

**DRAFT**



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

## **ACTION MEMORANDUM**

149<sup>th</sup> Council Meeting  
October 12-14, 2010  
Laniakea YWCA, Honolulu, HI

### Hawaii Archipelago & PRIA Fisheries

*In regards to the Hawaii Archipelago FEP, the Council:*

1. Directed staff to work with the fishing and seafood industry and NMFS on providing comments to the State of Hawaii regarding their options to further define the State's Shark Fin law under DLNR administrative rules.
2. Recommended NMFS reevaluate the State's bottomfish management regime for consistency with federal regulations under the Hawaii Archipelago FEP because:
  - a. the State has not implemented non-commercial bottomfish permit and reporting requirements as once agreed;
  - b. that the BFRAs are not factored into the MHI bottomfish stock assessment; and
  - c. that the existing TAC management regime under the Hawaii Archipelago FEP is preventing overfishing of MHI bottomfish.
3. Recommended NMFS PIFSC provide an evaluation of potential island by island MHI bottomfish catch allocations for Council consideration.
4. Requested the State of Hawaii evaluate the performance of the BFRA management regime which represents 20 percent of the available bottomfishing areas in the main Hawaiian islands. Specifically, the evaluation should:
  - a. Assess if there are spillover effects of the closures on bottomfish catch rates in waters adjacent to the BRFAs.
  - b. Evaluate whether the BFRAs actually protect bottomfish spawning areas or spawning aggregations.
  - c. Determine to what extent the BFRAs contributed to the reduction of fishing mortality.
  - d. Evaluate if the reduction of fishing within the BFRAs can be used to generate natural mortality rates for bottomfish to be used in stock assessments.

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*Regarding the Hawaii longline area closure exemption request under the Community Development Program, the Council:*

5. Directed staff to work with NMFS PIRO and the applicant to develop a community development plan to be submitted to and reviewed by the Council.

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**Marianas Archipelago Fisheries**

*In regards to the Marianas Archipelago FEP, the Council:*

1. Supports an Aquaculture workshop for the Mariana Archipelago in January of next year, which involves the Northern Marianas College Cooperative Research Education and Extension Service (NMC CREES) as a workshop partner.
2. Supports funding for the staff to conduct a study to determine the impacts of the impending military buildup with respect to fisheries and fishermen.

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American Samoa Archipelago Fisheries

*In regards to the American Samoa FEP, the Council:*

1. Recommended staff work with DMWR to submit an application for a community based marine debris removal grant through NOAA's Marine Debris Program to clean up and remove debris that resulted from the 2009 Tsunami and persists in the nearshore areas in American Samoa

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### Protected Species

*In regards to the National Research Council's review of sea turtle population assessment models, the Council:*

1. Endorsed the Sea Turtle Advisory Committee's recommendation from its March 2010 meeting that the Council adopt the NRC recommendations that focus on field based studies to support demographic parameter estimation essential for risk modeling.

*In regards to the False Killer Whale Biological Review Team Report, the Council:*

2. a. Recommended the BRT review document should be sent for independent review by the Center for Independent Experts. The Council has concerns about the composition of the BRT, comprising entirely of NMFS staff and did not include experts from outside the agency knowledgeable in the field of cetacean risk assessment. The assumption about prey competition from commercial fisheries does not include any independent analysis of prey abundance, which is inferred in the BRT Report from commercial fisheries CPUE data. Changes in CPUE may reflect changes in the fishery dynamics as opposed to changes in the abundance of pelagic fish available to the insular false killer whale population. Any review of the BRT report should also consider potential shortcomings of the genetic analysis and the lack of any key demographic parameters to diagnose status and trends of the Hawaiian insular false killer whale populations.
2. b. Directed staff to draft a letter to respond to the 12 month finding responding to the Hawaiian insular false killer whale petition. If the finding is to list the insular FKW population under the ESA, the letter should express Council concerns about the risk assessment as outlined above.

*In regards to the ongoing cetacean stock assessment cruise, the Council:*

3. Given the potentially negative impacts of the False Killer Whale Take Reduction Plan to the Hawaii longline fishery, and preliminary indications from the ongoing stock assessment cruise that the pelagic false killer whale stock is more abundant than previously thought, the Council recommended NMFS expedite the analysis of the cruise data and include the updated population estimates in the draft 2011 Stock Assessment Report.

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### **Program Planning and Research**

*In regards to Recreational Fisheries, the Council:*

1. Directed staff request NMFS provide a deferral to the Federal Non-commercial Bottomfish Fishery Permittees from the National Saltwater Angler Registry's upcoming fee until such time that an amendment to the Registry's Rule can provide an exemption.

*In regards to Vessel Monitoring Systems, the Council:*

2. Adopted the revised VMS policy as presented by staff at the 149<sup>th</sup> Council Meeting.

*In regards to Marine Spatial Planning, the Council:*

3. Directed Council staff work with fishing and indigenous communities, the general public and other organizations in the Western Pacific Region on Coastal and Marine Spatial Planning, given the role of the Council in providing an opportunity for commercial and non-commercial fishery interests to engage in the planning consultation process.

