


MEMORANDUM

TO: Council, SSC and AP Members

FROM: Clarence G. Pautzke  
Executive Director 

DATE: April 11, 1994

SUBJECT: Pacific Pelagics

ESTIMATED TIME

1 HOUR

**ACTION REQUIRED**

Consider which Council should lead in developing reporting requirements for Pacific Pelagics.

**BACKGROUND**

In your January notebooks was a letter from the Western Pacific Fishery Management Council (WPFMC) seeking concurrence from the Pacific and North Pacific Councils for the WPFMC to lead in developing data reporting amendments for the Pacific pelagic fisheries management plan. Those fisheries include bigeye, yellowfin, bluefin, albacore and skipjack tuna, swordfish, marlin, wahoo, and dolphin (mahimahi).

WPFMC's original pelagics plan was implemented in 1987 and has been amended six times as summarized in item C-6(a). A seventh amendment is under Secretarial review, and would replace the current moratorium on new entrants with limited entry granting licenses to 167 permit holders. Permits would be transferable, with or without the sale of the vessel. Domestic longliners without permits would be allowed to transit the EEZ and enter Hawaii ports for supplies, but would be prohibited from off-loading their catch. If approved, the license system could take effect in 1994. The Council also has an observer program and, later this year, will require longliners to carry and operate an automated vessel monitoring system (VMS) to enforce closed area restrictions over an area of 160,000 nm.

More than just Hawaii-based boats fish pelagics. Fishermen from the Pacific Coast and Alaska, as we heard from Mark Lundsten in January, fish these stocks, well outside the 200-mile Hawaii EEZ, and their landings often are made in other states. Cooperative management, particularly collection of catch data for stock assessment, from all fishermen, is a major goal of the WPFMC. Because fishermen from the three Councils' jurisdictions fish pelagics within and beyond the Hawaii EEZ, WPFMC has proposed four different management arrangements (see pages 6 and 7 of item C-6(a)):

1. Status quo: Each Council develops separate regulations to control "their" fishermen.
2. Secretarial U.S. Secretary of Commerce develops plan because lack of action by one of the Councils leads to conservation and management problems.

3. **Joint Council FMP preparation.** The three Pacific-area Councils jointly prepare the management program and each votes on any proposed actions.
4. **Single-Council designation.** A lead Council is designated to develop regulations, with consultation with other Councils.

WPFMC proposes to take the lead given their past history of management of pelagics. They would focus initially on comprehensive collection and exchange of fisheries data throughout the range of the stocks. They would also establish formal coordination procedures to determine the need for additional measures and then develop them. The WPFMC feels that a single FMP is administratively the simplest and least costly way to manage the fisheries. If given the lead, they would strive to include other Councils and the appropriate states in the decisionmaking. They state that "No measures affecting west coast fisheries would be made without, at least, joint hearings or meetings." (page 7, bottom line)

The Pacific Fishery Management Council was scheduled to consider this request in March, but postponed it until October, noting in their newsletter:

"A number of commercial fishery associations and individuals testified at the March meeting that they were concerned about giving jurisdiction over West Coast pelagic fisheries to the Hawaii-based Western Pacific Council. Some argued for international management of these fisheries. The Council delayed its decision until the October 24-28, 1994 meeting near San Francisco to provide time to consider the North Pacific Council's comments and to allow an opportunity for affected California constituents to testify."

Four of the letters that PFMC received on this topic are bundled here under C-6(b). Tables summarizing landings and value are under C-6(c).

One possible course of action our Council could take would be to send a letter to both the Western Pacific and Pacific Councils stating that we have few fishermen who participate in the pelagics fishery, and that it would be best for those two Councils to work out management arrangements. Our role would be consultative and we would provide an opportunity for fishermen to comment on any regulations developed by the other two Councils. We may also want to request ADFG to collect voluntary catch information from any pelagics fisherman who lands in Alaska.



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

**Management of Pacific Pelagic Fisheries:  
Request for Multi-Council Partnership**

**Briefing Paper for the Pacific and North Pacific Councils**

4 March 1994

**1. Introduction**

The Western Pacific Council has requested the Pacific and North Pacific Councils to consider a request to authorize the Western Pacific Council to take the lead responsibility for management of domestic pelagic fisheries in the Pacific. There has been some opposition to this concept by several west-coast fishermen's organizations who feel that managers in the Western Pacific would not effectively manage their fisheries. The Western Pacific Council feels that coordination of pelagic fisheries management is essential to the health of all Pacific pelagic fisheries.

