



**MINUTES OF THE
172nd MEETING OF THE
WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL**

March 14-16, 2018

Laniakea YWCA, Fuller Hall

1040 Richards Street, Honolulu, Hawai'i

Ahupua'a o Nu'uuanu, Moku o Kona

Mokupuni o O'ahu

Approved by Council:

A handwritten signature in blue ink, appearing to read "Edwin A. Ebisui Jr.", is written over a horizontal line.

Edwin A. Ebisui Jr., Chair
Western Pacific Regional Fishery Management Council

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I. **Welcome and Introductions**

The following members of the Western Pacific Regional Fishery Management Council were in attendance:

- Edwin Ebisui Jr., chair (Hawai‘i)
- Michael Duenas, vice chair (Guam)
- John Gourley, vice chair (Commonwealth of the Northern Mariana Islands [CNMI])
- Dean Sensui vice chair (Hawai‘i)
- Taotasi Archie Soliai, vice chair (American Samoa)
- Bruce Anderson/Ryan Okano, Hawai‘i Department of Land and Natural Resources (DLNR Hawai‘i) (designees for Suzanne Case)
- Michael Goto (Hawai‘i)
- Raymond Roberto, CNMI Department of Lands and Natural Resources (DLNR CNMI) (designee for Anthony Benavente)
- Christinna Lutu-Sanchez (American Samoa)
- Henry Sesepasara, American Samoa Department of Marine and Wildlife Resources (DMWR)
- Brent Tibbatts, Guam Department of Agriculture (designee for Matthew Sablan)
- Mike Tosatto, National Marine Fisheries Service (NMFS) Pacific Islands Regional Office (PIRO)
- Lt. Cmdr. Adam Disque, US Coast Guard (USCG) (designee for Rear Adm. Vincent Atkins)
- Brian Peck, US Fish and Wildlife Service (USFWS)

Also in attendance were Council Executive Director Kitty Simonds; NOAA Office of General Counsels Frederick Tucker, Elena Onaga and Kristen Johns; and Scientific and Statistical Committee (SSC) member James Lynch. Council member Michael Brakke, US Department of State, was absent.

Ebisui opened and welcomed everyone to the Council’s 172nd meeting and asked Council members and staff to provide self-introductions.

II. **Approval of the 172nd Agenda**

Ebisui asked for a motion to approve the 172nd meeting agenda.

Moved by Soliai; seconded by Gourley.

Motion approved.

III. **Approval of the 171st Meeting Minutes**

Ebisui called for a motion to approve the minutes of the 171st meeting of the Council.

Moved by Soliai; seconded by Gourley.

Motion approved.

IV. **Executive Director's Report**

Simonds reported that earlier in the year the Council published its first reader-friendly report for the public on the Western Pacific Region's Status of the Fisheries. The report summarizes the performance of the fisheries in 2016 by important species and island area, economic contributions for commercial and noncommercial sectors, regulatory actions, Council and advisory meetings and workshops, and Council members and staff.

Simonds recounted the recently held winter Council Coordination Committee (CCC) meeting and reported on Magnuson-Stevens Fishery Conservation and Management Act (MSA) reauthorization legislation, such as HR 200. She provided an update on legislation to amend the Billfish Conservation Act of 2012, which would deny Hawai'i fishermen access to mainland markets and force Hawai'i-caught billfish to be retained in Hawai'i. A version of the bill has passed the Senate by unanimous consent. The Council has written to Secretary of Commerce Wilbur Ross and Assistant Administrator for NOAA Fisheries, Chris Oliver, expressing concerns with the proposed amendment as it treats US, Hawai'i and Territory fishermen as foreign. She hoped NMFS would comment on the legislation when asked to support continuing the exception provided to the region.

Simonds reported that the Western and Central Pacific Fisheries Commission (WCPFC) at its December meeting adopted a tropical tuna measure to apply through 2021; however, the main operative provisions for purse-seine and longline fisheries have only been agreed for 2018. The US government failed to achieve the Council's recommendation to increase the US bigeye catch limit to 6,000 metric tons (mt), which is about the amount landed in Honolulu by Hawai'i longline vessels operating under the US quota, as well as the specified fishing agreements with the US Participating Territories. The Commission agreed to return longline bigeye limits to 2016 levels, which resulted in a gain of 200 mt for the US over the previous year. Simonds expressed optimism that the US will work to increase the quota applicable to the Hawai'i longline fishery.

Simonds noted that several stock assessments released by the Pacific Islands Fisheries Science Center (PIFSC) were reviewed following the Western Pacific Stock Assessment Review (WPSAR) process. The Marine Recreational Information Program (MRIP) Regional Implementation Plan was approved by the MRIP Executive Steering Committee and serves to pave the way to improve the Hawai'i Marine Recreational Fishing Surveys and Territories' creel surveys. However, achieving the improvements requires dedicated funding from NMFS. To receive the funding, the region will also be subject to a certification process, which involves reviewing the data collection programs within the Council's jurisdiction, transitioning to new or updated methods, and certifying methods for use.

Simonds concluded her remarks by identifying the regulatory actions up for consideration by the Council at the 172nd meeting.

V. Agency Reports

A. National Marine Fisheries Service

1. Pacific Islands Regional Office

Tosatto provided the NMFS PIRO report and stated that he would not read the entire report, as some of the topics will be covered in other section of the Council agenda. He said new hires in the Sustainable Fisheries Division will improve PIRO's ability to work with Council staff to develop actions and bring to NMFS for decision-making. He concluded on the topic of Council nominations. He said each of the Territories should have received pre-letters asking for nominations to fill three Council seats coming vacant this year. Two of those seats are obligatory to Hawai'i (Goto) and Guam (Duenas); one at-large seat is available to all jurisdictions became vacant after the resignation of Mokoma of American Samoa.

a. Status of Executive Order 13795 Review

Tosatto did not provide a status report on the review conducted by the Department of Commerce pursuant Executive Order (EO) 13795.

2. Pacific Islands Fisheries Science Center

Mike Seki, PIFSC director, summarized his written report. The Hawai'i Deep 7 bottomfish benchmark assessment, which was completed last summer, went through WPSAR review during the fall. The assessment was submitted to the Council's SSC last week. According to the assessment, the Deep 7 complex is not overfished nor experiencing overfishing. The assessment included a standardization of the catch per unit effort (CPUE) time series that is the underlying basis for the assessment and which was informed by workshops with fishers, who provided clarity on some of the parameters and what they mean in the State of Hawai'i database. A fishery-independent assessment of abundance was also included in the assessment, which is based on cooperative research with fishermen. The fisheries-independent surveys were conducted for three years. A single datapoint was used to anchor the assessment, which was a major accomplishment. Future surveys will provide more datapoints and, hopefully, improve the current estimate of abundance. This year's assessment included a single species, 'opakapaka, along with the Deep 7 complex.

Regarding PIFSC's electronic monitoring (EM) projects, 18 EM systems have been installed as of January 2018 and have recorded 116 trips, of which 28 involved a human observer allowing for data cross-referencing.

The Hawaiian Islands Cetacean and Ecosystem Assessment Survey (HICEAS) marine mammal survey conducted through the entire Hawai'i Archipelago was a large effort made possible by the cooperation and assistance of the US Navy and the Bureau of Oceans and Energy Management (BOEM), which funded most of the effort. The survey involved the NOAA ships *Oscar Elton Sette* and *Rueben Lasker* which spent a combined 179 days at-sea and yielded 345 visual sightings and 766 acoustic detections of at least 23 species.

The Guam reef fish assessment was completed earlier in the year and underwent WPSAR review. Input from that review is being incorporated into the assessment, which will be available later this year.

Seki said the Modular Optical Underwater Survey System (MOUSS) camera has a number of improvements over Bottom Camera (BotCam) such as the anchor weight and the portability to deploy off a small boat. The technology and its application were published in the journal *Sensors*.

The PIFSC field season for the Territories is ready to launch with the *Oscar Elton Sette* going to the Marianas and the *Hiialakai* going to American Samoa. Necessary repairs to both ships have delayed departure and will result in the loss of trials but not the whole trip. The Marianas survey will include a life history, biosampling expedition up the CNMI chain and will conduct insular reef fish assessments. These are done in conjunction with the Reef Assessment and Monitoring Program (RAMP) surveys but at a higher resolution to allow the data to be used for assessment purposes. A RAMP survey will be conducted in American Samoa.

A recent population assessment for monk seals estimates 1,345 seals and an annual population growth rate of 2 percent since 2013. Two seals were rehabilitated by Ke Kai Ola and then flown to Midway with the help of the US Coast Guard.

Two-hundred and fifty represented from diverse ocean sectors attended the West Hawai‘i Integrated Ecosystem Assessment symposium. This year the focus was on bridging the gap between science and management.

Seki concluded by saying PIFSC has a large presence at the Ocean Sciences conference, which is a biennial meeting between the American Geophysical Union, the American Society of Limnology and Oceanographers and The Oceanography Society.

Sesepasara asked whether two more Class A permits were issued in February and noted that 42 two permits have been issued but that only 14 are believed to be active.

Seki said he did not know.

Tosatto said the others are likely dual permitted boats that operate out of Hawai‘i.

Gourley thanked Seki for the help PIFSC has provided Saipan, including assistance from Brett Taylor and Mike Trianni with another otolith preparation laboratory. Eric Cruz also helped with the microscope and associated software, which was challenging. One hundred prepared otoliths from *Sargocentron teire* and *Chlorurus sordidus* may be processed in Australia or Saipan. There are now two stations at the Micronesian Environmental Services (MES) laboratory for otoliths and maturation assessment.

Seki said he believes the biosampling program in Saipan is alive and well and complimented Gourley for his efforts.

Sesepasara said he hoped PIFSC has communicated with DMWR staff members who are supposed to go on the RAMP survey that the ship is delayed.

Seki said he believed communication has occurred.

Simonds asked if the 86 green sea turtle nesters at Rose Atoll was an improvement over previous years.

Seki said the purpose of annual surveys is to do a biological survey more than a census.

Simonds asked how that feeds into recovery efforts since green sea turtles were up-listed to an endangered status in all three territories.

Seki said the surveys feed into bigger models. He referenced a paper published last year on Guam green sea turtles, which is showing a greater percentage of females in the population.

Sensui asked if PIFSC had rough numbers derived from the Pacific Islands Region Noncommercial Fisheries Snapshot to share.

Seki said he did not, but he will make sure that Hongguang Ma, who will be attending the Recreational Fisheries Summit, has those estimates to share at the meeting.

Sensui asked if this is the first survey of its kind.

Seki said this survey is the first of the current form, but similar surveys have been conducted in previous years.

Sensui asked if there were anything eye-popping about the survey results.

Seki said he has reservations on how recreational fishing surveys are done on a national basis and believes it will be different to the recreational surveys conducted out of the region.

Simonds said the Council has supported and advocated for regionally based actions, including Saltonstall-Kennedy priorities and similar initiatives. Reports produced from the 1979 national recreational survey said fishermen were hooking whales at docks, which showed the need to act regionally. The MRIP initiative has involved phone calls and has cost \$9 million annually from Congress. Now they are coming back to conduct mail surveys, which was advocated by the region and should have been done in the beginning.

Lutu-Sanchez said this is the seventh year that PIFSC has been surveying Rose Atoll and questioned what has been found to date.

Seki said he did not know and would have to find out specific details to answer the question.

Lutu-Sanchez said, when NOAA worked to up-list green sea turtles, messaging suggested nesting beach trends indicated that green turtles were in danger.

Peck responded, noting that his response was not on NOAA's behalf but from personal experience as Rose Atoll Wildlife Refuge manager who participated in the last three annual surveys. Rose Atoll is the hot spot for the South Central distinct population segment of green

turtles. The numbers fluctuate but the turtles that nest at Rose generally through satellite tag data go to Fiji and beyond to forage. Their long-distance migration takes a lot of energy, so females do not nest every year. Rose Atoll is over 1,000 miles from Fiji. Some turtles will nest in Year 1 and then return to Fiji to forage and regain their energy to make the migration back over a thousand miles to Rose Atoll to nest three to five years later. This is currently the peak of the cycle, with 81 female nesters at Rose Atoll during the course of the week-long survey.

Ebisui thanked Seki for his report.

B. NOAA Office of General Counsel, Pacific Islands Section

Johns provided the NOAA General Counsel Pacific Islands Section report focusing on two cases. The Territory of American Samoa versus NMFS involves a challenge to a 2016 regulation in which NMFS provided an exemption from the Large Vessel Prohibited Area (LVPA) to US vessels permitted under the American Samoa longline limited entry fishery, which are 50 feet and greater. In March 2017, a federal district court granted summary judgment to American Samoa and invalidated the regulation. The court found that the Instruments of Session, by which American Samoa ceded its land and waters to the United States, constitutes other applicable law under the MSA; therefore, the Agency was required to consider whether its action was consistent with the instruments and whether the rule would preserve and protect American Samoa cultural fishing practices. A motion for reconsideration of the decision filed by NOAA was denied in August 2017. NOAA thereafter filed a Notice of Appeal in the Ninth Circuit Court of Appeals. The parties have since entered into mediation discussions, the details of which are confidential. According to the public docket, the deadline for NOAA to file its opening brief in the Ninth Circuit has been pushed from April 6 to June 11.

Johns reported on the Turtle Island Restoration Network (TIRN) versus NMFS and USFWS case, which involves a challenge to a 2012 Biological Opinion in which NMFS found that the continued authorization of the shallow-set fishery would not jeopardize the continued existence of several species protected under the Endangered Species Act (ESA). Also challenged was the USFWS decision to issue a special purpose permit under the Migratory Birds Treaty Act to NMFS, authorizing the incidental take of seabirds that interact with the fishery. A federal district court in Hawai‘i found in favor of the agency on all claims. The plaintiffs appealed; in 2017 the Ninth Circuit affirmed in part and reversed and remanded in part. The court found that NMFS’s no jeopardy determination with respect to the North Pacific loggerheads was arbitrary and capricious. The court also found that it was improper for USFWS to issue a special purpose permit to authorize incidental take of birds as the permit was not meant for this purpose. The court upheld NMFS’ no jeopardy determination with respect to leatherback turtles and also upheld the biological opinion’s evaluation of climate change impacts on sea turtles. The dissenting judge argued that the agency should have been granted deference and would have found in favor of the agencies on all claims. The deadline to file a petition for rehearing on in the Ninth Circuit in which a greater panel of Ninth Circuit judges would review the three-panel decision is March 14. NOAA submitted a recommendation for rehearing to the Department of Justice; a decision was expected by the end of the day.

Sensui said the dissenting judge provided specific details why the judgment was faulty.

Johns agreed about the dissenting judge's thorough analysis.

Sesepasara asked what will happen after June 11, which is NOAA's deadline to file the appeal in regards to the LVPA case.

Johns said NOAA would file on June 11 and the responsive brief by American Samoa would be July 11, followed by maybe another response brief and then a hearing.

Sesepasara asked if it is looking like an August hearing.

Johns said it is hard to say as a hearing has not been scheduled.

Lutu-Sanchez asked how long the appeal process normally takes.

Tucher said he did not know. Decision on the TIRN case took nearly three years. It is not typically a fast procedure.

Soliai asked about the chances that mediation may happen.

Tucher said he was participating in mediation, which is not unusual for the appeals before the Ninth Circuit. Sometimes the court can order mediation. In this particular case, both parties expressed an interest in participating in mediation. One should not assume that mediation will be successful; rather it is an alternate route for the parties to achieve a quick resolution because appeals take so long.

Simonds asked who conducts the mediation.

Tucher said the mediator is assigned by the Ninth Circuit and works for the court.

C. US State Department

Ebisui announced that the State Department representative, Michael Brakke, was not attending the Council meeting and referred Council members to the written report.

D. US Fish and Wildlife Service

Peck referred to the written report in the materials which includes information from other USFWS offices. The Wildlife and Sport Fish Restoration Program has recently notified recipient agencies that all the permits and authorizations are in hand to go ahead with in-water work such as Fish Aggregation Device (FAD) programs, marine surveys, data collection and recreational boating access grants.

1. Status of Executive Order 13792 Review

Peck reported on the status of EO 13792. He noted no progress since the last Council meeting. Secretary of the Interior Ryan Zinke provided his recommendations to President Donald Trump, which included all of the National Monuments that were part of the EO review, including the Marine National Monuments. The Administration has not taken any action nor indicated whether and when action would occur.

2. Reorganization of Insular Affairs

Peck said he knows about as much as everyone else who reads the press release on the reorganization of Office of Insular Affairs. Basically, it realigns two agencies within Department of the Interior including a new position for Assistant Secretary Douglas Domenech as both for Insular Affairs and International Affairs, which rolls into his purview the Office of International Affairs and the Ocean, Great Lakes and Coastal Activities Programs. It is possibly part of a larger reorganization within the Interior Department through Secretary Zinke, which is in the early planning stages. There have been proposals to realign the various agencies within the Department of the Interior by regional watershed boundaries versus state boundaries.

Simonds said she recently met with Nikolao Pula, the director of the Office of Insular Affairs, who said they have not heard if they have to change anything and are waiting for the re-arrangement to settle in. She also noted that she has asked Chris Oliver how NMFS is working with the USFWS on ocean and coastal areas, because that is also under the purview of the Department of Commerce.

Gourley asked if there is an update regarding the Mariana Monument Advisory Committee. He has not heard about it for four years, and there is nothing about on the USFWS website. He also asked if the Department of the Interior would possibly give management authority over the monument back to the CNMI.

Peck said he cannot speak to the issue and asked Tosatto if he had anything to add.

Tosatto said that the federal government is still interested in the Marianas and part of the EO was the review of the monuments by Secretary Zinke. The Marianas Monument was also considered under the EO that reviewed sanctuaries and monuments by the Secretary of Commerce. The agencies are awaiting decisions by the President on any changes to be made in any of those designations or expansions. Meanwhile, the partners' work continues; a draft environmental analysis and regulations have been developed but are on hold pending a decision or information that no changes will be made. The Advisory Committee will be re-engaged once a decision has been made. In the meantime, the Monument still exists, the regulations are still in place and permits are still being issued based on the status quo.

Gourley asked if the terms of the Mariana Monument Advisory Committee have expired.

Tosatto said he thinks Gourley is correct about members having term limits. With a consistent turnover of the government, department heads and individuals at Navy and USCG, they are looking to streamline the process to make it easier for the administrators to administer the Advisory Committee rather than the current process requiring Secretarial Designation in DC each time someone rolls over. He said Gourley may be correct that they do not have a constituted set of names. He will seek input from the Governor, Navy and Coast Guard to fill those seats when it is time to meet.

Gourley said the Advisory Committee is an important part of the monument and a part of the conversation when the monument was formed, but nothing has happened over the last four years. He asked if work is actively underway to formulate the Advisory Committee or if everything is on hold until release of the second report on the future of the monuments.

Tosatto said it is hard to say no work is going. When needed NMFS engages with the appropriate government officials as co-managers versus the Advisory Committee. The management plan has advanced to a point that, absent the EO, it might have been released by now. Staff is currently developing the federal regulations to implement the management plan, which is based on status quo.

Gourley asked how long before the draft plan will be made available to the public for review and comment.

Tosatto said it is hard to say at this point, but there would likely be a comment period of greater than 60 days and a series of meetings in Saipan, Tinian and Rota.

Gourley said to not forget about Guam as it has a vested interest.

Lutu-Sanchez asked for any information showing improvement in marine resources as result of marine protected area (MPA) designations such as sanctuaries and monuments.

Peck said he is not aware of any comprehensive summary report specific to the Rose Atoll monument designation and what has improved. There are pieces to the puzzle such as green sea turtle nesting and their cyclical life history, but the USFWS could see what data is available if there was a request.

Lutu-Sanchez said there is concern that, if those areas are closed to fishing, then the information should be shown on conservation benefits and that a request should be made.

Sensui asked if the reduction of the Bears Ear National Monument, which has been met with claims that it opens up those areas to gas and exploration and uranium mining, whether that undermines efforts to reduce the size or change the access to the Papahānaumokuākea Monument, in terms of negative public perception.

Tosatto said he cannot suppose how public opinion would affect the decision-makers, but the intent of one of the EOs is to assess the cost of lost opportunity by closing these areas. A more important piece is if a lawsuit challenging the presidential powers to make changes to monuments works its way through a court system and comes to a decision.

Sensui said fishing would not do any physical damage or harm to the area, which is important to get across.

Simonds said NMFS completed its package of recommendations to the Secretary of Commerce, but there's been no action from the Secretary's Office on the Energy EO or on any other EO.

Ebisui asked for additional questions or comments.

Simonds said reference was made to the State Department's report in the briefing materials, but the discussion was skipped. She asked to bring attention to an issue in the Brakke's report. At the last Council meeting, there was a discussion on the United Nations initiative on Biodiversity beyond National Jurisdiction (BBNJ). Concern was raised because there is an

agreement to look at closing sections of the high seas. Prior to this meeting, Brakke was asked to provide information in his report on how the United States voted within the UN on this matter. His response was that the resolution related to convening an international conference on BBNJ was adopted without a vote, so the United States did not vote either way, nor did the United States join in co-sponsoring the resolution.

E. Enforcement

1. US Coast Guard

Disque introduced District 14's chief of enforcement, Cmdr. Riley Gatewood, who recently arrived from Cape Canaveral, Fla, where he served as the commanding officer on the USCG cutter *Vigilant*. He has served on five cutters, two as commanding officer; did a tour in the Middle East for Enduring Freedom; and was an officer in charge of a tactical law enforcement team.

Disque reported on USCG activities since the last Council meeting. There were 13 surface deployments of cutters and two C130 deployments in support of fishery operations. Ten operations focused on domestic enforcement, and five were more positioned for international enforcement operations. This year marks the 10-year anniversary of Operation Kohola, a successful joint operation between the USCG, NOAA and the State of Hawai'i Division of Conservation and Resources Enforcement (DOCARE), with a goal to promote awareness and enforcement for the Hawai'i Islands Humpback Whale National Marine Sanctuary. Eric Roberts, who was in the audience, initially authored that operation, which is still going strong. The Coast Guard has officially commissioned two new fast response cutters; the most recent was the *Joseph Gerczak*. These cutters bring a remarkable amount of improved enforcement effort. Other districts that have already had them have shown extremely improved numbers in their response efforts to both enforcement and search and rescue. A third one will be following next year, and then Guam will get three eventually after that. Currently, the Coast Guard is supporting Operation Rai Balang, which is a Forum Fishery Association-led program in Oceania designed to combine the strength of all the partner nations looking for illegal, unreported and unregulated (IUU) fishing in that region. The USCG is supporting that operation with air and surface assets, intelligence and coordination.

Disque said this is his last meeting representing Rear Adm. Atkins, who will be replaced in May. Rear Adm. Atkins extended his gratitude to the Council for its support to the Coast Guard and its efforts in fisheries management.

Lutu-Sanchez said a couple of months ago a derelict vessel floating within the US Exclusive Economic Zone (EEZ) around American Samoa was reported to the USCG by US longline vessels. She asked about the procedures when a vessel comes across such hazards. It was burnt out with no lights. They reported it but did not get a response. Later the vessel grounded on the shore off American Samoa.

Disque said he is not an expert on these issues, but that he was familiar with the case. The foreign fishing vessel was in international waters. Based on those circumstances, it falls as a matter of the Flag State and the owner of the vessel to take care of the problem. The USCG

considers that marine debris. Marine debris by the tons is floating around the ocean, and the USCG can't track and monitor all of it.

Lutu-Sanchez said that luckily one her vessels came across the derelict vessel during daylight and that it was inside the US EEZ. She asked if there are procedures to follow; because there are no USCG assets there to assist, another fishing vessel would have had to go and assist.

Disque said, although it was in the US EEZ, that doesn't mean it is not still in international waters. The USCG could do a broadcast Notice to Mariners, but he was not sure that the USCG did that or not.

Soliai said it is sad that the vessel was not prevented from coming ashore and has become a big environmental issue when steps could have been taken before the vessel ran aground. He commended the USCG for upcoming outreach in Apia to support direct deliveries of vessels based there to the Territory. There is apprehension from some vessels to deliver fish to Pago Pago because of USCG enforcement.

Disque said feedback on the USCG's work on prevention and outreach is welcomed.

Sesepasara said the USCG outreach for vessels in Apia is good. Last December, he met with officials from Samoa's Ministry of Agriculture and Fisheries, in which they mentioned that vessels fear delivering to the cannery because of USCG regulations. On the issue of the derelict vessel, Sesepasara said sharing information is important to prevent future incidents and noted that the Coast Guard responded quickly on helping to remove all of the hazardous materials on the grounded vessel. The vessel caught fire on November 11 in Kiribati water, and the company's sister vessel rescued the crew and left the vessel to drift. It is surprising that it drifted to waters off American Samoa. He said he believed a boat towed the derelict vessel towards American Samoa and it ended up on the reef during Cyclone Gita. Something should have been done to track the vessel.

Disque acknowledged that the case originally happened outside of USCG jurisdiction and search and rescue response zone. The USCG was not familiar with the case until the vessel was drifting towards American Samoa.

Simonds said it is odd, regardless of whether the vessel was inside or outside the EEZ, that the USCG did not do something about the vessel that grounded on the reef.

Disque said the policy is outside of his expertise, but that as marine debris, the USCG does not track it and does not monitor every piece of marine debris that is reported.

Simonds said she understood that; however, this is a vessel that the Council should write a letter about it.

Duenas said USCG personnel were out in Guam to do private aid to a navigation assessment and met with fishermen. There was a good exchange of information. He asked if the USCG is willing to do the assessment annually rather than every three to five years.

Disque said he understood.

Lutu-Sanchez said the Marine Safety Detachment officers in American Samoa were helpful during Cyclone Gita in praying with her because if something happened to her vessels at sea there is nothing that could have been done other than pray. The government has made several requests for an asset to be stationed in American Samoa. Acknowledged that funding is limited, she asked if whether the Coast Guard could incorporate a plan for assets to be nearer during such events because the closest rescue is New Zealand.

Disque said they deploy to American Samoa as often as they can and are working on plans to deploy the new fast response cutters to further regions once all six are stationed in District 14 and to get them to American Samoa on a more regular basis. There should be more USCG presence in the future as those resources become available.

Sesepasara said the request should be for the USCG to time its visits with hurricane season, which is December to early March.

2. NOAA Office of Law Enforcement

Bill Pickering reported that, from Oct. 1, 2017, to Jan. 31, 2018, the US Pacific Islands region recorded 203 incidents. Currently NOAA Office of Law Enforcement (OLE) is in the middle of one of its heavy times from December to about April 1 due to humpback whale enforcement. Several years ago, research by Special Agent Thomspson indicated that 500,000 tourists visit Maui between January and April. NOAA OLE spends a lot of time on Maui during the whale season and relocates its small boat patrol there.

Pickering highlighted a new contract with a vessel monitoring system (VMS) provider that is beneficial cost-wise and includes a per unit warranty of four years. NOAA OLE owns the units within the region, which is different than anywhere else in the United States.

Pickering said Joint Enforcement Agreement (JEA) partners from around the region recently met in Silver Spring, Md. The local JEA partners are typically represented by the heads of the agencies, but they also bring the administrative people that do the billing, which is important given all the deadlines. Sometimes untimely administrative processes, such as invoicing, are not completed before the JEA expires, resulting in unspent money. Several jurisdictions treat the funds like a grant, which JEAs are not; the funds can be used for equipment, patrol hours, salaries, uniforms, etc.

Duenas said one of the recommendations of the Guam Advisory Panel (AP) was for local agencies with patrol vessels to build their own docks for those vessels as they take up dock space. He asked if JEA funds could be used to build docks for patrol vessels.

Pickering said he did not know which local Guam agency they have been working with, either Guam Agriculture or Maritime Interdiction Task Force, on a boathouse with JEA funds. The main thing is to identify the need and get the funds committed. He said the JEA with Guam is only around \$210,000 annually. The Guam JEA is currently being negotiated for 2018; he would take this issue back for consideration.

Sesepasara thanked Pickering for the meeting in Silver Spring. His deputy director attended and learned a lot. He said the DMWR had not submitted on time in the last few years.

3. NOAA Office of General Counsel, Enforcement Section

A summary of the report was presented for Duane Smith in his absence. The F/V *Cape Cod* was assessed a penalty of \$595,000 for fishing on a FAD during the FAD closure. There are a few longline cases with penalties not very high and one LVPA case. Members were encouraged to read the report and talk to people who have been violating area closures.

Ebisui said that it looks like a lot of purse seine violations for setting on dolphins, whale sharks, and FADs during closed season.

Lutu-Sanchez said the fishing vessel listed as having violated the LVPA is not an active or operating vessel based out of Pago Pago.

F. Legislative Standing Committee Recommendations

Gourley reported that the bill in the House of Representatives on MSA reauthorization has changed since HR 200. Congressional action will likely be on hold as this is an election year, so there is not much movement.

Ebisui said the Council was ahead on the agenda with regards to time, so Council staff will present on a bottomfish management and enforcement matter.

Simonds said that at the SSC meeting it was noted that about 50 percent of the main Hawaiian Islands (MHI) bottomfish catch is unreported, which led to questions on whether there are problems with the permitting process or enforcement.

Mark Mitsuyasu, Council staff, presented information related to federal bottomfish permits for Guam, CNMI and Hawai'i. In Guam, federal permits are required for vessels over 50 feet, whereas permits are required in CNMI for any size vessel bottomfishing. In Hawai'i, federal permits are required for non-commercial bottomfishing within federal waters. The number of permits issued in Guam and CNMI has always been low and has fluctuated a little bit over time. For CNMI, there is a general belief that more bottomfish vessels are operating in the CNMI area than what is reflected in the number of federal permits issued. In Hawai'i, there was a pulse of non-commercial permits issued when the regulations were first implemented, but since then it has trailed off. Hawai'i Division of Aquatic Resources information indicates that there is a difference between the dealer reports and Commercial Marine License (CML) reporting and that around 300 more registered bottomfish vessels than CML reporting bottomfish vessels. One federal noncommercial Hawai'i bottomfish permit issued was in 2017 and none for 2018. Mitsuyasu reiterated that 50 percent of catch is not being sold and/or attributed to the noncommercial sector and this is something to look into given the low numbers of federal non-commercial permits in Hawai'i.

Sensui asked if the State of Hawai'i was moving forward with a vessel CML license instead of an individual CML license requirement as it has now.

Okano said he will cover that issue under the Hawai'i section of the agenda.

Roberto said the number of bottomfish vessels listed for the the CNMI is based on the expansion of data collected from the creel survey. He did not think there are that many fishing. There seems to interest in the permit; people come out and talk about it but then it dies off. There is a lot of bottomfish fishing, but not all of it is commercial.

