



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

ACTION MEMORANDUM

174th Council Meeting

*October 23-24, 2018
Fiesta Resort & Spa
Garapan, Saipan, CNMI*

*October 26-27, 2018
Guam Hilton
Tumon, Guam*

AGENCY REPORTS

Regarding PIFSC efforts in defining Large Marine Ecosystem in the Marianas, the Council:

1. Requested NMFS PIFSC develops a more structured stakeholder engagement to include fishermen and other interested parties. The Council also recommended NMFS PIFSC include the stakeholders in the development of the goals, objectives, and performance metrics.



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MARIANA ARCHIPELAGO FISHERIES

Regarding Annual Catch Limits for the CNMI bottomfish species complex, the Council:

1. Recommended NMFS set the ACL at 228,000 lbs. for fishing year 2019. The Council noted that the next benchmark assessment is scheduled for review in February 2019 and will provide new information to set the ACLs for fishing year 2020 to 2022. The accountability measure is an overage adjustment to the ACL in the following fishing year. The adjustment will be the amount of the overage based on the three year recent catch.

Further, the Council deems that the regulations implementing the recommendations are necessary or appropriate in accordance with Section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act (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 Chairman 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 are 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.

Regarding CNMI fishery issues, the Council:

2. Directed staff to assist the CNMI Advisory Panel with facilitating a meeting with the military liaison and CNMI government to communicate their concerns regarding the community's issues with pre-positioning ships (e.g., MOU for fees, threatening local boaters, damage to habitat from anchors, potential moorings, displacement of fishermen, etc.).
3. Directed staff to look into finding support for summer fishery internships for college students in fishery related agencies of the CNMI government.
4. Directed staff to provide assistance to the CNMI Advisory Panel in developing projects for Rota's harbors and marina improvements, Tinian's marinas, and Sugar Dock dredging and facilitating inclusion in the next revision of the CNMI Marine Conservation Plan.

Further, the Council directed staff to request USCG to work with Tinian to repair its harbor range/entrance lights.

Regarding Annual Catch Limits for the Guam bottomfish species complex, the Council:

5. Recommends NMFS set the ACL at 66,000 lbs. for fishing year 2019. The Council noted that the next benchmark assessment is scheduled for review in February 2019 that will provide new information to set the ACLs for fishing year 2020 to 2022. The accountability measure is an overage adjustment to the ACL in the following fishing year. The adjustment will be the amount of the overage based on the three year recent catch.

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Regarding Guam Fishery Issues, the Council:

6. Directed staff to assist the Guam Advisory Panel in revisiting the gear conflict issues (SCUBA spearfishing, gillnets, etc.) and provide the AP with ideas for solving conflicts between fishermen and the community.
7. Directed staff to communicate with MPA Federal Advisory Committee regarding the findings of the Fishing Community Perceptions on Marine Preserve Siting Process report, including procedural justice, transferred effects, safety, etc. Further the Council directed staff to provide the final report to the local fishery agencies for use in their management objectives.



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PROTECTED SPECIES

Regarding Seabird Bycatch Mitigation in the Hawaii Longline Fishery, the Council:

1. Recommended NMFS, in coordination with the Council and the Hawaii longline fishery participants, enhance outreach and training efforts to ensure proper application of existing seabird mitigation measure requirements on Hawaii longline vessels, with strategies including, but not limited to:
 - a. Including information on updated seabird interaction data in the Protected Species Workshop for vessel owners and operators to raise awareness of higher interaction rates in recent years and to emphasize the importance of utilizing seabird mitigation measures where required;
 - b. Expanding training and outreach to longline vessel crew members in their native languages; and
 - c. Implementing strategic outreach targeting vessel owners and captains with above-average interaction rates to identify potential causes of higher interactions and providing assistance to reduce interactions.
2. Recommended NMFS provide support for research and development for alternative measures with potential to replace blue-dyed bait, with high priority placed on identifying suitable designs for tori lines to inform development of minimum standards applicable to the Hawaii longline fishery;
3. Directed staff to work with NMFS and industry to encourage submission of Experimental Fishing Permit applications for testing alternative measures without the use of blue-dyed bait to allow comparison of measure effectiveness with and without blue-dyed bait; and
4. Directed staff to prepare a discussion paper for the March 2019 Council meeting to evaluate the effect of potential removal of blue-dyed bait without additional replacement measures on seabird interaction rates.

