

HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON REDUCING REGULATION AND CONTROLLING REGULATORY COSTS

The Highly Migratory Species Management Team (HMSMT) received a briefing from Mr. Mike Burner, Council Deputy Director, and Ms. Amber Rhodes, National Marine Fisheries Service West Coast Region, about the proposed list of regulations in [Agenda Item C.5, Attachment 1](#). The HMSMT discussed the purpose of the list and each of the HMS items.

The HMSMT recommends removing the first two items from the list below, and consideration of the third:

1. Short Description: 300.21 Regulation of the Overlap Area between the Inter-American Tropical Tuna Commission (IATTC) Convention Area and the Western Central Pacific Fisheries Commission (WCPFC) Convention Area.

HMSMT Rationale: The Council did not provide comment on the current rule regarding which set of regulations (IATTC or WCPFC) would apply to the overlap area before it was implemented in 2016 under the Tuna Conventions Act. The Council typically has not provided recommendations on actions of this nature. Additionally, the public has the opportunity to comment during the normal comment process for federal rulemaking. NMFS described its intent to reconsider which set of regulations to apply to the overlap area after three years. NMFS will then re-evaluate the location of fishing effort between the eastern Pacific Ocean and Western and Central Pacific Ocean to consider any substantial changes in the fisheries.

2. Short Description: 660.708(a) Logbook requirements for HMS fishing.

HMSMT Rationale: It would be beneficial for NMFS to have flexibility in applying the current logbook requirement in order to manage unusual circumstances in which the appropriate logbook is not available for use by a fishery. The HMS FMP requires logbooks for all HMS fisheries, so authorizing alternative means to submit information as suggested in Attachment 1 would require an FMP amendment. A recommendation from the Council to modify the current rule in order to provide some flexibility in rule language would resolve the issue. For example, there is concern that if the state of California discontinues its drift gillnet (DGN) logbook, the federal DGN logbook may not be ready for issuance in time for the DGN season and fishing without a logbook is in contravention of current regulations. Similarly, a hook-and-line logbook was used to meet the logbook requirement for the Oregon charter fleet in 2017 so that fishing could continue, and an appropriate logbook for this charter fleet may not be available in the near future.

3. Short Description: Modification of the Pacific Leatherback Conservation Area (PLCA)

HMSMT Rationale: The HMSMT also discussed potential additional regulations for review which were not included in Attachment 1. The PLCA regulation was initially adopted in 2001 to reduce DGN interactions with leatherback sea turtles, and has subsequently remained in effect without modification. A consequence of the PLCA closure was the elimination of a large amount of permissible swordfish fishing opportunity north of Point Conception. This may help explain the large decrease in DGN fishery participation from an average level of 109 active vessels per season

in the 1991-2000 period to recent levels¹ below 25 active vessels, and a related reduction in DGN fishery swordfish landings from an average of 879 metric tons per year in the 1991-2000 period to recent levels below 200 metric tons per year. The Council could consider whether to include the PLCA closure regulation as an additional candidate for modification. Modifications to the time or area of the PLCA closure might provide the same protection to leatherback sea turtles while allowing increased swordfish fishing opportunity.

PFMC
06/09/18

¹ Recent levels were characterized by the maximum annual amount over the 2013-2017 period documented in the current HMS SAFE Report.