



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

ACTION MEMORANDUM

169th Council Meeting
March 21-23, 2017
Ala Moana Hotel
Honolulu, Hawaii

PROGRAM PLANNING AND RESEARCH

Regarding Ecosystem Component designation, the Council:

1. Directed staff to finalize the ecosystem component analysis incorporating the SSC and PIFSC comments and apply the analysis to American Samoa and Commonwealth of Northern Mariana Islands data.
2. Directed staff to convene an expert working group to examine the species that are filtered out to ensure that the final listing requiring Federal management includes species of social, cultural, economic, biological and ecological importance.
3. Requested NMFS PIFSC to expedite the additional data requests (if necessary) to be filed by Council staff in order to finalize the additional analysis provided by NMFS PIFSC and recommended by the SSC.

Regarding the data integration chapter of the SAFE report, the Council:

4. Directed staff to work with the PIFSC Socio-Economics Program to identify socio-economic variables that can be monitored and used as fishery indicators that may inform fishery performance and dynamics in the Data Integration chapter of the SAFE reports.

Regarding the National SSC 6 Workshop, the Council:

5. Endorsed the focus questions and directed staff to assign SSC members to represent the Western Pacific region.

Regarding the NMFS Stock Assessment Improvement Plan, the Council:

6. Directed staff to convene a SSC working group to review the draft Stock Assessment Improvement Plan and draft the comment letter prior to the June 15, 2017 deadline.

Regarding Education and Outreach, the Council:

7. Directed staff to explore distance learning opportunities to fulfill the MSA Section 305 Marine Education and Training priorities.

8. Directed staff to include in its “Fishermen Resources” portion of its website, key information on important fishery science information such as reproduction at size/age; etc., to provide a “library” of scientific information that is useful for fishermen.
9. Directed staff to work with partners to explore the feasibility of placing Marine debris bins on each island in the region, like the one located on Pier 38 at Honolulu Harbor, to provide a place for fishermen to deposit the marine debris collected in the ocean and provide further outreach and education on marine debris.



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PROTECTED SPECIES

Regarding the Proposed Oceanic Whitetip Shark ESA Listing, the Council:

1. Directed staff to send a letter to NMFS responding to the proposed rule, including issues identified at the 169th Meeting.
2. Recommended NMFS PIFSC to conduct a CPUE standardization analysis for oceanic whitetip shark catches in the American Samoa longline fishery. Additionally, the Council requested PIFSC provide information on within-year variability in observed oceanic whitetip catches in the American Samoa and the Hawaii longline fishery.

Regarding the ESA consultation analysis, the Council:

3. Directed staff to work with NMFS to consider incorporating a Bayesian analysis to account for uncertainties in unidentified pinniped interactions in the shallow-set longline fishery.

Regarding Future ESA Listings, the Council:

4. Requested the NMFS provide more advanced notice (i.e. 30 days) and appropriate methods (e.g. radio, newspapers, language, translators at hearing/translation of notices, appropriate meeting venues, etc.) for an opportunity for the community to provide input, and provide education and outreach on the issue, for any current or future on proposed ESA rules. Such outreach is necessary to ensure meaningful input from the communities that are likely to be disproportionately affected by ESA listings.



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PELAGICS AND INTERNATIONAL FISHERIES

Regarding legislation to amend the Billfish Conservation Act, the Council:

1. Directed staff to provide information to the Secretary of Commerce on the stock status of Pacific billfish and the economic impact of newly introduced amendment to the billfish conservation act that would limit the sale of billfish caught in Hawaii, American Samoa, Guam, CNMI on the US mainland, and further request information from NMFS on the estimated number of billfish killed in US mainland sport fishing tournaments and whether or not the billfish retained goes to local consumption.

Regarding the IATTC, the Council:

2. Directed staff to write to NMFS to request continued development the US government proposal to the IATTC to increase the longline bigeye catch limit of vessels greater than 24m within the Eastern Pacific Ocean.

Regarding development of a new WCPFC tropical tuna measure, the Council:

3. Recommended NMFS develop spatial longline management options for the next WCPFC tropical tuna measure that take into account regional bigeye exploitation rates.

