

## HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON RECOMMENDATIONS TO REGIONAL FISHERY MANAGEMENT ORGANIZATIONS

The Highly Migratory Species Advisory Subpanel (HMSAS) wants to thank Dr. Dahl for reviewing the issues to be considered by the WCPFC7 meeting and for highlighting the issues that affect our west coast-based fisheries. Identifying upcoming issues has been one of the fishermen's biggest challenges in getting information from the Departments of Commerce and State.

### **Recommendations for the U.S. Delegation to WCPFC7**

The HMSAS urges the Council to make the following recommendations to the U.S. Section of the Western and Central Pacific Fisheries Commission (WCPFC) and the U.S. Delegation for WCPFC7:

1. Bluefin Tuna: Clarify the Council's understanding that the proposed Northern Committee Resolution on Pacific Bluefin Tuna applies only in the Convention Area, i.e., west of 150 degrees west. Further that the years 2002-2004 as used in the resolution have no precedential value in any formulation of a similar resolution east of 150 degrees west in the Inter-American Tropical Tuna Commission (IATTC) since that time period would be disadvantageous to U.S. fishermen.
2. Striped Marlin: Do not support the passage of any conservation resolution on North Pacific Striped Marlin until after the results of the 2011 assessment are known. The sixth meeting of the Technical and Compliance Committee was conducted September 30 to October 5, 2010. The committee noted in their final report:  
"Japan noted that North Pacific striped marlin was discussed on the margins of the NC6 meeting. It indicated ISC plans to conduct a new stock assessment in 2011 using new data and a new stock structure that includes a western and eastern part, and suggested a new CMM could be considered after this stock assessment is completed in 2011. IATTC scientists recently conducted a stock assessment for the eastern stock of the species and established that stock levels are much higher than MSY, and much higher than in the past."
3. North Pacific Albacore: Do not support the passage of any resolution on North Pacific albacore until after the results of the 2011 assessment are known.
4. Tuna Conservation: No Comment
5. Port State Measures: Since the Food and Agriculture Organization Agreement on Port State Measures only requires that notice of arrival at a port be given "sufficiently in advance," serious reconsideration should be given to the proposed requirement that notice be given 72 hours in advance. Instead, the HMSAS proposes a more practical and shorter period of time such as 24 hours or less should be chosen.

6. Catch Documentation Schemes: With regard to a catch documentation scheme, serious consideration should be given to originating a practical scheme for volume fisheries such as the albacore troll and baitboat fishery. This is in contrast to the current proposals which could be interpreted that each fish would have to be individually identified.
7. Interpretation of Paragraph 3(j) of CCM 2007-03: While we do not know the U.S. changes or additions to WCPFC-TCC-6-2010 DP/05. It appears that it would be unfair to list as illegal, unregulated, and unreported (IUU) all of one owner's vessels because the captain on one of those vessels committed an offense which put the vessel on the IUU list. The listing should not be automatic.
8. Cross Endorsement of Observers: The U.S. should strongly support the immediate establishment of the Memorandum of Cooperation on observers between the WCPFC and the IATTC. The U.S. should also seek an exemption for the albacore troll and baitboat vessels from an observer requirement since that fishery is free of bycatch, interference with marine mammals, seabirds, or sea turtles.
9. Overlap in Convention Areas: Encourage the WCPFC and IATTC to immediately resolve conflicts including but not limited to:
  - a. Reporting procedures that exist in the "overlap area" and the current uncertainty regarding the conflicting application of regulations, which is adversely affecting the albacore troll and baitboat fishery.
  - b. VMS requirements
  - c. Potential certificates of origin
  - d. Vessel marking
10. IUU Listings: No Comment.
11. Cooperating Nonmembers: No Comment.
12. Compliance and Monitoring: Encourage the WCPFC to continue work on compliance and monitoring with special emphasis on full reporting from member countries and reduction in paperwork burdens.
13. Vessel monitoring system (VMS) reporting should be reduced in frequency from every hour to twice daily because a) there are no closed areas outside of countries Exclusive Economic Zones for the albacore fleet; b) it is not effective in advancing the conservation and management measures; c) the cost to fishermen is excessive; and d) it is unreasonable to keep VMS activated while the vessel is in port or outside of the Western and Central Pacific Fisheries Convention Area.
14. Take the position that any cost recovery for the expenses of VMS and/or observers should be based and calculated according to the value of the fish products harvested.

### **Request for albacore and other research funding**

The Council should remind the Commerce and State Departments of the request for and importance of contributing to the voluntary fund under the auspices of the WCPFC Northern Committee set aside for North Pacific albacore. At NC6 the following recommendation was passed:

**Given the voluntary nature of the fund, NC members are strongly encouraged to contribute to part of the proposed costs to support the ISC work by nominating specific project(s) they would like to contribute to.**

The North Pacific albacore research proposal appears in document ISC8 Plenary Report Annex 9, Biological Sampling Plan for North Pacific Albacore, available on the WCPFC website. As always, additional money is needed for albacore research in the areas of life history, natural mortality rate, etc.

### **Implementing Legislation for the IATTC and the WCPFC**

The Council should send a letter to the Secretary of State and Secretary of Commerce urging them, on behalf of the Administration, to submit a clean bill which would correct the implementing legislation for the U.S. Canada Agreement on Pacific Whiting and the WCPFC, as well as implementing legislation for the Antigua Convention. This clean bill must not dilute the safeguards for American fishermen against U.S. government unilateral regulation in international HMS fisheries.

PFMC  
11/9/10