This briefing paper describes briefly the history of pelagic management in the western Pacific, states the Western Pacific Council's goals for a partnership that would ensure cooperative management, and presents a proposal to begin developing this partnership.

**2. Goal of the FMP**

The fishery management plan for pelagic fisheries of the western Pacific region (FMP) has been in existence since 1987. The FMP is designed to maximize the net benefits of pelagic fisheries to the nation. Established commercial fisheries should remain viable and profitable, recreational fisheries should provide satisfying leisure experiences, and traditional fishing practices for non-market personal consumption and cultural purposes should continue. Conservation and management of pelagic fishery resources should be attempted, with reasonable consistency and without duplication of effort, throughout the natural range of management unit species.

## 2. Western Pacific Management History

- A. FMP management unit species:
- Swordfish
  - Tunas and related species
  - Marlins and spearfishes
  - Wahoo
  - Sailfish
  - Mahimahi
  - Oceanic sharks
  - Moonfish (proposed)
  - Pomfret (proposed)
  - Oilfish (proposed)

- B. Fisheries that take management unit species, and level of federal regulation in the Western Pacific EEZ:

Pelagic longline	Heavily regulated
Troll (incl. high-seas albacore, and coastal recreational, commercial and charterboats)	Unregulated
Pelagic handline	Unregulated
Purse seine	Domestic unregulated; foreign prohibited
Drift gillnet	Foreign and domestic prohibited

- C. History of management measures implemented under the FMP.

The Western Pacific region's major pelagic fisheries have changed considerably since the FMP took effect. Domestic fisheries have grown substantially (especially the Hawaii-based longline fishery), and the only authorized foreign fishing had been pole-and-line fishing for skipjack tuna, which ended in 1992. The following describes the history of the pelagics FMP.

### 1) Fishery management plan (1987)

The FMP included initial estimates of maximum sustainable yield (MSY) and optimum yield (OY) for pelagic resources and fisheries in the EEZ. At the time, the regulations applied to domestic and foreign fishing for billfishes, wahoo, mahimahi and oceanic sharks. Drift gillnet fishing was prohibited within the region's EEZ, but the FMP included provisions for experimental drift gillnet fishing. The principal goal was regulation of the foreign longline fishery in the EEZ to ensure that foreign catches would not adversely affect domestic commercial and recreational fisheries.

The FMP prohibited foreign longline vessels from fishing within certain areas of the EEZ, and allowed foreign longlining in other areas. These other areas could be closed to foreign longline vessels if their fishing activity was found to be causing adverse

impacts on domestic fishery performance, excessive waste of catch, excessive enforcement costs, or adverse effects on stocks. No authorized foreign longline fishing has occurred under the FMP. The FMP specified domestic annual harvest (DAH) and total allowable level of foreign fishing (TALFF) in non-numeric terms, i.e., the amount of fish that could be caught when fishing in accordance with the management measures in the FMP. The FMP also addressed joint venture processing (JVP) for billfish and other non-tuna species by stating that practically all fish caught in the EEZ are landed without processing, and local firms handle whatever processing that is done. Thus, there is no allowance for JVP.

## 2) Amendment 1 (1991)

Amendment 1 to the FMP was developed in response to new Guidelines for the Magnuson Act National Standards (Guidelines, 50 CFR 602). Amendment 1 included a measurable definition of recruitment overfishing for billfishes, mahimahi, wahoo and oceanic sharks, a revised definition of OY, and a revised set of objectives to bring the FMP objectives into accord with the definitions of overfishing and the revised definition of OY. As modified, OY is the amount of each species or species complex that can be harvested by domestic and foreign fishing vessels in the EEZ, without causing "local overfishing" or "economic overfishing" within the EEZ of each island area, and without causing or significantly contributing to "growth overfishing" or "recruitment overfishing" on a stock-wide basis. Amendment 1 also modified the objectives of the FMP to be consistent with a) the new Guidelines and b) the changing nature of the fisheries, including the growth of the longline fishery and the virtual absence of foreign fishing in the EEZ.

As defined by the Council, overfishing has occurred when the spawning potential ratio (SPR) for a stock has declined below specified threshold levels relative to the SPR of the unfished population. This definition focuses on "recruitment" overfishing of the stocks on a stock-wide basis. According to the definitions of recruitment overfishing, billfish, mahimahi and wahoo would be considered overfished if their spawning potential ratio (SPR) is equal to or less than 0.20, and oceanic sharks are considered overfished when their SPR is equal to or less than 0.35. The SPR is a measure of the current reproductive capacity of these stocks or stock complexes relative to their unexploited capacity, measured over their entire stock range.