Regarding the North Pacific and South Pacific Fisheries Commissions, the Council:

4. Directed staff to request that the US Department of State provide information on the process to designate US commissioners to the North Pacific and South Pacific fisheries commissions and for NMFS to provide information and the timeline to establish advisory committees for the respective North Pacific and South Pacific fisheries commissions.
5. Recommended the Executive Committee convene to consider individuals to recommend for Council-affiliated commissioners and advisory committee members for the North Pacific and South Pacific fisheries commissions.

Regarding spatial fishing maps provided by NMFS PIFSC, the Council:

6. Requested NMFS PIFSC provide the following: a) percentage of total effort captured on the non-confidential data visualization maps, b) spatial fishing effort, catch, and CPUE maps by quarter for bigeye taken in the deep-set fishery, and c) delineation of the 150 degree W line on the maps. The Council further recommended the development of web-based applications for query and visualization of non-confidential longline data.

Regarding the US District Court's Decision on the LVPA exemption rule, the Council:

7. Directed staff to work with NMFS and NOAA General Counsel on reviewing the judge's decision and to evaluate next steps which could include requesting the Court to stay the decision pending reconsideration or appeal of the courts' decision.
8. Directed staff to present options for consideration at the June Council meeting for a Council recommendation on any necessary or appropriate LVPA regulations.

Regarding the American Samoa longline limited entry program, the Council:

9. Directed staff to review the limited entry program provisions with regards to minimum harvest requirements and whether establishing requirements for minimum landings within American Samoa are consistent with the MSA and other applicable law.

Regarding local jurisdiction FAD programs, the Council:

10. Requested each of the region's agencies responsible for FAD deployment evaluate its current FAD design to reduce and/or mitigate FAD loss, including seeking the advice of regional experts, and to report back to the Council.

Regarding the Fukushima nuclear accident, the Council:

11. Requested NOAA provide information on levels of radiation within the pelagic ecosystem from the Fukushima nuclear accident.



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MARIANAS ARCHIPELAGO

Regarding Mariana Fisheries, the Council:

1. Supported holding an annual Marianas AP meeting that will rotate between island jurisdictions, including convening of meetings on Rota or Tinian, if possible.
2. Requested the CNMI government to evaluate the impacts to trolling and atulai fishing operations due to the anchoring of repositioning ships off the island of Saipan.
3. Directed staff to prepare a letter for Council signature to the Secretary of Commerce in regards to the proposal to overlay a National Marine Sanctuary on the Marianas Trench Marine National Monument and to communicate concerns related to geographic scope of the proposal, federal overreach, regulatory duplication, and increased administrative costs.
4. Requested CNMI DLNR to work with the Council staff, Advisory Panel and broader fishing community in the development and formulation of the local rules and regulations that will ensure coordinated and consistent management between territorial and federal EEZ waters.
5. Requested NMFS and DFW conduct education and outreach in the CNMI on the effect of federal fishing regulations given the transfer of submerged lands.
6. Requested NMFS provide an update and inform the local community on planning and mitigation activities in the Manell-Geus Habitat Blueprint Focus Area.
7. Requested Guam Department of Agriculture and CNMI Division of Fish and Wildlife review and prepare a report on the efficacy of the Guam Marine Preserves and CNMI Marine Protected Areas to determine how they have met their management objectives and provide a presentation to the Council and Guam and CNMI fishing communities.

Regarding Marine Conservation Plans, the Council:

8. Supported the placement of FADs on the West side of Rota, marina repairs on Rota, and improvements to the boat ramps in Saipan, Rota and Tinian (including the addition of a boat ramp at Laolao Bay) and reclassify FADs as the highest priority in the CNMI MCP.
9. Supported the repair of the Inarajan boat ramp be identified as a priority in the Guam MCP.

