



**MINUTES OF THE 166th MEETING OF THE
WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL**

June 6 and 7, 2016

**Saipan Fiesta Resort and Spa
P.O. Box 501029, Saipan MP 96950**

June 9 and 10, 2016

**Hilton Guam Resort and Spa
202 Hilton Road, Tumon Bay, Guam 96913**

Approved by Council:

A handwritten signature in blue ink, appearing to read "Edwin Ebisui Jr.", is written over a horizontal line.

Edwin Ebisui Jr., Chair
Western Pacific Regional Fishery Management Council

Contents

I.	Opening Ceremony and Introductions	1
II.	Opening Remarks from The Honorable Victor Hocog, CNMI Acting Governor	1
III.	Approval of the 166 th Agenda.....	3
IV.	Approval of the 165 th Meeting Minutes.....	3
V.	Executive Director’s Report	3
VI.	Agency Reports.....	6
A.	National Marine Fisheries Service.....	6
1.	Pacific Islands Regional Office	6
a.	Transfer of Submerged Lands to CNMI	6
b.	Draft Monument Management Plan.....	7
2.	Pacific Islands Fisheries Science Center.....	10
B.	NOAA Office of General Counsel, Pacific Islands Report	12
C.	US Fish and Wildlife Service	13
D.	Enforcement.....	13
1.	US Coast Guard	13
2.	National Marine Fisheries Service Office of Law Enforcement	14
3.	NOAA General Counsel for Enforcement and Litigation	16
E.	Public Comment.....	16
F.	Council Discussion and Action.....	17
VII.	Mariana Archipelago - Part 1: CNMI.....	19
A.	Arongol Falu	19
B.	Legislative Report.....	19
C.	Enforcement Issues	19

D.	Report on the CNMI Fisheries	20
1.	Coral Reef Fisheries.....	20
2.	Bottomfish Fisheries	21
3.	Pelagic Fisheries	22
E.	Report on BioSampling Program.....	22
F.	Report on Database Analytics Project	23
G.	Report on CNMI Projects	23
1.	Territory Science Initiative	23
2.	Marine Recreational Improvement Program	24
H.	Community Activities and Issues	24
1.	Northern Islands Community-based Marine Resource Management Plan.....	24
I.	Education and Outreach Initiatives.....	25
1.	Report of the Lunar Calendar	25
J.	Advisory Group Reports and Recommendations	25
1.	Advisory Panel.....	25
2.	Regional Ecosystem Advisory Committee	26
K.	Scientific and Statistical Committee Recommendations	26
L.	Council Discussion and Action.....	26
VIII.	Program Planning and Research	27
A.	Highlights of the 2015 Annual/SAFE Report.....	27
1.	Archipelagic Annual/SAFE Report \	27
2.	Pelagic Annual/SAFE Report	28
B.	Evaluation of 2015 Catch to 2015 ACLs.....	29
C.	Options for Revising the Risk Determination and Uncertainty Characterization Process, Action Item	29

D.	Council Five-Year Research Priorities	32
E.	Cooperative Research Program.....	32
	1. Cooperative Research Priorities.....	32
	2. Cooperative Research Implementation Framework.....	33
F.	Report on National Essential Fish Habitat Summit	34
G.	Regional National International Education and Outreach	37
H.	Advisory Body Reports and Recommendations.....	37
	1. Fishery Ecosystem Plan Team	37
	2. Fishery Data Collection and Research Committee	39
	3. Protected Species Advisory	40
	4. Social Science Planning Committee	43
	5. Marine Planning and Climate Change Committee	43
	6. Advisory Panel.....	45
	7. Regional Ecosystem Advisory Committee	46
	8. Joint Meeting of AP, FIAC, NCFAC and REAC	47
I.	Scientific and Statistical Committee Recommendations	47
J.	Standing Committee Recommendations.....	49
K.	Public Comment.....	50
L.	Council Discussion and Action.....	50
IX.	Protected Species	59
	A. Report on the Mariana Islands Sea Turtle Programs	59
	B. Update on the PIFSC Marianas Cetacean Surveys	59
	C. Updates on Endangered Species Act and Marine Mammal Protection Act Actions	62

D.	Advisory Body Reports and Recommendations	63
1.	Protected Species Advisory Committee.....	63
2.	Advisory Panel.....	66
3.	Regional Ecosystem Advisory Committee	66
E.	Scientific and Statistical Committee Recommendations	66
F.	Public Comment.....	66
G.	Council Discussion and Action.....	66
X.	American Samoa Archipelago	68
A.	Motu Lipoti	68
B.	Fono Report	72
C.	Enforcement Issues	72
D.	Community Activities and Issues	72
1.	NOAA Pacific Island Regional Planning Body Meetings Held in American Samoa.....	72
a.	Pacific Islands Regional Planning Body.....	72
b.	American Samoa Regional Planning Team	74
c.	Public Listening Session.....	74
2.	Fagatogo Fish Market Lease.....	74
E.	17th Annual I'a Lapo'a Game Fish Tournament	74
F.	Education and Outreach Initiatives	75
G.	Advisory Group Report and Recommendations	75
1.	Advisory Panel Recommendations	75
2.	Regional Ecosystem Advisory Committee Recommendations	76
H.	Scientific and Statistical Committee Recommendations	76
I.	Public Comment.....	76

J.	Council Discussion and Action.....	76
XI.	Public Comment on Non-Agenda Items.....	76
XII.	Mariana Archipelago - Part 2: Guam.....	77
A.	Isla Informe.....	77
B.	Legislative Report.....	83
C.	Enforcement Issues.....	84
D.	Report on Guam Fisheries.....	86
1.	Coral Reef Fisheries.....	86
2.	Bottomfish Fisheries.....	88
3.	Pelagic Fisheries.....	88
E.	Report on the Biosampling Program.....	89
F.	Guam Sea Turtle Management Plan.....	90
G.	Report on Guam Projects and Programs.....	91
1.	FAS-Guam Conflict Study and Report.....	91
2.	Coral Reef Fisheries Mapping Project.....	93
H.	Community Development Activities and Issues.....	94
1.	Malesso Community-Based Marine Resource Plan Update.....	94
a.	Status of Cocos Lagoon PCB Assessment.....	94
b.	Upland and Coastal Water Resource Monitoring.....	95
c.	Zoning Initiative for Cocos Lagoon.....	95
2.	Yigo Draft Community-Based Marine Resource Plan.....	95
a.	Overview of Yigo Community-Based Marine Plan and Outcomes.....	95
b.	Community Input and Feedback.....	96
3.	NOAA Habitat Blueprint.....	97

4.	Ritidian Point	97
a.	Proposed Firing Range.....	97
b.	National Wildlife Refuge - Access Issues	97
I.	Education and Outreach Initiatives.....	97
1.	Report of the Lunar Calendar Festival.....	97
J.	Advisory Body Reports and Recommendations.....	98
1.	Advisory Panel.....	98
2.	Regional Ecosystem Advisory Committee	98
K.	Scientific and Statistical Committee Recommendations	98
L.	Public Comment.....	98
M.	Council Discussion and Action.....	98
XIII.	Pelagic and International Fisheries	100
A.	Guam and CNMI Small Vessel Pelagic Fisheries	100
B.	Impact on Effort Limit Area for Purse Seine on American Samoa Economy	100
C.	Hawaii Shallow-set Observer Coverage, Action Item.....	102
A.	Update on PIFSC Marianas Cetacean Surveys.....	103
B.	Update on Endangered Species Act and Marine Mammal Protection Act Actions	103
D.	International Fisheries.....	103
1.	EPO Bigeye Tuna Quota.....	103
2.	WCPFC Issues	105
3.	Quota Tracking for WCPFC and EPO Bigeye Quotas	107
E.	International Fishery Meeting.....	108
1.	IATTC Science Committee.....	108
2.	IATTC GAC/SAS Meeting.....	108

3.	IATTC Plenary.....	108
F.	Advisory Group Reports and Recommendations	108
1.	Protected Species Advisory Committee.....	108
2.	Advisory Panel.....	108
3.	Regional Ecosystem Advisory Committee	109
G.	Scientific and Statistical Committee Recommendations	109
H.	Public Hearing	110
I.	Council Discussion and Recommendations.....	110
XIV.	Public Comment on Non-Agenda Items	114
XV.	Hawaii Archipelago	114
A.	Moku Pepa	114
B.	Legislative Report.....	115
C.	Enforcement Report	115
D.	Documenting the History of the Hawaii Bottomfish Fishery	116
E.	Scraping Social Media for Unreported Catch.....	117
F.	Community Projects, Activities and Issues	119
1.	Proposed Expansion of the Northwestern Hawaiian Islands Papahānaumokuākea Marine National Monument	119
2.	Recreational/Noncommercial Licensing Initiative	123
3.	Hokulea Voyage - Status Update on Council Promise to Pae'Aina.....	124
4.	Report on the Ahu Moku System	124
5.	Outreach and Education Report	124
G.	Advisory Body Report and Recommendation	125
1.	Advisory Panel.....	125
2.	Regional Ecosystem Advisory Committee	126

H.	Scientific and Statistical Committee Recommendations	126
I.	Public Comment.....	126
J.	Council Discussion and Action.....	126
XVI.	Administrative Matters	128
A.	Financial Reports	128
B.	Administrative Reports	128
C.	Council Policies and Agreements	128
1.	SOPP Revision.....	128
2.	Regional Operating Agreement – Essential Fish Habitat Agreement	128
3.	Scientific and Statistical Committee Operational Guidelines and Three-Year Plan.....	129
D.	Council Family Changes.....	129
1.	Social Science Planning Committee	129
E.	Meetings and Workshops.....	129
1.	Council Coordination Committee.....	129
2.	Other Meetings, Workshops and Conferences.....	130
F.	Other Business	130
G.	Standing Committee Recommendations.....	130
I.	Council Discussion and Action.....	130
XVII.	Other Business	131

I. Opening Ceremony and Introductions

The Western Pacific Regional Fishery Management Council opened with the following members and designees were in attendance:

- Edwin Ebisui Jr., chair (Hawai‘i)
- Michael Duenas, vice chair (Guam)
- John Gourley, vice chair (Commonwealth of the Northern Mariana Islands, CNMI)
- McGrew Rice, vice chair (Hawai‘i)
- William Sword, vice chair (American Samoa)
- Michael Goto (Hawai‘i)
- Julie Leialoha (Hawai‘i)
- Alton Miyasaka, Hawaii Department of Land and Natural Resources (DLNR) (designee)
- Domingo Ochavillo, American Samoa Department of Marine and Wildlife Resources (DMWR) (designee for Ruth Matagi-Tofiga)
- Claire Poumele, American Samoa Port Authority
- Matt Sablan, Guam Department of Agriculture (DOA)
- Richard Seman, CNMI Department of Lands and Natural Resources (DLNR)
- Mike Tosatto, National Marine Fisheries Service (NMFS) Pacific Islands Regional Office (PIRO)
- LCDR. Rula Deisher, US Coast Guard (USCG) (designee)

Also in attendance were Council Executive Director Kitty Simonds, Council Scientific and Statistical Committee (SSC) Chair Jim Lynch, NOAA Office of General Counsel (GC) Elena Onaga. The Council members Michael Brakke (Department of State) and Matthew Brown (USFWS) were absent.

II. Opening Remarks from The Honorable Victor Hocog, Acting Governor of CNMI

The Honorable Victor Hocog, Lt. Governor and Acting Governor of CNMI, welcomed the Council to CNMI and said he looked forward to working with the Council to address fishing regulations that impact Pacific Islanders. He said CNMI has been conserving its resources long

before it became a part of the United States. He noted three concerns that he would like the Council to discuss during the meeting.

The first concern related to the impact to the islanders of the zero to three miles of submerged lands and waters around the Islands Unit of the Marianas Trench Marine National Monument (MNM) that have not been conveyed to the CNMI. There is still no progress on a visitors' center for the monument, and federal regulations prohibit island fishermen from commercial farming and fishing in monument waters.

The second related to sea turtles and sharks. The growing CNMI tourism industry is creating an increasing demand for high grade fish. The quality of fish is compromised by shark depredation. He requested fishermen training in seafood handling to improve and ensure the quality of their catch. Also, Carolinians have been prohibited from engaging in their cultural ceremonial rituals regarding sea turtles because of the Endangered Species Act (ESA).

Finally, US military use of Farallon de Medinilla (FDM) for bombing has increased from once a month to almost weekly. The fishing grounds within three miles of the island are considered the best fishing grounds in CNMI and are no longer accessible to fishermen.

Hocog said these CNMI issues and concerns are challenging, but he looked forward to making progress with them in collaboration with the Council.

Discussion

Ebisui thanked Hocog for his and his staff's hospitality. He said the Council will do its best to do the right thing for CNMI and the other island jurisdictions in the Council's region.

Rice thanked the Governor for his comments. The island jurisdictions all have the same issues. He agreed that everyone should work towards a solution. Hawai'i is threatened by a monument expansion and is experiencing similar concerns regarding turtles.

Simonds asked how many hotels and casinos are currently planned for construction.

Hocog said only one casino license has been authorized, which will provide 2,000 hotel rooms. Several other hotels are in the planning process. Another looming issue involved the US Citizenship and Immigration Services renewal of requirements necessary to provide trade workers needed for the increased hotel rooms.

Simonds said agriculture and fishery should thrive to provide local products rather than imports from outside of the CNMI.

Hocog agreed, noting that he has a part-time farming operation.

III. Approval of the 166th Agenda

Moved and seconded.

Motion passed.

IV. Approval of the 165th Meeting Minutes

Moved and seconded.

Motion passed.

V. Executive Director's Report

Simonds said 2016 marks the 40th anniversary of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the existence of the Regional Fishery Management Councils. The Council is celebrating its success in replacing unregulated foreign fishing in US waters out to 200 nautical miles (nm) from shore with sustainable, highly regulated and monitored domestic fisheries. Simonds thanked Tosatto for his comments published recently in the *Honolulu Civil Beat* giving much of the credit to the Council, which is responsible for recommending conservation and management measures (CMMs) to NMFS in the Pacific Islands. Comprised of commercial and noncommercial fishermen and environmental, academic and government interests, the Council has a proud record of achieving its goal of sustainable fisheries.

Simonds said the MSA is being devalued and held hostage by the Antiquities Act, the ESA and other authorities that undermine the management of sustainable domestic fisheries. In January 2016, seven native Hawaiian individuals asked President Obama to expand the boundary of the Northwestern Hawaiian Islands (NWHI) MNM from 50 miles, overlaying the Protected Species Zone established by the Council in 1991, to the extent of the 200-mile exclusive economic zone (EEZ). The Council sent a letter to the President opposing the monument. The White House's Council on Environmental Quality (CEQ) and other agencies tasked with reviewing the request met with the Council, the government, the legislature and fishing groups to discuss what protections would be established by the expansion. Currently, there are ongoing discussions at the United Nations (UN) regarding closures on the high seas. With the NWHI monument expansion and the proposed high seas closure, the Hawai'i longline fishery will have little area outside of the main Hawaiian Islands (MHI) accessible for fishing.

Paul Dalzell, Council senior scientist, presented graphs depicting the results of an evaluation by staff of the longline fishery impact to the seamounts found within the areas included in the requested expansion compared to MHI seamounts, such as the Cross Seamount. The NWHI seamounts are deep and far below the depth at which longline vessels fish. Hawai'i longliners present no physical impacts to the seamounts and no impact to the demersal and benthic substrate. Whilst the seamounts are hot spots of biodiversity within the abyssal plain, the longliners do not catch those species. The longliners catch a range of epipelagic and meso-pelagic predatory species, which may live above the seamounts but are not entirely seamount-associated. These species extend across a major proportion of the Pacific Basin and do not have

high site-fidelity to the seamounts. The impacts to the unique habitats from the longline fishery were evaluated as being minimal by the staff's evaluation.

Simonds said on May 26, 2016, the Councils Coordination Committee (CCC) met in the Virgin Islands and approved a resolution be sent to the President stating that if ocean closures are considered, they should be done through the transparent and inclusive process of the MSA. The timeline for a decision on whether or not to expand the monument remains uncertain. However, it could occur during or before the International Union for Conservation of Nature (IUCN) World Conservation Congress, which convenes in Honolulu in early September.

A final ruling on the revisions of the green sea turtle by NMFS and US Fish and Wildlife Service (USFWS) moved the Mariana Archipelago and American Samoa populations from a threatened to an endangered listing status. The Hawai'i population, despite its remarkable rebound, will continue to be listed as threatened. None of the 11 Distinct Population Segments (DPS) identified by the agencies was delisted, despite many of the DPSs having large populations and stable or increasing trends. The reluctance of the agencies to delist is unfortunate and counters the central goal of the ESA, which is to recover and remove species from the list. It also inhibits the aspirations of indigenous communities of the US Pacific Islands to be allowed a cultural take to continue traditions of hunting and eating turtles. Such knowledge about and relationship with the turtle is being lost as generations are kept from practicing their traditional activities.

In December of 2008, the Council voted to close to bottomfish vessels greater than 40 feet in length from fishing within 50 miles around the southern islands of CNMI and within 10 miles around the island of Alamagan. The area was closed initially to address concern that large vessels from Guam displaced by Guam's large bottomfish vessel closure would head to the CNMI waters to fish and export bottomfish, but this did not happen. The Council reviewed and recommended removing the prohibition. The public comment period on the issue is open until July 25, 2016.

Collaboration between the Council and PIFSC on the Territorial Science Initiative is ongoing. The current focus is on improving commercial vendor reporting in American Samoa. The program has increased the number of vendors reporting and invoices collected, which resulted in an increase in reported catch. The Council continues with the community-based fishery management plans (FMPs) in Merizo, Yigo and the Northern Islands in the development and implementation of their goals and objectives of the communities. Reports will be presented during the meeting on the Council's participation in the Festival of Pacific Arts. The spring 2016 newsletter focused on the Mariana Archipelago.

A nonofficial report was received noting that the Pacific Islands Region and Former Trust Territories received \$2.8 million out of the \$11.3 million available in the latest Saltonstall-Kennedy grants solicitation. Ten of the project proposals were funded for aquaculture, fishery data collection, bycatch, climate change, development and socioeconomic research. Conservation International sent in a \$280,000 proposal to look at a recreational fishing license. The State of Hawai'i, Conservation International, the Council and NMFS have started addressing

concerns regarding the presence and absence of permitting and reporting in communities, with particular attention paid to Hawaiian interests.

The Council continues to ask Headquarters to consider the regional approach with the Cooperative Research Program. Simonds also noted that the Trust Territories are included in the solicitation because the act was passed in the 1980s when they were a part of the United States. They are now their own separate nations. The Council thinks the money should be allocated to the US and its Territories.

Simonds noted the bigeye quota closure is currently estimated for mid-August. In October 2015, the Council provided recommendations to PIRO on the bigeye quota specification. The Council asks for expeditious completion of the administrative process so as to avoid an implementation lag such that was experienced in 2015.

The Council is pleased to announce that the Council, PIRO and NMFS Pacific Islands Fisheries Science Center (PIFSC) have signed a renewed Regional Operating Agreement, which lays out their roles and responsibilities. Staff is continuing work on the revisions of the Fishery Ecosystem Plans (FEPs) and annual reports.

Simonds thanked the Council members, fishermen, fishery scientists, fishery managers and advisors for keeping fish on our tables and in the sea. The MSA relies on science, public participation and transparency to accomplish its mandates.

Discussion

Rice said his experience of attending the CEQ meeting was difficult because the monument expansion was presented as a done deal. The conveners did not appear to be listening to the comments. It seemed as if the science did not matter in the decision-making. He agreed with Simonds' comment that the Antiquities Act is destroying the MSA.

Goto said most fishing by the longline fleet currently is taking place in the Western and Central Pacific Ocean (WCPO). The annual shift toward the Eastern Pacific Ocean (EPO) has not happened to date and may cause the closure estimate to fluctuate. He expressed his gratitude to PIRO and PIFSC for the expediency of the catch level updates, which provide vital information needed to minimize market disruption. The fleet is more cognizant of the Council process and what the agencies are doing to assist.

Ebisui said the most disconcerting thing at the CEQ meeting was the way the CEQ took the position that facts, science and reality had no place in an Antiquities Act decision-making process. A cardinal rule is to interpret statutes in a manner that promotes consistency and to implicitly recognize fact and reality. When the NWHI were closed to create the Papahānaumokuākea MNM, 50 percent of the Hawai'i bottomfish were lost. The response given to that fact was for Hawai'i to import fish. Indonesia has slavery fisheries, and the Obama Administration has created offices to combat seafood fraud and illegal, unreported and unregulated (IUU) fishing. There seems to be a hesitancy to recognize internal inconsistencies and conflicts. That the Antiquities Act has no place for fact or science is unbelievable.

Sword said the American Samoa perspective is the ocean is its hinterland, where people get their protein. It is terrible when one man discounts science. the affected community and the MSA. He hoped that the people making the policies would come to their senses soon.

Rice said reading between the lines is necessary as evidenced by the Marianas Trench MNM.

(Council members viewed a Council video entitled *From the Boat to the Table*.)

VI. Agency Reports

A. National Marine Fisheries Service

1. Pacific Islands Regional Office

Tosatto reported that PIRO continues to make progress on electronic reporting technology initiatives in the longline fishery and the observer program. Receiving information electronically will help prevent backlog in the data flow.

Regarding ESA petitions, the scalloped hammerhead DPS around CNMI was listed under the ESA, while the DPS around Hawai'i was not listed. The recovery planning process for this species is now underway. The petition to list the common thresher and bigeye thresher sharks was found to be not warranted. The smooth hammerhead shark and oceanic white-tip shark petitions have resulted in a positive 90-day finding. A status review has been undertaken, but there has been no final decision to date. The giant and reef manta ray petitions have resulted in a positive 90-day finding; a status review is underway.

Discussion

Gourley asked how many groups were involved in the submission of shark petitions.

Tosatto said the hammerhead shark petition came from Wild Earth Guardians and Friends of Animals. Defenders of Wildlife and others submitted the oceanic white-tip shark petition.

a. Transfer of Submerged Lands to CNMI

Tosatto reported that the zero to three miles of water around Tinian, FDM and the Islands Unit of the Marianas Trench MNM have not yet been transferred. Efforts are ongoing with the CNMI government and the Department of the Interior (DOI) to reach agreement on coordinated management consistent with the monument proclamation. An environmental assessment (EA) was released with a draft memorandum of agreement (MOA) and the draft patent for transfer. Public comment will be received until June 6, 2016. Comments received thus far were characterized as favorable. After the public comment period, the patent transfer must be reviewed by Congress within 60 days. An MOA will then be signed that outlines the NMFS, USFWS and government of CNMI roles and responsibilities for protecting the monument and managing the submerged lands by the end of the calendar year .

Discussion

Gourley said he submitted a request to extend the comment period for the review of the EA and the patent for the conveyance of submerged lands to the USFWS on May 29, which was declined. He said the EA contains incomplete analyses on the alternatives. He suggested an additional alternative to be included in the analysis to give CNMI unencumbered conveyance of ownership from zero to three miles of submerged lands contingent upon the passage of local legislation that would connect and bind the submerged lands to the Sanctuary Islands of Uracus, Maug and Asuncion, which accomplishes the same as the preferred alternative in the existing EA. The federal government would have no control in the long run. Currently, CNMI has no management authority and must get permission from the federal management authorities. If the suggested alternative becomes the preferred alternative, there would be an opportunity to address the broken promises made by the federal government regarding co-management. The Antiquities Act does not allow co-management, and the 45 additional days would give time to explore the full range of viable alternatives that could be included.

Tosatto said he was not aware any response to the request. However, the response would most likely be along the lines that any comments received before the final decision will be considered. He encouraged everyone to submit comments in a timely manner.

Gourley said his proposed alternative is perfectly viable and should be analyzed and included in the EA.

b. Draft Monument Management Plan

Heidi Hirsh, PIRO, reported that the draft Monument Plan is ready for public review. The CNMI DLNR and Bureau of Environmental and Coastal Quality (BECQ), USFWS and PIRO are collaborating on the management plan and EA by holding public meetings. They took into account all comments received online and through the mail. An outline was developed to address all requirements, needs and comments. The result is a well-rounded plan.

The plan includes the Trench Unit or Refuge and the 21 submarine volcanoes with 1 nm radius of protected submerged lands. The water columns above those areas are open for fishing. The plan also includes the Islands Unit, which is 50 nm around the Farallon de Pajaros, Uracus and Maug, where commercial fishing is prohibited, noncommercial fishing is allowed and the practice of customary exchange is upheld.

The plan meets CNMI, NOAA and USFWS requirements for a comprehensive conservation plan and includes coordinated management with the CNMI government through the submerged lands transfer, EA and MOA. From the beginning of the process, the plan recognized that the CNMI government would be a cooperative managing entity. The plan identified six overarching goals directly out of the proclamation and was combined with comments received from the community, as well as management alternatives and strategies.

The plan proposes 11 actions to accomplish 82 activities over the next 15 years with USFWS, the CNMI government and PIRO working collaboratively. Many of the projects are

currently underway, such as exploration and research of the *OKEANOS EXPLORER* with live feeds of the remotely operated vehicle in the Trench and Volcanoes Unit. There have been more than 2.5 million live views online over the last month of the *OKEANOS* activities. Ship tours were provided to 216 educators, scientists and CNMI agency representatives.

The final action plan will establish a Monument Management Coordination Team to consider all requests for access to the monument, primarily for research or fishing. There will be one website and one Monument permit issued under one cover letter with all of the agency emblems. A working group will be formed to discuss issues.

Noncommercial fishing will continue to be managed from 0 to 50 nm by the Council's FEP and NMFS regulations. When the CNMI is ready, CNMI will assume management control over the waters 0 to 3 nm around Maug, Farallon de Parajos and Asuncion.

Proposed regulations are being finalized. There will an internal agency review, and the Federal Register will announce a 60-day public review, which will entail meetings in the islands tentatively in the fall or winter of 2016. At that point, the comments will be addressed, the plan will be finalized and the final National Environmental Policy Act (NEPA) decision document will be signed and should be published early in 2017.

Discussion

Seman commented on the excellent research and exploratory work done by the *OKEANOS*, which raises the question of when the visitors' center will be developed so the activities can be showcased. The visitors' center is contained within the Proclamation seven years ago; however, no funding has been allocated. He asked, When will the federal government provide funding for the center?

Hirsh said the management plan's Ocean Literacy Education and Outreach Program includes showcasing the information and eventually a visitor's center. Eighteen months ago PIRO provided the capacity to support the Marianas Trench Advisory Council to hold public meetings to hear from the community its vision, ideas and purpose for the visitor's center. Once that report is received from the Advisory Council, there will be recommendations for working together through a private venture and partnership to find the means to come up with money to plan the center, with suggested location and management, among other things.

Simonds asked whether the current monument funding is shared by PIRO, USFWS and the CNMI government and if it is used to develop the management plan and work on its projects.

Tosatto said, generally, Monument funding comes in two pots. One goes to the National Oceans Service (NOS) principally to fund Papahanaaumokuakea MNM activities. The other allocation is \$3 million that comes through NMFS for PIRO, PIFSC and the Office of National Marine Sanctuaries (ONMS) to share. PIRO funds are used to support management, which consists of a small staff, and for contracts and grants to accomplish planning and other required work. The PIFSC and NOS money would have their purposes. There is not a directed allocation

to the Territories. Going forward, there will be consideration of how to implement the needed programs and whether that would lead to funding through the Territories, or not.

Simonds said plans are for three to five years in advance and monument funding for Territorial partners should be included.

Tosatto replied in the negative. At the regional and national level, NMFS and NOAA address their funds to the highest priorities first. This has not been identified as a highest need.

Simonds asked for examples of the project partners as discussed in the presentation.

Hirsh replied that CNMI DLNR and the BECQ are project partners. Nongovernmental partners included University of Guam (UOG), the Northern Mariana College and local non-government organization (NGOs), such as the Northern Marianas Conservation Group. The focus has been completing the draft management plan. Partners who have been awarded grants are across the board.

Gourley asked about the composition of the MNM Management Advisory Board.

Hirsh said three members are from the CNMI government, one from the USCG and one from Department of Defense (DOD), for a total of five members. The Advisory Council gives management recommendations and advice to USFWS and PIRO.

Gourley asked if the preferred advice and recommendations get better reception by the Board as long as the recommendations match the conservation agenda of USFWS and NMFS.

Hirsh said the Board has been given good recommendations and has considered all of the recommendations. While the Antiquities Act does not allow cooperative management, the Board and the Advisory Committee have worked well together in every aspect of their efforts.

Gourley said he does not like the word co-management because it is being abused in the current situation. The CNMI is not a co-management authority in the monument, especially for the Trench and the Volcanic Units because USFWS set itself up as the sole management authority over those two units. He asked if the money could be held back from research so enough money could be accumulated to build the visitors' center.

Hirsh replied in the negative. Money from the Office of Exploration and Research for the *OKEANOS EXPLORER*, which is the only flag ship dedicated to pure ocean exploration, is used to generate US research interests. The vessel is now collecting baseline information to help inform the management plan. It is part of a separate budget through NOS.

Gourley said Hirsch did not address the visitors' center in her presentation to the Council, and, until it is specifically addressed, it will not be built.

Hirsh said they are doing their best to fulfill the promise. It will take hard work together with the community, private industry and the local government. She reiterated the importance of the recommendations in the upcoming visitors' center report.

2. Pacific Islands Fisheries Science Center

Mike Seki, PIFSC director, reported on recent PIFSC activities.

This year's estimated monk seal population is 1,300 seals, with 1,100 in the NWHI and 200 in the MHI. The estimate is based on a revised population assessment approach but still heavily depends on the NWHI field camp observations. Cruises to difficult-to-access areas on Ni'ihau, Nihoa and Necker include beach counts to improve the estimates of difficult-to-monitor animals. The MHI count depends on public reporting, which has become much more accurate through outreach. This is the first positive uptick in the population in decades. It is hoped that the uptick is not related to El Nino and will continue as a sustainable increase. PIFSC's field season for this year started in March. Monk seal camps were set up at Kure, Midway, Pearl and Hermes, Laysan, Lisianski and French Frigate Shoals. Sea turtle camps were set up principally at French Frigate Shoals. Seven rehabilitated juvenile monk seals were returned to their natal sites, except one from Ni'ihau was released at Lisianski due to weather conditions. All of the seals were instrumented with satellite tags. The seals at French Frigate Shoals lost their tags, but their fates are known due to the camps being there. All seven seals have been sighted and are doing well, along with the five prior releases from 2014 and 2015. No seals appear emaciated or of need of help. Therefore, no seals were brought back to the hospital.

Piggy-backed on the monk seal effort was a beach cleanup of marine debris, including about 10,000 pounds at Midway and 10,000 pounds at Pearl and Hermes and French Frigate Shoals.

An ongoing project by Millie Hutchinson from the Hawai'i Institute of Marine Biology (HIMB) and Keith Bigelow is evaluating the handling of post-release mortality rates of sharks taken as bycatch in longline fisheries. The objectives are to quantify the post-release mortality rates of discarded logged shark bycatch in the longline fisheries and examine the handling and dispatch methods used in the hope of enhancing the post-release survivability. The focus is on blue sharks, bigeye threshers, oceanic white-tips and silky sharks. The goal is to tag 14 of each species with two different methods of releasing the sharks after hooking. Observers from the Observer Program are applying satellite archival tags in the Hawai'i and American Samoa longline fisheries. Data on the condition and handling of the shark are also being noted to help determine best practices in improving the shark survival rates. Eleven sharks have been tagged thus far, seven blues, three threshers and one oceanic white-tip. The white-tip was brought onboard, the hook was removed and the shark was released alive.

Jeff Polovina and PIRO staff completed the Pacific Islands Regional Action Plan for Climate Science. It is currently out for public comment. The Team looked at climate concerns for the Pacific Islands, such as the rise in the ocean temperatures, reduced nutrients in the surface water, increased ocean acidity, sea level rise, extreme weather events and changes in ocean currents and weather patterns. Tracking of trends and changes with historical time series and a monitoring program are ongoing. They will continue to use outputs from the most advanced models to project impacts and be proactive in incorporating climate change considerations in regulatory actions and management plans. Areas in need of improvement include development of management strategies that are robust to climate change, development of climate-informed

reference points and an increased understanding of the processes and mechanisms of climate on the resources.

Going forward, the highest priorities identified for climate information products and services include taking into account climate impact estimates on maximum sustainable yield (MSY) for deep-water bottomfish and pelagic fish species, annual catch limits (ACLs) for coral reef fish and incorporation of appropriate climate information in jeopardy and critical habitat determinations, assessment of extinction risks, species vulnerability and listing and delisting criteria. Additional priorities include development of impact mitigation strategies and environmental analysis for fisheries management actions, recovery plans under ESA and take reduction plans (TRPs) under Marine Mammal Protection Act (MMPA), as well as the generation of climate-informed assessments of impacts to coastal habitat, especially for the low-lying islands found throughout the region that provide infrastructure for human communities. Critical pupping and nesting habitat for protected species and conducting species vulnerability analysis, where appropriate, were the final two priorities. Don Kobayashi will lead in the development of the species vulnerability analysis on pelagic species.

Preliminary results from an economic and social characteristic study of the Hawai'i small-boat fishery surveyed 1,763 commercial marine license holders, with a 47 percent overall response rate. The survey looked at fishing costs and activities, catch disposition, market outlets and fishermen's motivations, among other items. The survey found a correlation between motivation and fishing activities and fish disposition. Commercial fishermen made more trips, had higher catch per trip, higher percentage of sale and a substantial amount of catch for noncommercial purposes. Noncommercial fishermen also sold their catch, but the amount of fish sold was much lower and their trip costs increased.

The *SETTE* spent the spring in American Samoa focused on bottomfish and reef fish. Researchers conducted life history sampling, extracted hard parts and sampled biologically for age, growth and reproduction. Sampling took place at Tutuila, Rose, South Bank, East Bank and Two Percent Bank. A total of 886 samples from eight bottomfish species were collected in collaboration with DMWR. A total of 83 samples were collected in Independent Samoa including five bottomfish and 43 coral reef fish species. Outreach was conducted at the American Samoa Community College. Students, dignitaries and the media toured the ship.

On the return cruise, a stop at Jarvis revealed 15.2 percent more bleaching compared to 2014 with less than 1 percent the coral still alive. Fish surveys showed that, despite the dead habitat, the piscivorous and plantivores counts were stable from 2015. They also observed *Acropora retusa*, one of the newly recognized threatened coral species in the Central West Pacific.

In April, PIFSC held an Ecosystem Science Program External Review. The Center is in the process of responding to the recommendations. Some of the major recommendations included restructuring of the Ecosystem Sciences Division, create synergies for complementary activities and reduce duplication, recruit another ecosystem/climate modeler and stabilize the funding for the Coral Reefs Ecosystem Program.

The 2016 national Request for Proposals (RFPs) funds were provided as \$250,000 to each of the six regions to conduct their own RFP. A small coordinating group was established for the Western Pacific Region, headed by Brian Langseth and included Council staff member Marlowe Sabater and Scott Bloom from PIRO.

The Reproductive Analysis Workshop was held, and will be conducted in the Marianas with funds from the Territorial Science Initiative.

PIFSC used a portion of its monument funds to conduct survey cruises in the Territories.

The Third Hawai'i Bottomfish Workshop was held in preparation for the 2018 new bottomfish assessment for Hawai'i. Several fishermen attended, resulting in progress to a better understanding of their concerns and a better interpretation of catch per unit effort (CPUE). A fourth workshop is tentatively planned sometime in August.

