and the Western Pacific Council may be notified about stock status to solicit a response per section 304(i); Council advice on whether it

wishes to be notified would not impinge on the Western Pacific Council's ability to respond to a status determination.

3. Incorporate numeric estimates or proxies for the maximum fishing mortality threshold (MFMT) and minimum stock size threshold (MSST) into the HMS Stock Assessment and Fishery Evaluation (SAFE) document. (These thresholds are used to make status determinations.) To do this, the Council directed the HMSMT to list the relevant information to include in future SAFE documents for consideration by the Council in June 2017.
4. As appropriate, revise HMS FMP Section 4.1.1.1, which describes a framework for estimating MSY based on available scientific information. NMFS noted that it has not used this framework in the status determination process.
5. Request the Scientific and Statistical Committee (SSC) to provide guidance on selecting MSY proxies, when necessary, which are used to specify the MFMT and MSST as part of the status determination process.

The HMSMT submitted the attached report covering tasks 1 and 2 in the list above. The HMSMT will submit a supplemental report addressing the request for a list of items related to status determinations to be included in the SAFE document.

The last two tasks on the above list were assigned to the SSC by the Council in March. However, the SSC sees itself principally as a review body so it would look to information submitted externally. The HMSMT may be able to address the fourth task in the above list in a supplemental report. This would likely be necessary so that Amendment 4 could be circulated for public review. The fifth task, relating to the selection of proxies, will likely take longer to address.

Council Action:

Adopt proposed HMS FMP Amendment 4 language for public review and provide further guidance, as necessary.

Reference Materials:

1. Agenda Item H.2, Attachment 1: Fishery Management Plan For U.S. West Coast Fisheries For Highly Migratory Species; Amendment 4: "Housekeeping" Changes (Draft For Council Review).
2. Agenda Item H.2.a, HMSMT Report.

Agenda Order:

- H.2 Amendment 4 to the Fishery Management Plan for West Coast Fisheries for Highly Migratory Species (HMS FMP) Kit Dahl
- a. Reports and Comments of Advisory Bodies and Management Entities
 - b. Public Comment
 - c. **Council Action:** Adopt Proposed HMS FMP Amendment 4 Language for Public Review and Provide Further Guidance, as Necessary