Okano said. for Hawai'i, it is understood that with the CML there is no bag limit as opposed for noncommercial fishermen and further that he does not know how the increased cost of a CML will affect the issue of noncommercial fishing.

G. Public Comment

Karolina Sanchez commented on public opinion and what people would think if the monuments are reduced or taken away and said outreach is important. She said she helped at an educational booth last year, and people misconstrued a lot of what the Council does. She said she understood that the US Coast Guard, which has 45,000 personnel, does not track marine debris, but NASA with 3,500 employees tracks everything space. This is not the first time a large vessel has washed onto the reef of American Samoa. She said the US Coast Guard should implement something. Regarding the LVPA, she said that it needs to be fixed again and that she disagrees with the Court. She concluded that her mother was up for three days straight trying to help her vessels during the cyclone and it would be great if the US Coast Guard could lend her some assistance so she didn't die from exhaustion.

H. Council Discussion and Action

Regarding the Rose Atoll Marine National Monument and National Marine Sanctuary, the Council requested that NOAA and USFWS provide a report to the Council that reviews results and benefits to fish populations, protected species and coral reef, deep-slope and pelagic ecosystems from the establishment from the monument and sanctuary.

Tosatto said the proper name is the National Marine Sanctuary of American Samoa.

Eric Kingman, Council staff, said that the motion does not have a timeframe.

Peck said he cannot commit to responding to the request with a deadline. The response will be a data summary of existing knowledge and will not provide a definite answer about the benefits of a sanctuary or monument.

Simonds said the letter to the USFWS will say as soon as possible. She asked if it would press the button for statistics.

Tosatto said it is not just pressing the button. Some coordination will be needed. A thoughtful response will require staff time. If the Council gave a request to have it for the June meeting, they would endeavor to have it at the June meeting.

Gourley asked if they would able to give a presentation instead of just a report.

Ebisui asked the makers of the motion to consent to modify the motion.

Lutu-Sanchez and Soliai agreed.

Moved by Lutu-Sanchez; seconded by Soliai.

Motion passed.

*Regarding the derelict foreign vessel recently grounded off Leone, American Samoa, the Council **directed staff to write to the USCG to request information on its policy regarding the at-sea tracking of abandoned, derelict vessels.***

Lutu-Sanchez said she was not sure if at-sea tracking would be possible, but beyond that is informing ocean users about derelict vessels. She said the USCG can issue a notice, but people need to be made aware that a dangerous thing is floating around their vicinity.

Ebisui said Disque did mention Notice to Mariners on VHF.

Disque said that the USCG can do a Notice to Mariners and would provide a response to the Council's recommendation.

Moved by Seseparasara; seconded by Lutu-Sanchez.

Motion passed.

*Regarding the lack of USCG assets stationed in American Samoa and safety at-sea concerns, the Council **directed staff to write to the USCG to request that visits by its vessels to American Samoa coincide with the American Samoa cyclone season.***

Motion made by Seseparasara; seconded by Lutu-Sanchez.

Motion passed.

*Regarding enforcement of federal bottomfish permit and reporting regulations, the Council **requested the federal and local enforcement agencies in Hawai'i and CNMI to assess potential noncompliance with Federal bottomfish permitting and reporting regulations in the Western Pacific Region and to develop a plan of action to address this issue.***

Seseparasara questioned why Guam was not included.

Mitsuyasu said it would be okay to add Guam. The permit requirement is for vessels over 50 feet in length, and there is little activity related to that. The main issue is permits and bottomfish fishing around CNMI and noncommercial fishing around Hawai'i.

Motion made by Gourley; seconded by Soliai.

Motion passed. Okano abstained.

VI. Hawai'i Archipelago and Pacific Remote Island Areas

A. Moku Pepa

Goto provided an update on the end of the calendar year for the longline fishery from the market perspective. Thanks to the arrangement with CNMI and American Samoa, the fishery was able to get through the holiday season with a good amount of bigeye tuna coming in, making it a successful Christmas and New Year season. 2018 started with high catch rates but has since tapered off. There has been a lot of effort in the Eastern Pacific early in the year, which is not common. He noted issues with the shallow-set fishery, which would be discussed under the pelagic section. There is not as much effort coming out of Hawai'i as they traditionally see, which has been a trend over the last few years.

Goto presented on a program that the United Fishing Agency developed with Tri Marine and Samoa Tuna Processors about a year ago. A forced shutdown of the plant displaced a lot of workers from both American Samoa and neighboring Samoa. He put together a program with the help of NMFS PIRO and NOAA Grants to recruit and relocate some of these American Samoa workers to work for the United Fishing Agency in the Honolulu fish auction. He visited Pago Pago and met with the Samoa Tuna Processors general manager to start the recruitment process. He later met with the government's Department of Human Resources director, who assisted him in sourcing labor from American Samoa. He went on television in American Samoa to pitch hiring of American Samoa workers. He was later visited by Gov. Lolo Moliga and his staff to see the operation and get a grasp of what he was looking for from the workers. In December/January, he brought in two workers, Tagaiivasa Tipa and Angelo Pataulie. As part of the program, they paid for the flight and took care of housing, which is near their operations. They started training with unloading vessels and have various duties including sorting and distributing fish. There will be additional training going forward; since they both have forklift experience, they will get trained in that area as well as get certified in Hawai'i under the Occupational Safety and Health Administration. He said they bring a wealth of experience from their days in the cannery so it made a lot of sense to target these workers for this program. Goto said that he can only have the two workers for now as the housing situation is hard to arrange. He will review the program at the end of the year to see what and who are available. The two employees were excited to come over to not only work but also raise their families in Hawai'i. He thanked NMFS PIRO for the opportunity.

Sesepasara said that it is a great program and asked Goto if the employees are working at the fish auction.

Goto replied yes and explained that they are on a one-year work contract with housing and airfare provided. If at any point they felt like it wasn't working out, they would be flown back to American Samoa free of charge. At the six-month point, each worker will fly to American Samoa to visit their family for a week. The transition has not been easy for them, but they understand it is in their best interest to maintain this work and the connections so it is a win-win on both sides.

Sesepasara said it is great for the individuals and asked if Samoa employees qualify.

Goto said that is something they are looking at long-term, but under the NOAA grant they could only hire US citizens and nationals. He understands that the majority of the cannery workers come from Samoa, so a transition into a program like that, separate from NMFS, is something they would consider. He was able to set up a good network with the government and wants to maintain that network to make sure any opportunities that become available can be provided to them.

Soliai commended Goto on the project and said that to see this project come to fruition is a testament to the commitment and the dedication of himself and the United Fishing Agency in helping to provide assistance to the people and his community. He thanked Goto for making it happen.

Anderson provided the State of Hawai'i's report. They are monitoring a number of Marine Life Conservation Districts (MLCDs) across the state to determine the effectiveness of the rules and identify problem areas. Since last October, they have surveyed five of the 11 MLCDs. They do fish surveys and count fish to come up with estimates of biomass and identification of species present. In regards to FADs, a couple went missing in October, one in November and eight in December; only one FAD was replaced and one FAD was recovered. They plan to replace the missing FADs, particularly those that are close so small boats can get to them; they will attempt to recover some of the off-station FADs that are drifting around.

He reported on the bottomfish fishery. The catch limit is 306,000 pounds, and, as of February, 307 licensed bottomfish fishermen made 1,400 trips and landed 165,000 pounds, or close to 54 percent of the limit. The Hawai'i Marine Recreational Fishing Survey is still active; since October they have had 700 angler intercepts at both boat ramps and beaches. They have reduced some staff time spent on this; most of the staff is on a half-time basis because of funding constraints. He also mentioned the state's coral bleaching recovery plan that was a result of the 2014-15 bleaching events. There is not much they can do about the change in temperature so efforts have been focused on trying to help corals recover and creating optimal conditions for that to occur. Permanent monitoring sites are being monitored; surveys in 2017 showed that while there has been some recovery at some of the sites, coral continued to decline slightly at most sites. After bleaching events, coralline algae and turf replaced live coral at most of the monitoring sites so they are looking at having enough herbivores in that area to keep the algae under control.

Anderson reported that the CML fee was raised from \$50 to \$100 annually, effective Jan. 16, 2018. So far the response has been good response with not too many complaints as the license is still relatively cheap compared to other parts of the world. This was the first increase since 1999; the revenues that are being generated are deposited into a special fund to help support the licensure program and data collection.

He also reported that last year the Supreme Court ruled that individuals who apply for a commercial aquarium permit are required to comply with the Hawai'i Environmental Protection Act and ordered the State to stop issuing permits. This essentially shut down fishing in West Hawai'i because the ruling was tied to the small-mesh net permit and traps. The West Hawai'i fishery has declined by nearly 85 percent. The State submitted two draft environmental assessments for review in order to meet the Supreme Court requirements. There is a 30-day

notice comment period on the reports and then a final environmental assessment will be prepared based on those comments and submitted to the court as a final disposition and to get a ruling on whether the fishery can resume.

B. Legislative Report

Anderson provided the legislative report and focused on those bills that impact fisheries in Hawai‘i. There is a bill to establish a network of MPAs; however, the State is already working on establishing high priority areas through a Marxan process that looks at stressors to find areas of high stress. Another bill would ban the sale and distribution of sunscreens that contain oxybenzone or octinoxate. The bill bans the sale and distribution only in Hawai‘i. Those sunscreens can be bought anywhere else by Hawai‘i’s nine million visitors annually; without outreach and education, it may not make any difference. Two bills would have established a noncommercial fishing license, and another bill would have provided the department with the authority to establish a vessel license. Unfortunately, those bills did not pass out of committee. He said he hopes to go out to scoping meetings to present various options with the working group that put together a feasibility study on noncommercial licensing. They would strongly support a vessel license where one person was responsible for providing the catch reports and there wouldn’t be a burden for fishermen to find a crew that all had commercial licenses.

Sensui asked if this was the first time the legislature has seen a noncommercial license bill.

Anderson said it is the first time that he knows of that a noncommercial license bill has had a hearing in both the house and senate. It received better support than anything that they’ve had so far. The bills were different, but they move so obviously there is an interest.

Sensui asked if SB2845, relating to food sustainability and expanding the State’s priority on food to include wild seafood as a viable food source, was still alive.

Anderson said the bill went through its first round of hearings and it is still alive. Their comment on the bill was that fishing should be counted and considered as they look at sustainability and that it can’t be done to an unlimited point so there needs to be management.

Goto asked if the State has funds to hire sunscreen police or enforcement.

Anderson said that they are looking for DOCARE officers so he can apply if he’s interested. He reiterated that the bill bans the sale and there is no enforcement language in the bill. He said it is not clear how they are going to enforce it.

Sesepasara said that Anderson mentioned that millions of tourists come to Hawai‘i and buy fishing rods and go out fishing and have no idea of fishing regulations in Hawai‘i. He asked if it is possible to require the tackle stores to provide education on existing regulations.

Anderson said that might be an approach but not a requirement as you can buy fishing gear from anyplace, but there needs to be some way to reach fishermen that come to Hawai‘i.

Sensui asked about a bill that mandates the use of good science to develop fishery rules and if it is still alive. He said it seems a lot of legislation is driven by opinion and not good information; in order to have good management of anything you need good information.

Anderson said it is still alive and they certainly support better fisheries management.

C. Enforcement Issues

Anderson said that there was no enforcement report but an initiative that their chief enforcement officer has put in place is an Enforcement Academy. The chief is training DOCARE workers now. It is the first of its kind anywhere, and they hope they can recruit and retain some much better enforcement officer from this academy. He also reported that a lay gillnet fisherman was caught laying 1,200 feet of net in Kane‘ohe; the fishermen had been cited several times for similar violations. The issue will be taken much more seriously with the fisherman, and prosecution of cases where people are blatantly ignoring the laws would be increasing. He also noted that an app was developed that can be downloaded to report violations electronically with responses provided back from the department depending on the result of the investigation. The app will make it easier because currently people do not know who to call and they do not know if the enforcement officers got the message or the disposition of the investigation. He said it will make it a lot easier for people to notify and report potential violations.

D. Community Issues

1. Report of Puwalu Umi

Charles Ka‘ai‘ai, former Council staff, presented on the recent Puwalu that the Council held in November 2017. He provided the history of the Puwalu series of conferences that first started in 2006 and reviewed the purpose and outcomes of each Puwalu. The impetus for the Puwalu was to gather practitioners to find a way that they could advise the Council on traditional marine practices. Initial outcomes of the Puwalu were resolutions to begin a process of upholding traditional land and ocean practices, the development of lunar calendars, protocols for working with traditional practitioners, and the Aha Moku process. The latter Puwalu were focused on developing the framework for community consultation and incorporating appropriate traditional knowledge and protocols into management of resources.

A lot of work was put into all of the Puwalu by the Council and the participants both inside and outside of the conferences with statewide meetings culminating in a report to the legislature by an Aha Moku Advisory Commission. Smaller Puwalu were held on each of the islands, supporting the Council’s goal of ecosystem-based management and the Council’s Fishery Ecosystem Plan. The latest Puwalu, Puwalu Umi, addressed the problems faced by the different island councils, including declining participation, a lack of organization and flagging momentum. The result of Puwalu Umi was a renewed commitment to the Aha Moku system and a new effort to recruit the next generation of practitioners and enlist the younger generation with increased knowledge of policy and law to capture their vigor and energy. The Council has supported this effort from the very beginning along with many partners including the Hawai‘i Tourism Authority and Hawaiian Civic Clubs. What the practitioners need is a greater support from the Hawaiian service agencies like the Office of Hawaiian Affairs, the Department of

Hawaiian Homelands, the Ali‘i trusts and even the State of Hawai‘i because they need access to funding to continue operating. They also need to recruit new people to make a greater effort in organizing a committee that is supportive and responsive to their constituents. The seed is planted and will hopefully continue to grow.

Sensui asked how the ‘Aha Moku will work in terms of fishery management and what DAR is doing.

Ka‘ai‘ai said the ‘Aha Moku is commissioned in the DLNR so the ‘Aha Moku would be a part of that process and make recommendations to the agency on issues.

Simonds said each island has continued to work within the ‘Aha Moku system and the Council continues to hear from them about their issues, which the Council can promote in terms of management of the resources.

E. Identifying Priority Areas for Effective Management of at Least 30 Percent of Hawai‘i’s Nearshore Waters

Anne Chung, University of Hawai‘i, Hawai‘i Coral Reef Initiative, reported on the state’s attempts to develop and finalize a plan for having 30 percent of Hawai‘i’s waters effectively managed by the year 2030 (30x30). This was part of the Sustainable Hawai‘i Initiative put forth by Gov. David Ige at the IUCN World Conservation Congress in 2016. Effective management is when existing uses are sustainable or meets the current needs without compromising future needs. The aim is to increase the sustainability in Hawai‘i by setting concrete, measurable targets for both private and public sectors. A clause was added to the commitment to ensure a healthy nearshore ecosystem and fisheries that sustain the people and economy. Hawai‘i depends on the nearshore marine ecosystem for livelihoods, food, recreation, tourism and cultural values so it is important to protect the ecosystem both now and into the future.

Chung provided a background for the need for protection, noting the bleaching events of 2014-15 were a wakeup call to managers that things can happen that are out of their control. The State has been managing the nearshore environment with MPAs, monitoring restoration, statewide rules, size and bag limits and outreach/education. The 30x30 objective does not replace this management but evaluates current activities to make sure they are effective. The 30x30 vision is a healthy nearshore ecosystem and abundant fish that allows the people of Hawai‘i and visitors to enjoy nearshore waters, support local livelihoods and feed families. Plan development to achieve the goals started in 2016 through scoping meetings and an interagency steering committee. They are currently developing and writing the roadmap and fleshing out details with the steering committee over the course of the year. The goal is to have an internal version of the plan ready by October with a public version available to share by December 2018.

Chung said the plan paves the way for implementation of the actions between 2019 and 2030. It also has the ability to track the progress of those actions to measure the success of the plan and actions. The plan includes four basic components with guiding principles and indicators or metrics. These components reflect the main objectives of the plan that include focusing in areas of high resource value, implementing fisheries rules and restoration programs, encouraging

responsible behavior through outreach and enforcement, and monitoring and analyzing the indicators.

She provided an overview of the initial work done on the plan and described the objectives being considered. She reviewed the spatial planning process to identify focus areas and the objectives and design principles used. All of the compiled data were put into a software program called Marxan that provided heat maps highlighting important areas based on the data provided. The State can use this information to develop rules, if necessary, collaboratively with its partners and stakeholders. She noted the participation of the Council on the steering committee and in the workshops that were convened last year and said there are opportunities for project updates to the Council in the future.

Ebisui said the process appears to lack consistency. The project speaks about doubling food production and supporting sustainable fisheries, but, at the same time, the State supported shutting off the longline fishery from 500,000 square miles of EEZ in the region and that neither promotes local production nor does it support sustainable fisheries. In the end, there needs to be an overview of consistency between the principles and goals expressed in the 30x30 project and the actions by the government.

Gourley said that this is reminiscent of the Micronesian Challenge in the Marianas. He asked if she had a base report that identifies particular issues of management concern or identified problems in the regulations or if the 30x30 wings it throughout the process.

Chung said, as they identify the indicators, they will pull together a plan to write the baseline so that they can identify where they're at now, why it's important and identify reference points for where they want to get to.

Okano said a major problem in the past few years was coral bleaching, so that is just one example of a problem being addressed.

Chung said that there are some similarities to the Micronesian Challenge in terms of the goals and certain aspects, as they initially looked at other processes to see what they could learn from them and are working to set up a learning exchange with the Micronesian Challenge.

Gourley said the Micronesian Challenge also used the term effective management but when they were calculating the status of how they were going to reach the 20 percent, effective management was not limited to MPAs, although there are many that equate effective management to no-take MPAs.

Anderson said the Office of Hawaiian Affairs is on the steering committee and the 'Aha Moku can also participate if they are interested. It is being held in the spirit of openness. Others have commented about the adequacy of existing data and identifying problems. The Hawai'i Monitoring and Research Collaborative is creating a huge database of all of the monitoring data from all research done in Hawai'i in a form so data can be compared against each other and from one place to another. The governor has made it clear that this is not about closing areas to fishing; they are making that point abundantly clear.

Sensui asked where the governor got the idea that Hawai'i is overfished, as he mentioned in his address to the IUCN.

Anderson said that the only thing they told him is that the State needs more regulation and better management in certain areas because some practices may be damaging.

Sensui said that Anderson mentioned at a fishermen's meeting that MPAs were a lazy man's way of managing fisheries and asked if he still believed that.

Anderson said there are some good uses for MLCDs and no-take areas; they work well in some areas to reduce user conflicts but he does not see it as a solution to all problems and thinks that better management is what should be focused on. He said that does not preclude the possibility of future closed areas if that is the best management tool to meet the objectives.

Sensui said a lot of things can affect shoreline and habitat quality. He asked if the State is working with all of its agencies to control things, like runoff, that could affect water quality.

Chung said other parts of the 30x30 initiative will be working on land-based sources of pollution and those types of priorities.

F. Main Hawaiian Islands Deep 7 Bottomfish Fishery

1. Report on the Main Hawaiian Islands deep 7 bottomfish stock assessment review

Ben Richards, NMFS PIFSC, presented on the WPSAR review of the 2017 benchmark stock assessment for the MHI Deep 7 bottomfish complex. The WPSAR review panel was chaired by SSC member Steve Martell and included Cathy Dichmont and Henrick Sparholt as review members. The panel noted the outstanding efforts by NMFS PIFSC in preparing the documentation as it was clear and concise, as well as the members of the public and fishing community in their detailed discussions to bring the panel up to speed on the nature of the fisheries operations. Overall, the data filtering and CPUE standardization methods used in the current assessment are much better in comparison to previous methods.

Richards provided the details of the review, which included data filtering, CPUE standardization, model specification and configuration, assumptions of uncertainty and documentation, estimation of stock status and management goals. The stock assessment itself focused on five major activities: data filtering, CPUE standardization, development of a fishery independent index of abundance from the NMFS PIFSC bottomfish fishery independent survey, and the fitting of a biomass production model and then projections on stock and catch. He reviewed the Terms of Reference. The review panel agreed the terms were fulfilled but did not agree that the original base model was appropriately specified and configured. After NMFS PIFSC made changes during the review, the panel agreed that the new base model was appropriate. While the panel recommended that the original base case model not be used for management, the new base case model that was developed during the WPSAR process could be used to provide management advice.

The panel was also asked to provide recommendations for future improvements and research priorities. The panel made several recommendations that involved the continued inclusion of the bottomfish fishery-independent survey, improvements in the data filtering, the exploration of alternative classification models, improving CPUE standardization, exploring other parameterizations of the surplus production model and the use of alternative software, including non-Bayesian methods, for future assessments.

Simonds said the process works and she is happy that it does.

Sensui recognized the fishermen who were involved in the work. That kind of cooperative research and involvement builds trust.

2. Stock assessment for the Main Hawaiian Islands Deep 7 Bottomfish Complex 2018, with Catch Projections through 2022

Brian Langseth, NMFS PIFSC, summarized and provided the main results of the stock assessment for the MHI Deep 7 bottomfish complex. The time period modeled was 1949 to 2015, and projections were made for 2018 to 2022. This assessment is a benchmark, meaning that all assumptions can be revisited; the model and assumptions used were similar to the ones used previously but also included improvements in catch and effort data, model priors and assumptions and incorporating fishery-independent survey estimates. The assessment looked at an additional single-species only model based on ‘opakapaka.

He described the data used for the model and showed the patterns in reported catch by species. He provided information on how unreported catch is calculated by setting it equal to the reported catch for the recent years in the model. CPUE standardization for the model included workshops with fishermen to ensure that the data were reflective of the fishery. After the CPUE was standardized, it appeared higher earlier in the time period but has remained pretty even since about 1980 until a recent increasing trend in 2014 and 2015. The fishery-independent survey sampling was also used in the model to provide a total estimate.

Langseth said the model noting used a Bayesian state-space production model, which provided estimates of biomass and harvest rate over time as well as reference points. Every year biomass is produced and some of the biomass is removed by the catch, so the model keeps track of that. The end result is that the model produces reference points. The overfishing reference point (H_{MSY}) is termed the maximum fishing mortality threshold (MFMT); if the harvest rate in any given year is above H_{MSY} , overfishing would be occurring. The model also produces an overfished reference point known as the minimum stock size threshold (MSST). When biomass is less than MSST, the stock would be considered overfished.

He provided the results of the model for the reported catch noting that in 2015 there is a 16 percent probability of the stock being overfished and a 17 percent probability of overfishing occurring. Looking at the reference points and the Kobe plot, the fishery is in a state where overfishing is not happening and the stock is not overfished, according to the 2015 estimate. He also provided projections and said the main point of the projection is what catches in future years will result in various probabilities of the stock being overfished given what has happened since 2015. He explained the process for providing projections noting that catch is assumed to be the

same in each of the projected years and calculated projections for 2018 to 2022. The results allow managers to consider what catch would result in a chosen probability of overfishing. The higher the catch allowed, the higher the probability of overfishing.

He also presented the results of the single-species model using ‘opakapaka. He compared the results of the model to the Deep 7 bottomfish complex model and noted that the maximum sustainable yield (MSY) and biomass at MSY for ‘opakapaka is about two-thirds the value of the entire complex but the harvest rate at MSY is around the same as the Deep 7 bottomfish complex. He said the ratio of ‘opakapaka abundance to Deep 7 in the survey was about two thirds while the ratio in the catch data was slightly higher at 71 percent. The results show that what they see in ‘opakapaka is what they see in the Deep 7 bottomfish complex, ‘opakapaka is not overfished nor is overfishing occurring.

Ebisui thanked NMFS PIFSC for its support and the fishermen who participated in the fishery-independent research. The fishermen knew what was going on, including the weather, inefficiencies with hook and line and other natural limitations and always felt the fishery was healthy. He was glad to see science catching up and supporting what the fishermen knew.

Langseth said many contributed to this process and the involvement of the fishing community really assisted and helped to improve the stock assessment.

Anderson noted that the noncommercial catch is still a big question mark and that it’s been a consistent trend over time. He asked if that is an assumption made in this assessment.

Langseth said it is definitely a source of uncertainty that they want to look at but the ratios used in this assessment are the same as the last assessment. No new research has been done. If that changes in the future they would certainly want to look at it and account for it.

Anderson said he was impressed with all the data collected. It would help in making decisions on the State’s Bottomfish Restricted Fishing Areas (BRFAs).

G. Scientific and Statistical Committee Review of the Terms of Reference for the Western Pacific Stock Assessment Review of the Kona Crab Benchmark Assessment

Lynch reported that the SSC reviewed the proposed Terms of Reference for the Kona crab WPSAR review. The SSC found the terms to be acceptable and approved them. The SSC noted that the terms were flexible enough to allow for consideration of some additional production models that the SSC thought might be more appropriate. It believed that the Terms of Reference were sufficient for that purpose. The SSC recommended that Steve Martell serve as the chair of that WPSAR Panel, given his familiarity and willingness to do so.

H. Education and Outreach Initiatives

Sylvia Spalding, Council staff, reported on the outreach and education done in Hawai‘i since the last Council meeting. The Council continued to sponsor the talk show *Go Fish!*, which is hosted by Mike Buck and airs on the radio Saturday and Sunday. The Council co-sponsors it with POP Fishing and Marine. The Council provides people to be interviewed by Buck each

week; the topics covered change from week to week depending on what issues are important. Also, starting this year, the Council has a regular column each month in *Hawaii Fishing News* and the quarterly *Lawaia* magazine.

The Council hosted the OCEANIA Marine Educators Association committee that is organizing the 2020 National Marine Educators Association Conference, to be held in Honolulu. Spalding said 2020 is also the biennial year for the International Pacific Marine Educators Network Conference, which may be held in Honolulu as well. She also said that the Festival of Pacific Arts is going to be held in Honolulu as well so they are looking at scheduling the conferences so they dovetail with the Festival so participants can enjoy all three of them.

Spalding noted that the Fishers Forum include a lot of media publicity such as television, radio, social media, the Council's website and direct mailing. She provided an overview of the topic, panel and moderator for the Forum held as part of the 172nd Council meeting.

I. Advisory Group Report and Recommendations

1. Hawai'i Archipelago Fishery Ecosystem Plan Advisory Panel

There were no recommendations from the Hawai'i AP.

2. Scientific and Statistical Committee

Lynch provided the SSC report and recommendations.

Regarding the stock assessment for the MHI Deep 7 bottomfish, the SSC recommended exploring the use of a unified modelling approach based on for instance the Tweedie likelihood which was shown to be a better approach than a two-stage approach like the delta-Normal and may be able to better address area by year effects. The SSC continued to be concerned about the use of two separate models and then having to combine by post-model multiplication with the attendant problems with variance estimation for the combined model.

Regarding the stock assessment for the Main Hawaiian Islands Deep 7 bottomfish the SSC recommended that the raw time series data used in the CPUE standardization be made available to the Council for improving the data standardization modeling. The SSC further recommends these data be provided for further analysis by independent contractors and then report their results to the 130th SSC.

Regarding the stock assessment for the Main Hawaiian Islands Deep 7 bottomfish the SSC recommended the formation of the P* Working Group to determine the risk level at which the fishery will be managed based on the scientific uncertainties in the new assessment.

J. Public Comment

Ed Watamura thanked the members of PIFSC and the Council for collaborating with the fishermen and drawing out years and years of knowledge about this fishery. He said that the

collaboration was quite successful. He pointed out that the knowledge of one of the members, Leonard Yamada, has been a beacon lighting the way, and his interest in the science of bottom fishing has always been a passion. He said that this collaborative effort needs to be promulgated and repeated in the future because that's the best way to manage the fisheries. He said he hopes and thinks that it would be excellent that, going forward, the fishermen would be consulted not just for bottomfish but for any other fishery matters.

Ebisui added that this was the first-time that fishery-independent research was incorporated into a stock assessment. He said that's characteristic of this Council to never be afraid to do things for the first time. If it makes sense, he said, this Council will try it.

Simonds thanked Seki for supporting this collaboration. It was important because it never happened before. In the 1980s they worked together when the legislature was kind in charge of managing the fisheries. If it were not for Seki, this would not have happened. She said he gets the congratulations.

K. Council Discussion and Action

Regarding the MHI Deep 7 bottomfish, the Council endorsed the SSC's findings that the 2018 stock assessment for the MHI Deep 7 bottomfish complex to be the best scientific information available for the purposes of setting harvest level reference points and determining stock status.

Moved by Sensui; seconded by Goto.
Motion passed.

Regarding the MHI Deep 7 bottomfish, the Council recommended NMFS PIFSC explore the use of a unified modeling approach based on for instance the Tweedie likelihood which was shown to be a better approach than a two-stage approach like the delta-Normal that may be able to better address area by year effects. The SSC continues to be concerned about the use of two separate models and then having to combine by post-model multiplication with the attendant problems with variance estimation for the combined model. The Council requested a report on this exploratory analysis prior to embarking on the next benchmark assessment in 2024.

Moved by Sensui; seconded by Goto.
Motion passed.

Regarding the MHI Deep 7 bottomfish, the Council directed staff to convene the P working group to evaluate the benchmark assessment to quantify the scientific uncertainties and determine the level of risk of overfishing to set the harvest limits.*

Moved by Sensui; seconded by Goto.
Motion passed.

Regarding the MHI Deep 7 bottomfish, the Council directed staff to convene the Social, Economic, Ecological and Management Uncertainty (SEEM) Working Group to evaluate the management uncertainties and initiate the discussion on the potential

use of the carry over provision of National Standard 1 (NS1) in the management of the deep 7 bottomfish fishery.

Moved by Sensui; seconded by Goto.

Motion passed.

Regarding the Kona crab WPSAR, the Council appointed Dr. Steven Martell to serve as the chair of the WPSAR Panel for the 2018 MHI Kona crab benchmark stock assessment review on June 25-29, 2018, and endorsed the SSC's approval of the terms of reference.

Moved by Sensui; seconded by Goto.

Motion passed.

VII. Protected Species

A. Report of the Albatross Workshop

Jeffrey Polovina, PIFSC, reported on the albatross workshop that was organized by the Council and held at the Council office on Nov. 7-9, 2017. Seabird bycatch mitigation measures implemented in 2001 in the deep-set longline fishery effectively reduced seabird interactions. However, albatross interactions, especially black-footed albatross interactions, have been increasing recently even after controlling for fishing effort. The goals of the workshop were to review the recent increase in black-footed albatross takes by the deep-set longline fishery, explore factors that may have influenced this increase, evaluate potential impacts on the black-footed albatross population and provide input on future data collection and analyses. Twenty-eight participants attended the workshop.

