

## HIGHLY MIGRATORY SPECIES MANAGEMENT TEAM REPORT ON HMS ROADMAP WORKSHOP PLANNING

The Highly Migratory Species Management Team (HMSMT) requests that the Pacific Fishery Management Council (Council):

1. Clarify the goals for the HMS Roadmap workshop listed below, under **Workshop Purpose, Goals, and Agenda**.
2. Provide guidance on the specific agenda topics proposed for the Workshop, under **Workshop Purpose, Goals, and Agenda**.
3. Engage HMSMT representatives in workshop planning and agenda development.
4. Provide guidance on which terms and definitions proposed by the HMSMT and HMS Advisory Subpanel (HMSAS) to include in a final appendix of terms to be used in future HMS Roadmap and workshop discussions.

### **HMS Roadmap Goals**

In multiple meetings and webinars, the HMSMT, HMSAS, and the public have provided input, comments, and recommendations for the goals of the HMS Roadmap. The exact phrasing and use of specific terms and words in the draft goals provided in the HMSMT Report 1 were discussed extensively. To provide clarity as to their use in the context of the HMS Roadmap, the HMSMT provides the following explanations for each goal.

- **Multi-species (Goal A):** This term was added to convey an explicit intent to support innovation and development of fishing practices capable of harvesting a wide array of marketable species that are generally harvested by the drift gillnet (DGN) fishery, rather than solely focus on highly selective fishing methods (i.e., those that primarily target/catch a single species such as harpoon or deep-set buoy gear (DSBG) which are covered under Goal C).
- **West Coast based/West Coast HMS fisheries (Goals A & C):** Not all HMS fisheries which make landings to the U.S. mainland fish exclusively in the Exclusive Economic Zone. Since the HMSMT does not consider “innovation and development” to pertain only to new fishing methods, but also to existing fishery operations that can be improved through innovation. “West Coast based/West Coast HMS fisheries” allows for consideration of all vessels/gears/fisheries under the Council’s purview.
- **Economically viable/Economic viability (Goals B & C):** While economic viability can be different for different individuals, the Council spoke to the importance of this consideration in its management of HMS, including in the [Swordfish Management and Monitoring Plan](#) (SMMP) goals, as well as during Council discussion. Goal B and C are each striving to achieve a balance between economic viability and a second objective, both of which must be achieved in order to meet the goal. Goal B balances economic viability and bycatch minimization at the scale of an individual fishing practice or sector. Goal C

balances economic viability and the diversity of fishing methods at the scale of a multi-sector fishery.

- **Traditional fishery participants (Goal E):** Use of this term centered around the HMSAS's voiced concern that once the DGN fishery has been phased out, individuals who participated in that fishery may no longer have the opportunity to provide their input to inform decisions on future development or management of swordfish or other HMS fisheries. The intent is to ensure inclusion of their extensive experience and knowledge during future discussions and management actions. This includes development of alternative fishing practices that replace the opportunity lost by DGN fishery participants and facilitates their transition from DGN to other gear types.

### **Action Items**

The SMMP had utility in providing a prioritization of management actions in a living document to which the Council, its advisory bodies, the public, and National Marine Fisheries Service (NMFS) could refer to as new actions were considered. As a living document in the same vein, the HMS Roadmap and its associated action items may benefit from periodic review, revision, and discussion. The HMSMT recognizes that while the action items drafted with the HMSAS are not an exhaustive list and are meant to be a basis for further Council discussion, some of those items may not be needed (namely 1a-c) as they represent work already being completed by the HMSMT or may be unnecessary for further management of the DGN fishery. Any modification or deletions to the action items should take place after the workshop to allow for the consideration of workshop discussion and outcomes.

### **Workshop Purpose, Goals, and Agenda**

At the November Council meeting, the HMSMT presented goals for the HMS Roadmap workshop ([Agenda Item F.3.a, HMSMT Supplemental Report 2](#) November 2023). The HMSMT still recommends the workshop focus on the topics expressed in the first two bullets listed below, while the third be a component of the workshop and Roadmap (draft provided in the Terms Appendix section of this report). Developing an exempted fishing permit (EFP) strategy is the first step in supporting innovation in the fishery under the Council's HMS Roadmap goals and should be taken in consideration of the timeline for transition away from DGN required by the Driftnet Act.

