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MANAGEMENT
COUNCIL

FINAL REPORT of the American Samoa Archipelago FEP

Advisory Panel Meeting

Thursday, May 24, 2018

Pacific Petroleum Conference Room

Utulei Village, Tutuila, American Samoa

1. Welcome and Introductions

Krista Corry, American Samoa Advisory Panel (AP) Chair welcomed the members and thanked them for making the time to attend the meeting. She also greeted those members of the public and thanked them for coming and for their interest. AP members in attendance were: Krista Corry, Peter Crispin, Nonu Tuisamoa, and Ray Tulafono.

Also in attendance were Nate Ilaoa (Council staff), Archie Soliai and Christinna Lutu-Sanchez (Council Members) and members of the public.

2. Report on Previous Advisory Panel Recommendations

Council staff reported on the status of the Advisory Panel's previous recommendations. At its last official meeting on March 1, 2018, the AP made nine recommendations. Status updates for these recommendations were provided by Council staff.

3. Council Issues

A. Action Item

i. American Samoa Marine Conservation Plan

Council staff reported that DMWR is working on a revised draft of the 2018 MCP document. They have received input from Council staff with suggested specificity for projects and evaluative criteria. DMWR will present its final draft at the 173rd meeting and will be an action item at the 173rd Council Meeting for approval. Pending a recommendation to approve the document, it will be sent to NOAA NMFS and the US Secretary of Commerce for final review and approval.

ii. Options for an Aquaculture Management Program

Council staff reported that their previous recommendation from their March meeting was still on record, and unless any members had new input to add, the AP could further provide recommendations. He noted that the draft Programmatic Environmental Impact Statement (PEIS) is still in development and the Council will look to make a final recommendation in June.

iii. American Samoa Large Vessel Prohibited Area

A presentation was given to the AP Members on the Large Vessel Prohibited Area (LVPA). The slides included a background of the history of the longline fishery and the LVPA, a review of the seven LVPA Options to be considered by the Council at its 173rd Meeting next month, and information on the consideration of American Samoa cultural fishing, including details of NOAA PIFSC's cultural fishing research conducted in American Samoa earlier this year.

During the discussion of this agenda item, the annual Steinlager I'a Lapo'a Game Fish Tournament was brought up by one of the members. That member made the point that this year's angler point total had drastically declined. The point was also made that independent Samoa had increased longline fishing activity and it affected the troll fishing there. The member believed that longline fishing had a negative impact on both recreational and alia fishing due to the influx of foreign longline fishing vessels and the difficulty small boat fishermen have selling their catch and competing with bycatch from larger boats, and that data was being requested from Samoa to support this. The member also noted that funding has been identified for a local boat builder to begin construction of the new alia design. This member also felt that the option for 25 nautical miles to the north of Tutuila and Manu'a Islands with no change to area south of Tutuila and Manu'a Islands, and 12 nautical miles around Swains Island was his preference for the LVPA options as it protected the banks and had a reduction around Swains which is uninhabited.

There was discussion on the reason for decline of catch in the troll fishery, and the point was made about the decline in the longline alia fishery. A point was made that the presentation's estimate of 500 lbs of fish given away per trip by large longline vessels was much too low. Additionally, the increase in foreign fishing vessels unreported bycatch sales in the territory was an issue, and that it was brought to ASG's attention and that stricter requirement for vendor reporting was needed. Points were also made that it was difficult for local longline owners to sell fish because there just wasn't enough fish to sell to local markets to meet the demand. Also it was noted that foreign vessels could be seen unloading fish and having it delivered to local stores, which members agreed was a detriment to the small boat fishermen.

One of the members disagreed that local longline bycatch was hurting small boats viability, pointing out that the LVPA was put in place originally because there were many longline alia vessels which is not currently the case. He felt that the new situation new required action to support the local longline fleet, with fishing being allowed inside 50 nautical miles and seaward of 3 nautical miles around Swains Island. Another point was made that American Samoa is surrounded by the EEZs of Cook Islands, Niue, Independent Samoa, Tonga, Tokelau and Wallis and Futuna, and that the LVPA amendment would provide the longline fleet with the ability to further follow the highly migratory albacore that passes through American Samoa's EEZ.