A paper by Eric Gilman and colleagues that analyzed 10 years of data on albatross interactions in the deep-set longline fishery formed the basis for much of the discussion at the workshop. In this paper, Gilman et al. found a correlation between interaction rates and number of seabirds attending vessels and El Niño–Southern Oscillation (ENSO) phases.

Early in the year, the deep-set longline fleet typically operates between 25°N and 30°N, which is the transitional zone between westerly winds and trade winds during neutral ENSO phases. During an El Niño event, the westerlies shift south into the fishing grounds; during a La Niña event, the trade winds shift north into the fishing grounds. El Niño events result in increased productivity within the deep-set longline fishing grounds; La Niña events result in decreased productivity. More productive waters during El Niño events may attract more birds to the fishing grounds. In addition, albatross distribution patterns are influenced by wind patterns, and albatross tend to travel further east when the dominant winds are westerlies, which result in more time spent on fishing grounds. These two mechanisms may act together to increase the number of seabirds attending fishing vessels during El Niño events and thus interaction rates.

Of the black-footed albatross that interact with the fishery, 80 percent are mature birds, while mature birds comprise 70 percent of the population. Based on population models, if the recent increase in albatross interactions is limited to the deep-set longline fishery or is episodic due to environmental variability, the ratio of mature to immature birds caught will have a

negligible impact on population size. If the increase occurs in other fishing fleets and is permanent, then the black-footed albatross population is likely to decline at a rate of 12 percent per year. There is currently no evidence that other fisheries are experiencing the same increase in albatross interactions.

The next steps following this workshop are to publish the workshop report, continue monitoring interactions to evaluate the environmental variability hypothesis, continue colony counts to monitor abundance and validate the population model, complete banding studies to update demographic data that are included in the population model, begin a satellite tracking study, evaluate historical tracking data within the context of fishery overlap and interaction models, and move towards building a spatially-explicit integrated population model.

While there is no evidence that application of mitigation measures has changed over time, the rate of captain turnover in the fishery is high. Outreach to these captains is important to ensure their understanding of the importance of mitigation methods. The workshop results will be incorporated into the Stock Assessment and Fishery Evaluation (SAFE) report review process.

Goto thanked Polovina for pointing out the high rate of captain turnover in the fleet and the importance of the industry educating new captains on seabirds and other protected species.

Simonds asked how far albatross go beyond the US EEZ.

Polovina said they are known to go as far as California and the Gulf of Alaska. How far they go depends on where they are in their breeding cycle and the age of their chicks.

Simonds asked whether there is any research on albatross interaction rates in foreign fishing fleets that operate on the same fishing grounds.

Polovina said getting interaction rate data from foreign fishing fleets is important. There was some discussion and a breakout group on that topic at the workshop, as well as the presence of Japanese scientists.

Asuka Ishizaki, Council staff, said the workshop showed the lack of information on seabird bycatch rates outside of the US fishing fleet. The WCPFC observer coverage and seabird requirements that were recently implemented should improve the data coming from Asian fishing fleets within the next few years.

Sesepasara asked whether other fisheries, such as the purse-seine or troll fisheries, have had similar problems with albatross interactions.

Polovina said that albatross generally dive for surface baits and hooks and are unlikely to interact with the purse-seine fishery.

Sesepasara said he has personally seen albatross dive for his lures while trolling.

Polovina acknowledged that trolling, with its surface gear, can result in albatross interactions.

B. Report of the 2017 Hawaiian Islands Cetacean and Ecosystem Assessment Survey

Erin Oleson, PIFSC, summarized the preliminary results from the 2017 HICEAS. The survey, conducted from July through Dec 2017 aboard the R/V *Oscar Sette* and R/V *Reuben Lasker*, covered the US EEZ around Hawai‘i. The survey’s main goal was to collect data needed to update density and abundance estimates of Hawaiian cetaceans using line transects, visual and acoustic surveys. Additionally, photos and tissue samples were taken, and satellite tags were deployed. Seabird surveys and oceanographic sampling were conducted along tracks and at sample stations; other ancillary projects were conducted as well.

The survey area was divided into four strata: the MHI as an inshore stratum, offshore areas around the MHI, the original Papahānaumokuākea Marine National Monument as the inshore strata for the Northwestern Hawaiian Islands (NWHI), and the expansion of the Monument as the offshore strata for the NWHI. Survey effort was divided into standard effort, fine-scale effort and nonstandard effort. The seven survey legs totaled 23,781 kilometers of survey effort.

Twenty-three cetacean species were sighted, 21 within the US EEZ. Four species known to occur within the US EEZ were not sighted: dwarf sperm whales, sei whales, blue whales and North Pacific right whales.

HICEAS researchers are currently allocating false killer whale sightings to stock affiliation based on photo identification and genetic tagging. Twelve false killer whale groups were sighted on standard effort; five groups were sighted on fine-scale effort. Data analyses on false killer whales are conducted at the subgroup level and occur in two phases. In Phase 1, acoustic-based location estimates are used to calculate detection rates and encounter probabilities for density estimates. In Phase 2, group sizes are estimated and other data, such as photos, satellite tagging and biopsies, are collected and analyzed.

Unmanned aerial flights using a hexacopter were conducted to assess group composition and body condition. Water samples were collected for eDNA species identification. Acoustic instruments throughout the survey area were refurbished. For ecosystem observations, 243 conductivity, temperature and depth casts were conducted. Seabird observers identified at least 58 seabird species, for a total of approximately 21,000 birds over 10,000 sightings. Seabird observers also recorded 559 feeding flocks with the help of cetacean observers.

Four false killer whales and three short-finned pilot whales were satellite tagged. Two of the false killer whale tags are still transmitting data. The false killer whale tracking data, in addition to other data collected from those individuals, will be used to help assign false killer whale encounters to stock affiliations. The pilot whales were pelagic-oriented individuals based on their tracks.

Nineteen Drifting Acoustic Spar Buoy Recorders (DASBRs) were deployed; 13 were recovered. The DASBRs were used to conduct drifting point-transect surveys. The DASBRs recorded data over 251 days and 6,000 kilometers. This data are being analyzed for beaked whales and will be analyzed for other species as well.

Many other analyses are underway. Genetic data from 111 samples of seven species are being processed at the Southwest Fisheries Science Center. Photo identification data have been shared with Cascadia Research for comparison to their photo-ID catalogs. Uniform density estimates and habitat-based density estimates are expected to be completed by April 2019. Passive acoustic data is being processed for species identification, with an emphasis on false killer whale detections.

The HICEAS project was a multi-agency effort funded in large part by BOEM and the US Navy, the Seabird Program and the Take Reduction Program.

Gourley asked if HICEAS had to obtain a permit for its hexacopter flights.

Oleson said HICEAS has a permit and takes or flights over cetaceans are permitted under the Marine Mammal Protection Act (MMPA) and ESA.

C. False Killer Whale Take Reduction Measures

[This agenda item was taken after Item 7.D.]

Ishizaki briefed the Council on alternative approaches to minimizing injuries on false killer whales, in response to a recommendation made at the 171st Council meeting in October 2017. She said the False Killer Whale Take Reduction Team (TRT) operates on a consensus basis so staff is seeking feedback and direction from the Council on three topics. These same topics will likely be discussed when the TRT meets on April 10-13, 2018 in Honolulu.

Industry representatives, PIRO and PIFSC are considering alternative approaches to minimizing injuries to false killer whales. PIRO and PIFSC are also reviewing the serious injury determination guideline. This review stalled for some time due to staffing changes but has been reinitiated. At the 170th Council meeting in June 2017, the Council sent a letter to NMFS requesting reevaluation of the need for the Southern Exclusion Zone (SEZ) closure that is part of the Take Reduction Plan (TRP). In response, PIRO said NMFS would consider the request at the TRT meeting in April.

The TRT was formed in 2010 as part of the MMPA requirement to develop a TRP. The TRP was published and implemented in December 2012 and focuses on the deep-set longline fishery since most false killer whale interactions occur within that fishery. The goals of the TRP are to reduce false killer whale Mortality and Serious Injury (M&SI) inside the US EEZ around Hawai'i to less than the Potential Biological Removal (PBR) within six months, reduce the M&SI to less than 10 percent of PBR within five years, and not increase the M&SI on the high seas. The TRP thus requires the use of weak circle hooks and monofilament line with a minimum diameter of 2.0 millimeters. The TRP also includes measures to improve captain and crew responses to interactions. The TRP modified the MHI Longline Exclusion Zone and created the SEZ.

According to NMFS's serious injury determination guidelines, animals released with any remaining gear are likely to be determined to be serious injuries, with several exceptions. So, even though most false killer whales are released alive, 90 percent of false killer whale interactions were determined to be serious injuries in 2010 when the TRP was drafted.

In 2010, the most recent available population estimate for pelagic stock whales was 484 individuals with a PBR of 2.5 animals; that number was used for the final TRP. However, a survey that was completed in 2010 resulted in a population estimate of 1,540 with a PBR of 9.3. The mean M&SI over a five-year period at the time was estimated at 7.3 and included unidentified blackfish. Using the most recent stock assessment for false killer whales, the long-term M&SI of 7.5 is below the PBR of 9.3, and the post-TRP M&SI is 4.1. Abundance estimates from the 2017 HICEAS project are not yet available.

The first topic for discussion is the TRP goal of not increasing M&SI on the high seas above 2012 levels. The current mean M&SI over the past five years on the high seas is 15.2 compared to the 2012 M&SI of 11.2. This increase may be due to the long-term effort expansion on the high seas by the deep-set longline fleet, but this hypothesis needs to be verified.

Second is the need for the SEZ, which is closed when there are two M&SI within the US EEZ in any given year. In 2010, many false killer whales occurred within the area that became the SEZ and many more occurred in the area covered by the modification of the Longline Exclusion Zone. The SEZ has never been closed. Since 2013, most false killer whale interactions have occurred outside the EEZ, meaning that an SEZ closure would have done little to prevent more interactions. The possibility of an SEZ closure may drive fleet behavior. Furthermore, all false killer whale interactions have only been recorded on observed trips, so PIFSC is currently analyzing observed data and logbook data to determine whether fishing effort differs between observed and non-observed trips. Another consideration is the 2016 expansion of the Papahānaumokuākea Marine National Monument, which, with an SEZ closure, reduces available fishing grounds within the US EEZ around Hawai‘i to about half of what it would have been prior to the expansion with SEZ closure.

The third topic is gear and handling approaches to minimize injury to false killer whales. The TRP’s approach is the requirement for a weak circle hook that can be straightened when an interaction occurs. However, hook straightening has a low success rate. An alternative method is to further weaken the hook or strengthen the rest of the gear. Another approach would be to increase outreach to crew since captains were the focus of previous outreach efforts. A third approach would minimize trailing gear and interaction time, which should improve outcomes for whales. The fishery uses a wire leader above the hook that would be difficult to cut, but industry members are developing a wire-cutting device that is easy to use. Such a device could be used for other species such as sharks and turtles. Since shark interactions are far more common than false killer whale interactions, shark interactions could provide the crew with practice prior to a rare false killer whale interaction. The fourth approach would focus on preventing interactions by preventing depredation of baited hooks. The Council is working with the Hawai‘i Longline Association and others to develop prevention methods.

Ebisui requested that the Council be notified of any TRT recommendations that would affect fishery operations to ensure consistency with the Fishery Ecosystem Plan (FEP) and Council deliberations on related topics.

D. Updates on Endangered Species Act and Marine Mammal Protection Act Actions

After Item 7.B., Kevin Brindock provided brief updates on ESA and MMPA issues, including critical habitat, recovery plans and response to listing petitions.

1. Insular False Killer Whale Critical Habitat

NMFS published a critical habitat proposed rule for the MHI insular false killer whale stock in November 2017; the public comment period closed in January 2018. The proposed rule includes waters in the MHI from 45 meters to 3,200 meters in depth, excluding most harbors, bays and in-water structures. The final rule is expected to be submitted by July 1, 2018.

2. Insular False Killer Whale Recovery Plan

In August 2017, a draft species status assessment was completed to update the 2010 Status Review Report. NMFS is drafting a recovery plan and implementation strategy for the MHI insular false killer whale stock. These documents are expected to be released for peer review in 2018 and for public comment after that.

Simonds asked for examples of what is being considered for the recovery plan.

Brindock said the TRP addresses interactions with the longline fisheries and the recovery plan focuses on nearshore fisheries with regards to fishing activity. He will get back to Simonds about the details of the recovery plan.

Simonds said the Council works with the state's fisheries so she is interested in the recovery plan with regards to any fishery.

3. Coral Critical Habitat

Seven of the listed corals occur in the Pacific Islands Region. In this region, NMFS is considering areas in Guam, CNMI and Pacific Remote Islands Areas (PRIA) for coral critical habitat. NMFS is collaborating with the Southeast Regional Office to combine two draft regional coral proposed rules into one national coral critical habitat proposed rule. This proposed rule is expected to be released in 2018.

Gourley asked whether draft critical habitat maps will be given to the Guam and CNMI governments for review prior to publication of the proposed rule.

Brindock said that draft maps were provided to the Guam and CNMI governments when the regional proposed rules were in development. He was not sure whether the maps have changed since the effort to combine the regional proposed rules into one national rule. He will get back to Gourley on whether the maps have changed.

Tosatto added that preliminary maps of habitat features will likely be provided and workshops will likely be held to discuss necessary habitat types. However, a draft proposed rule will not be made available until it is ready for publication.

Sesepasara said that American Samoa needs to be included in these efforts because critical habitat is likely to be designated in American Samoan waters.

4. Loggerhead Turtle Recovery Plan

NMFS anticipates releasing a draft recovery plan for North Pacific loggerhead turtles for public comment in summer of 2018 and a draft five-year status review of North Pacific loggerhead turtles for public comment in 2018.

5. Oceanic Whitetip Shark and Giant Manta Ray Listing Final Rules

Oceanic whitetip sharks and giant manta rays were both listed as threatened under the ESA in January 2018. There are no 4(d) take prohibitions, and critical habitat is considered not determinable for both species. NMFS solicited information on both species and habitat features and areas in US waters that may be considered for critical habitat designation in the future. Development of recovery plans for both species will occur at a later time.

Simonds asked if NMFS had a deadline to publish the final rules for oceanic whitetip sharks and giant manta rays.

Brindock said he will have to get back to Simonds with an answer.

Tosatto said that the ESA provides guidelines to publish proposed rules within a year of the 90-day finding and to publish final rules within a year of the proposed rule. NMFS publishes proposed and final rules ahead of time if possible but more often with a delay. For oceanic whitetip sharks and giant manta rays, NMFS had the information needed to make a decision in a timely manner.

Sensui asked how oceanic whitetip sharks were determined to be threatened.

Brindock said that NMFS conducts a Status Review that evaluates all information on the species and threats against it. It then assesses whether the species is in danger of extinction for an endangered designation or whether the species is likely to become endangered in the foreseeable future for a threatened designation. When the final rule is published, a Status Review document provides the basis for that determination.

6. Other Actions

NMFS is considering take prohibitions under 4(d) under the ESA and recovery planning steps for listed Pacific corals. ESA Section 7 consultations are underway for any federal actions that may affect these corals.

The Sea Turtle Conservation and Management Program continues efforts and provides support for a variety of projects in Hawai‘i, the Territories and other parts of the Pacific that have direct linkages to the turtle populations in the region.

In January 2017, NMFS, in coordination with other federal and state partners, declared 2017 to be the Year of the Monk Seal. NMFS conducted a variety of outreach and education activities in 2017.

NMFS is collaborating with USFWS to develop critical habitat designations for green turtles. NMFS does not have a target date for a proposed rule so does not anticipate a proposed rule any time in the near future.

In October 2017, NMFS published a 12-month proposed rule to list chambered nautilus as endangered under the ESA. The public comment period closed in December 2018.

In June 2017, NMFS published a positive 90-day finding on a petition to list seven giant clam species under the ESA and a negative 90-day finding on three giant clam species.

The 2018 List of Fisheries was published in February 2018. It includes updates on the number of participants in the longline fisheries and the species that interact with those fisheries.

The False Killer Whale TRT is meeting April 10-13, 2018, in Honolulu. In 2017, there were eight false killer whale interactions, all in the deep-set longline fishery. Two of these interactions occurred within the US EEZ, and of these two interactions, one resulted in a serious injury and one resulted in a non-serious injury. Since there was only one serious injury in 2017, the SEZ was not closed in 2017. So far in 2018, there have been two false killer whale interactions, with one of those inside the US EEZ. Injury determination is pending; the final determination should be made within two weeks.

Ebisui asked what fisheries interact with chambered nautilus and how frequently.

Tosatto said he did not know of any US fishery that interacts with chambered nautilus, but they are found around the Samoan Archipelago. ESA listings are not made solely in consideration of fisheries interactions. Still, all ESA-listed species must be considered in consultations.

Ebisui asked about the threats that chambered nautilus face.

Tosatto said he didn't know; he will review the 90-day finding and get back to Ebisui with an answer.

Gourley asked about the Section 7 consultations on Pacific corals and what reasonable and prudent measures or conservation measures, such as transplantation, are being required.

Tosatto said that measures depend on the specific action. In specific cases where corals are found on manmade structures that are to be destroyed, transplantation has been required.

Gourley asked about the Army Corps of Engineers not considering corals on manmade structures when determining impacts.

Tosatto said that the debate on corals on manmade structures is growing and the Corps cannot make a determination for listed corals.

E. Advisory Group Report and Recommendations

1. Advisory Panels

Joshua DeMello, Council staff, reported that the AP had no recommendations regarding protected species.

2. Scientific & Statistical Committee

Lynch presented the SSC recommendations regarding protected species.

Regarding the False Killer Whale TRP, the SSC recommended that NMFS further explore gear-based solutions to release false killer whales without hooks and/or with minimal amounts of trailing gear. The SSC requested NMFS to provide a report of the False Killer Whale TRT meeting at the June 2018 SSC meeting.

F. Public Comment

There were no public comments.

G. Council Discussion and Action

Regarding the Albatross Workshop report, the Council **directed staff to work with the Protected Species Advisory Committee and Pelagic Plan Team to consider next steps from the workshop in the 2017 SAFE report review process.**

Moved by Duenas; seconded by Goto.
Motion passed.

Regarding the False Killer Whale TRP, the Council **directed staff to send a letter to NMFS in advance of the April 2018 TRT meeting conveying the following and to convey these positions to the TRT at the upcoming meeting:**

- a. **The Council finds that minimizing trailing gear on false killer whales may provide greater reduction in impacts than the weak hooks, which have exhibited low success rates in hook straightening. The Council recommends that NMFS increase its efforts to develop gear-based solutions to release false killer whales without hooks and/or with minimal amounts of trailing gear, including development of mechanisms that assist quick and safe removal of trailing gear.**
- b. **The Council will not support any changes to gear or additional closures under the False Killer Whale TRP until the updated abundance estimates resulting from the 2017 HICEAS survey is available for review by the SSC and Council.**

- c. **The Council finds that the SEZ should be considered for removal when the TRP measures are revised as it is not necessary to achieve the goals of the TRP.**
- d. **The Council requests NMFS to forward any TRT recommendations regarding changes to the operation of the fishery (e.g., gear, effort, spatial measures) to the Council for SSC and Council consideration to ensure consistency with the Pelagic FEP and ongoing deliberations of Council actions.**

Moved by Duenas; seconded by Goto.
Motion passed. Tosatto abstained.

Regarding protected species handling requirements and guidelines, the Council directed staff to work with PIRO, PIFSC, industry representatives and other partners as appropriate to evaluate the current handling requirements and guidelines for various species (e.g., sea turtles, seabirds, marine mammals, sharks) to determine whether streamlining of the requirements and guidelines may facilitate improved handling responses from captain and crew.

Moved by Duenas; seconded by Goto.
Motion passed.

VIII. Public Comment on Non-agenda Items

Ebisui called attention to document 8(1), which is a letter dated March 12, 2018 by Ben Krebs, submitted as public comment for non-agenda item regarding catch shares and other management tools.

Paul Dalzell, former Council staff and now a member of the public, directed a question to the USCG about USCG vessels at Sand Island that he observed from his residential balcony. The vessels do not seem to leave the dock but merely change orientation. One departed for a few days. He asked if the USCG needed gas money. He then alluded to himself paying taxes and some of which should trickle to the USCG coffers.

Disque said the USCG ships have hourly requirements and a deployment schedule. He guaranteed that the ships get underway. He said the larger ship that Dalzell observed is the *Sherman*, which is scheduled for decommissioning to be replaced by the *Kimbal*. He also said the *Morgathau* was decommissioned and taken to Vietnam. The smaller boat *FRC* was commissioned on Friday. The boat has been in port since arriving from California. The smaller cutters have an average of about 1800 hours a year and are monitored as it gets close to that threshold.

IX. Program Planning and Research

A. Ecosystem Component Species Classification

Marlowe Sabater, Council, staff presented on the regulatory actions associated with the ecosystem component (EC) species classification. Staff provided an overview of the timeline and the status of the amendment. At the 170th meeting in June 2017, staff developed the EC analysis that generated the initial list of species using a multivariate analysis and analytical framework using the first five factors in the NS1 Guidelines for species in need of conservation and management, i.e., management unit species (MUS). In August 2017, the EC Working Group evaluated the initial species list from the analysis conducted by staff and the list generated by HT Harvey and Associates using the other NS1 Guidelines factors. The refined lists of EC and MUS were presented to the Council in October 2017 in American Samoa for initial Council action. The Council established two bins: one is the refined MUS bin and the other is the EC bin.

Further refinement to the MUS and EC lists was done between November 2017 and March 2018 with State of Hawai‘i representatives, the inter-sessional meeting of the Archipelagic Plan Team, and the Council members working with their local fishery management agencies. The State of Hawai‘i requested that several reef species be returned to the MUS list. The Plan Team recommended filtering species on the feasibility to do an assessment and also recommended not applying essential fish habitat (EFH) to the EC species. The Council interaction with the local fishery agencies evaluated if the remaining species are predominantly caught in federal waters and if the local agencies can manage the species under an annual catch limit (ACL) framework. The final MUS and EC lists were presented at the 172nd Council meeting.

For Hawai‘i, the remaining MUS are the Deep 7 bottomfish complex, non-Deep 7 bottomfish (*Aprion virescens*), the crustacean MUS (Kona crab and deep-water shrimp) and several precious coral species. For the Territories, only the bottomfish MUS remain (12 species for American Samoa and Guam and 11 for CNMI).

The EC amendment will not remove species from the FEPs but will designate some species as EC as defined in NS1. They will be retained in the FEPs for monitoring and ecosystem management consideration.

The MUS retain the existing management measures and permit and monitoring requirements. MUS require specification of overfishing limit, acceptable biological catch (ABC), ACL, accountability measures, MSY, optimum yield, MSST and MFMT. So practically nothing changed from the MSA requirements. For EC species, any regulations or management measures that would conserve ecosystem function are to be retained, as well as collection of data and monitoring. EC species are exempted from MSA requirements such as EFH, status determination criteria and harvest level specifications.

Sabater showed the 79-page list of EC species.

Sensui asked who is in charge of the significant task of tracking these species.

Sabater said all species are tracked through the annual SAFE reports using the existing data collection systems. There is an opportunity to improve on the data collection and monitoring by focusing on species that matters for federal fishery management.

Sensui clarified that these are not really stock assessments.

Sabater confirmed that they are not.

Simonds said this should encourage the State and Territories to beef up their data collection systems by considering permit and reporting because most of the EC species are caught in the State and Territorial waters. The local agencies can take advantage of the MRIP certification process to improve the data collection system. The Council, for years, has been encouraging and supporting the State and Territories in data collection improvement efforts.

Gourley acknowledged the effort of staff in helping the Council towards a cleaner solution to an unwieldy management regime.

Tosatto said NMFS still has to monitor these fisheries because they are still part of the ecosystem. The harder part is the federal management part and the overfishing limit specification. It also keeps in play the need to assist the States and Territories so it's not a complete walking away from these species. Also the coral reef ecosystem plan is now only relevant to the PRIA since the federal waters no longer extend to the shore for the Territories, which then makes these species not in need of conservation and management. This is a reasonably significant change in the management structure going forward

Okano asked if the EC species can be tiered in terms of priority for research for both the State and the federal government. This is to determine whether to bring the species back as an MUS.

Sabater said it is possible. Hawai'i already has a reef fish assessment that the State can use, and the research work will continue.

B. Omnibus Amendment to Establish an Aquaculture Management Program

DeMello presented on the background and potential options in establishing an aquaculture program. The Council adopted its Aquaculture Policy in 2007 and, in 2009, revised the policy and started working on an action for each of its FEPs to include aquaculture as a managed fishery. In 2010, the Council took final action to amend the FEPs for aquaculture. Since then, there were bills to stop aquaculture as well as policy and guidance from NOAA and the Department of Commerce.

One of the Council's directives to staff in 2010 was to look at criteria for limited entry and environmental monitoring after doing the mandatory permit and reporting. Staff presented the options for management, split into 11 program components and three options for each of those program components, ranging from no action, to less restrictive, to more restrictive.

Regarding permitting, Option 1 is no action so no permit would be required. The Special Coral Reef Ecosystem Fishing Permit would still be required for some of these MUS, although a

review would be needed to determine which species would still require the special permit after the EC binning. Option 2 is to establish federal permitting with a transferable permit. Option 3 would be having a separate siting and operating permit as well as having dealer permits. These permits would not be transferable. The Council's initial action is equivalent to Option 2.

Regarding the application requirements, operational requirements and restrictions, Option 1 is no action. Option 2 looks at establishing requirements and restrictions, such as an application for the permit and information on operations, a device to locate nets or pens and compliance with all of the federal regulations. Option 3 concerns requirements under the siting permits, such as a siting plan, e.g., the proposed location of the cage. The applicant would need to have the operations permit, which is basically Option 2. The siting permit includes a use-it-or-lose-it provision such that the permit is lost if the applicant does not put the structure in place within two years. If the species is not in the cage within three years, then they lose the permit. The applicant could request a year's extension if a catastrophe occurs. That use-it-or-lose-it provision is a little restrictive. Some offshore aquaculture startup operations in Hawai'i have taken longer than two or three years before the fish are in the water. The no action could potentially have a permit without the additional requirements in the application, which is something the Council discussed. The Council has been concerned with incidents like escapes or cage breakaways. The application would require those types of incidents to be monitored. There's also concern the operational plans may be proprietary because the industry is new. If an applicant provides information to the government on a species that only the applicant knows how to raise, the information becomes public.

Regarding the permit duration, Option 1 is to have no duration. The permits can be limited to 10, 15 or 20 years with renewable five-year increments. Alternatively, the permit could be for five years with renewal every five years. Aquaculture costs millions of dollars to deploy and stock cages. Investors are seriously concerned about investing in an operation if a permit may be taken away in five years or has to be renewed annually. The operation may also take five to 10 years to be profitable. Option 2 allows for something similar to the State of Hawai'i's regulations.

Regarding allowable marine aquaculture systems, Option 1 has no restrictions. Option 2 would be no specific prohibitions placed on aquaculture systems. Option 3 is the same as option 1, without the specifics in Option 3, where only specific cages and net pens are allowed. Currently, the aquaculture cages used look like a triangle pen. But there are also ball-like pens made of copper mesh panels and net pens that float at the surface. There's technology that can be used currently, but work is being done to address issues like escape, disease and interactions with marine mammals. Option 2 allows for that type of innovation. Option 3 would allow only known types of cages and pens.

Regarding siting requirements and restrictions, Option 1 is no action where projects could be sited anywhere. Option 2 would prohibit aquaculture where commercial fishing is prohibited and in Habitat Areas of Particular Concern and monitoring would be required at these sites. Option 2 would treat aquaculture similar to commercial fishing, which is what some of the current aquaculture industry professionals have been asking for. Option 3 is similar to Option 2, with an additional provision to establish zones where aquaculture can occur.

Regarding allowable species, Option 1 would be no action where any species could be allowed to be cultured. Option 2 would allow only species listed in the FEP or those naturally occurring in the archipelago. Option 3 would allow only species listed in the FEP or naturally occurring in the archipelago and previously cultured or likely to be successful. Currently, the Council's Policy states that only native species can be cultured or should be cultured. These options provide for the MUS, which also include foreign species such as like ta'ape in Hawai'i. Option 3 hampers innovation and provides for only species that are likely to be successful or previously cultured.

Regarding recordkeeping and reporting, Option 1 is no action where records and reports would not be required. Option 2 would have requirements for recordkeeping of production, escapes and protected species interactions. Option 3 would be the same as Option 2 but also include more requirements like 24-hour EM and reports on disease, brood stock and water quality. Escape is a big concern that the Council has brought up in the past. Brood stock capture is a concern, raising questions of how these would count toward ACLs or quotas and whether the information is captured elsewhere such as through a local license or permit. Option 3 is more restrictive with EM and more burdensome reporting requirements.

Regarding framework procedures, Option 1 is no action. The Council would be able to use existing advisory groups to do some of this work should additional issues need to be part of the Council's agenda in the future. Option 2 would allow for frameworkable measures but would consider establishing an Aquaculture Advisory Panel or Advisory Committee. Option 3 would establish an Aquaculture Advisory Committee. The framework procedures allow for adaptive management and a quicker process to get things through. The Council has existing advisory groups, but nothing that is aquaculture-specific. The Council could use the AP, Plan Teams and SSC. The necessity of having this type of Aquaculture Advisory Group would need to be looked at. The Council could add expertise in aquaculture to the teams or form a new committee.

Regarding program capacity, Option 1 would not limit the capacity; Option 2 would not limit the number of permits; and Option 3 would create limited entry based on criteria. The areas where aquaculture can be done in the islands are limited because of the depth, currents and different oceanographic features. Currently, no one is pounding on the doors to deploy cages. The region has a few projects, but none have that commitment. Putting a limit on offshore operations may force people to operate inshore, closer in State or Territorial waters, and some of the islands don't have the capacity to manage aquaculture. The density of aquaculture operations in a given area may have an impact if operations are limited to certain areas.

Most impacts are projected to be negligible to minor with benthic organisms having a minor to moderate impact based on these options. The big unknowns are things like natural disasters and climate change. Implementing the program on paper would have zero impact, but additional National Environmental Policy Act (NEPA) compliance on a case-by-case basis would be needed if it's not covered in the Programmatic Environmental Impacts Statement (EIS) that is being prepared. A draft should be coming soon that would analyze environmental impacts. At this Council meeting the Council may select a preliminary preferred alternative. The Council will have the opportunity to review the full range of impacts of the different alternatives after the Programmatic EIS is published and before the Council takes final action.