Discussion

Leialoha asked for information on coral bleaching in areas besides Jarvis.

Seki said record bleaching is occurring Pacific-wide, but Jarvis was particularly bad.

Leialoha asked for more information on the green sea turtle viability study.

Seki deferred to Sabater. He noted that it is a modeling exercise called the Cooperative Research Viability Study funded by PIFSC.

Sabater said the study assesses the climate change impact of increased temperature of sand where turtles nest and its future effect on the sex ratio of turtles.

Simonds asked about the frequency of emancipated pups in the NWHI during the last five to 10 years.

Seki said no pups found in 2016 had a low chance of survival. It is the first time that this has occurred in three years since the creation of the monk seal rehabilitation facility on the Big Island. There is a strong positive correlation between El Nino and monk seal survival. During El Nino years, the forage base capacity is higher and seals seem to do better.

B. NOAA Office of General Counsel, Pacific Islands Report

Onaga briefly reported on three ongoing cases and one personnel action.

The case regarding Amendment 7 of the Pelagic FEP, which sets the framework to annually allocate bigeye tuna between the Territories and pelagic fisheries, was upheld as reported at the last Council meeting. No appeal was filed. Therefore, on April 8, 2016, the federal court entered a judgment in favor of NMFS. The case is now closed.

The Territory of American Samoa case against NMFS related to the Large Vessel Prohibited Area (LVPA). The defendants timely filed the Administrative Record on April 28, 2016. The action is ongoing. The Turtle Island Restoration Network and Center for Biological Diversity's lawsuit challenged the USFWS for its issuance of the Migratory Bird Treaty Act permit for the fishery and NEPA. It also challenged NMFS' biological opinion (BiOp) relating to fishery interactions with 34 loggerheads and 26 leatherbacks. That action also was favorable to NMFS, and was appealed. A hearing is scheduled in the Ninth Circuit hearing in the State of Hawai'i on June 14, 2016. It takes at least six months for the Ninth Circuit to issue a decision.

Onaga reported that Kamaile Nichols will be leaving the GC Pacific Islands section to work as a US Supreme Court clerk to Assistant Justice Sonya Sotomayor.

Discussion

Simonds asked if the Turtle Island Restoration Network appeal is related to leatherback and loggerhead sea turtles.

Onaga clarified that the lawsuit was initially filed against both agencies as it related to Amendment 18. In Amendment 18, the USFWS issued a Migratory Bird Treaty Act permit for the shallow-set fishery and it conducted a NEPA analysis on the issuance and was sued by the plaintiffs. NMFS was sued on its BiOp, which revised the authorized number of turtle interactions to 34 loggerheads and 26 leatherbacks. NMFS prevailed on its NEPA analysis for the regulations and on MSA. The only issue on appeal against NMFS is for the ESA.

C. US Fish and Wildlife Service

No report was given as there was no USFWS representative in attendance.

D. Enforcement

1. US Coast Guard

Deisher reported that, since the 165th Council meeting the USCG had three large assets through the Western Pacific Area. A law enforcement team on a US Navy ship from Feb. 3 to April 16 transited from Hawai'i to Guam with shipriders from Nauru and the Republic of Marshall Islands onboard. There were no violations found. Six high seas boardings under the Western and Central Pacific Fisheries Commission (WCPFC) were conducted. One potential violation for the Vessel Monitoring System (VMS) CMM has gone back to the flag country for investigation.

From Feb. 26 to March 31, Cutter KUKUI transited from the MHI to American Samoa and back. During their transit, they traversed the US EEZ around Kingman Reef, Palmyra Atoll and Jarvis Island with a Samoa shiprider onboard for part of the patrol. One boarding was conducted on the US distant-water tuna fleet and five boardings on the US longline fleet in American Samoa. Two safety violations were noted from the US fleet. Four boardings were in support of the Samoan shiprider, and two boardings were conducted under the WCPFC. No violations were noted.

From April 8 to May 8, Cutter SEQUOIA transited from Kwajalein with a Republic of Marshall Islands shiprider onboard with three boardings of vessels in the Marshall Islands EEZ, with no violations noted. The US distant-water tuna fleet was boarded, with one safety violation and three boardings under the WCPFC. An Australian fisheries management agency rider was also onboard and participated in a joint WCPFC boarding with no violations noted.

For the main Hawaiian Islands, *ALEX HALEY*, *KISKA* and *GALVESTON ISLAND* were underway at various points. The *GALVESTON ISLAND* found two US-flagged longliners with expired permits. *ASSATEAGUE* patrolled the CNMI April 24 and 25, with no violations. There were multiple C130 patrols in the MHI, with one making it to Johnston Atoll.

Discussion

Rice reported unruly USCG personnel after hours at the Sheraton Hotel on the Big Island recently.

Deisher reported USCG personnel are on duty when on small boats and have periods off duty when not onboard the boats. She offered to discuss the matter to get more information.

Sword expressed his appreciation for the USCG's small-boat community outreach efforts in American Samoa over the last two years. He asked that it remain a priority of the USCG, especially with the personnel rotation every four years. He asked Deisher to deliver the information regarding harbor markers in need of repair to the Admiral.

Deisher said she would inform the Admiral of his comments.

Simonds asked if there were any USCG patrols in the NWHI.

Deisher replied in the negative.

Duenas thanked the USCG for the arrangements made for fishermen in Guam regarding the handling of their expired flares during the recent Safe Boating Week.

2. National Marine Fisheries Service Office of Law Enforcement

Bill Pickering, NOAA Office of Law Enforcement (OLE), reported there were 134 incidents since the last Council meeting categorized as Protected Species, Fishery Management and Sanctuary Enforcement. Basic enforcement actions were taken against longliners and purse seiners. There was an unusual case of the gutting of a turtle on Maui, which is an ongoing investigation. An individual involved in a fight with a pregnant monk seal on Kaua'i received international media attention. The person was arrested by the Hawai'i Division of Conservation and Resource Enforcement (DOCARE) for a Class C felony and is scheduled for trial in September.

OLE has engaged in outreach programs with DLNR and Hawai'i elementary schools and worked with whale watching and charter boats.

He voiced appreciation for Martina Sagasapola, a deputy special agent in charge, and Chuck Raderman, the OLE agent stationed in the Mariana Archipelago, for their work with the joint enforcement agreement (JEA) partners. The JEA 2016 grants are due at NOAA OLE Headquarters in the near future, and efforts are ongoing to accomplish the continuation of the program. Sagasapola and Terry Bloom, from the VMS Program attended the annual workshop focused on monitoring IUU fishing in the WCPFC area.

Pickering provided follow-up information on a report from the last Council meeting regarding the death of an observer while on duty. The reported cause of death is natural causes.

Discussion

Simonds asked if the funds from the Rose Atoll longline violation fine of \$49,000 will be shared with the American Samoa government.

Pickering said it is currently in Duane Smith's control. No determination has been made.

Simonds asked if an inquiry should be addressed to Smith regarding the violation.

Pickering replied in the affirmative.

Simonds asked the same question regarding any fines or penalties that may occur related to the grounded fishing vessel in the waters of the Sanctuary.

Pickering said it is now handled by the Sanctuary and USCG, as well as the American Samoa government. Smith would also be involved.

Poumele said the Port Authority, USCG and NOAA have tried unsuccessfully several times to get the boat out of the area. Once the USCG removed all of the oil, NOAA took charge. Two vessels remain on the reef.

Simonds said she wanted to avoid the problem in the past where the Sanctuary did not share funds with the American Samoa government.

Poumele said the Task Force asked the Governor to write a letter regarding soliciting funds from the Sanctuary to support the new derelict law.

Sablan noted his appreciation for the JEA, which will be discussed later in the meeting

Pickering said he is making efforts to expedite the process during the days the Council meets.

Simonds asked how the USCG determines when to conduct patrols in the NWHI.

Deisher said every two years a USCG buoy tender travels to Midway to work on a buoy. There are also periodic C130 flights through the area, which are not tasked specifically for enforcement.

Rice asked how enforcement will be conducted in the NWHI if and when the monument expansion comes into existence.

Deisher said vessels that have VMS onboard are tracked daily by NOAA and USCG.

Ebisui said the USCG should plan for adequate enforcement for an expanded monument that kicks domestic fishermen out of the EEZ while the foreign fleets are right at the edge.

Goto asked if OLE can provide the number of times a US flagged vessel has reported a foreign incursion into the US EEZ to see how effective the US vessels are as a possible enforcement asset.

Pickering said he would have to consult with others. He could not recall such an occurrence. The vessels are tracked by VMS. It is evident whether they are fishing or in transit.

Goto said, with a monument expansion, the waters would be unmonitored to a larger degree.

Pickering said there is no evidence over the recent several years of any foreign vessel fishing inside the monument or EEZ in the NWHI. There have been a few US vessels fishing inside the monument area.

Simonds pointed out that automatic identification system (AIS) information is public, which may be a better way. If the vessels turn off the VMS, there is no way to know what they are doing.

Pickering agreed, and noted that NOAA is asking for funds to monitor AIS.

Ebisui said, in the early 1990s when the Council passed the longline FMP, US fishermen were reporting foreign incursions into the EEZ. But in time, it tapered off to a point whereby Pickering says he cannot recall US fishermen reporting in recent history. Ebisui said, if US fishermen are kicked out of the area, the foreign incursions will occur again.

Pickering recalled that materials were distributed to fishermen providing information on how to report such incursions. Recently, a foreign purse seiner near the EEZ was reported in 2015, but there was no violation. There were reports that the vessel's helicopter was flying within the EEZ, but he was not sure of any legal ramifications regarding a helicopter making an incursion into the EEZ.

3. NOAA General Counsel for Enforcement and Litigation

No report was given due as no representative from NOAA General Counsel for Enforcement and Litigation was in attendance.

E. Public Comment

No public comment was offered.

F. Council Discussion and Action

Regarding CNMI fisheries, the Council directed staff to hold a workshop with its advisory body members, the CNMI and Guam governments and representatives of Palau, Federated States of Micronesia, Marshall Islands, Philippines and Japan to share information and management regimes, if any, and to discuss green sea turtle populations in the region.

Moved by Sword; seconded by Seman.

Motion passed.

Regarding the CNMI fisheries, the Council recommended NMFS review the Marianas Trench MNM to determine any impacts to fisheries in the Marianas since the proclamation.

Moved by Sword; seconded by Seman.

Motion passed.

Regarding the CNMI fisheries, the Council directed staff to explore options for training on fisheries methods and marketing to provide to fishermen in the CNMI to assist in providing opportunities for the fishing community to take advantage of the increased tourism and development in the CNMI.

Moved by Sword; seconded by Seman.

Motion passed.

Regarding CNMI fisheries, the Council directed staff to work with DOD to reduce or mitigate the impacts on fishing at FDM.

Moved by Sword; seconded by Seman.

Motion passed.

Leialoha asked whether there has been any communication with or from DOD related to the increased military exercises at FDM.

Seman said the bombing has increased from monthly to weekly, and the closed area around the island was increased from three to 12 miles. The Council has made efforts for the military to provide advanced notice of the bombing exercises. DOD now regularly provides a weekly notice.

Regarding enforcement, the Council recommended the NOAA GC for the Enforcement Section work with the American Samoa government to determine the ability to access the funds from violations at the Rose Atoll MNM and the National Marine Sanctuary of American Samoa.

Moved by Sword; seconded by Seman.

Motion passed. .

Regarding enforcement, the Council recommended the USCG provide more frequent patrols of the US EEZ around the NWHI. Further, the Council directed staff to work with the federal fishery enforcement agencies to determine additional cost-effective methods to increase enforcement of the EEZ around the NWHI.

Moved by Sword; seconded by Rice.

Motion passed.

Regarding enforcement, the Council recommended that NOAA OLE and USCG determine the quantity and trends for US-flagged vessels reporting incursions by foreign vessels in the US EEZ in the Western Pacific Region and provide a report to the Council.

Moved by Sword; seconded by Rice.

Motion passed.

Deisher asked for clarification as to the term “accurately” reporting. The USCG database contains information on incursions, not reporting sources of said incursions.

Goto agreed that the word “accurately” confuses the meaning of the recommendation. The statistics of the incursion reports is more to the point.

Deisher said records are kept of every report received from each vessel and they would contain which US vessel reported which incursion.

Sword said the point is to reveal how important US fishing boats are as an additional mechanism for monitoring of the US EEZ.

Gourley asked for suggestions as to the rewording of the recommendation.

Deisher suggested deletion of the word “accurately.” A review of all incursion cases can be conducted to get the percentage of reports that were made by US vessels.

Goto suggested inserting the words “case reporting.”

Pickering said a search of the database would supply the date and time a US flagged vessel reported a vessel that resulted in an investigation. He does not recall from memory having any such case. The Council can request such a search of the database in a recommendation or letter, but he did not believe there is any such case. He agreed that the data can be searched for official cases of US vessels reporting foreign vessels fishing inside the US EEZ, and they would include the date, time and whatever information was developed in the case. He reiterated that he believed there are no such cases.

Sword said such reports could also determine potential active areas of foreign fishing incursions. He agreed that US fishing vessels are another set of eyes and ears in the ocean because the USCG is stretched thin.

The maker of the motion and the second agreed to remove “accurately” from the recommendation.

VII. Mariana Archipelago - Part 1: CNMI

A. Arongol Falu

(The item was covered in the following agenda items.)

B. Legislative Report

Jack Ogumoro, CNMI island coordinator, reported House Bill 19-153 was introduced by Vice Speaker Joseph Deleon Guerrero. The bill is designed to establish minimum length and size of 17 species juvenile fish for commercial purposes. The legislation contains penalties of both fines and jail time.

C. Enforcement Issues

Manny Pangelinan, from CNMI DLNR Division of Fish and Wildlife (DFW), reported that its conservation enforcement officer position was created by CNMI statute under Public Law 10-251 and 10-57. The Secretary of Lands and Natural Resources and DFW director are the conservation enforcement ex officio. The DFW director is responsible for enforcing local fish and game laws, rules and regulations, including the local ESA, and serves under the provisions and control of the Secretary of Lands and Natural Resources. The conservation enforcement officers enforce the CNMI terrestrial and marine conservation laws. Through the JEA with NOAA OLE conservation enforcement officers also enforce federal laws, rules and regulations, such as the MSA, ESA, the MMPA and the Lacey Act.

The DFW safe boat and jet skis are still inoperable. However, a contract was completed in March for the repair of the safe boat and trailer. The total cost of the contract is \$67,211.25 of which \$35,000 is covered by 2014 JEA funding and \$32,211.26 from the CNMI Marine Conservation Plan (MCP) funds. DFW also completed a contract to purchase a jet ski for \$20,515. The Enforcement Section also purchased a new Nissan 4x4 for \$35,000, with funds coming from the current JEA grant.

Conservation enforcement activities between March 1 and April 30, 2016, included 388 hours of dockside inspection of unloaded cargo from vessels for evidence of ESA or MMPA violations, such as turtle and marine mammals. The inspections involved boarding vessels upon return to the port of Saipan after several days of bottomfish fishing in the Northern Islands. The conservation officers also responded to green turtle poaching reports. Dockside inspections were also conducted for domestic vessels for bottomfish fishing and pelagic fishing violations and illegal take of shark fins under the Shark Finning Prohibition Act. Surveillance, spot checks, inspection for violations and education and outreach were also conducted on domestic vessels for bottomfish and pelagic fishing. Eleven vessels were cited for lack of a federal bottomfish fishing permit.

CNMI conservation enforcement officers issued six warnings during the period. All of the violations were issued under local laws. Vendor inspections are conducted at 14 markets to monitor for any illegal fishing violations of the ESA or MMPA.

Conservation enforcement officers conducted outreach to schools as well as during dockside and nearshore patrol. Contact was made with 536 fishermen. Off-island tourists, tour agents and charter vessel participants were made aware of marine laws and regulations.

Six warnings were issued for violations of unauthorized anchoring of boats within three miles from shore, failure to carry a fishing license, fishing in protected areas or in a marine protected area (MPA), disruption of habitat or disturbance of coral.

During March and April, enforcement efforts included 45.13 hours of turtle monitoring. In April, DLNR received US Geological Survey (USGS) lab results from an adult turtle recovered at Tank Beach in February. Death was determined to be caused by shark-induced trauma. In May, DFW received a report of a female green turtle washed up on a beach north of American Memorial Park pavilion. The condition of the turtle was determined to be fresh and was estimated to measure 23 centimeters. A full necropsy was performed, and the turtle was incinerated. Muscle tissue samples for DNA and isotope analysis were collected, and bone was taken for age analysis. Organ tissue samples were taken for lab diagnostics. External exam revealed injuries indicative of shark bite.

CNMI DFW values its partnership with the NOAA OLE. Pangelinan expressed appreciation for NOAA OLE assistance with CNMI marine enforcement activities through funding and technical assistance and guidance, as well as the JEA.

D. Report on the CNMI Fisheries

1. Coral Reef Fisheries

David Benavente, from CNMI DFW, presented catch information for the coral reef fisheries for 2015. The coral reef fisheries are comprised of species such as squirrelfish, soldierfish, groupers, snappers, parrotfish, rudderfish, lobster and octopus. Methods of fishing include gleaning, hook and line, spear and cast net.

Saipan, Tinian, Rota and Goat Island are the main access points used by fishermen. For the nearshore fishery, most fishermen maintain a close radius to the island near the coral reef area. Spear fishermen favor some pinnacles south of Tinian. There are occasional trips to the Northern Islands for pelagic and bottomfish.

DFW conducts inshore and offshore surveys, as well as a commercial receipt program. Data collected includes catch composition and effort for use in ACL specification. DFW is working in collaboration with the Council to improve the data collection effectiveness. Benavente briefly reviewed the number of inshore and offshore surveys conducted, commercial purchases by number of vendors and invoices and CPUE for the years 2000 to 2015 and expanded catch time series estimates using boat and shore-based creel survey data sets by gear type for 2015. Data appears to be highly variable between years, partly due to the occurrence of

typhoons. Steps are underway to enhance the current data program by standardizing the data. There is an expectation of increased catch because of the proposed development of hotels.

An ongoing electronic reporting project is developing a web-based system so vendors can enter data online. A Council contract is currently providing education and outreach to vendors. Sunny Bak-Hospital, a statistical information technology consultant based in Honolulu, is also developing an alternate database application to enhance program efficiency.

Discussion

Leialoha asked how the DFW handles data that is deemed unreliable because of a shortage of information, especially in relation to ACL determination.

Benavente said, if it is a case of low sample size, then information is pulled from previous years and they would then look at averages of years rather than by per year.

Duenas asked how Bill 19-153 would affect the ACL determination, noting the some of the minimum sizes seem large.

Benavente said he would expect to capture data on small fish because the minimum size applies to commercial catch. Subsistence fishermen would still catch small fish sizes.

[Council paused to recognize vendor participation in the Biosampling Program with the presentation of Plaques of Appreciation.]

2. Bottomfish Fisheries

Mike Tenorio, from DFW Fisheries Research Section, provided information on the CNMI bottomfish fishery. Bottomfish gear and methods include hook and line, handline and power reel. Target depths are greater than 125 meters for onaga, ehu, lehi, kalikali, 'opakapaka, gendai and grouper. For mafute, matai, sas, tarakito and bwele, the target depths are 30 to 125 meters. Bottomfish vessels range from 15 to 25 feet long. A majority of the fishing occurs around the populated islands and associated banks. Intermittent fishing occurs around the Northern Islands by vessels larger than 40 feet in length, which are usually chartered for other activities as well. Shallow bottom charter fishing occurs around the Northern Islands. The trips generally are three to five days.

Monitoring efforts for the bottomfish fishery is fishery-dependent information collected from fishing activities through fishermen, vendors and fishing vessels. Examples of the program include the boat-based creel program, which captures information on vessel landings of reef, pelagic and bottomfish species and is collected by surveys conducted at the docks and marinas as the vessels return to port. In recent years, exploratory surveys were implemented on Rota and Tinian to ground truth expansion estimates. The commercial purchase data system captures information from the markets for bottomfish and other fisheries but is limited by sample area and vendor participation. Efforts are ongoing to develop regulations for the commercial purchase data system, and DFW is working with vendors to improve communication.

The Life History Program, conducted in conjunction with NMFS, captures biological information, such as reproductive cycle, age at length and age at maturity on certain target species from the market. One of the first species targeted was the red-gilled emperor. The program improves the understanding of the fish, itself, as well as aids management decision-making. Some of the challenges include the number of species, limited staff time and funding.

Possible research ideas in an effort to understand the bottomfish fisheries for the CNMI include looking at ways to improve an assessment for the southern populated islands and improving monitoring efforts for charter vessels and large vessels fishing in the Northern Islands.

3. Pelagic Fisheries

Ray Roberto, from DFW, provided a brief on CNMI pelagic fisheries. The fishery occurs from Rota up to FDM. The commercial pelagic fleet uses boats less than 24 feet in length. They travel within a 30-mile radius from the main islands of Saipan, Tinian and Rota. There currently is no active longline fishery. Most are small outboard boats. The average length of fishing trips is around six hours per day. In 2015, the boat-based creel surveys indicated landings exceeding 400,000 pounds of pelagic species, with skipjack tuna accounting for 70 percent of the pelagic catch. The other 30 percent is mostly mahimahi, wahoo and yellowfin. In 2015, the CNMI skipjack tuna landings increased. Mahimahi landings decreased in 2015 compared to 2014. Mahimahi, yellowfin and wahoo are seasonal. Wahoo landings decreased significantly in 2015. Yellowfin decreased also in 2015. The 2015 catches reflect a typhoon that affected the ability to get gas and ice to fish.

In the future, the demand in the CNMI for pelagic fish is expected to rise due to increased tourist arrivals. There has been a recent increase in prices per pound for seafood in the CNMI. DFW data needs include improving the commercial receipt data collection and developing regulations for mandatory data report. The Council currently provides technical assistance and support with education and outreach for mandatory data reporting. Pelagic fishing tournaments in the CNMI include the annual mahimahi tournament held in April and the international fishing tournament held in July on Saipan. In Tinian, the Fiesta Tournament is held in May. In Rota, the Fiesta Tournament is held in October.

E. Report on BioSampling Program

Gourley presented a brief update on the CNMI Biosampling Program. The program is currently being funded by PIFSC. The collection of biosampling data began in 2011. Currently eight vendors actively provide their information, with over 18,000 daily vendor logs.

To date, there are 2,600 spearfish events, with about 190,000 animals being measured. There have been 169 species of fish recorded. The total pounds of fish measured amounts to almost 500,000 pounds.

The Biosampling Program went through a program review by NOAA in January 2016. Next steps include beginning otolith prep work for aging and staging of gonad histological

slides. PIFSC provided the needed equipment and training. There have been recent staff issues, but new staff is currently in training.

Gourley that the publication entitled “Spatial, Temporal and Biological Characteristics of a Nearshore Coral Reef Fishery in the Northern Mariana Islands,” by Michael Trianni, was recently released and “Age, Growth, Reproductive Biology and Spawning Periodicity of the Forked-Tail Rabbitfish, *Seganeus argenteus*, from the Mariana Islands” by Brad Taylor, Trianni and Gourley was recently published in *Marine and Freshwater Research*.

F. Report on Database Analytics Project

Bak-Hospital presented a report on the Database Analytics Tool pilot project, which was initiated and supported by the Council. The goal is to build a realistic, sustainable system with minimal costs and maintenance that will facilitate efficient and fast data sharing and enhance DFW’s utilization of its data.

Bak-Hospital used Windows 10 as the operating system and MySQL as the database management, which is a free system. Python was used as the program language. The entire process is automated for minimal work and maintenance.

The three objectives of the project were to create a) a simple user interface data summary platform for the inshore and offshore creel survey data, b) more efficient data sharing and c) a capacity building tool. When the webpage opens, the user sees the most current survey updates, which helps the managers understand the current status to manage survey resources.

A data summary example was given as a data analysis, and graphs were created. The user can select a species to see what data was collected. Historical data from 2000 to 2015 was displayed to provide an understanding of all measurements collected. Another feature of the data tool was a view of the raw survey data with the ability to filter or query a subset of the data. The user is able to statistically analyze what can be done in R and share with DFW staff. The data can be imported into the Council’s server, as well. The whole process is automated. DFW’s creel survey data was updated onto the data server and was successfully tested.

The development phase is completed; having made sure the process worked onsite. The next step will entail DFW staff testing and documenting any issues and errors, with Bak-Hospital correcting any problems. Upon return to Honolulu, the database tool will be installed at the Council office.

Discussion

Simonds thanked all involved for the progress made on the project. She looked forward to the ability to independently access the data in the preparation of the Council’s reports.

G. Report on CNMI Projects

1. Territory Science Initiative

Sabater represented the status of the Territorial Science Initiative Project in the CNMI. The project goal was to build local capacity, particularly for the vendors to use fish identification and improve the process of logging the data on the receipt books. Currently, six vendors are involved with a goal of having 10 vendors by year's end. Vendor-specific logbooks were developed so they could identify themselves with the invoices submitted. A contractor is working with vendors on a one-on-one basis providing technical support on completing the logbooks. Incentive programs encourage participation.

2. Marine Recreational Improvement Program

Sabater updated the Council on the Marine Recreational Information Program (MRIP). Funding was recently received from NMFS headquarters to conduct a pilot project on a different method to collect spearfishing data. The project will be launched in July 2016 once the funding is received. The goal of the one-year project is to work with the fishing club to develop a registry of commercial and noncommercial spear fishermen on which to frame the data collection via telephone surveys and electronic reporting. A meeting was held with the Guam Advisory Panel (AP) members to discuss the project.

H. Community Activities and Issues

1. Northern Islands Community-Based Marine Resource Management Plan

Charles Ka'ai'ai, Council staff, provided an update on the community-based fishery management plans for Malesso and Yigo in Guam and the Northern Islands in CNMI. Malesso is in the implementation phase. Yigo and the Northern Islands are working on developing their plans, and the Northern Islands is in the pre-planning stage. The communities determine their objectives and goals for their management plan and resources. The four-stage process consists of pre-planning, working on impacts, defining management areas and then developing the plan. It takes about three meetings and workshops to get the planning going. The draft plan is presented to the Council and the public and then published. The plans give the communities a framework and process to participate and influence the management of local coastal marine resources and provide tools to effect changes to the current management regime and increase enjoyment and benefit from the resources.

Regarding the Northern Islands plan, work is ongoing whether to exclude or reduce the military presence in the Northern Islands as part of the governance objective. There is also an opportunity to document the natural and cultural resources in the Northern Islands. The community will have a final say in what they want to do with the plan.

Jerome Aldan, mayor of the Northern Islands, addressed the Council to express his appreciation for the opportunity to develop the community-based management plan and the assistance provided by Ka'ai'ai and Council staff member Mark Mitsuyasu. The plan is important to the small community. He asked for the Council's continued support leading up to the finalization of the plan.

I. Education and Outreach Initiatives

Ogumoro reported that the high school summer course will begin in July with 15 to 17 participants from grades 10 to 12 registered to learn about natural resource issues.

The International Fishing Derby will be held Jul. 9 to 12. Council materials will be distributed during the tournament. The International Fishing Derby and the first annual Marianas Trench Fishing and Seafood Festival will be held at Smiling Cove Marina. The idea of the festival is to promote ocean safety and sustainable fishing in CNMI.

The 2016 Chamorro and Refaluwasch Lunar Calendars are completed. Fishermen find the calendars useful as they depict the seasonal runs. The poster contest winners' pictures are also in the calendars. Distribution of the calendars is ongoing. The Calendar Committee plans to include farming practices in the 2017 edition.

The 12th Mahi Fishing Derby occurred in April. A record number of 62 boats signed up for the derby, which is double the normal number. The winning mahi was a 23.15-pounder. Council materials were distributed at the derby.

Discussion

Miyasaka asked what prize was awarded to the first place winner of the mahi tournament.

Ogumoro said \$1,000.

Seman said the tournament growth to 62 entries may be related to the price of gasoline.

J. Advisory Group Reports and Recommendations

1. Advisory Panel

Richard Farrell, CNMI AP chair, presented the CNMI AP recommendations as follows:

Regarding the CNMI fisheries, the CNMI AP recommended the Council request NMFS to provide a training workshop for fishermen, vendors, conservation officers and other stakeholders on federal bottomfish fishing regulations.

Regarding the CNMI fisheries, the CNMI AP recommended the Council request NMFS conduct stock assessments on sea urchins and on bottomfish and reef fish at FDM.

Regarding the CNMI fisheries, the CNMI AP recommended the Council provide CNMI assistance in developing the marine biosecurity plan.

Regarding the CNMI fisheries, the joint Mariana Archipelago (CNMI and Guam) AP recommended the Council express the fishermen's concerns regarding recent reports of surveys in Tinian to the DOD that there is a lack of communication with the community and local officials on their activities and data collection on the island.

Regarding the CNMI fisheries, the joint Mariana AP recommended the Council request NMFS PIFSC to conduct an economic survey to determine the expense and expenditure differences in fisheries in Saipan, Tinian, Rota and Guam to determine the difference among the islands, as well as between the fishery sectors.

Regarding the CNMI fisheries, the joint Mariana AP recommended the Council request NMFS and PIRO to provide outreach workshops for stakeholders and agencies on the CNMI bottomfish fishing regulations with the new regulations as amended.

Regarding the CNMI fisheries, the joint Mariana AP recommended the Council request NMFS PIFSC to design and implement a socioeconomic survey to determine fishery opportunities and impacts of increased recent development in the CNMI given the new hotels and casinos in Saipan.

2. Regional Ecosystem Advisory Committee

Christopher Hawkins, Council staff member, presented the Regional Ecosystem Advisory Committee (REAC) recommendation as follows:

Regarding CNMI fisheries, the CNMI REAC recommended the Council consider developing Community-Based Fishery Management Plans for Rota and Tinian through the respective mayor's offices.

K. Scientific and Statistical Committee Recommendations

Lynch reported there were no SSC recommendations related to the Mariana Archipelago.

L. Council Discussion and Action

Regarding CNMI fisheries, the Council directed staff to work with the AP members and mayor offices of Rota and Tinian to begin the process of developing community-based fishery management plans for each island.

Moved by Rice; seconded by Sword.

Motion passed.

Regarding CNMI fisheries, the Council recommended NMFS PIRO provide a training workshop for fishermen, vendors, conservation officers and other stakeholders on the federal bottomfish and federal shark regulations.

Moved by Seman; seconded by Sword.

Motion passed, with abstention by Tosatto.

Tosatto said he would abstain from the vote as currently it is unknown whether the resources are available to complete the task in the requested time frame.

Regarding CNMI fisheries, the Council directed staff to provide the CNMI AP assistance in exploring the development of a Marine Biosecurity Plan for CNMI to protect fisheries resources.

Moved by Seman; seconded by Sword.

Motion passed.

Regarding the CNMI fisheries, the Council recommended NMFS PIFSC conduct an economic survey in the CNMI to determine the expense and expenditure differences in fisheries between Saipan, Tinian, Rota and Guam to determine the differences between the islands, as well as between the fishery sectors.

Moved by Seman; seconded by Sword.

Motion passed.

Regarding the CNMI fisheries, the Council recommended PIFSC design and implement a socioeconomic survey to determine fisheries opportunities and impacts of increased recent development in the CNMI, given the new hotels and casinos in Saipan.

Moved by Seman; seconded by Sword.

Motion passed.

Tosatto said there is capacity to provide some information but not as to the broad impacts of recent development of hotels and casinos in Saipan. A broad economic impact is outside of his staff's current capacity, but PIRO will work with PIFSC to provide something meaningful.

Regarding the CNMI fisheries, the Council directed staff to express the fishermen concerns regarding recent reports of surveys in Tinian to the DOD that there is a lack of communications with the community and local officials on their activities and data collection on the island.

Moved by Sword; seconded by Seman.

Motion passed.

VIII. Program Planning and Research

[Items A to E were presented in CNMI and Guam. The discussions are from both presentations.]

A. Fishery Ecosystem Plan Annual Reports and Stock Assessment and Fisheries Evaluation Reports

1. Archipelagic Stock Assessment and Fisheries Evaluation Report

Sabater reported that the Council, in collaboration with PIFSC and PIRO, has been revising the Council's annual report for the FEPs, which will also serve as its first official Stock Assessment and Fisheries Evaluation (SAFE) report. The Council has also been revising the FEPs to add additional ecosystem consideration and associated monitoring processes. The SAFE

report addresses the additional elements required by the National Standard 2 Guidelines released in 2012.

In 2015, the Annual Report Revision Workshop was held, which revised the Plan Team membership to incorporate members from PIFSC and PIRO to provide data and information that can be monitored through the report. Draft modules were submitted in February 2016. It was followed by a series of advisory body meetings to ensure accuracy and identify gaps to be addressed in future versions of the report. The FEP Plan Team received the final drafts in April. The reports have been reviewed and are being compiled.

The various modules and Council staff leads are a) fishery performance, coral ecosystem, life history, length-derived parameters and regulatory module led by Sabater; protected species led by Asuka Ishizaki; habitat and marine planning led by Rebecca Walker; climate change and environmental variables led by Sylvia Spalding; and human dimensions led by Hawkins.

The report for 2015 is divided into three sections. The fishery performance section includes all fishery-dependent data. The ecosystem considerations section includes protected species, human dimensions, habitat, biomass, life history, length-based indicators, climate and environmental variables and marine planning. The third section is data integration, which puts the pieces together to tell the story of the fisheries. The goal of data integration is to develop an analytical framework that will provide indicators of fishery performance. There is a need to integrate all of the data in an informative manner. The Plan Team recommended holding a workshop to generate a quick way to accomplish data integration.

Discussion

Simonds noted her appreciation for getting two-thirds of the way to where the Council needs to be on the Annual/SAFE Reports. She said everybody at PIRO, PIFSC and the Council will be doing their part.

2. Pelagic Fishery Ecosystem Plan Annual Report and Stock Assessment and Fisheries Evaluation Report

Dalzell reported that the Pelagic Annual FEP/SAFE report is not as advanced as the Archipelagic Annual/SAFE Report. The Plan Team drafted the four principal modules for the Pelagic FEP Annual/SAFE Report. Included in presentations at the Plan Team meeting was an international module on the wider Pacific-wide catches of pelagic fish, which is important because it contains the stock assessments and stock evaluation. A recreational presentation summarized the Hawai'i recreational fisheries and included available information for recreational fisheries in the Western Pacific Region. Ecosystem considerations presentations included climate change variables. Also included in the draft module for the pelagic report are habitat conditions, human dimensions and protected species.

Whilst the Archipelagic Reports are being developed in-house, a PIRO contractor has been working on the Pelagic SAFE Report. The draft contents of the Pelagic FEP Annual Report

was reviewed by the Plan Team and discussed with the contractor. A full report on the Annual/SAFE Report will be presented at the 167th Council meeting.

B. Evaluation of 2015 Catch to 2015 Annual Catch Limits

Sabater reported that the MSA requires the annual evaluation of the catches relative to the ACLs. ACLs have been established since 2012. The Plan Team monitors catches relative to the ACL and provides recommendation for adjustment or to take action on related accountability measures or provide rationale for the overage. The Year 2015 was the first year the evaluation was conducted using a model-based approach and the first year the annual catch is based on a three-year running average to address fluctuations in the catches due to a catch windfall or a productive year event.