## 3) Amendment 2 (1991)

Amendment 2 required longline vessels to have federal permits and maintain federal fishing logbooks. The logbooks were designed to provide information critical for stock assessments of management unit species (existing state/territorial data collection programs do not provide this information), as well as takes of protected species. The regulations also authorized the placement of observers on longline vessels intending to fish within 50-nm "study areas" around certain areas in the Northwestern Hawaiian Islands (NWHI), to document the level of interaction with protected species. That observer requirement was nullified by Amendment 3.

#### 4) Amendment 3 (1991)

Amendment 3 established a protected species zone in the NWHI, in which pelagic longline fishing is prohibited, to protect endangered Hawaiian monk seals. The zone extends 50 nm seaward from each of the islands in the NWHI, and includes certain 100-nm wide monk seal migratory corridors. This action effectively abrogated the regulations for the placement of observers in the 50-nm study areas created by Amendment 2. Amendment 3 included framework provisions which would allow the NMFS Regional Director, with concurrence by the Council, to modify conservation and management measures in response to changes in the fishery or new information on protected species.

#### 5) Amendment 4 (1991)

Amendment 4 established a moratorium on new participants entering the Hawaii fishery for a total of three years, with limited exceptions for persons who had made certain financial commitments, and for participants in the NWHI lobster fishery. A one-time transfer of the moratorium permit has been allowed. Non-permitted US longliners have been prohibited from entering the EEZ around Hawaii. The Council established the moratorium to halt expansion of the longline fishery to provide a period of stability during which data could be collected and analyzed to assess the impacts of increased longline effort. The moratorium expires on 22 April 1994.

#### 6) Amendment 5 (1992)

Amendment 5 closed certain areas around the main Hawaiian Islands and Guam to pelagic longline fishing. For Hawaii, the closure includes the area within 75 nm of the islands of Kauai, Niihau, Kaula and Oahu, and within 50 nm of the islands of Maui, Molokai, Lanai, Kahoolawe and Hawaii. For Guam, longlining is prohibited within 50 nm of Guam's 100-fm isobath, including offshore banks. This action was intended to prevent gear conflicts and vessel safety issues arising from interactions between longliners and smaller fishing boats. Amendment 5 also provided a framework mechanism to modify the area closures if new information indicates that a change is necessary in order to meet the objectives of the FMP. A seasonal modification of the Hawaii closure was later implemented to give longliners access to important bigeye tuna grounds at a time when the fish are closer to shore and small-boat activity was relatively low.

#### 7) Amendment 6 (1992)

Effective January 1992, the Magnuson Act was amended to define tuna species as "fish" under US management authority. Amendment 6 included the tunas and related species as FMP management unit species, and incorporated a definition of overfishing for tuna and related species that is consistent with that developed for the other management unit species in Amendment 1. The regulations established by Amendment 6 extended all domestic longline restrictions (area closures, moratorium, etc.) to prospective foreign

longline vessels. Areas closed to longline fishing were also closed to foreign purse seiners and baitboats. Finally, Amendment 6 extended general foreign fishing permit and observer requirements to all foreign pelagic fishing vessels, regardless of their gear type and target species.

#### 8) Proposed Amendment 7 (1994)

Amendment 7, now under Secretarial review, proposes to implement a long-range limited entry program for the Hawaii longline fishery to replace the expiring three-year moratorium. The program would initially allow up to 167 permits, the same number as allowed under the present moratorium. Permit holders would be allowed to upgrade or replace their vessels up to the length of the longest vessel that was active during the moratorium (about 93 ft to date). Permits would be transferable, with or without the sale of the vessel, subject to the restriction on vessel upgrading. The program would include a framework process which would provide for adjustments in fleet size, catch, or effort, if suggested by future information on the fisheries and the status of stocks. Domestic longliners that do not hold Hawaii limited entry permits would be allowed to transit the EEZ and enter Hawaii ports for supplies, but would be prohibited from off-loading their catch. In addition to the limited entry program, Amendment 7 would clarify that OY encompasses fishing by all vessels to the extent regulated by the FMP, and would add moonfish, pomfret and oilfish to the management unit.