*In regards to Education and Outreach, the Council:*

4. Directed Council staff continue efforts to encourage NOAA to partner with the Western Pacific Regional Fishery Management Council in regional and national education and outreach efforts, noting that such partnerships are encouraged in the NOAA Fisheries Outreach Strategic Plan (2007); NOAA Ecosystem Goal, Fisheries Management Program, Performance Measures & Strategic Planning (2009); and the National Research Council's Review and Critique of NOAA's Education Program (2010), among others.

*In regards to Annual Catch Limits (ACLs), the Council:*

5. Approved the following as specified in the ACL omnibus amendment:
  - a. An acceptable risk of overfishing range of 0 to 50%.
  - b. The qualitative method for determining the P\*, or risk of overfishing, that will be used in determining the ABC for tiers 1 through 3.
  - c. The use of tiers 1 through 5 for determining ABC
  - d. Substituting text for tier 4 as follows: *For data poor fisheries, a multiplier of the long-term median catch history will be used. The multiplier will be determined by the biological knowledge of the stock or stock complex, given consideration of the guidance provided by Restrepo et al. (1998) in section 2.2.1 (Recommended Data Poor Defaults).*

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- e. The use of three methods to determine ACLs, including fixed percentage, qualitative, and method when using an ACT.
  - f. Approves of ACT determination methodology.
  - g. Using the ecosystem component classification for stocks.
  - h. Using the international and one-year statutory exceptions provided in the National Standard 1 Guidelines.
  - i. Applying the international management exception to all pelagic management unit species (PMUS), except squid.
  - j. Applying the 1-year lifespan exception to pelagic squids.
  - k. Selects the maximum fishing mortality threshold (MFMT) as the mechanism for determining whether overfishing is occurring.
  - l. Reaffirms the suite of accountability measures.
6. Deemed regulations as necessary or appropriate for the purposes of implementing the mechanism for specifying annual catch limits and accountability measures in the Omnibus Fishery Ecosystem Annual Catch Limit Amendment. These regulations include the time frame for specifying the annual catch limit and procedures for implementing in-season closures and overage adjustments.
7. Further moved to set up a process for reviewing and submitting proposed regulations to NMFS. Under this process, prior to transmittal of the regulations to NMFS, the Executive Director will review the draft proposed regulations to determine whether the regulations are consistent with what the Council deemed necessary or appropriate.

*In regards to establishing the Acceptable Biological Catch (ABC) for reef fish, the Council:*

8. Encouraged further analysis of reef fish catch data, biological and life history information with respect to forming stock complexes, while taking into account ecosystem considerations, for ABCs for coral reef fisheries in the Western Pacific.

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### Pelagic FEP and International Fisheries

*In regards to the management of the Hawaii longline fishery under a bigeye catch limit for the Western & Central Pacific Ocean, the Council:*

1. Endorsed the SSC recommendation to take no action at this time to modify the fishing year from a calendar year to a different 12-month period. Council staff are directed to continue and refine the analysis of the alternatives.

*In regards to the proposed changes to American Samoa large pelagic fishing vessel area Closure, the Council:*

2. a. Selected Alt. 2C, as its preliminary preferred alternative, to minimize incongruence with the Rose Atoll MNM while returning available fishing area to the longline fleet that was lost due to the establishment of incongruent boundaries of the Rose Atoll MNM with the large vessel prohibited area. Alternative 2C will also maintain protection of the various banks and seamounts important for the American Samoa troll and sports fisheries.
2. b. Selected a modified version of Alt. 3A as its preliminary preferred alternative, to temporarily reduce the large pelagic vessel area closure around Swains Island to 25 nm.

*In regards to the management of stocks in the WCPFC area, the Council:*

3. Recommended that the US Delegation to the Seventh Meeting of the WCPFC request a study be conducted by the WCPFC to evaluate the use of catch limits for pelagic fisheries in the WCPO, similar to that being conducted by the IATTC for the EPO.

*In regards to the management of bigeye in the WCPFC area, the Council:*

4. Reiterated its 148<sup>th</sup> Council Meeting recommendations for bigeye purse seine tuna catch limits, mandatory port sampling, effective FAD fishing closures, evaluating the Vessel Day Scheme for bigeye conservation, and rolling three year catch limits for longline fisheries, as well as mandatory gear marking for all for fishing vessels in the WCPFC convention area. Further, that the United States transmits draft management proposals for these issues to the Commission for consideration prior to WCPFC7.