In American Samoa, no ACLs were exceeded in 2015. For Guam, based on 2013–2015 data and a three-year average to evaluate the catch, the Plan Team characterized 2013 in Guam as a very productive year, particularly for the juvenile jacks; however, the fishing mortality rate did not seem to increase based on examination of the fishing effort. In fishing year 2015, CNMI was hit by a strong typhoon and none of the management unit species (MUS) exceeded the ACL.

For Hawai‘i, the bottomfish, crustacean and precious coral fisheries did not exceed the ACL. The MHI Deep Seven bottomfish fishery is not being evaluated as the fishery is still open. The evaluation will be presented at the 167th Council meeting. For the Hawai‘i coral reef fisheries, there was an overage of roughly 20 percent for the coral reef crustaceans and 13 percent for the coral reef mollusk. The coral reef crustacean fishery is mostly dominated by white crab trapped on the North Shore of O‘ahu. There is no indication that this fishery has been expanding in recent years. The CPUE for traps had increased over the past years, indicating that an increase in productivity contributed to the high catch. The number of participants in the crab trap fishery has remained stable. The mollusk fishery is dominated by octopus caught during the day. The recent catch may follow increasing stock abundance trends.

The SSC supported the Plan Team’s recommendation regarding the ACL catch monitoring. The FEP Plan Team recommended the Council not consider overage adjustment for the Guam Carangidae, Hawai‘i coral reef mollusk and crustaceans due to reasons described in the ACL Catch Monitoring Report

C. Options for Revising the Risk Determination and Uncertainty Characterization Process (Action Item)

Sabater presented a brief background of the establishment the ACL specification and the options for revising the risk determination and acceptable biological catch (ABC) control rule. The efficiency of the specification process needs improvement, and the perceived relationship among Tier 1, 2 and 3, with Tier 1 having higher risk and Tier 3 having lower risk, needs to be clarified. There is currently no guidance on when analysis should be conducted. The current process is tedious and a large administrative burden.

The purpose and need for the proposed actions are to improve the ACL process by establishing a process that monitors the change in the data and the fishery to inform the decision on changing the risk level and by modifying the existing control rules to address the gaps and issues identified in the previous several specifications.

Action 1 would enhance the Plan Team and SSC process for evaluating whether there is significant change in the data and the fishery characteristics to trigger revisiting the risk of overfishing level. It would streamline the specification process, empower the Plan Team and the SSC and result in less logistic burden. The analysis would have to be developed and the criteria to evaluate the fishery would have to be changed to be used as a guiding rule for whether to revisit the process. The process is progressive where new data is analyzed and the fishery is evaluated as to where there are changes in the condition and dynamics of the fishery. A decision must be made as to whether a change in the risk level is warranted. Currently, there are no criteria for changing the risk level. The SSC has flexibility under the best scientific information available process to determine if a change is warranted.

Action 2 would enhance the control rules.

Option 1 maintains the current specification process and utilizes the current control rules. No amendment would be further developed. The process would remain consistent with the previous specification and would continue to involve multiple stakeholders, including the fishing community. The issues and gaps would remain unaddressed. There would be the same confusion in the tier system, which would be addressed on an ad hoc basis. The process would continue to be tedious and time consuming and would remain subjective.

Option 2 uses the current tier system and modifies the criteria within the tier system. Some of the criteria currently in the control rules are not applicable to some of the tiers. It would maintain details of uncertainties based on the revised criteria. The criteria would be explicitly scored via a series of meetings and presentations. It would streamline each of the tier levels and make it unique. Fishermen would continue to be involved in the scoring process, which would remain the same, and participants would remain familiar with the process. Criteria would have to be developed. Some subjectivity would remain in the process.

Option 3 uses a formulaic approach to determine risk determination and ABC and is used by other Regional Fishery Management Councils. Each of the tiers would have an assigned formula depending on the available information. The way to determine risk and the ABC level would be simple and direct. The SSC would have direct control on the risk determination level and thus be empowered and have increased accountability. The Working Group would not be needed. The process would be more objective and transparent. The changes in the risk level would be directly originating from the assessment. It would require significant analysis to determine appropriate formula specific for the region, and it may be more conservative than the existing process since it is a direct approach. The process does not explicitly account for other uncertainties not captured in the assessment. Involvement of fishermen in the process would no longer exist. Fishermen could be involved in the development of the formula, but after it would be a SSC process.

Option 4 is a data and a model approach. The majority of the scientific uncertainty comes from data and models, aside from other uncertainties coming from extrinsic factors. Uncertainties in the data would be quantified through a regional workshop and scores would be assigned to each of the data and model types. The process would consist of the development of a list of available data and models for the region and other items applicable to the stocks and the development of standardized criteria to evaluate uncertainties for the data and models. A regional workshop would be held. Once scores are assigned for each of the data and models, the scores would be tallied depending on how the assessment was done. Then using a simple formulaic approach, all the uncertainties of the data and models would be quantified. The tier system control rules would be eliminated, and the Plan Team and SSC would be empowered to design the framework. One of the cons of this option is the difficulty of quantifying with absolute certainty around the data and the model. The process is limited as it must be redone when the data and model improves. The uncertainty might not hold true if there were significant change in the quality of the data. It would require monitoring improvements in each and every dataset and all model development. The list of data and model would continually evolve. Another con is fishermen involvement in the process would be limited, as the reliability of the process is only as good as the standardized criteria that would be developed. The process could only account for model and data, and the extrinsic uncertainties would not be quantified. The assumption is the relationship between the different data types and model is linear and additive.

Discussion [from Guam presentation]

Mayor Rudy Matanane asked the Council to present his views to the federal side to provide an opportunity for the cultural practice of fishing for a turtle for fiesta purposes. The turtle was known as a delicacy to the older generation. Guam does not abuse their resources and wants to manage them well and respect them. He pleaded for help so the people could continue the way they were taught to live from the land and sea. Guam, Saipan, Tinian and Rota were all brought up to care for the land and sea and their resources. He has eaten turtle, but he personally prefers eating the fruit bat. He is willing to get a formal resolution from the Mayors Council of Guam and to talk to the Governor of Guam and the legislature on how this can be done to help the local people.

As far as safety, construction of a boat ramp in the north was first requested in 2011, which he thought was impossible. A friend, Mayor Ernest Chargualaf from Merizo, invited him to attend a meeting being held to address the problems being experienced in Merizo. He attended the meeting and proposed a boat ramp in the north for safety purposes. In the north, it is the only beach where people can go and be safe with their families to swim and enjoy the beach. In 2014 and 2015, meetings were held with the Council. He asked the Council again to support the community in its endeavor to construct a pier or boat ramp in the north.

Sablan responded that Guam DOA understands his concern and the urgency for a boat ramp in the north. DOA has a priority list, and his request is of great importance and will be taken into consideration.

Matanane said he will make efforts to get support from the 18 villages from the Mayors Council in the form of a resolution and talk to the governor and legislature to work together.

Simonds encouraged Matanane to send the request to the governor to have his project added to the MCP list of priorities.

Seman asked how many turtles on an annual basis is his request.

Matanane said he would let the federal government determine but it should be enough to make the people happy without abusing the privilege. The concern echoes all the way to CNMI.

Sablan asked if the Citrus Fiesta concluded.

Matanane said the Citrus Fiesta is an annual event. The first fiesta was successful, and he needed Sablan's support to hold the future fiestas.

Sablan said DOA would provide seedlings for the farmers.

D. Council Five-Year Research Priorities

Sabater summarized recent changes in the research priorities. The MSA requires each of the Councils to develop a multi-year research priority and to update it as necessary. The priorities are submitted to the Secretary of Commerce and the Regional Science Centers for use in the development of their priorities and budgets for the region.

The four research themes included Stocks, Ecosystems, Protected Species and Human Communities. On Jan. 21, 2016, Council and PIFSC staff met to align the Council's research priorities with PIFSC operation guidance. PIFSC staff provided guidance and clarification on the priorities. By ranking 2016 research priority activities with the research priority document, participants were able to track which priorities are not being addressed. As a result of that meeting, the group decided to create a separate status document for each of the priorities and send it to the PIFSC division heads for updates.

Council advisory bodies also reviewed the priorities. The FEP Plan Team recommended a change to establish a Biosampling Program in Hawai'i. The Hawai'i AP recommended that model improvements in the bottomfish fishery and more research on acoustics for estimating abundance. The staff added life history under the Life History and Population parameter priority and establishing a Biosampling Program to enhance collection of life history samples for reef fish in Hawai'i. The AP recommendation included those species with existing assessments in need of improvement in the assessment methodologies.

E. Cooperative Research Program

1. Cooperative Research Priorities

Sabater presented the background of the Cooperative Research Priorities, which began in 2012 with the initiation of the annual national competition for proposal grants. The Western Pacific Region had two proposals funded in 2014 and two in 2015. In 2016, the funds were regionalized. PIFSC is administering the RFP. A regional working group comprised of PIFSC,

PIRO and Council staff members evaluate submitted proposals. The success funding rate increased from 22 percent to 50 percent.

The FEP Plan Team members were requested to overhaul some of the Cooperative Research Priorities to align better with priorities specified by MSA. In American Samoa a new priority was developed for enhancement on the local community capacity in developing socioeconomic profiles for the different fisheries. The FAD research priority was dropped. Assessing the status of the fishery is an important undertaking. A pilot project will be conducted. Local fishermen and community members will be trained to conduct socioeconomic surveys so as to develop more comprehensive profiles of the fisheries.

The shark depredation proposal was retained in Guam. Enhancing the local fishing community cooperation and outreach was added due to the recent migrants to Guam from Micronesia who are actively fishing on a commercial scale. The proposal calls for an education program in their native language to explain the importance of reporting the data and fishery management.

A new priority developed in CNMI is a stock assessment for the CNMI small-boat bottomfish fishery. The data currently being used in the CNMI section of the stock assessment is from the commercial receipt book, and this addition would target the fishermen directly.

There were no changes to the Hawai'i and Pacific Pelagic FEP Cooperative Research Priorities. A new protected species priority is to improve the extent of marine mammal and other protected species depredation in the pelagic non-longline fisheries. Some of the proposals included tracing the development in the Hawai'i bottomfish fishery, studying shark post-release survivorship and conducting jungle histology in Guam.

The two projects funded included population viability analyses for sea turtles to look at population dynamics related to sand temperature due to climate changes, which would affect the sex ratio of green sea turtles at French Frigate Shoals. The project will be largely data crunching, with no new data collection. Estimating demographic parameters of odontocetes associated with the MHI and are known to interact with fisheries was also funded.

2. Cooperative Research Implementation Framework

Sabater noted that, in anticipation of the regionalization, the Council realized that there was a note to promote cooperative research in the region's communities and fishing industries. The Cooperative Research Framework identifies the roles and responsibility of the three cooperating body entities in the framework. PIFSC is the main implementing agency. The Council and PIRO are support entities for the framework. A Coordinating Committee was formed and staff members assigned from each of the agencies to develop annual solicitation and standardized evaluation criteria and perform the review.

Council responsibilities include development and maintenance of research priorities, program monitoring, conducting outreach to promote the research and developing a network of fishing industry and fishing community members who are able to support and conduct

cooperative research. The ultimate goal is to enhance inter-agency collaboration and fishing industry and community involvement in the program as well as transparency in implementation.

Discussion [from Guam presentation]

Duenas noted that everyone is aware of the importance of the flow of information from the biosampling and the creel surveys. He asked for clarification as to how the information gets to the Council and PIFSC and how is it used.

Sabater said it is critical to have timely access to data for assessments and to provide support for research and the development of the Annual/SAFE Report. The Guam Fishermen's Cooperative Association sent an e-mail to PIFSC allowing the Council direct access to the cooperative's data. Efforts are ongoing with Guam DOA Division of Aquatic and Wildlife Resources (DAWR) to gain access to their fishery database.

Duenas asked if it would be helpful if the cooperative submitted a letter to the agency to allow access to that database.

Sabater said the cooperative owns the dataset and the letter to PIFSC is sufficient. A letter to DAWR or DOA providing assurance that the cooperative is willing to share the database to the Council would be helpful. Efforts are ongoing to resolve the issue on pre-survey data access, as well as the commercial receipt book to assist in providing technical support for the local agencies through the Council's MRIP and TSI funding. The Council opted to use the existing database rather than creating its own database. Technically, data that the Council owns is being fed into the database.

Duenas asked Sablan if he would be open to receiving a letter from the Coop regarding access to that database.

Sablan replied in the affirmative.

F. Report on National Essential Fish Habitat Summit

Walker presented an update on the three-day Essential Fish Habitat (EFH) Summit held recently in Maryland with EFH practitioners nationwide in attendance to discuss the changing environment. The agenda included a regional round table on identification of EFH, advances in habitat science, practicability analyses for reducing fishing impacts on habitat, climate change, ecosystem-based fisheries management, and Council, NMFS and action agency communication on EFH consultations.

Some national policy outcomes that may be forthcoming include EFH consultation guidance on climate change for action agencies and the Habitat Conservation Division. Participants received a briefing on the ecosystem-based fishery management policy and the implementation plan. Guidance on the practicability of reducing fishing impacts on EFH was another policy issue that was raised.

There may be a change to the five-year review requirement, as many of the Councils have problems meeting that cycle, and another outcome may be including Council staff on the Regional EFH Coordinators monthly call. The Habitat Working Group of the CCC is likely to continue to discuss topics such as cumulative impacts on EFH, correlating nearshore or estuarine health with offshore productivity and stock assessments, among others. Topics were also related to improving the Habitat Program and synthesizing the Council's habitat research needs in the SAFE Report. Staff returned with a list of project ideas, including developing indicators to describe habitat condition and a consultation mapping interface.

Hawkins reported that the Council has an opportunity to provide comments on the Draft Implementation Plan of the National Ecosystem-Based Fishery Management Policy. NMFS developed a draft ecosystem policy in late 2015, and the final policy was announced recently. The agency will be releasing a Road Map of initial priorities to advance ecosystem-based fishery management as a way to help coordinate complementary actions across Regional Councils, Science Centers, Regional Offices and efforts made by the States and Territories. The Integrated Ecosystem Assessment Protocol is a big part of the policy.

The road map relies on 13 actions to operationalize six guiding principles. The 13 actions are 1) development of engagement strategies; 2) support for FEP creation/improvement; 3) conduct ecosystem science and assess ecosystem status of each US Large Marine Ecosystem (LME); 4) increase understanding of cumulative risks and vulnerabilities to LMEs, habitats and ecosystem functions; 5) identification of pressures that pose the most risk to resources and fishing communities; 6) assessment of trade-offs inherent in managing for multiple and competing objectives; 7) development of capacity to conduct Management Strategy Evaluation (MSE); 8) development and monitoring of ecosystem reference points; 9) utilization of ecosystem-based fishery management when assessing living marine resources and developing control rules; 10) making management decisions; 11) utilization of ecosystem-based fishery management when addressing ESA, MMPA, habitat, bycatch, aquaculture, etc.; 12) monitor indicators of ecosystem resilience; and 13) assessment of the well-being of fishing communities.

Hawkins pointed out an initial concern is how collaborative the development process will be in the creation of the regional strategies. He noted that the Regional Fishery Councils were not involved in the development of the Draft Road Map and that some ongoing efforts are not going that well. There were few details for undertaking the 13 actions. He noted that the Council developed the nation's first ecosystem-based FMP in 2001 and the Integrated Ecosystem Assessments have been flawed platforms for conducting ecosystem-based fishery management and could use improvement.

Hawkins said the Council and partners are undertaking a detailed review.

Discussion

Ochavillo asked for more information about forage fish as EFH, as it does not make sense that food is becoming habitat.

Walker said the EFH final rule includes 10 required components for FMPs. One requires listing the prey species locations and the name of the prey species, which can technically be considered a component of EFH. However, in the Council's FMPs it is viewed as supporting information and not the actual EFH designation. An actual EFH designation for bottomfish in the Mariana Archipelago would be the shoreline to the 400-meter isobath, including the entire water column and the bottom substrate, which are what triggers an EFH consultation. It is not where the prey species are located. The concern was that this requirement could be interpreted by NMFS that the Councils must minimize impacts on the habitat. This would include wherever the prey is occurring, when the focus should be on other action agencies and nonpoint source pollution.

Ochavillo said most fisheries work with food webs so everything would become habitat.

Walker replied that everything is currently habitat.

Gourley asked about upcoming guidance for EFH consultation related to climate change.

Walker said it would be on how to incorporate the potential effects of climate change into an EFH consultation. It would relate to action agencies, as well as the Habitat Conservation Division, which would be considered the consulting agency.

Gourley asked for a brief example.

Walker replied, if there were an EFH consultation at the beginning of a project, there could be mitigation and monitoring associated with the first five years of the permit and then nothing after that. Incorporating climate change could extend the length of monitoring and mitigation requirements.

Gourley asked Tosatto how employee comments made during consultations are handled, such as a filter process within NMFS to review what is sent out via e-mail.

Tosatto said there is a pre-consultation phase with a large exchange of information. Early in the process comments from the action agency in the EFH assessment are informative regarding policies and initial views. Once an EFH assessment is provided, then the consultation phase begins. With some integrity in the process, a consulting biologist has the leeway to communicate with the action agency to the extent needed to perform that consultation. In the case of EFH consultations, a number of them are delegated to the Assistant Regional Administrator to sign the final consultation recommendation. The consultation or conservation recommendations are the final action, and that can be signed by the Assistant Regional Administrator instead of the Regional Administrator. The conservation recommendations at the end of the consultation are the formal recommendations. Tosatto further clarified that e-mails between the action agency and the consulting biologist, federal staff or contract staff are communications at the staff level among them. They are not an agency communication until the conservation recommendations are transmitted and designated as such. They are not filtered ahead of time, but they have different meanings until they become the agency's position.

Gourley said the Army Corps of Engineers took an e-mail from NOAA and used it as official NOAA comments for the EFH consultation.

Tosatto said he was pleased to hear that they took comments from staff to heart as meaningful comments because that is what they are supposed to do. Sometimes those comments lead to EFH assessments that are not likely to adversely affect EFH. He hoped the comments were informative as that is the purpose of the exchange of comments in the pre-consultation phase. He hoped professionals found the comments appropriate. The comments made should be well-informed, professional and technically accurate; if they were not, he would like to see a copy of the comments.

G. Regional National International Education and Outreach

Spalding presented the education and outreach activities since the last Council meeting.

The Council created three displays on the Fishermen's Code of Conduct, Community-Based Management and a Traditional Lunar Calendar for use at the Festival of Pacific Arts, along with handouts, which included eight different postcards, with Code of Conduct in eight different languages. There were recipe cards for Chamorro preparation of blue marlin and excerpts from the Guam Chamorro traditional lunar calendar. A Council banner, logoed pennants and table runners were also provided.

Staff has been involved in the 40th MSA Anniversary outreach. Outreach staff from all eight Regional Fishery Management Councils met in February to discuss plans. An all Council logo, 40th Anniversary logo and Council brochure were created. A revised website for the eight Councils is being created. The eight Councils maintain two websites: the Managing Our Nation's Fisheries conference website and the all Council website. Each Council will have a link to its page with contact information. There will also be a page on the MSA and the CCC and its documents. When the website is completed, a press release will announce the website and the 40th Anniversary celebration. Simonds delivered a keynote speech at the CCC banquet.

Other regional, international and national activities include the US Pacific Territories Fishery Capacity-Building Scholarship. The 2016–2017 application went out. Two people from CNMI are receiving the scholarship. One will attend University of Hawaii (UH) Hilo and the other will attend UOG, if accepted.

The Council's spring newsletter was published. The Council continues to chair the National Marine Educators Association's Traditional Knowledge Committee, which has a scholarship. The conference will be held in Florida. The Council is not attending but is working as a board member. Simonds will provide a video presentation at the International Pacific Marine Educators Network conference, which is a network that the Council was instrumental in starting. The Council is a sponsor of the conference, which is being held in Indonesia.

H. Advisory Body Reports and Recommendations

1. Fishery Ecosystem Plan Team

Sabater briefed the Council on the outcomes of the first FEP Plan Team meeting held in April 2016. It was the first meeting using the new structure and the new process. The Council is using a multi-disciplinary approach to collect information by bringing in PIFSC staff to develop the report. The meeting focused on generating the first SAFE Report. The Archipelago Plan Team and Pelagic Plan Team held concurrent sessions. The archipelagic team provided comments on each section of the report, including the data gaps and data integration section.

On the second day, the teams met jointly to discuss issues across all FEPs. At the joint session, members were provided information on their roles and responsibilities. There was also a review of the FEP revision updates, priorities and the Pacific Islands Fishery Research Program. Participants provided comments and recommendations on the revision of the ACL specification process, optimum yield (OY) and the ecosystem component designation.

Sabater reported the FEP Plan Team Program Planning and Research recommendations as follows:

Regarding ACL catch monitoring, the Plan Team recommended the Council not consider the overage adjustment for the Guam Carangidae, Hawai'i coral reef mollusk and crustaceans due to the reasons provided in the presentation yesterday.

Regarding the ACL specification process amendment, the Plan Team recommended Action 1 to establish the process to evaluate the changes in the fisheries and evaluate whether it warrants changing the risk level.

Regarding the ACL specification process amendment, the Plan Team recommended Option 3, establishing the formulaic approach to risk level, with the caveat that it would include fishermen participation.

Regarding the ACL specification process amendment, the Plan Team recommended that the Council work with PIFSC in analyzing the sensitivity of the different options to changes in the risk levels to which the fishery will be managed.

Regarding the ecosystem component designation criteria, the Plan Team recommended the Council work with PIFSC in applying the following criteria, in addition to the National Standard regulatory guidelines, to designate ecosystem component species: parsing the catch between state/territorial catch versus federal catch; proportion of the catch; frequency of species detected in the time series; habitat association of each MUS species and habitat distribution; and the existence of an active fishery.

Regarding the ecosystem component designation criteria, the FEP Team further recommended to use a combination of these criteria and to conduct the analysis in a multi-dimensional statistical framework. The analysis should also consider weighting the criteria and use a range of threshold levels to evaluate the species to be designated as ecosystem components.

Regarding OY, the Plan Team recommended the Council direct staff to develop an options paper on the range of alternatives for specifying OY to include but not limited to the following:

the most harvested by the fishery following the implementation of existing conservation and management measures; ACLs equal to OY; and MSY as reduced by a social, economic, ecological and management (SEEM) analysis-like process.

Regarding the Council's five-year research priorities, the Plan Team recommended the development of the Hawai'i Biosampling Program to the life history research priority.

Regarding the Annual/SAFE report, the Plan Team recommended the Council, in coordination with NMFS, organize workshop in developing the Data Integration Chapter of the Annual/SAFE Report.

2. Fishery Data Collection and Research Committee

Sabater reported on a recent two-day meeting of the Fishery Data Collection and Research Committee (FDCRC). The committee conducted a round robin reporting of the status of data collection and improvement initiatives. It agreed to establish a monitoring process to track the progress on the strategic plan and to establish a MOA for data sharing and data confidentiality between the Council and the Territory and State fisheries agencies, as well as work with the Territorial agencies to explore international grants for data collection improvement and direct the Territories to work with PIFSC on the socioeconomic outreach materials.

Some concerns were raised about the postponement of some in-water activities due to delays in Section 7 consultation. Some Territorial agencies are requesting support to move on that item. The committee also reviewed the proposals submitted under the Pacific Islands Fisheries Research Program, and endorsed the top three proposals.

The Technical Committee's acting chair reported on the outcomes of the Technical Committee meeting. The committee discussed requirements for the Annual/SAFE Report and the issue of the FDCRC Technical Committee being equivalent of the States Marine Fisheries Commission. The group recommended that the Council work with NMFS to recognize the group as a technical equivalent of the States Fisheries Commission to access federal funding.

Sabater reported the following Program Planning and Research recommendations from the FDCRC:

Regarding fishery data collection, the FDCRC recommended that the Council direct staff to establish a process to monitor progress of the activities addressing strategic plans and incorporate the process in the FDCRC Standard Operating Procedures.

Regarding fishery data access, the FDCRC recommended the Council direct staff to explore feasibility of a MOA on data sharing and confidentiality and work with the fishery agency staff to solidify the Council's access to the database.

Regarding funding for fishery data collection improvement, the FDCRC recommended the Council direct staff to work with the State and Territorial agencies to explore funding opportunities for international grants.

Regarding community outreach needs, the FDCRC recommended the Council request the State and Territorial fishery agencies to provide feedback to NMFS PIFSC Socioeconomic Program on development of socioeconomic outreach material to be given to fishing communities.

Regarding data collection, the FDCRC recommended the Council request the USFWS Sportfish Restoration Program and NMFS to expedite the resolution of the in-water activity prohibition due to Section 7 Consultation for corals listed under ESA.

Regarding the FDCRC status under Marine States Fisheries Commission, the FDCRC recommended that the Council work with NMFS on recognizing FDCRC as a Regional Marine Fishery Commission in order to access funds for data collection and research.

Regarding the Pacific Island Fisheries Research Program 2016 proposal, the FDCRC endorsed proposals for funding through Sustainable Fisheries Fund (SSF) 4. Further, the FDCRC recommended that the Council work with NMFS in funding the remaining projects since it addresses the priorities identified in the reauthorized MSA five-year research priorities.

3. Protected Species Advisory Committee

Ishizaki reported that the Third Protected Species Advisory Committee (PSAC) meeting focused on the annual reports and research priorities. The committee reviewed the draft protected species section of the annual report and identified research data and assessment needs based on that review.

The pelagic section listed all of the fisheries that are managed under the Council's Pelagic FEP. The longline fisheries are monitored against a number of indicators, including general interaction trends over time, FEP conservation measure effectiveness, and take levels compared to authorized levels under the ESA and MMPA33. Monitoring interaction levels against these indicators allows the Council to track them annually and identify needs for further analysis to inform any future Council action.

A brief summary of each of the fishery sectors in the draft report was presented.

The shallow-set longline fishery has had no noticeable trends over time and is stable, with very low interactions of protected species. There were a few pinniped interactions since 2013, as well as an uptick in terms of increasing catch rates of albatross species, particularly with black-footed and Laysan albatross. Research is forthcoming that may shed light on the interaction rate increase. The incidental take statement (ITS) has no exceedance in 2015. All marine mammal mortality and serious injury is below the potential biological removal (PBR) for the fishery. The Hawai'i longline fishery has had no noticeable trends between 2010 and 2015 in most of the turtle, marine mammal and seabird species, with low interaction rates and rare interaction events.

Observed leatherback interactions were slightly higher in 2014. PIFSC did an analysis and recommended additional follow-up analyses, which the Council is addressing. There was a low ITS for green and loggerhead turtles, which was exceeded in 2015, having two observed

interactions of green and loggerhead turtles. The re-consultation is ongoing. Staff is working closely with the PIRO Sustainable Fisheries Division and Protected Resources Division on these consultations pursuant to the Council's new ESA-MSA Integration Agreement.

Marine mammal mortality and serious injury for false killer whale is above PBR, which triggered the Take Reduction Team (TRT) process under the MMPA in the past. Except for that, the fishery is under the PBR for marine mammals. The Council and the TRT will continue to monitor. For leatherbacks, except for 2014, the trends are stable and monitoring will be continued for interactions.

Eric Gilman and colleagues published a paper looking at what could be contributing to interaction rate changes over time in the deep-set longline fishery. In the last decade or so, interaction rates of albatross species are mostly impacted by ocean productivity: the lower the ocean productivity, the higher the interaction rates. Increased albatrosses tending to the longline vessels are associated with the lower ocean productivity. As ocean productivity is currently in a low productivity phase, it will be interesting to see what happens in the coming years as the ocean productivity shifts, Ishizaki said. If the albatross number drops again, it would be apparent that the interaction rate was caused by the ocean productivity rate and not the fishery operations. The paper also looked at side-setting and blue-dyed bait and their effectiveness at reducing interaction rates. Both significantly reduce catch rates. Side-setting was found to have lower interaction rates than blue-dyed bait.

The American Samoa longline fishery had a shorter dataset since the Observer Program started in 2006. The fishery has a turtle measure to set hooks below 100 meters. Interactions since that measure went into effect appear less frequent. However, since there has not been a formal evaluation, one may be helpful in the coming years, Ishizaki said.

The observer coverage level increased in 2010, and a few leatherback and olive ridley interactions have been observed. There are a few marine mammal interactions in this fishery, but there are no notable trends. Seabird interactions in the fishery are limited. In the 2015 American Samoa Observer Program report, black-footed albatross takes were attributed to the fishery. American Samoa permitted vessels departing American Samoa were interacting in the North Pacific, so this does not mean there were black-footed albatross interactions occurring in waters around American Samoa. No ITS for this fishery was exceeded in 2015. A new BiOp went into effect in 2015. Monitoring is ongoing. There are no abundance assessments available for marine mammal stocks in American Samoa, hence no PBR with which to evaluate marine mammal interactions. There was discussion on how the interactions are counted over the year with interactions attributed by vessel arrival date versus the capture date, as is the method that is used in calculating interactions against the hard cap.

The pelagic nonlongline fisheries generally have minimal impacts on ESA-listed species based on existing consultations. Given no observer coverage for these fisheries, the report monitors effort and gear characteristics as a proxy for any changes in potential impacts to protected species. The committee discussed the usefulness of spatial representation of fishing effort to track potential for protected species interactions over time. Effort and gear characteristics have been stable over the past decade, and there is no other information to

indicate an increased risk for protected species. It is a similar situation for the Mariana and American Samoa FEP coral reef ecosystem, crustacean and precious coral fisheries. At this time, the Council has elected to focus on the federal portion of the fishery for the purpose of this report, as it is done for the ESA consultations.

The PSAC reviewed and provided updates to the Five-Year Research Priority list and had no changes.

Ishizaki reported the PSAC Program Planning and Research recommendations as follows:

Regarding seabird interactions, the PSAC recommended continued monitoring of interactions to detect any changes in albatross interactions that may be attributed to fishing operations. The PSAC noted current seabird measures implemented in the Hawai'i longline fishery are effective and recent increase in seabird captures are driven by nonfishery factors at this time.

Regarding seabird interactions, the PSAC recommended research on at-sea foraging behavior of albatross species to improve understanding of interaction rates in the Hawai'i longline fisheries.

Regarding interactions by vessel arrival date versus capture date, the PSAC recommended that the actual date of capture should be used in the annual shallow-set longline fisheries reports, rather than the vessel arrival date used by the PIRO Observer Program, for consistency with how interactions are counted toward the loggerhead and leatherback hard caps.

Regarding the issue of take attribution to fishing area versus departure port, the PSAC recommended development of an illustrative look-up table of catch and bycatch attribution based on permits and fishing locations.

Regarding the annual report, the PSAC recommended that other approaches besides a tabular presentation be explored to present the annual marine turtle and seabird bycatch data for the Hawai'i-based shallow-set and deep-set longline fisheries. Graphical outputs would be informative for anomalous events, such as high effort or high bycatch. The current tabular presentation form used to summarize marine mammal take (bycatch) in the Hawai'i longline fisheries and American Samoa longline fishery marine turtle, marine mammal and seabird take is sufficient for the annual report at this time.

Regarding the five-year research priorities and the cooperative research priorities, the PSAC recommended the Council include a priority to improve understanding of the extent of marine mammal and other protected species depredation in the non-longline fisheries.

4. Social Science Planning Committee

Hawkins reported the Social Science Planning Committee met on April 1 to discuss the status of the various sections of the annual reports and has the following Program Planning and Research recommendations:

Regarding the annual reports, the Social Science Planning Committee proposed the contents and format for the CNMI data tables be expanded to other relevant fisheries covered by the Annual Reports.

Regarding the annual reports, the Social Science Planning Committee understood that many of the data elements are informed by PIFSC's small-boat characteristics studies, and that those are to be repeated approximately every five years, as well as the PIFSC's longline cost earning studies. The Committee requested Council staff develop a report identifying data sources for each data element and data elements that are not covered by an existing data collection effort or program.

Regarding the annual reports, the Social Science Planning Committee recommended the socioeconomic elements be incorporated fishery by fishery or in stand-alone sections. The Committee would like to examine completed reports at its October 2016 meeting to determine whether to suggest any changes in 2017.

5. Marine Planning and Climate Change Committee

Spalding reported that the Marine Planning and Climate Change (MPCC) Committee held its fifth meeting in March. All of the members or their representatives attended the meeting with Eileen Shea as the chair and Frank Villagomez as vice chair. Spalding has been meeting with Fran Castro, director of Coastal Resource Management in CNMI and a committee member, to discuss future community meetings.

Since the previous meeting, there have been new points of contact (POC) for climate change. The new POC on Guam is Tricee Limtiaco, who has been hired to fill Guam's new climate change position. Guam also has a new Climate Change Task Force. In CNMI, Arielle Baker was recently hired. In American Samoa, the POC is Council member Dr. Ruth Matagi-Tofiga. Since the last meeting the DOI Office of Insular Affairs has provided funding to the Territories to enable them to hire new staff, establish a task force and begin work on climate change in the Territories.

An overview of the Western Pacific Region's fisheries and FEPs was undertaken at the meeting to ensure that the MPCC Committee was aware that all of the efforts are geared toward the fisheries and the FEPs. The Plan Team members that dealt with the marine planning and climate change sections of the draft 2015 annual reports provided updates on them. The committee provided input on those drafts. Breakout sessions were held to discuss community workshops, which are part of the Marine Planning and Climate Change Action Plan, which the Council adopted.

The action plan was reviewed. There was a recommendation for the Territories to address climate change together, rather than to compete with each other. There have been a few climate change funding opportunities, but there has been no collaborative solicitations. With the recent DOI funding, the Territories are able to work with the Council on community events. Other unfinished business included looking at what is being done throughout the Pacific on climate indicators and incorporating them into fishery models. The Council's summer intern will be working on the task with Sabater.

New business related to reports from NOAA on their ongoing climate change activities.

Shea asked the committee to review the terms of service, as she will be moving to the East Coast in the near future. The committee positions began in 2014 and run for three years. The committee decided Shea should remain chair for the remaining six months of her term.

Spalding reported the MPCC Committee's Program Planning and Research recommendations as follows:

Regarding the community meetings and workshops, the MPCC Committee recommended the following:

- Develop a standardized pitch deck of info on MPCC and annual report MPCC indicators that can be tailored to various regions.
- Conduct a train-the-trainer program after standardized deck developed so interpretation is consistent on the deck and on the annual report indicators/components.
- Ensure workshops incorporate consideration of the community's values, experiences, insights, aspirations, etc.
- Produce and share best management practices for the workshop event planning.
- Produce easy to understand, plain language fact sheets summarizing the climate and ocean indicators, marine planning information and other outreach materials for the workshops, which can be modified for specific geographical areas/communities.
- Work with Coastal States Organization on including climate change updates in its jurisdictional profile sheets.
- Provide flexibility to use term climate change or changing climate or climate, but ensure that it is understood that this includes ocean acidification and natural variability.
- Overarching goal of workshops is awareness to plan for resiliency and mitigate anticipated adverse impacts from climate change and human activities.