#### 9) Longline observers and vessel monitoring system.

In September 1993, the Council requested the RD to establish a mandatory observer program for the longline fishery. The observer program is now operational. The Council also acted to require longline vessels to carry and operate an automated monitoring system (VMS). The VMS will allow effective enforcement of the Hawaii area closures, an area of about 160,000 nm<sup>2</sup>. The VMS regulations and system are now being developed, and should be implemented later this year. These actions were taken through the framework provisions of Amendments 3 and 4, respectively.

### 3. Need for Cooperative Management of Pacific Pelagic Fisheries

Accurate stock assessments of pelagic species are not possible with existing fisheries data. More and better data are needed from all fisheries for target and non-target pelagic management unit species, as well as protected species, throughout their range(s). The federal permit and reporting requirements for Hawaii-based pelagic longliners contribute greatly to this need. Some longliners with Hawaii limited entry permits have, however, made landings of pelagic species in other states, e.g., California and Alaska, and other vessels not licensed in Hawaii also make landings of these species in other states. In addition, foreign vessels also target these stocks. Coordinated management is essential to ensure adequate data collection and stock assessments so that impacts on stocks can be evaluated.

In addition to the impact on target stocks and non-target species, the conservation of protected resources is important to the nation. Several of the more-restrictive regulations in the western Pacific longline fishery have resulted from concern about protected species, often based on sparse data. Sea turtles are taken by Hawaii longliners, and are undoubtedly taken by other pelagic fisheries, as well. There is a need to determine whether or not the level of sea turtle take by pelagic longlines and other gear is detrimental to turtle populations. The Hawaii observer program will provide valuable data, but additional information is needed from longline vessels operating elsewhere.

Practical conservation of pelagic species throughout their range requires international collaboration. Conservation and management discussions have begun with other nations that target the same species as US fishermen. The US position would be strengthened if there was management cooperation within the relevant US fisheries. While direct high-seas restrictions are not likely in the near future, the exchange of fisheries and related data could soon be achieved through international negotiations.

This is also the Western Pacific Council's immediate goal for cooperative management of domestic fisheries in the Pacific. The Western Pacific Council intends that this information be collected and analyzed in a comprehensive manner, throughout the species' range(s). The Council has no intention of regulating the activity of existing fisheries beyond the state or federal regulations that might exist for those fisheries. Our main goal is comprehensive data collection for the assessment of pelagic fish stocks and protected species throughout their range.

#### **4. Options for Cooperative Management Under the Magnuson Act**

A. Status Quo. Each Council acts independently in its respective area. There would be no formal coordination mechanism, and cooperation would be limited to Council's staying apprised of other Councils' activities. There could be two or three sections in the federal regulations concerned with management of these fisheries, with certain redundancy and duplication of effort, as well as inconsistent regulation of fishermen in the same fisheries among the various regions.

B. Secretarial FMP or Amendment to Pelagics FMP. The Secretary could develop an FMP for pelagic species on the west coast if the lack of action by either west coast Council leads to conservation and management concerns, including lack of data on impacts of fishery on stocks, economic or social problems in the fisheries, or adverse impacts on protected resources.

C. Joint preparation of FMP. The three Pacific-area Councils would jointly prepare the management program. Each Council would be required to vote in support of any proposed actions. There would be formal coordination mechanisms, including joint planning teams and industry advisory panels. There also would likely be joint hearings and Council meetings. Costs would be shared accordingly.



D. **Single-Council Designation.** One of the three Pacific-area Councils would prepare the fishery management program, as authorized by section 304(f)(1)(A) of the Act. One Council would have the responsibility for fishery planning with inputs from other Councils. The lead Council would establish coordination mechanisms and procedures to make sure that all of the region's managers and scientific and industry advisors contributed to the management process.

## **5. Proposal for Cooperative Management**

A. Designate the Western Pacific Council as lead Council for the fishery management program for Pacific pelagic fisheries. Of the options listed above, this appears to be the most efficient because of the Western Pacific Council's relatively long history of pelagic management, and promotion of data collection and research on pelagic fisheries.

B. Focus initially on the comprehensive collection and mutual exchange of fisheries data and relevant information to ensure adequate coverage of all fisheries on management unit species and protected resources throughout their range(s). First emphasis would be on high-seas longline vessels regardless of where they land. Scientists, managers and industry advisors from the affected areas would jointly review all existing data collection programs. If existing programs are determined to be adequate for stock assessment purposes, cooperation could be limited to exchange of the data. If these data are not adequate, the logbook program similar to that used in the Western Pacific could be extended to vessels from other areas. If information on protected species is not adequate, observer coverage could be extended to document interaction with protected species and total catch and discards.