Goto said he is trying to understand how these species would come to the market and how the market would develop so that the farms would have longevity. He gave the Kampachi Farms as an example.

DeMello said Kampachi Farm, formerly Kona Blue Waters, is still operating off Kona and its products are in the market. Kampachi Farms is also operating in Mexico and looking at a project at the Gulf of Mexico. He said the AP was concerned about potential impacts of the aquaculture landings on the price of wild-caught fish due to flooding the market. If the demand is high and the market gets flooded with say farmed 'ahi, then it would depress the prices.

Gourley asked how many active aquaculture facilities are in Hawai'i now and how many species are being actively cultured.

DeMello said for offshore aquaculture there is only one for *Seriola*. Another for moi (threadfin) got pulled out of the water, but there is still interest in that and a couple of others. The tuna aquaculture failed after the brood stock died. Neil Sims of Kampachi Farms said, during a conversation, they favored Hawai'i because it's a shorter distance offshore to reach the required depth for aquaculture compared to the Florida coast.

Gourley asked about the biggest inhibitor for aquaculture in Hawai'i.

DeMello said, in federal waters, it is the regulatory requirement. Applicants don't want to make a large investment if regulations would later prohibit aquaculture. There might be some interest in doing aquaculture in the Territories if it were similar to Hawai'i where rules for offshore areas that are not under the purview of NOAA included permits or ways to lease the submerged lands.

Tosatto argued that the limitation is not as much as regulatory uncertainty as not having a framework in place, which is what NMFS is looking to solve. He said the reason one might think Kona Kampachi doesn't exist anymore is that it tried to expand within State waters to bump up their market so that it could increase production. Unfortunately, it didn't get the expansion the company needed. That is why a smaller company came in and bought the status quo from them.

Sensui asked, in addition to renewing the permit, whether there are provisions for routine inspections to make sure that the operations are staying within their required limits.

DeMello referred the question to Melanie Brown. DeMello summarized that it is self-reporting and self-inspection. No one conducts inspections.

Sensui recommended to consider a better level of accountability and gave an analogy to the food safety inspections done in the State to make sure everything is up to par and nothing bad is going to get out of hand. He said Moloka'i has a lot of abandoned traditional Hawaiian fishpond sites and is also economically depressed and encouraged the State to consider the potential of developing them.

Simonds said the late Sen. Daniel Inouye provided millions of dollars to Moloka'i and it's still depressed.

Okano asked who would determine if a species would likely be successful for aquaculture.

DeMello said the Council and NMFS determine the species. For example, the eight-banded grouper in Kona was successfully cultured, but, since it is not native to Hawai'i, nobody wanted to take it.

Ebisui relayed information received during the February 2018 CCC regarding the Puget Sound experience with the escape of 300,000 Atlantic salmon. Recapture of the salmon was only 30 percent successful. These salmon were found about 30 miles up the Skagit River. Ebisui alluded to the dangers of genetic impact to wild stocks.

DeMello said the Council's Aquaculture Policy allows only culturing of native species.

Sesepasara asked if there are any interest or studies done by big companies to do aquaculture in the Territories.

DeMello said the Council hosted an Offshore Aquaculture Symposium with the Northern Marianas College in 2009-2010 in CNMI. However, regulations did not materialize in CNMI to move things forward. In some of the Territories, the currents are so strong that FADs can't even be kept on station; it might be even harder to keep the aquaculture facility on station.

Gourley said typhoon is also a factor to consider.

Okano said there seemed to be a lot of interest in what species can be cultured and requested to explore that option further.

DeMello said the Council can look at the EIS before it takes final action.

C. Options for Refining Precious Corals Essential Fish Habitat

This agenda item was deferred to a latter Council meeting.

D. Report on the National Scientific Coordinating Subcommittee Meeting

Council staff presented on the summary of the National Scientific Coordinating Subcommittee (SCS) held Jan. 17-19, 2018, in San Diego. The theme was Use of Management Strategy Evaluation (MSE) and how it informs management decisions made by the Fishery Management Councils. The four invited speakers were Dan Holland from the Northeast Fisheries Science Center, Michael Jones from Michigan State University, Andre Punt from the University of Washington and Iva Plaganyi from Commonwealth Scientific and Industrial Research Organization in Australia. The meeting format was an open discussion on topics of relevance to the subthemes. There were discussion leaders and rapporteurs and an evening poster session.

NMFS provided a report on its vision on MSE. NMFS is currently building capacity for MSE in each of the regions. There is currently a National MSE Working Group. Technical training was provided to the Science Center, and the working group members who attended were from the different parts of the country. NMFS is planning on providing a dedicated staff in each

of the Centers that would support the region in its MSE needs. There are currently 82 projects related to MSE. As Councils consider using MSE to inform management decisions, NMFS is prepared to use its growing expertise to be a technical partner in this project. NMFS provided NS2 updates on best scientific information available, stock assessment prioritization and other issues on which it is working.

MSE is defined as a process to assess the consequences of a range of management options that focuses on trade-offs and not on seeking an optimal strategy. Its various components include modeling the entire management system, evaluating performance of different management procedures, and accounting for uncertainties in information gathering and implementation, the system being modeled and the modeling framework. MSE should be used when the management framework is unclear and different players have competing objectives. MSE is time-consuming so should not be used if there are simpler methods that can be used.

The plenary speaker provided some guidelines in embarking on MSE. One should have clear management objectives, develop quantifiable performance metrics for each of those objectives, identify alternative management options and evaluate each of those options based on a range of objectives accounting for uncertainties. The most important part is clearly communicating the results to decision makers. The most critical part of the process is stakeholder engagement.

In clarifying objectives, incorporating stakeholder input and social and economic evaluation, MSE is a very time-consuming process. One has to be transparent that a MSE project will take years prior to realizing benefits. MSE best practices improve normal work and emphasize the role of social sciences. Economic models and social performance metrics, including cost and risk and behavior modeling, are key components. The consensus of interest is there should be more social science integration, and application for MSE. However, there are some challenges, including social science, due to data limitations and lack of regular data collection program to gather socioeconomic information.

Regarding the role of MSE to inform and advance ecosystem-based fisheries management (EBFM), MSE can answer climate change questions and technical interactions, particularly bycatch, and inform spatial management, as well as predation and food web dynamics. There was consensus on the critical role of MSE in Integrated Ecosystem Assessments (IEAs) to support EBFM. However, an important point that needed to be emphasized to the Council is that MSE is not the holy grail of analysis. The timelines are typically longer than when managers need information. Communication of the results are sometimes not clear, and gathering data from different agencies can sometimes be difficult, like gathering data for water quality, wind and offshore oil. Some of those may have some competing interests with fishery objectives.

Regarding multi-year status determination and frequency in setting ABCs and using this for assessment and phase-ins, there is an interest in more flexibility and management. Some of the Councils were confused about what that flexibility allows. The bottom line is to understand the trade-offs. The perspective of this Council's SSC is that allowing for more agile and responsive catch limit setting is needed to take advantage of opportunities and provide assurance of sustainability. Also, if there are insufficient resources to conduct annual assessments, changes

can occur between stock assessments through the use of MSE and harvest control rules. MSE can be used when there are uncertainties in the management in between assessments.

Regarding SSC communication of uncertainties in risk management and decision making, it is important to mention and frame the major sources of uncertainty. The SSC should be aware to whom they are communicating the results of MSE. There were some discussions that scientists are not the best people to communicate to managers most of the time, so scientists should not be the ones to facilitate stakeholder engagement. Consistent visuals, plain language, narratives and interactive methods to communicate risk and uncertainties help to simplify the results.

The next step is to finalize the report. The briefing books and the materials are available on the SCS website. The goal is to have the report ready for the May 2018 CCC meeting, which will be hosted by the North Pacific Council in Sitka, Alaska.

Simonds asked Tosatto to provide an update on the development of a database under the Regional Planning Body (RPB).

Tosatto deferred his response to his report on the Update on Regional Coastal Marine Spatial Planning (CMSP) and Ocean Planning Efforts and noted a potential overlap with what Seki will be presenting on EBFM.

E. Potential Ecosystem Indicators for Nearshore Fisheries

Thomas Remington, Council contractor, presented on identifying fishery ecosystem relationships in Western Pacific reef fisheries, which will ideally inform the 2017 Archipelagic SAFE Report Data Integration Section (Chapter 3). The goal of the data integration section is to advance EBFM by examining fishery data in the context of ecosystem variables.

The fishery data refers to catch, effort and CPUE. Ecosystem variables refer to environmental variables like sea surface temperature (SST), wind speed and direction, and rainfall. The goal is to identify policy-relevant fishery ecosystem relationships and methods for analyzing these potential relationships. Fishery ecosystem relationships are associations between various fishery and environmental parameters. The hope is to establish ecosystem indicators and/or standardized indices of fishery performance in response to this environmental change.

A Data Integration Workshop was held in late 2016 with participants from the Council, PIRO and PIFSC. They met to brainstorm and prioritize potential fishery ecosystem relationships for the inclusion of the Chapter 3 analyses based on data reliability, suitability of methodology, annual repeatability and how well these analyses could inform management. The analyses were performed on insular fisheries for all regions. Remington focused the presentation on analyses for the MHI and summarized similar assessments for American Samoa, Guam and CNMI.

The analysis maximized the temporal power in these assessments by looking for the longest available time series to tease out potential relationships between the two time series. For the MHI commercial reef fishery, the highest CPUE was just before the year 2000, which coincided with the lowest SST. Other times, low SST coincided with low CPUE. No general relationship was identified for the entirety of the commercial coral reef fishery in the MHI and

SST based on the linear regression. Additionally, incorporating phase lag of one to three years did not reveal any other meaningful correlates.

The similar comparisons were performed among times series for the environment and fishery data. The only statistically significant relationship found was commercial weke CPUE was positively associated with SST such that the regression equation suggests that for every increase of 1°C, the weke CPUE would increase by about 17 pounds per trip. There were other potentially strong relationships with palani and ulua. Palani was positive while ulua was negative, but they did not reach the threshold for statistical significance.

One of the more important prioritized relationships was between akule and precipitation. There were no matching peaks and valleys throughout the time series. However, it did seem that the CPUE of the akule was rising over the course of the last six decades, but this was a nonsignificant trend. Performing a regression between the two variables showed no general relationship between akule and precipitation despite what many believe. There were additional analyses on a monthly basis with a phase lag of one to three years that also didn't show any relationship between the precipitation and CPUE. There were some relationships between catch and effort with precipitation.

Similarly, opelu in the MHI seems relatively stable over the last six decades considering CPUE. However, this trend is difficult to visualize due to some notable outliers in 1952, 1978 and 1979. There was abnormally low effort that created these sorts of outliers.

The analyses of pigment concentration for Chlorophyll A against the commercial coral reef fishery in the MHI incorporated a phase lag of two years, as suggested by the participants of the workshop. There is a significant negative trend detected with an R-squared value of negative 0.44. On the regression equation suggests that, with an increase of one milligram per meter squared, integrated over the top 200 meters of the water column, CPUE for the entire coral reef fishery in the MHI would decrease by 10 pounds per trip.

In looking at different species groups and comparing them to the Chlorophyll A time series, there were several with statistically significant relationships. The strongest belonged to ta'ape, which is a bottomfish, but is also included in these coral reef data because they are caught by coral reef gears. It had a statistically significant negative relationship with Chlorophyll A concentrations such that an increase of one milligram per meter squared in Chlorophyll A would correlate to a decline of two pounds per trip in ta'ape.

The analyses were also conducted for Guam, CNMI and American Samoa. For precipitation, no relationship was found with catch statistics for atulai. Guam had limited data for 'opelu, and it wasn't a main focus in the fishery there. No conclusion could be drawn from that potential relationship.

For Guam, the entire reef fishery has a negative association with SST such that every increase of 1.0° C would decrease catch by nearly 120,000 kilograms; all taxa shared this significantly negative relationship, except the Acanthurids. For Chlorophyll A concentrations, there's a significant negative relationship for the entire reef fishery in Guam such that every

increase of 0.01 milligrams per meter cubed would decrease catch by nearly 180,000 kilograms; the mullet (*Mugilidae*) had the strongest negative relationship in this sector.

For CNMI, the entire reef fishery had a negative association with SST such that an increase of 1.0° C would decrease the catch by nearly 105 kilograms. However, no taxa groups were seen to have statistically significant relationships among the dozen that were analyzed. Goatfish (*Mullidae*) had the strongest potential correlate. There were no statistically significant relationships found with reef fishery parameters and Chlorophyll A either.

For American Samoa, there were no significant relationships for the reef fishery as a whole considered with SST. However, several families had statistically significant relationships. For instance, for every 1.0° C increase, catch of Family Scaridae would decrease by about 5,000 pounds and catch of Mullidae would increase by about 70 pounds. For Chlorophyll A, there was no significant relationship found for the entirety of the fishery or among taxa data.

There were several potential correlates suggested, but most of them were negative. The entire reef fisheries in CNMI and Guam showed negative associations with SST. The entire reef fisheries in Guam and the MHI showed a negative association with Chlorophyll A concentrations. Several strong correlates were discovered among taxa groups, but there was no pattern among the entire reef fishery. Some important ones that the workshop participants thought might be correlated, for instance, akule and precipitation, showed no general relationship even with the implementation of different types of phase lag and analyses of monthly instead of annual time series.

The SSC recommended looking into different types of multivariate analyses, such as structural equation modeling. This would allow for the understanding of patterns of covariance among these sets of variables and explain that variance while indicating what sort of error might be there and allowing for the measurement of latent variables instead of just the available variables. The SSC also recommended exploring the utility of trophic-level analyses. Instead of looking only at the entirety of the fishery or taxa groups, the SCC recommended looking at potential associations from an energetics perspective to see if environmental changes affect different trophic levels as a whole.

Sensui asked if there is a way to express it in relative values.

Remington said statistics can be developed.

Duenas asked what Chlorophyll A is.

Remington explained that Chlorophyll A is a pigment concentration that is used to measure primary productivity in an ecosystem.

Sensui asked if looking at precipitation in relation to CPUE and total catch was limited to specific geographic area or was it statewide.

Remington replied statewide.

Sensui suggested looking at a specific geographic area.

Remington said one of the passing recommendations of the SSC was that to look at it by island. He further elaborated that, in focusing on temporal power, he elongated the time series and used all available data; it was not spatially restricted and utilized the entire island.

Sensui said, according to accounts for the akule fishery, two years after a significant rainy season fishermen notices a bump. That's something that's been observed over a couple of generations.

Remington stated that that observation was not seen in the CPUE analysis. There were catch and effort statistics that were significantly correlated with two years after precipitation. There was more effort two years after rainfall and there was also more catch. It might be that fishermen think that they're catching more akule two years after, but there is more effort associated with that.

Sensui said there was a reduction in the 1980s, which is reflected in the data.

Lutu-Sanchez requested that common names be put next to scientific names for nonscientists so that they can better understand and relate to the presentation. The fishing industry looks at SST information for their fishery.

Tibbatts asked if there is an attempt to look at something like SST and other environmental effects that might coincide with it, such as increased storm frequency or intensity or other things that might be associated with SST.

Remington said he performed a multivariate analysis looking at a wider swath of environmental variables and known metric multidimensional scaling analysis, but it didn't provide anything.

Gourley asked what databases were used for the CNMI.

Remington said all of the Territories were based on creel survey data.

Gourley asked if the BioSampling data was used.

Remington said only the creel data were used.

F. Ecosystem-Based Fisheries Management in the Western Pacific Region

Seki presented on PIFSC's perspective on EBFM. This is an initiative to change the way, at least from a science perspective, how PIFSC will provide science advice to the managers beyond the traditional ways of making fisheries management decisions. The goal of EBFM is to maintain the ecosystem in a healthy and resilient condition. The approach through fisheries is management that accounts for ecosystem interactions and considerations. Its principles can be applied in the management of fisheries, as well as protected and other trust resources.

The approach to EBFM starts with a single-species fisheries management. This is where one does an assessment of one species and determines the state based on the stock assessment of a single species and its abundance and life history parameters etc. Then the goal was to improve

this to look at managing fisheries through some of its ecosystem components like the effects of climate on the species or its habitat and the ecology (movement, its distribution, as well as its predator and prey interactions).

EBFM takes it a little step further by considering those parameters, the role of the environment, habitat and ecology, but also taking into account multiple species as a community. It looks at how the fishery's target species interacts with other fish that occupy its community. The management decision would then be done on a whole multi-species complex.

The biggest scheme is considering the fishery along with development or energy concerns, ecotourism, oil and gas conservation, sanctuary concerns, aquaculture, etc. Concern must be given to a lot of competing marine uses besides fisheries.

A national directive for EBFM implementation was released in 2016. At that time NMFS created first a policy to move the Agency towards EBFM. To that end, later in the year NMFS created a roadmap of how NMFS and its partners will implement EBFM.

Last year, NMFS created a working group to implement the roadmap. This working group consists of representatives from each of the Science Centers and Regions across the country, as well as folks from the Office of Sustainable Fisheries and from the Office of Science and Technology, to develop a way for NMFS to implement this across the country with a regional emphasis. For PIFSC, the lead is Beth Lumsden and Megan Moews-Asher is support. At PIRO, Michelle McGregor and Richard Hall are on that team. Earlier this year, Chris Oliver put out the call to the Councils to offer them to participate as well. To that end, Sabater has been elected to work with the group to come up with how that implementation plan will look like for the region.

The working group's function is to build the linkages between science and management and implementing the policy in the roadmap. It's bringing all of the respective pieces into a way the region can move towards achieving EBFM. The implementation plan, itself, is to coordinate the regional science and management priorities. It's to build collaborative relationships among the Regions, Centers and Councils and describe the engagement strategies that will increase awareness and support and provide a method to document its progress.

A draft Implementation Plan is being circulated within each participating agency. The Council has yet to have a chance to provide input into that. That would be in the current round of working documents that NMFS plan to get completed sometime within the March/April time frame, at least for the next draft to go to the leadership for review. The goal is to have the implementation plan out and put into practice by the end of the calendar year 2018.

The EBFM Implementation Plan is similar in concept to what was created for the Regional Action Plans that NMFS created a couple years back for the NOAA Fisheries Climate Science Strategy. It forms a document by which the region can look at activities that go to help achieve those goals that the region had set. The aspirational goal is to truly change the paradigm in how marine resources are managed in our region. The concrete goal is to ensure that ecological, environmental and societal pieces are considered when management decisions are made.

Seki showed a slide that pieces everything together. The umbrella is symbolic of the idea that NMFS and the Council operate under some legislative mandates. NMFS and the Council are driven by MSA, ESA, MMPA, Coral Reef Conservation Act, international agreements, NEPA and other legislation. A lot of policy folks create a lot of things to guide what is being managed and what science is needed to support that management, such as the EBFM Roadmap, National Climate Science Strategy, Stock Assessment Improvement Plan, Protected Species Stock Assessment Improvement Plan, Habitat Assessment Improvement Plan, etc. These are all on a national level. There are several plans available in the region, including the Regional Action Plans, Regional Implementation Plans, and FEPs or Fishery Management Plans (FMPs).

One component of EBFM is the science. Essentially, those are the activities that the Science Center undertakes that include but are not limited to surveys, fishery monitoring, climate observations, data collection, stock assessments, oceanography and life history, ecological and social economics studies. The integration of these data comes in the form of modeling where the IEA is a primary example. It goes through the BSIA analysis, development of reference points, evaluation of decisional options and development of ecosystem indicators and thresholds.

The other component is the management in which the Council, Regional Office and the local State and Territory are the primary agencies. These agencies determine fishing regulations, set catch limits, determine protected areas, determine ESA listing petitions, conduct species recoveries and develop Biological Opinions.

The challenge is how to provide the science advice to the managers to make those decisions. A lot of studies look at what the critical points are. In West Hawai'i, the PIFSC IEA spends lots of time developing indicators that can be used to manage the resources. The good science gets published in prestigious journals and afterwards most scientists will move to the next scientific question. There is a need to come back and reexamine how the Center can provide that science advice. The scientists often will produce publications full of good information. But presenting the managers with the document often leaves much to be desired from a management perspective. One of the big pieces of providing science advice needs is to deliver it in plain language.

Part of the Regional Plan is to package the science that the Center does for management making sure that the Center knows what the managers need. The Center needs management to provide the feedback to the science prior to the Center doing the science.

MSE is one of the tools that can be used. It puts a number of independent observations and studies in a form that provide managers with some context of trade-offs so they have options to consider moving forward. Managers often deal with economic and societal impacts. The Socioeconomics Program does this fairly often in some science products like assessments or community profiles. Those are all parts of getting into EBFM, maybe not in full form but a way to take it beyond the fundamental management strategy.

The science needs to be scalable. The science should meet the needs at a community level to island to region. The science advice needs to be flexible enough to provide advice that can address a small region if need be. An example is the Atlantis model developed for the coral reef ecosystem in Guam. That same modeling framework is being applied to Hawai'i. The Center is

building this model to accommodate the management needs of the Council and PIRO. Another example is the study recently published in the *Journal of Applied Ecology* in which the Center together with the State of Hawai‘i and The Nature Conservancy looked at possible management scenarios for Puako off the west coast of Hawai‘i. It used the Ecopath with Ecosim model to vet these scenarios for coral reef management. The model used indicators that represented the ecosystem services for the region and included ecosystem resilience and function, dive tourism and fisheries. The modelers ran the model with these data sources to come up with projections, which are what-if scenarios. The model used likelihood analysis to get at the possibilities for the impacts of using the various scenarios. One looks for a balance. Depending on what is the most important, one could go into the process to look at the likelihood outcome and use that in the decision process; that is the intent of using these tools for a management area.

Other parts of the country have established Large Marine Ecosystems (LMEs) around which they build their EBFM process. For the Pacific Islands Region, the Pacific Ocean, in particular, these LMEs don’t exist. They need clarification, and the region needs definitions for what the LMEs are going to be. This has to be consistent with the FEPs and the SAFE reports, because there is a fair amount of effort that PIFSC has put into generating the reports. The only LME that is recognized in the Pacific is that of the Hawaiian Islands, and it’s sufficient for when one is trying to define how the implementation plans will be developed regionally. So the regional partners will move forward and launch a parallel path to this EBFM work to start developing the framework for what LMEs will look like in the Pacific Islands Region. The initial thought is, at least on the insular side, to take the form of the Archipelagic FEPs, and each archipelago will likely represent its own independent Large Marine Ecosystem.

Seki summarized the presentation into several points: 1) Science advice requires the integration and analysis packaged for management consideration, and provide it in plain language; 2) It needs to be scalable; 3) Articulation of the management input to the science needs is really important; and 4) Data streams and time series are important

Sensui asked which agency will have the authority to implement EBFM if the main factor contributing to the habitat degradation is outside fishery management. For example, water quality impacts habitat health and the Office of Environmental Quality is the lead agency for runoffs and water quality.

Seki said the West Hawai‘i IEA pointed to land-based sources of pollution as a problem. When looking at EBFM, it takes a different realm of players who are not involved in only fishery management, such as the RPB where there is no one authority.

Sensui said several years ago a ban was placed on SCUBA spearfishing and Puako was used as the example of why SCUBA spearfishing needed to be banned. The claim was that SCUBA spearfishing was doing a great deal of damage when that wasn’t at all the case. Proponents did all of the surveys inside of the bay. When fishermen conducted their own surveys, it portrayed a different result. So for the proponents to create a fishery management decision based upon a small sample of an area that’s being affected by cesspools that are leaking a great deal of effluence into the area, that’s putting the pressure on the end user, who is actually a victim of these problems. The Governor, in his efforts to double food production in Hawai‘i, should consider getting an overseeing body that would integrate all of these things to optimize

these habitats to be as productive as they can rather than say, well, let's reduce the take and that would solve the problem.

Seki said it is difficult because everyone has his/her own agenda.

Ebisui gave an example of the continued listing of the green sea turtle and claimed that there is a super abundance. He was born, raised and lived in Hale'iwa. The ecosystem of the river has changed, and the green sea turtles are now up the river foraging on the vegetation. There used to be lots of 'opae, and now they are gone. Human activities have changed the environment, but he does not see that in the ecosystem-based management.

Seki said the California sea lion is an example where a protected species is now over abundant and causing other problems. There is no single answer. The modeling exercise can consider the impacts but cannot predict what is going to actually happen.

Council staff provided the Council with additional input on the inter-agency composition of the Regional Ecosystem Advisory Committee (REAC). That is a forum where ecosystem issues can be discussed and ways be found, through the authorities and mandates of the member agencies, to resolve the problem. The EC amendment contributes to EBFM by defining species that are components of the ecosystem. The Pacific Island Fisheries Research Program also identified ecosystem modeling as a top priority.

G. Scoping Report on Non-Fishing Impacts to Essential Fish Habitat

Rebecca Walker, Council staff, presented the outcome of the scoping for non-fishing impacts to EFH. FEPs should identify all non-fishing activities that may adversely affect EFH, describing those effects and provide associated conservation and enhancement measures to offset what those adverse effects might be for federal activities. Both fishing and non-fishing impacts on EFH should assess what those cumulative impacts might be. These are required for the FEPs because they underpin the consultation mechanism for federal agencies that are undertaking activities that may harm EFH; applicants are required to consult with the NMFS Habitat Conservation Division.

The Council has completed the EFH Review on Non Fishing Impacts. The review started in 2015 when the Council received some funding for it; it was completed last summer by a PIRO contractor, Dwayne Minton. His review was delivered to the Council last June. The Council asked staff to scope that review through the Council's relevant advisory bodies. Staff hosted meetings in American Samoa, Guam, CNMI and Hawai'i throughout the latter part of last year. The American Samoa REAC, met right before the October Council meeting. The Guam and CNMI REACs met with the APs and other advisory groups. The Hawai'i REAC met in early December, and the Plan Team discussed it in January of this year.

The report contains a lot of new information. Nine new activities are described, including climate change and offshore energy development. There is more information about stressors on EFH. What is clear in this report that was not clear in the FEPs is that there's a clear link between activities, what stressors are associated with those activities and effects on ecosystems within EFH. The link is complete with associated conservation and enhancement recommendations.

There is some guidance on assessing cumulative impact. The FEPs currently don't have information on cumulative impacts to EFH. If it's practicable to do so, it should be done.

During the scoping meetings, staff asked the advisers if any information on activities and impacts were missing. A few things came up like some locally regulated activities in American Samoa, such as sand and coral mining and seawall construction. Shipwrecks came up as missing information across the region.

In Hawai'i, since the Army Corp is the primary action agency, it was important to list out the common permitting projects as potential activities and what activities are most important to the region that might have already been covered. The Department of Defense active training and testing activities are most important for Guam and CNMI. There's a focus on ecosystem or beach restoration activities, as well as agriculture, military impacts and water-based dredging.

Regarding impacts, one agency in Guam provided inline comments about missing impact information. The Hawai'i REAC said identifying feedback loops is particularly important for iterative effects and those associated with climate change. A lot of mechanisms, like sea level rise, are not very well developed in the EFH review because there's a lot to cover.

Discussion on best management practices (BMPs) highlighted the challenges associated with providing this review on a regional scale. The report includes generic BMPs, which may be well intended but are not always effective. What is really useful for the action agencies is identifying specific structural information of effective BMPs; explaining what happens if they fail would also help. Staff was referred to two other agencies that were not present at the meetings. The Hawai'i Department of Health probably has a lot of the specific information that could be useful, and the Bureau of Environmental and Coastal Quality in CNMI could also provide some additional documentation.

The permit conditions were important because sometimes these conservation recommendations are turned into permit conditions by the Army Corps. For the Army Corps, it's important that the permit conditions are specific and enforceable. For example, avoid in-water dredging during coral spawning season. There's a desire to point to the FEP or point to somewhere and say, what species of corals and what those months are, instead of generic information.

The Plan Team recommended incorporating as much information that can be incorporated by reference from this report. There is enough difference between the management areas to have unique text in each of the FEPs.

The agencies that attended the meetings brought up the enforcement challenges associated with nonfishing impacts, such as ballast water in American Samoa, and enforcement associated with the Clean Water Act.

As far as next steps, the EFH Review has been completed and the Council has all of this information. The Council knows what the advisors would like to see in the FEP. The staff asked if an amendment is warranted.

Gourley said the BMP of avoiding dredging during coral spawning was developed 15 years ago by people sitting around the table in an air conditioned room. While the intent of developing this was good, the implementation on the ground poses more challenges. It increases cost significantly for the contractor and drags out the impacts to the resources. He said the purpose of stopping dredging during coral spawning is so that the potential substrate would be swept clean and that the coral larvae would be able to settle. But what happens is that as soon as dredging starts again, the sediment resettles on the same area that the new planula landed on. So the sedimentation kills them immediately. It seems that it would be better to simply implement very good silk curtains and other mitigation measures and get the dredging done as quickly as possible so that the marine ecosystem can start repairing itself. Gourley added that it was a good exercise to look at these different BMPs to see if they're valid and actually do something for the resource.

H. Update on Regional CMSP/Ocean Planning Efforts

Tosatto used Seki's EBFM presentation and Simonds' question regarding the regional database to segue into an update on regional CMSP efforts. Referring to Seki's slide he mentioned the general movement to EBFM. He said Regional Ocean Planning is nirvana to the concept of EBFM. He said the RPBs are mid-stream in this long process and are doing things the old-fashioned way at different places.

In 2010, President Obama issued the National Ocean Policy by executive order. He adopted final recommendations of the Ocean Policy Task Force, created a framework for CMSP, which established RPBs in nine regions, including the Great Lakes, nationwide. The Pacific Islands Region is one of those regions. Since then, little guidance has come from Headquarters or the White House. Nationally, there is a National Ocean Council (NOC). Regionally, NMFS formed RPBs. Several of the people in this room are on the RPB.

The relevant outcome is spatial plans for coastal marine resources. All these efforts did not create any new mandates, new authorities or new money. The NOC used available funds under existing authorities to move this effort forward. The different agencies involved are Department of Commerce (NOAA), Department of Agriculture, Department of Defense (2 seats), Homeland Security, Interior, Transportation and Environmental Protection Agency. Only the federal participation is mandatory. The State and Territories, and where relevant, Tribes were invited and their participation is voluntary. In the Pacific Islands, the State and all of the Territories have volunteered and are participating. Tosatto has been the federal co-lead since 2013 and has served three consecutive two-year terms. He said he would pass it off to any federal partner who is willing to take it. Dr. Jason Biggs in Guam is the non-federal co-lead. Both work with the Secretariat to accomplish the work of the RPB.

The RPB meets about once a year and provides a forum to collaborate and develop the Regional Ocean Plan. The RPB is not a regulatory body. The Council is a member of the RPB and brings authority to the RPB by implementing regulations through the Council's process. The RPB's job is to inform, coordinate and develop what the Region needs to implement the National Ocean Policy.