Regarding other MPCC matters, the Committee recommended the following:

- That the Council present the issue of climate change in a straightforward, understandable (using plain language) and not emotionally charged manner so as to enable discussion of the issues and opportunities for mitigation and adaptation. However, so as to not whitewash climate change, acknowledgement should be given that the change is due to anthropogenic activities.
- That the Council continue to explore impacts of fish aggregation devices (FADs) to fisheries and fishing communities, including de facto FADs, such as offshore energy farms and offshore aquaculture, particularly in the context of a changing climate.
- That the Council explores the implication and effectiveness of large MPAs in the context of highly migratory species in a changing climate.
- That the Council in future annual reports include a) analysis of the potential relationship between traditional runs of fish and climate change indicators, and b) enhanced information on social, economic and cultural impacts of a changing climate and increased pressure on the ocean and its resources.
- That the Council encourage local governments to consider climate change impacts on fisheries, marine ecosystem and fishing communities in the context of existing and future disaster risk management plans and programs.
- That the Council share and encourage others to consider its MPCC Policy in regards to island cultures and traditional fishing practices, specifically to recognize the importance of island cultures and traditional fishing practices in managing fishery resources and foster opportunities for participation.

6. Advisory Panel

Gary Beals, Hawai‘i AP chair, presented the AP’s Program Planning and Research recommendations as follows:

Regarding the research priorities, the Hawai‘i AP recommended that the Council include research priorities that look at which models are correct for the fisheries and include all of the information. Further, the Hawai‘i AP recommended the Council prioritize the Hawai‘i bottomfish fishery for research for the near future.

Regarding shark depredation, the Joint Mariana AP supported the Council’s push to develop a shark depredation project in the Mariana Archipelago and recommended including a stronger cooperative research priority or a study to look at shark depredation in CNMI.

Regarding the annual report and FEP, the American Samoa AP recommended that the inclusion of a comprehensive reference document explaining all of the acronyms that the Council reports, as well as the FEP, with short definitions of all of those included acronyms, providing definitions in layman terms for scientific terms to make those documents easier to digest for nonscientific individuals.

Regarding the evaluation of ACLs, the Hawai‘i AP recommended the Council establish a process for evaluating significant change in data to determine the trigger revisiting the overfishing level. Further, the AP did not like the P* approach, but recommended that the Council run a sensitivity analysis on each of the options to provide the AP a better insight into how these options would affect the fisheries.

Regarding a pilot project on options, the Joint Mariana AP agreed with the Hawai‘i AP and requested that the Council take each option presented and conduct a pilot analysis using real fisheries data for each island and present those results to the advisors and the Council for consideration on the issue.

Regarding fishery data, the Joint Mariana AP requested that the Council work with the new Guam Fishery Council to develop a way to centralize and coordinate fishery data and research collected for the Mariana Archipelago with the goal of establishing a policy by law to require the process.

7. Regional Ecosystem Advisory Committee

Hawkins provided the Program Planning and Research recommendations from the Regional Ecosystem Advisory Committee (REAC) as follows:

Regarding climate change indicators in the annual reports, the Hawai‘i REAC recommended the Council consider adding wind speed and direction, frequency of storms, and ocean current data, as changes in some of these have impacted fishing patterns elsewhere.

Regarding the annual reports, the Hawai‘i REAC recommended the Council consider, for each fishery, a summary statement about fishery sustainability as indicated by catch, biomass, bycatch, protected species interactions and other relevant data.

Regarding information to support science and management, the Hawai‘i REAC recommended the Council examine avenues to increase the use of local and traditional knowledge in fisheries-related research and decision-making in the region.

Regarding stock and other data models, the Hawai‘i REAC recommended the Council convene a workshop to provide a venue for fishermen and modelers to discuss assumptions and how data needed for model parameters and assumptions compared to what data fisherman are able to provide.

Regarding the annual reports, the American Samoa REAC recommend the Council consider writing definitions in the final annual report for public consumption.

Regarding the annual reports, the American Samoa REAC recommended the Council consider developing a strategy to provide the information in the annual report and FEPs to the community, for example, by press release or radio.

Regarding the annual reports, the American Samoa REAC recommended the Council consider ensuring adequate time to read and digest all documents prior to annual report review meetings.

Regarding the annual reports, the Guam REAC recommended that future iterations of the Protected Species Section of the Guam Annual/SAFE Report include sea turtles, because they are migratory and there have been enforcement cases with fishermen interacting with sea turtles.

Regarding the annual reports, the Guam REAC recommended that future iterations of the socioeconomic section of the Annual/SAFE Report consider the residential status (for example, military, immigrant, Guam resident) of survey participants, as consumption rates and fishery participation vary by ethnicity, residential status and geography, which may be true for other jurisdictions as well.

Regarding the annual reports, the CNMI REAC recommended the Council explore options to partner with the CNMI Department of Commerce on efforts to address data gaps in the CNMI Annual/SAFE Report.

Regarding the annual reports, the CNMI REAC recommended the Council consider developing community-based fishery management plans for Rota and Tinian through their respective mayors.

Regarding the annual reports, the CNMI REAC recommended the CNMI Annual/SAFE Report break out trip costs by island in future iterations of the report because trip costs vary by island.

Regarding the annual reports, the CNMI REAC recommended the Council develop a strategy to engage with a wider swath of communities and entities during outreach efforts regarding the Annual/SAFE Report.

8. Joint Meeting of Advisory Panel, Fishing Industry Advisory Committee, Non-commercial Fisheries Advisory Committee and Regional Ecosystem Advisory Committee

Program planning and research recommendations from the joint meeting of the Advisory Panel, Fishing Industry Advisory Committee (FIAC), Non-commercial Fisheries Advisory Committee (NCFAC) and REAC were reported during the REAC Report.

I. Scientific and Statistical Committee Recommendations

Lynch reported that, at its 123rd meeting, the SSC noted that the 2015 Annual/SAFE reports were a significant improvement over past reports. The reports attempted to summarize and integrate a vast range of complex data. The SSC discussed with staff about developing a Data Integration Workshop that would help assist the SSC, as well as Council staff, in determining best methods for incorporating the complex data into future SAFE reports. The SSC made other minor recommendations to improve the content and format of those reports. The SSC

wanted to ensure that the human perspective and the community and social values are not lost in the attempt to streamline the complex reports. Council staff was asked to take those values into consideration as part of the development of a dashboard approach to the reports.

The SSC discussed the 2015 evaluation of the ACLs, noting the fact that some were exceeded. Several stocks appeared to have bumper crop years. The SSC noted that the overages may be due to naturally occurring environmental conditions and concurred with the Plan Team's conclusions regarding the explanations for the ACL overages. The SSC noted, however, that further thought needs to be given to ACLs and that environmental conditions may result in some exceedances in high abundance years.

Regarding issues surrounding data uncertainty in dealing with the ACL specification process, SSC members were interested in simplifying the process. They supported Action 1, establishing a process for the Plan Team and the SSC to evaluate where there is significant new data or a significant change to engage a reconsideration process. The SSC understood that staff will propose a method for setting criteria around reconsidering new data.

For Action 2, the SSC recommended Option 2, modifying the existing tier system of the control rule. Several members would like to see more information and requested that staff develop a process for blending Option 2 potentially with Options 3 and 4 to bring in elements of workshops and models to better inform the control rules. The recommendation from the SSC was to preliminarily accept Option 2 and requested staff to provide more details on the implementation of Option 2 for further discussion.

The SSC supported the changes proposed by staff to revise the Five-Year Research Priorities.

The SSC supported the changes proposed by the staff to the Cooperative Research Priorities. SSC members engaged in considerable discussion on encouraging collaborative research opportunities with the fishing industry. The SSC recommended the agencies promote the benefits of such research.

The SSC were presented with the findings of the PSAC, endorsed them and deemed them prudent to continue.

The SSC received several presentations regarding evolving histological methods to determine fishery productive states. The data are important in specification of the ACLs and other modeling projects. There is a new and inexpensive method for determining sexual maturity of coral reef species. Based on the presentation, the SSC recommended that the tools be pursued further and used to provide input into some of the key assumptions that go into ACLs. The SSC also recommended that the Council request NMFS PIFSC to examine the feasibility of using fishing stock assessment models that take into account reproductive outputs for insular fish populations.

Lynch reported the SSC's program planning and research recommendations as follows:

Regarding the 2015 Annual/SAFE Report, the SSC supported the plan to conduct a Data Integration Workshop. In addition, the SSC supported adding an executive summary as well as a management-oriented summary section that contains the basic facts. Further, the SSC advised that the human perspective, the importance of the community and the extended cultural and social values of fishing should be considered in pursuing the dashboard summary format.

Regarding the evaluation of the 2015 catch relative to 2015 ACLs, the SSC concurred with the Plan Team regarding the explanations of the ACL overages.

Regarding options for revising the risk determination and uncertainty characterization process, the SSC supported Action 1 because it will establish a process that allows for the review of new information and an assessment of whether further action is needed. Further, the SSC recommended Option 2 for Action 2, with the goal to make the process more transparent and simple. The SSC expected that workshops would be employed in accomplishing this. The SSC requested staff to provide more details on the implementation of Option 2 for further review by the SSC.

Regarding the five-year research priorities, the SSC supported the changes to the Council's five-year research priorities.

Regarding the Pacific Islands Region Climate Action Plan, the SSC formed a working group comprised of David Itano, Molly Lutcavage, Don Kobayashi, Milani Chaloupka, and Erik Franklin to provide comments on the Pacific Island Region Climate Action Plan.

Regarding the cooperative research priorities, the SSC supported the changes to the Council's cooperative research priorities.

Regarding the cooperative research implementation framework, the SSC recommended that agencies promote the benefits of conducting collaborative research in the fishing industry within the Cooperative Research Implementation Framework.

J. Standing Committee Recommendations

Gourelly reported the Program Planning and Research Standing Committee recommendations as follows:

Regarding the Annual/SAFE Report, the Program Planning and Research Standing Committee supported the convening of the Data Integration Workshop.

Regarding evaluation of the 2015 catch to the 2015 ACLs, the Program Planning and Research Standing Committee recommended the Council not to take overage adjustments to the Guam Carangidae (jack), Hawai'i crustaceans and Hawai'i mollusk on the basis of the rationales provided by the FEP Plan Team and the SSC. These rationales are based on available data and scientific information for those MUS complexes.

Regarding the options for revising the risk determination and uncertainty characterization process, the Program Planning and Research Standing Committee recommended establishing the process for the Plan Team and SSC to evaluate whether there is significant change in the data and the fishery characteristics to trigger revisiting the risk of overfishing level. The committee chose Option 2, with the caveat of including some elements of Option 3, particularly altering the starting point of Tier 2 and 3 to a lower risk level. Once the details on the implementation of Option 2 have been completed, the Standing Committee requested that staff present the results for further review.

K. Public Comment

No public comment was offered.

L. Council Discussion and Action

Regarding the ACL catch monitoring, the Council recommended NMFS not apply the overage adjustment for the Guam Carangidae, Hawai'i coral reef mollusk and Hawai'i crustaceans due to the following factors:

Guam Carangidae:

- **The fishing mortality rate for the juvenile portion of the stock did not seem to increase based on examination of fishing effort;**
- **The stock appears to be stable, and the fishery-dependent indicators showed that the shore and boat-based fisheries continue to be productive;**
- **Fishing effort is stable.**

For Hawai'i crustaceans:

- **There is no indication that the trap fishery has expanded in recent years; the CPUE for traps has increased over the past years indicating increased productivity that could have been contributed to the high catch.**
- **The number of participants in the white crab trap fishery has decreased, and the number of trips remained stable.**

For Hawai'i mollusk:

- **Octopus has a short life span, and the recent year catch may follow the abundance of the stock.**
- **CPUE for spearing of mollusk increased in recent years and the inshore handline fishery appeared stable showing increase in abundance of the stock.**

- Fishing effort and participation is relatively stable or decreasing in the past 20 years suggesting stable or decreased fishing mortality.

The Council noted that these current catch limits do not account for windfall years. There are years where catches will be above normal reflecting the condition of the environment favorable to increased productivity. The Council also noted that a recent publication showed a number of fisheries were independent of stock production and that recruitment of reef fish in Hawai'i was heightened in recent years. A similar recruitment success for invertebrates may have occurred that could account for the overage. The Council believed that this emphasizes the need for data integration to account for the environmental variables that may drive the fisheries. There is a need to revisit these species to determine causes in variability in catches.

Moved by Rice; seconded by Duenas.

Motion passed.

Tosatto asked for the recommendation to be amended to insert the word "white" in front of crab, with no change to the last paragraph.

The maker of the motion and the second agreed to the change.

Leialoha offered a friendly amendment with regard to a change in the word "windfall" to "variable," as well as a clarifying statement for the Council to revisit the issue.

Sabater clarified that windfall is a quantifiable technical term used in stock assessments that shows a delayed response in the stock due to environmental change, resulting in variability.

Leialoha requested the recommendation to include the possibility for revisiting the species at some point in the future.

Sabater stated that the sentence "there is a need to revisit these species to determine causes in variability in catches" was added to the recommendation.

The maker of the motion and the second agreed to the change.

Regarding options for revising the risk determination and uncertainty characterization process, the Council supported Action 1 for the development of criteria that allows the Plan Team and SSC to consider new information and stock assessments to determine whether further action is needed to change the risk of overfishing level. Further, for Action 2, the Council recommended Option 2, with the goal to make the ABC specification process more transparent and clearer with the caveat that some elements of Option 3 be considered. The Council directed staff to provide details on the implementation of a modified Option 2, as described above, for further review by the SSC and the Council.

Moved by Rice; seconded by Sword.

Motion passed.

Regarding the ecosystem component designation criteria, the Council directed staff to work with the PIFSC in applying the following criteria, in addition to the National Standard regulatory guidelines, to designate ecosystem component species:

- Parsing the catch between state/territorial catch versus federal catch;
- Proportion of the catch;
- Frequency of species detected in the time series;
- Habitat association of each MUS species and habitat distribution; and
- Existence of an active fishery.

The Council further recommended a combination of these criteria be used and the analysis be conducted in a multi-dimensional statistical framework. The analysis should also consider weighting the criteria and use a range of threshold levels to evaluate the species to be designated as ecosystem components.

Moved by Rice; seconded by Sword.
Motion passed.

Tosatto voiced support for the recommendation but asked staff to include in its work a close look at the plans to ensure conformance for designating species for the ecosystem bin. If not, a plan amendment would need to be considered to change the process.

Regarding OY, the Council directed staff to develop an options paper on the range of alternatives for specifying OY to include, but not limited to the following:

- The most harvested by the fishery following the implementation of existing CMMs;
- ACL equal to OY;
- MSY as reduced by a SEEM-like process.

Moved by Rice; seconded by Sword.
Motion passed.

Regarding research needs, the Council approved the changes to the five-year research priorities and directed staff to transmit the final priorities to the Secretary of Commerce and PIFSC.

Then the Council approved the changes to the Cooperative Research Program priorities and directed staff to transmit the priorities to PIFSC for consideration in the next funding cycle. The Council further recommended that the state and territorial fishery agencies and NMFS promote the benefits of conducting collaborative research in the fishing industry.

Moved by Rice; seconded by Sword.
Motion passed.

Tosatto said the second half of the recommendation refers to recommending the intent to promote benefits and conducting collaborative research with the fishing industry that would occur within the cooperative research implementation framework. He noted that the framework development is not finalized and referencing within that framework would be premature as the draft is likely to change. He suggested adding a period after “industry” and delete “within the framework.”

Simonds suggested inserting “to consider while developing the framework.”

Tosatto said the problem is the Council is recommending doing something within a framework that is not yet completed. It is apparent that there are changes needed within the framework. Promoting the benefits of conducting cooperative research with industry is a fine recommendation and allows for a congenial way to address the framework outside of the recommendation.

Simonds reiterated it is saying to consider it. Nobody is saying that it has to be done. When the letter is written, it will ask for it to be considered.

Sabater replied that the phrase related to within the framework is deleted.

Regarding the Annual/SAFE Report, the Council, as resources permit, directed staff in coordination with NMFS, to organize a workshop in developing the data integration chapter of the Annual/SAFE Report.

The Council requested PIRO and PIFSC to work with the Council to develop an illustrative lookup table of catch and bycatch, including protected species interactions, attribution based on permits and fishing locations.

The Council recommended research to be conducted, as appropriate, on at-sea foraging behavior of albatross species to improve understanding of interaction rates in the Hawai‘i longline fisheries. Further, the Council directed the Plan Team and the PSAC to continue monitoring interactions through the Annual Report to detect any future changes in albatross interactions that may be attributed to fishing operations. The Council noted that current seabird measures implemented in the Hawai‘i longline fishery are effective, and recent increase in seabird captures are driven by non-fishery factors.

The Council directed staff to develop a brief report identifying data sources, quality and coverage for each required socioeconomic parameter in the Annual/SAFE Reports. This report should also identify the quality and coverage of this data as well as any gaps.

The Council directed staff to develop a strategy to provide the information in the Annual/SAFE Reports and FEPs to community members, for example, by press release and radio through various groups and organizations.

Moved by Rice; seconded by Sword.

Motion passed.

Simonds asked if the regulations were instituted from the beginning of the use of the observers and are currently ongoing.

Tosatto noted that, in the Observer Program, there is a requirement that in the course of fishing operations the priority is to count birds in the sky or the presence of birds and then to count on set and haul the number of interactions that occur. They also recover a number of carcasses for research purposes. All of the information is in the annual seabird report. The raw data is used by researchers and others. It is focused on the presence during fishing operations and provides information about productivity of the ecosystem around the boats.

Simonds noted the subject will be discussed with PIFSC.

Ishizaki added that the PSAC discussion recognized that the information in Gilman's analysis was all fishery-dependent data information that's available through the Observer Program. The recommendation was particularly interested in looking at fishery-independent research on albatross distribution as related to the effect of changes in oceanographic conditions on foraging behaviors.

Leialoha asked if USFWS was involved in discussions on the topic of albatross take.

Ishizaki said a USFWS representative was at the PSAC meeting. In follow-up, the USFWS would be one of the partners in the implementation of the research.

Regarding the Annual/SAFE Report, the Council directed the Plan Team, as resources permit, to consider the following for future Annual/SAFE Reports:

- **Add an executive summary, as well as a management-oriented summary section that contains the basic facts;**
- **Include the human perspective, the importance of the community, and the extended cultural and social values of fishing in the dashboard summary format;**
- **Include, for each fishery, a summary statement about fishery sustainability as indicated by catch, biomass, bycatch, protected species interactions and other relevant data;**
- **Explore approaches other than a tabular format, for example, a graphical output, to present annual marine turtle and seabird interaction data for the Hawai'i-based shallow-set and deep-set longline fisheries;**

- Use the actual date of capture for sea turtle interactions in the annual shallow-set longline fishery reports, rather than the vessel arrival date used by PIRO Observer Program, for consistency with how interactions are counted toward loggerhead and leatherback hard caps;
- Break out trip costs by island for the CNMI sections of the report, as trip costs vary by island;
- Explore partnering with the CNMI Department of Commerce on efforts to address socioeconomic data gaps in the CNMI SAFE/Annual Report;
- Include a list of acronyms with definitions of each acronym to improve readability of the reports for the public;
- Add wind speed and direction, frequency of storms, and ocean current data to the climate indicators, as changes in some of these have impacted fishing patterns elsewhere;
- Include analysis of the potential relationship between traditional runs of fish and climate change indicators; and
- Include enhanced information on social, economic and cultural impacts of a changing climate and increased pressure on the ocean and its resources.

Moved by Rice; seconded by Sword.

Motion passed.

Regarding marine planning and climate change, the Council, as resources permit, directed staff to present the issue of climate change in a straightforward and understandable, using plain language, factual manner so as to enable discussion of the issues and opportunities for mitigation and adaptation

The Council also directed staff to be mindful of the following when organizing and running community meetings and workshops on marine planning and climate change:

- Develop a standardized pitch deck of info on marine planning and climate change and Annual Report marine planning and climate change indicators that can be tailored to various regions;
- Put together a train to trainer program after standardized deck developed so interpretation is consistent on the deck and on the Annual Report indicators/components;
- Ensure workshops incorporate consideration of the community's values, experiences, insights, aspirations, et cetera;

- **Produce and share best management practices for the workshop event planning;**
- **Produce easy to understand, plain language fact sheets summarizing the climate and ocean indicators, marine planning information and other outreach materials for workshops, which can be modified for specific geographical areas or communities;**
- **Work with Coastal States Organization on including climate change updates in its jurisdictional profile sheets;**
- **In workshops, use terminology, climate change or changing climate or climate, whatever is useful, but note that this includes ocean acidification and natural variability. Ensure the definition is clear in the Annual Reports. In workshops, provide flexibility to use terms, changing climate and/or climate change term;**
- **Over-arching goal of workshops is awareness to plan for resiliency and mitigate anticipated adverse impacts of climate change and human activities.**

The Council directed staff to encourage local government to consider climate change impacts on fisheries, marine ecosystem and fishing communities in the context of existing and future disaster risk management plans and programs.

The Council directed staff to share and encourage others to consider marine planning and climate change policy in regards to island cultures and traditional fishing practices.

The Council directed staff to form a working group comprised of Itano, Lutcavage, Kobayashi, Chaloupka and Franklin to provide comments on the Pacific Island Region Climate Action Plan.

Moved by Rice; seconded by Sword.

Motion passed.

Gourley said staff should present the issue of climate change in a factual manner to enable discussion of the issues. He asked that the second sentence be deleted.

Rice disagreed with deletion of the second sentence.

Sword suggested adding that anthropogenic activities will remain part of the discussion.

Gourley said it is already part of the discussion.

Sword said it would avoid leaving it out of the discussion. The intent is to keep it at the forefront while discussing all factors.

Gourley disagreed and noted that to enable a discussion in a factual manner means that it is unbiased in the recommendation and the discussion goes on both sides of the argument.

Ebisui noted that the maker and the second are in disagreement to the amendment.

Rice said he does not believe in climate change.

Sabater suggested Spalding could provide more details since the discussion came out of the MPCCC.

Spalding said the original recommendation did not contain the words; however, Guam or CNMI asked that they be included so the discussion would not be whitewashed. The committee agreed to the addition of the sentence. She opined that the human causes can be discussed in a factual manner since 97 percent of climate scientists say that it is human activities that have driven the rate of climate change.

The mover and second remained in disagreement to the change.

Simonds said it does not add anything to the recommendation and should be deleted. The full report is available. Council members are not in agreement.

The mover and the second agreed to the deletion of the sentence. The motion was amended by deleting the sentence.

Regarding fishery data collection, access and research, the Council recommended that PIFSC and state and territorial fishery agencies evaluate the rapid histological assessment of fish reproductive state for its utility in providing data on reproductive biology of data-limited stocks in the Council region. Further, the Council requested PIFSC to examine the feasibility of using fish stock assessment models that take into account the reproductive output of insular fish populations.

The Council also directed staff to establish a process for monitoring progress of activities addressing the strategic plan and incorporate that process in the FDCRC's Standard Operating Policy and Procedures.

The Council directed staff to explore feasibility of a MOA on data sharing and data confidentiality and work with fishery agency staff to solidify the Council's access to territorial and state fishery data.

The Council also directed staff to work with state and territorial agencies to explore funding opportunities for international grants.

The Council also requested USFWS Sportfish Restoration Program and NMFS to expedite the resolution of the in-water activity prohibition due to the Section 7 consultation for the corals listed under ESA.

The Council also directed staff to offer assistance to the new Guam Fishery Council to coordinate a centralized fishery data and research system.

Moved by Rice; seconded by Sword.

Motion passed.

Regarding the FDCRC status as a Marine State Fishery Commission, the Council directed staff to work with NMFS on recognizing the FDCRC as a Regional Marine Fishery Commission in order to access the funds for data collection and research system.

Moved by Rice; seconded by Sword.

Motion passed.

Tosatto said a Marine Fishery Commission would in part require the state and territorial governments to follow the norm of the existing Marine State Fisheries Commissions, which are formed with the participation of those state governments. It could potentially compete and reduce funds available to the Council, depending on the formation and the mandate from Congress. There is a fixed amount of funding that NMFS gets for Councils and Fishery Commissions, and it would be shared unless that fund was increased. It could compete with the Council for its responsibilities, such as data collection and research. The Marine Fisheries Commissions on the mainland do collaborate with Regional Councils and take certain responsibilities on. It would take much more than working with NMFS to form a Marine Fisheries Commission or something separate from the Council.

Simonds said the recommendation was not written well. The Councils tried 15 years ago to go down the path of being part of the Pacific States Marine Commission. The Western Pacific Council was not interested. The recommendation is addressing some of the data responsibilities that the Commissions have and the fisheries networks that are established. The Council has that responsibility in the FDCRC and an agreement was signed by NMFS headquarters and the Council. The recommendation needs to be reworded. The recommendation should recognize that the FDCRC is the fishery information system and decides how things are to be done. It is about data responsibilities that the Council has taken over by agreement. The recommendation is not needed.

The maker of the motion and the second agreed to withdraw the motion. Therefore, the recommendation was withdrawn.

Regarding Pacific Island Fisheries Research Program 2016 proposal, the Council endorsed the following proposals for funding through SFF4:

- **Evaluation of ecosystem services under human and environmental drivers in Hawai'i;**
- **Trophic models supporting ecosystem-based fisheries management and climate change planning in American Samoa;**

- **Alternative estimation methods for annual catch of federally managed species in the Western Pacific Region.**

Further, the Council directed staff to work with NMFS in funding the remaining projects since they address priorities identified in the reauthorized MSA five-year research priorities.

Moved by Rice; seconded by Sword.

Motion passed.

Regarding community outreach needs, the Council requested that the state and territorial fishery agencies provide feedback to the PIFSC Socioeconomic Program on the development of socioeconomic outreach materials to be disseminated to the fishing communities.

Moved by Rice; seconded by Sword.

Motion passed.

IX. Protected Species

A. Report on the CNMI Sea Turtle Programs

Seman reported for NOAA contractor Tammy Summers on the CNMI DLNR Sea Turtle Program. The program has been funded by PIRO under a noncompetitive grant since 2005 and is in the eleventh year with PIFSC cooperative project support for sea turtle research, monitoring and outreach. Program accomplishments include 35 flipper tags on an estimated 67 nesting green sea turtles on Saipan. During the same period, 22 nesters have been removed from the population. The program put flipper tags on 907 green and 71 hawksbill juvenile turtles. During the CNMI in-water survey, 20 percent of those turtles were recaptures.

The program inventoried 340 nests, with an average clutch size of 92 eggs, hatch success rate at 77.5 percent and emergence success rate at 69.1 percent. Eighty-eight strandings were recovered, and 16 necropsies were performed, with 933 tissue samples collected for DNA analysis.

The program was presented to 16,000 CNMI students, interns, volunteers, summer camp participants, workshops and international symposium members through education presentations.

Graphs were shown depicting 10 years of nesting green turtles on Saipan, emergence activities and turtle strandings, with causes of strandings and necropsy lab results. The data were published in peer review journals in CNMI regarding nearshore capture and nesting trends. Both draft manuscripts are currently under scientific review. Efforts are underway to develop radio and television public service announcements and an educational curriculum through Section 6 grant funding. Long-term research and monitoring efforts are ongoing to provide data for future resource management decisions.

B. Update on the PIFSC Mariana Archipelago Cetacean Surveys

[This report was also presented during the Council meeting on Guam]

Seki presented an update on the recent PIFSC cetacean surveys. The goals of the surveys are to understand the species occurrence and distribution, to determine the population structure and abundance and to study the movements and habitat use of individuals and populations. The surveys are principally funded through the DOD.

Specific project components included a summer and winter visual survey around the southern Mariana Islands and photo identification catalogues for the commonly sighted species to facilitate the movement and abundance analyses. Satellite tags are deployed on medium to large odontocetes to assess their short to medium term movements; genetic analyses are conducted on collected biopsy samples to assess population structure; and long-term acoustic monitoring is conducted to assess seasonality. The update included all information through March 2016 but not the most recently completed surveys from June 2016 on Guam.

High-frequency Acoustic Recording Packages (HARPs) were deployed near Tinian and to the west of Saipan to monitor cetaceans. Sighting locations were depicted for the 12 odontocete species over the course of the study through March. The 12 species included the Delphinids, the beaked whales and the Kogia species, which are the pygmy sperm whales.

The short-finned pilot whales, with a high re-sighting rate of more than 50 percent, suggested high site-fidelity and possible island association. The matches indicate individuals are moving among the islands in the southern archipelago and are not associated with a single island. For the Mariana short-finned pilot whales, 11 individuals from two separate clusters have been satellite-tagged, and kernel density estimations of their home ranges have been generated. The two clusters have overlapped home ranges, 95 percent of all of the telemetry locations, but do not overlap in the highest used area.

Spinner dolphins are generally found within one nautical mile of shore and at offshore reefs. Their re-sight rate suggests a resident population. The high genetic diversity suggests that they are not an isolated population but a continuous population within the southern islands.

High re-sighting rates for bottlenose dolphin suggested resident populations moving among all of the southern islands. The genetic data suggested a past hybridization event with Fraser's dolphin.

For the other tagged species (rough-toothed dolphins, melon-headed whales and bottlenose dolphins) all had relatively short tag durations and relatively restricted movements close to the islands. The rough-toothed dolphins stayed close to Saipan and Tinian. The same groups of animals have been re-sighted in the area over the four-year period. Bottlenose tagged off Guam did move north past Saipan into the Northern Islands.

Only nine false killer whale individuals were re-sighted within the years, all in the southern half of the archipelago, making broad movements east and west and circling back to the archipelago on a 20- to 30-day basis. A single animal tagged off of Asuncion in 2015 went three-quarters of the way to the Philippines before turning back to the Mariana Archipelago, all over a

28-day period. This is very different behavior from others; only a single record of a single animal exhibited this behavior.

Humpback whale shore surveys in 2015 were conducted from the top of the Hyatt in Saipan and other viewpoints. The 2015 small-boat survey were constrained due to weather. There was a broader search in 2016, but no animals were seen at places they were seen in 2015. For the photo identification matches and genetics for the Mariana humpback whales, data were collected in 2015 and 2016. Few identification-quality photos were taken.

HARPS were at two sites, one 10 miles west of Saipan, the other three miles east of Tinian. Sampling is conducted at 200 kilohertz. All vocal cetacean species can be recorded, except for Kogia, which sounds greater than 100 kilohertz. There is a seasonal occurrence of baleen whales across all years in the data. Humpback whales were heard readily every day off Saipan in the winter but much less so during the summer off of Tinian. Blue and fin whales are rare. Bryde's whales are known to occur in the tropical regions year-round. Sperm whales occur seasonally from the acoustic data.

Three species of beaked whales were detected: Blainville's, Cuvier's and an unidentified beaked whale that was originally detected off of Cross Seamount in Hawai'i.

The *SETTE* conducted a cruise in 2015 to the northern part of the archipelago where the monument exists to collect tissue samples and photos for the assessment of the population structure, deploy satellite tags for the certain species to study their movements and habitat use and deploy a new HARP in the northern part of the archipelago to listen for migratory baleen whales. Because two different types of effort were used, they had a much higher rate of encounter with the nonstandard effort transects. The *SETTE* results saw a total of 42 cetaceans, including nine identified species: Bryde's whale, sperm whale, melon-headed whale, false killer whale, Blainville's beaked whale, Risso's dolphin, rough-toothed dolphin, bottlenose dolphin and spinner dolphin. There were 47 acoustic detections and eight identified species. More than 6,000 photos were taken and 51 biopsy samples from six species: spinner dolphin, melon-headed whale, false killer whale, rough-toothed dolphin, bottlenose dolphin and sperm whale. One satellite tag was deployed on a false killer whale, and a HARP was deployed off Pagan.

Discussion from CNMI presentation

Simonds asked if the information in the presentation referred to humpback whales from the North Pacific or resident whales.

Seki replied in the affirmative.

Simonds asked if there would be a Mariana Archipelago DPS for false killer whales in the foreseeable future.

Tosatto said a DPS designation is an outcome of an ESA process. It more likely would get a stock designated under the MMPA.

Simonds asked whether spinner dolphins have catalogue matches in Guam and CNMI.

Seki said, as far as he has read, it is a continuous population throughout the Mariana Archipelago. The spinners move.

C. Updates on Endangered Species Act and Marine Mammal Protection Act Actions

[This report was also presented at the Council meeting on Guam.]

Tosatto said there was no real progress to report. The green turtles, humpback whales, sharks and rays were reported on prior in the meeting.

Fifteen species of corals were listed in 2015 in the region, none in Hawai‘i and small numbers of coral species in each of the Territories. Two regulatory efforts are underway. One is to consider whether protections under ESA are needed for threatened species. A Section 4(d) Determination is being considered. The petition to designate critical habitat in the final listing was not determinable at the time. Staff has been working to assess and analyze the habitat needs and on a proposed habitat rule.

The green turtle final rule was published that created 11 DPS, eight listed as threatened and three as endangered. None of the populations were delisted. The Hawai‘i green turtle remained listed as threatened. The Mediterranean, Central West and Central South Pacific DPS were listed as endangered. For the Central West and Central South Pacific, there were relatively low stock numbers in the West and the South and very data-poor information. Conservation efforts are in place, but the threats remain or are getting worse. Automatic protections are in place for the DPS listed as endangered. Continuing protections are in place for the threatened species in the final listing. All of the DPS have prohibition on take. Dialogue is ongoing with the State and Territories on the potential need for critical habitat, and the work continues for a proposed rule for green turtle critical habitat.

A proposed rule on humpback whales was issued to divide the species into 14 DPS, remove the species-level listing in favor of the DPS and have some of the DPS not listed, including the Hawai‘i and Oceania populations. The Western North Pacific DPS in the North Pacific that reside and travel to the Mariana Archipelago would remain listed as threatened. Work continues on the final rule.

Scalloped hammerhead was listed as threatened for some populations. While the Central Pacific DPS was not listed, which is the principal DPS that interacts with the Hawai‘i longline fishery. There is interaction with the Indo-West Pacific, as well. Work on a recovery plan is moving forward and will be consistent for all regional DPSs.

Not warranted findings were made for the common thresher shark and the bigeye thresher shark. The Status Review is in process for the smooth hammerhead to make a 12-month finding.

The oceanic white-tip is a species of concern within the international community. There are prohibitions under the international framework with which the United States must comply. A Status Review is being conducted to inform the 12-month finding.

There was a positive 90-day finding on the giant manta rays found off the Big Island and the reef manta rays found throughout all of the region's waters. A Status Review is underway for those two species. The petitioner also asked for consideration of the Caribbean manta rays, which resulted in a negative finding. It was found to be an undistinguishable DPS. It was not a distinguishable species so it remains included as part of the reef manta ray species.

The 2016 List of Fisheries under the MMPA was published with slight updates to numbers of species. As information improves on the species involved in interactions, some changes may need to be made. There were no changes to the description of the region's fisheries or category of the region's fisheries in 2016.

Discussion in the CNMI

Simonds asked how the costs of review and research of the petitions are determined in the development of a budget for the work.

Tosatto said a listing does not automatically produce increased funding. The agency has developed staff resources with the ability to be responsive to the processing of a petition. It also requires PIFSC to respond. There is a statutory deadline. Every petition created a resource need and especially if the petition ends in a listing, as there is regulatory work along the lines of rule-making, protections and critical habitat determinations. No coral consultations are being conducted. Resources are also required for recovery planning and implementation of a recovery plan. The agency has been able to make headway on some issues. The 2017 budget has an initiative for some Council increase in ESA and EFH consultations. The Coral Reef Conservation Program and other NOAA funding sources also have opportunities to address the workload.

Simonds asked about work in the international arena or with other countries on listed species in places other than the United States.

Tosatto said the United States is working in cooperation with other countries to implement recovery activities, such as with turtle species. International cooperation work is in the early stage.

