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Report of the American Samoa Fishery Ecosystem Plan Advisory Panel Meeting

Held on October 19, 2015, at Fale Laumei, American Samoa

1. Welcome and Introduction

Christinna Lutu-Sanchez, American Samoa Advisory Panel (AP) Chair, opened the meeting at 6:40 p.m. AP members in attendance were: Mac Aveina, Nonu Tuisamoa, Nathan Sagapolutele, Faasala Augafa, Brian Thompson, Ray Tulafono, Peter Crispin, Krista Corry. Also in attendance was Council Staff: Charles Kaaiai, Rebecca Walker, Eric Kingma, Marlowe Sabater; Council Island Coordinator Nate Ilaoa, Council SSC Member Domingo Ochavillo; Council Member Michael Tossatto; and Members of the public included: Carlos Sanchez and Joe Hamby.

2. Review and Approval of the Agenda

The AP reviewed and approved the agenda.

3. Issues to be discussed at the 164th Council Meeting

a. Action Items

i. 2016 Territorial Bigeye Tuna Catch Limit Specifications

Kingma presented on the Amendment 7 to the Pelagic FEP catch limit specifications. He provided a background on the framework amendment, WCPFC, the status of participating territories, and WCPFC tuna management measures and bigeye stock status. He concluded that purse seine and longline fisheries operating in the equatorial zone are causing the overfishing, not the Hawaii longline fishery. The funding that results from the transfers goes toward fishery development and data improvement projects.

An AP member asked for confirmation that there is no transfer from American Samoa currently. Kingma replied that the agreement was 2010-2012. The Council is hoping to come to an agreement for 2016, 2017, and 2018 from each territory.

Lutu-Sanchez asked if there is room for American Samoa to have a higher limit than 2,000 mt in the future. Kingma explained that the Council has the option to increase the catch limit every year.

An AP member expressed that it is to the benefit of American Samoa to share their limit with the Hawaii longline fleet, since they catch less than half and they can get funding for selling the quota.

Tuisamoa commented on the bigeye specification that he wanted to change the limit to 1,000 and remove the “or higher” language. Lutu-Sanchez clarified that the language was there because Kingma said the limit can be raised. Another AP member commented that we could revisit “or more” annually. Consensus was reached on the recommendation as written.

ii. Territorial Bottomfish Annual Catch Limit

Sabater presented on the annual catch limit specification. He explained the process for setting the ACLs generally, and then the timeline for this particular specification. He presented three alternatives.

An AP member inquired about the last stock assessment. Sabater responded that it was delivered to the SSC in June.

B. American Samoa Fishery Ecosystem Plan Community Activities

Ilaoa reported that there was still no bid on the super alia vessel. The government did not provide any specifications on the vessel use. *The AP requests for consultation on the super alia efforts.* An AP member asked why the Manu’a boats only are specified in the recommendation.

Christinna replied that there had been complaints in previous meetings that all the money goes to Tutuila. There was a lot of discussion on this recommendation, around the location of the alia.

4. FEP Issues

a. Community Fishery Issues

i. Island Fisheries Subpanel

Ochavillo reported that the road to catch and size limit development is slow. He said DMWR has a framework but they need some people to help out.

On the shark legislation conflict, he said that NOAA GC sent a letter to the department. There is a conflict between the MSA, local law and an executive order. Ochavillo said they have asked the AG of American Samoa to help them draft a response and noted they are back to square-one since the AG moved to Palau.

The AP appreciated the efforts of AP members on the community fishers forum held October 17, 2015 at the Port Authority dock and sponsored by the Council.

ii. Pelagic Fisheries Subpanel

Lutu-Sanchez reported on the Tri Marine petition outcome, and that the petition was denied but NMFS is still working on the impacts determination. She also added that the longline fishery support is still a pending request.

iii. Ecosystems and Habitat Subpanel

On the green sea turtle proposed rule, Iloa noted that there was a comment extension and that there was nothing new on this as the rule is still pending.