Regarding ESA Listings, the Council:

5. Directed staff to send a letter to NMFS expressing concern about ESA listing petitions that use climate change or ocean acidification as the primary reason to justify the listing of threatened and endangered species.



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PELAGIC AND INTERNATIONAL FISHERIES

Regarding the Management of Loggerhead and Leatherback Turtles in the Hawaii Shallow-set Longline Fishery, the Council:

1. Directed staff to reconvene SSC Working Group when the draft BiOp is available to provide review of the draft BiOp;
2. Directed staff to provide comments to NMFS on the Approach to the Assessment, incorporating SSC Working Group input and Council discussions;
3. Recommended to convene an interim Council meeting, if needed, to review draft BiOp and consider any revisions to June 2018 recommendations based on the BiOp
4. Will re-consider a specification of leatherback individual trip limits if necessary after review of the draft BiOp

Regarding Electronic Reporting, the Council:

5. Recommended, as initial action, to require mandatory electronic reporting in the Hawaii longline fishery.
6. Requested NMFS PIFSC continues to develop electronic reporting in the Hawaii longline fishery and to work with Hawaii longline participants, Council staff, and PIRO to address several implementation issues and report back to the Council at its March 2019 meeting.

Regarding US longline bigeye quota, the Council:

7. Endorsed the majority PAC recommendation for the US to obtain a longline bigeye quota of 6,000 mt at the upcoming WCPFC meeting in December and directed staff to communicate this recommendation to Secretary Ross

Regarding South Pacific albacore, the Council:

8. Endorsed the PAC recommendation that the US position generally be in support of adoption of a South Pacific albacore target reference point and also requested NMFS PIFSC evaluate potential longline CPUE based Target Reference Points (TRP) with regards to American Samoa longline fleet and US troll fleet economic performance

taking into account recent CPUE levels and variability in fuel costs and fish price and to provide that information to the Council in advance of WCPFC15.

Regarding the recent amendments to the Billfish Conservation Act of 2012, the Council:

9. Directed staff to develop a list of questions and issues associated with compliance with the amendments to the Billfish Conservation Act of 2012 and send to NMFS for response.

Regarding PIFSC reports to the Council on Hawaii longline fisheries, the Council:

10. Requested NMFS PIFSC provides fishing density maps for semi-annual and annual reports to the Council.

Regarding the American Samoa longline fleet, the Council:

11. Directed staff to work with NMFS to explore options to assist the American Samoa longline fleet given the declining trend in vessel participation and difficult economic conditions.



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AMERICAN SAMOA FISHERIES

Regarding Annual Catch Limits for the American Samoa bottomfish species complex, the Council:

1. Recommended NMFS set the ACL at 106,000 lbs. for fishing year 2019. The Council noted that the next benchmark assessment is scheduled for review in February 2019 that will provide new information to set the ACLs for fishing year 2020 to 2022. The accountability measure is an overage adjustment to the ACL in the following fishing year. The adjustment will be the amount of the overage based on the three year recent catch.

Further, the Council deems that the regulations implementing the recommendations are necessary or appropriate in accordance with Section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act (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 Chairman 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 are 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.

Regarding outreach and education, the Council:

2. Directed staff to work with the American Samoa Advisory Panel to develop a plan for outreach and education, preferably in cooperation with DMWR, to educate communities on various fisheries and fisheries related issues.