Discussion in Guam

Simonds said the Council was disappointed when the Service uplisted the green sea turtle for the Western Pacific Territories and kept the Hawaiian green sea turtle on the threatened list. The Council will be working together to look at the populations to try to find out where some of the turtles come from. The 2011 workshop identified the Philippines and Japan.

Rice commented that the governors of Saipan and Guam said the same comments.

D. Advisory Body Reports and Recommendations

1. Protected Species Advisory Committee

Ishizaki reported on sections of the Third PSAC report that pertain to agenda items discussed. The committee received updates on recent ESA consultations and listing actions and discussed the need for research on shark species of concern given limited data available for ESA listing decisions.

Regarding shark species, the PSAC recommended biological and ecological research of shark species of concern to facilitate sound decision making regarding ESA listing and related actions. Specifically, focus on oceanic white-tip shark is warranted due to known declines in population and bycatch in fisheries.

Further, the PSAC recommended the Council work with appropriate partners to prioritize shark and other species of concern in terms of fisheries management in the Western Pacific region.

The committee also discussed the green turtle final rule, which had just freshly come out when the committee met. The PSAC recalled its recommendation from the 2015 meeting and expressed its disappointment in the final rule listing of the Central North Pacific DPS as threatened.

Regarding sea turtles, the PSAC recommended robust scientific research to be conducted to evaluate threats to the population identified in the final rule, such as impacts to sea level rise on French Frigate Shoals so that such information can be considered in future five-year Status Reviews of the population.

Further, the PSAC recommended continuation of the long-term nesting activity monitoring at French Frigate Shoals as part of the evaluation to determine impacts of climate change to the population.

One of the main justifications for maintaining the threatened listing for the Central North Pacific DPS (the Hawai'i population) is that the nesting is concentrated on French Frigate Shoals, which is threatened by sea level rise and could put the species back to be on the verge of extinction. As pointed out in the Council's comment letter in 2015, the turtles could move and the sea level rise could affect different places differently. Therefore, much of the justification that the sea level rise could affect French Frigate Shoals and could then put Hawai'i green turtles at risk was considered speculative. This recommendation recognizes that and ensures research is conducted to evaluate that claim and to have species-specific and location-specific scientific information to evaluate the question.

Regarding research, the PSAC adopted the research data and assessment needs for the Annual Report as formal pelagic and insular research recommendations.

Discussion

Seman asked if the updated sea turtle DPS designations would have any effect on the current incidental take of sea turtle in the longline.

Ishizaki said her understanding is that, because each DPS is the same as a species, new consultations would have to consider impacts to each of the DPS that may be affected. The process was already done in the 2015 American Samoa longline BiOp, as the DPS were proposed at the time and considered as part of a conference opinion, resulting in DPS-specific ITSs that would go into effect when the listing rule was finalized. This created a challenge because it would require attributing a rare interaction to four or five potential DPSs across the Pacific.

Seman asked, since the green turtle has been elevated to an endangered listing, what can be done by the Council or federal government for cultural take option to be available to the islands in the Territories.

Tosatto said the ESA has avenues for cultural take. There is not a role for the Council as a body, being an organization of the MSA and not the ESA. If a cultural take is in the interest of the governor or indigenous group, a cultural take under ESA provisions would be investigated.

Simonds asked if the recovery plans will change or new recovery plans be developed as recovery of the turtles as soon as possible is a priority.

Tosatto replied in the affirmative. There will be a series of 11 DPS, and 11 required recovery plans or at least addressing each DPS within a recovery plan framework. He expected PIRO to be the lead in creating those recovery plans or adjusting the current recovery plan for the Western Pacific area.

Simonds noted that the government should be a partner in developing recovery plans.

Gourley asked what the time frame is when French Frigate Shoals will disappear to the point where it is not usable for nesting sea turtles.

Ishizaki said, based on the information she has seen, the worst-case scenario for sea level rise by the International Panel on Climate Change projects two meters of sea level rise. At that level of sea level rise, a majority of French Frigate Shoals is still above water. That information exists and was submitted as part of the Council's comments in response to the proposed rule. There has been no information that says French Frigate Shoals would disappear in X amount of years.

Gourley asked if there is ongoing research to measure the erosion rate of French Frigate Shoals.

Ishizaki did not know the answer.

Gourley said the argument seems a bit weak by simply stating the use of International Panel on Climate Change model estimations for sea level rise, which is not highly regarded.

Duenas asked the source of Guam's foraging turtle population.

Ishizaki said it is not exactly known because the satellite tagging that's been done in Guam and CNMI have all been placed on adult turtles, which appear to be a different population than the foraging turtles. The foraging turtles are juveniles and tend to stay in the region until a certain age. She is not aware of research on where the foraging or source population originates.

Duenas asked that, if the foraging population for Guam's DPS were from a place that is not endangered, could there be discussion on a cultural take.

Ishizaki deferred to Tosatto. She said it is possible that the foraging population's origination is the Philippines or other place outside of the endangered DPS.

2. Advisory Panel

Leialoha reported that the AP had no protected species recommendations.

3. Regional Ecosystem Advisory Committee

Hawkins reported that the REAC had no protected species recommendations.

E. Scientific and Statistical Committee Recommendations

Lynch reiterated the SSC's recommendation in support of the PSAC's recommendations as reported in the Program Planning section of the agenda.

F. Public Comment

No public comments were offered.

G. Council Discussion and Action

Regarding shark species of concern, the Council recommended NMFS conduct biological and ecological research of shark species of concern to facilitate sound decision making regarding ESA listing and related actions, specifically, focusing on oceanic white-tip shark is warranted due to known declines in population and bycatch in fisheries. The Council further directed staff to work with appropriate partners to prioritize shark and other species of concern in terms of fisheries management in the Western Pacific Region.

Moved by Sword; seconded by Seman.

Motion passed.

Regarding the green turtle final listing rule, the Council recommended NMFS and USFWS conduct robust scientific research to evaluate threats to the population identified in the final rule, such as impacts of sea level rise on French Frigate Shoals so that such information can be considered in future five-year Status Reviews of the population. The Council further recommended continuation of the long-term nesting activity

monitoring at French Frigate Shoals as part of the evaluation to determine impacts of climate change on the population.

Moved by Seman; seconded by Sword.

Motion passed.

Regarding the green turtle final listing rule, the Council recommended NMFS and USFWS work closely with the state and territorial governments, as well as the Council, in the recovery planning process for the newly-designated DPSs, or DPS, in the region. The Council noted that the green turtle population in the Mariana Archipelago was uplisted to endangered despite a Recovery Plan for the Pacific green turtle population being in place since 1998, which suggested that the previous recovery plan was not effective for the region.

Moved by Seman; seconded by Sword.

Motion passed, with a nay vote by Leialoha.

Leialoha noted that it may not be appropriate to suggest that the previous recovery plan was not effective because she is aware that oftentimes recovery plans are done prior to implementing a recovery plan and things do change. She offered an amendment by placing a period after 1998 and to delete the remainder of the recommendation.

Seman commented that after so many years of doing the same thing and only to be blindsided that it should be elevated to endangered, to him, the recovery plan was not effective at all. Seman was not amenable to amending the motion. He preferred to reflect that whatever recovery plan was implemented over the years is not effective.

Regarding the green turtle final listing rule, the Council recommended NMFS and USFWS work with Guam and CNMI governments to determine the nesting origin of the foraging green turtle populations in the Mariana Archipelago. The Council noted that the DPS determination focused on the nesting populations and the Status Review report did not identify the source populations for the foraging juvenile turtles around Guam and CNMI.

Moved by Seman; seconded by Sword.

Motion passed.

Regarding research, data and assessment needs identified through the Annual Report, the Council directed staff to work with NMFS, USFWS and other appropriate partners to consider and implement the following research recommendations:

Pelagic Fisheries:

- **Research on at-sea foraging behavior of albatross species to improve understanding of interaction rates in the Hawai'i longline fisheries.**

- **Identify zones to develop a regional look at environmental and oceanographic factors for area outside of the EEZ that may focus on areas of high interactions. Develop metrics to characterize environmental data, effort and bycatch rates at these regional scales, for example, leatherback and albatross.**
- **Ecosystem considerations on catch and bycatch in the deep-set longline fishery, for example, bigeye tuna, albatross and leatherback turtle, as they relate to the environmental and ecological drivers of changing species distribution and aggregation.**
- **Evaluation of spatial and temporal representation of observer coverage compared to the non-observed effort. While vessel behavior may be motivated by various factors, an assessment of sampling bias may be warranted.**

Insular Fisheries:

- **Improve the precision of noncommercial fisheries data to improve understanding of potential protected species impacts.**
- **Develop innovative approaches to derive robust estimates of protected species interactions in insular fisheries.**
- **Update analysis of fishing gear-related stranding of Hawai'i green turtles.**

Moved by Seman; seconded by Sword.

Motion passed.

X. American Samoa Archipelago

A. Motu Lipoti

Ochavillo reported activities conducted by the DMWR since the last Council meeting. Data collection is conducted in the American Samoa coral reef fisheries, bottomfish fishery and nearshore pelagic fisheries by boat-based, shore-based and sports fish creel surveys, as well as commercial receipt book collections and boat inventories.

For the shore-based creel surveys, 38 participation counts and 48 interviews were conducted, with total landings of 5,000 pounds. The top fish and invertebrates were blue-banded surgeonfish, yellowfin surgeonfish, turbo snail, unicorn fish, lobster, octopuses and nearshore honeycomb grouper. Shore-based creel surveys began data collection in 1990. The major gear methods were rod and reel, gleaning and throw net. The spike in landings in 1990 was caused by runs of akule. According to the Western Pacific Fishery Information Network (WPacFIN) database the top coral reef ecosystem MUS groups in shore landings were akule, mollusk,

surgeonfish, parrotfish, mullet, groupers, squirrelfish, wrasses, crustaceans, lobsters and snappers.

CPUE for shore-based methods was high for gleaning followed by spear and rod and reel.

For the boat-based creel survey, the top gears were spearfishing, bottomfish fishing and trolling. Spearfishing catch is made up of parrotfish, surgeonfish and squirrelfish. Catch for bottomfish fishing and trolling consisted of skipjack, yellowfin tuna, bigeye and barracuda. For trolling, catch is made up of mahimahi, skipjack and yellowfin. Catch from the bottomfish fishery was made up of longtail snapper, skipjack, and humpback snapper and amounted to 13,000 pounds.

Sports fish creel survey interviews sports fishermen. The I'a Lapoa Sport Fishing Tournament was held in May with 23 boats participating. The most abundant fish were dogtooth tuna, mahimahi, skipjack and wahoo. For the I'a Lapoa Tournament, a record 5,000 pounds of fish were caught, mostly made up of yellowfin tuna, followed by mahimahi. In 2015, yellowfin tuna was the top species for sport fish in American Samoa.

The FAD Program has two nearshore FADs, one subsurface FAD and two deep-water FADs. Recently, deployment of FADs has been limited due to the absence of a Section 7 permit. Working is ongoing with grant managers to get the permits to keep the FAD Program active.

The MPA Program involves staff conducting community visits every month and talking to the village chiefs and village councils about issues they face and outreach activities to schools on MPAs. The Leone Wetlands Restoration Grant project is to rehabilitate the coral reef and the mangroves. A Section 7 permit is still needed for the coral reef activities. Staff has set up a coral ocean nursery to grow fragments of corals to deploy a degraded parts of the coral reef area in Leone.

For the last several months, staff has been involved with several initiatives, such as the Regional Planning Body (RPB) meetings, as well as attending FEP and FDCRC meetings. The State Wildlife Action Plan is being developed as the basis for funding. Staff has also been involved in Marine Habitat Delineation Mapping training, a Climate Change Workshop and a Monitoring and Data Analysis Workshop. Staff attended the MPS Workshop conducted by NOAA and a Marine Spatial Planning Workshop. DMWR staff traveled to Honolulu to attend GIS training also conducted by NOAA. DMWR is involved in assisting the crown of thorns eradication and education and outreach.

Radio ads and educational materials were developed for various agency programs. The task of one MPA specialist was to develop an evaluation of all of the MPAs under the Department and also be involved in the development of village MPA profiles. DMWR is working with federal partners looking at a nitrification problem in one of the villages and developing an American Samoa Report Card with NOAA.

DMWR Enforcement Section conducted store and roadside inspections, land and sea patrols and Village MPA monitoring and surveillance. Enforcement also monitors the

commercial and recreational fishing fleets and posts staff in the airport and ports to inspect imports and exports.

The Education and Outreach Division are heavily involved with science fairs and assisting with projects of high school students.

For the American Samoa Disaster Relief Fund, DMWR is now collaborating with the shipyard. The contract was just finalized for the repair of the Manu'a boats and is ready to be signed. The second contract is an agreement for a series of repairs for the alia boats. The contract is in review at the shipyard. All documents for ESA and EFH consultations for the floating docks have been submitted to NOAA, and the design for the Malaloa Ramp from the Department of Public Works has been obtained.

For the FDCRC meeting, DMWR identified issues related to fisheries data collection that need to be addressed. Currently, staff is working on improving on species identification and with WPacFIN on minimum interview samples sizes. DMWR is working with the Marine Patrol on the number of registered commercial fishing boats, and collaboration continues with fish vendors on monthly reports, commercial invoice receipt collection and updating commercial licenses.

The creel survey time shifts have expanded to late night and early morning, and travel to Manu'a has increased to follow-up on training for technicians. DMWR is also coordinating with the Enforcement Division regarding fish import and export and dealer receipts.

Discussion

Simonds asked if the recreational fishing tournaments sell the catch.

Ochavillo said some of the tournament information is collected in the creel survey and the data can be easily generated.

Simonds asked if enforcement is conducted in the village management program.

Ochavillo said several people in the villages are deputized to cite violations. The regulations under the MPA Program are encoded under local regulations.

Simonds asked for an example of the radio ads put out by DMWR.

Ochavillo said the ads talk about the MPAs, and they are developed by the Coral Reef Advisory Group (CRAG). He offered to find out further information regarding the radio ads to get back to Simonds.

Simonds asked if the MPAs are monitored on a regular basis and are there any completed forms regarding the monitoring. She requested more information on how the profiles are created.

Ochavillo said currently there is an ongoing MPA evaluation using a tool developed by staff. The Department is conducting outreach to the public regarding the MPAs, such as

information about demographics or village councils. Profiles have been developed for three of the 30 MPAs.

Sword asked if any progress has been made on FAD permits since the last Council meeting.

Ochavillo said the difficulty arose when the coral ESA listing went into effect. DMWR asked the Council for assistance in acquiring the permits and how to avoid such a delay in the future.

Sword asked whether Ochavillo is asking the Council to write to NMFS to ask what can be done to expedite the process.

Ochavillo said how to expedite in-water activities is one of the Council's recommendations.

Simonds agreed and noted that it is in the hands of USFWS and not NMFS. Why is it taking so long for the consultation, she asked.. The Council is looking into this because it is taking years for the consultation and does not make any sense. Simonds asked how long it took the State of Hawai'i to get a consultation on the FADs.

Miyasaka said it took three years.

Simonds said the Council is looking into the subject. She asked for an update on the Disaster Relief funds.

Ochavillo said the direct compensation was completed. DMWR is working with the shipyard to repair the alia boats. Two contracts are being developed, the first one is funded under fisheries to repair the Manu'a boats. The second contract is with the shipyard to fund a series of repairs for the alia boats. The total funds have been expended.

Poumele said \$250,000 of the million dollars was awarded to the owners of the alia boats.

Ochavillo said funds would go to the floating docks and development of the ramps that are designed for the longliners, which would account for the whole Disaster Relief Fund.

Poumele said, in the write-up of the proposal for the Disaster Funds, \$250,000 was going to be set aside for the hobby shop. By not doing that hobby shop, it was requested to redirect those funds over to the shipyard. The shipyard has the capability to undertake the repairs without using funds to purchase machinery and the workforce.

Ochavillo said there have been several meetings with the shipyard in the development of a contract. At least one of the contracts for the repair of the Manu'a boats is already finalized.

Simonds asked about the \$250,000 for the hobby shop being redirected to the Board.

Ochavillo said the original budget for the facility is redirected to be used for a series of repairs for the year.

Sword said the boat on the reef in Aunu'u is a vessel that was chartered by the American Samoa Port Authority to transport solar panels, six pallets of cement and some fuel to Manu'a. It lost propulsion and got on the reef at Aunu'u close to the Sanctuary. One of the big problems they have is they cannot get it off the reef, despite many high tides. They were told not to throw the concrete overboard. Efforts to remove the vessel are still going on. He asked to have the problem assessed and get the vessel removed. He noted that if it was not located in the Sanctuary, it might have been resolved in a timelier manner with less damage done to the environment.

Ochavillo said DMWR was not involved with any of the salvage attempts. It is between the American Samoa government, USCG and the Sanctuary. He does not know why the cement was not allowed to be thrown overboard.

Deisher was not prepared to answer the query regarding the cement onboard the stranded vessel. Once all oil is removed, USCG responsibility ends.

Sword reiterated his point that this is an example of better decisions needs to be made. He suggested that the DMWR should be more involved with Safe Boating Week, which was held recently.

B. Fono Report

Poumele reported that, as of the beginning of April, the passage of the bill to put more emphasis on allowing the fishing boats of the Territories and Alaska more access to the waters in the Pacific area was completed. The issue has been a constant challenge for American Samoa fishing vessels and has been going on for years.

A senator from Manu'a subpoenaed the Director of DMWR to ask for a follow-up in regards to what was being done with the Disaster Relief Funds. That is where the report came in that some of that money was going to be redirected over to the shipyard and other activities as reported by Ochavillo.

C. Enforcement Issues

(This item was reported during the Motu Lipoti agenda item.)

D. Community Activities and Issues

1. NOAA Pacific Island Regional Planning Body Meetings in American Samoa

a. Pacific Islands Regional Planning Body

Tosatto reported in March 2016 the RPB for coastal and marine spatial planning (CMSP) under the National Ocean Policy convened a meeting in American Samoa for two days with federal and nonfederal members in attendance. As part of the work, the American Samoa Ocean Planning Team met ahead of and after the meeting. A public listening session was also held to provide the public the opportunity to learn about what each of the groups was doing. As the federal co-lead, Tosatto said he has been leading the effort to try and make progress under the National Ocean Policy for CMSP, but, largely due to disinterest and lack of funding in Congress, there has been a struggle to get the resources in place to make progress. Grant funds from the Gordon and Betty Moore Foundation were used to make progress.

Meetings were held in American Samoa in an effort to build on the work done by the constituency in ocean planning and community involvement to develop an ocean plan to be used as a model in the Mariana and Hawai'i Archipelagos and the Pacific Remote Island Areas.

The Ocean Planning Team developed a vision and began to look at a process to do the ocean plan for the Territory. It was immediately evident that even that effort needs assigned resources to do so. Efforts are ongoing to facilitate that. The Udall Foundation assisted with stakeholder engagement, helping to get the community involved in the planning process.

The RPB met for a couple of days, and progress was made laying out how American Samoa's planning process would go and how the RPB would assist the Ocean Planning Team in American Samoa. The RPB was seen as a body to help with getting funds for the process. The RPB also committed to forming a Data Team at the RPB level, which would focus on American Samoa and development of a data tool to use for ocean planning in American Samoa. The meeting looked at how stakeholder engagement would be organized, formation of a Planning Team and a process that would keep the community engaged throughout the planning process.

The New England Region has finished their plan, and it is out for public comment. The Western Pacific's plan will look different as there is such a geographic difference between the two regions.

The Council has not had a representative on the RPB since Arnold Palacios left the Council. Tosatto asked the Council to consider replacing Palacios on the RPB. It has to be a government person.

Discussion

Sword commended Tosatto for making the effort to travel to American Samoa and get the community involved. He asked for an update on the American Samoa Department of Commerce's Economic Study and the Tuna Treaty.

Tosatto said the study has been conducted and the results will be used to develop the direction to go next. The study found a connection between the decisions made in the international context around an effort limit for purse-seine fishing and the economy of American Samoa, be it the vessels, the related industries or the canneries. With that demonstrated connection, what the US is allowed to consider is being investigated, along with how the

international obligations are implemented. The answer is forthcoming. Because confidential economic information is involved, the United States is working through how to get a publicly releasable outcome report cleared.

b. American Samoa Regional Planning Team

(Agenda item presented in prior presentation.)

c. Public Listening Session

(Agenda item presented in prior presentation.)

2. Fagatogo Fish Market Lease

Poumele reported that the Tatai Longline Fisheries had its proposal to take over the fishery market finalized. A couple of weeks later, a letter was sent to the Department of Commerce and the Governor's Office informing them that the proposal was withdrawn and there was no longer interest in conducting business at the market. One of the reasons stated in the letter was that it was too costly. The lease had been increased and it was not feasible to conduct business at the fish market, the letter said. The Department of Commerce director has advertised the lease again. There has been some interest, but the lease fee was considered extremely high to conduct business there.

Discussion

Simonds said they were asking to start at a lower rate for the first three months until they get the business going and then increase the rent. That could maybe be worked out.

Poumele said in order to utilize that area and attract the people to be interested in establishing a lucrative fish market, the lease needs to be lowered. A meeting is scheduled to be held to present a proposal to start off at \$2,000 a month in that area, which is in the back of the market. Some creativeness and assistance are needed for whoever will be interested in starting a business there.

Discussion

Sword hoped the decision will be reconsidered to consider a climbing scale.

E. 17th Annual I'a Lapo'a Game Fish Tournament

Sword reported 11 boats from New Zealand were in the tournament, which was the seventh year it was conducted in collaboration with the Game Fish Tournament group in Independent Samoa. Five boats from neighboring Samoa and seven local vessels also participated. Local Samoa had the two highest points scored. The largest fish was a 432-pound black marlin, and the largest yellowfin was 130 pounds. More than 3,000 pounds of yellowfin were caught. Because of bad weather, there were only three fishable days. Last year two tons of fish were landed when participants were able to fish all five days. The disposition of the fish

includes being given to sponsors of the tournament. Sword noted that the Council was a sponsor. The total prize money was around \$38,000. The rest of the fish was given to the elders' home, and some was sold. It was a successful tournament.

Peter Crispin spoke to the longline groups asking them to stay away from the seamounts during the tournament, and they did. Fifteen of the 18 marlin that were tagged were lost. Most of the billfish caught was between Aunu'u and the East Bank. The winner of the tournament received a free entry ticket to Cabo San Lucas IGFA fishing tournament.

For the 2017 tournament, there will be a gas station to fuel the boats at the dock and an ice machine put in by the Council.

Discussion

Simonds asked about the sizes of the tagged-and-released marlin.

Sword said the fish tagged were less than 200 pounds and mainly males.

F. Education and Outreach Initiatives

Spalding, reporting for the island coordinator, said the Council's Summer Youth Course on Fisheries and Resource Management will be held in June and will include community college students.

Prizes were given to students who provided artwork for the 2016 lunar calendar.

Faasalafa Kitiona, recipient of the 2015 US Pacific Territories Fishery Capacity-Building Scholarship, is currently interning with the Council helping Sabater and Spalding with climate change analysis and bibliographic research this summer. The Territorial Capacity-Building Scholarship was built off of the CRAG scholarship, which is a three-year scholarship and requires the student to work with any of the CRAG-associated organizations and agencies. The Capacity-Building Scholarship requires the recipient to go back and work with DMWR.

Valentine Vaeoso, the second recipient of the Council-CRAG Scholarship, will graduate in 2016 and be employed in American Samoa. Spalding said the status of Vaeoso's employment is being sought.

G. Advisory Group Report and Recommendations

1. Advisory Panel Recommendations

DeMello reported the AP recommendations for the American Samoa Archipelago:

Regarding the plans for the dedicated longline vessel dock, the American Samoa AP recommended the Council request the American Samoa government share both the feasibility study results as well as the details on the contract and drafted plan for the Pago Harbor dedicated longline dock.

2. Regional Ecosystem Advisory Committee Recommendations

DeMello reported the REAC had no American Samoa Archipelago recommendations.

H. Scientific and Statistical Committee Recommendations

Lynch reported the SSC had no American Samoa Archipelago recommendations.

I. Public Comment

There were no public comments offered.

J. Council Discussion and Action

Regarding the plans for a dedicated longline vessel dock, the Council requested the American Samoa government share both the feasibility study results as well as the details on the contract and drafted plans for the Pago Harbor dedicated longline dock with the Council at its 167th Meeting.

Moved by Sword; seconded by Poumele.
Motion passed.

Regarding disaster relief funding, the Council requested the DMWR provide a report on the disaster relief funding, including funds spent and project status, to the Council at its 167th Council Meeting.

Moved by Sword; seconded by Poumele.
Motion passed.

XI. Public Comment on Non-Agenda Items

(SSC chair, NOAA General Council, USCG and 11 voting Council members were present at the 4 o'clock session to accept public comments on non-agenda items.)

There were no public comments offered.

XII. Mariana Archipelago - Part 2: Guam

(Guam Opening Ceremony and Introductions)

The following Council members were in attendance: Ebisui, Duenas, Gourley, Rice, Sword, Goto, Leialoha, Ochavillo, Miyasaka, Sablan, Seman, Tosatto and Deisher. Also in attendance were Simonds, Lynch and Onaga.

(Welcoming Remarks from The Honorable Eddie Calvo, Governor, Guam)

Gov. Calvo welcomed the Council members and attendees to the Island of Guam. He noted that, because land is limited on Guam, both the land and the ocean are sacred. The

Council's discussion at the meeting is extremely important regarding actions to be taken on fishery management issues of the Western Pacific Region. Guam and the Council have worked on numerous projects together. He noted the Americans with Disabilities Act compliant fishing platform at Hagatna, which served as a viewing platform during Festival of the Pacific Arts. He said he looked forward to continued collaborations.

He said more than one thousand fish species inhabit Guam's coral reefs and play an important role in Guam's economy. It is important to continue to manage the fisheries effectively in order to prevent overfishing and harm to the wildlife and marine resources. He looked forward to continue the discussion of Guam's concerns with shark depredation, as well as sea turtle regulations.

He spoke favorably regarding the recent proposal and partnership with the CNMI, with the support of the Council, in the selection as a finalist in the nationally competitive Saltonstall-Kennedy grant program award of \$245,000. The grant will improve efforts at collecting fisheries commercial import and export data, as well as local catch data.

He spoke to islanders' belief that ancestors who have died are still present and provide strength and goodness. Islanders also understand the value of and importance of the land and the ocean. He stressed that, in the future endeavors with the Council and federal partners, the voices from the Pacific Islanders be heard. The Pacific Islanders' issues and views must be on the table and must be a part of the discussion on regulatory issues and statutes and treaty decision-making.

Discussion

Simonds said it was nice to be back in Guam. She was happy for the collaboration on Guam's projects and issues. Fishermen in the Mariana Archipelago have long told stories about the difficult time they had catching fish because of the shark depredation. Deliberations will occur at the meeting to try to find some resolution.

Ebisui noted the similarities between the cultures of Guam and Hawai'i. In Hawai'i, the lantern ceremony, which originated from Japanese immigrants, signifies a celebration of the return of the ancestors. At the end of the celebration, lanterns are sent out to sea to light the spirits' way back home. He agreed that it is important that federal regulators recognize that Pacific Islanders love, respect and care for the land and sea and will continue to do so. It is difficult at times when it seems like others' values are being imposed upon us. We must respect each other and work together.

A. Isla Informe

Duenas reported that August is a busy month for fisheries in Guam with the upcoming 12th Annual Spear Fishing Derby Safety Briefing and Fishing Tournament, sponsored by the Marianas Underwater Fishing Federation. The Guam Marianas International Fishing Derby will also take place, followed by the GOSA (Guam Organization of Saltwater Anglers) Inshore Angling Tournament with a safety briefing. Fishing is good in Guam with catches of mahimahi, marlin, bonita, juvenile i'i, tiaou and manahak. There have been runs of atulai. Bottomfish fishing

is picking up, and weather is good. Smaller boats are venturing to the farther banks. Safe Boating Week took place the last week of May, with courtesy vessel safety checks performed by the USCG Auxiliary. He expressed appreciation to the USCG and its auxiliary who provided the boating community an avenue for proper disposal of exposed flares at Vessel Safety Check Stations. Sea cucumber harvest and shark depredation continue to be issues of concern in Guam. Since the last Council meeting, Duenas learned that shark depredation also occurs in CNMI, Hawai'i, American Samoa and the Caribbean.

Sablan added that the closing ceremonies for Festival of Pacific Arts were held, which was a great success. The DAWR staff will be presenting activities in the various divisions of the department.

Sean Wusstig (DAWR) presented a status update on the Ylig and Togcha fishing platforms. The project's main objective is to keep, maintain and repair three fishing platforms located at Ylig and Togcha. The maintenance program removes debris and accumulated trash in the vicinity of the platform, the shoreline's access to the platform and the channel areas that bring the debris to the shore. Much of the debris is fishing-related, such as big boxes, monofilament lines, hooks, and food and drink cartons. Vendors have to access the platform during the negative tide in order to reduce any impacts and use a floatation device and a kayak to transport the materials to and from the platforms. The most recent vendor contract began April 2016. The project is ongoing based on the availability of funds. Currently, funding is provided through the Sports Fish Restoration Fund. Revision on the upcoming grant will include an additional platform once the maintenance component is identified.

Discussion

Seman asked what major repairs have been required on the platforms since they were constructed and what was the primary material used in the construction.

Wusstig said the project began in 2002. The worst type of damage encountered was during Typhoon Chataan when the platform in Talofofu Bay was lost and in Typhoon Pongsona when the Ylig platform was lost. The maintenance program includes inspection of the footing foundation and the platform components. The platforms are constructed from fiberglass, with stainless steel bolts.

Simonds asked if the marine debris consisted of local debris or debris from other countries, such as fishing nets.

Wusstig said people tend to leave hooks and lines in the 13 rod and reel holders or handlines tied to the platform, which entails cutting the lines off. Drift nets have also been part of the debris, and their origin is impossible to identify. The agency feels that since the platform is to provide a safe place to fish, trash was going to come along with it and has to be maintained.

Gourley asked for the number of users per week or per month.

Wusstig said there are two types of surveys used to collect inshore participation, which includes driving around the island with counts of fishermen categorized by time, method used

and location, as well as reef zones. The survey is conducted during the same date as an aerial survey. With the WPacFIN database, numbers of fishermen can be exported for a specific location and reef zone, which provides a snapshot of how many times it is used. The majority of use is by hook and line and gill net fishermen. Occasionally, Fire and Rescue use it as a part of a staging ground for Search and Rescue.

Jamie Bass, program coordinator for Guam's FAD and Shallow Water Moorings (SWMs) Programs, provided a brief on the evolution, present status and future of the Guam FAD Program. Deployments of the first two FADs occurred in 1979 and 1980 funded by the Pacific Tuna Development Foundation and patterned after the Hawai'i FAD system. The two sites are still used and are on the west leeward side of the island. The first FAD system consisted of metal drums filled with foam, a counter-balance underneath and a chain bridle mooring system. The top of the FAD had a mast with a light generated by six-volt batteries. Currently, there are 14 FAD sites, with most situated on the west side of the island. Due to rough weather, high number of FADs being lost and the fact that the area is a naturally productive area, there are no FADs on the east side of the island. The current buoys are a cylindrical metal surplus buoys from the Navy, which are solar-powered with a life span of five years. One-hundred-foot chains act as a counter-balance to keep the buoy upright with nylon and polypropylene line that serves as a shock absorber in rough weather. The anchor is a 2-ton, 5,000 PSI concrete anchor. The buoy is marked with the location, name of site and its coordinates. During deployment, a metal-hulled vessel with plenty of deck space utilizes the Buoy First Method, as opposed to Anchor First Method, which allows for correcting any problems. In the past, divers inspected the hardware underneath the buoy. Currently, maintenance involves maintaining the line and ensuring that the solar panels are clear and operational. Aerial surveys conduct inventory counts. Reports from fishermen also assist in keeping tabs buoys that may go offline. There are unconfirmed reports that there are two or three buoys offline. Timing of the grant awarded, establishment of a local account and awarding a vendor allows less than six months to deploy. The timing reduces the ability to effect deployment within the year of receiving the funds. There has been no deployments in 2016 because of the lack of USFWS compliance documents. They are waiting on contracts to purchase equipment. An extension may be necessary.

Discussion

Rice asked if there are FADs ready to be deployed waiting on USFWS sign off.

Bass replied yes and also a contract awarded to a vendor for deployment.

Rice clarified that the contractors are available, but they need to agree on price.

Bass replied in the affirmative.

Rice asked if they have the ability to put the FADs out within a six-month period.

Bass said, weather permitting and with a contract in place, 10 FADs could be deployed within five days. If the weather is good, it goes quickly.

Ebisui asked if the buoys are set on the 500- and 1,000-fathom contours.

Bass replied not necessarily. The buoys ordered do not require separate bids for different lengths of the buoy system. If a site is 750 fathoms, a 1,000-fathom system can be set in order to circumvent the problems with procurement issues.

Ebisui asked how productive the FAD systems are and what species of fish are caught.

Bass said fishermen catch mostly pelagic species. Creel surveys no longer collect data on FAD usage. Some historical data may be available. Based on the complaints the program gets when the FADs are not online, they are very productive. Bass offered to provide numbers from historical data to the Council.

Duenas asked for more information on the procurement process, if deployment is separate from product materials and if costs are different if multiple buoys are deployed during the same trip.

Bass said the grant has different object classes. The deployment contract is for labor rather than a product, such as materials, which is a separate bid. Only one vendor is capable of deployment. However, to make it more competitive, if a vendor has a smaller boat, the scope of work reflects one buoy. Because of the lack of competitiveness, the company has the advantage. The one vendor dictates its terms. Cost is not broken down into hours or buoys. Regardless of how many buoys are on the boat, it is a set cost for each buoy.

Seman asked for the average price for deploying a FAD and cost for unit plus deployment.

Bass said the cost is \$20,000 for one deployment and \$40,000 to purchase the FAD and deploy. He reiterated there is only one vendor on the island capable of deployments.

Rice said that it is an outrageous price and that it might be worth bringing someone in to the island to perform the deployments.

Bass said he has encouraged one vendor with the capability for deployments from Saipan to put in a bid to create some competition in an effort to make prices more reasonable.

Seman stated that CNMI is able to deploy 10 FADs on the Northern side of Saipan, one company, and three out of Rota at a cost of \$8,000 for 10 FADs.

Bass said he is aware of how expensive the cost is to operate and reiterated he has sought the submission of more bids in an effort to get the best vendor possible.

Sword asked the average time to receive USFWS permits.

Bass said the permits come in from the USCG. If it is more of an environmental assessment, the permits must be reissued every five years.

Sword asked for clarification as to the USCG permits.

Bass said the compliance document is Section 7, USFWS, issued five years ago.

Seman pointed out it is the same in Saipan. However, this time around, the USFWS has a long delay of in-water activity because of the new addition of the coral listings under ESA. NOAA offered to assist in the issuance of the USFWS compliance permits.