Regarding Military Activities in the Marianas, the Council:

10. Requested the Department of Defense and the CNMI, in consultations to establish continued US interest in the island of FDM for military training and testing, include the fishing community in determining appropriate compensation and mitigation for damage and loss of fisheries as referenced in the Section 902 Consultation Report to the President. The Council additionally notes that the recent lateral expansion of Federal Aviation Administration Restricted Airspace from 3 to 12 nautical miles and increased frequency of bombing has further impacted local fishing community through reduced access to prime fishing grounds and increased transit times.
11. Requested the Department of Defense complete an inventory and assessment report of all military dump sites throughout the CNMI, including surrounding waters around Chiget Point, Dump Coke and Suicide Cliff on Tinian, the West side of Agiguan Island near Naftan Rock, and nearshore areas around Saipan. The report shall be presented to the Governor, Mayors and the Fishery Council.



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AMERICAN SAMOA ARCHIPELAGO

Regarding American Samoa Fisheries, the Council:

1. Recommended NMFS PIFSC evaluate catch statistics of commercial and non-commercial fishing operations that occur on the American Samoa off-shore banks as well as any other fisheries related information that could be used to assess the productivity of the small offshore banks.
2. Requested the American Samoa Government prioritize funding to support fishermen training and loan programs rather than building a super alia or any redundant infrastructure (e.g. new fish market next door to existing market).
3. Directed staff to prepare a letter to the Governor of American Samoa informing the Governor that the longline dock project is a priority for the Council given the lack of dedicated longline vessel docking space in Pago Pago Harbor and given the funds provided to the Port Authority for the development of the longline dock.
4. Recommended the American Samoa government work with Congress to authorize the statutory fines associated with violations of the Clean Water Act and the Oil Pollution Act be directed to the American Samoa government in support of projects listed in the American Samoa MCP.
5. Reiterated the direction provided to staff to work with NMFS and NOAA General Counsel on reviewing the judge's decision and to evaluate next steps which could include requesting the Court to stay the decision pending reconsideration or appeal of the court's decision, and further noted the urgency to provide regulatory relief for the American Samoa longline fleet because it continues to face dire economic conditions.



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HAWAII ARCHIPELAGO AND PRIA

Regarding management of nearshore fishing areas, the Council:

1. Requested the State of Hawaii, to consider as a requirement of closing an area to fishing, develop a plan that includes regular monitoring of the management area and a periodic assessment to determine if management objectives have been met. The Council further requested the State of Hawaii develop guidelines for the closure of any area to fishing that considers including the following, where possible:
 - a. Using science-based analysis for determining stock status;
 - b. Evaluating all factors that may affect stocks, including impacts of land-based development, fishing, recreation, etc.;
 - c. Mandating community meetings with stakeholders early and often;
 - d. Preparing environmental, social, cultural, and economic assessments;
 - e. Including specific performance metrics to evaluate the effectiveness of the measures through goal-appropriate, regular monitoring;
 - f. Including provisions for such program or management regimes to be modified or removed based on the review of the performance metrics; and
 - g. Developing a realistic and achievable enforcement plan.

Regarding 2017 Hawaii Coral Reef Fish Stock Assessments, the Council:

2. Recommended NMFS PIFSC incorporate the use of the abundance data from surveys comparing the low fishing pressure areas and high fishing pressure areas, in addition to length data, to validate the mean length information. The Council further recommended the NMFS PIFSC coral reef fish stock assessments undergo simulation testing using an independent operating model to fully understand the potential biases related to the assessment model assumptions and input data for the next stock assessment updates.
3. Directed the SSC Working Group to examine each of the 27 assessed species and evaluate which species-level assessments meet the criteria of NS2 on best scientific information available for the Council for potential fishery management decisions and recommendations on OFLs and ABCs. The working group must present its findings to the SSC and Council by October 2017 for ACL specifications for fishing year 2018.

Regarding the Monument Expansion Area, the Council:

4. Directed staff to explore the utility of existing data (e.g. from the Midway sport fishing and the Hawaii Tuna Tagging Project) in the development of options to amend the Hawaii and Pelagic Fishery Ecosystem Plans and to present draft options to the Council at its 170th Meeting. The Council recommended NMFS PIFSC conduct an analysis of the potential impacts on protected species from effort redistribution related to the Monument closure for inclusion in the staff analysis of options.

