

KEY ISSUES OF INTEREST AT THE WESTERN AND CENTRAL PACIFIC FISHERIES
COMMISSION FIFTEENTH REGULAR SESSION (WCPFC15)

This paper summarizes issues to be discussed and decided at the upcoming WCPFC15 meeting that are likely to be of most interest to the Council. Issues are presented according to the agenda numbers in the provisional annotated agenda for WCPFC15 (Agenda Item J.2, Supplemental Attachment 1). This report may be read in conjunction with the recommendations from the Permanent Advisory Committee to the U.S. Commissioners to the Western and Central Pacific Fisheries Commission (Agenda Item J.2, Supplemental Attachment 2, November 2018). This document references meetings of the following subsidiary bodies:

- Science Committee (SC)
- Northern Committee (NC)
- Technical and Compliance Committee (TCC)

Agenda Item 3 Membership and Other Applications

TCC14 reviewed applications for Cooperating Non-Member (CNM) status from Ecuador, El Salvador, Liberia, Mexico, Nicaragua, Panama, Thailand, and Vietnam. Except for Nicaragua, these countries currently have CNM status, which is reviewed and renewed annually. Many of these countries have sought permanent membership in the WCPFC, but so far expansion of membership has been blocked by the small island developing state (SIDS) members, which often align their positions on issues. SIDS have been explicit that they see the WCPFC as a “closed club” while the U.S. and other members have been more open to admitting new members, arguing that this position is consistent with principals in international law.

Agenda Item 6.2.2 South Pacific Albacore Target Reference Point

Although MSY-based reference points indicate the stock is not subject to overfishing ($F_{\text{recent}}/F_{\text{MSY}} = 0.23$) nor overfished ($SB_{\text{latest}}/SB_{\text{MSY}} = 3.42$), fisheries in SIDs have become unprofitable due to low CPUE. Over the past decade or more China and Taiwan longline fleets have substantially increased participation in the fishery, contributing to CPUE declines. In 2017 the Forum Fisheries Agency (FFA) proposed (WCPFC14-DP13) a CPUE-based reference point: maintain or restore average longline albacore CPUE to 10 percent above its 2013 value by 2028, and to 17 percent above its 2013 level by 2038. Specifying a target reference point may depend somewhat on describing management objectives for the fishery. WCPFC15 created an intersessional working group to develop a “roadmap for effective conservation and management of South Pacific albacore.” One of the purposes of this group was to further development of management objectives; however, reportedly the group made little progress in 2018.

Agenda Item 6.3.1 Review of CMM 2017-01 (Bigeye, Skipjack, Yellowfin)

A number of the provisions in CMM 2017-01 are applicable for one year, or subject to review. These include interim management objectives for bigeye, skipjack, and yellowfin tuna;¹ various

¹ The interim target reference point for bigeye and yellowfin is the average $SB/SB_{F=0}$ 2012-2015 and for skipjack

fish aggregating device (FAD) management measures; purse effort controls; and bigeye tuna longline catch limits.

Bigeye longline catch limits could be increased based on stock assessment results indicating improved stock status (paragraph 40 in CMM 2017-01). Incorporating an updated growth model, the latest WCPO bigeye stock assessment finds the stock is not subject to overfishing ($F_{2012-2015}/F_{MSY} = 0.77$) and not overfished ($SB_{2012-2015}/SB_{MSY} = 1.38$). However, considerable uncertainty remains about the validity of this new growth model. The SC recommended further research to inform the growth model (e.g., tagging, otolith aging techniques). Note that paragraph 9 in CMM 2017-01 validates the transfer of territorial catch limits for attribution to Hawaii longline fleet catches (“catches and effort of United States flagged vessels operating under agreements with its Participating Territories shall be attributed to the Participating Territories”).

A couple of provisions, although unlikely to be subject to a decision at WCPFC 15, may spark discussion around future decisions. One is paragraph 29 stating that “By 2019 the Commission shall agree on hard effort or catch limits [for the purse seine fishery] in the high seas of the Convention Area and a framework for the allocation of those limits in the high seas...” The second is paragraph 44 stating that “By 2020 the Commission shall agree on hard limits for bigeye [catch in the longline fishery] and a framework to allocate those limits...”