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PROGRAM PLANNING & RESEARCH

Regarding fishery data collection improvement, the Council:

1. Requested the Guam Division of Aquatic and Wildlife Resources to coordinate with the Attorney General and the legislature in order to initiate the Guam Administrative Regulation process establishing the fishery mandatory license and reporting;
2. Encouraged the Government of Guam to expedite the appointment of the members of the Guam Ocean Fishery Management Council. Further the Council request the Government of Guam to reduce the paperwork requirements for the community and the public to serve in the Guam Ocean Fishery Management Council;
3. Requested the American Samoa Department of Marine and Wildlife Resources to update the fishery regulation to include a mandatory licensing for the fish dealers and mandatory reporting for the commercial fishermen. Further, the Council requested DMWR to finalize the review of the draft Memorandum of Agreement for Data Sharing that was provided to DMWR from the 2017 FDCRC meeting;
4. Requested the territory and state fishery management agencies to explore electronic reporting to improve the collection of fishery data for the bottomfish fisheries

Regarding Precious Corals EFH Options, the Council:

5. Directed staff to prepare an amendment to the Hawaii FEP to revise the Precious Corals EFH and prepare the document for final action at the Council's March 2019 meeting. Further, the Council selected the following preliminarily preferred options for the staff to further analyze:
 - a. Action 1: Option 4-Revise existing beds and designate new beds as EFH
 - b. Action 2: Option 2-Update Geographic Extent and Habitat Characteristics
 - c. Action 3: Option 1-Update the FEPs

Regarding Aquaculture, the Council:

6. Directed staff to look at the current regulatory regime in place in Federal waters to determine the needs for developing offshore aquaculture, determining the best sites for aquaculture, and obtaining funding to assist local interests to develop aquaculture in the Western Pacific region.

Regarding Marine National Monuments, the Council:

7. Directed staff to communicate to the Administration that the fishing prohibitions be removed for the Mariana Trench Marine National Monument and allow only Guam and CNMI-registered vessels to fish.

Regarding climate change, the Council:

8. Directed staff to work with the Plan Team to include in its research priorities, impacts to pelagic fisheries and coral reef ecosystems due to climate and ecosystem changes.

Regarding the Terms of Reference for the Territory Bottomfish WPSAR, the Council:

9. Endorsed the TOR and appoints Dr. Steve Martell as the WPSAR Chair.
10. Recommended the WPSAR Coordinating Committee revisit this TOR and be more explicit in the language pertaining to the review of model ensemble should this be available in the future.



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HAWAII ARCHIPELAGO FISHERIES

Regarding Annual Catch Limits for the main Hawaiian island non-deep 7 bottomfish, deepwater shrimp, Kona crab and precious corals, the Council:

1. Recommended NMFS set the ACLs at:

MUS/MUS Complex	Fishing Year(s)	ACL (lb.)
MHI non-deep 7 bottomfish (<i>Aprion virescens</i>)	2019-2021	127,205
MHI Kona Crab	2019	3,500
MHI Deepwater Shrimp	2019-2021	250,773
MHI Precious Corals		
Auau channel - black coral	2019-2021	5,512
Makapuu bed - pink coral	2019-2021	2,205
Makapuu bed - bamboo coral	2019-2021	551
180 fathom bank - pink coral	2019-2021	489
180 fathom bank - bamboo coral	2019-2021	123
Brooks bank - pink coral	2019-2021	979
Brooks bank - bamboo coral	2019-2021	245
Kaena point bed - pink coral	2019-2021	148
Kaena point bed - bamboo coral	2019-2021	37
Keahole bed - pink coral	2019-2021	148
Keahole bed - bamboo coral	2019-2021	37
Precious coral in MHI exploratory area	2019-2021	2,205

The Council noted that the next benchmark assessment for Kona crab is scheduled for release in March 2019 that will provide new information to set the ACLs for fishing year 2020 to 2022. The accountability measure is an overage adjustment to the ACL in the following fishing year. The adjustment will be the amount of the overage based on the three year recent catch.