CMSP is whatever the Region needs it to be. Tosatto provided two examples from New England and the Mid-Atlantic. One is a CMS Plan that lays out a general framework around goals, objectives and some activities. The other is an Ocean Action Plan that is technically a plan to create a plan in the future.

Tosatto talked about the development of the Pacific Islands CMS Plan to serve as an umbrella of a regional plan that sets up a series of at least four sub-regional plans in American Samoa, the Marianas with probably a CNMI and Guam piece, Hawai'i and the PRIAs. The RPB by consensus will conduct the planning sub-regionally.

The sub-regional planning would begin to scope content, prepare a draft, review that draft, revise and adopt a final plan. American Samoa was picked to go first because it doesn't have a million people and a lot of industries like Hawai'i, and it doesn't have Department of Defense like the Marianas. American Samoa went first because it was easy to complete quickly. That decision was made about two years ago. The RPB has a full team in place. Sesepasara is the fearless leader of that Ocean Planning Team that is well supported by the Secretariat and the facilitator.

This is an unfunded mandate; hence, PIRO had to get a grant from an outside organization (Gordon and Betty Moore Foundation) to complete the work. That grant has been almost expended, and NMFS is working with Linker to look at other opportunities for funding, as well as looking to the new administration to see where they go with the National Ocean Policy and if there will be resources available.

Tosatto said they had an RPB meeting a couple of weeks ago attended by the NOC executive director. The NOC executive director said the administration is looking at the National Ocean Policy and sees the Obama policy as generally beneficial but it need of tweaking to place emphasis where this administration sees emphasis is needed, such as the development of commerce opportunities within the coastal and ocean areas. He also referred to the recent Department of Defense spending bill, which did have domestic leeway in it. He is pursuing opportunities for funding of the National Ocean Policy through that new money.

Notwithstanding running out of money, there is enough to complete the American Samoa process. There is a draft plan in hand that the team is reviewing and will come to a final draft shortly. The plan will then be put out for public review and comment, and hopefully the plan will be finalized by the end of this year.

The Secretariat engaged the Marianas through a kick-off meeting towards the end of 2017 and will be gearing up to start the process there this spring.

Hawai'i and the PRIA is at the top of the progress board. Hawai'i has a reasonably advanced CMSP of its own, the Ocean Resource Management Plan. It has an effective body of State participants and Federal representatives that deliberate and work on it. The nearshore environment is generally looked after. They went through a major update after 2010 and incorporated a lot of the guidance of the National Ocean Policy into their update.

The PRIAs are slightly different and in the pre-scoping phase. The Monument management partners there, NOAA, USFWS, Department of Defense and a couple others are pre-scoping what those needs might be in the development of Monument Management Plans.

The data team is under the leadership of the RPB member from the Department of Defense. The team has met by teleconference a couple of different times. The team is getting support from the Naval Post-Graduate School. Two students in the Naval Post-Graduate School have taken this up as thesis projects that are directly relevant to the development of the data portal. The students are producing pieces of work that will feed ultimately into the RPB's work product. The team is identifying the data sources for relevant data and is beginning to identify what mapping interface and what the data portal might look like. The data team is also beginning to develop and integrate data decision support tools and will figure out what the team does not know and begin to develop the strategies on how to fill those data gaps.

Tosatto showed the Pago-Pago harbor as an example that overlays human use issues, environment, natural resources and cultural resources. Looking at all this information spatially allows managers to make an informed decision. He concluded saying that all this work is needed to make everyone's day job better and it's all about closing the gaps.

Lutu-Sanchez testified on behalf the American Samoa Planning Team that it was a trying experience. It was a great idea or concept that hopefully gets implemented and not shelved. The intent is to be helpful to not just make your job easier but also help the everyday person go out to the ocean.

Gourley asked Sesepasara what will the DMWR do when the Ocean Plan is done and how will it be implemented.

Sesepasara said it is not a regulatory plan but a plan to review other programs like Coastal Zone Management Program that issues land use permits. The plan will also be used in the planning for improvements in the Pago Pago harbor. The Port Authority is planning to build a dock that would require a US Army Corps of Engineers permit and would refer to the Ocean Plan.

Tosatto said the data portal can bring all those data sources so that the application or the contractor's development of the proposal is drawing off the same information that then is coming to NMFS to do consultations against. A key piece of what a State and Territory government get out of this plan is a federal commitment signed by all those agencies that says everyone will be doing things an agreed upon way.

Sesepasara said American Samoa has problems with the quarry upstream that is producing silt going to the reef. DMWR is looking to resolve this issue in order to keep the reefs healthy.

Gourley described his experience in CNMI and mentioned that it is good that this plan is not a regulatory plan. It has to be made clear because the local government agencies are interpreting this differently. The CNMI government recently finished the Saipan Lagoon Use Management Plan, which is basically the same as what the RPB is doing hence CNMI is ahead but could still use NMFS help.

Tosatto said the participation of the State and Territories is voluntary. Nationally, not all of the States and Territories have opted in. There is no South Atlantic RPB because Florida has not opted in, and it would be useless to do anything without them. The Gulf States, other than Florida have opted in. What the RPB can bring is potential interest, commitment and resources from the federal government to support the Saipan Lagoon Use Management Plan.

Simonds said it is great that the Department of Defense is in charge of the data portal. She suggested that have Department of Defense pay for the RPB work. She acknowledged the progress and reminded the Council that the Council hosted the workshop with all of the Territories and the State on CMSP, and each area chose an area in their Territory and State. There was a whole group of people and facilitators from the National Ocean Service and NMFS. So that was kind of like the beginning of all of this.

I. Regional, National and International Outreach and Education

Sylvia Spalding, Council staff, report on national, international and regional outreach and education since the Council's last meeting in October 2017. The Council published its fall 2017 and winter 2018 *Pacific Islands Fishery News*. The 2017 issue's cover story featuring the American Samoa women longliners has been well received. The 2018 newsletter features the priorities of the Council's chairs and vice chairs for this coming year, as well as a progress report on the Council's five-year plan. It also has an article about the American Samoa Marine Stewardship Council certification and an article on kayak fishing on Guam that the Guam AP chair, Felix Reyes, provided. The Council published the first *Status of the Western Pacific Region Fisheries Report* for the public. This first one is for 2016; the Council plans to publish something similar for each future year so the public can get a snapshot of what the status of the fisheries was for the previous fishing year without having to read hundreds of pages of the five annual SAFE reports. The Council reprinted its *Fish Forever* recipe book and Monograph 5 on Fishing Fleets and Fishery Profiles and Monograph 8 on the Western Pacific Coral Reef Fisheries due to popular demand. Two of the monographs, the one on coral and the one on protected species, were submitted as a nomination for The Wildlife Society award. The Council also published ads announcing upcoming meetings and multiple publications throughout the region and responded to numerous media and public queries and requests for interviews.

As far as events, the Council held its final Climate Change Training Workshops, which were held throughout the region. The last ones were held on Nov. 15 and 17, 2017, in CNMI and Guam, respectively. The workshops will be discussed at the next Marine Planning and Climate Change Committee meeting, which will be held April 10 and 11, 2018. Another thing that came out recently regarding climate change is the summary report for the First Annual Collaborative Climate Science Workshop. The Council is one of the collaborators and coordinators for this workshop. The main thing that came out was the need for adaptive capacity. The ability to see what the trends are and have science and management adapt to them. The next workshop will be held in September 2018.

The Council helped sponsor the first annual Lunar New Year festival in the CNMI. The Council also attended and provided an information booth at the Pacific Judicial Council, 2017 Environmental Law and Science Conference held in Guam from Nov. 13 to 17, 2017.

The Council solicited for the 2018 to 2019 US Pacific Territories Fisheries Capacity-Building Scholarship. The Council received two from CNMI, one from American Samoa and one from Guam. Three students are continuing and finishing on their degrees while another three have graduated and are fulfilling their employment responsibilities in their local fishing agencies in American Samoa and CNMI.

The International Pacific Marine Educators Network (IPMEN) will hold its biennial conference in Taiwan Oct. 1 to 5, 2018. Council staff has been invited by the Taiwan Industry of Science and Technology, Ministry of Education and the National Taiwan Ocean University to present at the conference with all expenses paid. The IPMEN 2020 conference will be likely held in Honolulu in conjunction with the National Marine Educators Association's annual meeting and the Festival of the Pacific Arts

In February, the Council hosted the Reef Ambassador Team from Taiwan. This is a group of high school students that wanted to learn about fishery management and the science behind the fishery management decisions.

Regarding information technology, staff continues to update and improve the Council's website, Facebook, YouTube and Twitter sites. The Council's e-distribution through Constant Contact has 1,600 subscribers.

At the 171st Council meeting, staff was directed to work with the Education Committee to develop a plan to ensure fisheries are incorporated in classroom lessons. Surveys were sent. So far the Council received 13 responses. Staff will present a draft plan to the Council at the 173rd meeting.

Sesepasara thanked the Council for the two students who received the scholarship to attend the University of Hawai'i at Hilo. Both are currently employed, one at the National Parks Service and one at DMWR. Faasalafa Diana Kitiona who works at DMWR did a great job at the US Coral Reef Task Force where she presented some of DMWR's work. He said he would like to see more of the American Samoan students take the opportunity to go get their science degree and come back home.

Simonds acknowledged PIFSC and PIRO for their funding contributions.

Lutu-Sanchez thanked Spalding for the article about women in fisheries in the Council's newsletter. She said there is a lot of misinformation out there and these media and outreach can help a lot in providing accurate and right information.

J. Advisory Group Report and Recommendations

1. Advisory Panels

Gary Beals, Hawai'i AP chair, presented the recommendations from the AP.

Regarding aquaculture, the American Samoa AP recommended that the Council establish an aquaculture management program for federal waters as stated in Alternative 2.

Regarding aquaculture, the CNMI AP reiterated its previous recommendation for Alternative 2, but would like to review the EIS and Council document prior to final action

Regarding aquaculture, the Guam AP recommended the Council select Alternative 2 as its preliminary preferred alternative as it is less restrictive. Further, the Guam AP recommended the Council ensure that aquaculture does not occur on Guam's fishing banks and/or near its existing FADs.

2. Hawai'i Regional Ecosystem Advisory Committee

Sensui stated that there were no recommendations from the Hawai'i REAC at this time.

3. Joint Advisory Group

a. Commonwealth of the Northern Mariana Islands

Roberto provided a brief report on the Joint Advisory Group meeting held in the Saipan. The REAC meeting was held in November on Saipan. Council staff presented about the EFH, went over the Habitat Program and covered the non-fishing impacts to EFH. Part of the presentation was from the Northern Marianas College Cooperative Research and Extension Education Services, which included an update on its aquaculture project funded by US Department of Agriculture grant to look at raising fork-tail rabbitfishes. There was a lot of interest from the group on the topic of aquaculture. But there was also concern about regulations and requirement for aquaculture in the wild, or in the ocean. Steve McKagan from PIRO was not present but did provide a written statement concerning the bottomfish permitting requirement. There was a concern about low compliance and reporting and about the permit application. Although there was a lot of discussion on aquaculture and the bottomfish permitting, there were no formal recommendations that came out of this meeting.

b. Guam

Michael Duenas provided a brief summary on the Joint Advisory Group meeting held in Guam. It covered the same topics as the CNMI Joint Advisory Group meeting. No recommendations came out of the Guam meeting.

4. Archipelagic Plan Team

Frank Parrish, PIFSC, summarized the intersessional meeting of the Archipelagic Plan Team. His report covered the non-fishing impact to EFH report. The Plan Team found it succinct and figured that it should be incorporated as a reference. He also covered the discussions about EC and implications of the action. At the end of the meeting, the group broke into two working groups, with one group focusing on the EC species and the other on precious corals. Parrish read the Plan Team's recommendations.

Regarding species in need of conservation and management in the Council's jurisdiction (e.g., federal waters, generally 3-200 nm from shore), the Plan Team recommended that the Council consider the implications of not having sufficient data to set and monitor ACLs (and thus no stock assessment) for species in need of conservation and management; not

having EFH designations for ecosystem component species; and consider that co-management may be critical for species that are principally caught in state or territorial waters and that would remain on the MUS lists. Further, the Plan Team recommended that the Council consider the Plan Team's questions and concerns before making final recommendations for reclassifying MUS.

5. Scientific and Statistical Committee

Jim Lynch presented the SSC recommendations related to the agenda items under Program Planning.

Regarding Program Planning agenda item 9.A, the SSC discussed the current MUS that will be presented and confirmed the list that will be presented to the Council. The SSC formed a subcommittee and talked with the State about the list of species and recognized the need to preserve the option to reconsider some of these species, and the SSC wanted to encourage the development of data concerning these species.

Regarding Program Planning agenda item 6.D, Report on NSC subcommittee meeting, the SSC used this as an opportunity to discuss and provide comment on the priorities for Management Strategy Report for the Western Pacific Region. The SSC formed a working group to update the report and discuss MSE priorities. The SSC, through its discussions, recommended the following for consideration by the working groups in the update of the MSE priority document:

- Trade-offs between the longline and purse-seine fishery as it relates to MSY and conservation measures for bigeye tuna stocks in the Pacific; and
- Alternative rules for the conservation and management of protected species beyond the PBR approach looking at trade-offs and impact to the fishery and protected species.

Regarding Program Planning agenda item 9.F, EBFM of the Western Pacific, the SSC recommended the draft report be provided to the SSC for review and comment before its finalization.

K. Public Hearing

There were no public comments at this time.

L. Council Discussion and Action

Regarding the ecosystem component amendment, the Council **approved the final list of management unit species that will be listed/reclassified as ecosystem components for inclusion in the Fishery Ecosystem Plans (Appendix);**

Tosatto said he had no comment on the list of species but abstained as this will come to the Agency for decision making

Moved by Sensui; seconded by Gourley.
Motion passed. Tosatto abstained.

Regarding the ecosystem component amendment, the Council **provided the following guidance to staff and the Action Team in the development of the regulatory amendment reclassifying certain Western Pacific MUS as EC species:**

- a. **For EC species, retain the following management measures and implementing regulations: 1) permit and fees; 2) reporting and record keeping; 3) prohibitions; 4) allowable gear and gear restrictions; 5) notifications; 6) at-sea observer coverage; 7) vessel marking and gear identification; 8) area closures; and 9) quotas, seasons and minimum sizes for American Samoa and Mariana precious coral. These measures allow for the collection of data on EC species and protect the associated role of EC species in the ecosystem and/or address other ecosystem issues (600.305(c)(5)).**
- b. **Revise, as appropriate, the definitions in the FEPs of MUS and EC species to reflect the final list of EC species and the MUS retained for conservation and management;**
- c. **Revise, as appropriate, the definitions of Currently Harvested Coral Reef Taxa (CHCRT) and Potentially Harvested Coral Reef Taxa (PHCRT) consistent with the Council's recommendation. As appropriate, carry forward the management measures and implementing regulations unique to the CHCRT to the coral reef MUS and those unique to the PHCRT to the coral reef EC species.**
- d. **For purposes of the living FEPs, revise those sections of the FEPs that are not required for EC species.**

Tosatto said he will vote to support this and encouraged Council, PIRO staff and General Counsel to be open-minded at getting around the last piece of focusing on revising sections that are not required for EC species but looking at those that are necessary to appropriately protect the EC species given their change in status.

Moved by Sensui; seconded by Gourley.
Motion passed.

Regarding aquaculture management, the Council **recommended, as a preliminarily preferred alternative, Alternative 2 for all proposed program components and directed staff to prepare an amendment for final action.**

Tosatto said he will support this since it is only identifying a preliminary preferred alternative for the still-being-developed draft Programmatic EIS. Regarding the second half of the recommendation that directs staff to prepare an amendment for final action, he said the Council has not seen a draft Programmatic EIS and he recommended timing the amendment package with the release of the Draft Programmatic EIS and the receiving of public comments.

NMFS hopes to deliver that Draft Programmatic EIS to the Council at its June meeting and will be open for public comment

Moved by Gourley; seconded by Sensui.
Motion passed.

Regarding non-fishing impacts to EFH, the Council recommended that staff develop an omnibus amendment updating the non-fishing impact to EFH sections of the FEPs, incorporating the Minton 2017 EFH review report by reference.

Moved by Gourley; seconded by Sensui.
Motion passed.

Regarding MSE, the Council directed staff to convene the SSC working group to review and update the insular fisheries and pelagic fisheries/protected species MSE priorities considering efforts related to the Regional Fishery Management Organizations' (RFMOs) MSE efforts. The pelagic fisheries/protected species working group members are Don Kobayashi, Shelton Harley, Graham Pilling, Kurt Schaefer and Justin Hospital and staffed by Eric Kingma. The insular fisheries working group members are Ryan Okano, Michael Tenorio, David Itano and Frank Camacho and staffed by Marlowe Sabater. For the pelagic fisheries/protected species MSE, the Council recommended the following for the working group's consideration:

- a. **Trade-offs between the longline and purse-seine fishery as it relates to MSY and conservation measures for bigeye tuna stocks in the Pacific; and**
- b. **Alternative rules for the conservation and management of protected species beyond the PBR approach looking at trade-offs and impact to the fishery and protected species.**

Moved by Sensui; seconded by Gourley.
Motion passed.

Regarding EBFM, the Council requested NMFS to provide the Council with the draft EBFM Regional Implementation Plan for the Council and its advisory bodies to review and comment.

Moved by Sensui; seconded by Gourley.
Motion passed.

X. Pelagic and International Fisheries

A. Hawai'i Longline Fisheries

1. Hawai'i Annual Longline Fisheries Report

Russell Ito, PIFSC, provided the 2017 logbook report for the Hawai'i longline fishery. A record number of 145 vessels were active, an increase of three vessels over 2016. No vessels

fished exclusively with shallow-set gear for swordfish year around; 18 vessels switched between shallow- and deep-set, an increase from 13 vessels in 2016. There were 1,560 fishing trips, of which 60 trips were targeted swordfish trips. The total number of sets were 20,400 (19,500 deep-sets; ~1,000 shallow-sets), which is also a record. The total number of hooks was a record last year, with 54 million hooks deployed. Of those, 41 million hooks were set on the high seas and 13 million hooks in the US EEZ around Hawai‘i and the PRIAs. Most of the effort was in the Western and Central Pacific Ocean (WCPO), but there was a considerable amount of effort in the Eastern Pacific Ocean (EPO) as well. Expansion of the Paphanaumokuakea Marine National Monument has displaced fishing effort and appears to have had a larger effect on the shallow-set fishery.

Ito reported that the 2017 longline catch included about 220,000 bigeye tuna, a record landing of 80,000 yellowfin tuna and a decreasing landing of 4,000 albacore. Bigeye catch by area is similar to the effort plot. Bigeye CPUE does not show much variability or seasonality, but it seems that bigeye CPUE has been higher the few years at around 4.5 fish per 1000 hooks. Swordfish catch was 19,000 fish, an increase of around 4,000 fish from 2016. Fishing for swordfish was tough in 2016 as the ocean transitioned from El Nino to La Nina; 2017 seemed more favorable to fishing. The catch of billfish has been higher in the last few years as compared to the time series, with all three marlin species (blue, striped and spearfish) showing increased landings. With respect to the catch of the other retained species, mahimahi used to dominate this category, but it was surpassed by monchong a few years ago. The mahimahi catch was around 47,000 fish, and the monchong catch was around 77,000 fish, where its peak was 99,000 fish in 2015. The last two years saw a decrease in opah, oilfish and wahoo, which coincides with what fishermen have been observing. There were 95,000 blue sharks caught, with zero retained. Ito concluded by mentioning that the loggerhead sea turtle hard cap may soon be reached and that SSTs have been a little cold and the fishermen are adjusting to it accordingly. Ito thanked colleagues at PIFSC for helping compile the statistics as well as the Hawai‘i longline fishermen, United Fishing Agency and NMFS Observer Program.

Goto said the Papahanaumokuakea Marine National Monument has clearly displaced effort. He asked what effect the PRIA Marine National Monument expansion around Johnston Atoll has had on the fishery.

Ito said it was a productive fishing and, when fishing was bad, a go-to place. It may not produce the best quality fish but was a consistent fishing ground. Closing the area has been difficult on the fishery.

Goto said he has witnessed the increase in yellowfin landings and does not know why, but there is an increased interest in yellowfin product and the market has responded.

2. Framework for Managing Sea Turtle Interactions in the Hawai‘i Shallow-Set Longline Fishery

Ishizaki presented on developing a framework to manage loggerhead and leatherback sea turtle interactions in the Hawai‘i shallow-set longline fishery. She reviewed the Council’s action taken in October and noted that subsequent to the 171st meeting, high levels of loggerhead interactions were being reported as the fishery ramped up for the season. Also after the October

meeting, the Ninth Circuit ruled that the 2012 Biological Opinion no-jeopardy finding for loggerheads was arbitrary and capricious. Given these issues, Council staff continued to develop framework options to manage loggerhead and leatherback turtle interactions in the Hawai'i shallow-set fishery.

Ishizaki provided background on the fishery including historical effort trends and closure from 2001 to 2004. The fishery reopened in late 2004 as a model fishery, with regulations requiring the use of large circle hooks, mackerel-type bait and NMFS-approved de-hooking devices. In addition to those gear measures, Regulatory Amendment 3 included measures to control fishing effort (2,120 sets) and sea turtle interactions (annual hard caps of 17 loggerheads and 16 leatherbacks) while information was being gathered on the model fishery. The fishery was subject to 100 percent observer coverage (which continues today). The hard caps were set to annual number of turtles expected to be incidentally captured in the fishery in accordance with the 2004 Biological Opinion prepared under the ESA. The gear mitigation measures effectively reduced the interactions of loggerhead and leatherback turtles upward of 90 percent for both species. In 2010, the Council-recommended Amendment 18 to the Pelagic FMP was implemented, which removed the effort limit of 2,120 sets, discontinued the set certificate program and established a new hard cap at 46 loggerhead and 16 leatherback turtles. In 2011, the court vacated Amendment 18 regulations and reinstated the 2004 hard caps. NMFS issued the 2012 Biological Opinion and the hard caps were set at 34 loggerheads and 26 leatherbacks. The Ninth Circuit panel decision issued in December of 2017, addressed the 2012 Biological Opinion and found that the no-jeopardy finding for loggerheads was arbitrary and capricious.

Ishizaki presented recent fishery statistics with regards to participation, fishing effort, landings, swordfish stock status, revenue and seasonality of the fishery. Since 2005, the fishery averaged 10.8 loggerhead and 7.5 leatherback turtle interactions per year. The fishery reached the loggerhead hard cap once (2006) and the leatherback cap once (2011). In 2017, 21 loggerhead turtle interactions were observed and since Jan. 1, 2018, 31 loggerhead turtle interactions have been observed. Most if not all the turtles are released alive. Converting the number of interactions into adult female nesting turtles, the annual average mortalities over the last 12 years is about 0.1 adult loggerhead female and about 1 adult leatherback female. The transferred effects of a closed, highly regulated US fishery were reviewed and involve potentially greater impacts to sea turtles from foreign fisheries that replace the domestic catch.

Reasons for the higher loggerhead interactions this season are unknown but could be linked to a) concentrated overlap between the fishery and loggerhead habitat (TurtleWatch band), b) change in spatial fishing effort, or c) higher numbers of loggerheads. To review these potential linkages, staff asked PIFSC to analyze recent loggerhead turtle interaction patterns against data available since 2004. After the presentation of the PIFSC Analysis of Observed Sea Turtle Interactions (below), Ishizaki continued her presentation.

The existing hard cap measure along with the gear requirements is useful in preventing additional takes beyond the cap but is currently based on the anticipated level rather than the biological limit. The hard cap measure also does not provide early detection of higher interactions or hot spots. When reached, the hard cap closes the fishery for the remainder of the calendar year and thus precludes fishing in the early part of the season from October to December. The purpose of the framework is to effectively manage impacts to leatherback and

loggerhead sea turtles, consistent with ESA and MSA requirements while maintaining fishing opportunities during the peak swordfish season between October and March. This action is needed to provide managers and fishery participants with the necessary tools to respond to and mitigate fluctuations in sea turtle interactions, so as to ensure a continued supply of fresh swordfish to US markets.

Ishizaki presented the following options under consideration with regards to the framework:

- Option 1: Status quo, no changes to existing management measures; and
- Option 2: establish a framework for managing loggerhead and leatherback turtle interactions that provides a suite of management tools to respond to and mitigate fluctuations in interactions, which would then further reduce impacts to sea turtle populations, while maintaining the fishing opportunities year-round. The framework would include hard caps and measures built off of that to prevent reaching the hard cap limit, thus reducing sea turtle interactions while maintaining fishery operations year-round.
 - Sub-option A: Looks at hard cap specification including single year and multiyear caps, individual vessel limit caps, or to remove the hard cap;
 - Sub-option B: Involves in-season measures for hard caps based on triggers using historical data or annual specifications;
 - Sub-option C: Involves real-time spatial management measures based on triggers using historical data, annual specifications, and a pilot program; and
 - Sub-option D: Involves non-regulatory measures, such as fleet communication and research on post hooking survivorship.

Ishizaki said the SSC considered the proposed framework at its last meeting and identified the complexity associated with real-time spatial management and associated regulations. Using examples from Alaska and the West Coast, the SSC recommended an industry-led solution to manage sea turtle interactions within the hard cap framework. The measures would involve a transferable quota system administered through the industry, risk pools or other efficient methods. The SSC also recommended improving communication with the fishery participants to be able to provide that timely information on interactions.

Ishizaki concluded by reiterating the decision before the Council is to review the revised set of options in developing a framework for managing loggerhead and leatherback turtle interactions in the shallow-set longline fishery and to direct the staff for further development as appropriate.

Goto said industry involvement is a major component to effective measures, but it is complex because several vessels fishing under Hawai'i permits offload swordfish in California, which need to be taken into account.

Simonds said, if the Council decides to do something like this, it would include all of the boats that have Hawai'i longline permits, including the vessels landing in California. The 100

percent observer coverage and the Incidental Take Statement developed by the NMFS would continue.

Gourley asked how many vessels offload in California.

Goto said between eight and 10.

Kingma said about four vessels are permanently based there and some vessels go back and forth.

Goto said both deep- and shallow-set vessels fluctuate between landing into the ports of Honolulu and California and it will likely to be a constantly changing situation.

Tosatto said, while the vessels might base temporarily or permanently out of California, they are part of the Hawai'i Longline Limited Entry Program. They have their ESA coverage through the fishery's Biological Opinion, and they're bound by the region's regulations 100 percent of the time until such time as the Fishery Management Councils or NMFS decides to separate something.

Lutu-Sanchez asked if there has been any feedback from the fishing industry.

Ishizaki said staff has worked with industry to communicate the potential for reaching the cap this year. The message went to the fleet on the fishing grounds. They are interested in additional ways of dealing with interactions so they can continue to operate throughout the entire year.

Tosatto said NMFS posts the number of interactions in a given year as timely as it can. The information is available, but fishery participants have to look for it on the turtle webpage. NMFS is not disseminating the information. He said the fishery contributes a significant portion of US swordfish production and closure would exacerbate the seafood deficit, thus it is in the collective best interest to find ways to keep this fishery open year-round.

Lutu-Sanchez asked what the industry's response was to prevent reaching the limit of 34 interactions and whether the response were to move out of areas after finding out there had been 31 interactions.

Ishizaki said a number of vessels did come back to port after hearing that the fishery was having a higher level of interactions and well before they reached 31, but not all vessels talk to each other so some continued fishing.

Goto said many of the vessels are independently operated and issues such as fishing grounds are considered proprietary to them. Most of the fleet responded rapidly because there are financial decisions to make with regards to continuing to shallow-set or switching to deep-set, such as converting fishing gear and obtaining experienced captain and crew.

a. **Preliminary Analysis of Observed Sea Turtle Interactions**

T. Todd Jones, PIFSC, thanked collaborators (Don Kobayashi, Melanie Abecassis, Summer Martin and Evan Howell) of the work to characterize the observed increased in loggerhead interactions. A review of the life history of the North Pacific loggerhead turtle distinct population segment was provided, including exclusive nesting in Japan, transpacific migration of some juveniles to the Baja Peninsula and adult residency off the coasts of Japan. The shallow-set fishery primarily interacts with juvenile and sub-adult loggerheads.

Jones reviewed the possible reasons more interactions have been observed. Looking at spatial fishing information for this season compared to previous years, there is nothing anomalous in terms of fishing locations and sea turtle interactions. Information compiled since 2004 on the size of the turtles indicates that smaller loggerheads are taken in December and January. The interactions this season also showed the December and January pattern; the size distribution of loggerhead interactions has been about the same this year as with all other years. Available information indicates loggerhead CPUE has been increasing since 2008.

Studies of satellite-tagged loggerheads have shown habitat preference for the chlorophyll front in the North Pacific. It is difficult to know where the front is, so SST is used as a proxy. The temperature band of 17.5° C to 18.5° C was used to represent the chlorophyll front in PIFSC's TurtleWatch product. Fishing effort this season within areas of the chlorophyll front and associated temperature band is similar to past years and not anomalous. To examine if TurtleWatch could be used as a dynamic management tool, spatial data relative to fishing effort, swordfish and turtle CPUE, turtles and temperature bands were analyzed. Over the time period, the TurtleWatch band of 17.5° C to 18.5° C has the highest interaction rate of loggerheads. Although some data is limited, such as low fishing effort in some temperature bands, the analysis revealed that if fishing effort in November, December and January stayed in waters cooler than 17° C, relatively high swordfish CPUE was maintained and loggerhead interaction rates were reduced compared to warmer temperatures. The analysis also suggests that fishing in waters warmer than 18.5° C beginning in February would produce relatively high swordfish catches but reduced loggerhead CPUE by about half.

Jones reported on loggerhead nesting beach trends, showing the aggregated nesting beach data for all of Japan from the mid-1990s to last year. There were 8,000 nests in 2008 and more than 15,000 nests in 2018, which was the highest level of observed nesting in Japan since monitoring began in the 1950s. In 2015 and 2016, nesting beach counts were at around 5,000 and 6,000 nests, which is also higher than observed in the past. A study conducted by Cali Turner of the Southwest Fisheries Science Center provides information on the aging of loggerhead turtles, which can be used to estimate age with curved carapace lengths. The turtles that have interacted with the fishery this year are the cohort of 2008 to 2014, which is the cohort of the highest number of nesting recorded in Japan. More turtles are potentially in the area where the fishery has been in December and January of this year. Particle drift modeling also suggests that the passive drift of hatchlings leaving Japan would put loggerheads as early as one year of age, but most within three to five years old, overlapping with the fishing grounds of the shallow-set fishery.