There was discussion about CPUE comparisons for Swains and Tutuila and a point was made that albacore are being caught outside the EEZ and that was the biggest problem. The question was raised whether the Council can address the issue of the local longline fleet's situation in another way besides the LVPA – for example influencing fishing regulations at international meetings. The inability to get foreign countries to level the playing field and their heavy subsidizing of fleets fishing in the Pacific was mentioned in response to that point. The question was also raised about the Tokelau Arrangement that ASG entered into in 2016, and whether that could be used by the local government to address albacore fishing by foreign fleets.

Members discussed the LVPA recommendation and there was not 100% agreement on one alternative. A vote was taken and by a 3 to 1 count, alternative 6 was selected. Mr. Crispin asked that the record reflect his preference for alternative 2.

iv. Modification to US PT Catch and Effort Limit Amendment 7 Framework

Council staff presented on the Modification to US Participating Territory Catch and Effort Limit Amendment 7 Framework Regulations. The slides covered the background of Amendment 7 to the pelagics FEP, the issues involved, and potential solutions and the outcomes that could be expected. The presentation also detailed how specifying limit or promulgating regulation indicating catch or effort limits would be different, and that final action would be taken at the 173rd Meeting next month.

The suggestion was made to possibly recommend removing the requirement for establishing separate total catch or effort limits for the US Participating Territories prior to establishing allocation limits by including additional options to the process.

v. Ecosystem Component Species Classification

Council staff reported that with the designation of Ecosystem Component (EC) species, only bottomfish will be left needing Conservation and Management Measures, and it will be important for territories to improve their data collection to adequately monitor the EC species. This will include seafood vendor's commercial receipt book collection. The Plan Team recommended during its April meeting in Honolulu to increase vendor participation and expand data collection through that seafood vendor reporting requirement. DMWR is being asked to fill the regulatory gaps through that seafood vendor commercial receipt book collection and its fisherman licensing program.

Discussion focused on a possible recommendation to make commercial license holders for fishing and seafood sales mandatory. It was noted that the commercial receipt book is required for seafood vendors although capacity is an issue that has thus prevented 100% enrollment or compliance.

vi. Evaluation of 2017 Catch to the 2017 ACLs

AP members were provided with a document detailing the evaluation of 2017 catches relative to ACLs provided by the Council's FEP Plan Team. As American Samoa had not exceeded any of its annual catch limits, the AP members did not discuss any recommendation for this agenda item.

There was some discussion about the spiny lobster ACL, with the opinion given that the 4,845 lb limit is not close to being met but there are not many spiny lobsters seen on the reefs around territory. This led to a discussion regarding whether some threshold for the species had been met since the ACL is set much higher than what the population appears to be.

B. Other Items

i. Draft 2017 Annual SAFE Reports

AP Members were provided the 2017 SAFE report to review prior to the meeting. Chair asked if there were any comments regarding the document. Members then discussed potential turtle mitigation measures due to the report's increased turtle interaction numbers. Members asked whether there was information that would provide any information on actual conservation benefits of moving to larger hook sizes and how that would be weighed against the increased costs that the fleet would face to change their gear. There was also a question about the current economic condition of the local longline fleet and if that was considered or would be considered in this matter. The members discussed how to address the issue of increased turtle interactions without negatively affecting the fleet. On the issue of whether there are just more turtles now

than previous years or if the 2016 amendment to the LVPA was a factor, Council staff had weighed in earlier in the day and there was not sufficient data to make that conclusion. There was further discussion on the issue with a point being made about Hawaii fishing boats switching to 18” hooks and not negatively affecting catch, but others said that this didn’t address the fact that the vessels would be forced to once again pay for a gear change during a time of the fleet’s economic hardship.