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Regarding Hawaii Fishery Issues, the Council:

2. Requested the State of Hawaii provide the Council with its plan on how it will be reinstituting the Hawaii aquarium fishery.

3. Requested the State of Hawaii provide a report on the Wildlife and Sportfish Restoration projects and an accounting of the WSFR funds used for each project. Specifically, the Council would like to determine the proportion of the funds used for infrastructure to improve the non-commercial fisheries in Hawaii.



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ADMINISTRATIVE MATTERS

Regarding the Malaloa longline dock extension project, the Council:

1. Directed staff to write to Governor Lolo Moliga noting that \$250,000 is available in the Sustainable Fisheries Fund and inquire if the American Samoa government has secured funding and necessary permits for the construction of the dock.

Regarding development of the Council's 2020-2024 Program Plan and budget, the Council:

2. Directed staff to include funding to support Council participation in the two new international commissions (North Pacific and South Pacific RFMOs), similar to that provided for the WCPFC.

Regarding planning for the CCC national workshop on habitat, the Council:

3. Directed staff to convene a regional workshop of experts to discuss habitat related issues, including non-fishing impacts on EFH and HAPC, prior to the convening of the national CCC workshop.

Regarding the Council's proposal to request additional funding from NMFS, the Council:

4. Directed staff to send a letter to the NMFS Regional Administrator conveying the Council's funding priorities to address critical data, monitoring, research and management gaps over the next three years.

Regarding the Okeanos Marianas, the Council:

5. Directed staff to write a letter to the Okeanos-Foundations for the Sea in New Jersey and cc the Governors of Guam and the CNMI noting that the Council commends the development of the Okeanos Marianas vessel as a traditional method for addressing climate change impacts and encourages the Foundation to keep the vessel in the CNMI and transferring its ownership to the local Okeanos Marianas organization in Saipan. The Council sailed on the vessel in Saipan the weekend before Super Typhoon Yutu devastated the island, closing ports and airports, and leaving the island without electricity. Typhoons are expected to increase in intensity in the future due to climate change, and the Okeanos Marianas provides interisland passenger and cargo transport that can land on beaches and does not depend on conventional fuel.

Regarding Administrative Matters, the Council:

6. Appointed the following persons to the Advisory Panel for the 2019-2022 term:

Island Area	AP Members	Alternates
American Samoa	Krista Corry Will Sword Dustin Snow Brian Thompson Sam Meleisea Carlos Sanchez	Edgar Feliciano Nonu Tuisamoa Joseph Faaita
CNMI	Richard Farrell Perry Mesngon Cecilio Raiukiulipiy Mike Fleming Jun Yamagishi Raymond Teregeyo	Ray Tebuteb Juan Diego Blanco Floyd Masga
Guam	James Borja Ken Borja Jason Miller Matthew Orot Felix Reyes Judith Amesbury	Tatiana Talavera Jason Biggs Albert Yanger
Hawaii	Ed Ebisui III Khang Dang Clay Tam Gil Kualii Nathan Abe Carrie Johnston	Matt Yamamoto Michael Lee Shyla Moon

7. Directed staff to evaluate options for improving conservation and management of the Hawaii bottomfish fishery, including an assessment of data collection, consistency of federal and state regulatory measures and harvest controls, and monitoring and enforcement mechanisms.
8. Directed staff to utilize a rotational sequence for future allocations of US Participating Territory specified fishing agreements.
9. Appointed the following Council members as its officers for 2019.
 - a. Archie Soliai, Chairman
 - b. Christina Lutu, vice-Chair, American Samoa
 - c. Dean Sensui, vice-Chair, Hawaii
 - d. Michael Duenas, vice-Chair, Guam
 - e. John Gourley, vice-Chair, CNMI

10. Directed Staff to prepare letter to NMFS requesting that the financial interest attribution policy requiring recusal not apply to employees of a company.