Jones said future work will look to refine estimates of loggerhead interaction locations, assess interaction rates with temperature and front compression, refine the temperature bands to investigate fishing within a temperature continuum, estimate hatching productivity and survivorship, and assess trade-offs and interaction rates if the fishery is displaced based on potential management strategies.

Sensui said, in the Ninth Circuit, Center for Biological Diversity and Earthjustice characterized the longline fishery as often snaring birds, sea turtles and other marine wildlife; however, based on the information just presented, that is a gross mischaracterization.

B. US Territory Longline Bigeye Specification

Kingma presented the action item concerning the 2018 US Territory longline bigeye specification. The annual specifications are pursuant to the Pelagic FEP Amendment 7 framework and applicable to the US Participating Territories of American Samoa, Guam, and CNMI. Amendment 7, which was approved and implemented in 2014, provides a management framework to establish annual catch or effort limits applicable to the US Territories. It authorizes the US Participating Territories to use, assign, allocate or manage the catch and effort limits through Specified Fishing Agreements with US vessels permitted under the Pelagic FEP. Specified Fishing Agreements are funded to support fisheries development projects in the Territories' Marine Conservation Plans.

Kingma presented the options under consideration. Option 1 is no action: do not specify catch or allocation limits for 2018; no limits also means no Specified Fishing Agreements. Option 2 is status quo: specify 2,000 mt bigeye longline limits for each of the Territories of which 1,000 mt could be allocated under Specified Fishing Agreements. Option 3: specify 2,000 mt total bigeye longline limits and authorize each Territory to allocate up to 2,000 mt of the limit. Option 4: don't specify total catch limits, but specify allocation limits only of 1,000 mt, 1,500 mt or 2,000 mt. This last option would likely also require changes to Amendment 7 regulations.

Background information on bigeye stock status, bigeye catch distribution and WCPFC conservation and management measures (CMMs) was presented. Bigeye is not experiencing overfishing or overfished based in the 2017 stock assessment; most of the catch is distributed within 10° N and S of the equator. The Hawai'i longline fishery operates mostly in sub-tropical latitudes in the North Pacific outside of the core bigeye catch area in both the WCPO and EPO. Since 2008, the WCPFC has been managing bigeye catches through CMMs that include provisions applicable to purse-seine and longline fisheries. Purse-seine provisions have focused on seasonal FAD closure periods, and longline fisheries are subject to flag-based catch limits. Many countries are provided exemptions, and Small Island Developing States and Territories are not subject to longline catch limits. At the WCPFC meeting in December 2018, CMM 2017-01 was adopted as a three-year measure, but the main purse-seine and longline measures were agreed for 2018 only. The duration of the seasonal FAD closure was reduced to three months instead of four, and there is an additional two-month closure on the high seas that applies to most countries, with some exemptions. Longline catch limits were agreed for six fleets to revert back to 2016 levels while status quo was maintained for other members. China received a 500-mt transfer from Japan's limit. Japan has been reporting catches several thousand metric tons below

its limits for a number of years. Indonesia received its same level of catch limit of nearly 6,000 mt even though it reported a catch of 8 mt in 2016. The United States catch limit for 2018 is 3,554 mt, the same as 2016. Like previous measures, there are no longline catch limits for the Small Island Developing States or Participating Territories, including American Samoa, Guam and CNMI.

Information was provided on the amount of catch landed by Hawai'i-based longline vessels and attributed to the US limit and US Participating Territories under fishing agreements. Bigeye CPUE was high in 2015 and 2016, and the US limit was reached early in year for the last three years. The last three years have also seen nearly full utilization of two specified fishing agreements, with nearly 6,000 mt landed in total in Honolulu.

The impact to WCPO bigeye stock status as a result of the potential catch associated with the options was analyzed in coordination with PIFSC and Secretariat of the Pacific Community. The analysis uses the latest stock assessment and predicted the effectiveness of CMM 2017-01, which includes full utilization of longline catch limits (including Japan and Indonesia) and recent catch by other members, combined with various catch scenarios associated with the options. All of the options would not lead to a breach of the Commission's limit reference point of 0.2. Catch scenarios that involve full utilization of Territory limits may lead to the fishing mortality levels slightly above the overfishing reference point of $F/F_{MSY} = 1.0$, but statistically indistinguishable from the 1.0 value.

Kingma presented impacts associated with the options. No action would not have any additional impacts to bigeye but would not provide fisheries development funding for the US Participating Territories and would impact the Hawai'i longline vessels and Hawai'i seafood markets. The other options would involve higher levels of bigeye mortality but are not anticipated to impede international CMMs, while also providing positive benefits to the US Participating Territories in terms of fisheries development funding and also to Hawai'i longline vessels and Hawai'i seafood market.

Goto said in 2015 when a surge in bigeye catch rates continued, the local market was not prepared, but now the market is adjusting to it and can sustain the volume being landed. There is high local consumer demand for Hawai'i bigeye which helps to combat the seafood deficit.

Simonds asked how much catch could have been caught in the last three years if NMFS would have implemented the specifications on time.

Kingma said, considering 25 vessels were precluded from fishing in the EPO, it could have been 500 to 800 mt higher.

Christofer Boggs, PIFSC, said, when vessels are closed in the west, they went east and that if all the years are plotted together, ignoring where the fish is caught, the closed years look very much like the open years. The industry goes out and catches the fish almost no matter what.

Goto said the only way to measure to measure how much production was lost is to take into account the number of large vessels that could not fish either in the WCPO or EPO. In 2015, about 40 vessels could not go out to fish for over two months.

Sesepasara said American Samoa would like to stay with the status quo of 2,000 mt and allow transfer of up to 1,000 mt. American Samoa has a longline fleet that catches some bigeye tuna, and the fleet needs the ability to catch those bigeye tuna.

Tosatto said he has some concern with anything but status quo. He appreciated Sesepasara's position as bigeye is caught by the boats operating out of American Samoa and the dual permitted boats. The status quo also supports the intent behind gaining backing for the paragraph in CMM 2017-01 that recognizes US Territory agreements and the associated amount of catch made in 2016 for the Hawai'i longline fishery. He cautioned that anything but status quo may look to be consistent with the international obligation by the letter but might be diverting from the intent in those negotiations and may be hard for NMFS to approve. If the intent was not followed, it might make negotiations difficult and international partners may not be willing to provide the recognition again.

Simonds said the WCPFC could reduce the US quota like it has in the past with agreement from the US government.

Okano said the State of Hawai'i recognizes the importance of the longline industry to Hawai'i's food security and to reducing dependence on imports and, therefore, supports the status quo.

Tucher said any other action that would increase effort over the status quo does raise concern over protected species impacts that would need to be analyzed in a biological opinion or ensured they are covered by a biological opinion.

Simonds asked if there is a biological opinion at this time that would cover any increase in effort.

Tucher said around 48 million hooks are currently analyzed and there would be a need to look at the significance of the increased effort associated with a higher level of effort. If there is increased effort that was not covered by a biological opinion, the fishery could operate under a 7d memo, but there are restrictions on operating in that manner.

Sesepasara inquired about the amount of bigeye landed into American Samoa. He thought it was around 200 mt, but the report says 686 mt. He sought clarification on the dual permitted catch and where those vessels fish.

Tosatto said around 250 mt are landed by the American Samoa-based vessels. Dual permitted vessels have both American Samoa and Hawai'i limited entry permits. The dual permitted vessels fish in the North Pacific, above the equator, and land their catch in Hawai'i, around 529 mt per year on average. This catch is included for American Samoa. He said Sesepasara's comment is on target that the status quo provides a buffer to avoid reaching the 2,000-mt limit.

C. Pelagic Fishery Ecosystem Plan Frameworks

1. Amend Recommendation Made at the 161st Meeting to the Pelagic Fishery Ecosystem Plan Amendment to Establish a Framework for the Specification of WCPFC Catch and Effort Limits for US Pelagic Fisheries in the Western Pacific Region to Include Other Measures, IATTC and any other RFMO Legislation that Authorizes Implementation under the MSA

Kingma presented the action item and associated background information. The United States is a member of various international fisheries commissions, such as the WCPFC and Inter-American Tropical Tuna Commission (IATTC). Prior to the United States being a member of these types of Regional Fisheries Management Organizations (RFMOs), Congress has to ratify the underlying convention and adopt legislation to implement how the United States will participate and/or fulfill its obligations. An example is the WCPFC Implementation Act that was associated with the 2006 Reauthorization of the MSA. The Secretary of Commerce provided authority under the WCPFC Implementation Act to promulgate regulations necessary to implement WCPFC measures that apply to US fishing vessels. That act also provides that in cases where the United States has the discretion to implement WCPFC measures applicable to US fisheries managed by the Council, that those regulations may be developed in accordance with MSA procedures, i.e., the Council process.

In 2014, the Council recommended amending the Pelagic FEP to establish a framework to implement RFMO CMMs applicable to pelagic fisheries of the Western Pacific Region (other than those of the Territories and which are already covered under Amendment 7). In essence, this action would cover RFMO measures that could apply to Hawai'i-based fisheries. In 2015 and subsequent to previous Council action, US Congress implemented the IATTC's Antigua Convention under the IUU Fishing Enforcement Act of 2015. This act similarly contained authority to implement IATTC measures through an MSA process. Since the implementing legislation came after the Council's 2014 recommendation, staff has been advised that additional Council action is necessary to explicitly include IATTC measures within the already recommended framework. Other RFMOs that may also come into effect that apply to pelagic fisheries management in the FEP could include the BBNJ initiative, an emerging international convention that will be negotiated in the next few years. There is also a need clearly include other CMMs, and not just specific to say catch or effort, adopted by these RFMOs. Such measures could include capacity limits and protected species mitigation.

Kingma said for final action the Council should consider amending its 161st meeting recommendation to amend the Pelagic FEP such that the framework would cover CMMs adopted by the WCPFC, IATTC and any other RFMOs that authorize rulemaking consistent with the MSA, as well as other conservation and management measures, not just catch and effort limits, adopted by an RFMO that would be appropriate for Council consideration and implementation under the MSA.

2. Modification to US Participating Territory Catch and Effort Limit Amendment 7 Framework

Kingma reviewed the action item and noted that the regulations implementing the Amendment 7 framework requires the Council to first specify total catch limits if also specifying an allocation limit. The problem with this is that CMM 2017-01 does not specify total catch limits for the US Participating Territories, thus there may be instances where allocations only would support consistency with existing CMMs. In addition, under the current approach, a substantial portion of the catch being analyzed for Guam and CNMI fisheries is not caught so it may be more reasonable to analyze what may be allocated and used. A solution would be to recommend modifications to the existing 50 CFR to remove those requirements that require establishing total catch limits if also establishing allocation limits. The regulatory modifications would help ensure consistency with Amendment 7 regulations, CMM 2017-01 or its replacement or any other future Commission measures that could be applied. It was reported that the Council would be considering taking initial action on this agenda item at the 172nd meeting.

D. American Samoa Longline Fishery

1. American Samoa Annual Longline Fisheries Report

Ito provided the 2017 American Samoa longline fishery annual report on behalf of Keith Bigelow, PIFSC. Fifteen longline vessels fished in the US EEZ around American Samoa in 2017, which is five less than the previous year. Seven vessels fished outside of the EEZ. The 129 fishing trips were down from 214 trips in 2016. The numbers of trips, hooks and sets have been declining since 2002. Albacore catches have been on a decline as well, peaking at about 340,000 fish in 2002, and 2007, declining to 73,000 fish in 2017. Albacore catch rates have been pretty level since 2003, except that at the beginning of the time series (2000) catch rates were around 40 fish per thousand hooks but are now down to around 12 fish per thousand hooks. Yellowfin catches in 2017 increased by over 6,000 fish from 2016 landings. Yellowfin tuna CPUE was high in the early part of the time series and relatively steady from 2001 up through 2013, but more variation and higher CPUEs are observed in the latter part of this time series. In 2017, the LVPA exemption regulations were in effect until mid-March. During this time, around 382,000 hooks were deployed in the LVPA around Tutuila and Manu'a, which was 6.1 percent of total effort, and 65,000 hooks were deployed in LVPA around Swains. Catches in terms of numbers of fish were 4,329 fish or about 6.3 percent of the total catch in the LVPA around Tutuila and Mauna and about 1,000 fish in the LVPA around Swains.

Sesepasara asked if the reported values for numbers of fish were correct such as the average catch of four per thousand hooks.

Ito said average albacore catch rate is 12 fish per thousand hooks.

Sesepasara asked if the boats that fished outside the EEZ in 2017 were the vessels that fished in the LVPA around Swains.

Ito said three vessels fished in the LVPA exemption area around Swains in 2017.

Sesepasara asked if there are other longliners based in American Samoa fishing outside of the EEZ.

Ito said total fishing effort for 2017 was 6.2 million hooks and 6.2 million hooks was reported to be in the US EEZ around American Samoa, which is an extremely high proportion of effort within the EEZ.

Lutu-Sanchez asked if the information shown on fishing effort within the LVPA exemption area in 2017 included the grandfathered vessel.

Kingma answered yes.

Lutu-Sanchez said she believes there are only 12 vessels active in 2018.

2. American Samoa Large Vessel Prohibited Area

Kingma presented the action item and reviewed background information that included a description of the fishery and target catch, the establishment of the LVPA in 2002, vessel attrition in both sectors of the longline fleet, fisheries and economic statistics, and international South Pacific albacore management and trends. The timeline associated with the LVPA exemption rule was reviewed including the 2017 court decision in favor of the American Samoa government, which has been appealed by the US Department of Justice. The court decision requires NMFS to preserve and protect American Samoa cultural fishing when implementing management measures under the MSA.

The SSC has concluded that cultural fishing can be defined in a way that captures Samoan values as embodied in Fa'a Samoa Samoan practices, such as *tautua* service, especially to the chiefs. It can include the Samoan practice of a broad collective sharing of resources with the *aiga* managed by the *matai* and also customary practices of sharing labor, resources, income, etc., that strengthen the village and *aiga* in perpetuating Fa'a Samoa. The SSC has also recognized that with regard to any definition or consideration of cultural fishing, the type of gear is less important than the cultural distribution of the catch and the participation of the fishermen in the fishing community.

In conjunction with the 171st Council meeting in October 2017, the Council held a public hearing on the LVPA issue and cultural fishing. At that meeting, the Council identified its preliminary preferred option to be an LVPA exemption for vessels over 50 feet, essentially 12 nautical miles around Tutuila, 12 nautical miles around Manu'a, 12 nautical miles around Swains and 2 nautical miles around the offshore banks, which was in consideration of public comment received that the offshore banks are important for trolling and bottom fishing. The Council also recommended that PIFSC conduct research on the issue of American Samoa cultural fishing to be made available for consideration at the Council's March 2018 meeting.

Kingma concluded by reviewing six LVPA options that range from no-action to full removal of the LVPA and spatial variations of the LVPA exemption area in between.

Sesepasara said that only a few in the room were around during the establishment of the LVPA and that back in the early 1980s Hawai'i longline vessels and recreational vessels

experienced a similar problem to what American Samoa would soon face. Vessels came in from the US mainland, and there was conflict with Hawai'i small boat fishermen, with some threatening to shoot each other. The Council resolved that problem by separating the fleets. Fearing that something similar could happen in American Samoa, he (then director of DMWR) submitted a request to the Council to set aside a 100-nautical mile area for the indigenous fishermen of American Samoa. NMFS did not approve it. The American Samoa longline fishery started in 1991 with one fisherman and expanded with the assistance of the South Pacific Commission [now the Secretariat of the Pacific Community]. Alia fishermen were bringing in 20 to 40 albacore per trip, which was big money for them. The alia vessels would leave at five in the morning and return at 10 p.m. Then the larger boats came in and there was a need for the LVPA. Alia fishermen to this day wonder what happened to the fishery, and there is no economic study. Their number one suspicion for the collapse is that the fish are intercepted before they come within 50 miles of shore. Maybe it is true, maybe it is not true. He thanked Kingma for presenting more information on reasons the alia fishery collapsed and said he thinks they are true, but alia fishermen would like to see more about the decline.

Peck said the grandfathered vessel allowed to fish in the LVPA does so without any restrictions and fishes inside different areas of the LVPA that the Council is considering allowing. He said he has witnessed buoys from that longline vessel set within a quarter mile of FAD devices stationed close to shore.

Sesepasara said the one fisherman who started the alia longline fishery continues to fish today.

Goto concluded the agenda item in consideration of time and provided the floor to Gourley.

Gourley opened the floor for public hearing (see section 10.I).

a. Report on American Samoa Cultural Fishing

Danika Klieber, PIFSC, thanked the people who helped with the work and those who interviewed with PIFSC researchers for sharing their stories. An overview of the research was provided including social science methods utilized such as an oral histories approach. The goal of the research was to examine perceptions of culture and contemporary fisheries in American Samoa. Culture can be divided into intangible and material things. Intangible includes practices, representations, values and things that can't be held but are important. Material things include instruments, objects and artifacts and, in terms of fisheries, include vessels and fishing gear. The UN Educational, Scientific and Cultural Organization articulated two important points related to cultural and fisheries: it is transmitted from generation to generation and it is constantly being recreated by communities and groups. Culture is the interaction between social human communities and their environment. It is not static; it is context specific.

The research involved gathering information, which started with the public comments provided at the Council's 171st meeting last October. In February, PIFSC researchers conducted interviews with alia fishermen, longline vessel owners and one cannery worker. The research team took the interview information and public hearing comments and coded common themes.

Limitations to the research include interviews being conducted in one area at a time and missing some perspectives such as longline captains and crew and community leaders.

As culture is not binary, the role was not to define cultural fishing but rather to develop a framework to utilize when thinking about cultural fishing. Fa'a Samoa was found to be a central theme and is about the spirit of sharing of what one has. Other themes identified were cooperation and sharing of fishing knowledge and fishing gear and not wasting fish that is caught. Fishing motivation was an important factor including subsistence or commercial fishing. Both alia and longline fishermen identified a commercial motivation, but alia fishermen also talked about cash exchange and giving of fish. Social benefits were also identified whereby longline fishermen described the important economic contributions their vessels provide and both groups also identified the importance of giving away fish to the community. Identity was identified as well with most interviewees describing their identity as being indigenous American Samoa or as an American Samoa resident who has grown up there. Even if a person is not indigenous to American Samoa, the practice Fa'a Samoa and a commitment to the place were seen as important. The use of modern fishing gear and vessels was identified by both fishing groups to conduct cultural fishing. Local infrastructure and market needs were identified by alia fishermen as ways to support their cultural fishing. There were opposing views between fishing groups on the impact of opening the LVPA. One interviewee recommended cultural mediation between the fishing groups and a need for the groups to discuss together their shared values and needs.

Sesepasara asked if the researchers had an interpreter with them because one of the problems is that many alia fishermen lack education and the ability to express themselves well.

Kleiber responded that they did have an interpreter for the interviews.

Sesepasara said one fisherman complained that he was not sure the interpreter was expressing exactly what he wanted. The NOAA employee in American Samoa is more educated in English rather than Samoan. The alia fishermen want to make sure that the Council hears their cry. He asked if the researchers met with any of the high chiefs.

Kleiber said they did not as their trip got curtailed due to the cyclone.

Sesepasara said another fisherman expressed disappointment that a list was provided of fishermen and their phone numbers and the researchers talked to most of them. One fisherman complained that he was not interviewed.

Soliai apologized for not being able to meet with the researchers when they were in American Samoa and commended their efforts. He asked about the next steps.

Kleiber said they only had three days due to Cyclone Gita and the next step would be to add more voices.

Soliai asked if the researchers will be coming back.

Kleiber deferred to Justin Hospital, PIFSC.

Hospital said PIFSC cannot commit at the time to visit American Samoa to conduct more work on this issue.

Soliai recommended that the researchers return given that they spent only three days there and this is a contentious subject.

Lutu-Sanchez thanked Kleiber for being able to speak with her during the interview process and asked if responses from alia fishermen were similar among all 10 of them.

Kleiber said the oral histories approach allows the interviewee to lead the process. While a few questions are used to prompt them, the researchers let them talk about what they wanted to talk about; therefore, many of the interviews were different and emphasized different things. There were a variety of responses on some things, but agreements on others.

Lutu-Sanchez asked if there were similar responses regarding the LVPA amendment.

Kleiber said the alia fishermen agreed regarding their preferences for the LVPA.

Lutu-Sanchez asked Kleiber to elaborate.

Kleiber said longliners were fairly clear about opening the LVPA to longline fishing, while alia fishers pretty much agreed that they wanted the LVPA to terminate at 50 miles.

Lutu-Sanchez asked if any of alia fishermen were currently longlining or expressed interest in longlining in the near future.

Kleiber said one was longlining and a group was fitting a vessel to longline in the future.

Lutu-Sanchez asked about the biggest fear stopping them from longlining now.

Kleiber said her impression was lack of funds to get the boats where they need to be.

Lutu-Sanchez requested further explanation on the how interviewees perceived the term “indigenous.”

Kleiber said there are different ways people perceived the fisheries, with a strong perception held that the alia fishery was local and that indigenous American Samoans were participating in it. Alia fishermen talked about longline fisheries in different terms. When talking about participation, they mostly focused on longline vessel owners. Longline owners discussed what they perceive as a misconception held by alia fishermen; they are being confused with foreign longline vessels and purse seiners.

Lutu-Sanchez asked Kleiber to confirm who was saying that longline vessel owners were being confused as not indigenous.

Kleiber said longline vessels owners thought the community, in general, is confusing the fact that there is a local longline fleet. Alia fishermen did question whether longline vessel owners were local.

Lutu-Sanchez asked Kleiber to characterized local.

Kleiber said alia fishermen would describe it as American Samoa or having a Samoan heart.

Lutu-Sanchez thanked Kleiber for the study and said it is heavily weighted to one side. She highlighted that misinformation can easily be exaggerated within the community and that some of the responses unfortunately include misinformation. It is important that the community works together and that accurate data and facts are available on who the fishermen are, who is participating in the fisheries and how much they are contributing to the local community and economy. It takes great leadership to make sure the facts are available to the community.

Soliai said it would irresponsible not to continue the research; it behooves all parties that the process continues and that there is no injustice to the communities being served. A broader sample size is warranted including people from neighboring islands. The work was commended given the short amount of time and encouraged to continue.

Peck said there is a recreational fishing community that is boat-based and includes Samoans who give away more fish than they keep. He encouraged that user group to be included.

Kleiber thanked Peck for his suggestion. She said some of the alia fishers also participated in the recreational fisheries, but it was not brought out as they were not able to talk with the head of the association.

Kingma thanked Kleiber for her worked and offered her good luck in her next endeavor in Townsville at James Cook University. Referring back to the Council action, the framework developed by PIFSC was used to evaluate the baseline and the alternatives with a lens towards alia fishermen. Issues that were noted included perceived competition that could discourage alia vessel participation, market competition between sectors, need for vessel upgrades and stated lack of local infrastructure that supports small vessels. With respect to infrastructure and markets, it was mentioned that the Council since 2010 has put time, effort and funding towards small-boat fisheries development and addressing the existing conditions facing small-vessel participants. For example, the Council paid for the renovation of the Fagatogo Fish Market, but the local Department of Commerce charged rent that tenets could not afford. To address one barrier identified alia fishermen, it was noted that the fish market (which is equipped with an ice machine and freezer) could be rented to them at low or no cost at all.

Lutu-Sanchez asked about the issue raised by small boat fishermen related to vessel upgrades and if it involved longlining.

Kingma said the issue stemmed from public comment at the hearing last October, and he understood it to include a super-alia or larger vessels to fish longline gear more efficiently.

Sensui commented on the scale of the LVPA, noting that it extends 50 miles out from the island, which is 100 miles vertically and makes it 10,000 square miles.

Kingma said the LVPA is not just around Tutuila and Manu'a but also around Swains and Rose Atoll.

Sensui acknowledged that the area is greater than 10,000 square miles and asked how many alia vessels are currently operating and expected to operate in the next three to five years.

Kingma replied said one alia operates now and he did not know how many will be operating in the near future. There are a few permits issued currently, and there is interest. The Council did a study on the super-alia design and profit-loss evaluation. It is a big investment to upgrade and to fish for albacore for the cannery.

Sensui asked how many mono-hull vessels are currently active.

Kingma said 15 were active in 2017 and noted Lutu-Sanchez's early comment that only 12 are active in 2018.

Sesepasara said one alia is still operating and three permits were recently issued by NMFS.

Sensui asked about the operating range of an alia.

Sesepasara said they troll and bottomfish at the South Bank, so they go at least 40 miles.

Lutu-Sanchez said the existing longline permit program initiated by the Council limits the number of permits, does not allow just anyone to fish and includes a range of regulations.

3. American Samoa Swordfish Trip Limit

Kingma presented on the action item that considers removal of the swordfish trip limit applicable to the American Samoa longline fishery. In 2011, Amendment 5 to the Pelagic FEP established gear modifications to promote deep-setting and minimize green sea turtle interactions in the American Samoa longline fishery. Part of that action included a 10 swordfish trip limit, which mirrored the Hawai'i longline regulations at the time. The fishery targets albacore and catches swordfish at low levels. Swordfish caught and retained by the fishery average around 100 pounds per fish. The South Pacific swordfish stock is currently assessed to be not subject to overfishing or overfished. Around 97 percent of the trips land less than 10 swordfish; however, there are instances where the swordfish could have accumulated to more than 10 for the trip. The discarding of this fish due to the trip limit is foregone utilization and lost revenue.

The alternatives are 1) no action, leave it as it is; 2) modify similar to the Hawai'i regulations, which currently allows up to 25 swordfish a trip without an observer and unlimited with an observer; and 3) remove the swordfish trip limit altogether. No action would continue to have small negative impacts on fishery participants from the loss of revenue due to regulatory discards. Modifying or removing the trip limit would have positive impacts on fishery participants. With respect to administration and enforcement, the swordfish trip limit is not being used to monitor or enforce the deep-setting requirements. The length of float lines and the distance between hooks are used to monitor those regulations. At a previous meeting, the Council took initial action and identified the removal of the trip limit as the preferred alternative.

E. Update on Electronic Monitoring and Reporting

1. Electronic Monitoring in the Hawai‘i Longline Fisheries

Matt Carnes, PIFSC, described the EM project occurring in the Hawai‘i longline fishery which involves 18 vessels participating on volunteer basis. The on-board system was installed by Saltwater Inc. and involves video cameras and sensors on fishing gear to record only the haul. Video data is stored on a hard-drive and retrieved in person at the dock. There have been 116 trips recorded, with 31 of those trips also involving human observer, which allows for data comparison. Maintenance problems were slowing down progress, but the contractor has recently hired a local technician, which should speed things up. Half of the vessels are experiencing cameras that are falling out of focus, which is negatively impacting data review especially for species identification. Mention was made of the Council’s EM project in 2010 and how that work is serving to inform the current project and expand upon what was already done. Improvements will focus on eliminating the fuzzy camera problem and better camera positioning to improve imaging of fishing activity that results in discards. The review of video can be done in faster speeds, but data are lost if the speed is too fast. EM systems in Alaska are moving towards machine learning capability for species identification. With regards to costs and scalability, the more systems deployed the cheaper it gets. A cost-budget analysis for implementation in the region will be available this summer.

2. Electronic Reporting in the Hawai‘i Longline Fisheries

Ashely Tomita, PIFSC, presented a report on the Hawai‘i longline electronic reporting project. In 2007, the Council amended its FMPs to allow the use of electronic logbook reporting. In 2015, the Council and NMFS funded an EM project that provided initial development and testing outcomes, but various challenges suspended further development. Additional funding from NMFS is contributing to the current project. PIFSC processes over 25,000 logbook forms per year, and electronic reporting will help to reduce the paper, staff hours and time that it takes to process that information. Industry benefits will be ease of use, efficiency and security of the data. The current largest benefit would be improving bigeye tuna quota tracking in the WCPFC and IATTC areas. The current project involves Quick Access Computing doing the software application, Point 5 Solutions doing back-end data applications, and Woods Hole Group, previously CLS America, doing the VMS and data transmission. Data are encrypted end to end and are decrypted only within the PIFSC network. Three tablets are being trialed; user feedback has been positive. The next steps are to provide more tablets to fishermen and refine the application based on feedback.

3. PIRO Observer Program Electronic Reporting

Eric Forney, PIRO, presented on the PIRO Observer Program electronic reporting project. The Council and NMFS provided funding in 2015 to get the project going. CLS America, now Woods Hole Group, was selected as the vendor to provide the platform, tablet and software application. Among the many benefits to electronic reporting over paper forms are timeliness, accuracy, data integration and cost savings. The project has equipped observers with a vessel-independent satellite transmission platform and tablet to input data into software applications. Observer data are transmitted encrypted and unlocked on NMFS systems. Field

tests have occurred, and issues have been addressed. The project is currently undergoing independent verification to assess whether the electronic reporting platform is well-engineered or requires further development. Preliminary findings of the assessment are that the program's electronic reporting is a good prototype and a proof of concept that can significantly increase the quality, timeliness, consistency and completeness of observer data. Next steps involve in-house testing, the hiring of a project manager, systematic implementation of quality assurance and quality control, and ownership of the source code.

Simonds said the Council started this a long time ago and is very interested in seeing it work. She asked how long it will take before the fishery will have this system in place.

Forney said it is difficult to gauge. It depends on the next steps, and current funding does not exist. Earliest potential for funding is the beginning of the fiscal year.

Simonds asked if fishermen access their own data.

Forney said fishermen have always been allowed to view observer data out at sea, so there does not appear to be a reason fishermen could not view the data on the tablet; however, he needs to verify this with his supervisors.

F. International Fisheries Meetings

1. Western and Central Pacific Fisheries Commission 14 Outcomes

Goto referred to the written report in the documents coded 10.F.1(1) and said to refer any questions to the Regional Administrator.

2. South Pacific Regional Fishery Management Organization 6 Outcomes

Goto referred to the written report in the documents coded 10.F.2(1) and said to refer any questions to the Regional Administrator.

G. Advisory Group Report and Recommendations

1. Advisory Panels

Beals read the recommendations on pelagic fisheries from the AP.

Regarding the American Samoa LVPA, the American Samoa AP recommended that the Council provide an exempted area for longline vessels from American Samoa seaward of 25 nautical miles around Tutuila and Manu'a and 3 nautical miles around Swains Island. Further, they recommended that pending the outcome of the Marine National Monument review, an exempted area for American Samoa fishing vessels be allowed 3 nautical miles seaward around Rose Atoll.

Regarding the American Samoa swordfish trip limit, the American Samoa AP recommended the Council remove the swordfish limit for American Samoa longliners.