Tom Flores, the boating access coordinator, presented the activities regarding construction of facilities to enhance access for the boating community. The project receives funds from the Sports Fish Restoration, of which at least 15 percent of the annual allotment is applied towards boating access. The boating access project provides Guam's 16.8 million recreational fishermen and boaters with access to waterways. Taxes on fishing equipment and boat fuels pay 75 percent of state projects and 100 percent of insular area projects. Support funds also come from other related grants, such as the Clean Vessel Act and Boating Infrastructure Grant funds. Projects are developed from discussions with fishermen and data collected from creel surveys. Some the major projects included the Merizo Pier and the Boat Ramp Project, with restrooms and opened 24 hours, with trash pickup. DOA is responsible for the electrical bills. Currently, there is a contract to replace bumpers and other repairs for \$160,000. The Merizo Mayor owns the area, and operates under an MOU. The Agat Marina, Dock B, had repairs done for the cost of \$300,000 to the walkways and pilings. The project is responsible for regular maintenance of the boat ramps. Algal growth has been an ongoing task to ensure safety for boaters. DOA purchased water blasters for periodic water blasting of the boat ramps. Another project, which is located on the east side of the island, is a feasibility study for repairing an existing boat ramp built too high to be practical at low tide.

The Clean Vessel Act is another funding utilized by the project for pump house stations at Agat Marine and the Boat Basin at the cost of \$80,000. Another project is the Harbor Refuge in Apra Harbor, which serves as refuge from storms and provides free moorings and 75 designated moorings for transient vessels. The project has obtained \$186,000 to upgrade the moorings and applied for more than \$200,000 more for the same project. Total funding for the projects to date is between \$2 million to \$3 million.

Future projects are in planning to provide boating access facilities on the east side, the main problem being acquisition of land. Fishermen appreciate the tangible projects, which help with boating safety.

Discussion

Rice asked for additional information on the funding sources and if the same support is available by the State of Hawai'i.

Flores replied in the affirmative, the USFWS Sports Fish Restoration grant provides funding support specifically for recreational boaters. Total funds amount to \$1 million annually, with 15 percent specifically allocated to boating access.

Poumele said she understood that funding is available for five years through the Clean Vessel Act and the Restoration Project for the recreational fishing boats, which would have ended in 2002.

Flores said there are three basic funding sources for the Boating Access Projects: Sports Fish Restoration, a Boating Infrastructure Grant for transit vessels and the Clean Vessel Act.

Poumele said it is unfortunate the USFWS representative is not in attendance. She asked the Council to research the information with USFWS for American Samoa and Hawai'i's benefit.

Simonds agreed.

Flores noted his program conducts creel surveys at marinas and enjoys a good relationship with the boaters. When complaints are voiced, they try to respond, within the limitations of funds, to benefit recreational boaters. They have been able to construct facilities owned by the Mayor's Office, the Port Authority of Guam and Parks and Recreations with an MOU with the agencies specifying there can be no charge for use of the facilities and that these facilities have to be open 24/7 for any recreational boaters.

Simonds pointed out that the number one priority in the Governor's MCP is the Agat Small Boat Marina Dock B, and whatever funds become available would be the first priority for the use of the funds.

Flores reiterated that the Sport Fish funds have to be used for recreational boating. Port Authority agreed that it would designate Dock B strictly for recreational boaters and will not put any commercial boaters there. Because there is not \$400,000 to hand over to Port Authority, the request was \$100,000 for the initial demolition, and it continues from there.

Simonds said any additional funds from other programs or from the quota program can be designated to that project.

Flores agreed.

Rice asked if the fees the boats in the harbor pay are used for harbor restoration.

Flores said he is not sure of details of their fee schedule is. The cost for maintenance of the facility is more than the amount collected from fees.

Rice said, in Hawai'i, many boats pay fees but there is no cleanup.

Flores reiterated that the Sports Fish funds are available to benefit recreational boaters.

Nathaniel Martin, a fisheries biologist at Guam DAWR Fisheries Section, presented information on a proposal to establish a boat ramp on the east side of the island. No ramps exist in the area. The goal of the boat ramp is to encourage fishing using sustainable methods. Boaters have been seen to use the site for launch. In order for a facility to be constructed, the USFWS

requires a documented need and construction with adequate lighting, water, protection from energy created by ocean movements and aids to navigation. Use during the highest and the lowest of tides and a safe structure are also required. The users include recreational boaters, first responders, Fire Department, Police Department, Conservation, USCG and Customs. The ramp can be used as an inshore facility for Guam residents.

In 2006, the Inarajan boat ramp was constructed. Due to wave action, the ramp deteriorated within five years. DAWR Fisheries has initiated a change of location for the construction of east side boating access at Talofofu. The location is more favorable because of low surf energy and natural protective barriers from ocean currents and waves. Currently, it is used for launching during low tides despite the lack of a boat ramp facility. It creates inshore fishing opportunities for island residents and has Guam government public access. The structure would add stability and structure to the location to prevent further loss of land. It is a feasible location for east side access and provides access to first responders in emergencies. There is also a potential for expansion and renovation. A feasibility study is needed to determine cost for work to repair and upgrade at the boat ramp facility to make it usable for recreational boaters and fishermen. The scope of work includes site assessment meetings with the contractor and DAWR, cost determination to build a platform and walkway, development of two to three conceptual designs and studying the capability of the location and possible impacts to the boat ramp. The future tasks include submission of a work request and scope of work to Guam Department of Public Works so it can bid out the project to award a contract. The costs to build the Talofofu Boat Ramp must also be determined.

Discussion

Duenas asked if any other sites were looked at in the study besides Inarajan and Talofofu.

Martin said Pago was considered at one time, but it is located on private property. A meeting was held with the owners, and it is within the realm of the Governor's Office capability. Talofofu looks like a better site as it is already being used by the public for launch of their boats and can be made into a more efficient facility for access on the east side of the island.

B. Legislative Report

Sablan reported Bill No. 275-33 passed in April relates to the dock facility, shoreline reinforcement economic enhancement project and the completion of construction, repair, and improvement of the Guam Fishermen's Cooperative Association facility. The dock and shoreline reinforcement economic enhancement project of the Guam Fishermen's Cooperative Association facility provides funding to restore and develop the seawall and new walkway beginning adjacent to the Agana Guam Fishermen's Cooperative Association. It also encompasses the seaward along the Agana Marine Boat Basin Channel.

Bill No. 287-33 passed in May mandates the creation of multi-year masterplans to address erosion issues related to the rivers in Southern Guam. It is the creation of a Southern Erosion Council and the creation of a multi-year Master Plan to address the erosion issues in Southern Guam.

Bill No. 160-33 passed in April relates to the Guam Ocean and Fisheries Conservation Act of 2015. The bill establishes the Guam Ocean Fisheries Management Council to coordinate and promote the conservation of Guam's oceans, fisheries, marine and freshwater resources. It also establishes a funding source for the construction of boat ramps in Yigo and Talofoto for use by first responders, emergency personnel and the public; additional conservation officer positions; research and development related to the conservation of ocean and freshwater resources; and coral reefs and activities related to the preservation and perpetuation of Guam's indigenous Chamorro culture and heritage as it relates to oceans, fisheries and other marine-related aspects.

Bill No. 161-33 passed in May establishes annual Guam Liberation Day fishing and sporting events as part of the Liberation Day festivities to be promoted as a tourism attraction for visitors to Guam. The Liberation Day fishing and sporting events include spear fishing and shoreline fishing challenges and surfing and paddling competitions.

Discussion

Simonds asked about the funding supporting the Yigo and Talofoto boat ramp construction.

Sablan said he would have to research the answer, as it was passed by the legislature and is still being processed through the front office.

Duenas said the original bill sought to apply a \$2 marine user fee to visitors arriving to the island to fund the marine-related improvements. It was removed from the bill's final version. There is no funding source.

Sablan agreed with Duenas, adding that Administration is seeking a funding avenue.

Simonds clarified that the mandate was unfunded.

Sablan agreed.

C. Enforcement Issues

Mark Aguon, DOA conservation officer, reported enforcement activities conducted since the March Council meeting. Lt. Mike Reyes retired in December 2015. There were four illegal fishing arrests and one possession of endangered species. Illegal fishing cases involved individuals from Chuuk and CNMI. There were 44 illegal fishing calls and 15 illegal hunting calls. There was one turtle case. Five conservation officers enforce laws for the entire island and nearshore waters out to three miles. In the recent past, there were five cases for sea cucumber harvest. One case had three individuals arrested and a minor taken into custody with 11,092 sea cucumbers harvested. He noted that he has asked for years to reduce the number of sea cucumbers harvested per person per day for Guam residents to consume at home. The individuals in the arrests were Palauan, Filipino, Chuukese and Korean. Fishermen, store owners and anyone involved in the commercial trade of cucumbers are arrested. The product is chopped and smashed, diesel-smoked and sun dried on the ground and placed into water bottles with

vinegar. It is sold in local markets and fish stores. Enforcement finds the bottles hidden in back coolers.

Discussion

Seman asked about the Guam law regarding harvest of sea cucumber.

Aguon said currently the law is 100 pieces per person per day for home consumption, which is Title 9, Chapter 12, Article 3, and Section 12-308 (a). There are efforts ongoing to amend the law. What is on the books now is what is upheld in the courts and what is enforced by the conservation officers.

Dalzell asked if the sea cucumbers sold in stores are fermented.

Aguon said they are chopped and smashed into pieces and soaked in vinegar.

Duenas said the Council addressed this topic was an action item at a previous meeting.

Guthertz said her concern regarding the illegal export of sea cucumbers is she has heard the product is exported to China and other Asian markets because it is a profitable product. Some kind of interdiction is required from enforcement groups at the points of export, whether it is the airport or some other way. There is information that it is being sold as a delicacy at restaurants to tourists who are arriving on charter or regular flights. There is a public health safety aspect, and the public health department should get involved to deal with restaurants that are buying the product and the illegal export side of the issue.

Aguon said the suspected buyer of the product was on the phone 50 yards away and was of Korean ethnicity and the store owner refused to turn her in as the buyer. He reiterated that reduced home consumption harvest would be more enforceable. He agreed export of the product is common. He reiterated there are only five conservation officers for Guam.

Simonds asked if DMWR has the authority to establish a moratorium on harvest to develop a management regime.

Aguon deferred to Sablan.

Sablan agreed something has to change.

Simonds asked Sablan if he has authority to impose a moratorium on harvest in Guam.

Sablan did not know the answer.

Ochavillo explained that, in American Samoa in response to the concern, staff conducted surveys on the activity. From the survey data, the governor implemented an executive order that implemented a commercial harvest moratorium.

Miyasaka said Hawai‘i initiated an emergency moratorium that closed all take of sea cucumbers for 120 days while the situation was examined. Permanent rules followed the moratorium to manage the fishery on a longer-term basis. There is currently a noncommercial limit of five sea cucumbers per person per day. There is a quota system for aquarium commercial collecting, and there is a daily limit as well, created in consultation with the collectors in the industry. A population assessment is required to determine if a commercial take is feasible and at what level. The data informs the science that guides the decision-making over time.

Gourley asked what ethnic groups are involved in the purchases of locally prepared sea cucumbers.

Aguon said outer islanders are purchasing the product in the oriental stores. The customers are of oriental descent, Chinese or Korean, and purchase it for the unverified price of \$5 per bottle.

Sablan said lack of work force is a challenge with 212 square miles of island to cover, as well as the inshore waters. Efforts are ongoing to increase staff.

D. Report on Guam Fisheries

1. Coral Reef Fisheries

Brent Tibbetts (DAWR) reported Guam currently has four primary fishery dependent collection programs, which can be described as long-term data collection programs: the offshore data program, the inshore data program, the commercial fishery program and the volunteer program. MPA arrests also provide a minor amount of fisheries data. The offshore and inshore programs are long-term boat- and shore-based creel surveys that collect participation, effort and catch data from fishermen. The volunteer data collection program’s goal was to obtain volunteer data from fishermen; however, information collected by this program was minimal, and the program is currently on hold. The commercial receipt book program is an important source of information for fish that enter the commercial market. However, obtaining information from dealers has been sporadic, with less than three dealers throughout the time series providing data. Confidentiality agreements restrict reporting commercial sales data if less than three vendors are reporting.

Bottomfishing on Guam is a combination of recreational, subsistence and small-scale commercial fishing. It can be separated into two distinct fisheries separated by depth and species composition. Most fishermen operate boats less than 25 feet in length and target primarily the shallow-water bottomfish complex. It is not uncommon to intercept fishermen combining bottomfishing with other methods, such as trolling, spearing and jigging, to maximize their catch. The high demand for reef fish and bottomfish has made it profitable to sell locally caught bottomfish. High fuel prices have also caused some charter vessels that formerly took troll trips to take on shallow bottom charters as well. The shallow-water component accounts for around 65 percent of the aggregate bottomfish landings. Catch composition of the shallow bottomfish or coral reef species is dominated by Lethrinids. At least two of the species also range into deeper

water, and some of the catch of these species occurs in the deep-water fishery. The deep-water complex, greater than 500 feet, consists primarily of the Serranids, Carangids and the Lutjanids.

The poundage for shore-based bottomfish was 7,300 pounds a year for the 10-year average and 8,900 pounds a year for the 20-year average. For the boat-based bottomfish, the average is 65,000 for the last 10 years, compared to 89,000 for the last 20 years.

Shore-based fishing accounts for most of the harvest from coral reefs around Guam. The coral reef fishery harvests more than 500 species of fish and invertebrates. Acanthurids, Carangids, Gerreids, Holocentrids, Kyphosids, Labrids, Lethrinids, Lutjanids, Mugilids, Mullids, Scarids and Siganids are important components of the fish harvest. There are several pulse fisheries for juvenile fish that are also important components of the coral reef fishery, with varying totals year to year. Species include juvenile rabbitfish, jacks and goatfish. Hook and line is the most common method of fishing from shore for coral reef fish on Guam, accounting for around 70 percent of fishers and gear. Throw net, or talaya, is the second most common method, accounting for about 15 percent of fishers and gear. Other methods include gill net, snorkel spearfishing, SCUBA spearfishing, surround net, drag net, hooks and gaffs, and gleaning. The shore-based coral reef fishery accounted for 126,000 pounds annually for the last 10 years and 199,000 pounds annually for the last 20 years. The boat-based coral reef fishery amounted to 79,644 pounds annually for the last 10 years and 112,338 pounds annually for the last 20 years.

Discussion

Seman asked to what extent are commercial sales confidential.

Tibbetts said it is not so much to preserve the identity of a person but the amount that they are paying per pound, i.e., to keep confidential the prices and amount paid.

Seman asked if the data are available for other analyses to assist in the determination of the amount of landings and other points of information.

Tibbetts said there might be a way to tease out the weight of fish sold without exposing the pricing information. The pricing information is more the point of the confidentiality. Generally, it is off limits for anybody to look at pricing information. If there is a request for information on weight of fish caught or the caught weight that is sold, it would be up to the vendors to decide. Price information would not be available.

Seman said the numbers are used to better manage the fishery, and something needs to be tweaked to make the information available with the removal of the confidential information.

Tibbetts said the creel survey methodology has been tweaked in an effort to address the issue. Fishermen are asked about the ultimate disposition of their catch, whether it will be sold, kept or shared. That information will be used as a proxy for direct sales information to get a better estimate of the amount of sales occurring.

Gourley asked if the poundage totals given were for commercial catch or combined with the creel data.

Tibbetts said the poundage is not commercial. It is creel data. Commercial is separate.

Gourley asked about the primary gear type used for the coral reef fish in the markets.

Tibbetts said the primary gear is hook and line and spear fishing. Currently, there is no commercial sale of gill net caught fish. Looking at historic data, the two most common methods were hook and line fishing and spear fishing.

Gourley said, according to biosampling data, 92 to 95 percent of the commercial fish sold is caught by spear.

Tibbetts said the catch consists of different targeted species, which are more in demand in the CNMI than on Guam, and different methods are better for catching those species.

2. Bottomfish Fisheries

(This topic was presented in the preceding agenda item.)

3. Pelagic Fisheries

Tibbetts presented information on the Guam pelagic fisheries. Fishing boats are less than 10 meters in length and are usually owner-operated by fishermen who earn a living outside of fishing. Since 2007, there has been a growing commercial fishery targeting skipjack tuna. A small but significant segment of the pelagic group is composed of marina-berthed charter boats that are operated primarily by full-time captains and crews.

Five species account for the bulk of pelagic landings on Guam; skipjack tuna, yellowfin tuna, botague (mahimahi), tosun (wahoo) and bato (Pacific blue marlin).

In 2015, there were 617 interviews regarding shark depredation incidents. Of the 617, 338 indicated they had interacted with sharks. Approximately 26 percent of the total interviewed in 2015 indicated they had an interaction with sharks.

There were 21 separate events covering 122 high surf advisory days in 2015, an increase from 102 in 2014. Of these, 119 involved the north and west sides of Guam, where the majority of pelagic fishing occurs. Guam was struck by Typhoon Dolphin in May.

The rest of the presentation consisted of charts depicting the estimated annual landings of yellowfin, mahimahi, bonita and wahoo.

Discussion

Rice commented that Hawai'i and American Samoa have an upward trend in marlin.

Tibbetts said he was aware of the trend for a couple of years, but the numbers were going down. He noted that it may reflect in Guam's fishery as well.

Duenas asked if the data for the blue marlin incorporate the commercial receipts along with the creel surveys.

Tibbetts replied the data was only from the creel surveys.

Duenas said the past year was a record year for the number of marlin turned in during fishing derbies.

Bass presented a brief history, the current status and what is projected for the SWMs Program. When the initial SWMs deployments were made in 1999, there were 34 sites, ranging from 16 to 60 feet of water, located in popular dive and fishing sites. Most were deployed on the leeward side of the island in Apra Harbor. In 2014, all of the SWMs were replaced, with the exception of five sites. A depiction of the FAD design and fabrication material was presented. Work is ongoing to complete an inventory of the SWMs.

Equipment and supplies are ready to be deployed. Work for the upcoming year involves the eyebolts being re-installed to get five FADs back online and working closely with the Navy to install its own SWMs program inside the harbor and Navy properties, such as Haputo.

Discussion

Duenas asked if Bass was aware that half of the FADs are offline.

Bass replied that, according to unconfirmed reports, probably 10 FADs are offline, including Tumon and Double Reef. Inventory work is ongoing. Equipment and materials are in stock. He didn't foresee any major issue in getting the FADs deployed.

E. Report on the Biosampling Program

Eric Cruz, a PIFSC fisheries biologist, updated the Council on the Guam Commercial Fisheries Biosampling Program. Cruz acknowledged the Biosampling Program staff, which includes two subcontractors with the Guam Fishermen's Cooperative, two additional biosamplers and a student intern.

The Biosampling Program was established in 2009 to help fulfill some of the data requirements set by the reauthorized MSA. The program consists of two parts: size frequency data collection from the entire commercial catch of reef and bottomfish, and the collection of life history samples from a subset of the entire catch.

A brief background was provided on how collection of the size frequency data from local reef and bottomfish species from the vendors are collected with trip information, where and when the fish were caught, the method used, etc. The species are identified with the fork lengths and weights for each fish. The total number of catch sampled, species identified and fish measured for the spearfishing and free diving catch were provided. Graphs were shown depicting totals by year, list of species by count and average sizes. Life history and otolith samplings were used to determine sex, weight, and age and were preserved for later processing. The wet lab is equipped with a couple of sinks and sampling stations. There is a fume hood, a

chemical storage locker and a freezer, as well as the otolith processing and analyzing equipment. The lab has the ability to collect the samples from the fish and then process the otoliths in the same room.

The target species consisted of *Etelis coruscans*, *Hipposcarus longiceps*, *Cheilinus undulates* (Napoleon wrasse), *Monotaxis grandoculis* and *Variola louti*. The secondary target list included *Pristipomoides filamentosus*, *Pristipomoides zonatus*, *Caranx melampygus* and *Siganus punctatus*.

Otolith sectioning and mounting workshops were held with participants from the UOG, DAWR, Council contractors and staff from the fishermen's cooperative and the biosampling program.

Key recommendations from a January external review of the Biosampling Program included expanding the number of vendors, gaining access to noncommercial samples through cooperative research and sampling smaller sizes. The program enjoys a good relationship with fishermen in Guam, assists in fishing derbies and collects samples from some of the derby fish and from DAWR confiscated catch.

There is a backlog of otoliths and gonads that need to be sampled. The Life History Program is receiving one-on-one training from experts that is shared with the biosampling staff. A UOG student is learning to section otoliths and get age readings.

Discussion

Dalzell commended the work done in the area and foresees the area becoming a world center of excellence for reef fisheries studies. The data could indicate a change in the growth rate with a change in habitat, which happens with some species of fish and tells information about the life history of the fish. It may be an artifact of the number of points, but it may be an exciting discovery.

Cruz said one student analyzed 120 to 150 samples from the species, which was only a subset. The rest of the samples can be analyzed to be added to the data.

Duenas said his attendance at the biosampling review in Saipan was beneficial. He learned that biosampling projects in the islands help supplement the creel surveys and fills in gaps that the creel survey may not capture. It is an excellent program

F. Guam Sea Turtle Management Plan

Jay Gutierrez (DAWR) presented an update on the Guam Sea Turtle Management Plan. The DOA is a local agency responsible for the management of sea turtles on Guam. Its mission is to effectively manage, preserve, protect and restore Guam's natural resources now and for the future. DAWR works PIFSC, PIRO, USFWS, Andersen Air Force Base, UOG, Guam Navy and the Council. At the Division level, funding for the projects come from Wildlife and Fisheries. DAWR developed a sea turtle management plan to help guide management and monitoring activities to effectively manage and recover sea turtles. It is a working draft, subject to change.

The plan focuses on green sea and hawksbill sea turtles because these two species nest and forage on Guam. Leatherback sea turtles are rarely found in Guam and were not included in the plan. The purpose of the plan was to provide a mechanism to implement conservation and management actions to restore green and hawksbill sea turtles to a sustainable level and get them off the US and Guam endangered species lists.

The plan identifies gaps in DAWR's management and knowledge of sea turtles. It calls for data collection to evaluate historical and current nesting activities and an assessment of the turtles and their habitats. It outlines conservation actions needed to monitor and protect the sea turtles and their habitats. A table summarizes the conservation goals, objectives and strategies. Monitoring habitats and threats are an important component of the plan. The plan also utilizes existing survey programs and expands on them to monitor and manage the sea turtles. Public education and law enforcement of both terrestrial and marine natural resource laws are important components of the plan. The plan will be finalized by the end of the year. It covers a five-year period, at which time a plan review will occur.

Conservation actions currently being implemented include establishment of a database located at a centralized location at DAWR. Work is ongoing to standardize monitoring in collaboration with PIFSC.

Discussion

Seman asked how many sea turtles have been in-water tagged and how many people are handling the in-water tagging program.

Gutierrez said, from 2014 to now, 20 to 30 turtles have been tagged. There are both land-based and boat crews, with five persons on the boat and two to three persons on land.

Duenas asked for clarification on the annual program funding.

Gutierrez said the current annual funds from PIRO are \$28,000 and State Wildlife annual funds range from \$70,000 to \$80,000. Other funding entities are available: USFWS Native Species Section 6 funding and NOAA Section 6 funding.

Duenas asked if an increase of funding will go along with the recent uplisting of turtles from threatened to endangered status.

Gutierrez said it is hoped that an increase will be included in the drafting of the management plan. There was a small increase. Discussions are being held with PIRO regarding an increase.

G. Report on Guam Projects and Programs

1. Freely Associated States and Guam Conflict Study and Report

Hawkins presented an update to Guam conflict study presented at the 163rd Council meeting in June. The study is an outgrowth of a recommendation from the 159th meeting in the

Mariana Archipelago. Council staff initially drafted the survey and turned it over to UOG's 4-H Extension. The survey was modified, and a sampling approach was developed, involving a number of interviews by island group. Student interviewers were hired from the respective island states and selected locations for those surveys to take place. There were 175 interviews across island groups, 75 of which were Chuukese. Other island groups included Yapese, Kosraean, Pohnpeian, Marshallese and Palauan. Interviews were taken place at boat basins, shore locations and homes and on the phone.

It was evident from the survey data that the Chuukese fish differently, in different places and have different experiences than the other island groups. The Chuukese are heavily dependent on or prefer inshore locations. Across the other island groups, inshore fishing comprises a smaller percentage of their preferred locations, and they are more favorable to offshore pelagic and a bottomfish locations. Chuukese report fishing an average of three days a week whereas 93 percent of Yapese and Kosraeans report one day a week. Among Pohnpeians, 75 percent report they fish an average of three days a week. More than 80 percent of Chuukese fish multiple times per day. Chuukese report being more motivated by economics than livelihood while Yapese, Kosraean, Pohnpeian, Marshallese and Palauan respondents report subsistence as a much higher motivational factor to fish.

A high percentage of Chuukese are not familiar with Guam's fishing regulations, much higher than the other island groups, with the exception of the Marshallese. The Palauan fishermen lived on Guam longer than others and are more familiar with Guam's fishing rules.

Forty-five of the Chuukese respondents have experienced conflict, which is 6 percent higher than the Kosraeans. The Pohnpeians and Palauans report no conflict. Chuukese report being chased off for fishing on private property and yelled at for catching too many fish, selling fish for too much money, being nonlocals and fishing Guam waters out. Conflicts have also involved fishing in restricted areas and using methods not compatible with nearby activities, including swimming.

The conclusion drawn from the study is that the conflict seems to be Chuukese-centered. The study was exploratory with a small sample size. Hawkins said he was open to helping the Government of Guam to build on the work.

Discussion

Leialoha asked if the issues are currently being addressed with the Chuukese community.

Hawkins was not aware of the Guam government's efforts regarding education, outreach, enforcement or other activities.

Aguon said was pleased to see data that supports some of the trends that are being experienced currently in Guam. He was open to suggestions as to where to begin in the way of regulations.

Hawkins did not have a regulation recommendation. He noted that education and outreach on a variety of activities are provided to immigrant communities. The information could be combined into these efforts.

Aguon said the outreach should include translation of the rules and regulations, especially as they apply to fishermen.

Sablan said the Fisherman's Code of Conduct could be one of the educational resources.

Marybelle Quinata, from NOAA Fisheries Community Monitoring Program, suggested the Palau Organization on Guam as an avenue for the community. The Micronesian Center for Empowerment also assists with transitioning immigrants and hosts a series of workshops ranging from employment to student opportunities.

Leialoha said Hawai'i had similar issues. The Human Resources Department is reaching out to church leaders who help with some of the new immigrant issues.

Duenas added that approaching the elders and having the elders disseminate the information to the younger people would be another avenue for the outreach.

2. Coral Reef Fisheries Mapping Project

Robbie Green, a Council contractor, presented information on coral reef fisheries in the Mariana Archipelago. The project's intent is to map fishing effort around Guam, particularly nearshore and inshore fisheries, to integrate creel data on shore-based and boat-based fishing with some participatory mapping for future work with the community. Three decades of creel data, shore- and boat-based, were joined with spatial data to assess the creel data over both time and space. The project will next use a series of participatory mapping methods with a diverse sample from the fishing community to refine that data.

Phase 1 entails data collection and community outreach through distribution of material, presentation, site-visits and informal engagement. Phase 2 entails holding workshops in June and July on the participatory GIS interactive method coupled with a printed base-map approach and individual surveys, supplemented by GPS data collection. The data will be revalidated through community feedback. The local fishing community is involved throughout the entire process and provides a constant feedback loop for acquiring data.

The final product envisioned is a fishing effort atlas of Guam accompanied by packaged geospatial data to be provided to both Council and NOAA. The NOAA Coral Program is funding this project. Project completion is expected the end of December.

[NOTE: At this time, agenda items VIII A to E were represented. For presentation and comments, see agenda items VIII A to E earlier in the minutes.]

H. Community Development Activities and Issues

1. Malesso Community-Based Marine Resource Plan Update

Ka'ai'ai presented an update of the Malesso Community-Based Fishery Management Plan, which is in the process of implementing some of the recommendations made by the community, as well as the plan's objectives and goals. One request was for a report from the Guam Environmental Protection Agency on the PCB Assessment in Cocos Lagoon. In speaking to Walter Leon Guerrero, point of contact for Guam Environmental Protection Agency and who is involved in fulfilling the request, the EPA is dependent on other agencies' assessments before the report can be completed and presented to the community in a public forum. There is also monitoring projects and a zoning initiative going on.

a. Status of Cocos Lagoon PCB Assessment

Frank Camacho reported that the role of UOG at the Geus and Manell watersheds is to conduct baseline assessments of the instream biota and to determine the chemical characterizations of the streams and sediment inputs into the lagoon, which is ongoing. Sedimentation in southern Guam is one of the primary threats to the integrity of coral reef systems in the area. Sedimentation is the product of land use practices, including fires. Cocos Lagoon is important for fishing and recreation and an economic area for the community. It has extensive coral and seagrass beds. Ten streams discharge into the lagoon, as well as onto the Achang reef flat.

In 2014, in consideration of the large discharge, the Cocos Lagoon and the upland areas, including the streams and the surrounding watersheds, were designated as a Habitat Blueprint Focus Area. The Geus River is one of the shortest rivers on Guam and has one of the steepest slopes. It is an important cultural source of drinking water for the community of Malesso since the 1970s.

Little data exists for the Manell River in terms of discharge, as well as the instream biota. What data exists is GIS-based or from Best and Davidson. The project is to look at the abundance of stream fish and macro invertebrates in the rivers and to try to characterize the hydrological and physical dynamics in the streams, as well as riparian communities, which is one of the primary ways to filter out and prevent that sediment from infiltrating into the stream.

The riparian surveys and chemical analyses are ongoing. The channel profile and characterization should be completed in the near future, followed by instream surveys of stream fish and macro-inverts. The analyses of discharge and suspended sediment will be a long-term project. The Geus River supplies almost eight tons of sediment per acre per year. Manell has a threefold higher level of sedimentation based on recent estimates.

One of the challenges in the stream is that the riparian vegetation is largely dominated by non-native vegetation, primarily bamboo, which is a major invasive species in the watershed. There is strong evidence that bamboo thickets alter the stream's geo-morphology, which in turn,

leads to bank de-stabilization. The sediment ultimately ends up on the reef flat with a potential for resuspension. The area will be resurveyed during the rainy season.

The stream fish and the macroinvertebrates that inhabit the rivers have unique life cycles in that they have a marine larval phase. Habitat quality in the estuary and reef flat potentially can affect recruitment. Almost all of them have a marine larval connection.

Discussion

Simonds asked for clarification as to the planned timeline to cleanup of the rivers.

Camacho said currently Guam DOA, Forestry Division, is doing limited clear cutting. There is also some upland burning that is leading to soil loss. A final report is due out by the end of July, with a second report due out by September.

Aguon asked if there are plans to convert some of the areas back to forest lands.

Camacho did not know the answer. The cultural mindset has to be changed, and, first and foremost, the fires need to be stopped.

Ebisui asked if Camacho is aware of reports of turtles going up rivers.

Camacho replied in the negative.

Ebisui said on the North Shore of O'ahu the rivers are regularly visited by green sea turtles and reefs are bare of algae or seaweed. Turtles have taken to going up the rivers and grazing on the grass.

Camacho noted Ebisui's comment reminded him of some anecdotal reports of turtles on the Big Island going up in the area of Hilo.

Ebisui said they graze the banks down to bare dirt, which causes runoff to the ocean when it rains.

b. Upland and Coastal Water Resource Monitoring

(Agenda Item presented in prior presentation.)

c. Zoning Initiative for Cocos Lagoon

Carl Dela Cruz, Council's island coordinator on Guam, said the Steering Committee met with the community in 2015 to address mitigation measures for Cocos Lagoon through zoning. Guam has zoning plans for motorized craft, although no plans have been implemented in Merizo.

2. Yigo Draft Community-Based Marine Resource Plan

a. Overview of Yigo Community-Based Marine Plan and Outcomes

Ka'ai'ai said Council staff worked with the community to determine how to zone their lagoon. The best way for the community to accomplish it was working with the Department of Parks and Recreation on Guam. The Department of Parks and Recreation zones under the Recreational Water Use Management Plan, and Cocos Lagoon was not included in that. The committee worked with the Department of Parks and Recreation to include Cocos Lagoon in the Recreational Water Use Management Plan.

Discussion

Simonds asked if the resolution was completed and formally sent in.

Ka'ai'ai said the Peskadot Committee of Malesso drafted a resolution for the Department of Parks and Recreation to consider. It was sent to the Department of Parks and Recreation, which took it to the legislature, where it now remains.

b. Community Input and Feedback

Ka'ai'ai reported that in 2014, Matanane asked the Council to help facilitate community workshops to come up with a Community-Based Fishery Management Plan. It was taken to Malesso. Council staff is also working with the Northern Islands in CNMI on the development of its plan. In November, the initial meeting was held with the community. The motivation for the planning was interest in a boat ramp in the north side of Guam, which became a big incentive for the community to attend a number of the planning workshops. The goals and objectives for the plan were determined in January. There is a timeline for the steps of the planning session to get the commitment from the community. Council staff worked with the Mayors Council of Guam planning these workshops. The public was invited to attend to review the development process, which uses work sheets and exercises to identify stakeholders, management and study areas, and resources within the areas.

For Yigo, a lot of the resources in their area were cultural, such as the fruit bat and Pagat Mountain, which were mapped. Impacts to the study area and the scope of management practices were identified. If necessary, zoning approaches to management are developed. It was decided that the village of Yigo would be the management area, and all of Guam would be the study area. Impacts to the study area would likely have an impact in their management area. Work is ongoing with the community. The community is split on the inclusion of Andersen Air Base in the plan. The plan is being drafted and reviewed. Comments from the community were received recently regarding additional items. Next, the plan will be distributed for community review and approval, and then implementation with community support will begin.

The plan begins with conservation objectives to restore, maintain and protect marine resources. The socioeconomic objective is to protect the traditional rights of the community to access and conserve its resources. The boat ramp is an important part of the community's ability to access the ocean. The governance objective is to ensure compatibility with the federal and territorial and local government.

By going through this planning exercise, the community is aware of and knows how to organize itself to manage with objectives and goals and an implementation plan. The planning process also identifies agencies and authorities that have jurisdiction over the resources and makes recommendations for education and outreach projects and for collaborative monitoring of resources in the management area.

The Yigo conservation objectives are that the living marine resources are sustained in their current state for future generations and habitat and ecosystem functions required for focal species survival is restored and maintained. The community will work with Guam DOA to address the conservation objectives. The socioeconomic objective is to increase opportunities for livelihood diversification. Our recommendation is to characterize Yigo's demographics, socioeconomic circumstances and need for appropriate development. Ka'ai'ai briefed the Council on a feasibility study for small economic development, agency involvement, cultural resources and other aspects of the process. The plan gives the community a beneficial way to achieve its goals and to organize its management problems.

3. NOAA Habitat Blueprint

Tosatto reported there are two Habitat Blueprint sites within the Western Pacific Region, one in West Hawai'i, where some progress has been made. Monies were granted to The Nature Conservancy to help with the development of the plan. An Implementation Plan for the West Hawai'i Blueprint Focus Area is due to be released soon. In Guam, the Manell Geus Watershed was selected as a Habitat Blueprint Focus Area and progress has been slow with no facilitator. Funds have been committed to hire a full-time coordinator for the Manell Geus Focus Area and will be brought onboard in 2016 to begin the work to develop the Implementation Plan.

4. Ritidian Point

(Agenda item was deferred; presenter was not in attendance.)

a. Proposed Firing Range

(Agenda item was deferred; presenter was not in attendance.)

b. National Wildlife Refuge - Access Issues

(Agenda item was deferred; presenter was not in attendance.)

I. Education and Outreach Initiatives

1. Report of the Lunar Calendar Festival

John Calvo, the Council's education and outreach coordinator on Guam, reported this agenda item was presented at the March Council meeting. He had no further information.