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### Administrative Matters

*In regards to Administrative Matters, the Council:*

1. Directed Staff to draft letters to the Island Governors requesting that the all-islands meetings held in support of the US Coral Reef Task Force be held open to the public to ensure transparency.
2. Directed Staff to report at the next Council meeting on the protocols and procedures that are in place to ensure scientifically valid and appropriate research projects are funded in the Pacific Islands through the NOAA Coral Reef Conservation Program Grants.
3. Appointed the Advisory Panel members (as attached) for the Hawaii Archipelago, Marianas Archipelago, American Samoa Archipelago, and Pelagic Advisory Panels; and Community Demonstration Project Program.
4. Appointed Fiona McCormack as a new member to the Council's Social Science Research Committee.
5. Directed staff to solicit comments and suggestions from all Council members on improving the Council's website.
6. The Council elected the following officers for 2011:
  - Council Chair: Manuel Duenas
  - Vice Chair, American Samoa: Stephen Haleck
  - Vice Chair, Guam: Guam Governor's Representative
  - Vice Chair, Hawaii: David Itano
  - Vice Chair, CNMI: Ben Sablan

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## 2011-2014 Advisory Panels

*Chair: Edwin Watamura*

*Vice Chair: James Borja*

### **American Samoa FEP AP**

Faasala Augafa  
Tofuola Fulava  
Nathan Ilaoa  
Saite Moliga  
Sionepaoa Pavihu  
George Poysky  
\*Kitara Vaiau (**Chair**)  
Taliga Vaiolo

*Alternate(s):*

Anthony Langkilde

### **Marianas FEP AP**

Dale Alvarez-*Guam*  
Victor Artero-*Guam*  
Kenneth Borja-*Guam*  
Thomas Camacho-*Guam*  
Peter Gervacio-*Guam*  
John Gourley-*CNMI*  
Pedro Itibus-*CNMI*  
Ambrosio Ogomoro-*CNMI*  
Lino Olopai-*CNMI*  
Arnold Palacios-*CNMI*  
\*Cecilio Raiukiulipiy (**co-Chair**)-*CNMI*  
Felixberto Reyes-*Guam*  
\*Jesse Rosario (**co-Chair**)-*Guam*  
Ian Sanchez-*Guam*  
Richard Seman-*CNMI*  
Estansilao Taisacan-*CNMI*

*Alternates*

Roberto Cabreza-*Guam*  
John Castro-*CNMI*  
Stephen Meno-*Guam*  
Jose Itibus -*CNMI*

### **Hawaii FEP AP**

Leslie Alapai  
Kenneth Corder  
Edwin Ebisui  
Larry Gaddis  
Tim Hale  
Marc Inouye  
James Kuwada  
\*Henry Lau (**Chair**)

*Alternates:*

Michael Sur  
James Torio

### **Pelagics FEP AP**

Scott Barrows-*Hawaii*  
Gary Beals-*Hawaii*  
James Borja -*Guam*  
William Bradford-*Guam*  
Stuart Chikami-*American Samoa*  
Michael Crook-*American Samoa*  
Michael Fleming-*CNMI*  
Julian Flores-*Guam*  
Henry Tavake-*American Samoa*  
Harris Hiura-*Guam*  
David Lewis-*CNMI*  
Ramon Mafnas-*CNMI*  
\*Judy McCoy (**Chair**)-*American Samoa*  
Layne Nakagawa-*Hawaii*  
Ray Shirakawa-*Hawaii*  
Gerhard Sword-*CNMI*

### **Community Demonstration Project Program AP**

Kawika Cutcher-*Hawaii*  
Michael Duenas-*Guam*  
Keeaumoku Kapu-*Hawaii*  
Cliff Kyota-*Guam*  
George Moses-*CNMI*  
Lino Tenorio-*CNMI*  
Nonu Tuisamoa-*American Samoa*  
Wayne Wilson-*American Samoa*

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## 2011 Standing Committee Assignments

### **Executive and Budget**

Manuel Duenas, *Chair*  
Stephen Haleck, Vice Chair, American Samoa  
David Itano, Vice Chair, Hawaii  
Ben Sablan, Vice Chair, CNMI

### **Program Planning and Research**

William Sword, *Chair*  
David Itano  
Michael Tosatto  
Ray Tulafono

### **Enforcement and VMS**

Fred Duerr, *Chair*  
RADM Steve Mehling  
Bill Gibbons-Fly  
Stephen Haleck  
Julie Leialoha  
Sean Martin  
Michael Tosatto

### **Fishery Rights of Indigenous People**

Ray Tulafono, *Chair*  
Ignacio Dela Cruz  
Fred Duerr  
Stephen Haleck  
Julie Leialoha  
Ben Sablan

### **Pelagics and International**

Sean Martin, *Chair*  
RADM Steve Mehling  
Ignacio Dela Cruz  
Bill Gibbons-Fly  
David Itano  
Michael Tosatto  
William Sword  
Ray Tulafono

### **Hawaii Archipelago**

David Itano, *Chair*  
RADM Steve Mehling  
Fred Duerr  
Julie Leialoha  
Sean Martin  
Don Palawski

### **Marianas Archipelago**

Ben Sablan, *Chair*  
Ignacio Dela Cruz  
Don Palawski

### **American Samoa Archipelago**

Stephen Haleck, *Chair*  
Sean Martin  
Don Palawski  
William Sword  
Ray Tulafono