



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

**ACTION MEMORANDUM**

168<sup>th</sup> Council Meeting  
October 12-14, 2016  
Laniakea YWCA-Fuller Hall  
Honolulu, Hawaii

**PELAGICS AND INTERNATIONAL FISHERIES**

***Regarding the specification of 2017 Territory longline bigeye limits, the Council:***

1. Recommended the specification of 2017 US Participating Territory longline bigeye tuna limits at 2,000 mt per Territory, whereby up to 1,000 mt per Territory would be authorized to be allocated to US fishermen through specified fishing agreements as authorized under Amendment 7 to the Pelagic FEP. The Council also noted the Amendment 7 requirement to review and recommend Territory limits on an annual basis and thus the recommendation of the 2017 limits are without prejudice to the future catch limit recommendations in recognition of the fisheries development aspirations of the US Participating Territories.

Further, the Council deems that regulations implementing the recommendation are necessary or appropriate in accordance with Section 303(c) of the MSA. In doing so, the Council directs Council staff to work with NMFS to complete regulatory language to implement the Council's final action. Unless otherwise explicitly directed by the Council, the Council authorizes the executive director and the chair to review the draft regulations to verify that they are consistent with the Council action before submitting them, along with this determination, to the Secretary on behalf of the Council. The executive director and the chairman were authorized to withhold submission of the Council action and/or proposed regulations and take the action back to the Council if, in their determination, the proposed regulations are not consistent with the Council action.

Lastly, and consistent with the Regional Operating Agreement, the Council directs staff to work with PIRO staff on the completion of the NEPA analysis and associated documentation required for the specification rulemaking process.

***Regarding the Pelagic SAFE report development, the Council:***

2. Directed the Pelagic Plan Team to ensure that the next draft of the SAFE report:
  - a. Be more concise and pertinent to the fishery;
  - b. Not use regression lines in the figures;
  - c. Include in the appendix tables of all available years of data;
  - d. Contain a section providing a concise evaluation of the performance of the fishery with respect to the reference points and management measures

- e. Ensure that all National Standard 2 SAFE report requirements are included.

***Regarding Hawaii & American Samoa Longline Fisheries Reports, the Council:***

3. Requested NMFS PIFSC, in future presentations, include both annual and quarterly data points, maps (of effort, catch, and CPUE), as well as clear indication where there are no data (i.e., real zeros or no fishery activity) versus time periods with no non-confidential data in the numerous data visualizations presented. The Council further requested NMFS PIFSC develop methods that both ensure data confidentiality while also presenting the bulk of data that is non-confidential.

***Regarding WCPO tuna stock assessments, the Council:***

4. Recommended that the boundary between Regions 2 and 4 used in the current tuna assessment models be realigned southward to better reflect stock structure, movements, and fisheries. Further, the Council directed staff to work with PIFSC and other tuna scientists to prepare a supporting document on this recommendation to the Regional Administrator of PIRO and PIFSC representative to the SPC pre-assessment workshop.

***Regarding the American Samoa LVPA, the Council:***

5. Requested NMFS PIFSC provides information on catch and CPUE of troll vessels and continue analysis of economics in the American Samoa longline fishery.

***Regarding the impact of ELAPS on American Samoa Economy, the Council:***

6. Recommended that a counterfactual study of the American Samoa economy, using non-confidential macroeconomic metrics such as Gross Domestic Product (GDP) or available proxies, be undertaken, with specific regard to impacts of the ELAPS closure on the American Samoa economy as a whole.
7. Further recommended NMFS continue to develop rulemaking to address disproportionate impacts to the economy of American Samoa from high seas effort limits applicable to US purse seine vessels.

***Regarding the next WCPFC tropical tuna measure, the Council:***

8. Recommended NMFS continue to develop a draft tropical tuna conservation and management proposal including spatial longline bigeye catch limits that take into account sub-regional exploitation rates. The Council further recommended that the US government, in consultation with the Council, prepare a concept paper on management alternatives for 2017 and beyond, taking into account the outcomes of WCPFC13, and to include explanatory text, scientific rationale and other information relevant to conservation and management options.

***Regarding foreign crew issues in the Hawaii longline fishery, the Council:***

9. Encouraged NMFS, in its participation in the multiagency working groups examining fisheries labor issues, request that the law and/or policy that prohibits foreign fishing crew from flying into Hawaii be reviewed as it appears allowing foreign crew to fly into Honolulu would facilitate monitoring and documentation by the Department of Homeland Security and eliminate impacts to Hawaii longline vessels from picking up

contracted foreign crew in distant ports.