HMSMT proposed workshop goals :

- Develop a streamlined and flexible [Council] EFP strategy to support innovation in fishing practices for HMS fisheries.
- Determine how the strategy relates to the timeline in the Driftnet Act for transitioning to alternative fishing practices that target swordfish and other HMS.
- Clarify definitions for key components or terms in a streamlined EFP strategy.

The HMSMT previously provided a list of items to potentially include in the forthcoming workshop's agenda ([Agenda Item F.3.a, HMSMT Supplemental Report 2](#) November 2023). The HMSMT requests to continue working with the Council staff and the meeting facilitator in crafting a final agenda to meet the objectives outlined above. Some potential specific agenda topics

concerning EFPs and the Council’s broader outlook on HMS fisheries under the Roadmap workshop include:

- Discuss and identify the aspects of EFPs that may be limiting participation.
- Develop guidance or reporting forms for EFPs that convey information useful for Council and NMFS review (e.g., in applications and EFP reports).
- Discuss criteria by which the Council might recommend NMFS prioritize consideration of EFPs.
- Consider performance standards that the Council would like to see EFPs meet, as relevant to authorization of new gear types.

### **Terms Appendix**

The value-laden terms listed below are compiled from the draft HMS Roadmap goals and action items, as well as from joint discussion with the HMSAS during their development. The HMSMT’s aim in developing a list of terms with the HMSAS was to provide a clear understanding of how these terms are used within joint discussions of the HMS Roadmap topics. The HMSMT seeks guidance from the Council on reconciling shared terms in both our report and the HMSAS report. The HMSMT is supportive of the inclusion of the additional terms (i.e., underutilized resource and trade leakage/ transfer effect) and the associated definitions proposed by the HMSAS in addition to the list of terms and definitions proposed by the HMSMT (listed below) in a final term appendix.

1. Bycatch<sup>1</sup>: For the discussion here the term “bycatch” is used in a broad context and includes marine mammals and birds, as well as fish (see definition 8 below) that are harvested in a fishery but are not sold or kept for personal use, including economic and regulatory discards (see definitions 4 and 11 below).
2. Climate-Ready Fishery: A fishery that incorporates available climate and ecosystem environmental data to support management decisions and the resilience of communities that depend on it.
3. Commercial Volume of Landings: A volume of fish or seafood harvested and landed over a specified time period which is necessary for commercial operations to be practicable.
4. Economic discards<sup>2</sup>: For discussion here, fish which are a target of a fishery, but which are not retained because they are of an undesirable size, sex, or quality, or for other economic reasons.

---

<sup>1</sup> MSA National Standard 9 requires Councils to consider the bycatch effects of existing and planned conservation and management measures (50 CFR 600.350(b)) and the definition of “fish” in MSA covers “... all ... forms of marine animal and plant life other than marine mammals and birds” (§3(12)). However, guidelines state “Other applicable laws, such as the MMPA, the ESA, and the Migratory Bird Treaty Act, require that Councils consider the impact of conservation and management measures on living marine resources other than fish; i.e., marine mammals and birds” (50 CFR 600.350(e)).

<sup>2</sup> Discard means to release or return fish to the sea, whether or not such fish are brought fully on board a fishing vessel (50 CFR 600.10). The definitions for economic and regulatory discards are consistent with the definitions provided in statute ([MSA](#)) and the [National Bycatch Reduction Strategy](#).

5. Economic production: The use of technology, expert knowledge, labor and energy in the harvesting, processing, and distribution of fish and seafood products for commercial purposes.
6. Economic viability: The ability to generate sustained revenue to cover operating costs, including a source of livelihood to producers, and providing a sufficient return on capital investment such that it encourages ongoing participation in the operations.
7. Economic waste: A loss of economic value due to inefficient allocation or utilization of resources, such as using production processes with higher operating costs or which produce less catch or revenues than the most efficient methods available.
8. Fish<sup>1</sup>: The term “fish” means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals and birds.
9. High quality: Fishery products that are landed/supplied in such a condition that yields above average financial return.
10. Minimize: Reduce to a level that meets the Council's conservation goals while considering the balance between conservation and economic viability, as it relates to bycatch, discards, and negative impacts to protected and prohibited species.
11. Regulatory discards<sup>2</sup>: Fish that are caught but discarded because regulations do not allow fishermen to retain the fish.
12. Supporting resilience in fishery operations: Decision making processes that encourage innovation and adaptability of fisheries, management flexibility, and promotion of economic viability.

PFMC  
03/01/24