



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

MEMORANDUM

TO: Interested Parties

March 6, 2015

FROM: Kitty M. Simonds

A handwritten signature in black ink that reads "Kitty M. Simonds". The signature is written in a cursive, flowing style.

SUBJECT: **Action Items for 162<sup>nd</sup> Council Meeting**

- 1. American Samoa Large Vessel Prohibited Area Temporary Exemption**
- 2. American Samoa longline EEZ albacore catch limit**
- 3. 2015 Territory longline bigeye specifications**

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The Council will consider the issues summarized below, including any public comments on this initiative. The Council is expected to take action on this at its 162<sup>nd</sup> Council Meeting to be held between Monday, March 16, and Wednesday, March 18, 2015, at the Laniakea YWCA-Fuller Hall, 1040 Richards Street, Honolulu Ahupuaa, Kona Moku Honolulu, Hawaii. Written comments should be received by the Council's Executive Director by 5:00 p.m. (Hawaii time) March 13, 2015, by mail, FAX or email as indicated below.

**Mail:** Executive Director  
Western Pacific Regional Fishery Management Council  
1164 Bishop Street, Suite 1400  
Honolulu, Hawaii 96813

**FAX:** (808) 522-8226

**E-mail:** [info.wpcouncil@noaa.gov](mailto:info.wpcouncil@noaa.gov)

## 1. American Samoa Large Vessel Prohibited Area Temporary Exemption

The Council will consider recommending a regulatory amendment to the Pelagic Fishery Ecosystem Plan to temporarily allow large fishing vessels to operate within the Large Vessel Prohibited Area (LVPA) located within the US Exclusive Economic Zone (EEZ) waters around American Samoa. The Council may consider taking Emergency Action pursuant to the Magnuson-Stevens Fishery Conservation Fishery and Management Act (MSA) Section 305(c) or other options that may allow for prompt action so as to provide relief to the American Samoa longline fishery, which has endured several years of poor fishing where the profitability of the fishery is zero or even negative.

Options to be considered include the following:

### 1) No Action.

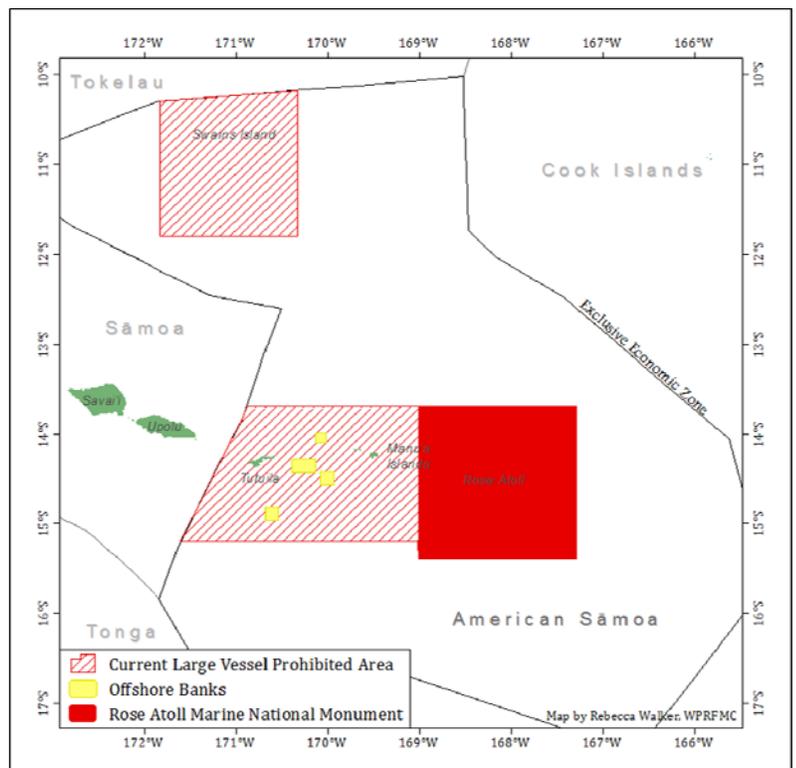
2) Exemption for longline vessels holding an American Samoa longline limited entry permit to be able to fish seaward 25 nautical miles (nm) to the north of Tutuila and Manua Islands and seaward from 12 nm around Swains Island.

3) Exemption for longline vessels holding an American Samoa longline limited entry permit to be able to fish in waters of the LVPA as describe in #2 (above) plus within designated waters south of Tutuila and Manua.

4) Exemption for longline vessels holding an American Samoa longline limited entry permit to be able to fish in waters of the LVPA seaward from 12 nm around Swains Islands Tutuila and Manua Islands.

