



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

**Report to the Council from the 92<sup>nd</sup> Meeting  
of the Scientific and Statistical Committee**

Council Office Conference Room  
1164 Bishop Street, Suite 1400  
Honolulu, HI 96813

May 30 – June 1, 2006

**Insular Fisheries**

**A. Bottomfish and Seamount Groundfish Issues**

**1. Report on Hawaii monitoring and research plan**

Council staff presented background on a Hawaii monitoring and research plan for bottomfish. Staff explained that the Council recommended, at its 131<sup>st</sup> meeting in March, the establishment of a bottomfish working group to develop a research and monitoring plan for bottomfish in the Hawaiian archipelago. The meeting was held on April 18<sup>th</sup> at the Council office with executive level representatives from HDAR, DOCARE, PIFSC, PIRO, HIMB, NOAA OLE and Council participating. The USCG was not able to participate. The group recommended that 3 sub-working groups be convened for the following areas: Research and Monitoring, Stock Assessment, and Enforcement. The group also recommended that a meeting be held to discuss bottomfish data collection given the need to develop a reporting form for the MHI bottomfish overfishing amendment.

**2. Update on Bottomfish Stock Assessment**

The SSC heard an update on bottomfish stock assessments from Bob Moffitt, PIFSC. Moffitt said that PIFSC has initiated a stock assessment for Hawaii bottomfish and that the first workshop was held on May 1-12, 2006. He said that a report on the workshop, which focused on reviewing available fishery dependent bottomfish data, bottomfish monitoring and data collection programs and available fishery independent research data, should be completed by mid-June 2006. Follow-up workshops and reviews will continue through the summer and early fall with a final report due before the end of 2006. Moffitt explained that funding for this assessment was not fully provided for by the Science Center stock assessment funds and that the Council and PIRO will be contributing funds to complete this task.

**3. Plan Team Recommendations**

Moffitt also presented the Bottomfish Plan Team Report to the SSC. He said that the

Bottomfish Plan Team met on April 25-27, 2006 at the Council office, and he presented the recommendations from the meeting.

**The SSC supported all the Bottomfish Plan Team's recommendations with the following modifications:**

- *Regarding American Samoa:*

**With respect to plan team recommendation #5, the SSC recommends that the PIFSC collaborate with the appropriate fishery agency of independent Samoa and DMWR to conduct a spatially structured assessment of the bottomfish resources in the Samoan Archipelago.**

**With respect to plan team recommendation #6 in addition to the stock assessment recommended above, the SSC also recommends that the Council support a comparative evaluation of the bottomfish fishery in American Samoa and Samoa in an attempt to understand why American Samoans are exiting the fishery. This investigation should include resource, market, infrastructure, production, and cultural considerations.**

- *Regarding Hawaii:*

**With respect to plan team recommendation #2, the SSC recommends that the Council support an expanded analysis and revised report of the State Registered Bottomfish Fisherman Survey completed in 2005.** The original analysis was completed quickly to meet immediate management needs and did not make full use of all available data. The analysis may require re-entering, and verifying portions or all of the data, and should include entry of any data that were received too late to be included in the original analysis.

#### **4. Public Comment and Other Business**

The SSC listened to public comment and ensuing discussion regarding the potential for a developing fishery for monchong and other seamount-associated species using short long lines. Ed Glazier had included discussion of short long lines in previous presentations to the SSC. Such a fishery could develop rapidly, especially if other fisheries are subject to increasing regulation or depletion. **Therefore, the SSC recommends that the Council direct staff to pursue investigation of these emerging fisheries and report to the SSC at a subsequent meeting.**

#### **B. Precious Corals Issues**

##### **1. Draft Report on Black Coral Workshop**

The SSC heard a report on the Council's black coral workshop by Council Staff. A two day workshop (April 18-19, 2006) on the Hawaiian black coral fishery was hosted by the Council. The workshop which was held to bring together scientists, fishers, managers, industry and enforcement to review the current state of knowledge on Hawaiian black corals and identify objectives for the future.

The workshop was spurred by recent concerns about recruitment of black corals and infestation by *Carijoa* which have prompted increasing minimum size limits. Identified future research objectives included studies on growth, reproduction, recruitment, mortality, fishing, and invasive species. Research and management strategies discussed included area based management and replanting projects. Staff mentioned that the final report will be ready for review by the SSC and Council at its Fall meetings.

**The SSC commends the convening of a Black Coral Workshop and looks forward to seeing the report.**

## **2. Plan Team Report**

The SSC was presented with the Precious Corals Plan Team report and was given a summary of the report by Council staff. The Precious Corals Plan Team met in April to discuss issues pertaining to gold coral, as well as to discuss the outcomes of the black coral workshop. Following discussions, the plan team decided that the gold coral issues were still being debated and that another plan team meeting was needed. Staff informed the SSC that the plan team will reconvene in the Summer of 2006 to look at possible recommendations regarding a moratorium on gold coral harvest.



