

CHANGES TO BIENNIAL MANAGEMENT MEASURES FOR 2011-2012

Section 5.2 in the Fishery Management Plan (FMP) for U.S. West Coast Fisheries for Highly Migratory Species (HMS) describes the biennial management cycle. Under this process Council decision-making occurs at the June, September, and November Council meetings to establish or adjust harvest specifications and management measures for a two-year period beginning on April 1 of the following year—the start of the next fishing year, April 1, 2011. This agenda item is the second phase in the decision-making process where the Council is scheduled to adopt for public review more detailed proposals for the issues identified at the June Council meeting. These proposals are presented as a range of alternatives to support analytical requirements under the National Environmental Policy Act.

In June the Council identified a proposal from the Washington Department of Fish and Wildlife (WDFW) to establish a recreational bag limit for albacore tuna. The attached WDFW Report provides background and rationale for this bag limit proposal. The report recommends consideration of bag limits of 10, 15, 20, and 25 albacore tuna per fishing trip for public review. The Highly Migratory Species Management Team (HMSMT) will provide a supplemental report with recommendations for the range of alternatives and a preliminary analysis.

Mr. Pete Dupuy submitted a letter requesting that the Council modify existing regulations at 50 CFR 660.712 to make them consistent with regulations implemented pursuant to the Western Pacific Fishery Management Council's (WPFMC) Pacific Pelagics Fishery Ecosystem Plan, which, among other things, would allow a shallow-set longline fishery targeting swordfish in the area west of the Exclusive Economic Zone (EEZ) and east of 150° W longitude. (Regulations for Western Pacific pelagic fisheries are found at 50 CFR 665, Subpart C.) Regulations may be modified through the HMS FMP's framework provisions (the biennial process). Section 2.4 in the HMS FMP lists fixed elements of the FMP that require an FMP amendment to change, while Section 5.1 lists the types of measures that may be established, adjusted, or removed through the framework process. In relation to Mr. Dupuy's request, it appears that as long as proposed modifications do not include establishment of a limited entry program, would not authorize a longline fishery within the west coast EEZ, and are consistent with the FMP's management objectives, the changes could be accomplished by regulatory action through the framework process. The Council may wish to consider whether to pursue this request, and if so, whether to accomplish the modifications through the current biennial process or a different regulatory amendment process.

While not specifically referenced in his letter, Mr. Dupuy informed Council staff that in addition to consideration of all the longline regulations, he wanted to draw the Council's attention to a recent recommendation from the WPFMC to change the swordfish retention limit in the deep-set (tuna) longline fishery from 10 to 25 fish. At a minimum, he would like the Council to consider changing HMS FMP regulations consistent with this WPFMC proposal. Attachment 1 provides background information on the regulation and WPFMC action.

Council Action:

Adopt Proposed Changes to Biennial Management Measures for 2011-12 for Public Review.

Reference Materials:

1. Agenda Item K.2.a, Attachment 1: Background Information on Swordfish Retention Limits for the Shallow-set Longline Fishery.
2. Agenda Item K.2.b, WDFW Report.
3. Agenda Item K.2.c, Public Comment.

Agenda Order:

- a. Agenda Item Overview **Kit Dahl**
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Adopt Proposed Changes to Biennial Management Measures for 2011-12 for Public Review

PFMC
08/24/10