2. Festival of the Pacific Arts 2016

Calvo reported that the 12th Festival of Pacific Arts was hosted by Guam in the last two weeks of May. The Council exhibit focused on five Council initiatives, featuring major priorities for Guam. Ecosystem threats and sustainable use creates awareness to the greater issues impacting the coastal resources and promoting sustainable use. Community-based management plans help keep the community engaged in perpetuating fishing traditions and safeguarding the resources of livelihood. The Chamorro lunar calendar is a popular educational resource used in the Chamorro Studies Programs in public and private schools, as well as a guide for local fishermen, hunters and farmers. Partnerships with organizations like the Guam Museum continue to reap benefits that allow Guam fishermen to tell their story. The Fishermen Code of Conduct promotes a universal guide for the sustainable use of natural resources.

J. Advisory Body Reports and Recommendations

1. Advisory Panel

Peter Perez reported the Guam AP recommendations as follows:

Regarding Guam fisheries, the Guam AP recommended the Council request that PIFSC conduct a study on seasonal fish migration and what they do and why they do what they do.

Regarding Guam fisheries, the Guam AP recommended the Council work with the Guam government to develop a partnership to fund marine preserve markers and signs.

Regarding Guam fisheries, the Guam AP recommended creating an educational video on marine fisheries in the Mariana Archipelago.

Regarding Guam fisheries, the Joint Guam and CNMI AP requested that the Council assist the AP in facilitating the development of a permanent display section of the new Guam Museum to highlight the indigenous fishing practices of the Mariana Archipelago.

2. Regional Ecosystem Advisory Committee

Duenas reported there were no REAC recommendations regarding Guam.

K. Scientific and Statistical Committee Recommendations

Lynch reported there were no SSC recommendations regarding Guam.

L. Public Comment

No public comment was offered.

M. Council Discussion and Action

***Regarding Guam fisheries*, the Council directed staff to work with the Guam AP to explore options with the government of Guam to develop a partnership to fund marine preserve markers and signs.**

Moved by Duenas; seconded by Sword.
Motion passed.

Regarding Guam fisheries, the Council directed staff to work with Guam AP to develop an educational video on fisheries in the Mariana Archipelago.

Moved by Duenas; seconded by Sword.
Motion passed.

Regarding Guam fisheries, the Council directed staff to work with the Guam AP in facilitating the development of a permanent display/section of the new Guam museum to highlight the indigenous fishing practices of the Mariana Archipelago.

Moved by Duenas; seconded by Sablan.
Motion passed.

Regarding Guam fisheries, the Council recommended PIFSC conduct studies on seasonal fishes, migration and fish behavior in Guam.

Moved by Duenas; seconded by Sword.
Motion passed.

Regarding Guam fisheries, the Council directed staff to communicate the fishing community's concerns to the Guam DOA regarding the potential overexploitation of sea cucumbers in Guam. The Council further directed staff to assist the DOA in developing options for a moratorium on sea cucumber harvest under the Administrative Adjudication Law (AAA Process) until an assessment of the sea cucumber populations can be conducted.

Moved by Duenas; seconded by Sablan.
Motion passed.

Regarding Guam fisheries, the Council directed staff to hold a workshop with its advisory body members, the CNMI and Guam governments, the Mayors Council of Guam and representative of Palau, Federated States of Micronesia, Marshall Islands, Philippines and Japan to share information and management regimes, if any, and to discuss green sea turtle populations in the region.

Moved by Duenas; seconded by Sablan.
Motion was passed.

Simonds noted that the recommendation needed to be revised to use the same words used previously in the CNMI recommendation.

DeMello read the CNMI recommendation as follows, “directed staff to hold a workshop with its advisory body members, the CNMI and Guam Governments, the Mayors Council on Guam and representatives of Palau, Federated State of Micronesia, Marshall Islands, Philippines

and Japan to share information and management regimes, if any, and to discuss green sea turtle populations in the region.”

Tosatto offered a friendly amendment, to include “workshop to share information of management regimes, if any, and discuss green turtle populations in the region.”

Ebisui suggested substituting it for the original motion, with agreement from the mover of the motion and the second.

The mover and the second agreed to withdraw the original motion and substitute it with the amended motion.

Simonds noted that the recommendation was an outcome of the 2011 workshop on turtles that planned to hold an additional workshop with Japan and the Philippines included.

Regarding Guam fisheries, the Council recommended the Guam DOA work with the mayor’s office in Yigo to identify an area in the village to build a boat ramp. Further, the Council directed staff to work with the mayor’s office to include this as a project in Guam’s MCP.

Moved by Duenas; seconded by Sablan.

Motion passed.

XIII. Pelagic and International Fisheries

A. Guam and Commonwealth of the Northern Mariana Islands Small Vessel Pelagic Fisheries

(This agenda item was deferred.)

B. Impact on Effort Limit Area for Purse Seine on American Samoa Economy

Tosatto reported that a study was conducted as a result of the petition from Tri Marine, LLC in 2015. NMFS was petitioned to consider rule-making around the Effort Limit Area for Purse Seine (ELAPS). The petition was denied with the caveat that a study would be conducted to look at the potential impacts of domestic implementation of WCPFC decisions on purse-seine fisheries and the economies of the Territories and examine the connectivity between activities of the purse-seine vessels and the economies of the Territory. The areas are US zones between 20°S and 20°N, excluding any foreign zones.

There is an obligation to limit purse-seine effort in US zones and on the high seas. The goal was to analyze the financial and economic impacts of the 2015 ELAPS closure. There was a need to define the connections between fishing activity on the high seas and in the zones away from American Samoa with landings, the canneries and associated industries into the broader economy of American Samoa. To do the analysis, differences needed to be determined between the financial flow of cash through market prices with ELAPS in place and without ELAPS in place. Employment rates and wages, changes over time of tonnage landed, tonnage moved

through the cannery, and additional spending in the economy were all looked at, and a sensitivity analysis was conducted.

The ELAPS was put in place in 2015, closing the high seas and the US zones to US vessels fishing activity. The closure resulted in overall losses to the combined sectors of vessels, canneries and vessel support companies in comparison to years without the ELAPS in place. There were both financial, real money and economic losses on the American Samoa economy. Connections were seen between the vessels and the broader American Samoa economy. With the results of the study, the agency is considering what actions are appropriate.

Discussion

Sword asked what plan of action has been considered for going forward.

Tosatto said the analysis was conducted by Valerie Chan, who is a statistician, and Dale Squires from the Southwest Fisheries Science Center, who is a fisheries economist. It was a one-off study, and their expertise lent itself to completing the analysis. Going forward, from a regulatory aspect, options submitted in the report will be looked at and analyzed. The agency needs to learn more about this sector of the fishing industry in the region. There is a regulatory review requirement for the agency to understand the impact of its regulations. Currently, information is not available to be able to determine the impact to any great detail. Capacity needs to be built up to improve understanding of the impact of regulations, even when there are international obligations.

Sword said the Tuna Treaty is coming up in June and is not looking optimistic. He asked if there are any options on the table, such as allowing fishing on the open ocean in case negotiations fail or finding ways for more boats to can fish towards the north of American Samoa or any other options.

Tosatto said everything is on the table to the extent it is allowed to be on the table. The full range of WCPFC's obligations on the US is being looked at. The US is obliged to limit effort on the high seas based in accordance to the current measure and within US zones to a level that is determined to be appropriate. There is also the Participating Territories to consider. Everything that the WCPFC allows will be on the table, including a future in a slightly different way than the traditional multi-lateral access that wasn't limited to within zones. Several PNA countries are limiting access to their zones. The US is looking to exploit those opportunities, in balance with its negotiating partners.

Sword said American Samoa's 120,000-plus tons of fish a year have not been on listed in the nation's fisheries statistics. He was told the reason is American Samoa's landings are an international fishery statistic. American Samoa is a US Territory and would be number six in production in the nation if the statistics were included on the list. When both canneries were operating, the annual amount was 180,000 tons of processed fish a year. It is US fish, and it needs to be included in the US fisheries statistics.

Simonds added that America Samoa was on the list 20 years ago. Her understanding is American Samoa was dropped from the list because it had fewer than three canneries in operation, having something to do with confidentiality. She would like to find out from headquarters about the issue.

Tosatto forgot to mention during in his report about the ELAPS. Because there are only two canneries, which were the principal data providers to his report, the agency is working its way through the confidentiality issues before release of the final full version of the report. At a minimum, to get full access to the data would require a confidentiality nondisclosure agreement. It is a work in progress that will be finished in the near future.

C. Hawai'i Shallow-Set Observer Coverage (Action Item)

Dalzell said, at its last meeting, the Council voted to explore reductions of the 100 percent observer coverage in the longline fishery. There was some sense that it might have involved some cost savings to the Observer Program. The longline swordfish fishery has so few participants that it barely constitutes 5 to 6 percent of the volume of catch in the total longline fishery, which would result in relatively small savings. The broader issue is the hard caps under which the fishery is managed. The 100 percent coverage was put in place during litigation negotiations between NMFS Headquarters and the NGO community to reopen the fishery.

The fishery has been closed twice, once for exceeding the loggerhead cap and once for exceeding the leatherback cap. Work conducted by PIFSC suggests that a coverage rate somewhere between 20 and 40 percent would be sufficient operating under a hard cap and would be predictive enough to close the fishery in an efficient manner.

Seki reported that PIFSC was not able to do the additional requested analysis of reduced observer coverage levels for the shallow-set fishery in time for the Council meeting. For context, this analysis would be a follow-up on the one provided in 2012, "A Simulation Study of the Potential Effects of Different Observer Coverage Levels in the Hawaii Shallow-Set Longline Fishery" by Marti McCracken.

PIFSC will try to include the requested further risk analysis as a priority for future work amid competing requests. PIFSC and PIRO have been working together to reduce some of the less-important observer data collection and to develop an electronic monitoring program that could further reduce the observer workload. PIFSC is requesting clarification from the SSC and Council on the priority and advantages, besides reduced observer workload, of reducing shallow-set observer coverage, to help put the requested analysis in context.

Discussion

Simonds said the thinking early on was it was expensive because all of the boats were fishing. She asked, now that there are fewer boats fishing and electronic monitoring is becoming available, could observer funds be used for electronic monitoring.

Tosatto answered in the affirmative, Observer Program funds can be used to evaluate and test systems. Once an electronic means is established, observer funds can be continued to be used. Currently, he is not looking for something to replace the human body but looking at electronically capturing the data so that it is timelier and accurately deliverable, such as electronic observer data.

[NOTE: At this time, agenda items IX B and C were presented again. See agenda items IX B and C for the presentation and discussion.]

D. International Fisheries

1. Eastern Pacific Ocean Bigeye Tuna Quota

Dalzell reported that the EPO bigeye tuna quota is not new issue for the Council. The Council has wanted to see more bigeye for the Hawai'i fleet in the EPO in conservation resolutions. The EPO includes an area that is administered by two Commissions, each with its own rules. In 2014, NMFS prepared a proposal to increase the US EPO longline bigeye management limit, taking into account bigeye conservation and management objectives of the Inter-American Tropical Tuna Commission (IATTC) and the MSA. A recommendation was sent to Russell Smith, deputy assistant secretary of international fisheries, in April 2015. A response was never received. The Council followed up, and a response was received from Barry Thom, the regional administrator of the West Coast, who is also the commissioner to IATTC. Thom attended a stakeholders meeting to take comments on the issue of bigeye catches by US fleets in the EPO.

Dalzell presented the time series of bigeye tuna catch in the EPO between 1983 and 2014. It shows the longline fleet's catch on a declining trend since 2001, while the purse-seine catch has an increasing trend, as well as the allocation history of the four Asian country fleets: China, Chinese Taipei, Japan and Korea. The EPO has become important to the Hawai'i longline fleet for the record catch in the last three or four years.

The bigeye stock is not subject to overfishing; however, according to the IATTC, it is overfished relative to MSY. He pointed out it is not considered overfished according to the MSA, which uses the Minimum Stock Size Threshold rule.

Dalzell stressed that the US should advocate a change to C-13-01 to increase the volume of fish for vessels greater than 24 meters at the IATTC meeting in June.

The Science Committee, which advises IATTC, recommended keeping the measure but to extend the purse-seine closures. IATTC staff currently is recommending a 500 metric ton limit, which came up at the Scientific Advisory Subcommittee (SAS) and General Advisory Committee (GAC) meeting, which are domestic meetings that are held by the US to advise US delegates to the IATTC. The SAS voted by majority consensus to go along with the staff recommendations, with Dalzell as the only dissenting voice. In the GAC meeting, there was no consensus except to list the various perspectives that were advanced at the meeting. The consensus was that an increase to US catch would be acceptable as long as the overall combined

catch limit does not increase. If the US were to take advantage of that unused catch, then it would not compromise the CMM established by IATTC. The US has circulated draft marked-up proposal suggesting a change to C-13-01 with a new catch limit of 750 metric tons. The US perspective is 750 or 1,000 metric tons will have no difference to the conservation of bigeye. He pointed out some of the egregious elements of the limit in terms of the US studiously reporting and tracking the 500 metric ton limit so it can shut down the fishery, if required. He is not aware of any country that takes that kind of action. All the IATTC requires a country to do is report by flag, by species and by 5° squares. There is no language about big boats or small boats.

The US would like to see language inserted into the modified resolution that requires countries on the fixed quota to report their catches. The only catches that are getting reported are from the four Asian countries because they have a total allowable catch. Other countries do not report their catch and do not shut down their fisheries. There is a gross inequity with respect to the EPO bigeye quota limit.

Discussion

Leialoha asked the difference in poundage between being overfished based on MSY and being overfished by MSA standards.

Dalzell said the calculation is complicated because of differential mortality rates. However, he estimated that, if the longline catch were doubled, it would probably get into overfishing according to the MSA standard.

Simonds reiterated that the Council's comments were officially conveyed to Thom. She asked what response was received.

Dalzell replied that the response was thank you very much.

Simonds said, since the meeting is in a couple of weeks, the item needs follow-up. She asked for further clarification on the Science Committee recommendation.

Dalzell said the Science Center recommended increasing the closure days from 60 to 80 for the purse seine. The bigeye catch around FADs by the seiners is such that it is the major source of mortality on the stock. This large bycatch of juvenile bigeye tuna has driven the fishing mortality of the stock and depressed the MSY, which means the MSY continues to decline as the purse-seine catch goes up and the longline fisheries will never to get to a point where the longline catch will balance the impacts from the purse-seine fishery.

Simonds asked for the number of FADs in the EPO.

Dalzell said the number of FADs is in the tens of thousands and has been estimated to be in six figures.

Simonds suggested a recommendation for no FADs for several years and asked what will happen in 2017 in the Western Pacific.

Dalzell stated that the US is going to take another cut.

Simonds said the Chinese fleet has stated that it does not need to fish on FADs and can fish on free schools. She asked if the other Asian countries are in agreement.

Dalzell said the Chinese have gone back to using helicopters to find free schools and hire foreigners to fly the helicopters.

Simonds noted that it is not a surprise for them to say that they do not need FADs.

Dalzell agreed.

Simonds said it is because other countries do not want to improve or update their vessels to be able to successfully fish on schools, but it is something that needs to be contemplated.

Dalzell said the FAD is a complex structure with electronics on the surface and underneath. It has radio contact with its vessel and a sonar buoy that determines the biomass of fish below the FAD. The element of guesswork and risk and chance is reduced, and there obviously will be resistance to give that up.

Rice said having that many FADs are causing new ecosystems throughout the Pacific.

Dalzell did not disagree with that comment.

2. Western and Central Pacific Fisheries Commission Issues

Dalzell outlined what was termed as the unfinished business from the last WCPFC meeting held in Bali in December 2015. After a brief background was presented, he noted that the SSC made recommendations regarding spatial management of the longline fishery. The US Permanent Advisory Committee (PAC) to the US WCPFC Commissioners made recommendations on several issues. The Council adopted the PAC and SSC recommendations and forwarded them to the US Government for consideration. The US submitted proposals to maintain the Compliance Monitoring Scheme and Commission VMS standards.

Accomplishments from the WCPFC 12 meeting included agreement to establish an interim target reference point for the WCPO skipjack stock, set at 50 percent of the estimated recent average spawning biomass in the absence of fishing. It also adopted a Harvest Strategies Work Plan, which includes a five-year timeline. It agreed to roll over the Tropical Tuna CMM 2014-01 and continue to maintain provisions such as seasonal purse-seine FAD closure, EEZ and high seas purse-seine effort limits and flag-based longline bigeye catch limits, exempting Small Island Developing States and the Participating Territories.

The Commission failed to adopt a stronger CMM for South Pacific albacore and could not reach consensus on establishing a target reference point for South Pacific albacore. There was no revision of the Tropical Tuna CMM to further reduce bigeye fishing mortality through more effective management measures. The current measure is set to expire at the end of 2017. The US longline quota will be reduced to 3,200 metric tons.

The SSC was informed at its 122nd meeting regarding the failure by the US government to advance an evaluation of spatial management options at WCPFC 12. The plan now is to have the WCPFC Scientific Committee endorse having the Secretariat of the Pacific Community (SPC) conduct a spatial management analysis. This will require the US Delegation to make the request to the Science Committee. The US will provide a voluntary contribution to the Commission to complete the work by October.

PIFSC's response to the Council's letter said PIFSC and SPC cannot explicitly model management measures in the region 10° N to 10° S because it is inconsistent with the regional structure used in the current assessments. There may be an opportunity to modify the spatial structure for the 2017 bigeye and yellowfin assessments. The outcome in restricting the application of the CMM to 10° N to 10° S would only weaken the impact of the measure. How much it would weaken would depend on how expansion of the fisheries outside the 10° N to 10° S region and cannot be currently evaluated. In the letter, Keith Bigelow discussed with SPC on the structure of the analyses used for the 2014 bigeye tuna assessment in the WCPO with deterministic projections to identify specific catch levels that would achieve fishing mortality at the MSY and within a certain time frame, such as 10 or 20 years, and analyzing comparable regional exploitation rates and exploitation rates proportional to the exploitable biomass.

In 2014, the Commission adopted a CMM with the objective of establishing a harvest strategy approach for each of the key fisheries or stocks under the WCPFC jurisdiction. As defined in CMM 2014-06, a harvest strategy is a framework that specifies the pre-determined management actions in a fishery for defined stock or management unit level necessary to achieve agreed biological, ecological, economic and/or social management objectives.

At the meeting, the Commission agreed to a work plan through 2018. The work plan identifies the Commission in 2016, among other things, will be recording management objectives for South Pacific albacore, skipjack, bigeye and yellowfin. The work plan also identifies the Commission adopting bigeye rebuilding timeframe and acceptable levels of risk for breaching limit reference point.

The PAC meeting will be held in June; the Science Committee, Northern Committee and Technical Compliance Committee meetings will be held between August and September; and a FAD Working Group will meet in September. Another PAC meeting will be held in October. Finally, the WCPFC 13 will be held in Fiji in December. In the interim, the Council will be developing proposals for recommendations through the PAC to the US Delegation.

Discussion

Simonds asked Tosatto for anything that the US might be offering at the upcoming meeting.

Tosatto said one firm proposal that will be offered is on the observer safety process. The US committed to developing that on behalf of the Commission, and it has been developed and is being shared outside of the Forum Fisheries Agency and the Philippines. It has been through a round of internal reviews. Meetings are being held regularly with the lead federal commissioner

to discuss the path forward on the tropical tuna measure. It is not clear as to whether the Secretariat and the current chair will propose anything. There is one more year on the current measure. There is potential for advancing issues like spatial management or at least begin the discussion. It is of high interest to have more than one proposal, meaning the Parties to the Nauru Agreement proposal. Having a counter proposal has merits, but it has not yet been formulated. He does not foresee any side issues, and the focus is on tropical tunas.

3. Quota Tracking for WCPFC and EPO Bigeye Quotas

Seki delivered a brief report on the bigeye quota tracking for the Hawai'i longline fishery, which is updated every two weeks. The quota is 3,554 metric tons for the WCPO. Currently, the fishery is at 2,989 metric tons, which is well on the way to hitting the quota early and moving at a faster pace than in 2015. The CPUE for the fishery is very high. The limit was hit in late August in 2015. In October, the attribution was put in place, and the catch continued to go up until the end of the year. The limit is predicted to be reached Aug. 11. In the worst-case scenario prediction, the limit will be reached on July 22.

Discussion

Goto reiterated his gratitude to PIFSC for keeping tabs on the catch. In light of the current CPUE, it seems like there is not as much effort currently in the EPO, which is causing excessive catches in the west. The boats do not want to go past the 150° line if they do not have to. They prefer sticking close to the islands. He asked if there is a pattern for a seasonal shift when the boats tend to fish in the east.

Seki did not know. Boggs could better answer the question. In the past, boats head east when they are looking for fish. He never thought it was a seasonal.

Goto assumed there is a dilemma within the Longline Association. The Association might want to reserve allocation for the end of the year. If there is a time when effort in the east increases, it is important to note that.

Simonds asked for clarification as to the July projection.

Seki said there is a projection for upper confidence limits, which the worst-case scenario.

Simonds pointed out that the last e-mail stated Aug.14.

Seki replied that it is now Aug. 11.

Rice asked about the timing on the US getting allocations from the Territories, pointing out that it is expected by October.

Tosatto said it is moving along as quickly as it can and is in the review stage. It has to go out as a proposed specification and public comment. After the comments are addressed, it will be put out for final specification. The goal is to get it out ahead of the need to close the fishery so that the closure from 2015 is not repeated.

E. International Fishery Meeting

1. Inter-American Tropical Tuna Commission Science Committee

(Agenda Item was addressed during a prior agenda item.)

2. Inter-American Tropical Tuna Commission GAC and SAS Meeting

(Agenda Item was addressed during a prior agenda item.)

3. Inter-American Tropical Tuna Commission Plenary

(Agenda Item was addressed during a prior agenda item.)

F. Advisory Group Reports and Recommendations

1. Protected Species Advisory Committee

Ishizaki gave a brief summary of the PSAC membership, as well as the various species experts and representatives from the SSC and AP. The committee discussed the fisheries and protected species management updates, in particular, the shallow-set observer coverage issue.

She reported the PSAC recommendations as follows:

Regarding pelagic and insular fisheries, the PSAC supported the reduction in shallow-set observer coverage and shifting the coverage level to the deep-set fishery, given that the deep-set fishery comprises most of the fishing.

Regarding pelagic and insular fisheries, the PSAC recommended that the Council consider the implications of decreasing shallow-set observer coverage on the implementation of the hard cap management measure.

2. Advisory Panel

Guthertz reported the AP recommendations as follows:

Regarding observer coverage, the Hawai'i AP recommended the Council work with PIFSC to determine the appropriate level of coverage and, if scientifically and economically feasible, reduce observer coverage, as appropriate.

Regarding observer coverage, the Joint Mariana AP supported the Hawai'i AP's recommendation that the Council work with PIFSC to determine the appropriate level of coverage and, if scientifically and economically feasible, reduce observer coverage, as appropriate.

Regarding the LVPA amendment, the American Samoa AP recommended that the Council work with the federal and American Samoa governments to clarify the definition of indigenous people as mentioned in the American Samoa government lawsuit over the LVPA.

Regarding the status of the local longline fleet, the American Samoa AP recommended that the Council recognize that the American Samoa longline fleet is US-flagged vessels operating in the US protected waters of American Samoa.

Regarding FADs, the AP recommended working on a resolution to the FAD issues in Guam and the CNMI to be presented to the Council for consideration and action. Further, the Joint AP recommended the Council request from USFWS the status of the FAD Section 7 consultations and urge them to expedite the completion to provide the approval for local agencies to deploy the FADs.

13. Regional Ecosystem Advisory Committee

Rice reported the REAC had no pelagic and international fisheries recommendations.

G. Scientific and Statistical Committee Report and Recommendations

At the 123rd SSC meeting, PIRO presented preliminary results on the economic impacts of the closure on the American Samoa economy. The results suggest there was a detectable impact on the American Samoa economy. However, the SSC felt it needed a fuller presentation of the completed results. The SSC requested a full presentation of the report and its findings as soon as reasonably possible by one of the authors and presented at the October Council meeting.

The SSC received a presentation from PIFSC scientists regarding the development of a risk curve concerning the shallow-set longline fishery and the level of observer coverage that is occurring in the fishery currently. The SSC noted that the fishery currently receives 100 percent observer coverage. The SSC noted that due to declining effort in the fishery that 100 percent observer coverage was likely not necessary to achieve the goals of that Observer Coverage Program. The SSC inquired about the current costs of the Observer Program. NMFS indicated that it had started working on cost estimates regarding that Observer Program but had not yet completed those estimates. NMFS suggested that if that was raised as a priority, that perhaps it could complete that information and present it to the SSC for a future discussion.

The SSC received a presentation regarding the Small-Boat Survey, which summarized results from an Economic Program report. However, there was no recommendation or further action by the SSC on that.

The SSC received a presentation from Council staff on catches that occurred in the US longline fishery in some detail, noting that the catches in this fishery have been increasing for some period of time. The SSC discussed at some length the increases that were observed and some of the quota that were retained by certain of the countries possessing quotas that they are not yet achieving.

Staff presented that the next bigeye stock assessment would be conducted in 2017 and noted that there may be an opportunity during that process to request a change in the spatial regions used for the assessment. Staff described issues that existed regarding the advancement of the spatial management options in prior meetings and that staff had been working with PIFSC on

the issue. The plan was to have a delegation that would advocate for spatial management analysis in future processes.

The SSC received a presentation from PIFSC regarding the tracking program for bigeye tuna quotas that NMFS has developed and that PIFSC is implementing. The SSC noted that there is no equivalent process in any of the international analyses. The SSC commended PIFSC for the work that they have been doing and encouraged that to continue.

Dalzell added the SSC reiterated its previous position that the US should request an increase in its IATTC longline catch limit and do so in the context of a plan that does not increase total exploitation pressure on EPO bigeye and commended Boggs for the quota tracking analysis, as reported. The point is that none of the other members of the Commission report similar quota tracks.

Tosatto said PIRO does not need to do a study to come up with the cost of the Observer Program. It is a simple accounting. It is paid per day. It is a very simple accounting exercise. He would endeavor to get that information put together and to the Council.

Simonds noted that is why the action was moved to the October meeting.

Lynch reported the SSC's pelagic and international fisheries recommendations:

Regarding impact of ELAPS on the American Samoa economy, the SSC requested a full presentation on the impact of ELAPS on the American Samoa economy at a future SSC meeting, as soon as reasonably possible by one of the authors.

Regarding the Hawai'i shallow-set observer coverage, the SSC supported NMFS elevating this as a priority to enable further analysis of observer coverage levels in this fishery.

Regarding the EPO bigeye tuna quota, the SSC reiterated its previous position that the US should request an increase in its IATTC longline catch limit and do so in the context of a plan that does not increase total exploitation pressure on EPO bigeye.

Regarding WCPFC issues, the SSC formed a working group to advise the Council staff regarding WCPFC harvest strategies and associated issues. The group consists of Paul Callaghan, Itano, Pierre Kleiber, Kobayashi, John Sibert and Bob Skillman.

H. Public Hearing

There were no public comments offered.

I. Council Discussion and Recommendations

Regarding the report on the impact of the ELAPS on the American Samoa economy, **the Council requested that one of the report authors provide a full presentation on the impact of ELAPS on the American Samoa economy at a future SSC and Council meeting, as soon as reasonably possible.**

Moved by Rice; seconded by Goto.
Motion passed.

Regarding shallow-set observer coverage, the Council requested that PIFSC elevate this as a priority to enable further analysis of observer coverage levels in the fishery.

Moved by Rice; seconded by Sword.
Motion passed.

Regarding the EPO bigeye tuna quota, the Council reiterated its previous position that the US should request an increase in its IATTC longline catch limit and do so in the context of a plan that does not increase total exploitation pressure on EPO bigeye tuna.

Moved by Rice; seconded by Sword.
Motion passed.

Regarding WCPFC issues, the Council endorsed the SSC formation of a Harvest Strategy Working Group to advise the Council staff regarding WCPFC harvest strategies and associated issues. The group consists of Callaghan, Itano, Kleiber, Kobayashi, Sibert and Skillman.

Moved by Rice; seconded by Sword.
Motion passed.

Regarding quota tracking for the WCPO and EPO bigeye tuna quota, the Council commended PIFSC for conducting quota tracking analyses as reported here and noted that none of the other members of the Commission report similar cumulative quota data.

Moved by Rice; seconded by Sword.
Motion passed.

Regarding the LVPA amendment, the Council recommended that Council staff work with the federal and American Samoa governments to clarify the definition of indigenous people as mentioned in the American Samoa government lawsuit over the LVPA.

Moved by Rice; seconded by Sword.
Motion passed.

Tosatto noted that the recommendation raises a problem for NMFS, as there is a lawsuit between the American Samoa government and NMFS and he cannot work with the American Samoa government on anything related to the lawsuit or even comment. It is fruitless to look backwards at the deeds or the paper submitted in a lawsuit to clarify and is not helpful. It may be helpful to frame the recommendation in a way looking forward versus looking backwards at how something may or may not have been defined in the deeds or may or may not have been presumed to be defined in a lawsuit. He looked forward for the Council defining indigenous peoples in the context of its work.

Ebisui suggested moving to the next recommendation and returning after some wordsmithing.

Onaga suggested deleting the last phrase would address Tosatto's concern moving forward.

The maker and the second agreed to the amendment.

Regarding the status of the American Samoa local longline fleet, the Council recommended that Council staff draft a fact sheet about the American Samoa longline fleet, which among other things, clarifies that the American Samoa longline fleet comprises US flag vessels operating in the US EEZ around American Samoa.

*Moved by Rice; seconded by Sword.
Motion passed.*

Regarding FADs in the Mariana Archipelago, the Council endorsed an AP resolution on the FAD issues in Guam and CNMI to be presented to the Council at its 167th meeting for consideration and action. The Council requested from USFWS the status of the ESA Section 7 Consultations covering FAD deployment and urged them to expedite the completion to provide the approval for local agencies to deploy FADs.

*Moved by Rice; seconded by Sword.
Motion passed*

Gourley asked if the American Samoa Section 7 consultation is related only to the FAD Program.

Poumele replied that the FAD Program is just part of the consultation; other projects are also affected.

Gourley asked if it should be recommended that Guam and the CNMI include the entire issue rather than just mentioning FADs for the Section 7 consultation.

Poumele replied that was done recently in CNMI.

Gourley asked if the recommendation in CNMI covers the Guam recommendation as well.

Poumele said, because it also affects American Samoa, it is the one that Ochavillo also included for the entire USFWS programs.

Gourley reiterated his questions, as to whether it is worthwhile expanding it for the entire program.

Sablan stated that Guam is in the same boat.

Simonds suggested adding “any in-water projects.”

Sword requested the addition of American Samoa to the recommendation.

Simonds read the Program Planning recommendations “requests USFWS Sports Fish Restoration Program and NMFS to expedite the resolution of the in-water activity prohibition due to the Section 7 consultation for the corals listed under ESA, which included all three Territories.”

Ochavillo pointed out that the Program Planning recommendation already applies to the three Territories as well as other than just the FAD programs.

Simonds suggested removing the recommendation.

The mover and the maker agreed with the amendment. The recommendation was deleted.

Regarding the 2016 Participating Territory bigeye specifications under the Amendment 7 Framework of the Pelagic FEP, the Council requested PIRO to expedite completion of this administrative process in order to avoid an implementation lag, which resulted in a two-month closure of the fishery last year, negatively impacting the US Participating Territories, Hawai‘i longline fishery participants and the Hawai‘i seafood markets and consumers. Current forecasts suggest that the Hawai‘i longline fishery may reach the US WCPO quota of 3,554 metric tons between late July and mid-August. The Council understands that PIRO is still working to finalize the rule, although the Council transmitted its recommended 2016 specifications in October 2015.

Moved by Rice, seconded by Sword.

Motion passed.

Leialoha asked Goto that, if there is going to be a delay, would not the Hawaii Longline Association have the option of staggering its catch to try to avoid a potential loss in catch.

Goto replied in the affirmative. If there was a catch pattern that showed certain trends in the EPO during the time frame, it would be an option. The fleet cannot be forced to fish where it does not want to fish.

Tosatto said he will vote in support of the recommendation and will act as timely as possible. He encouraged the Council to act in a timely way and provide adequate specification at the October meeting to allow the agency to begin work as soon as possible. He impressed upon the Council that this is a serious analysis to be conducted with each specification. It is not just administrative paperwork. There is a serious analysis that goes on each and every year that was part of approving Amendment 7, which was the ability to look hard each year at the impact of the Council’s recommendation. There is an amount of work that is needed to update NEPA and to re-analyze the impact of the decision on the stock as to where overfishing is occurring. It is important that the work is completed in time to allow the most options available to the fishery.

Simonds said that is why it has been done in October of the previous year. If that is not timely enough, the Council can work on it in June.

Tosatto said that it probably would not help to be done any sooner because data is needed regarding the full fishing year to have a full year of updated data. There is a lag, but it gets one step out of the way. Then as soon as the year ends, all of the data is in hand, as well as all of the other countries' data to the best of their ability. Work cannot wait to start on January 1. Being as timely as possible is important.

XIV. Public Comment on Non-Agenda Items

Manny Duenas, president of the Guam Fishermen's Cooperative Association, a small not-for-profit organization made of mostly indigenous fishermen that has practiced a sustainable fishing activity, commented on the international regime, in particular the WCPFC constant reduction of longline fisheries reduced quotas. He asked the Council to continue its mission to address the purse-seine fleets targeting of juvenile fish. Because Guam domestic fisheries target the same species as the purse-seine fleet and the waters around Guam are considered as nursery grounds for the species, it negatively impacts Guam's small fishing communities. The purse seiners cannot seem to comply with US regulations regarding the US ban on shark finning. Guam's small domestic fisheries struggle with a shark depredation issue, which is enhanced by pelagic sharks attracted to the nearshore waters by the presence of the purse seiners in Guam. Duenas stressed there needs to be logic and a balance maintained.

Duenas raised another concern regarding the Micronesian migrants who enter Guam through the Compact Agreement. The Micronesians method of fishing is not sustainable and the concern is the catch could exceed the ACLs. Another concern he raised was some USCG personnel on duty in Guam lack common courtesy and treat people disrespectfully. Duenas opined that the USCG Commander stationed in Guam seems prone to litigation and needs additional training in public relations. Duenas did not agree with the green sea turtle being uplisted to endangered in the Mariana Archipelago; he supported ceremonial take. Regarding military buildup, Duenas asked for NMFS to assign staff from the Sustainable Fisheries Division to attend military meetings to present the case for fishermen. Guam is losing its most precious fishing grounds through closure by the military. He opposed the expansion of the NWHI monument and thanked the Council for protecting the area so well protected. He asked when Cocos Lagoon will be cleaned up from the PCB contamination by the USCG.

Simonds thanked Duenas, noting that his presence is missed on the Council. She thanked him for his hospitality to the Council.

XV. Hawai'i Archipelago

A. Moku Pepa

Leialoha had nothing to report for the Moku Pepa.

Rice reported that fishing has been good on the Big Island. He was happy that the State put down pavement on the north side of the Honokohau Harbor. Electricity still needs to be

installed. He submitted a proposal to the State for the installation of a security fence on the north side of B dock, but he has not heard any response. He noted that, with the amount of income the harbors produce for the State, some grant money could go towards harbor improvement. The harbors in the US Virgin Islands and Florida put Honokohau harbor to shame.

Ebisui had nothing to add to the Moku Pepa.