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### **Ecosystems and Habitat**

#### **5.A. NWHI Fishing Regulations (ACTION ITEM)**

Jarad Makaiau summarized the basis for revisiting NWHI fishing regulations, referring again to Admiral Lautenbacher's letter of January 18, 2006. He noted that in February 2006, NOAA staff provided Council staff with sideboards to assist Council in developing appropriate catch and permits limits for commercial bottomfish and pelagic fishing that NOAA feels are necessary to meet the goals and objectives of the proposed designation.

Makaiau then summarized the initial actions and recommendations made by the Council at its 131<sup>st</sup> meeting in March 2006 and then finalized at its 132<sup>nd</sup> meeting in April 2006. He then noted that since the last meeting of the SSC, several developments have occurred regarding NWHI fisheries. First, the Council, at its 132<sup>nd</sup> meeting was verbally informed by the PIRO Administrator that NOAA has extended the May 1, 2006 transmittal in order to allow the Council to take additional action on outstanding issues, but NOAA did not specify a new deadline on which to transmit the amendment package(s) for Secretarial review. Second, on May 19, 2006 the State of Hawaii, PIRO, the National Marine Sanctuary Program and the US Fish and Wildlife Service signed Memorandum of Agreement for coordinated management of the NWHI. Finally, the current thinking is NOAA's internal draft EIS for the sanctuary ends commercial fishing within five years, and that NOAA's preferred alternative may officially be announced during Ocean Week.

Makaiau then identified seven outstanding issues stemming from the Council's final action were identified which need further Council consideration and action before an amendment package could be transmitted to the Secretary for consideration.

#### Issue 1: NWHI Pelagic Limited Entry Permit

Marcia Hamilton stated that limiting the number of non-longline pelagic permits to three essentially created a limited entry program. One of the fundamental questions that need resolution is how will permits allocated?

She said there are a variety of ways to issue permits. They can be issued:

- On a First-come-first-served basis;
- Auctioned off to the highest bidder;
- Issued through a lottery; or
- Based on historical participation.

She noted that the Council has traditionally relied on historical participation as the basis for issuing permits when establishing limited entry fisheries. Using this approach as a basis, several action alternatives were constructed to represent potential limited entry systems. In particular three alternatives were constructed using the weighted point system that underlies the Council's limited entry systems for the NWHI bottomfish fisheries. The first would create a system of transferable permits, while the second and third would employ use-or-lose measures. Hamilton then described the three alternatives and the proposed point system.

Charles Daxboeck asked if the Council has a control date had been established.

Hamilton responded no and noted that the Council is not required to issue a control date prior to establishing limited entry programs.

Dan Polhemus noted that the Executive Orders which established the NWHI Reserve placed caps on the number of participants, essentially freezing the number of fishermen that could be allowed to only those who were fishing in the year preceding order. He asked if someone showed up in the fishery after 1999, would they be in violation of the Executive Order?

Makaiau said the answer is not certain. The US Coast Guard is on record stating that the EO is not enforceable because there are no implementing regulations. The Undersecretary of Commerce has also stated on record stated that under the sanctuary designation process, alternatives that deviate from the Executive Orders can be considered. He added that certain provisions of the EO are ambiguous and both the Council and the National Marine Sanctuary Program have proposed management measures that appear to diverge from the measures of the EO.

Polhemus added that it would make more sense to give more points to people who were fishing immediately prior to the EO?

Makaiau responded that under the proposed point system, those who were fishing in 1999 (the year preceding the EO, would be more points than those who were fishing in 1998 and before.

Polhemus proposed that points should not be given to anyone who came in after 1999 as they would be in violation of the EO.

Hamilton then discussed transferability of permits. She noted that the Council favors transferable permits for this fishery because NOAA has not been reissuing relinquished non-transferable permits in the bottom fishery.

She said there are two general approaches regarding the transfer of permits to new entrants. The first is to make the permits transferable, meaning that each permit holder is free to transfer their permit to interested parties via sale, trade or barter. Restrictions can be placed upon the type or timing of transfers as well as upon who can receive transferred permits. The second approach is to make the permits non-transferable with use-or-lose requirements that require permit holders to make minimum landings each year or else lose (relinquish) their permit. NMFS then reissues relinquished permits, often using the same approach as was used for the initial permits. She then described two alternatives for use-or-lose requirements.

#### Relaxed Use-or-Lose

Under this scenario, the initial permits would be issued based on historical participation, would be non-transferable and a use-or lose minimum landing requirement would apply. At least one qualifying landing for each fishing year (by a vessel registered to the permit) would be required for annual permit renewal.

Subsequently, permits revoked by NMFS due to failure to make minimum annual landings (or relinquished by permit holders for any reason) would be issued to new entrants by NMFS using a point system that includes points for catches of PMUS from the main Hawaiian Islands (MHI) or the NWHI. In this case the qualifying annual landings would be 15,000 pounds of PMUS from the NWHI and/or the MHI

#### Strict Use-or-Lose

Under this scenario, the initial permits again would be issued based on historical participation, would be non-transferable and a use-or lose minimum landing requirement would apply. However, at least three qualifying landings (trips) with each trip landing at least 500 lbs of PMUS from the NWHI would be required (by a vessel registered to the permit) would be required for annual permit renewal.