C. Beyond data collection, formal coordination procedures would be established among the three Councils to (1) determine the need for additional management measures and (2) develop such measures cooperatively. This coordination could be in the form of joint planning teams, SSCs, Council committees, etc. Potential regulation of west coast fisheries would require the assistance and concurrence of the appropriate west coast Council, and/or state agencies.

## **6. Conclusion**

The Western Pacific Council recognizes that effective conservation of stocks will require international and inter-regional cooperation to encompass all Pacific fisheries. West coast fishermen are targeting the same stocks of swordfish and other species as fishermen from the western Pacific. A single FMP is administratively the simplest and least costly way to properly manage and conserve stocks, prevent overfishing, and achieve the maximum benefits to the nation. The western Pacific pelagics FMP already exists, and contains framework measures that make it relatively simple to amend. The Pacific Council and/or appropriate member states would be included in decision-making. No measures affecting west coast fisheries would be made without, at least, joint hearings or meetings.

If the concept of the proposed collaboration is accepted by the Pacific and North Pacific Councils, the Secretary of Commerce would be requested to designate the Western Pacific Council as the lead Council for Pacific pelagic management. This would be an important first step toward Pacific-wide management of these valuable fisheries.

(single/bh)



# CALIFORNIA GILLNETTERS ASSOCIATION

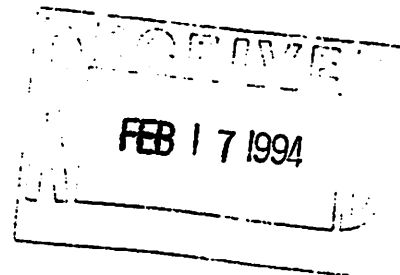
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Feb. 16, 1994

NELLO CASTAGNOLA  
President

TONY WEST  
Vice President

Mr. Larry Six  
Pacific Fisheries Management Council  
Metro Center Ste 420  
2000 S.W. First Ave.  
Portland, Ore. 97201



Dear Larry,

We are extremely concerned with the issue of making the Western Pacific Regional Fishery Management Council the lead council for the management of pelagic fish resources, and strongly urge the PFMC to not endorse this consideration.

We are currently re-authorizing our Swordfish Fishery here in California, working closely with California Dept. of Fish and Game. We are concerned with a Western Region Council member making decisions on something off the California Coast, 2000 miles away. It would be unfair for him to try to be informed, and unfair for us to go to Hawaii to work out problems.

I see in the letter sent by Western Pacific Council that they are asking in Paragraph 1 to be designated responsible for management of pelagic fish resources in the central and western Pacific Ocean, as per 50 CFR 601.12 (a). However in paragraph 4 they are requesting to be designated as the Council charged with Pacific pelagic fisheries management, meaning the entire Pacific. Is this an omission, a typo, true intent, or a hidden agenda??

We feel this is all being done to swiftly!

We request due to the eleventh hour of this request that any hearings, considerations, testimony, discussions, etc, be postponed at least until the April, San Francisco meeting, when so many more of us will be able to attend.

Thank you for your consideration.

Sincerely,

Tony West

cc: N.P.F.M. Council  
California Dept Fish & Game  
Regional Director NMFS  
Long Beach  
Pacific States Marine Fish Commission

February 18, 1994

Mr. Lawrence Six  
Executive Director  
Pacific Fisheries Management Council  
Metro Center Suite 420  
2000 SW First Ave.  
Portland, Oregon 97201

FEB 25 1994

Dear Larry:

After speaking with you briefly on Wednesday, I decided to put a few things on paper, prior to calling you next week.

I have discussed the proposal by the Hawaii Council to take the lead in pelagic fisheries management for the entire Pacific basin with many other individuals and groups currently fishing pelagic fish on the Pacific Coast. Out of these conversations, have come several points which should be addressed:

- (1) At this time, it would be premature for the PFMC to abrogate its responsibilities to the historic participants in established tuna, albacore, swordfish and shark fisheries. These extend from Washington State to San Diego along the coast and well offshore. The Hawaii Council, it is felt, has interests and agendas which are very likely to be different than those of Pacific Coast individuals and groups.
- (2) If, in the face of a successful well managed program long established in California, it is necessary to charge a council with management authority over the West Coast it should be the Pacific Council. Historically the pelagic fisheries development, in the Pacific, has been led by West Coast fishermen. More recently there has been an influx of boats from the East and Gulf coasts. The fact that many of these more recent entrants are based in Hawaii is one of convenience and ignores the reality that much of the pelagic fish landed in Hawaii are caught at points equidistant to the mainland coast. Further, a considerable amount is caught close to the mainland.