A point was also made that turtle mitigation measures for American Samoa cannot be compared to those in the Hawaii longline fishery. There was disagreement that moving to larger size hooks without a study being done to justify that this gear change is absolutely necessary, and that there’s no way to know if such a mitigation measure would be worth the cost of gear change with no conclusive data on the DPS size. There was discussion regarding the need for a cost analysis to be done for the longline fleet, and also look at any effects that neighboring islands have on this turtle DPS since other Pacific islands do not follow the same strict regulations regarding turtles that US fishermen do.

ii. Comments on List of Gears by Fisheries

Advisory Panel members were given copies of the list of gears by fisheries. There was no discussion or input on the list during this portion of the meeting.

iii. Council Research Priorities

a. Five-year Research Plan

Members of the AP were provided copies of the Council’s draft 5-year research plan as required under the Magnuson Stevens Act. A question was raised about whether including a bycatch study for American Samoa would be a good idea since it seems to be an issue that affects the alia fishery, and there is a need to better understand what is given away at the dock and quantify that information, possibly through a study. The point was also made that the bycatch from larger boats negatively impacts alia fishermen’s ability to sell their catch. However this was disputed in further discussion

b. Cooperative Research

Advisory Panel members were given copies of the Cooperative Research Recommendations for 2018 - 2019. It was reported that there was one research priority for AS under this document (Enhancing local community capacity to develop fisheries socio-economic profiles). There was no discussion or input on the list during this portion of the meeting.

c. Pelagic Fisheries Research Plan

Each member was provided with a copy of the draft Pelagics Research Plan document. Members commented that more time would be needed to review the document, but they would be interested in making a recommendation to support the plan, pending any new input they have prior to the 173rd Meeting next month.

d. Management Strategy Evaluation Priorities

Advisory Panel members did not have any discussion or input on this agenda item.

4. American Samoa FEP AP Issues

Council staff reported that the American Samoa Port Administration is working with the Hawaii Maritime License Center and are in the process of procuring the curriculum materials for Port's staff to do the training. Once they receive the material, which is estimated to be in June or July, they are targeting August for the courses to begin. According to Port staff, these will be 3-4 week courses. The registration and course costs are still being finalized, but the estimated costs will be:

- Radar Observer: Original: \$1095; Renewal: \$495
- Master/Mate 200 Ton: \$1695
- Marine Radio Operator: \$155
- First Aid/CPR: \$150
- Towing Endorsement: \$198

5. Public Comment

Carlos Sanchez said the preferred LVPA by the longline owners is seaward of 12 nautical miles, but he suggests 3 nautical miles. He also said giving away fish is difficult when he is trying to run a business, and that larger boats can lose up to \$200K in a single year. He applauded the effort by StarKist to support the fleet, and spoke about the fleet's importance in providing fish which is needed by the company as the fleet is the only US albacore fleet providing for US military contracts. He said there are scientific studies and they don't support the need for a 50 nautical mile LVPA for alia owners. He also stated that he originally opposed the LVPA even though he owned alia, because he saw what happened in other places such as Peru. Sanchez also spoke about all the foreign Chinese vessels surrounding the Pacific and how they provide money to islands to get access. He said he's lived here over 25 years and invested money to the community and that the fishery has changed and there are regulations that only US longline fishermen follow but not foreign owners. He stressed that longline owners live in American Samoa, buy and sell here, and need help to survive. Sanchez also said that purse seiners catch a lot of wahoo and it flows into the community and that's where the competition comes from for small boat fishermen. He estimated that out of 2,500 hooks per day after 40-45 days there might be 300-400 lbs of yellowfin which is a miniscule amount. He said foreign boats are catching yellowfin in Tokelau and Cook Islands and selling cheaper than skipjack. He also said political favors and payments are taking place to aid foreign fishing, and that it is a crime that fishing is closed for only alia fishing when only one boat is longline fishing. He asked why the fishermen are always penalized, when there is a mutual need between the cannery and the fleet. He concluded by discussing the local longline fleet's contribution to the territory's economy – they pay employees who pay taxes here; they pay for fuel and provisions locally and contribute to the community. He asked what the alia fleet contributes.

Andy Wearing of the Pago Pago Game Fishing Association said that allowing the large longline boats to move in closer will result in them getting more fish, but that would conversely result in less fish for the local alia fishermen who are struggling. He said those alia fishermen also all live here and have families and need to make money, so the claim that they don't contribute to the economy is not true. He said the LVPA being amended would close down the small boats because as one fishery comes up and one goes down. He also believed the longline fleet's struggle had to do with the price of albacore and believed that price should be higher.