Craig Severence asked if the poundage limit to qualify for retaining permit based on any data (under use-or-lose), or was it an arbitrary number?

Hamilton said it was an arbitrary number.

Walter Ikehara said that in terms of implementation, Council needs to consult with PIRO before making a decision, because as we have learned from experience there can be difficulties in working out these sorts of arrangements such as the American Samoa limited entry.

Hamilton responded that the documents being considered by the SSC was sent to PIRO Regional Administrator three weeks ago.

Hamilton reiterated that according to NOAA's sideboards, the 180,000 lbs annual pelagic catch limit would apply to both pelagic fishermen and bottomfish fishermen who supplement catch with pelagics. However, bottomfish vessels are currently are limited to 60 ft. in length overall whereas there is no such limitation for pelagic vessels. For this reason, the Council was

concerned that bottom fishermen could be at a disadvantage if pelagic vessels are not limited in length as they would be able to enter with a vessel of unlimited size.

Members of the SSC asked if information was available on the size of pelagic vessels currently participating in the fishery.

Hamilton stated that the information has been requested from PIFSC.

SSC members suggested it is premature to address the issue at this time.

### Issue 2: Definition of fishing years

The implementation of proposed annual catch limits for both pelagic and bottomfish catches requires that the Council designate the appropriate fishing year (i.e. the 12 month period for which each fishery's catch limit will apply).

Makaiau said the Council's preliminary preferred alternative is to define the bottomfish fishing year as beginning October 1 and ending September 30 of the following year. The Council selected this alternative because it was likely least likely to result in the fishery reaching the catch limit prior to or during the winter holidays. He noted the Council did not specify a definition for pelagic fishing.

Severence noted that red fish is important to segments of Hawaii's population and the cultural importance of red fish during holidays should be emphasized.

### Issue 3: Compensation

Makaiau stated that the ongoing designation and implementation of the proposed NWHI sanctuary is almost certain to include continued limits and closures for one or more fisheries in the NWHI. The Council supports providing compensation to fishermen who will be negatively affected by this federal action and identified several sources of value in the fishery. They include: (1) Investment in the vessel; (2) Investment in gears; (3) Lost stream of income; and (4) Value of permit (such as lobster permits). He then summarized estimated value for the bottomfish, lobster and pelagic fishery.

He noted that the Council preliminary preferred alternative is to provide compensation to fishermen and that private and/or public funds be used to buy vessels, gear, permits and to provide compensation for lost income.

Polhemus said some of the numbers look rather inflated and that ex-vessel revenues are not the same as profits. He said that a UH analysis indicates that mean profit per vessel for the NWHI bottom fishery is \$12,000/vessel/year.

Paul Callaghan agreed and stated that at the profit flow over lifetime of vessel or owner must be examined. He added that the value is the present value of the expected future flow of income that the vessel could generate, not only in the fishery at hand, but in alternative fisheries in which it

could have been used. If the vessel is being bought, you cannot go fish elsewhere. If you are just being kicked out of the NWHI, you can go elsewhere, partially compensating for the lost profits.

Karl Brooking asked if there should be compensation provided to support industries that provide fuel, ice, and fishing gear to NWHI fishermen.

It was suggested that alternatives presented for compensation were overly simplistic and that Council's preliminary preferred alternative, which involves several avenues of compensation, might double or triple counting economic value. To evaluate appropriate compensation would require a study by professional economists and some clear understanding of the duration and extent of the sanctuary regulations.

#### Issue 4: NOAA Weather Buoy 1

Makaiau stated that the Council directed staff to investigate the importance of weather buoy 1 to the NWHI non-longline pelagic fishery and to look into the feasibility of moving the buoy outside the proposed NWHI sanctuary boundary.

Brookins said that there is probably a consequence to meteorological data from moving the buoy. Maybe better to put in a second buoy, calibrate the two, then phase out the first one.

Kleiber suggested that someone put in a compensatory FAD outside 50 nm.

Kitty noted that the Admiral thought it was a good idea and a letter detailing the issue was sent to the NOAA Weather Service.

Parrish said that it would make sense to wait and see what the NOAA Weather Service says.

Joe Deitling said it would not hurt the fishery to move it, and might work better if moved off the ledge at Nihoa. Yellowfin run from one buoy to the next. He added that the buoys get replaced every two years. So just move it out of the Sanctuary.

#### Issue 5: Accuracy of Historical Data on NWHI Pelagic Fishing

Makaiau said that during the Council's 132<sup>nd</sup> meeting a NWHI fisherman stated that he believed that NOAA's calculation of the 180,000 pound annual pelagic catch limit was based on incomplete information as he himself had participated and witnessed others participating in the fishery at levels which would far exceed a fishery total of 180,000 pounds. In response the Hawaii State Division of Aquatic Resources (HDAR) sent letters to those individuals identified as likely fishery participants inviting them to review and correct or update the catch records that they had submitted to HDAR for the 1996-2004.