***Regarding factors that influence catch and fisheries performance in various Council-managed fisheries, the Council:***

10. Requested NMFS PIFSC provide similar analyses for other managed fisheries as presented by Dr. Jeffery Polovina that include consideration of oceanographic conditions, size of fish, catch per unit effort, catchability, and other aspects of fisheries performance.

***Regarding the 2016 PAC meeting recommendations, the Council:***

11. Endorsed the recommendations from the 2016 PAC meeting that was held October 6-7, 2016 and directed staff to write to the Secretary of Commerce, Secretary of State, and US WCPFC Commissioners to convey support for these recommendations.



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**PROGRAM PLANNING AND RESEARCH**

***Regarding the Marine Recreation Information Program, the Council:***

1. Directed staff to work with representatives from PIFSC, PIRO, State of Hawaii, and the Territories in developing the MRIP Regional Implementation Plan and Regional Transition Plan;

***Regarding the Coral Reef Conservation Program proposal solicitation, the Council:***

2. Endorsed the project ideas and directed staff to develop the full proposals and submit the package for CRCP review and funding. The Council further directs staff to prioritize projects that builds capacity in the region;

***Regarding Social Science Planning, the Council:***

3. Requested NMFS PIFSC Socio-Economics Program undertake a rollout of the “Community Snapshot Tool”, once available, to Council staff, PIRO staff, and other interested parties so that these groups know how to utilize the tool for policy analysis and other uses

***Regarding aquaculture, the Council:***

4. Directed staff to provide comments on the aquaculture PEIS development to include the Council's position included in its aquaculture policy.



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**PROTECTED SPECIES**

***Regarding the Hawaii Longline Fishery Depredation Mitigation Device Project, the Council:***

1. Directed staff to work with the Hawaii Longline Association and NMFS PIFSC to explore follow-up activities that may be implemented in the Hawaii longline fishery.

***Regarding the Marine Mammal Scientific Review Group, the Council:***

2. Requested NMFS prioritize filling the fishery expertise on the Pacific Scientific Review Group during the current membership review process.

***Regarding critical habitat designations for ESA-listed green turtles and coral species, the Council:***

3. Requested NMFS PIRO provide a detailed presentation at the March 2017 Council Meeting on critical habitat, with respect to its purpose and impacts to various activities.

***Regarding ESA Listing Petition for Pacific Bluefin Tuna, the Council:***

4. Directed staff to send a letter to NMFS responding to the 90-day finding, including issues identified at the 168<sup>th</sup> Meeting.

***Regarding the ESA Listing Petition for Giant Clams, the Council:***

5. Recommended NMFS evaluate the status of giant clam populations across their geographic range and not just in the U.S. Pacific Islands, if NMFS determines in its 90-day finding that the petition may be warranted and moves forward with a status review.



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**HAWAII ARCHIPELAGO**

***Regarding the Hawaii Marine Recreational Fishing Survey, the Council:***

1. Recommended the formation of a subgroup of the Fishery Data Collection and Research Committee-Technical Committee to oversee the incorporation of the HMRFS/MRIP pilot projects and results into the MRIP Implementation Plan.

***Regarding the Ecosystem Component Reclassification Analysis, the Council:***

2. Requested NMFS PIRO to provide a copy of the final report of the Hawaii Ecosystem Component Analysis for the Council's consideration in developing the options for the Ecosystem Component Amendment.

***Regarding the akule aerial spotter surveys, the Council:***

3. Directed staff to develop a proposal to the NMFS Cooperative Research Program for the validation of the aerial surveys estimates through multiple observers, experimental fishing, and acoustic surveys.

***Regarding the State of Hawaii Sport Fish Restoration Program, the Council:***

4. Requested the State of Hawaii provide a report at the next Council meeting on projects implemented under the Boating Infrastructure and Boating Access Grants under the USFWS Sport Fish Restoration Program.



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**AMERICAN SAMOA ARCHIPELAGO**

***Regarding fisheries development projects for American Samoa, the Council:***

1. Requested the American Samoa Department of Commerce provide a report on the design, construction and the plan to fund the super alia vessel, as well as a timeline for the project. Further, the Council requested the American Samoa Department of Commerce provide details on how the vessel will be used and whether there is a plan to include a fisheries training program and fishermen's lending scheme.
2. Recommended the American Samoa Department of Commerce provide a report to Council on their plan for the use of the Fagatogo Fish Market including the information on lease and types of fish that will be sold in the market.
3. Recommended the Department of Marine and Wildlife Resources provide an update on its previous commitment to repair the alia vessels in Manu'a, and share a plan and timeline for the repair work.