### 5) Removal of the LVPA.

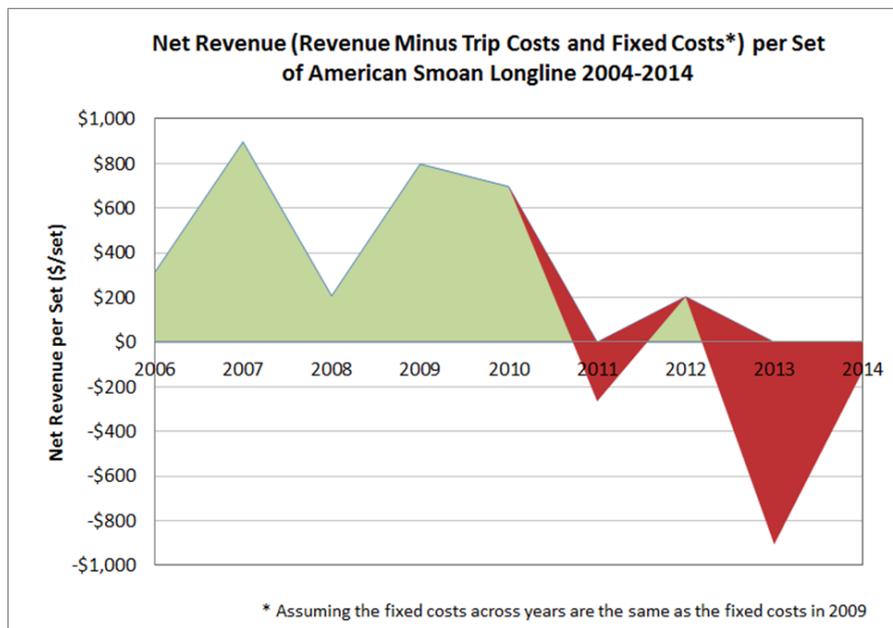
Figure 1. Map of the US EEZ around American Samoa showing current large vessel prohibited area (LVPA) and offshore banks used by the American Samoa troll fishery. Also shown is the boundary of the Rose Atoll Marine National Monument in which all commercial fishing is prohibited. Subsistence and recreational fishing is allowed in the LVPA and monument waters.



The LVPA was implemented in 2002, when nearly 40 alia and other small vessels and 24 large vessels operated in the local longline fleet. The LVPA was established to minimize potential catch competition and gear conflict between small (alia troll and longline) and large pelagic fishing vessels, e.g., longline, purse seine, etc. The LVPA prohibits longline vessels 50 feet or greater from operating within 50 nautical miles (nm) of Swains Island and generally within 50 nm around Tutuila and the Manua Islands (the northern boundary of the LVPA around Tutuila and Manua is approximately 32 nm).

The alia fishery reached its zenith in 2001 and by 2002 had begun to decline. In 2007 less than three vessels operated in the fishery. In 2014, no small alia longline vessels operated, while 19 large longline vessels fished outside the LVPA. Twelve small troll vessels reportedly caught pelagic species in 2013.

A study by the National Marine Fisheries Service showed that a vessel operator could expect to clear \$100,000 from the fishery in 2001. In 2009, this revenue had fallen by 94 percent to \$6,000 and has worsened since then. An update of this study in 2015 showed that the fishery had indeed worsened in 2013 compared to 2009. The situation became so dire that in January 2014, many American Samoa-based owners offered their vessels for sale.



**Figure 2: Net Revenue (Revenue minus variable costs and fixed costs per set) of American Samoa Longline Fishery, 2006-2014. Source: NMFS PIFSC 2015 unpublished.**

This economic collapse is not confined to American Samoa; it has also been documented across the Central South Pacific. Longline fishermen in American Samoa, Fiji, Samoa and other Pacific Islands have a shared perception that an influx of Chinese longline vessels across the region is mostly responsible for the collapse. The Chinese government has encouraged and facilitated substantial longline vessel construction in recent years, and Chinese vessels enjoy

generous subsidies on fuel, licensing, freight costs, exports, tax, loans and labor. In other words, this foreign fleet is not dependent on catches to continue to fish.

A temporary exemption to the LVPA includes the following benefits:

- Addresses the underutilization of the LVPA by alia and other small vessels, which has resulted in the fishery's inability to achieve optimum yield (OY) within the EEZ around American Samoa.
- Promotes the potential for vessels to not only continue to supply sustainably caught, high quality albacore to the Pago Pago based canneries but also to diversify to provide fish for fresh fish markets. For example, in order for StarKist to market to US schools and military, the albacore (white tuna) must come from US boats.
- Increases efficiency by reducing trip times and distances and associated trip costs.

Opening up additional areas for large vessels active in the fishery, while contributing to OY, is not anticipated to lead to overfishing of South Pacific albacore or any other pelagic management unit species occurring in the EEZ around American Samoa.