Pierre Klieber asked if the 180,000 lb annual catch limit was calculated on the basis of some biological consideration or was it simply an estimation of some average or maximum historical catch.



Makaiau said that NOAA provided Council staff the number and it was based on some historical catch, aggregated by several years. Currently, we don't know what data was used or how they actually derived the figure. He added that a data request was sent to PIFSC and the HDAR is currently working with fishermen to ensure the numbers they reported are consistent with HDAR records.

#### Issue 6: Closure of non-commercial fisheries

Makaiau said that NOAA has previously rejected the Council's recommendation to allow limited commercial bottomfish and pelagic fishing in the NWHI because the potential ecosystem impacts of commercial fishing are unknown. NOAA also argued that there is no information to support or demonstrate that commercial bottomfish or pelagic fishing can be done without impacting the natural character and biological integrity of the ecosystems in the region.

He added that the current thinking is NOAA intends to end commercial bottomfish and pelagic fishing within five years of sanctuary designation, but will allow the non-commercial fishing sectors (recreation, subsistence and sustenance) to continue and perhaps increase catch of these species with no annual catch limits in the future sanctuary.

He said Council members felt that this rationale should be applied equally to all fishing sectors not just commercial fisheries. For this reason, the Council recommended that no fishing of any type be allowed (except for Native Hawaiian traditional practices) in the proposed NWHI sanctuary following closure of the associated commercial fisheries.

Pierre Kleiber said that as a matter of fairness, all fishers should be treated equally. But this is a political issue, and not the SSC's business.

Daxboeck noted that this is an allocation issue and the SSC has tried to stay away from that. But if you assume that extraction is detrimental, then take is take, no matter if it is taken by commercial fishermen or a non-commercial fishermen. So if you want to retain ecosystem integrity, ban all fishing in the Sanctuary, not just one sector.

Simonds said that when the Council discussed this, fishing by research vessels came up. She noted that Peter Young said that state rules allow permitted researchers to catch and consume fish in the State's NWHI Refuge because they don't take as much as the commercial fishermen.

Polhemus said Peter was misinformed in regard to that comment.

Parrish said there is no rationale for researchers to do sustenance fishing. They should be there to do research, not to fish. He added that they should bring their food with them into the field, not catch their food while they are up there.

#### Issue 7: Council role in the NOAA ecosystem management plan

Makaiau said that the January 18, 2006 letter from Admiral Lautenbacher alluded to the development and implementation of a Sanctuary Ecosystem Management Plan by NOAA but

was silent as to the role of the Council in this initiative. He added that the Council recommended that it be included as a full participant (e.g. voting member) of any group, committee, task force and meetings regarding NOAA's ecosystem management plan. In addition, the Council recommended that NOAA formally consult with the Council prior to approval and implementation of any such plan for the NWHI, and that it be included in the development and implementation of such a plan and a full voting member.

### **5.B. Hawaii Archipelago Ecosystem Research Plan**

Frank Parrish provided an overview of the evolving Hawaii Archipelago Ecosystem Research Plan initiative. He said the initiative was conceived out of the NWHI Science Symposium and is intended primarily to further ecosystem science research throughout the Hawaiian Archipelago. He noted that there is an opportunity to study an archipelago with two distinct subsections where one section is heavily impacted (main Hawaiian Islands) and one that is relatively pristine (NWHI).

Members of the SSC agreed that this was a unique opportunity and asked how the plan will address management concerns, particularly if the NWHI will be free from human uses or impacts.

Parish responded that although management is not the basic focus of this plan or its participants, it is the main Hawaiian Islands that will derive the primary benefit from this research, because the NWHI will be the control group from which to assess change. Without that, we are no different than anywhere else.

Chaloupka asked if science would be constrained to any particular ecosystem model.

Parrish said it would not. The plan is intended to be innovative and synthetic and will integrate new and innovative types of data along with traditional data sets. We are hoping to avoid models running on no data. There are near term and far term objectives, so certain models might indicate the data streams they might require. But there is no single model we are tied to. We could use EcoPath, we could use others. But we would like predictive capability in the long run.

Chaloupka noted a recent paper on the Patagonia shelf that applied five separate models, and got very different results. He encouraged an ensemble approach.

### **Coral Reef Ecosystem Research Plan**

Makaiau briefly mentioned that NOAA recently announced the availability of a draft Coral Reef Ecosystem Research Plan. Council staff noted that there appeared to be little coordination with the local fisheries management agencies as there we research priorities listed for fisheries that have been banned or have not existed for nearly 70 years.

### **5.C. Public Comment**

Joe Detling said that since 1990, the offshore pelagic fishery has landed 35 million pounds. State data indicates landings of 11 million pounds over the same period. He said he does not think closing NWHI to fishing will make it a better place.