- (3) Regarding the question of record keeping and logs involving the take of pelagic species, the efforts of the NMFS in LaJolla, California and the California Department of Fish and Game are well documented. These two agencies have been diligent in their pursuit of this information for many years prior to the more recent efforts of the Hawaii Council.
- (4) In the event the PFMC is not, at this time, prepared to deny the Hawaii Councils request it should move the debate on this matter back to a later date.

For whatever reasons, this request by Hawaii has come to our attention on quite short notice, and moving it back would give all the involved parties, including the fishermen, state agencies and the PFMC time to prepare a more thorough evaluation of the Hawaii Councils request and its ramifications for the Pacific Coast pelagic fishermen.

Thank you for your consideration of our input on this matter.

Respectfully,

Jim Fisher  
F/V Lady Laura  
1620 7th. Dr.  
Hammond, Oregon 97121

CC: Rolf Mall, Marine Resources, CDF&G  
Richard B. Lauber, Chairman NPFMC  
Nikki Bane, Acting Director, NMFS  
Robert Turner, Director, Washington Dept. of Fisheries  
Jim Martin, ODFW  
Scott Boley, Member PFMC

# PACIFIC OFFSHORE FISHERMEN'S ASSOCIATION

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RECEIVED  
FEB 22 1994

February 18, 1994

Mr. Frank Warrens, Chairman  
PACIFIC FISHERIES MANAGEMENT COUNCIL  
Metro Center, Suite 420  
2000 S.W. First Ave.  
Portland, OR 97201

Dear Mr. Warrens:

Pacific Offshore Fishermen's Association (POFA) is a newly formed organization dedicated to the west coast pelagic fisheries. We were recently informed that the Western Pacific Regional Fishery Management Council (WPFMC) has petitioned both the North Pacific and the Pacific Councils to become lead council in the management of the entire Pacific's pelagic fisheries.

POFA is strongly opposed to the WPFMC'S management of the west coast's pelagic fisheries. Consider these points:

One of California's most economically important fisheries, the Pacific coast's pelagic swordfishery, has been closely monitored by California Fish & Game from its inception. They instituted and have maintained a catch recording logbook system to collect data. From a biological perspective, it has, and continues to be, a clean and healthy fishery.

POFA's members are highly opposed to management of a west coast fishery from a regulatory body that's both geographically distant and historically involved with a single gear type that isn't representative of the mix our members employ. As an example, many of our members are southern California based fisherman who have already lost one fishery due to a geographically distant council Fisheries Management Plan (FMP) process. However, inadvertent this may have been, POFA feels that placing the west coast pelagic fishery under management of the WPFMC invites this situation to reoccur.

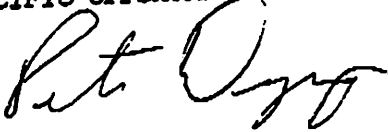
Because of the highly migratory nature of pelagic species, a more centralized managing body may be appropriate at some point. On the west coast, we share a fisheries stock with Mexico. In order for any FMP to be effective, a fisheries management accord with Mexico must be worked out. International fisheries agreements will be more effectively managed by NMFS's Highly Migratory Species Division than through a regional council. This is already the case with Atlantic pelagic fisheries management. Extending this expertise to the Pacific, when appropriate, makes a great deal sense.

Mr. Frank Warrens, Chairman  
PACIFIC FISHERIES MANAGEMENT COUNCIL  
Page Two

In closing, please understand that we are both extremely opposed to the WPFMC assuming lead council for Pacific wide pelagic fisheries management and dedicated to first hand involvement with the appropriate management body in formulating and implementing any pelagic fisheries regulation that affects our membership.