Agenda Item 6.3.1.1 FAD Management Options-IWG report

This intercessional working group was charged with tasks related to paragraphs 22 and 24 of CMM 2017-01. Paragraph 22 discusses adoption of measures on the implementation of non-entangling and/or biodegradable material on FADs. Note that the IATTC adopted [Resolution C-18-05](#) on the collection and analyses of data on FADs, which establishes principles for design and deployment of FADs intended to reduce the likelihood of entanglement by marine organisms and the release of synthetic materials into the marine environment. Paragraph 24 calls for a review of the current limit on instrumented buoys (a common surface element in FAD construction) deployed by a vessel to 350. An analysis of instrumented buoy data ([SC14-MI-WP-10](#)) suggests that individual vessels deploy far fewer than 350 FADs.

Agenda Item 6.4 Pacific Bluefin Tuna

As previously discussed ([Agenda Item H.3.b, Supplemental NMFS Report 2](#), September 2018), the Northern Committee did not reach consensus on the Joint Working Group recommendations due to a reservation made by Japan on paragraphs 1-3 in the Joint Working Group report. Japan requested the NC reconvene on the margins of WCPFC 15 to discuss this matter. Attachments E and F from the NC14 Summary Report are attached to this report. Attachment E is the Joint Working Group Report and Attachment F is a statement by Japan on their reservation.

Agenda Item 6.6.1 Designation of North Pacific Striped Marlin as a Northern Stock and Rebuilding Plan

As decided at WCPFC14, the Commission is expected to receive a report from SC14 as to whether the North Pacific striped marlin stock can be designated as a Northern stock. SC14 recommended

0.5 $SB_{F=0}$.

that the Commission clarify and quantify what is meant by “mostly north of 20° N,” which is the criterion given in the Convention for designating northern stocks. SC14 also developed a draft checklist of benchmark scientific information for North Pacific striped marlin (and blue shark) to support a decision on such a designation (see [meeting outcomes document](#)).

WCPFC 15 may discuss NC recommendations. NC14 agreed to request ISC to conduct projections examining rebuilding scenarios for North Pacific striped marlin that cover a range of rebuilding targets (20%_{SSBF=0}, F_{MSY} , and 0 percent to 50 percent reductions in increments of 10 percent from current catch limits), timelines (10, 15, and 20 years) and probabilities of reaching each target within different timelines. ISC should produce additional scenarios of catch reductions if the probability of reaching the rebuilding target in 10, 15, and 20 years is not at least 60 percent.

Agenda Item 7 Harvest Strategy

In 2015, the Commission adopted the [Agreed Work Plan for the Adoption of Harvest Strategies under CMM 2014-06](#). As noted above, per the work plan, the Commission is to adopt a target reference point for South Pacific albacore. The development of harvest control rules for key stocks is also likely to be discussed. Target reference points for yellowfin and bigeye tuna are scheduled for adoption in 2019 and candidates likely will be discussed at WCPFC 15. Clarification of management objectives for these stocks, including acceptable risk may occur, as recommended by SC14.

At NC14 the U.S. proposed a harvest strategy for North Pacific swordfish ([NC14-DP14](#)). While NC14 could not reach consensus on a limit reference point, it did adopt the following management objective: *The management objective is to support thriving swordfish fisheries in the North Pacific while maintaining the stock size at levels capable of producing maximum sustainable yield. The Northern Committee will develop more refined management objectives.*

NC14 did not recommended any changes to the harvest strategies for North Pacific albacore and Pacific bluefin tuna. As noted above, Japan did not join consensus on maintaining current catch limits under the current Pacific bluefin harvest strategy (rebuilding plan). No change to the harvest strategy itself is necessary to change catch limits, because criteria for their increase are already described in it.

The SC reviewed and provided advice on the Consultative Draft Terms of Reference for a WCPFC Science-Management Dialogue Meeting ([WCPFC-SC14-2018/ MI-WP-06 Rev 1](#)). This paper discusses processes to facilitate the development of harvest strategies in terms of allocating time on meeting agendas for that purpose. Part of the process is a “science-management dialogue meeting” held in conjunction with the 2019 SC meeting. Additional meetings could be scheduled if the Commission deems them necessary. Most relevant from the Council perspective is that this process would encompass input into management strategy evaluations, which are a component of harvest strategies for all key stocks. However, it appears that this process will not apply to northern stocks, which are of most interest to the Council. This point may be clarified at WCPFC 15.