He said without a doubt marine debris is the biggest threat to the NWHI and the pelagic trollers often pick this stuff up before it gets to the islands.

He said he doesn't see the rationale behind closing the place to fishermen as they are the only ones who are trying to make it a better place.

He feels the accuracy of the State's data is terrible. He also said he doesn't see why a point system that rewards fishing post-EO would work as most of non-longline pelagic fishers should not qualify anyway as they came after the EO.

He said that if fishing is prohibited without scientific justification, he will take the Department of Commerce to court over the sanctuary designation.

He stated that many foreign vessels still fish the NWHI and there is no enforcement presence.

Robert Cabos said that the fishermen are the eyes and ears for national security. They see foreign vessels illegally fishing and report these incidences to the government. He said that the 180,000 annual catch limit for pelagic is far too low.

Linda Paul said that in terms of compensation, private sources are not intending to buy back vessels, but instead are looking at negotiating with individuals based on past documented streams of income.

She also said that bottomfish are spatially structured and should not be treated as one archipelagic stock.

### **5.D. Discussion and Recommendations**

**With respect to the proposed NWHI Fishing Regulations, the SSC recommends the following:**

- 1. Regarding the commercial non-longline pelagic limited entry permits, the SSC supports the Council's preliminary preferred alternative to issue the initial three permits based on historical participation in the NWHI pelagic fishery.**

**The SSC also supports the Council’s preliminary preferred alternative to allow these permits to be transferable, thus allowing new entrants into the fishery.**

- 2. At this time, the SSC feels it is premature to propose any vessel size limits on commercial non-longline pelagic vessels.**
- 3. The SSC is cognizant of the great cultural importance in Hawaii of “red” fish during the holiday season. Therefore, the SSC supports the Council’s preferred alternative to begin the bottomfish fishing year on October 1 of each year and end on September 31 the following year. This alternative would minimize the chance of reaching the catch limit prior to or during the holidays.**
- 4. The SSC supports the concept of compensation for displaced NWHI fishermen but notes that some of the proposed alternatives were overly simplistic, involved several approaches to compensation, and might result in double or triple counting of the economic value. A thorough economic study will be required in order to properly evaluate compensation options.**
- 5. The SSC notes that the weather buoy is used as a FAD and looks forward to reviewing the response from the NOAA Weather Service on the feasibility of repositioning the buoy outside the boundary of the proposed NWHI Sanctuary.**
- 6. The basis for the proposed 180,000 lb. annual pelagic catch limit is unclear. Therefore, the SSC encourages continued effort to determine an appropriate biological and scientifically defensible annual catch limit.**
- 7. The SSC notes that closing commercial extraction while allowing non-commercial extraction is in fact a de facto allocation of the resource. Without a comparison between the values of the extractions made by commercial and noncommercial fisheries in relation to the potential impacts of these fisheries on the natural character and biological integrity of the ecosystem, the SSC can provide no guidance on this allocation issue except to note that some scientific collecting should be allowed for research purposes.**
- 8. It is critical that fisheries science provide input into the NOAA Sanctuary Ecosystem Management Plan and therefore the SSC supports Council involvement as a full participant in the Sanctuary plan development, review and implementation.**



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### **Protected Species**

#### **6. Protected Species**

Paul Dalzell presented an overview of a Pelagic Longline Fisheries Discussion Panel held in Crete at the 26<sup>th</sup> International Sea Turtle Symposium (April 2006). He also presented a summary of the top ten hazards facing sea turtle populations that was compiled recently by the IUCN/SSC/Marine Turtle Specialist Group.

**The SSC notes the success of this Council-sponsored Pelagic Longline Fisheries Discussion Panel. The SSC appreciates that such efforts help to better inform the public and policy-makers about sea turtle interactions with longline fisheries and the many mitigation initiatives underway to reduce the risk of such interactions.**



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### **Pelagic Fisheries**

#### **7. Pelagic Fisheries**

##### ***A. American Samoa and Hawaii Longline 2006 Reports***

The SSC heard the Hawaii and American Samoa longline first quarter reports. The SSC also heard with interest preliminary results of Minling Pan's team's research on technological change and its impact on fishing capacity in the Hawaii longline fishery. The SSC also heard with interest preliminary results of Eric Gilman's research on the swordfish longline observer data research.

##### ***B. Bigeye-Yellowfin Overfishing Measures (ACTION ITEM)***

Council staff Paul Dalzell presented the document Issues Paper on Amendment 14: Bigeye and yellowfin overfishing measures-outstanding issues (7.B(1)). He described the historical development of the Council position on this issue, provided the motivation for restructuring the amendment to meet NOAA legal counsel advice and to that end presented 3 alternatives for SSC consideration. It was noted that the document needs to be edited to reflect the risk that BET stocks could reach an overfished condition during a 10 year gradual reduction in fishing mortality. Further, the term 'recover' is used incorrectly with respect to stocks which are not yet overfished.