Goto noted the PIFSC reported that the Hawai'i longline tuna catch rates are higher than 2015 even though the El Nino weather pattern is over. It appears to be a rollover of 2015 with no justification of why. The only difference between 2015 and 2016 is the market has adjusted to it, and it has been strong all year. Consumers seem to be choosing domestic seafood over imports. Due to the restrictions in place, it is not clear whether there will be product for the market for the entire year. The Hawaii Longline Association will have to consider allocating usage. December is the peak month of the year. It is culturally important for Hawai'i to have bigeye tuna available then.

B. Legislative Report

Miyasaka reported that Senate Bill 2453 on Administrative Penalties authorized the Environmental Court to use alternative penalties besides monetary fines. The two alternatives were an aquatic education class and community service. The bill was well received in the legislature. It provides more tools in terms of what penalties can be assigned for those cases where the defendant does not have the money to pay any fines. The governor will publicly sign the bill.

Senate Bill 2904 is a Mitigation Banks Bill. It authorizes the Department to establish mitigation banks. The Administrative Rule process will be used to develop specifics about the location of these bank sites and how they will be implemented. Staff will be developing specific rules to bring out all of the details of how the program is going to work. It is a way for people who are doing shoreline development that may cause some environmental damage, to mitigate the damage through an assessment. This is the first program in the nation where that mitigation can be used for coral reefs. There are a number of states that are looking to see how the program works before implementing it in their states. The first mitigation bank site that is being looked at is Kane'ohu Bay on the eastern side of O'ahu.

House Bill 629 would establish the Papahanaaumokuakea MNM Program within the Department. The bill did not pass. It died in the House Finance Committee. It did not receive a hearing. The Department will be pursuing other efforts.

House Bill 1700 passed the State budget. The Department asked for general funds to pay for the co-manager positions at the Papahanaaumokuakea MNM and the Humpback Whale Sanctuary. The two position requests were not funded. There are federal funds through the MOAs. The Department is currently negotiating to fund both program manager positions.

C. Enforcement Report

Miyasaka noted that Makai Watch is a program similar to the Neighborhood Watch with community involvement monitoring reefs. If any problems are seen on the reef, community members notify enforcement. Luna Kekoa works with the communities.

One of the major enforcement efforts began in January to clamp down on illegal camping at Kalalau on the north shore of Kaua'i, with 104 people being cited that were illegally camping on State lands. A video was produced of that effort and can be viewed on the DLNR website.

A pilot Resource Enforcement Educating Fishers (REEF) Project is being funded by a grant from the Castle Foundation. The project runs one year. It intends to bring fishermen and enforcement together to talk and get to know one another. If any problems arise, the fishermen will know who to contact. It also helps them understand what enforcement goes through, and enforcement can understand what fishermen go through.

Hawai'i Division of Boating and Ocean Recreation (DOBOR) developed the Ike Kai curriculum, designed for educating communities on different boating regulations. There are also Aquatic Resource regulations in the booklet. It is a 40-page document to teach communities and covers boating rules, water activities, thrill craft regulations, jet-ski regulations, some commercial use permits, commercial instruction, surf schools and regulated marine life, such as coral rules, marine mammal and turtle interaction rules.

A seafood dealer in China Town was cited for selling four under-sized 'ahi, around 2 pounds. The minimum size is 3 pounds. The Environmental Court fined the vendor \$2,000, i.e., \$500 per fish. The court found that it was a reoccurrence, i.e., the second case within a year that the vendor was cited. He was cited a year earlier for selling an undersized Kona crab.

Discussion

Goto noted his appreciation for the PowerPoint presentation.

D. Documenting the History of the Hawai'i Bottomfish Fishery

Justin Hospital, PIFSC Socioeconomics Program, introduced Hawai'i bottomfish tracing traditions and fishery development. He presented an overview of key research themes including documenting traditional knowledge in the fishery, evolution of fishing techniques and legacy stories and understanding how fishing knowledge has worked its way through the communities. Another theme is to document the evolution of fishing traditions, both in terms of practice and culture, as well as the changes in fishing conditions over time, which includes technology, adaptations to management and fisher reporting.

The project is motivated by a number of regional and national priorities, such as the five-year research priorities, an endorsed recommendation from the MHI Bottomfish Working Group and the SSC to look at developments of the fishery over time. The PIFSC Deep Slope Bottomfish Research Coordination Meeting submitted a recommendation to interview fishermen to understand fishing behavior over time. There are some direct linkages with MSA in terms of collecting and compiling economic and social data and collecting data to improve, supplement and enhance stock assessments.

Funding was pursued and received from for 2016 from NOAA Preserve America Initiative and Pacific Islands Cooperative Research Program. Principal investigators are Clay Tam with the Pacific Islands Fishery Group and Craig Severance, Professor Emeritus at UH Hilo. Partners include Pacific Islands Fisheries Group, the Council and the Maui Bottomfish Cooperative.

A mixed methods approach will be used, coupling archival research with expert knowledge. Oral histories of elder fishermen will be conducted. There will be an effort to also engage with younger bottomfish fishermen to participate in oral histories and semi-structured interviews to ensure that knowledge is retained within the community. Qualitative data analyses will be pursued in an effort to link the findings with stock assessments.

Project outcomes include perpetuation of fishing legacies and traditions, where culturally appropriate, oral histories will be uploaded oral histories to the NMFS Voices from the Fisheries online portal, which will allow the world to hear some of these stories and traditions. There will be a number of contributions to popular press media outlets, such as magazines, podcasts or segments on fishing shows. There will also be technical reports and peer-review literature. Most importantly, transferable methods can be documented that would allow other regionally significant fisheries, traditions or institutions to be documented, as well.

Funding was recently awarded. The project will move forward within the calendar year. Hospital said he looked forward to having more project outcomes to present to the Council in 12 months.

E. Scraping Social Media for Unreported Catch

Hospital presented a pilot project motivated from recommendation from the 122nd SSC meeting to ensure that marine catch being sold through social media is being captured as such transactions may not be recorded through existing reporting requirements. Social media use trends reveal that in 2013, social networking sites were used by 73 percent of all internet users. Globally there are currently 1.6 billion Facebook users and 430 million Instagram users. Social meeting is shaping the future of the world politically, culturally, socially and economically. The key trend is the transition to the use of mobile phones.

Social media is a perfect tool, with its countless apps and network sites, for fishermen to share their catch. New marketing websites are coming onboard that allow them to directly market their fish. Fishermen can expand their network within the community if they want to sell their fish, set their price, develop a portfolio of buyers and form relationships. Monitoring the fishery has to adapt to the social media trends.

In November 2015, Hospital spent 153 days following a web app developed in the State of Hawai'i. Fresher.io is a social media marketplace connecting fishers and consumers to monitor transactions. To gain an understanding the scope and scale of fish being sold through the social media outlet, a web scraping technique was used to extract data. A program was developed to harvest all information from each individual post, such as date, weight, price,

product form, user name, location, species and quantity. The program runs in two seconds and is well suited for providing a quick analysis.

During the 153 days, there were 173 posts; 67 days had posts. There were 42 unique user names, although five users were responsible for over half of the posts. More than 35 species were offered for sale. The distribution of where the fish were landed was limited to O‘ahu, with 26 percent in east O‘ahu, 22 percent in Honolulu and 25 percent on the North Shore. They were predominantly charter boat fishermen.

Mahimahi was the most common species offered for sale. There were 44 posts for mahimahi, followed by yellowfin tuna, ono, aku and kawakawa. These top five species accounted for 60 percent of the total posts, with 70 percent pelagic, followed by reef fish and a small portion of bottomfish offered for sale. About 1,400 pieces of fish or individual fish were offered for sale. Akule, menpachi, ‘opelu and other such species were offered as coolers of fish with estimated numbers. More than 200 mahimahi and 180 ‘ahi were offered for sale. In terms of weight, 7,000 pounds ‘ahi that were offered for sale over this five-month period. The total poundage was 15,000. The direct marketing prices fell in between the 2015 ex-vessel prices and retail prices.

Hospital said there are many challenges to using social media to monitor fish catch, including privacy concerns and the frequency of website updates that change the format. Web scraping requires content to be public, and it benefits from standardized website format. Social media trends are dynamic in nature. There is a challenge of developing statistical methods that allows integration of the opportunistic monitoring with established monitoring programs.

Hospital said social media affords an opportunity to embrace and engage with the fishing community and fishermen. Local agencies should work to partner with the tech community, organizations and fishing clubs to develop ways to better engage the fishing community. He questioned whether the status quo will keep pace with technology and fisheries management be able to engage the next generation of fishers and fishing communities that will increasingly market their catch on phones and the web.

Discussion

Michael Duenas noted there is a lot of activity on Facebook, not so much for commercial sale, but people just wanting to post their pictures. He asked how difficult would it be to post pictures of their catch and then export to Facebook pages.

Hospital noted Duenas’ question as a great idea as a way to better engage the community. The Council developed a webpage, the FishBox website. He encouraged its use and to engage with the tech community. A lot of kids are into programming and cheaply develop things that are fast and effective.

Rice noted that everybody in the charter boat industry posts their daily catch on Facebook.

Hospital added that it allows managers to understand the pulse of fishing in real-time, what things are going on, much quicker than by looking at traditional monitoring methods, such as the annual Plan Team meetings.

Goto said getting the data is the first priority. Going forward social media is a big thing. It is important for the Council to recognize the digital world. It would be worthwhile to encourage the harvesters to add additional information to the catch that they post.

F. Community Projects, Activities and Issues

1. Proposed Expansion of the Northwestern Hawaiian Islands Papahānaumokuākea Marine National Monument

Dalzell reported that the Council sent a letter in response to the request of the President. The White House CEQ came out and held stakeholder meetings but took no action.

Commercial wild fish landings are the biggest sector of primary production in Hawai‘i, with 80 to 90 percent of that production kept in Hawai‘i. Commercial wild fish are the top primary production in Hawai‘i, followed by seed crops. Hawaii accounts for 94 percent of US landings of fresh-caught domestic bigeye and is the biggest producer in the US.

Ebisui said one impact of the monument expansion will be its direct effects on economics, food security and food production. When the monument was designated in the early 2000s, one point raised by CEQ when it came to shutting down the bottomfish fishery in the NWHI was, no big deal, it’s only a handful of boats. The Council’s response was that it was a big deal because the handful of boats produced 50 percent of the local bottomfish catch. CEQ’s response was, just import. The imports did come to backfill the production that was lost. Imports came from Indonesia, which is slavery-caught, IUU-caught fish.

Dalzell pointed out that the longline fishery catches less yellowfin than the commercial catches by the nonlongline vessels, trollers and handliners. The Pew Charitable Trusts belief is that a network of 20 to 30 percent large MPAs in the oceans will have a beneficial effect on restoring biodiversity and protecting biodiversity. Pelagic fisheries go where the fish are. If they are not allowed into a particular area, they will go to an area where they are allowed, transferring fishing mortality to that area. Pew has been spectacularly unsuccessful in getting anything on the US mainland. They go where things are politically the weakest. They are poised now to do the expansion in Hawai‘i. Today, 97 percent of all of the area closures in the US are in the Western Pacific Region.

There is currently a serious proposition being put through the UN, which is to control fishing on the high seas and to push fishing into the EEZs. The density of hooks set in that area would be greater than American Samoa, which has high hook densities.

Ebisui noted that the information was presented at the CCC meeting in St. Thomas recently. It was explained that the currently existing monument boundaries extend 50 miles from the center of the NWHI, spanning approximately 750 miles. The current boundaries are actually the Protected Species Zone that the Council established in the early 1990s. The fact that the

monument designation used the Council's Protected Species Zone and overlaid the monument boundaries on that zone is something of a validation of what the Council did 15 years prior to the designation of the monument. The proposed expansion out to 200 miles from the center is effectively 400 miles by 750 miles closed to fishing, with the Southern Exclusion Zone in the event that two false killer whales are taken, it would mean that 85 percent of US EEZ around Hawai'i is closed to fishing. With the international movement to close the high seas to fishing, it will restrict the US fishery to such a small area that the fishery would not survive.

Dalzell pointed out that closure currently in place is to protect the small-boat fisheries. If the proposed expansion were to be put in place, it will create a higher chance of interactions between the longline vessels and the small-boat fisheries. The longline fleet would downsize remarkably because there would be people falling out of the fishery and there would be far less production from the longline fishery, which would in turn affect the retail and wholesale trade, marketing and the auction. A lot of people would be out of work. The effect would be extremely far-reaching. It is incredible for the most oceanic state in the union to cut its own throat at a time when it is known that the exporters of fishery products to the United States are extensively using slave labor in Southeast Asia, as documented by the Associated Press.

Discussion

Ebisui said encouraging imports will directly facilitate and engage IUU and slavery fish.

Simonds asked if no action was taken because they are waiting for a proposal.

DeMello replied that is what was reported by Kingma.

Rice said the longline fleet would wipeout the fish before they got to the small-boat recreational fleet, as the fish come up from the south.

Dalzell said there is an awful lot of hyperbole about what a truly marvelous place the abyssal plain of the NWHI is. There are seamounts which are oases with high biodiversity and interesting flora and fauna; 96 percent is below 4,000 meters and only 0.1 percent comes to within the depths where longline vessels might deepest hooks. There is no physical evidence that the longliners have even touched the area. Longliners take a relatively narrow range of species. It is a selective fishery.

Ebisui said the Council thoroughly evaluated the proposal and realized that the average depth at the current boundary of the monument is three miles. Longline gear does not go near the bottom. The Council has not been able to identify any benefit from the expansion being put in place. Instead, it would be a detriment to the economy, food security and food production. At the CEQ meeting, it was said that there is a vast distinction between preservation under the Antiquities Act and conservation and management under MSA. Ebisui said he asked where in the process is science, reality and fact addressed. The response was a blank stare from CEQ, which he interpreted to mean that fact, reality and national benefit do not matter. Public benefit does not matter. Public benefit should be addressed under the Antiquities Act.

Rice pointed out that some attendees representing Hawai'i spoke in favor of the expansion because of overfishing, but there is no overfishing. It needs to be stressed by NMFS that the Council uses science in decision-making.

Sword said the Antiquities Act, back when Teddy Roosevelt initiated it, was for public benefit because the public needed places to go to experience nature. The NWHI will not benefit anyone except the people on the islands.

Ebisui agreed with Rice's comment, noting that William Aila Jr. in *Honolulu Civil Beat* said that no longline fish are caught in the US EEZ around the NWHI. Aila was involved in the development of the longline closures in the early 1990s. He knows very well that the Hawai'i fishery has VMS and can account for the catch from the US EEZ around the NWHI.

Dalzell added, every pound can be found.

Ebisui added that Aila knows that the truth is that the data shows that 14 or 15 percent on any given year is attributable to fish caught within the EEZ. There is misinformation out there that needs to be addressed.

Gourley said the monuments have nothing to do with conservation and everything to do with US Mainland politics that allow one person, before the door slams on his back when he leaves the White House, to unilaterally designate federal lands and waters at no cost, no NEPA and no Congressional oversight to pay off the environmental community and set up his legacy. That is why they wait until a couple of months before they leave. They do not have to go through the Sanctuaries Act. The Sanctuaries Act takes a long time and lets communities enter into the conversation in a meaningful manner. The Antiquities Act does not. It is a unilateral act. The CEQ visited to simply go through a process to make the public feel like it is meaningfully involved. In the Marianas, Pew manipulated data, lied and twisted facts to support its agenda. It was amazing the misinformation that the Pew Environment Group presented to the people of the CNMI to try to get them to support the monument.

Dalzell noted that the Council has a record of promoting environmentally responsible fishing. Hawai'i is the center of excellence for bycatch research, with reductions of sea turtle and seabird interactions by 90 percent. Shark interactions are down by 50 percent. Longline gear is no threat to seamounts. The expansion of the monument resulted in negative socioeconomic impacts to Hawai'i fisheries, the economy and the nation. There is a strong moral issue related to the import of fish from IUU fisheries or reported slavery.

Rice said it looks like the beginning of the dismantling of the MSA. All that will be left in Hawai'i is protected species because the commercial fleet will be gone.

Sword said he did not understand how Pacific Islanders who depend on the ocean give it up to somebody else who does not know how to take care of it. People in American Samoa are afraid that it will be a domino effect out into the Territories because there is not enough representation in Congress to have a voice.

Ebisui wondered what the Office of Hawaiian Affairs thinks it is gaining by becoming a trustee with a prohibition against fishing. He did not think that was ever part of the Hawaiian culture or the Hawaiian history.

Goto asked how the Council can be involved with the UN potentially closing the high seas to longline fishing.

Simonds said the Council would ask the State Department to be placed on the delegation to the meetings. Information is sent via e-mail with documents.

Tosatto said regional fishery management organizations (RFMOs) were an outcome of the Fish Stocks Agreement. The UN came up with the Fish Stocks Agreement and said high seas areas for fisheries should be managed by RFMOs. The WCPFC was the result of a multi-lateral conference. The UN as a group is now negotiating an agreement that would be equivalent of the Fish Stocks Agreement that says areas on the high seas have value for protection. They are also looking at a more complicated issue, those areas on the high seas that have value for resources. It would take the completion of the process, which is Year 1, and the outcome of an over-arching global treaty. That is in place now. The US has not formed official negotiating positions on which direction to take. It will be five to 10 years of negotiating to get to an agreement and then a few more years after that to begin to enter into force. It may be a multi-year process.

Goto asked if there is support to preserve the majority of what it has currently.

Tosatto said he has never seen the US use the Antiquities Act in the way that it is used on the high seas, which could be an indicator of where the US is globally thinking about the need to preserve large areas of the high seas.

Simonds said the Council should write to the State Department and convey the Council's concerns about the biodiversity treaty that is being negotiated.

Dalzell said the UN should be of much more concern because he has seen it happen before. It is a very high level. It is doubly important to monitor UN events because ministers and other diplomats can be easily influenced, particularly by the NGO community.

Miyasaka said, as a state representative, he felt compelled to speak. He said that 30 members of the State House of Representatives sent a letter to the President, as well as the Senate President, asking the President not to expand the boundaries of the monument. The Governor has not taken a position for or against, but he did express his concern that some concession be made for commercial fishing. It is not known whether or not it will be enough to secure the Governor's support or not. But until the Governor has made a decision, he cannot take any position on the proposal. At the last meeting, he had to abstain from the vote on this matter for the same reason, and he will have to do so again if a vote is taken.

Gourley added that recently at the Association of Pacific Island Legislatures meeting, Angela Villagomez, from PEW, gave a talk on large-scale MPAs, and Peter Houk from the UOG spoke on the status of nearshore fisheries. What Dalzell reported about the UN is currently happening. The NGOs are hitting Pacific Island leaders and trying to convince them to go back

and share with the rest of the communities that this is the way to go. The Council needs to participate in the meetings.

[A Resolution was presented to Taulapapa William Sword in recognition of his distinguished service on the Western Pacific Regional Fishery Management Council.]

Sword voiced his appreciation for the Council and federal partners and his respect for the MSA for providing the opportunity for the communities to have a voice regarding the fishing grounds. It is important and a part of the American Samoa culture. To be told the ocean cannot be used for sustenance and for cultural needs is a sin and is unforgiveable. He encouraged the Council to keep up the fight. He said it was a pleasure for him to be a part of the Council.

Ebisui thanked Sword, as he was an outstanding Council member, and for his tireless advocacy for the people and government of American Samoa.

2. Recreational/Noncommercial Licensing Initiative

Joshua DeMello, Council staff member, provided an update on the Promise to Pae ‘Aina. In 2014, the *HOKULE‘A* left Hawai‘i in their attempt to circumnavigate the globe by traditional wayfinding. They were the focus of the UN World Ocean Day with the UN Secretary General providing a speech and accommodations to Nainoa Thompson.

A group of people decided to create the Promise to Pae ‘Aina O Hawai‘i (Promise to the Hawaiian Archipelago), which is a commitment to make the ocean a better place before the *HOKULE‘A* returns in 2017. Initial signatories included more than 63 groups and agencies. The Council was the second to sign the promise. Originally, it had three goals and 20 commitments. After numerous meetings and workshops, it was distilled to five commitments to our heritage, our island home, our future, our livelihood and our responsibility.

The Council is involved with every commitment, but the foremost one is our livelihood. The commitment is to ocean-based enterprises, to make sure they are sustainable, guided by cultural heritage, facilitated by relevant science, authorized by sufficient management capacity and optimized by new opportunities. Within the commitment, there are two targets, to explore stronger fisheries management framework with scientists and fishers and to systematize marine monitoring to determine healthy reefs across Hawai‘i and contribute to a centralized database for improved management.

Target 3 is something that the Council is working on with Castle Foundation, The Nature Conservancy, the State of Hawai‘i and the University of Hawai‘i. Scientists will come together to look at ways to standardize monitoring to compare what each community is doing across the islands to get a baseline of the ocean resources so we know what is there and how it is doing, before thinking about what is the next steps for management. Sabater will attend the meeting where the scientists will start coming up with standardized metrics that can be used, as well as the plan for how to rule it out and where to house all of the data.

DeMello reported that the Noncommercial Fishing License Project comes from the livelihood commitment. As part of a way to explore stronger fisheries management framework

with scientists and fishers, the project will conduct a joint feasibility study with marine users to devise a means to produce data and revenue to support nearshore marine stock assessments, enforcement and education. It is a partnership with Conservation International. Funding is received from the Harold Castle Foundation, the Coral Reef Conservation Program and Saltonstall-Kennedy. There is funding to conduct the feasibility study. They approached the Council to be a partner to bring in the fishermen to do this exercise and also work with DLNR and the Division of Aquatic Resources (DAR) to provide guidance on what can be done. A steering committee was developed that includes fishing groups and fishing clubs, as well as representatives of spearfishing, charter fishing, nearshore fishing and community organizations, like the Office of Hawaiian Affairs, KUA and Hawai'i Fishermen's Alliance for Culture and Tradition (HFACT). NMFS Habitat Office, Matt Perry and the Castle Foundation are consultants. The goal is to conduct a feasibility study for a noncommercial marine license and look at different options and models, benefits, impacts, pros and cons, the legality of a license, economics and uses of the generated revenue, such as enforcement and education and outreach.

A discussion paper with pros and cons of different options for licensing, or license type of system that the State could take to the legislature to ask for a license will be developed. The first meeting was held in May. The second meeting will be held the last week of June. A meeting will be held every month and a report will be presented at the October Council meeting.

3. HOKULE'A Voyage - Status Update on Council Promise to Pae 'Aina

(Agenda Item presented in prior presentation.)

4. Report on the 'Ahu Moku System

Ka'ai'ai reported that the Council has supported the 'Ahu Moku initiative since 2006. In 2012, the Hawai'i legislature created the 'Ahu Moku Advisory Committee. The Ahu Moku Committee has not met in over a year. They are required to meet as part of the Boards and Commissions requirements of the State of Hawai'i. They did not come up with its package of Administrative Rules. The laws regarding regulations and laws regarding Boards and Commissions have begun to kick in. The rules of the Boards and Commissions now say that absent any administrative solutions, committee members must serve for four years and then their term ends. Currently, the committee is vulnerable. The way the law is written, the Governor has the opportunity to select who will be on the Commission. They did not receive an appropriation in 2016 from the legislature. The Council supported the 'Aha Moku to provide an opportunity for the Hawai'i communities to participate in the Council process. Staff will be looking at ways to assist the committee in continuing its work.

5. Outreach and Education Report

Spalding reported that the *From Boat to Plate* 15-minute video produced by the Council is broadcast on Oceanic Cable stations and on a website called Fishing Means Food. It was shown at the CCC meeting in the Virgin Islands. It will be on the Council's website in the near future. The video was made for the 40th Anniversary of the MSA. The Council also participated in the NOAA-funded Hawai'i longline video. Other outreach and education activities in Hawai'i

include the high school summer course on marine resources and fisheries management, which is currently going on.

The International Coral Reef Symposium is occurring in June. The Council will not have an information booth. The IUCN will hold a conference in September, where the Council will have a display booth. DOBOR has asked the Council for more Fishermen Code of Conduct signs for neighbor island harbors.

As far as the NWHI Monument Expansion, there was a plea on Oceania Marine Educators Association listserv for teachers to have their students support the monument expansion. The Council used to be the president of that association and oversaw it becoming independent from the Hawaii State Science Teachers Association. Spalding objected that students would be used to support the monument rather than providing them with both sides of the argument and allowing them to use critical thinking to develop their own position. Since then, the Oceania and Marine Educators Association is looking about what kind of material they put on their listserv and not telling teachers to tell their students to sign petitions.

Spalding is on the board of Hawaii Interfaith Power and Light. They received a message from the national Interfaith Power and Light telling their religious leaders to support the petition for the monument expansion. Hawaii Interfaith Power and Light is a climate change and faith organization. Spalding provided the board with information about the expansion proposal. As a result, the Hawaii Interfaith Power and Light did not support the petition.

The Council has an article in *Hawaii Fishing News* and continues to support the radio talk show Go Fish! with Mike Buck. The Council recently wrote a letter to the Associated Press after it won the Pulitzer for its book on slave fishing. One of the authors, in response to the letter, interviewed Simonds and other Council staff.

G. Advisory Body Report and Recommendation

1. Advisory Panel

Beals reported the Hawai'i AP recommendations as follows:

Regarding bottomfish, the Hawai'i AP recommended that the Council request NMFS and PIFSC to develop a method for each of its divisions to work together to include non-catch information and stock assessments. Further, the AP recommended the Council request NMFS and PIFSC have a way for greater fishermen involvement in the stock assessment development and process to provide greater assumptions by including an AP member on that development team.

Regarding bottomfish, the Hawai'i AP also recommended the Council request NMFS and PIFSC to utilize acoustic surveys and include that in the bottomfish stock assessment.

Regarding bottomfish, the Hawai'i AP recommended the Council develop a study of the socioeconomic impacts of the Bottomfish Restricted Fishing Areas (BRFAs).

Regarding the potential expansion of the monument, the Hawai‘i AP recommended the Council provide a more coordinated effort on building responses and factual information in the media, social and traditional and work with the AP and HFACT to disseminate this information.

Regarding bottomfish, the Hawai‘i AP recommended the Council work with NMFS, PIFSC and the State of Hawai‘i to determine how to separate the true fishermen to determine the CPUE and stock assessment based on the true fishery.

2. Regional Ecosystem Advisory Committee

Hawkins reported the Hawai‘i REAC recommendations as follows:

Regarding stock and other data models, the REAC recommended that the Council should consider convening a workshop to provide a venue for fishermen and modelers to discuss assumptions in how data needed for model parameters and assumptions compare to what data fishermen are able to provide.

Regarding stock assessment for MHI bottomfish, the REAC recommended that the Council should consider asking stock assessment scientists to account for the built-in risk buffer conferred from biomass and closed area, for example, BRFA, and how this relates to setting current P^ , as well as the difficulty with catching bottomfish and how that affects understanding of CPUE in the fishery.*

Hawkins added that the recommendations are in the process of being accomplished, and direction from the Council is not necessary.

Regarding the potential expansion of the monument, the REAC recommended that the participants supported the conclusions of the SSC in its recent examination of the science underpinning the issue with two abstentions, DAR and the USCG.

H. Scientific and Statistical Committee Recommendations

There were no SSC recommendations reported.

I. Public Comment

No public comment was offered.

J. Council Discussion and Action

Regarding bottomfish, the Council recommended PIFSC develop a method for each of its divisions to work together to include non-catch information into stock assessments. Further, the Council requests PIFSC have a way for greater fishermen involvement in the stock assessment development team. The Council also requests PIFSC utilize acoustic surveys and include it in the bottomfish stock assessment.

Moved by Goto; seconded by Sword.
Motion passed.

Regarding bottomfish, the Council recommended PIFSC develop a study of the socioeconomic impacts of BRFA's on the Hawai'i bottomfish fishery.

Moved by Goto; seconded by Sword.
Motion passed.

Regarding bottomfish, the Council directed staff to work with PIFSC and the State of Hawai'i to determine how to separate the true fishermen to determine the CPUE and stock assessment based on the true fishery.

Moved by Goto; seconded by Sword.
Motion passed, with abstention by Tosatto.

Leialoha asked if the recommendation is specifically for bottomfish.

DeMello replied in the affirmative.

Tosatto said he would abstain rather than vote against the recommendation. He was unsure of how useful a stock assessment based on part of the fish removal would be for the fishery and will abstain so PIFSC can deliberate on its value.

Regarding bottomfish, the Council directed the SSC to examine the built-in risk buffer conferred from biomass in closed areas (BRFA's, etc.) and how this relates to setting current P, as well as the difficulty with catching bottomfish and how that affects understanding of CPUE in this fishery.*

Moved by Goto, seconded by Sword.
Motion passed.

Regarding potential restriction of fishing in the US EEZ, the Council directed staff to draft a letter to the Department of State relaying the Council's concerns regarding the UN Convention on Biodiversity and the implications for extensive limitations on fishing on the high seas.

Moved by Goto; seconded by Sword.
Motion passed.

Regarding Hawai'i fisheries data, the Council requested a presentation from DAR to the 124th SSC on how Hawai'i noncommercial catch and effort data is currently being estimated, including an update on the use of the revised DOBOR vessel registration system and revisions to MRIP survey protocols.

Moved by Goto; seconded by Sword.
Motion passed.

XVI. Administrative Matters

A. Financial Reports

Mitsuyasu reported that staff prepared a brief summary of the Council's grants, with the basic award and status included and is going as scheduled. Also, included in the packet are summaries of other awards, such as SSF4 and SSF5. SSF4 runs through 2018 and has a number of ongoing projects. There is \$200,000 remaining in the annual turtle fund. The report includes summary of the Coral Reef 2014 and 2015.

B. Administrative Reports

Mitsuyasu reported the Council's annual audit has begun, to run through September. A final report will be ready for the October Council meeting. There are continuing efforts with NMFS regarding planning and coordination and FEP revisions. Technological updates have been made to the Council's bandwidth.

C. Council Policies and Agreements

1. Statement of Organization, Practices and Procedures Revision

Mitsuyasu reported the Statement of Organization, Practices and Procedures (SOPP) agenda item was carried over from the 165th Council meeting, which was approved in 2012. NOAA had asked all the Councils to submit their SOPPs for a review. Comments were received back from NOAA or Department of Commerce GC in 2015. Staff have reviewed and incorporated those comments. A model SOPP was used to standardize the Councils' SOPPs, and references to CFR coding were updated. A number of advisory bodies added since 2012 have been included. References were included to new policies that have been developed, such as the Regional Operating Agreement (ROA). The SOPP draft will be submitted for further review, and staff will report back at the October Council meeting.

2. Regional Operating Agreement–Essential Fish Habitat Agreement

Walker presented an update of the ROA-EFH Agreement, noting the staff's efforts to include the EFH review process within the EFH Agreement. The process consists of the Plan Team or designees drafting the EFH review document, which may be reviewed by staff and referred to the Western Pacific Stock Assessment Review schedule before being considered by the Council. Review by participants in the fishery will occur during the normal Council process. If further analysis for the EFH review is needed, indicating that higher levels of EFH information are available, this may be addressed through the amendment process. While EFH reviews haven't received much attention from the Council in the past, this agreement recognizes that refining EFH in collaboration with PIFSC and PIRO is a Council priority.

3. Scientific and Statistical Committee Operational Guidelines and Three-Year Plan

Dalzell reported that the three-year plan has been completed. Callaghan, emeritus chair, and Craig Severance offered to review and copyedit the document. The SSC had opportunity to comment on the plan. It was amended incorporating comments and reviewed at the recently held 123rd SSC meeting. Further comments were received and incorporated from that review.

D. Council Family Changes

1. Social Science Planning Committee

Hawkins reported that the Social Science Planning Committee (SSPC) roster was in need of updating. Edward Glazier, Dawn Kotowicz and Christopher Lepczyk left the committee, departing for the various parts of the mainland. There are no upcoming research efforts in the Western Pacific Region. Kirsten Leong, incoming PIFSC Human Dimensions coordinator from the National Parks Service; Noelani Puniwai, currently at the UH at Hilo in the Geography Department; Debra Cabrera, from the Mariana Archipelago with three degrees in sociology; Supin Wongbusarakum, with the PIFSC Coral Reef Ecosystem Program; and soon Dr. Adam Ayers, a recent PIFSC hire in the Socioeconomics Program under Hospital are recommended to be added to the SSPC roster.

DeMello reported that at the last Council meeting, American Samoa asked the Council to replace Romero Veavea on the American Samoa AP. A solicitation was conducted and additional members were sought for the American Samoa and Hawai'i AP. CVs and applications were provided for Council review.

E. Meetings and Workshops

1. Council Coordination Committee

Mitsuyasu reported that a resolution was endorsed at the recent CCC meeting. After the chair had presented information on the monument, the body resolved to support use of the MSA instead of the Antiquities Act should any marine closures be proposed.

Ebisui said this is the first time that the CCC took action on what could be classified as a regional issue. The committee came out with a resolution to the President Obama asking that MSA be considered in these monument designation processes, along with the Antiquities Act. The Western Pacific contingent did a good job of carrying the message, making its presence known and having the CCC take action on the Council's request, with good results.

Mitsuyasu added that the CCC took the opportunity to honor Kitty at the 40-year celebration of the MSA. Simonds spoke to the successes of the Western Pacific Council, but also touched on a number of other Councils and the Region.

2. Other Meetings, Workshops and Conferences

Mitsuyasu suggested that the Council members who have questions or comments regarding the upcoming meetings, workshops or conferences to contact Simonds. The correct date for the Recreational License Steering Committee meeting is June 28. The US Coral Reef Task Force meeting will be held in the Mariana Islands.

F. Other Business

There was no other business.

G. Standing Committee Recommendations

Ebisui reported that the Executive and Budget Standing Committee met and received the administrative report, financial report, SOPP status, ROA status and the SSC three-year plan and were briefed on the meetings, workshops and Council family changes.

I. Council Discussion and Action

Regarding Council family changes, the Council appointed Sword to the American Samoa AP to replace Veavea and Gordon Yamasaki and Allen Snow as American Samoa AP alternates.

Moved by Sword; seconded by Goto.

Motion passed.

Regarding Council family changes, the Council appointed Shyla Moon and Edwin Ebisui III as alternates to the Hawai'i AP.

Moved by Sword; seconded by Goto.

Motion passed; with recusal by Edwin Ebisui Jr.

Ebisui Jr. stated that he will not vote to avoid an appearance of impropriety, but he will facilitate the Council process.

Regarding Council family changes, the Council directed staff to work with the AP chairs to review AP subpanel membership to revise assignments based on expertise, as appropriate, and make the necessary changes.

Moved by Sword; seconded by Goto.

Motion passed.

Regarding Council family changes, the Council appointed the following to the SSPC: Ayers, Cabrera, Leong, Puniwai and Wongbusarakum.

Moved by Sword; seconded by Goto.

Motion passed.

Regarding the AP, **the Council directed staff to work with the AP chairs to determine the training needs of the AP and to provide the training to the members, as appropriate.**

Moved by Goto; seconded by Sword.

Motion passed.

Regarding the SOPP, **the Council endorsed the updated SOPP as revised and presented by staff addressing comments from the Department of Commerce GC and updates to the Council advisory bodies.**

Moved by Sword; seconded by Goto.

Motion passed.

Regarding the ROA, **the Council directed staff to finalize the EFH policy agreement to be included in the ROA for consideration by the Council at the October 2016 meeting.**

Moved by Sword; seconded by Goto.

Motion passed.

XVII. Other Business

There was no other business.

Meeting was adjourned.