

FISHERY MANAGEMENT PLAN AMENDMENT 4: STATUS DETERMINATION CRITERIA FINAL ACTION

In March 2017, the Council was presented with proposed changes to the Highly Migratory Species (HMS) Fishery Management Plan (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. After seeking further input from its advisory bodies the Council adopted proposed changes for public review in June 2017.

At the June Council meeting a number of additional changes were incorporated. These address the process for modifying specification of management reference points including maximum sustainable yield, optimum yield, and status determination criteria. 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. The acceptable biological catch (ABC), ABC control rule, annual catch limit (ACL), and accountability measures (AMs) are not set for these stocks.

On the recommendation of the HMSMT, in June the Council adopted additional FMP changes to 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 National Marine Fisheries Service (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. It also will be necessary to align Council Operating Procedure 9, Management Schedule 5 (biennial management cycle and activities related to highly migratory species management) with the changed schedule in the FMP. Finally, HMS regulations at 50 CFR 660.709(a) will have to be amended to describe the changed biennial management cycle.

The Council also adopted text proposed by the HMS Advisory Subpanel that emphasizes that stocks covered by the HMS FMP are internationally managed and are exempt from requirements to set certain management reference points as described above.

Attachment 1 shows the FMP as it would appear in its amended form. (Vertical lines in the left margin show the places where text has been modified.) Attachment 2 (which may be downloaded from the Council website in electronic format) shows the changes being proposed in legal blackline.

At the June 2017 Council meeting, the HMSMT also recommended changes to Chapter 4 to better align the discussion of maximum sustainable yield with the status determination process used for HMS stocks including Council review under the biennial management cycle. The Council did not adopt those changes. The attached HMSMT Report 1 provides a revised version of those proposed changes along with the reasons for the HMSMT recommended changes.

Council Action:

Adopt Final HMS FMP Amendment 4 Language.

Reference Materials:

1. Agenda Item J.4, Attachment 1: HMS FMP Showing Proposed Amendment Changes in Final Form.
2. Agenda Item J.4, Attachment 2: HMS FMP Showing Proposed Amendment Changes in Legal Blackline (**Electronic only**).
3. Agenda Item J.4.a, HMSMT Report 1.

Agenda Order:

- J.4 Fishery Management Plan Amendment 4: Status Determination Criteria Final Action Kit Dahl
- a. Reports and Comments of Advisory Bodies and Management Entities
 - b. Public Comment
 - c. **Council Action:** Adopt Final Highly Migratory Species Fishery Management Plan Amendment 4 Language

PFMC
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