The SSC noted the following: 1) that the Secretariat of the Pacific Community's Standing Committee on Tuna and Billfish determined several years ago that overfishing of BET was occurring; 2) that continued overfishing of bigeye and yellowfin tuna will eventually lead to the stocks becoming overfished; 3) that it is risky to assume continued occurrence of above average recruitment that has sustained the stocks under overfishing; 4) that current IATTC regulations have not proven effective in reducing overfishing; 5) that actions by the WCPFC at its first substantive session are not sufficient to prevent further increases in mortality of these resources; 6) that even if RFMO action is taken

immediately, there will be considerable delay in actual implementation of management internationally and then domestically; and 7) that social and economic impacts in the U.S. would be greater if action is taken immediately rather than incrementally, though these immediate impacts would be much less significant than the anticipated impacts if the stocks become overfished.

**Thus, the SSC recommends Alternative 2: End Overfishing Immediately. The SSC further recommends that Alternative 2 be redrafted to emphasize that the U.S. delegation to the IATTC and the WCPFC strongly support the specific measures in the Draft Alternative. With the U.S. accounting for less than 5% of the take of bigeye and yellowfin tuna in the Pacific, unilateral action by the U.S. would be ineffective in conserving the resources and unnecessarily destructive to U.S. fisheries.**

The SSC also noted that better data are needed from some segments of the WCPO pelagic fishery, particularly for Indonesia and the Philippines. **Consequently, the SSC recommends that the Council assist in procuring funding necessary to assist in alleviating this problem.**

### *C. Options for Swordfish Seasonal Closure*

Kelly Finn presented the 4 options or alternatives for the swordfish seasonal closure and reviewed the impact on fishermen of the March emergency closure that had also been discussed by Russell Ito. The SSC clearly favored Alternative 2. Modify Existing Regulations to immediately close the fishery upon reaching the Turtle Cap. There was also consensus that, with only two years experience in the model fishery, one a good year and one possibly an anomalous year, it might be too soon to make other changes in the management regime. There was extended discussion of other alternatives, but none were put forward as formal recommendations to Council. These other alternatives included alternative 4: modifying regulations combined with short term time and or area closures. Administrative and other difficulties with implementing short term closures while maintaining confidentiality of fishing locations were discussed extensively. Ultimately this option was considered impractical. There were also extended discussions of Alternative 3: modifying regulations and changing the fishing year. These focused on beginning the fishing year on either March 1st or April 1<sup>st</sup>. Longer term data shows that historically the great majority of turtle takes occurred in the first quarter, so some SSC members supported further analysis of an alternative that would begin the fishing year on March or April 1st and end the fishing year on December 31<sup>st</sup>, thus effectively closing the fishery for much or all of the first quarter. Public comment also supported such an option. It was pointed out that the management regime was working, but that the “knife edge” nature of the emergency closure in March 2006 had negative effects on both fishermen and markets.

**The SSC recommends that the Council choose Alternative 2: modify existing regulations to close the fishery immediately upon reaching the turtle cap.**

#### *D. Fishing effort increase in the Hawaii longline fishery*

In response to an earlier request by the SSC, Keith Bigelow of NOAA Fisheries, PIFSC presented a summary of the background and sequence of actions that led up to establishing the cap on number of vessels in the new limited entry program for managing the developing longline fishery, culminating in the provisions in Amendment 7 to the WPRFMC Pelagic FMP. The limited entry plan was based on an initial fleet of 123 vessels and extrapolated to increase to no more than 166 vessels fishing 15,400,000 hooks and with a total annual catch of 27,500,000 lb. The number of hooks was based on a fleet composed of 55% swordfish effort and 45% tuna effort. The number of vessels in the fleet has increased considerably, and effort of the present fleet is heavily dominated by tuna trips, which currently deploy many more hooks per set than swordfish sets. The result is that total hooks set in recent years have reached numbers about twice as high as the maximum predicted in the Amendment 7 and the total annual catch in the longline fishery has reached the predicted maximum in 3 separate years. Effort and catch in the longline fishery have exceeded levels expected or intended when Amendment 7 was adopted. **The SSC notes with concern that effort and catch in the Hawaii longline fishery seem likely to continue to increase and will probably not be constrained by the existing limited entry program and vessel length management restrictions, nor by fishing technology, economics or other factors.**

#### *E. Movement of longline vessels between Hawaii & Am. Samoa*

The SSC heard with interest a presentation by Keith Bigelow, NOAA Fisheries, PIFSC, regarding the composition of these fleets in terms of the origin of vessels and their movements between the Hawaii and American Samoan fleets over a period of several years. Nineteen vessels had participated in both fleets, with various patterns of movement between the fleets. Awareness of these interconnections between the two fleets may be useful to the SSC and the Council in considering potential effects of Council actions on vessels operating in both fleets.