This led to a discussion with the question being raised whether any conditions have changed to make anyone think that the super alia program would be successful. One member felt that depended on the skill of the fisherman. He said there is funding through DOC to build those boats locally, and the buyer has the option of choosing the builder, he also said there were two applicants for loans through the venture fund to purchase super alia vessels. The cost of the boat was also brought up as an issue with estimates being over \$350,000. Sanchez pointed out that this is for a bare boat and to outfit the boat with gear and equipment would add to that cost significantly.

Another question was raised as to whether ASG had conducted a study to see if the boats would be viable. There was discussion on the NOAA study on the Samoa archipelago's bottomfish stock in 2016, and a reference to that study's lead, Dr. Joseph O'Malley's point that the stock was healthy but could not support a bottomfish export industry, and that this also supported the same conclusion which was made by Dr. David Itano previously. One member of the public felt the super alia project would fail because of the current conditions.

Christinna Lutu-Sanchez said Tautai O Samoa longline association members met and decided they support alternative 5, which was the 2016 LVPA amendment. She also addressed concerns of gear conflict with an amended LVPA and reminded attendees that even when there were 40 active alias longline fishing in the past, there was never any gear conflict. She felt this should have been considered in reviews of the original implementation of the LVPA as it was supposed to be subject to a review every three years but NMFS failed to do so, and this is why there is not enough data from when the area was closed. Also, she said there were other factors to consider, including weather and how many boats were fishing to provide data over time, and that there are less boats now than when the LVPA amendment was implemented. She asked if people wanted to kill off the local longline fleet for a possible super alia fleet that still is not a given to have success. She referenced the USCG's outreach to Apia to attract boats there to deliver to StarKist, and said ASG has not offered any support or other solutions for the local longliners, and that only StarKist has supported them, and acknowledged the Council's attempts to provide options for the fleet's relief.

Archie Soliai asked if DOC had discussed target species for the super alia vessels they are planning to provide loan funding for. The coordinator referenced their previous plans for the boats to do both trolling and bottomfishing with being part of a larger vision to export fish to off island markets. Soliai also talked about albacore supply shortages for StarKist over the past two years and how fish is being sent via containers to China. He also discussed the USCG initiated outreach to Apia to make increase awareness of US regulations for potential deliveries to StarKist.

Ray Tulafono weighed in on the super alia voicing surprise that ASG is moving forward with the program, given that during his time as DMWR Director, they had concluded that a bottomfish export industry for American Samoa was not sustainable. He also said the prospect of those boats longline fishing was very risky due to the current conditions.

6. Discussion and Recommendations

The American Samoa AP made the following recommendations:

Regarding the LVPA:

- The American Samoa AP recommended the Council select alternative 6 with a closed-area of 12nm arounds Tutuila, Manu'a and Swains with 2nm around the offshore banks.

Regarding the pelagic fisheries plan:

- The American Samoa AP endorsed the plan pending any new insights from the members prior to action at the 173rd Meeting.

Regarding the 2017 AS SAFE Report:

- The American Samoa AP recommended the Council request NMFS and PIFSC conduct further analysis to better understand any potential conservation benefits of turtle mitigation measures and potential costs that will be incurred by the AS LL fleet.

Regarding the 5-year research plan:

- The American Samoa AP recommended the endorsement of the plan pending any new insights from the members prior to action at the 173rd Meeting.

Regarding the Ecosystem Component Species Classification:

- The American Samoa AP recommended the Council request DMWR consider initiating a seafood vendor licensing program to complement the current commercial receipt book program and fishermen's licensing program. This would include mandatory reporting for commercial license holders.

Regarding modification to US PT catch and effort limit amendment 7 framework:

- The American Samoa AP recommended the Council remove the requirement for establishing separate total catch or effort limits for the US prior to establishing allocation limits by including additional options to the process.

7. Other Business

There was no other business for the meeting and Chair adjourned the meeting.