Regarding the Tri Marine Samoa Tuna Processors plant, the American Samoa AP recommended that the Council request the American Samoa government review requirements of Tri Marine to employ people in the Territory and look into finding a new company to take over the plant.

Regarding cultural fishing, the American Samoa AP recommended that its definition of cultural fishing previously agreed upon be considered by the Council and NMFS social scientists in their research of cultural fishing in American Samoa. That definition is fishing conducted by indigenous American Samoa and residents of American Samoa in association with noncommercial and commercial fishing activities involving any gear type employed, including the use of new technologies and materials, and whereby a portion of the catch is shared among the American Samoa community.

Regarding the US Territory longline bigeye quota, the Guam AP recommended the Council maintain the status quo and specify the longline bigeye quota for Guam at 2,000 mt with 1,000 mt transferrable; the CNMI AP recommended the Council choose Alternative 2: 2,000 mt with 1,000 mt transferrable, as it is the current limit and allocation; and the American Samoa AP recommended keeping the status quo.

Regarding Hawai‘i pelagic fishery issues, the Hawai‘i AP recommended that the Council continue to encourage the State of Hawai‘i to change the yellowfin tuna minimum sizes to a more appropriate size and weight. Beals noted that this issue has come before the Council several times over the last 10 years. The Council has considered it, made recommendations and sent letters, but several AP members believe that the minimum size should be changed. An important consideration is the community that depends on the small yellowfin tuna for a food source, but there was consensus to move forward with the recommendation.

Regarding sea turtle interaction options, the Hawai‘i AP supports the idea of a suite of measures for sea turtles as presented by the Council staff.

2. Scientific and Statistical Committee

Lynch presented the SSC recommendations related to the agenda items under Pelagic and International Fisheries.

Regarding Agenda Item 10.A.2, Framework for Managing Sea Turtle Interactions, the SSC recommended that industry attempt to resolve this through non-regulatory mechanisms, such as transferrable quotas or by managing fleet-wide sea turtle interactions. The SSC also recommended that the Council consider how to improve communication with fishery participants that there could be a more timely implementation of fleet adjustments to avoid sea turtle interactions. The SSC recommended that staff review examples of industry-led transferrable bycatch quota systems, including the application of such systems in ESA-listed species for consideration. The SSC also recommended that staff engage with SSC members Martell, Hospital and Lynch on this matter in order to devise these mechanisms. The SSC discussed at some length the idea of spatial management

measures and real-time management measures proposed by staff, and the SSC felt those things would be overly complicated and not an efficient use of resources.

Regarding Agenda Item 10.A.2.A, the SSC recommended that TurtleWatch should display both the number of sea turtle interactions and the number of sea turtles per unit of swordfish weight as this would be a more accurate way to depict interaction rates.

Regarding Agenda Item 10.B, the SSC found that the methodology used to assess the relative impacts of the specification limits is appropriate and utilizes a similar approach to the analyses conducted by the Secretariat of the Pacific Community to evaluate the effectiveness of the WCPFC tropical tuna measures. Based on the evaluation conducted by Council and PIFSC, the SSC further noted that the project impacts from the options are believed to not lead to bigeye overfishing and are consistent with Commission's management objectives. The SSC found that projected impacts are essentially the same with regards to Option 2, which is status quo, or Option 3c, which is an allocation of limits of up to 2,000 mt per territory.

Regarding the LVPA exemption action and cultural fishing research, the SSC found that the PIFSC report, along with surveys and ethnographic research, provides a sufficient basis to evaluate the impacts of LVPA alternatives on American Samoa cultural fishing. The SSC had considered this issue in the past, and it reiterated its previous recommendation that the Council consider Alternatives 3, 4, 5 and 6 to address the large vessel economic situation while also preventing gear conflicts and supporting preservation of cultural fishing opportunities.

Regarding Agenda Item 10.D.3, American Samoa swordfish trip limits, the SSC recommended that the Council consider removing the swordfish trip limit. The removal of the trip limit would not have adverse impacts on the swordfish stock and would eliminate unnecessary regulatory discards that currently reduce revenue for the longline fleet and reduce local swordfish supply. The removal of the swordfish trip limit would not lead to increased sea turtle interactions because gear configurations and fishing effort will remain the same.

Regarding Agenda Item 10.E.1, EM in the Hawai'i longline fishery, the SSC encouraged PIFSC to expedite completion of this project for wider-scale use in the Hawai'i longline fishery and requested that PIFSC report back at the next SSC regarding progress made to expedite development of this monitoring strategy.

Regarding Agenda Item 10.E.2, electronic reporting in the Hawai'i longline fishery, the SSC noted that on-board electronic reporting has been implemented globally in many fisheries and recommended that PIFSC expedite its development of these applications for use in these fisheries and requested PIFSC report back at the next SSC meeting regarding progress made to expedite development.

H. Pelagic and International Standing Committee Recommendations

Goto referred members to the written standing committee report. The committee deferred action to the full Council.

I. Public Hearing

Sean Martin provided comments on behalf of the Hawai‘i Longline Association. He noted that the WCPO bigeye stock is not experiencing overfishing nor is it overfished and that fisheries that have been responsibly managed should be beneficiaries. This will take strong positions of the US government to support the Hawai‘i longline fishery and US Participating Territories. The Hawai‘i longline fishery is not aligned with some of the positions that the US government has taken, such as choosing not to use the Permanent Advisory Committee recommendations. He said it is unfortunate that politics and legal concerns seem to rule the day, but hopefully the federal government will be supportive of US fishermen. With regards to the shallow-set fishery and the SSC’s recommendation for an industry-led approach, he said it is difficult for the industry to develop an agreement where vessels would move away from hotspots. The Council should also consider a trip limit for sea turtles whereby, if the trip limit is hit, the vessel is required to return to port. There is a need to think outside the box. One idea is to investigate the potential for targeting swordfish with deep-set gear using light sticks; the industry, Council and NMFS could work together to progress this concept.

Simonds mentioned the term Experimental Fishing Permit.

Gourley said written comments received from Turtle Island Restoration Network on Agenda 10.A.2 have been provided to the Council.

J. Council Discussion and Action

Regarding the framework for managing sea turtle interactions in the Hawai‘i shallow-set fishery:

The Council recommended development of a management framework under the Pelagic FEP to effectively manage impacts to leatherback and loggerhead sea turtles, consistent with the requirements of the ESA and MSA, while maintaining fishing opportunities during peak swordfish season. The framework may include, among other measures, a) specification of hard caps; b) in-season measures to implement a temporary closure when a certain proportion of the loggerhead or leatherback limit is reached; c) real-time spatial management measures to monitor and manage interaction hotspots and fluctuations; and d) establishment of a fleet communication program to facilitate implementation of real-time spatial management measures and dissemination of interaction information to the fleet.

The Council directed staff to work with Hawai‘i shallow-set longline fishery participants to consider an industry-implemented cooperative framework where industry has discretion to manage fleet-wide sea turtle interactions based on hard caps identified by the Council and NMFS and may include industry-implemented transferable interaction quotas or other innovative and efficient methods, for example, risk pools.

The Council directed staff to work with SSC members Martell, Hospital and Lynch to review examples of industry-led transferable bycatch quota systems including the application of such systems to ESA-listed species for consideration by the industry,

Council and SSC. *The Council further directed staff to identify any necessary management framework changes under the Pelagic FEP to allow an industry-led turtle interaction management system and to provide a report to the Council at the June 2018 meeting.*

The Council directed staff to work with fishery participants to identify communication pathways that may be implemented to provide more timely information to the fleet on sea turtle interactions.

Motion by Duenas; seconded by Soliai.
Motion passed.

Regarding TurtleWatch, the Council recommended that PIFSC display both the number of turtle interactions and the number of turtles per unit of swordfish weight in its TurtleWatch Program.

Motion by Duenas; seconded by Soliai.
Motion passed.

Regarding US Territory longline bigeye specifications, the Council recommended for 2018 that NMFS specify for each US Participating Territory, a 2,000-mt longline bigeye catch limit and specify that each territory can each allocate up to 1,000 mt of its bigeye catch limit. The Council further recommended that NMFS implement these specifications by July 1, 2018.

The Council directed Council staff to finalize and transmit the specifications for Secretarial Review, as appropriate. Further, the Council deemed that the regulations implementing the recommendations are necessary or appropriate in accordance with Section 303(c) of the MSA. In doing so, the Council directed 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 authorized 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.

Tosatto said, without commenting on the merits of the measure, he will be abstaining because this is an action that's coming to the agency for decision shortly. Regarding the last sentence of recommendation on timing, he will commit to do his darndest to meet the timeline. Some steps in the publication of the specification are outside his hands, but PIRO will strive to meet that deadline.

Gourley thanked Tosatto for his efforts. Hearing no more discussion called for the question.

Motion by Duenas; seconded by Soliai.
Motion passed. Tosatto abstained.

*Regarding Amendment 7 regulations, the Council recommended as initial action the **modification to Amendment 7 regulations to allow the Council to specify allocation limits without having to first specify total catch or effort limits and directed staff to work with PIRO to prepare an FEP amendment and associated analyses for final action at the 173rd Council meeting in June.***

Motion by Duenas; seconded by Soliai.

Motion passed.

*Regarding the LVPA, the Council **postponed the vote on the LVPA action items until the next morning to allow more time to consider and for him to consult colleagues in American Samoa before he votes.***

Motion by Seseapasara; seconded by Soliai.

Motion passed.

*Regarding the American Samoa longline swordfish trip limit, the Council **recommended to remove the swordfish trip limit that applies to the American Samoa longline fishery when operating south of the equator.***

Kingma said, for the record, the standing deeming language was also included in this recommendation.

Tosatto said, because this is an action coming before NMFS for decision-making, he will abstain.

Sensui said, based on PIFSC cultural research, regulatory discards appear to be contrary to the sensibilities of the Samoan practice of not wasting fish.

Lutu-Sanchez said, although she recused herself, she would have voted in favor of the motion.

Motion made by Soliai; seconded by Seseapasara.

Motion passed with Lutu-Sanchez recusing and Tosatto abstaining.

*Regarding EM and reporting, the Council **requested that PIRO and PIFSC expedite completion of their EM/electronic reporting projects, and that they provide progress updates to the SSC and Council at their next meetings.***

Motion by Duenas; seconded by Soliai.

Motion passed.

*Regarding the WCPFC tropical tuna measure, the Council **requested PIRO complete documentation that will be used to respond to paragraph 40 of CMM 2017-01, which states that the Commission may take into account in setting any bigeye catch limits any plan submitted to the Secretariat by a CCM listed in Attachment 1, Table 3, to increase the level of monitoring and control of its longline vessels fishing in the***

Convention Area. The Council further requested that PIRO develop such plan for review by the Council at its 173rd meeting in June.

Motion by Duenas; seconded by Soliai.

Motion passed.

Regarding yellowfin tuna, the Council recognized that prior analysis and community scoping by the Council and Hawai'i Division of Aquatic Resources on changing the minimum size of juvenile ahi; an increase of the current minimum size from 3 pounds was not supported at that time as the biological benefits to the resource would be minimal and the socioeconomic impacts to the community could be significant. However, the Council encouraged the State of Hawai'i to evaluate the continued use of the "damashi-type" gear that uses hundreds of hooks on a branchline to target under-sized ahi for commercial sale. In addition, to evaluating enforcement options, the State may also consider alternate management options, such as gear restrictions and/or bag limits that may address the social concerns in this fishery.

Motion by Duenas; seconded by Soliai.

Motion passed.

Regarding Pelagic FEP frameworks, the Council moved to amend the motion adopted at the 161st meeting regarding the amendment to the Pelagic FEP to establish a framework for RFMOs measures by striking out the acronym RFMO after the word implement and inserting after the word measures "adopted by the WCPFC, IATTC and other RFMOs that authorize rule-making consistent with the MSA, which would be appropriate for Council consideration and implementation under the MSA."

Tosatto said, because the action is a final recommendation that will come to NMFS for decision-making, he will abstain from the vote. He said PIRO look closer at the last phrase, "other RFMOs," as clearly WCPFC and IATTC open that opportunity, but approving other RFMOs and future actions might be a problem.

Motion by Gourley; seconded by Soliai.

Motion passed. Tosatto abstained.

Regarding the Council's FEP, the Council amended the motion adopted at the 161st meeting from "to amend the Pelagic FEP to establish an FEP framework to implement RFMO CMMs applicable to pelagic fisheries in the Western Pacific Region" to "amend the Pelagic FEP to establish an FEP framework to implement CMMs adopted by the WCPFC, IATTC and other RFMOs that authorize rule-making consistent with the MSA, which would be appropriate for Council consideration and implementation under the MSA."

Kingma noted that the standard deeming language is also included in the recommendation.

Motion by Duenas; seconded by Soliai.
Motion passed. Tosatto abstained.

Gourley adjourned meeting for the day and said Council decision-making on the deferred LVPA action item would be taken up on the following day.

The next day, Ebisui reopened the pelagic and international section of the agenda on Council discussion and action. He noted that Sesepasara had asked for more time to consider the draft recommendations.

Sesepasara thanked the Council for providing him time to discuss the recommendations with government attorneys in American Samoa. He acknowledged that there is common ground or agreement but cannot agree to the entirety of the recommendations. Because there is ongoing litigation on this matter, he was advised to vote no on the recommendations.

Ebisui asked Sesepasara to confirm that the no vote is due to ongoing litigation and not the merits of the recommendations.

Sesepasara said there is some common ground in the recommendations but he cannot agree to them in entirety.

Simonds asked if Sesepasara could review each of the recommendations one by one to know the concerns he has with each recommendation.

Sesepasara said he had been advised by legal counsel to vote no on all the recommendations.

Ebisui said he was not trying to put Sesepasara in a hard spot, but it is important for the Council to know the concerns of the American Samoa government so they can be addressed or identify those areas where there is agreement.

Sesepasara reiterated that he has been advised to vote no and not to say anything that would disadvantage American Samoa in the ongoing litigation.

Ebisui said the American Samoa government's position on the issue of cultural fishing is a big piece of the puzzle. He asked Sesepasara to again articulate the reasons for the no vote.

Sesepasara replied that he has been advised by legal counsel to vote no.

Tucher said, because the ongoing litigation has been raised, he wanted to ensure Council members know what that means. The ongoing litigation involves a record review of a prior NMFS decision on the 2016 LVPA exemption rule. That record is complete and closed, and the court's decision on that record is before the Ninth Circuit. What is being considered by the Council is an effort to take into account the court's decision on the need to preserve and protect cultural fishing in consideration of making changes to the LVPA. The Council's current LVPA action under consideration is related to the court's decision, but it is not the rule that is in litigation.

Lutu-Sanchez asked Sesepasara if his legal counsel offered alternative language.

Sesepasara replied that they did not provide alternative suggested language.

Sensui said, considering the economic situation of the fleet and local economy, it would be nice if the parties could come to a reasonable agreement to allow participation without undue conflict. A similar situation was faced in Hawai'i, but many more vessels were involved and it was resolved to everyone's satisfaction. For everyone's benefit, he hoped that something can be developed that is acceptable for everyone.

Soliai asked Sesepasara if there a certain parts of the text that could be removed to make it more acceptable.

Sesepasara said that there are some parts that of common interest to the parties, but the entirety of the proposed recommendation is unacceptable.

Tucher advised that the Council vote separately for each recommendation.

Ebisui asked for a motion.

Regarding the American Samoa LVPA:

a) The Council reiterated its previous recommendation that it supports all fishing activities that occur in American Samoa waters and within US EEZ. The Council recognized that the longline fishery, which targets albacore for landing at the local cannery, has experienced poor economic conditions for over a decade and dozens of vessels have left the fishery. Remaining longline vessels continue to face declining catch rates and increasing operating costs, and available information indicates that the current LVPA restricts fishing operations and adversely affects efficiency.

Motion by Lutu-Sanchez; seconded by Soliai.

Motion passed. Sesepasara opposed.

Ebisui asked to continue the discussion and noted that each recommendation will be voted on separately.

Sesepasara reiterated that he will be voting no for all of them.

Lutu-Sanchez said there are disputes or questions on history of the LVPA and why it was established or how the longline fishery started. The reality is that what was envisioned never happened. Several years later the large vessels requested assistance due to their economic situation. While there have been initiatives to help the small boat fleet, there has been little attention to address the longline vessels. The Council does not want the US longline fleet based in American Samoa to disappear and wants to ensure that it continues. Despite the poor economic conditions, the vessels that are still operating are the American Samoan operators, and the perception that longline owners are not indigenous is inaccurate. The request was for temporary relief and not to permanently eliminate the LVPA. Access to fishing grounds is important and is recognized by the American Samoa government in its support of the US purse-

seine vessels seeking fishing grounds, and the same support is asked for local longliners. The request also included a one-year provision to review and ensure there are no conflicts. The US longline vessels in American Samoa are becoming endangered and now victims in a larger political agenda or legacy by the American Samoa government. The request was about access to fishing grounds that was not being used, to collect information to ensure no conflicts and to provide relief for US vessels owned by American Samoans operating in American Samoa.

Ebisui said fisheries management is a dynamic process and the conditions around when the LVPA was created no longer exist. The number of vessels is so low that even if the LVPA were abolished, it would not be anywhere near what was experienced in Hawai'i in the early 1990s with around 100 longline vessels interaction with thousands of small vessels. With due respect to the American Samoa government, the Council is bound to respond to the longliners' request and to maximize the benefit of fisheries to the United States, and that is by reduction of the LVPA.

Soliai said this is a contentious issue and reiterated his comments made in October that StarKist will not take sides on the matter. Declines in longline vessel translate into declines in fish supply. No fish means no production, which means no StarKist and no jobs. It is important that support is provided to the fish suppliers. The albacore caught by the local longliners is critical for some StarKist brands including for school-lunch and US military contracts that require US-caught fish. The American Samoa government's position is also understood and respected; however, from a business perspective, the longliners need the support and relief.

Sesepasara said that the LVPA issue is an American Samoa problem and it is not a political problem or about legacy. He said he was hoping there would opportunity at this meeting to give American Samoa a chance to work out a resolution and present it to the Council, because that is what the Governor wanted to do at the October meeting. The Governor has asked his Fisheries Task Force to select a longline fishery representative. The task force invited one longline owner to join, but he declined the invitation. The Governor's wish is to have the two groups discuss the issue and present information from both sides, and then he will make a recommendation to the Council.

Ebisui said there is nothing in the Council's recommendation that prevents the Governor from following that course to bring people together to resolve this. Litigation should always be the last resort.

Sesepasara said it is his intention to go back to American Samoa and ask the chairman of the task force to again invite a longline representative and a representative from the alia fishermen to solve this American Samoa problem. The Governor has assisted with the purse seiners because that is an international problem, but this is an American Samoa problem that should be handled in the Territory.

Simonds said it is an American Samoa problem, but a federally managed fishery is involved. The Governor is interested in jurisdictional issues, and it is sad that the LVPA issue is being used for what he would like to see happen. She did not have a problem with him pursuing jurisdictional issues, but this matter is affecting people's lives, livelihoods and personal

relationships. The groups need to get together, and it was appalling hear that the PIFSC research documented such misconceptions about ownership of the local longline fleet.

Lutu-Sanchez said she is glad to hear that Seseapasara is interested in getting the groups together. The language of the recommendation says exactly that, to bring the groups together with the American Samoa government to resolve the issue.

Ebisui asked Kingma to read the recommendations again and asked if the Council was ready to vote.

Okano asked what type of fishing operations the LVPA is unnecessarily restricting.

Kingma answered the longline fishery.

Ebisui called for the question on recommendation.

b) The Council also recognized that alia fishermen who troll for yellowfin, skipjack and wahoo perceive that their fishing would be harmed if LVPA regulations are modified; however, available information while the 2016 LVPA rule was in effect shows no adverse impacts to the catch rates of pelagic troll vessels, including alias.

Motion by Lutu-Sanchez; seconded by Soliai.

Motion passed. Seseapasara opposed.

Ebisui asked for additional discussion on recommendation. Hearing none, he called for the question.

c) The issue of the LVPA has resulted in disagreement within the American Samoa fishing community and is the subject of litigation between the governments of American Samoa and the United States. The Council noted that last year's court decision requires the consideration and protection of American Samoa cultural fishing. To this end, the Council requested that PIFSC conduct research on American Samoa cultural fishing to facilitate understanding and potential impacts under a changed LVPA. The Council noted that all fishing in American Samoa has cultural importance, whether longline, alia vessels or other small vessels, because catch from these vessels is flowing into the community for cultural purposes.

Motion by Lutu-Sanchez; seconded by Soliai.

Motion passed. Seseapasara opposed.

Ebisui asked if there was more discussion on the recommendation.

Soliai asked if this is a statement or recommendation.

Simonds said that the Council is agreeing to the statement.

Tosatto said the relevant piece is that the Council is noting something so that is the action.

Ebisui called for the question.

d) On July 6, 2017 and Nov. 11, 2017, the Council requested consultation with the government of American Samoa on preserving and protecting cultural fishing under a new LVPA rule. Consistent with this request, the Council requested that the American Samoa government consider all relevant information, including the PIFSC research paper, available data on fishing impacts under the 2016 LVPA rule and input from longline and alia fishermen and other stakeholders, and identify an option consistent with the MSA that might resolve this disagreement. The Council requested that the American Samoa Governor's Task Force forward its recommendation to the Council by May 30, 2018, or sooner for action at its June 2018 (173rd) meeting.

Motion by Lutu-Sanchez; seconded by Soliai.

Motion passed. Sesepasara opposed.

Ebisui asked for further discussion on the recommendation.

Lutu-Sanchez suggested revising the language to delete task force and put in its place American Samoa government.

Tucher acknowledged that was an appropriate edit to make.

Ebisui asked Lutu-Sanchez and Soliai to accept the change to the original motion, to which they both concurred, Ebisui asked for the question.

XI. American Samoa Archipelago

Soliai welcomed the other Council members, visiting people from the public and the staff. He asked the American Samoa DMWR Director Sesepasara to begin the American Samoa section of the meeting with the Motu Lipoti (Island Report).

A. Motu Lipoti

Sesepasara thanked Soliai and provided an overview of the major projects that DMWR has been working on since the previous Council meeting in American Samoa last October.

Sesepasara shared information on DMWR's Marine Protected Area Program, which is community-driven and involves 11 different villages on the main island of Tutuila. The DMWR staff provides management advice and scientific information to those communities to assist them with monitoring their reef fishing areas. While the program is currently only available on Tutuila, there was interest to involve the Manu'a Islands in the program.

Sesepasara also provided an overview of two of the department's island fisheries projects, the shore-based creel survey and the FAD program. DMWR reported 124 runs in the last quarter with 33 participation counts and 19 data interviews by its creel collection staff. An additional FAD was deployed since last October bringing the count around American Samoa to four. However, a highly productive FAD was lost in November off the south coast, south of the

airport. DMWR is planning to deploy additional FADs and replace the lost airport FAD before the 18th Annual I'a Lapo'a Game Fishing Tournament, which begins in May. Seseparasara shared alia pelagic and bottomfishing catch data and explained that alia effort is split between trolling and bottomfishing with some vessels using a mix of both methods. Seseparasara updated the Council on his recommendation that Kim McGuire of his Coral Reef Advisory Group (CRAG) staff be considered as a member for the Council's Marine Planning and Climate Change Committee. McGuire serves as the CRAG division's climate change coordinator. Seseparasara provided an update on the seafood vendor commercial receipt book program. His staff has collected vendor data from 16 stores and eight restaurants in the past quarter. DMWR's Enforcement Division has been involved recently with enforcing regulations on undersized and egg-bearing lobsters.

Simonds asked about the Zodiac boat provided for the village enforcement project.

Seseparasara said one is being utilized by Vatia Village and the other two were not currently being used. Both the other boats were in good condition, but new engines are needed before they could be utilized by the villages again.

B. Fono Report

Soliai asked Nate Ilaoa, Council staff, to provide the American Samoa legislative report.

Ilaoa said there were two fisheries-relevant legislative actions in American Samoa. The first was the new excise tax rate, which was set to go into effect in April. He said under the new law, the local excise tax rate would be increased from 5 percent to 8 percent. The other new legislation was an across-the-board increase in port fees for vessels in Pago Pago Harbor; the new fee schedule for the port is in the Fono Report document.

Soliai said the port fees were passed last year and went into effect in January of this year. The impact of the new fees was yet unknown. With the boats set to go out fishing soon, there would be a better understanding of how port fees would affect vessel owners before the June Council meeting.

C. Enforcement Issues

Seseparasara said the Motu Lipoti he provided earlier contained the enforcement actions of his department and referred Council members to the document for more detailed information on American Samoa enforcement actions.

D. Community Activities and Issues

1. Aunu'u Ice Machine

Ilaoa provided a brief background of the Aunu'u ice machine project, which was a response to a request from the village of Aunu'u to develop its alia fishery. Staff was looking at solar power options to offset costs for the Department of Public Works, whose building would house the ice machine and storage bin. The building is adjacent to the Aunu'u Harbor boat ramp. There would be updates at the June Council meeting.

2. Report on Tuna Canneries

a. StarKist Resumes Operations in November 2017

Soliai reported that StarKist had resumed operations from a five-week shutdown to upgrade the facility and install new equipment. Another shutdown took place in December for maintenance. He spoke about the challenge of fish supply for the company's operations in the territory, as the number of boats providing albacore to StarKist had decreased from 60 to 14. He commended the USCG for its efforts to assist a carrier with its plan to deliver directly to StarKist. Soliai said upgrades were made to the freezer facility during the five-week shutdown. He estimated that it would take four and a half months to complete the freezer upgrades, and the projected completion time would be the end of May this year. The restricted freezer space has been a challenge for company operations. StarKist is currently limited to one freezer as the second freezer is being upgraded. The company is also utilizing part of Tri Marine's Samoa Tuna Processors (STP) freezer temporarily to accommodate the incoming volume of fish.

Okano asked if the investment spent in the cannery for repairs could be perceived as a sign that the company sees good things to come by investing in the cannery in Samoa.

Soliai replied yes; it is an indication that the company is still invested and wants to do business in American Samoa as long as it remains competitive.

Simonds asked about the additional fishing days that the US purse-seine fleet that delivers to American Samoa received, and how one would follow the fish that come in under those days.

Soliai asked the Council or Tosatto to provide information on the monitoring aspect.

Tosatto said NMFS is looking at how they would implement the provision and is developing a proposed rule. The measure has two pieces that would lead NMFS to make at least one change with respect to reporting on high seas days and in-zone days. He provided additional details on the provision, which allows for a transfer of 100 days from the in-zone to the high seas. NMFS will likely have daily reports from the fleet so there is near real-time accounting for vessel days.

b. Status of Tri-Marine Samoa Tuna Packers Operations in American Samoa

Soliai asked Ilaoa to provide a summary of the current status of STP's operations in American Samoa.

Ilaoa said the information provided on STP was sent to the Council staff from Faafai Palepua, the STP general manager. STP is still operating as a logistics hub for the Tri Marine Group. One of its cold storage units still operates, which has a 5,500 mt capacity. Additionally, STP continues to keep its wastewater treatment plant operating and continues to unload purse-seine vessels. The plant also conducts fish test sampling such as for histamine and salt.

3. American Samoa Government Fisheries Development Projects

a. Malaloa Longline Dock Extension Project

Ilaoa reported on the project to build a longline extension of the Malaloa Marina, which addresses the American Samoa government's need for more docking space to assist the longline fleet that was forced to move to accommodate other vessels. The contract with the original contractor, Beca Group Ltd., was canceled and the American Samoa Department of Port Administration had executed a second contract with Tinai, Gordon and Associates to complete the dock design and finalize the geo-technical survey. The new contractor will be able to complete the contract without any additional funds. The American Samoa government had not been able to identify a funding source for the construction of the longline dock extension.

b. Tutuila and Manu'a Alia Repair

Sesepasara reported that a contract to repair 10 alia fishing boats at the American Samoa Shipyard Services facility has been completed. The project was funded with money received from the 2009 tsunami disaster relief fund. If the job is done satisfactorily, a second contract would be executed for the repair of another 10 alia vessels. The second contract has been initiated, and the first two of the 10 alia were currently at the Shipyard for repairs. Those first 20 boats were alia vessels based in Tutuila. Funds from EEZ fishing violations were being used for alia repairs in Manu'a. A Tutuila-based boat builder is the contractor hired by DMWR to complete those Manu'a repairs. Materials for the job have been ordered; when they arrive and are shipped to Manu'a, the project will begin. Sesepasara met with the Manu'a fishermen's associations (Ta'u and Ofu/Olosega) and asked that they identify five vessels from Ta'u and five from Ofu and Olosega to be repaired. Those vessels have been selected and will be repaired.

Simonds said the plan from six years ago is working. She thanked Sesepasara for repairing the alia boats in Manu'a to take advantage of the ramps and ice facilities that the Council funded in Manu'a to transport fish to Tutuila.

c. Fishermen Training Program

Ilaoa updated the Council on the American Samoa Port Administration's plan to initiate a captain's license certification program to increase the capacity within its Water Transportation Division. New vessels in the American Samoa government's fleet include a new tugboat from the mainland. The Port Administration staff said is considering opening the certification course to the public for local fishermen.

d. Working Alia Project and Loan Program Update

Ilaoa provided a brief update on the American Samoa government's new alia vessel to replace the current, aging alia fleet. The project was initially developed by the Council's contracted fisheries development officer, Ueta Fa'asili. Ilaoa had requested an update from the American Samoa Department of Commerce, which oversees the new alia project but it has not had any updates to provide since the October 2017 meeting in American Samoa. It was also reported that the Small State Business Credit Initiative funding source that the American Samoa government had identified for loans to purchase the new alia fishing vessels had closed in

December of last year and American Samoa Department of Commerce had yet to announce whether it had identified an alternative source for a fishermen loan program.

Simonds asked whether DMWR had taken over some of the fisheries development projects under the American Samoa Department of Commerce.

Sesepasara said the working alia project was not one of those projects that had been transferred to DMWR.

e. Fagatogo Fish Market and Bottomfish Export

Sesepasara informed the Council that the Fagatogo Fish Market was now under DMWR's purview, effective November 2017. The market is producing ice for local fishermen. Additionally, the department hosts a Fishermen's Day on the first and third Saturdays of each month where fishermen sell their catch in the open market (adjacent to the fish market). This event is co-sponsored by the American Samoa Department of Commerce, with tents provided by that department and ice supplied by DMWR. The fish market's main function currently is to produce ice for those market days.

Sesepasara shared the American Samoa government's plans to build a new, open air fish market to facilitate the alia fishermen's preference to sell their fish outside rather than in an enclosed area. Once the new fish market is completed, the existing fish market can be used to produce ice for it. He is working on this plan with the alia fishermen.