#### *F. International Fisheries*

##### **1. ISC**

Bob Skillman presented a summary of the recent ISC meeting. Skillman reported on the various working groups and stock assessments at ISC, including North Pacific albacore, Pacific bluefin, striped marlin and swordfish.

##### **2. SPC Heads of Fisheries Meeting**

Rhea Moss presented a summary of the recent SPC HOF meeting. Moss noted that this meeting was more focused on coastal fisheries and aquaculture as opposed to high seas fisheries. However, the meeting did discuss the potential for a new regional fishery management organization for fishery resources associated with seamounts in high seas areas of the South Pacific.



### 3. IATTC

Paul Dalzell reviewed the agenda for the upcoming 74th annual meeting of the IATTC, to be held in Busan, Korea in June. Items on the agenda of interest to the Council included tuna conservation measures, bycatch and cooperation between IATTC and the WCPFC.

Noting that the stocks of yellowfin tuna and particularly bigeye tuna are in much worse condition in the EPO than in the WCPO, **the SSC recommends that the U.S. delegation to the IATTC promote more equitable and effective conservation regime for BET and YFT.**

### 4. WCPFC

Paul Dalzell reviewed the agenda for the upcoming WCPFC Science Committee meeting in Manila during August 2006. Stock assessments to be reviewed at the meeting include BET, YFT, SPALB and SW Pacific swordfish. The meetings will also review and ISC stock assessments for Pacific bluefin, NP albacore and striped marlin. The main meeting will be preceded by various specialist working groups which include fishery data, fishing technology, biology, methods and ecosystem and bycatch.

### 5. Council SPALB Workshop

Paul Dalzell reviewed a proposal to hold a workshop on South Pacific albacore. The participants would include those countries and territories from the South Pacific with longline fisheries taking substantial quantities of albacore tuna, and was scheduled for September 2006.

#### *G. Shark bycatch in longline fisheries*

Eric Gilman presented a brief summary of a Council project surveying pelagic longline fisheries throughout the world with respect to minimizing shark depredation of target catches. The SSC encourages continuation of this project.

#### *H. Recreational Fisheries*

Marcia Hamilton gave a detailed overview of the NRC review of the national MRFSS Program pointing out some of the potential sources of sampling bias and statistical error in the survey and the NRC committee's recommendation that MRFSS results not be used for establishing fishery management policy, especially TACs or quotas. She also described the recent Hawaii meeting with MRFSS representatives in which some of these issues were discussed. Paul Dalzell described the recent reconvening of the Recreational Fisheries Data Task Force and the fishermen's responses to the data presented. Dan Polhemus pointed out that the state had a heavy investment in staffing the field intercepts and that the state's own internal reviews of the data supported the finding that the recreational Pelagic catch equaled or exceeded the commercial catch. The SSC expressed reservations about the extrapolations, and the possibility of double counting on

landings. The SSC also made suggestions for a working group, including statisticians, that would attempt some further ground-truthing of the survey results to date. Nicole Bartlett pointed out that bringing the administration of the field survey to Hawaii, and establishing a series of review groups would improve the results and perhaps the public's perception of HMRFSS.

**The SSC notes the criticisms in the NRC review of the MRFSS survey program, and thereby recognizes the possible imprecision of the estimates of recreational catch for Hawaii. Given the surprising outcome that the Hawaii recreational catch estimates are of the same order of magnitude as the commercial catch estimates, the SSC recommends that additional resources be made available to understand and correct the statistical problems in the catch and effort sampling, and analysis of the data. Further, the Council should not currently use MRFSS catch estimates as a basis for management or allocation decisions.**

### *I. Pelagics Plan Team Report*

Keith Bigelow presented recommendations to the Council arising from the recent Pelagics Plan Team.

#### **Hawaii**

1. The Pelagics Plan Team recommends that the NMFS protected species workshops include instruction in pelagic fish identification, including a manual of photographs to aid in identification.
2. The PPT reiterates its previous recommendation that WPacFIN and DAR convene two workshops: the first to review the catch and effort reporting systems, review of DAR codes to assign fishery sectors and algorithms for the expansion of bigeye (BET) and yellowfin (YFT) landings; and the second to review the results of any changes in the application of these modified algorithms in estimating the BET and YFT landings in the troll and handline/mixed-line and offshore fisheries in Hawaii.
3. The PPT recommends that the Council consider methods to smooth the adverse markets effect of any seasonal closures of the Hawaii swordfish fishery, such as consideration of an interim trigger level of turtle takes by the Hawaii swordfish longline fishery that might be used to establish short term (1–4 week) temporary measures of fishery or area closures, that would avoid the fishery reaching its hard limit for loggerhead turtles and the fishery having to be closed prematurely.
4. Given the small size of the fishery, the PPT recommends the Council choose the simplest option for the NWHI sanctuary commercial pelagic fishery limited entry program, preferably one that is similar to existing systems and has low administrative costs.