Avina interjected that there was a need to evaluate MPAs and other managed areas to determine their effectiveness. The AP agreed to look into it more.

iv. Indigenous Fishing Rights Subpanel

Iloa reported that there is a proposal in to get the Manu'a boats seaworthy. They were discussing rolling more proposals into the SK solicitation, like coming up with a market proposal. An AP member asked who was working on the proposal, and he commented that SK is very limited and competitive funding. Lutu-Sanchez responded that it would take \$20,000 to revitalize the alias. Iloa pointed out that proposals under \$25k would not be accepted.

5. Public Comment

On participation, Joe Hamby commented that the association of tuna fishermen should be formed within the month of November. The charter and bylaws do provide for any tuna fishing boats. Sanchez asked about funding. Kingma explained that the money goes directly into the Sustainable Fisheries Fund, and it was set up that way to avoid the money disappearing into the territory treasury. We are looking to fund the extension of the dock area with the funds that were derived from some of the quota. When asked about disaster relief, Kingma explained that was a direct result of the tsunami.

Sanchez also commented that the Coast Guard has different interpretations of regulations, not different standards. Lutu-Sanchez replied that they don't talk to each other, and noted that when they get boarded at sea, they don't talk to the shoreside unit. Tosatto explained that the Coast Guard out of Auckland responds to American Samoa fishing grounds, not out of Honolulu and suggested rephrasing any recommendation for the USCG.

6. Discussion and Recommendations

The American Samoa Advisory Panel made the following recommendations:

Regarding fisheries development in American Samoa, the American Samoa Advisory Panel recommended:

- The Council support fisheries development in American Samoa as a Small Island Developing State (SIDS) in international commissions and organizations.

Regarding pelagic fisheries, the American Samoa Advisory Panel recommended:

- The Council specify the 2016 US Territory longline bigeye tuna limits at 2,000 metric tons (mt) per Territory or higher based upon scientific assessment that it doesn't impede international bigeye conservation objectives; whereby 1,000 mt per Territory or more would be authorized to be allocated to US fishermen through Amendment 7 specified fishing agreements.

Regarding participation of the local tuna industry, the American Samoa Advisory Panel recommended:

- The Council support and advocate for the participation of the local tuna fleet, as well as all of the various fishing sectors, in discussions at local, national, regional and international meetings that may affect the American Samoa fishing industry.

Regarding vessel safety, the American Samoa Advisory Panel recommended:

- The Council request the US Coast Guard maintain consistent inspection and enforcement actions for both land-based and at sea operations for the American Samoa fishing industry.
- The Council request the US Coast Guard report on the potential for improving the response time to distress and emergency calls initiated from vessels within American Samoa's fishing fleet.

Regarding shark legislation for American Samoa fishing vessels, the American Samoa Advisory Panel recommended:

- The Council support the resolution of local laws supporting the prohibition of shark fishing to mirror federal regulations that allow the capture and landing of the whole shark.

Regarding the American Samoa Bottomfish ACL, the American Samoa Advisory panel recommended:

- The Council select alternative 2, set the ACLs equal to ABC at 106,000 lbs, for the territory bottomfish fishery in the 2016 and 2017 fishing years with a corresponding probability of overfishing of 22.9% and 37%, respectively. The current landings are low and should provide sufficient buffer from exceeding the ACLs.

Regarding the Alia fishery, The American Samoa Advisory Panel recommended:

- The American Samoa Government allocate the money necessary to fix the Alia vessels preferably in Manu'a to be seaworthy for fishing from the disaster relief fund.

Regarding potential impacts to American Samoa from reduced access for US purse seine vessels based in American Samoa, The American Samoa Advisory Panel recommended:

- The Council request NMFS expedite its economic analysis on impacts of the US rules on purse seine effort limits.

Regarding Marine MPAs, The American Samoa Advisory Panel recommended:

- The Council support the evaluation of the effectiveness of marine managed areas in American Samoa.

7. Other Business

There was no other business.

Chairperson Christina Lutu-Sanchez adjourned the meeting at 9:20 pm.