Regarding Essential Fish Habitat, the Council:

5. Directed staff to develop options to consider excluding harbors, degraded habitat, manmade structures, or other modified or non-essential habitats of low value from all EFH designations. The Council further directed staff to work with NMFS to include information that identifies the habitat value of nearshore areas to bottomfish and coral reef ecosystem species in EFH reviews.

Regarding the Fish Flow Workshop, the Council:

6. Supported continued efforts to work with Hawaii seafood distributors and businesses to document the movement of domestic and imported pelagic fish and seafood products through Hawaii's seafood network.

Regarding Community-based Management, the Council:

7. Reaffirmed its continued support of community-based management in the Western Pacific and directs staff to support a meeting, following the State's public meetings on the Mo'omomi proposal, of the State of Hawaii with Hui Mālama o Mo'omomi and the impacted fishing community to provide an opportunity to discuss proposed management measures, review relevant fishery data, and provide comments in order to identify management measures that are acceptable by the whole community.

Regarding the Bottomfish Restricted Fishing Areas, the Council

8. Directed staff to reconvene the bottomfish working group comprised of representatives from the SSC, State of Hawaii, PIFSC, University of Hawaii, and bottomfish fishermen to review available information and develop a study and a plan that would provide options for opening the BRFAs.

Regarding boating infrastructure, the Council:

9. Directed staff to support a meeting between the State of Hawaii (DOBOR and DAR) and the fishing community to address boating infrastructure concerns and resolve issues regarding fishing boat access and facilities.



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ADMINISTRATIVE MATTERS

Regarding Indigenous Fishing Rights, the Council:

1. Directed staff to work with the Fishing and Indigenous Community sub-panel of the Advisory Panel to review available information to develop the legal, cultural and historical basis and justification for obtaining indigenous fishing rights in the Western Pacific region and report its finding for future Council consideration.

Regarding Marine National Monuments:

2. Directed staff to draft a letter to President Trump for Council chair signature requesting the removal of fishing prohibitions from within the Marine National Monuments in the US Pacific Islands, therefore reestablishing management of those fisheries under the authority of the Council and the Magnuson-Stevens Fishery Conservation and Management Act.

Regarding funding, the Council:

3. Recommended NMFS increase funding for the MSA-mandated CDPP and Marine Education and Training Programs.
4. Directed staff to send a letter to the appropriate entities expressing its support for the USCG to maintain its capacity and funding to effectively monitor and enforce illegal fishing and support safety at sea in the US Pacific Island EEZs.

Regarding appointments to Federal Advisory bodies, the Council:

5. Recommended NOAA ensure appropriate “subject matter” representatives are considered and appointed from the U.S. Pacific Islands on Federal advisory bodies (e.g. MPA Federal Advisory Committee) that can effectively represent the Pacific Island Region. In addition, NOAA should provide the opportunity and funding for the representative to travel to, and participate in, formal meetings of the Advisory Body.

Regarding the Advisory Body, the Council:

6. Appointed Kelvin Char to the Hawaii Advisory Panel to replace Daniel Roudebush. The Council directs staff to solicit for alternate positions on all of the sub-area APs and re-solicit for new CDPP AP members.

7. Endorsed the following changes to the Plan Team:

Outgoing Plan Team Members	Incoming Plan Team Members
Justin Hospital (Human Dimension)	Kirsten Leong (Human Dimensions & Social Science)
Justin Hospital (Economics)	Minling Pan (Economics)
Ed DeMartini (Life History)	Joseph O'Malley (Life History)
David Benavente (CNMI Data Program)	William Trey Dunn (CNMI Data Program)
	Hal Koike (Hawaii Data and Ecosystems)
	T. Todd Jones (Protected Species)

Fishery Data Collection and Research Committee – Technical Committee are as follows:

Outgoing members	Incoming members
Robert Humphreys (Life History)	Brett Taylor (Life History)
David Benavente (CNMI Data Program)	William Trey Dunn (CNMI Data Program)
Celestino Aguon (Guam Data Program)	Jay Gutierrez (Guam Data Program)

The membership changes to the Fishery Data Collection and Research Committee are as follows:

Outgoing members	Incoming members
Ruth Matagi-Tofiga (DMWR)	Henry Seseapasara (DMWR)