## **2. American Samoa Longline EEZ Albacore Catch Limit**

**The Council will consider amending the Pelagic Fishery Ecosystem Plan to establish a longline South Pacific albacore annual catch limit for the exclusive economic zone (EEZ) around American Samoa consistent with the regional approach proposed by the Forum Fisheries Agency (FFA). The Council will also consider making non-regulatory recommendations for the US State Department to initiate consultations with the FFA for American Samoa to obtain "Associate Participant" status under the Tokelau Arrangement.**

**Options to be considered include the following:**

**1) No Action.**

**2) Establish an annual catch limit of 5,425 metric tons (mt) of albacore for the EEZ around American Samoa (highest level of South Pacific albacore catch reported from the EEZ).**

**3) Establish an annual catch limit of 2,658 mt, which is the recent five-year average catch of South Pacific albacore within the EEZ around American Samoa.**

South Pacific albacore is a highly migratory species that requires international cooperation for effective management. Existing international management measures have been ineffective to restrict the rapid catch increases observed in the last decade. There is growing concern for the future of the South Pacific albacore stock and the domestic South Pacific longline fisheries that depend primarily on this stock. To address what many are considering a dire situation, the FFA has proposed that the Western and Central Pacific Fisheries Commission (WCPFC) endorse EEZ-based annual catch limits and set flag-based high seas annual catch limits and a total annual catch limit of South Pacific albacore with the Western and Central Pacific Ocean (WCPO).

In late 2014, Australia, Cook Islands, New Zealand, Niue, Samoa, Tokelau, Tonga, Tuvalu, and Vanuatu signed the Tokelau Arrangement. According to the FFA, the arrangement provides a framework for the development of cooperative zone-based management of South Pacific albacore tuna fisheries. The primary function of the Arrangement is to implement measures to fisheries that take South Pacific albacore tuna, whether specifically targeted or taken as bycatch, within the EEZs of participating countries. The Tokelau Arrangement also provides for “Associate Participation” by non-FFA members, particularly South Pacific Territories, such as American Samoa, whose waters host fisheries for South Pacific albacore tuna and who declare zone limits on the catch of albacore in ways that are compatible with the limits adopted by Tokelau Arrangement participants.

The American Samoa longline fishery primarily targets South Pacific albacore tuna. Most of the albacore caught by the fishery is landed in Pago Pago for processing at the local canneries. In 2013 and 2014, the American Samoa longline fishery experienced difficult economic conditions, with its lowest catch rates of South Pacific albacore on record and revenues that were unable to exceed operating costs. Other domestic longline fisheries in neighboring South Pacific countries are also facing tough economic conditions.

The total catch of South Pacific albacore in the WCPO has more than doubled in the past decade, with about 82,000 mt caught in 2013 (the estimated maximum sustainable yield of this stock is approximately 99,000 mt). Although the stock is considered biologically healthy, lower catch rates of longline vessel targeting adult fish, when coupled with high operating costs and low ex-vessel fish prices, are resulting in conditions that are likely economically unsustainable.

American Samoa plays a central role in the management of South Pacific albacore. Its longline fishery is well-managed, highly monitored and serves as example to other fisheries in the region. Its tuna process facilities make Pago Pago a strategic port in the South Pacific.

At its 161<sup>st</sup> meeting, the Council recommended as initial action to establish an albacore longline catch limit for the EEZ around American Samoa at 5,418 mt and directed staff to prepare appropriate analyses for the Council to take final action. The annual catch total of 5,418 mt is based on 2002 catch statistics, which has now been revised by NMFS to be 5,425 mt, and represents the highest amount of longline caught albacore that was harvested in the EEZ around American Samoa.

### **3. 2015 US Pacific Territory Longline Bigeye Specification**

**The Council will consider 2015 longline bigeye catch limit specifications for the US Territories, including limits on the amount of catch that could be transferred under Specified Fishing Arrangements pursuant to Amendment 7 of the Pelagic Fishery Ecosystem Plan (FEP). The Council will consider the following alternatives:**

- 1) No action. No 2015 Territory specifications.**
- 2) Specify 2,000 mt longline total annual catch limits and 1,000 mt transferable catch limits for bigeye tuna per Territory.**

**3) Specify 2,000 mt longline total annual catch limits and 750 mt transferable catch limits for bigeye tuna per Territory.**

Bigeye tuna is a Pacific-wide stock that is internationally managed and assessed separately in the WCPO and Eastern Pacific Ocean (EPO) by the WCPFC and the Inter-American Tropical Tuna Association (IATTC), respectively. Stock assessments were conducted in 2014 for bigeye in both areas. According to the stock status determination reference points in the Council's Pelagic FEP, the most recent stock assessments indicate that bigeye overfishing is occurring in the WCPO, but the stock is not overfished in the WCPO or EPO. However, bigeye is considered overfished when using the WCPFC's more conservative limit reference point.