Respectfully,

PACIFIC OFFSHORE FISHERMAN'S ASSOCIATION



Pete Dupuy,  
Acting Director

cc: Mr. Roland Schmitt, Assistant Administrator, NMFS  
Mr. Richard Stone, Director NMFS/HMS Division  
Mr. Richard B. Lauber, Chairman, NPFMC  
Ms. Nikki Bane, Acting Director, NMFS  
Mr. Al Petrovich, Deputy Director, CDF & G



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# **BLUE WATER FISHERMEN'S ASSOCIATION**

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TEL. (703) 524-8884 FAX (703) 524-4619

February 25, 1994

Mr. Frank Warrens, Chairman  
Pacific Fisheries Management Council  
Metro Center, Suite 420  
2000 S.W. First Ave.  
Portland, Oregon 97201

MAR 8 1994

Dear Mr. Warrens,

At the request of industry contacts in California pelagic fisheries as well as longline fishermen currently fishing out of Hawaii, Blue Water Fishermen's Association (BWFA) wishes to make preliminary comment on the Western Pacific Regional Management Council's request to obtain Lead Council Authority over U.S. highly-migratory fisheries in the Pacific. Since BWFA's members believe that true conservation for highly-migratory species can only be achieved by involving both domestic and international harvesters, we support management authority for all highly-migratory species under the U.S. Secretary of Commerce. BWFA thinks that the Pacific Councils should fully discuss this issue, particularly concerns about representation and participation in the plan development process by fishermen from the west coast. The Councils should evaluate the best options that would lead to effective conservation and management of these species which are harvested by many nations.

BWFA represents a substantial portion of the commercial fishermen, vessel owners, fish dealers and supporting supply companies with an interest in Atlantic highly-migratory marine species, with members from Maine to Texas and from California to the Caribbean Islands. Our organization was formed in response to proposals for unilateral reductions in Atlantic swordfish landings. Our fishermen continue to believe that the only logical steps to conserve any highly-migratory species must involve all the harvesters throughout the entire range of the stock of fish. If anything, unilateral measures undermine realistic conservation efforts by relieving other nations of their shared responsibilities to conserve marine resources.

The five Atlantic Regional Management Councils worked diligently toward management of Atlantic swordfish for fourteen years following passage of the Magnuson Act in 1976. Their culminating accomplishment, Amendment 1 to the Atlantic Swordfish Management Plan, was submitted to the Secretary of Commerce in October of 1990. This proposal called for a unilateral closure of the U.S. directed swordfish fishery despite the Council's acknowledgment that even sacrificing the U.S. industry could not do what they considered necessary.

In November 1990, two things occurred that moved resource management of these species toward realistic effective conservation and management. First, the U.S. Congress recognized the need for international management measures and the inequity of unilateral restrictions on American highly-migratory species fishermen. Acting with sound resource principles that combined all highly-migratory species within one jurisdiction, Congress transferred the management authority for Atlantic highly-migratory species from the Regional Council structure to direct authority under the Secretary of Commerce.



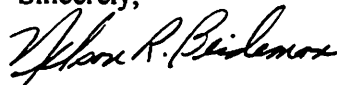
Secondly, the International Commission for the Conservation of Atlantic Tunas (ICCAT), took significant steps to conserve Atlantic swordfish with management measures affecting all major and minor harvesters in the Atlantic. International management of anything is not easy to achieve; however, it is the only effective and equitable option. It is in the best interest of U.S. fishery managers and fishermen to pursue international conservation and management for these important and valuable fish stocks.

It has been an arduous process to set up a system within National Marine Fisheries Service to deal properly with this authority. Budgetary constraints have been especially frustrating. Steady progress toward meaningful conservation and management of the species continues to be made under this new authority. Even those who occasionally disagree with specific measures recognize that the only sensible and effective approach is an international program for fish that swim great expanses of the ocean and are harvested by many nations. Limiting management to a minor component of harvest is clearly recognized to be a management strategy doomed to fail. This critical flaw should not be allowed to complicate realistic conservation and management of the highly-migratory pelagic fish stocks in the Pacific Ocean.

BWFA suggests that the Pacific Councils postpone a decision on lead authority for Pacific highly-migratory species in order to evaluate the available options. The U.S. State and Commerce Departments need to be involved before these species reach overfished status in the Pacific. The IATTC or other international management authorities should be explored. We are especially concerned that the Pacific fisheries learn from the mistakes made in the Atlantic. The fishery managers should resist steps to draw arbitrary stock or management boundaries for political convenience. Atlantic fisheries and U.S. fishermen in particular have suffered tremendous sacrifices due to such initial strategies. We think that broader approaches are more difficult but ultimately more effective for conservation of highly-migratory fish stocks.