Agenda Item 8 WCPO Shark Stocks and Bycatch Mitigation

An intersessional working group led by Japan has been developing a consolidated shark CMM, which would bring together elements in existing shark-related measures and potentially

incorporate new requirements. Both SC14 and TCC14 reviewed drafts. A key issue to be resolved is whether to implement a fins naturally attached requirement, because the current requirement of a 5 percent fins to carcass ratio is generally considered unenforceable. The latest available version (reviewed by TCC14) is the Fifth Consolidated Draft ([WCPFC-TCC14-2018-22](#)). An updated draft is likely to be submitted for WCPFC15.

Like North Pacific striped marlin, North Pacific blue shark will be considered for designation as a northern stock. The SC recommendations described above for striped marlin also apply to blue shark. In the past, designation of additional northern stocks has been blocked by the SIDS block.

The Commission will consider the SC14 endorsement of Best Practice Guidelines for Safe Release of Sharks (see Attachment G in the [SC14 Outcomes Document](#)).

Agenda Item 8.4 Review of CMM 2017-06 on Seabirds

SC14 and TCC14 recommended changing the southern area of application of CMM 2017-06 from south of 30° S to south of 25° S to reduce bycatch risks to the Antipodean wandering albatross and other seabirds. Both committees also recommended a revision of CMM 2017-06 to add the use of hook shielding devices, specifically hookpods, as an optional stand-alone seabird bycatch mitigation measure.

Agenda Item 8.5 Review of CMM 2008-03 on Sea Turtles

TCC14 recommended consideration of revisions to the Regional Observer Program Minimum Standard Data Fields, based on a discussion paper submitted by the U.S. ([TCC14-2018-DP04 rev1](#)). These changes would improve data on fishery interactions with sea turtles.

The U.S. also submitted a discussion paper to TCC14 on the ambiguity in CMM 2008-03 on its applicability ([WCPFC-TCC14-2018-DP03](#)). This paper notes “while 20% of the longline fishing effort in the western and central Pacific Ocean (WCPO) is in shallow sets, less than 1% of WCPO longline fishing effort is currently subject to mitigation.” Apparently, the wording in paragraph 7 of the measure, “longline vessels that fish for swordfish in a shallow-set manner” is interpreted by many members such that they report no fishing effort of this type and consequently do not apply the specified mitigation measures. To remove any ambiguity, the U.S. recommended expanding application of the measure to all longline fisheries. TCC14 recommended “that the Commission continue to consider the necessity and practicality of sea turtle bycatch mitigation measures in deep set fisheries.” Some members oppose requiring circle hooks in deep-set longline fisheries.

Agenda Item 10 Compliance Monitoring Scheme

TCC14 conducted its eighth annual compliance monitoring review and submitted its provisional Compliance Monitoring Report for further review at the Commission meeting. A final report will then be submitted for adoption by the Commission.

In 2017 the Commission adopted a one-year measure for the Compliance Monitoring Scheme so a new measure will have to be adopted if the process is to continue. The U.S. has long pushed for the adoption of a permanent measure, but many members have reservations about the process. An intersessional working group was formed as an outcome of the 2017 Commission meeting. The

working group was tasked with considering the report from the Independent Panel on the Review of the Compliance Monitoring Scheme and developing a proposed conservation and management measure for the Compliance Monitoring Scheme for consideration at WCPFC15. The working group met in conjunction with the TCC14 in October 2018 to further discussion on a draft measure (see [WCPFC-TCC14-2018-10A_rev1](#)). A revised draft measure likely will be submitted for the Commission meeting.

Agenda Item 11 Adoption of the 2019 Illegal, Unreported and Unregulated (IUU) Vessel List

Six U.S. vessels were nominated by New Zealand for inclusion the draft WCPFC IUU Vessel List for 2018. However, the U.S. had already resolved the alleged violations. Based on further discussion between the U.S. and New Zealand, TCC14 agreed not to place any of the six vessels on the Provisional IUU Vessel List, which is forwarded to WCPFC15.

**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean
Northern Committee
Fourteenth Regular Session
3 – 7 September 1, 2018
Fukuoka, Japan**

**Outcomes of the 2nd Joint IATTC-WCPFC NC Working Group meeting on the
management of Pacific bluefin tuna**

The Joint IATTC-WCPFC NC Working Group on the Management of Pacific bluefin tuna recommends that the IATTC and WCPFC NC consider incorporating the following actions in their decisions:

Review of current CMMs

1. To request ISC to review the updated abundance indices, including recruitment index, up to 2017 to evaluate the need to change its scientific advice in 2018.
2. To request ISC to conduct projections of harvest scenarios shown below based on 2018 assessment and provide probability of achieving initial and 2nd rebuilding targets in accordance with paragraph 2.1 of HS2017-02.