5. The PPT recommends the Council consider an alternative for the NWHI sanctuary commercial pelagic fishery limited entry program that would combine alternatives 1 and 2 such that initial entry would be based on historical participation with permits transferable thereafter – however permits could only be transferred to those persons with some level of historical participation in the NWHI or MHI commercial pelagic fisheries.
6. The PPT recommends the Council consider beginning the NWHI sanctuary bottomfish/pelagic fishing year on July 1, as this is the fiscal year and would make it easier to compare new data to historical data.
7. The PPT recommends that the section of the Pelagics Annual Report Hawaii module on longline bycatch contain observer data for the swordfish longline fishery discards and the expansion of the tuna longline fishery discards.

### **American Samoa**

1. The Pelagic Plan Team recommends that American Samoa DMWR and NMFS PIFSC explore the potential for a fisheries scientist to be stationed in American Samoa due to the importance of the local longline fishery which catches between 8 and 15 million lbs annually.

### **Guam**

1. The Pelagic Plan Team reiterates its recommendation that the Guam DAWR explore the possibility of expanding the creel survey to include the boat ramp at Ylig, as this would include information on otherwise poorly known areas of Guam. Considerations for improving survey efforts include: infrastructural improvements for both boaters and DAWR staff, and issues associated with land ownership and navigational aids.

### **Region-wide**

1. The Pelagic Plan Team recommends that the Council develop a trial version of the 2006 Pelagics Annual Report that incorporates the revisions as suggested in the Council Contractor's report on modifications to its annual report.
2. The PPT recommends that an ecosystem approach be taken in deciding the priorities for stock assessment of pelagic species by the scientific committees of the Pacific regional fishery management organizations.
3. To end overfishing of WCPO and EPO bigeye and WCPO yellowfin tuna, the PPT recommends that the Council focus on input controls rather than output controls, such as quotas, by the use of such measures as elimination of a

percentage of drifting FADS, requiring the remaining FADS to be registered, and setting limitations on longline sets, hooks, vessels, or trips.

4. The PPT recommends that published assessment information on necessary reductions in fishing mortality (not catches) be used in quantifying the Council's objectives regarding ending overfishing of bigeye and yellowfin tuna as follows:
  - a. Reduce WCPO fishing mortality on bigeye tuna by 20% (WCPFC 2005)
  - b. Reduce WCPO fishing mortality on yellowfin tuna by 20% (WCPFC 2005)
  - c. Reduce EPO fishing mortality on bigeye tuna by 30% (IATTC 2006)
5. The PPT recommends that the Council endorse an immediate end or phased in approach to overfishing of bigeye and yellowfin tuna with the following specific effort reduction goals:
  - a. Reduce WCPO tuna (bigeye and yellowfin) longline effort by 20%
  - b. Reduce WCPO purse seine effort on drifting FADs by 20%
  - c. Reduce EPO tuna (bigeye) longline effort by 30%
  - d. Reduce EPO purse seine effort on drifting FADs by 30%

The SSC reviewed the Pelagic Plan Team (PPT) recommendations for Hawaii, American Samoa and Guam, for the region as a whole. **The SSC concurred with recommendations 1,2 and 7 for Hawaii. For PPT recommendations 3-6, the SSC refers the Council to the SSC recommendation under 7C.**

**The SSC also concurred with the recommendation for American Samoa and for Guam. In particular, with respect to Guam, the SSC believes that collection of data from the Ylig boat ramp would represent an important addition to the Guam data system and contribute to the capability of managing Guam fisheries more effectively. The SSC recommends that the Council communicates these concerns to the appropriate Guam Government officials.**

**The SSC concurred with region wide recommendations 1, 3 and 4.**

**With respect to PPT region-wide recommendation number 2, the SSC recommends that the Council and PIFSC jointly establish a transparent process for prioritizing candidate stocks for stock assessments. The criteria for this prioritization should reflect the ecosystem approach to fisheries management by considering the potential utility of candidate stocks as ecosystem indicators.**

**With respect to PPT recommendation number 5, the SSC recommends that the Council endorse an approach that will immediately move toward the effort reduction goals specified in this Plan Team recommendation.**

***J. Fishery induced changes in biomass, size structure and trophic status of top predators in the Pacific Ocean***

John Sibert presented the preliminary results of a study to investigate Fishery induced changes in biomass, size structure and trophic status of top predators in the Pacific Ocean. The SSC was very enthusiastic about the preliminary outcomes from this project and looks forward to seeing the final report of this study.

The SSC notes that a recommendation referring to the points raised in this presentation was generated by Region-wide recommendation number 2 in the PPT report, and modified by the SSC (see above).

***K. Public Comment***

Linda Paul, Hawaii Audubon Soc. commented on the proposed management changes for the Hawaii swordfish longline fishery and on FAD management. She encouraged SSC to consider keeping the fishery closed during the first quarter of the year (Jan-Mar) and to make the set certificates, used to regulate effort in this fishery, non-transferable.

With respect to FADs, Paul asked the SSC to recommend eliminating all drifting and personally deployed FADs, both in the US and other Pacific Islands.