Thank you for your consideration of our ideas and experience. If you have any questions, please contact Dr. John Hoey, BWFA's biologist, at (703)524-8884 or Fax (703)524-4619 or me at (609)494-4075 or Fax (609)494-7210.

Sincerely,



Nelson R. Beideman  
Executive Director, BWFA

cc: Rolland Schmitten  
Richard Schaefer  
Dick Stone  
NPFMC  
WPFMC

1992 Pelagic Catch by Fleets Based in Western Pacific Region<sup>1</sup>

Species	American Samoa <sup>2</sup>	Guam <sup>3</sup>	Hawaii <sup>2</sup>	Northern Mariana Islands <sup>2</sup>	Total by Species	% Total All Species Combined
Skipjack Tuna <sup>4</sup>	71,900	138,500	1,900,000	66,000	2,176,500	7.6
Bigeye Tuna			3,463,000		3,463,000	12.1
Yellowfin Tuna <sup>4</sup>	24,700	151,000	2,989,000	20,700	3,185,381	11.2
Albacore			896,000		896,000	3.2
Kawakawa	200	7,100			7,300	<1
Tunas (misc)		100	279,000	300	279,400	1.0
Swordfish			12,643,000		12,643,000	44.6
Blue Marlin	4,600	127,400	1,305,000	5,300	1,442,300	5.1
Striped Marlin			1,145,000		1,145,000	4.0
Seiifish		700		100	800	<1
Spearfish		200			200	<1
Other Billfish			317,000		317,000	1.1
Mahimahi	2,000	136,400	1,119,000	21,500	1,278,900	4.6
Wahoo	3,400	112,900	380,000	13,700	510,000	1.8
Shaiks	1,300	1,800	574,000		577,200	2.0
Dogtooth Tuna	2,100	1,000		4,400	7,500	<1
Rainbow Runner	1,200	3,600		1,000	5,800	<1
Barracudas	1,000	4,600		100	5,800	<1
Other pelagics		<100	380,000		380,000	1.3
Unclassified				29,600	29,600	<1
<b>Total</b>	<b>112,400</b>	<b>685,500</b>	<b>27,390,000</b>	<b>162,700</b>	<b>28,350,600</b>	
<b>% of Total Pelagic Catch</b>	<b>0.4</b>	<b>2.4</b>	<b>96.6</b>	<b>0.6</b>		

<sup>1</sup> Catch reported underestimates total catch. For Hawaii, there is no estimate of recreational harvest and commercial harvest is likely under-reported. Evidence suggests that about 10,000 fishermen actually sell some portion of their catch, although State of Hawaii issued only about 3,000 licenses in 1992. No recreational/subsistence catch information is available for the Northern Mariana Islands. Lack of adequate coverage for creel surveys may also lead to an underestimate of the harvest in Guam.

<sup>2</sup> Rounded to nearest 100 lb, columns may not sum precisely due to rounding.

<sup>3</sup> Rounded to nearest 1,000 lb, columns may not sum precisely due to rounding.

<sup>4</sup> Does not include harvest within the EEZ by domestic purse seiners. In 1992, US purse seiners reported harvesting 32.1 million lb of skipjack and yellowfin tuna combined within the EEZ surrounding the U.S possessions of Baker and Howland Islands.



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

**1992 Domestic Commercial Pelagic Landings in US ports  
in the Western Pacific Region**

Area	Pelagic Fishery	Pounds Landed (x1,000)	Ex-vessel Value (x \$1,000)
American Samoa	Local Troll	109	\$ 137
	Purse Seine <sup>1</sup>	270,270	71,637
	High-seas Albacore Trollers	6,600	5,300
Guam	Troll	297	495
Hawaii	Troll	2,093	3,920
	Handline	1,897	3,229
	Baitboat	1,725	2,415
	Longline <sup>2</sup>	21,240	44,650
Northern Marianas	Troll	163	306
<b>ALL COMBINED</b>		<b>304,394</b>	<b>\$132,089</b>

<sup>1</sup> US purse seiners landing in American Samoa harvested fish within the EEZ of other Pacific islands, in international waters, and in the EEZ surrounding the US possessions of Baker and Howland islands. In 1992, US purse seiners reported catches within the US EEZ of 32.1 million lb.

<sup>2</sup> Hawaii-based longliners fish both inside the EEZ and in international waters. In 1992, nearly half (47%) of the total longline effort occurred outside the EEZ, while 44% and 82% of the tuna and swordfish were caught beyond 200, miles, respectively.