Scenarios for catch increase

| No. | West Pacific | | East Pacific |
|-----|--------------|------------|--------------|
| | Small fish | Large fish | |
| 1 | 0 | 600t | 400t |
| 2 | 5% | 1300t | 700t |
| 3 | 10% | 1300t | 700t |
| 4 | 5% | 1000t | 500t |
| 5 | 0 | 1650t | 660t |
| 6 | 5% | | 5% |
| 7 | 10% | | 10% |
| 8 | 15% | | 15% |

* 250t transfer of catch limit from small fish to large fish by Japan is assumed to continue until 2020.

** These scenarios will not preempt a decision on allocation of catches between WPO and EPO and the allocation of any increased portion amongst members.

3. To decide in 2019, based upon the above information from ISC, on an increase to the catch limits in accordance with paragraph 5(b) of HS2017-02 and IATTC Resolution on Pacific bluefin tuna adopted at IATTC93.

MSE

4. To request ISC to provide information regarding candidate LRP and TRP.

Catch Documentation Scheme (CDS)

5. To note the CDS WG Chairman's summary (Annex 1).

6. To schedule another 1-day meeting for CDS in conjunction with the next Joint WG meeting.

Future meeting

7. [deferred to NC]

**The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean
Northern Committee
Fourteenth Regular Session
3 – 7 September 1, 2018
Fukuoka, Japan**

Statement by Japan on the Harvest Strategy for Pacific Bluefin tuna

Mr. Chairman,

Even though Japan did not block adoption of paragraph 1 to 3 at the Joint WG, Japan is not ready to join the consensus on adoption of them at the Northern Committee Meeting. Last year after very difficult negotiations the joint WG adopted the Harvest Strategy for Pacific Bluefin tuna, which includes the Harvest Control Rules and the second rebuilding target. We agreed to this Harvest Strategy as a package. We agreed to the second rebuilding target because the package also included the Harvest Control Rules by which the Commission may increase the catch limit.

As this year's ISC projections look very bright, the expectation among domestic stakeholders as to possible increase of catch limit became very high. All the people in our delegation came to this meeting, hoping that an increase in catch limits would be agreed in accordance with the Harvest Control Rules. The discussion this week, however, is totally different. All of us were very surprised to see the response of other Members, saying that it is premature to consider any increase of catch limit this year. Ever since WCPFC adopted the Harvest Strategy last December, we have been telling our fishermen that rules were now established for possible catch limit increase and we must comply with the current catch limit in order to achieve catch limit increase this year. For this purpose, officials from the Fisheries Agency and prefectures as well as fishermen have made tremendous efforts and sacrifices. The coastal fisheries for small fish were closed last January even when 5 months still remained in the fishing season and even when many fishermen still had catch limit for themselves. As I explained repeatedly, there are three types of problems that agonize our fishermen right now. First, they cannot catch Bluefin tuna when they migrate into their ordinary fishing ground or fishermen are forced to release when they are incidentally caught. Second, they must give up catching other fish species in order to avoid bycatch of Bluefin tuna. These caused huge economic losses for not only fishermen but also local fish markets, processing factories, restaurants and other facilities relying on Bluefin tuna. Yet people implemented these actions because these are necessary to contain the total catch of Japan within the catch limit. In addition, the third problem is that Bluefin tuna is interfering with other fisheries such as squid jigging fisheries in which squid are attracted to lights of fishing vessels, but are eaten by Bluefin tuna before fishermen catch them. Please imagine the feeling of fishermen who cannot catch not only Bluefin tuna but also squid because of Bluefin tuna.

It is so regrettable that these efforts and sacrifices are not appreciated and the Harvest Control Rules were ignored this year. The gap between the expectation and the result is so huge that it is not possible for Japanese stakeholders to accept it at this moment. There are many stakeholders all over Japan who are involved in Bluefin tuna fisheries and other related economic activities. It would take us time to explain to them why this has happened and to discuss with them what we should do.

Consequently, Japan proposes that this agenda item is still open until WCPFC15 in December where NC14 will be resumed to conclude this item. Thank you, Mr. Chairman.