In the WCPO, bigeye tuna is harvested using a range of fishing gears, with primary impacts from longline and purse-seine fisheries as well as artisanal fisheries in the Philippines and Indonesia. Bigeye is generally understood to be facing excessive fishing mortality in the WCPO from longline and purse-seine vessel operating in the equatorial region of the Pacific between 10 degrees North and 10 degrees South latitude. Most of the catch of bigeye caught by Hawai'i longline vessels occurs in sub-tropical waters north of 20 degrees North latitude, where existing fisheries have much lower impact to bigeye than compared to equatorial regions.

The WCPFC, of which the United States is a member, develops and agrees on conservation and management measures (CMMs) for highly migratory species caught by WCPFC members and Participating Territories (CCMs) in the WCPO. The US Participating Territories include American Samoa, Guam and the Commonwealth of the Northern Mariana Islands (CNMI). The WCPFC has adopted the following CMMs to address bigeye tuna.

- CMM 2008-01 established longline annual catch limits that would reduce bigeye tuna catches over a three-year period by 30 percent of the 2001-2004 baseline. Fresh fish longline fisheries that caught less than 5,000 mt per year were required to reduce longline landings of bigeye tuna by 10 percent in 2009 but were not subject to additional 10 and 20 percent reductions in 2010 and 2011. This provision effectively only applied to the US (Hawai'i longline fishery). The Small Island Developing States (SIDS) and Participating Territories were each provided 2,000-mt longline annual catch limits; however, if conducting responsible fisheries development, then the 2,000-mt limits did not apply.
- The WCPFC extended several provisions of CMM 2008-01 in March 2012 as an interim measure for 2012, with a notable exemption allowing only the Philippines purse-seine fishery to fish in the western high seas pocket (CMM 2011-01).
- In December 2013, the WCPFC agreed on CMM 2013-01, which builds off CMM 2012-01. Longline catch limits for non-SIDS were further reduced, with catch limits approximating a 40 percent reduction from 2001-2004 levels. The measure also limits members that harvested less than 2,000 mt of bigeye in 2004 with longline gear to no more than 2,000 mt for each of the years 2014 through 2017. However, CMM 2013-01 does not establish an individual limit on the amount of bigeye tuna that may be harvested annually in the Convention Area by SIDS and Participating Territories, including American Samoa, Guam and the CNMI. Under CMM 2013-01, the US WCPO longline

bigeye limit for 2014 was maintained at the 3,763 mt but is reduced 5.5 percent in 2015 to 3,554 mt. For 2016, the US limit is maintained at 3,554 mt, but, for 2017, the US longline limit will be 3,345 mt, which represents an 11 percent reduction from the 3,763-mt level.

In 2014, Amendment 7 to the Council's Pelagic FEP was approved and implemented. Amendment 7 established a management framework that provides for the following:

- Catch or effort limits applicable to the US Participating Territories that include the authority of the US Participating Territories to use, assign, allocate and manage the pelagic management species catch and effort limits agreed to by the WCPFC through Specified Fishing Arrangements with US vessels permitted under the Pelagic FEP for the purposes of responsible fisheries development.
- Authorization for the Council to recommend and the National Marine Fisheries Service (NMFS) to specify catch or effort limits in the absence of such limits or additional or more restrictive limits than the WCPFC for conservation and management purposes.
- Consistency review of Territory arrangements with the Pelagic FEP and other applicable laws by the Council and NMFS, as well as annual review and specification recommendations by the Council.

In 2014, NMFS approved the Council's recommended specification of annual bigeye tuna longline limits of 2,000 mt per year for each of the US Participating Territories, of which 1,000 mt may be transferred annually under agreements consistent with the Pelagic FEP and other applicable laws to eligible US vessels permitted under the Pelagic FEP. Under these agreements, funds have been provided to the Territories to assist them with fisheries development.

If Territory bigeye catch limits are not specified for 2015, catch or effort limits from a Territory to FEP-permitted longline vessels cannot be transferred. Thus, it is expected that fewer funds would be available for fisheries development in Territories. In addition, the Hawai'i longline fishery would be expected to reach the US WCPO catch limit for bigeye tuna before the year ends and perhaps even earlier than in recent years due to a lower US limit in 2015 (3,554 mt). Hawai'i seafood markets and consumers would see less fresh pelagic fish from the Hawai'i longline fishery. It is expected that market gaps would be filled by fish caught by foreign fleets, which are believed to be less monitored and have greater environmental impacts than Hawai'i longline fishery managed under the Council's Pelagic FEP.