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**MARIANAS ARCHIPELAGO**

***Regarding Navigational Buoys in the CNMI, the Council;***

1. Directed staff to work with the CNMI Department of Public Safety to determine funding options to support the deployment of navigational buoys at the channels in Saipan, Tinian and Rota.

***Regarding access to fishing grounds at FDM, the Council;***

2. Requested the Department of Defense explore the possibility of “splitting” usage at FDM, similar to W-517 in Guam, whereby fishing can occur in unused portions of the training area.

***Regarding Defense Training activities in Guam, the Council;***

3. Requested the Department of Defense broadcast the military training “Notices to Mariners” on VHF channel 2 to provide greater outreach to fishermen in Guam.





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**ADMINISTRATIVE MATTERS**

***Regarding the Papahānaumokuākea Marine National Monument, the Council:***

1. Directed staff to begin drafting options to amend the Hawaii and Pelagics FEPs for Council consideration that include draft regulations that would:
  - a. Prohibit commercial fishing for Precious Corals, Crustaceans, Coral Reef, Bottomfish and Pelagic MUS in the expanded area;
  - b. Allow non-commercial fishing
  - c. Allow Native Hawaiian traditional fishing practices including subsistence fishing.
  - d. Regulate other activities as appropriate.
2. Directed staff to collect and analyze historical information on fishing in the expanded area of the PMNM and to solicit public input on the draft FEP amendment/regulatory options through statewide meetings to be held prior to the March 2017 Council meeting.
3. Directed staff to draft a letter to President Obama for Council chair signature highlighting impacts to the Hawaii fishing and seafood industries and indigenous communities as a result of PMNM expansion and further requesting the Department of Commerce mitigate those impacts through direct compensation to fishing sectors, phased-in prohibition on commercial fishing, and other programs that would directly benefit those impacted from the Monument Expansion.

The Council further directed staff to send a separate letter to President Obama to communicate the concerns of Guam, CNMI and American Samoa from monument designations in their jurisdictions.

4. Requested the PIFSC socioeconomic program to complete the economic impact analysis of the monument expansion closure on the Hawaii longline fleet and broader fishing and seafood industries for Council review by October 30, 2016.

5. Requested the PIFSC to analyze the change in longline effort around the MHI due to the monument expansion in relation to changes in troll caught yellowfin.
6. Directed staff to send a letter to the Secretary of Commerce to request additional funding assistance to the State of Hawaii for co-management of the PMNM and the Monument Expansion Area.
7. Directed staff to send a letter to the Secretary of Commerce to request funding for the CNMI and American Samoa for co-management of the Mariana Trench Marine National Monument and the Rose Atoll Marine National Monument, respectively.

***Regarding the annual audit, the Council:***

8. Endorsed the 2015 annual audit as completed by the independent auditor.

***Regarding Council advisory panel changes, the Council:***

9. Approved the Scientific and Statistical Committee, Advisory Panel, and Fishing Industry Advisory Committee as presented by the Staff.
  - a. Appointed Shyla Moon to the Hawaii AP replacing Roy Sokolowski
  - b. Added Kelvin Char as an alternate to the Hawaii AP
  - c. Appointed Tom Camacho to the Guam AP replacing Alan Ainbinder
  - d. Appointed Shane Yoshimoto as Hawaii member to the FIAC
  - e. Appointed Baron Miho as Hawaii member to the FIAC
  - f. Appointed Kurt Schaefer to the SSC
  - g. Appointed Graham Pilling to the SSC

***Regarding labor issues, the Council:***

10. Directed staff to write a letter to the AP regarding the article published on the use of foreign labor in the Hawaii longline fleet. While the article was informative and brought to light the use of foreign labor in the domestic fishery, it failed to convey the federally regulated immigration process and legal nuances that have been long established through Customs and Border Protection policy and did not acknowledge that the few bad actors in the report are not representative of the Hawaii-based fleet as a whole.

***Regarding the EFH Agreement, the Council:***

11. Adopted the EFH Agreement and directs staff to incorporate it into the Regional Operating Agreement, as necessary.

***Regarding the Council Officers for 2017, the Council:***

12. Selected the following officers:
  - Ed Ebisui, Jr., Council Chair
  - Christinna Lutu-Sanchez, Vice-Chair American Samoa
  - John Gourley, Vice-Chair CNMI
  - Michael Duenas, Vice-Chair Guam
  - McGrew Rice, Vice-Chair Hawaii