Simonds reminded the Council that the existing fish market was planned to facilitate incoming fish from Manu'a.

Ilaoa said two fishing tournaments have been held since the October Council meeting in American Samoa. The Council sponsored the Pago Pago Open Fishing Tournament on Oct. 20, 2017, and the National Marine Sanctuary of American Samoa partnered with Budweiser distributor South Pacific Distributors to host the 2nd annual Buds and Suds Fishing Tournament later that year. The Council's tournament had 17 participating fishing boats, a combination of alia and recreational vessels, and a total of 729.4 pounds of fish was donated to the Hope House Charities of American Samoa. The Buds and Suds tournament also donated fish to Hope House Charities. The 18th Annual Steinlager I'a Lapo'a Game Fishing Tournament will be held during the first week of May in American Samoa and neighboring Independent Samoa.

Simonds asked whether longline vessels were still being allowed to dock at the recreational docking facilities, and why there could not be an exemption from USFWS.

Sesepasara said a meeting took place with USFWS representatives from the regional Portland office in November of last year during which such a waiver was requested. USFWS has yet to reply to the request, and the return trip to American Samoa was postponed due to Cyclone Gita in February. They are scheduled to return in June and he would ask them about the status of that waiver request. Additionally, he met with the Department of the Interior's Director of the Office of Insular Affairs Nikolao Pula and asked him for assistance with this request.

Peck acknowledged that USFWS had received the letters on the use of the sportfish dock and replied in December, addressing the constraints of allowing the longline boats to dock there since it was constructed with Dingle-Johnson Sport Fish Restoration funds generated through licenses and sport fishing for the purpose of recreational fishing. He looked forward to further discussions when UWFWS returns to American Samoa in June.

Roberto said CNMI had a similar issue that was resolved by reimbursing USFWS with a portion of the marina to allow for commercial activity at a depreciated value of the original construction cost from 15 years ago, less the current cost.

E. Status of Manu‘a Fishermen’s Cooperatives

Sesepasara reported on his recent meeting with the Manu‘a fishermen associations. They now better understand how to operate and are united. DMWR plans to hire two staff members to run the cooperatives on Ta‘u and Ofu. Sesepasara said elections have taken place, and he is planning to meet with the new officers to discuss issues and projects for Manu‘a.

F. American Samoa Marine Conservation Plan

Sesepasara reported that a draft of the American Samoa Marine Conservation Plan (MCP) was completed in mid-February and shared publicly for comment. Comments were due on March 7, 2018, but late comments received were also accepted. His upcoming trip to Manu‘a to speak with alia fishing association officers would be an opportunity to get their input on the draft and potentially add more projects to the document. He acknowledged that DMWR would be working closely with the Council staff to finalize the MCP.

G. Education and Outreach Initiatives

1. Report on Council Scholarship Students

Ilaoa reported that two students who have completed Council scholarship programs have returned to American Samoa to fulfill their required employment in the territory. Valentine Vaeoso, graduating from the University of Hawai‘i at Hilo with a marine science degree, has taken employment with the National Park Service and is currently working as a marine ecologist field study assistant. Faasalafa Diana Kitona, the grand-daughter of a local fisherman, also graduated from the University of Hawai‘i at Hilo with a marine science degree and is working in the DMWR’s CRAG division as DMWR’s watershed coordinator.

2. Lunar Calendar

Ilaoa reported that the 2018 Lunar Calendars have been shared in American Samoa. A link to the online calendar was shared widely and 25 hard copies of the calendar were provided to James Maguire who teaches local youth about sailing and fishing.

H. Advisory Group Reports and Recommendations

1. American Samoa Archipelago Advisory Panel

Ilaoa presented the American Samoa AP recommendations.

Regarding 2018 American Samoa MCP, the American Samoa AP recommended DMWR add infrastructure and development to Objective 1, which is maximize social and economic benefits through sustainable fisheries. This should include improving dock space and supporting projects such as ice machines and boat ramps.

Regarding fishermen training, the American Samoa AP recommended the Council direct staff to assist with the development of a Saltonstall-Kennedy grant proposal for captain's license certification for fishermen in American Samoa.

Regarding grounded, foreign longline vessels in Leone and the Pala Lagoon, the American Samoa AP recommended that the Council request that the American Samoa government look into NOAA's derelict vessel fund to assist the local government in removing the two grounded vessels. Further, they recommend that the American Samoa government sink the boats for the purpose of utilizing them as fish habitats.

2. Scientific and Statistical Committee

Lynch reported that the SSC did not have any recommendations for American Samoa.

I. Public Hearing

There were no public comments.

J. Council Discussion and Action

*Regarding the 2018 American Samoa Conservation Plan, the Council **directed staff to assist DMWR in the development of its MCP, including adding specificity to the projects where appropriate and adding evaluative criteria as required to finalize for Council concurrence at its 173rd meeting in June.***

Sesepasara noted that this recommendation was already added into the first draft. It could be voted on and passed, but it was already completed.

Moved by Soliai; seconded by Lutu-Sanchez.

Motion passed.

*Regarding the grounded, foreign longline vessels in Leone and the Pala Lagoon, the Council **recommended the American Samoa government look into NOAA's derelict vessel fund to assist in removing the two grounded vessels.***

Peck said the two vessels in the recommendation are the most recent and most immediate need for removal, but other vessels and parts of vessels are on the reefs around American Samoa.

He suggested including those into the recommendation and to possibly look at other funding sources, possibly US Environment Protection Agency possibly.

Ebisui asked the maker and second if they would concur with amending the motion. Soliai and Lutu-Sanchez concurred with the amendment.

Sesepasara asked if that amended recommendation included additional funding sources.

Ebisui said it did.

Moved by Soliai; seconded by Lutu-Sanchez.

Motion passed.

XII. Mariana Archipelago

A. Guam

1. Isla Informe

Tibbatts provided the Guam Island Report on surveys that have taken place in Guam since the last Council meeting. During 20 inshore creel surveys they talked to fishermen; during 20 participation surveys, they drove around to count fishing activity. For boat-based fishing, 37 of 40 scheduled surveys were completed, with 20 participation surveys completed during this period. None of the aerial surveys scheduled were completed as they are working on contracting aerial services and hoped to have those surveys completed by the June Council meeting.

He reviewed the top species caught in Guam in the inshore fishery: atulai (akule or bigeye scad), goatfish, *Caranx* sp. (*i'e* or juvenile jacks), *Naso unicornis* (unicornfish species) and *C. sexfaciatus* (a species of jack). The top methods used in Guam for the inshore fishery are hook and line, talaya (gillnet) and snorkel spear. For boat-based fishing, trolling was the most common fishing method. Several methods were not seen during this period, including shore-based scuba spear and surround net. Due to Lent season, there should be some surround net data available during the next survey period.

Tibbatts reviewed data from the creel surveys and noted that they document shark interactions though the loss of gear or loss of fish. Seventy-five of the 294 interviews conducted during this period, or about 25 percent of the interviews, reported shark interactions. A pilot study was developed and tested to measure the accuracy and efficacy of the inshore surveys by measuring the expansion numbers from the survey with actual activity. The report showed a high degree of correlation between survey coverage and the actual activity, except for shore-based snorkel spearfishing.

He provided a report on Guam's marine preserves. They are beginning to monitor the preserves again after a few years of not being able to conduct the monitoring. They are monitoring sites within and control sites outside of the marine preserves for a variety of habitats. He explained the monitoring methods. They primarily focus on food fish and fish that may be used as a proxy for reef health. He also said the NOAA research vessel *Sette* will be in the Marianas in July and August to conduct additional fish counts on reefs.

Tibbatts said that they are working on boating access for the east side of Guam. Land ownership issues for the area are being resolved. They are waiting for an engineer assessment to be done, and then they will begin the permitting process to have a ramp in the Talafofo Bay area. He also noted the kid's fishing derbies they are hosting in June and July as well as a freshwater fishing derby in April. He also reported that they work with students to host an academic challenge bowl where the winning students are able to provide names for new geologic features in the Marianas. There was also a contest for students to name three species of snailfish discovered in Guam in the 1980s; a taxonomist is currently reviewing the submissions.

Seasonal fishery runs in the marine preserves continue to be permitted with at least six to eight permits being issued since the last Council meeting for seasonal runs of atulai, juvenile goatfish (*ti'ao*), and juvenile jacks (*i'e*). In April, the juvenile rabbitfish (*manahak*) run starts so permits will be issued then as well.

Three FADs are offline, and they are working on getting those deployed. They have systems on hand but need to contract someone to redeploy the FADs. They have also responded to three sea turtles in the last five months; one that was recovered injured had died, while another that had spear wounds in it was being rehabilitated and released. They also relocated a hawksbill turtle that became too tame and was aggressively approaching and biting divers. They will be working with NOAA on turtle tagging and data collection in May. No marine mammals were stranded so far in 2018; humpback whales have been seen in Guam between January and March.

Tibbatts said that Guam is no longer in a coral bleaching watch and most corals seem to be recovering. There were some losses, but they are starting to get reports of crown of thorns starfish in moderate numbers along the west side of the island. They are working with other agencies to attempt some crown of thorns operations by killing them with ox bile or white vinegar rather than removal. He also said that a 37-foot sailboat that ran aground at Agat Marina on Feb. 5 was removed eight days later; there was very little coral in the area so not a lot of coral damage was noted in the survey of the area. They are also working with the Navy on removing sunken or derelict vessels on the reefs around Guam this year as well.

Reyes, Guam AP chair, reported that the 14th annual Guam Marianas International Fishing Derby is scheduled for Aug. 11 and 12, 2018. Fishermen were invited to a meeting at the Guam Fishermen's Cooperative Association (GFCA) to discuss and seek fishermen's input on proposals that Guam's commercial port are developing. Fishermen were concerned about the designs of the marinas and provided feedback on the existing and proposed designs. Reyes also noted that the GFCA's new building is moving forward; that a new high school fishing club has started and become successful and expansion to other schools and into the curriculum is being considered; and that he is in discussions with the Guam Museum to have a permanent display on Guam's fishing culture.

Duenas reported on testimonials from the GFCA's captain's course that was held in April 2017. One individual successfully obtained a job with a charter boat and currently averages three charters a day. One cargo company benefited when one of its deckhands completed the course and obtained his captain's license; the company has purchased a new boat to increase its cargo runs from Guam to Rota. The small pockets of money provided for the course really goes a long

way in the community. Duenas also noted that the GFCA is assisting the high school fishing club with field trips and providing speakers such as the Guam biosampling program.

2. Legislative Report

There was no legislative report.

3. Enforcement Issues

Tibbatts reported that between October and January there were four marine preserve violations resulting in the arrest of six individuals. In the arrests, fish, fishing gear and vehicles were confiscated. They are working with the Guam Bureau of Planning to document all fish imports to Guam. Capture fisheries on Guam account for only 20 to 40 percent of the actual fish consumption on Guam. It seems the imports are primarily from the Federated State of Micronesia, Palau and Philippines, in both private imports and imports by large grocery chains.

He also noted a sea cucumber incident in December where they received a call from customs in Hawai‘i. The customs agents had seized a couple of boxes of sea cucumbers that had been caught on Guam and shipped to Hawai‘i. Customs sent them back. The method of preparation and packaging is consistent with how it is done by certain communities in Guam.

4. Community Activities and Issues

a. Update on Territorial Science Initiative

Council staff reported an update on the status of the Territorial Science Initiative and the Marine Recreational Program work that the Council is conducting in the Mariana Archipelago. In American Samoa, DMWR opted out of the Initiative and has taken on the work on its own. He noted that the number of vendors reporting has decreased from 51 to 21 and the DMWR was requesting support for its fish vendor’s forums. In Guam, 11 fish vendors are being monitored and range from active to permanently closed; staff noted the different markets and number of reports provided to the program. In CNMI, eight to nine vendors are being monitored; they are the main fish stores that sell reef fish, bottomfish and pelagic fish in the CNMI. He noted that the fisheries are changing; fishers may be bringing most of their catch directly to the restaurants and this would affect the numbers that are coming from fish vendors. He has to work with the agencies in CNMI to have full coverage of the restaurants as well. He noted that this was the last year of implementation of the four-year implementation plan for the Territorial Science Initiative. They plan on transitioning these activities to the local fisheries agencies and focus on improving the data collection for a limited number of management unit species in the next steps.

Council staff said that the MRIP Pacific Islands Implementation Plan was approved by the Executive Steering Committee and that NMFS is working on the roll out of the plan. The implementation plan creates a direct pipeline for funding through a certification of methods that are being used to collect noncommercial data. In the case of the territories and commonwealth, this would require a review and evaluation of the creel surveys. For the State of Hawai‘i, the next step would be to transition from telephone surveys to mail surveys.

b. MRIP Spearfishing Data Collection Project

Council staff reported on the spearfishing data collection project in Guam and CNMI funded by the MRIP. There is a gap in creel survey coverage for spearfishing data because most of the spearfishing activities happen at night. The project is being conducted with the Marianas Underwater Fishing Federation in Guam and the Marianas Apnea Spearfishing Club in CNMI. The goal of the project is to estimate noncommercial spearfishing catch and effort utilizing an electronic reporting platform available to the club members. The project also includes data from roving surveys using a portable device. He provided an example of the voluntary reporting form and explained the data being collected. The project is using a randomized stratified design survey with full 24 hour coverage and data input in near real-time. Cooperation from the fishermen is incentivized through monthly raffles and announcements on the website. There have been 697 interviews; he provided a real-time calculated average catch/count with a breakdown of species.

5. Education and Outreach Initiatives

This item was covered in prior agenda items.

B. Commonwealth of Northern Mariana Islands

1. Arongol Falú/Asunton i Tano

Roberto provided a summary of the CNMI Island Report. Fish tagging has been done within the lagoon; 300 fish have been tagged with t-shirts being provided as incentives for tag returns. The Division of Fish and Wildlife is continuing its life history work and will be getting a specialized microscope and a grinding wheel for otolith reading and processing. The data collection using the boat-based and shore-based creel surveys are continuing, with improvements being made to the commercial purchase invoice system. They were denied an extension of the electronic reporting system project, which expires in May. Funding for in-water work in the FAP program was approved so FADs will be rigged and deployed soon. The MPA program replaced signs that were missing from storms or damaged by the weather as well as developed presentations for the schools on the program. The turtle monitoring program continued the monitoring and in-water survey in Rota; 13 turtles were tagged and released. He also shared a picture of the governor and lieutenant governor fishing, noting that the government is encouraging the people in the CNMI to go fishing.

Ebisui asked if the CNMI had an operational decompression chamber.

Roberto said they do not and patients need to be flown to Guam.

Tibbats said the Guam facility is run by the US Navy and accepts civilian divers. A smaller chamber in a doctor's office in Guam used for diabetic wound treatment can be used for minor cases.

2. Legislative Report

Roberto provided the legislative report. House Bill 20-009 was signed into law this year that requires SCUBA dive shops to impose a \$10 surcharge for tank usage. The funds from the

surcharge will be used to install, operate and maintain decompression chambers in hospitals in Saipan, Tinian and Rota.

3. Enforcement Issues

Roberto reported that CNMI DLNR enforcement conducted 362 hours of dockside ESA enforcement in addition to 355 vessel hours and 569 personnel hours so far in 2017. Through the JEA, enforcement also conducted MSA enforcement through 150 dockside hours, 88 vessel patrol hours as well as MMPA enforcement with 29 dockside hours and 47 vessel patrol hours.

4. Community Activities and Issues

Roberto reported that work on the Garapan fishing base has begun, including permitting. The plan includes extending the seawall and shoreline revetment, installing a floating dock, ongoing maintenance and dredging, and the installation of aids to navigation and solar lights in the parking lot. He also noted that under the MCP, five projects were awarded in February for a total of \$107,000 awarded. The process took over six months due to the need to complete the NEPA on the projects.

5. Education and Outreach Initiatives

Roberto presented the education and outreach initiatives being conducted in the CNMI. The Chamorro and Refaluwasch lunar calendars were completed. They were smaller than the previous calendars and included fish pictures. The calendars target fishermen and others to inform them about tides, fish species, fishing information and best times to fish and plant traditionally. They include seasonal runs and spawning times for certain important species. The idea is to use the calendar more as a management tool as opposed to a classroom or public outreach tool.

Roberto reported and provided details on the upcoming fishing derbies. He also presented on the first lunar calendar festival to promote unity and the understanding of the different cultures, held in CNMI on Feb. 16 and 17. The Council provided educational materials and outreach through the Council's island coordinator and AP members. Additional promotion for the event was done on radio talk shows.

C. Update on Marianas Trench Marine National Monument Management Plan and Sanctuary Request

This topic was covered under Agency Reports.

D. Update on CNMI Marinas and Minimum Size Regulations

Gourley presented on the CNMI's proposed commercial size regulations for certain reef fish species. The CNMI Division of Fish and Wildlife issued the regulations with a 30-day public comment period in the local Commonwealth register on Dec. 28, 2017. Gourley was the only person to submit comments; he compared the biosampling data to what they are trying to regulate. He noted a lot of problems and concerns and explained what is being proposed. The restrictions started from the size matters campaign nearly 10 years ago. At that time, he analyzed

the data that was disseminated from that campaign and found that it was deficient and wrong. That campaign led to efforts to recommend implementing size restrictions at both the agency and legislature level, but they did not pass. The increasing pressure to have a statute law forced the agency to react and propose a regulatory solution instead.

Okano asked about the science upon which the restrictions are based.

Gourley said no one has been able to provide him with the science on which the restrictions are based. When he analyzed the restrictions using the biosampling data, for some species, the regulation would be useless because the proposed minimum size is below the historical and current smallest sizes seen in the market.

E. Advisory Group Reports and Recommendations

1. Mariana Archipelago Fishery Ecosystem Plan Advisory Panel

Reyes provided the AP recommendations.

Regarding Guam fishery issues, the Guam AP recommended the Council request NMFS provide federal funding for law enforcement to have a separate dock in Guam's existing boat marinas.

Regarding Mariana Archipelago ecosystems and habitat, the CNMI AP recommended the Council encourage the Mariana Visitor Authority to utilize the fishermen's code of conduct to create a brochure to be issued to visitors upon arrival to ensure proper care of the fishery resources in CNMI.

Regarding the Mariana Trench Marine National Monument, the CNMI AP recommended the Council request USFWS provide an update on the Mariana Trench Marine National Monument management plan and timeline for completion and public commenting options

2. Scientific & Statistical Committee

There were no SSC recommendations.

F. Public Comment

There was no public comment.

G. Council Discussion and Action

Regarding Guam fishery issues the Council requested NMFS, USFWS, Homeland Security, NOAA Enforcement and other agencies provide federal funding for law enforcement to have a separate dock in Guam's existing boat marinas.

Tosatto said he understands the need and that NMFS doesn't get an appropriation or the authority to provide funding to do construction of docks. A variety of agencies do, including the

Department of Homeland Security and USFWS. The Sustainable Fisheries Fund could be used if its identified in the MCPs.

Sesepasara added that the JEA between NOAA and the territories may provide an additional funding source for this work.

Moved by Duenas; seconded by Goto.

Motion passed.

*Regarding CNMI fishery issues, the Council **directed staff to encourage the Mariana Visitor Authority to utilize the fishermen’s code of conduct to create a brochure to be issued to visitors upon arrival to ensure proper care of the fishery resources in CNMI.***

Moved by Duenas; seconded by Goto.

Motion passed.

*Regarding the Mariana Trench Marine National Monument, the Council **requested NMFS and USFWS provide an update on the Mariana Trench Marine National Monument management plan and timeline for completion, including public commenting options, at the June Council Meeting.***

Moved by Gourley; seconded by Duenas.

Motion passed.

XIII. Administrative Matters

A. Council Member and Staff Annual Training on Standards of Conduct

Johns presented to the Council members and staff the annual ethics training on standards of conduct. In 2013 the inspector general for the Department of Commerce reviewed the processes for recusals and financials disclosures, decided more transparency was needed and asked NOAA General Counsel to provide annual training. Johns covered financial interests and disclosures, voting restrictions and recusals, lobbying and political campaigning in her question-and-answer training session with member participation. Authorities discussed included MSA, MSA regulations at 50 CFR 600, federal statutes on lobbying and political activity and an Office of Management and Budget circular. Johns encouraged members to review the regulations and authorities and email her if they have any questions.

Johns started the training with financial interests. The regulations require affected individuals to disclose financial interests to protect Council members from federal conflict of interest laws such as criminal and civil penalties under federal statutes and MSA penalties, including removal from the Council. Johns reviewed an example of financial interest related to ownership in a company that provides equipment or services essential to harvesting or processing in a fishery under the Council’s jurisdiction and exemption of employment in an entity engaging in scientific fisheries research in a fishery under the Council’s jurisdiction. Another hypothetical example provided related to employment of a dependent of a voting member with a Hawai’i fish processing company. A member would have to disclose an interest any time the interest is required within 30 days to supplement his/her form. The basic rule is

affected individuals are barred from voting on Council decisions that have a significant and predictable effect on the Council member's financial interest. Council decisions are specifically defined in the regulations to include approval of a fishery management plan, request for amendment to regulations implementing an FEP or finding that an emergency exists, though not all final actions are Council decisions that need to be evaluated under the recusal regulations with definitions found in 50 CFR 600.235.

Johns reviewed that within the definition of a significant and predictable effect of that basic rule is the link between the Council decision and an expected and substantially disproportionate benefit to the financial interest. Expected and substantially disproportionate benefit is defined as a quantifiable positive or negative impact with regard to the financial interest with either a 10 percent or greater threshold. An example of this would be having 10 percent interest in processing the total harvest of the fishery or fishery sector at issue or partial ownership of 10 percent of the vessels using the same gear type within the fishery or fishery sector in question. Even members who recused themselves from voting on a Council decision because they meet the threshold can participate in discussion on voting after they've announced their recusal. Members can also say how they would have voted for the record but cannot participate in the discussions if it involves a matter of individual concern and that affects a small number of identified or easily identified parties rather than broad policy matters.

Following the explanation and definition of the basic rule regarding financial interest, Johns reviewed voting restrictions and recusals. If a Council member believes a decision would have a significant and predictable effect on her/his financial interest s/he may announce to the Council his/her intent not to vote on a decision and identify the financial interest that would be affected. A member may do this at the Council meeting or weeks in advance provided it's before the action.

Gourley asked if it's possible to do a "do-over" if a vote is carried over.

Tucher confirmed with Johns that reconsideration could be made so that a conflicted vote is not left out there, which could create a problem.

Sensui asked if a Council member was cleared to participate and not be recused but later required to recuse, would the prior opinion absolve the Council member of that jeopardy.

Tucher said, if it was not caught on the disclosure form and the member was not advised not to vote, it may be considered a technical violation and not be a problem; a member can rescind and reconsider the action.

Johns continued on to lobbying. Costs for certain lobbying activities are not allowable as charges to federal awards, including attempts to influence the introduction of federal or state legislation. However, there is an exception. If a congressman sends a document request, costs associated with providing a technical and factual presentation directly to the performance of a grant is okay.

Simonds said voting Council members as individuals can write to their congressman if they want to represent themselves.

Johns provided the hypothetical example of a Council member drafting a letter to a senator as okay as long as the Council member doesn't use Council equipment, drafts a letter on his own time, clearly states the comments are his/her own and does not reference his/her Council membership. Johns reiterated that lobbying Congress, such as asking for funding, is not okay because that would be an attempt to influence federal appropriations legislation. Council members cannot lobby for federal or state legislation. Most lobbying of the executive branch will be okay if it's unrelated to the making or rewarding of a grant; the authority of this is found at 31 USC 1352, also known as the Byrd amendment.

Johns reviewed the final topic of the ethics training on political campaigning. Johns provided the hypothetical example of wearing a shirt with a political message and announcement during an AP meeting. Since government funds are being expended to hold the AP meeting, the shirt would need to be removed as funds cannot be used for political activities. Additionally, no employee of a Council may use her/his official authority or influence derived from her/his position with the Council for the purpose of interfering with or affecting the results of an election or a nomination for any national, state, county or municipal elective office.

Sesepasara requested the authorities listed on the presentation.

Tucher said the authorities apply to affected individuals but state representatives have to follow conflict of interest laws for their state or territory or federal position, which are more rigorous because affected individuals are allowed to come with conflicts.

Sesepasara said he wanted to get the authorities to the counsel advisors at home to advise them, especially when they make recommendations to the governor for appointments to the Council so that the governor is aware of whom they are recommending.

Johns said the slide is in the briefing book materials.

Ebisui thanked Johns.

Soliai thanked the Council and all agencies represented before he and Sesepasara left to catch their flight.

B. Financial Reports

Simonds reported that all the money for 2017 has been spent and that there aren't any different line items in the 2018 report or notable changes to current line items. None of the Councils have received an increase for funds in years and are working on raising the basic allocations received. The Council is also looking to increase add-on funds received for different programs or folding in the add-on funds into the base multiyear budget. She said that staff is present to answer any questions about the coral, sustainable fisheries and turtle reports.

C. Administrative Reports

Simonds reviewed the administrative report, including the Council saying aloha to staff members Dalzell and Ka'ai'ai and signing the current five-year lease. Regarding Council membership, two obligatory seats are up in Guam and Hawai'i this year. Hawai'i has sent its

letter forward for the obligatory and at-large seats. The Council and NMFS heard from CNMI Gov. Ralph Torres that they will not be submitting names from CNMI for the at-large seat. Regarding Council coordination, the Council is working on the five-year budget and program cycle that starts in 202 to 2024. She will be discussing with Sensui on how to improve the Councils website.

D. Update on Information Inquiries and Responses

There was no report on information inquiries and responses.

E. Council Family Changes

Mitsuyasu said curriculum vitae and memos are in the briefing materials. He provided the following advisory body changes: Tia Brown will be added to the Education Committee; Melanie Hutchinson will be added to the Protected Species Advisory Committee, replacing Carl Meyer; Okano will be added to the Plan Team, replacing Jo-Anne Kushima and Alton Miyasaka who both retired; and Seki will be added as an ex-officio member to the SSC.

1. Education Committee

The item addressed in the prior agenda item.

2. Protected Species Advisory Committee

The item was addressed in the prior agenda item.

3. Plan Team

The item was addressed in the prior agenda item.

4. Scientific and Statistical Committee

The item was addressed in the prior agenda item.

5. Marine Planning and Climate Change Committee

There was no report on this item.

F. Report on the Winter Council Coordination Committee Meeting

Ebisui said the report has been circulated and the CCC requested that all Councils review and submit comments on the draft white paper that describes the best scientific information available.

G. Statement of Organizational Practices and Procedures Changes

DeMello reported that the AP chairs have been working together to come up with solutions to the issue that they face. Solutions include reducing the number of AP members in order to work more effectively, term limits, develop a code of conduct for AP members, provide

better AP member selection and recommendation tracking, and include AP members in region communication.

H. Meetings and Workshops

Simonds said there are no changes from the previous list distributed but reminded the Council that the SSC meeting is the week of June 4 and the Council meeting is the week of June 11. The Council has tried to accommodate members from American Samoa because the flight schedule is changing soon.

I. 2018 Council Member Appointments

The item was addressed in the prior agenda item.

J. Other Business

There was no other business.

K. Executive and Budget Standing Committee Recommendations

Gourley reported that the Executive and Budget Standing Committee had five recommendations which have been rolled into recommendations for consideration under Council Discussion and Action.

L. Public Comment

There was no public comment.

M. Council Discussion and Action

Regarding administrative matters, the Council directed staff to continue to work with the NMFS Administration to address Council funding shortfalls related to vacant staff positions, increased administrative costs and unfunded programmatic activities.

Moved by Gourley; seconded by Duenas.
Motion passed.

The Council endorsed the proposed changes to the AP structure to reduce the total number of AP members in each island area from 12 to six members. In addition to the six advisors per island area, an overall AP chair and four island area vice-chairs shall also be appointed. The Council directed staff to amend the Statement of Organization Practices and Procedures to reflect these changes and initiate the solicitation process for new AP members for the next four-year term, 2019-2022.

Moved by Gourley; seconded by Duenas.
Motion passed.

The Council supported the following advisory body changes:

- a. add Tia Brown to the Education Committee;
- b. add Melanie Hutchinson to the Protected Species Advisory Committee, replacing Carl Meyer;
- c. add Ryan Okano to the Plan Team, filling seats vacated by Jo-Anne Koshima and Alton Miyasaka; and
- d. add Mike Seki to the SSC as an ex-officio member.

Moved by Gourley; seconded by Duenas.

Motion passed.

The Council directed staff to explore options that would facilitate the direct transfer of funds derived from specified fishing agreements between the US Participating Territories and Pelagic FEP permitted vessels.

Moved by Gourley; seconded by Duenas.

Motion passed.

Regarding the State of Hawai‘i’s consideration to open half of the BRFAs, the Council reiterated its prior position, based on input from its SSC, that the State remove all BRFAs extending into federal waters and strongly recommended the closures in State waters also be removed. The opening of all BRFAs is supported by the recent outcome of the PIFSC benchmark stock assessment, independent peer review of the assessment and ongoing state-wide independent bottomfish research that has determined that the MHI Deep-7 bottomfish stock is and has been healthy prior to and throughout the period that the BRFAs have been in place. The Council directed staff to send a letter to the State reiterating its position on opening of the BFRAs and to offer support in developing a plan to improve data collection when the BRFAs reopen.

Moved by Gourley; seconded by Duenas.

Motion passed. Okano abstained.

The Council endorsed the formation of a working group comprised of Lynch (SSC lead), Ray Hilborn, Erik Franklin and Itano to work with Council staff in drafting a comment letter addressing the Best Scientific Information Available Framework. The letter will be submitted to the CCC on April 15, 2018. The working group will also provide recommendations to the WPSAR Steering Committee on potential improvements to the WPSAR process that would support the Best Scientific Information Available determination process.

Moved by Gourley; seconded by Duenas.

Motion passed.

The Council directed staff to write to the Secretary of Commerce, and cc the NMFS Assistant Administrator, to communicate the Council's concerns with the proposed amendments to the Billfish Conservation Act of 2012, whereby proponents have stated the legislation as being a "technical amendment" to fix an existing loophole. The legislation would equate Hawai'i billfish landings as foreign catch and ban the sale of Hawai'i caught billfish in the US mainland, which would serve no conservation purpose. The letter should note that the amendment would be contrary to Secretary of Commerce Wilbur Ross' initiative to combat the seafood trade deficit as over 500,000 pounds of Hawai'i caught billfish are marketed in the US mainland annually.

Moved by Gourley; seconded by Duenas.
Motion passed.

The Council requested the NMFS Administration provide the Council an opportunity to review the draft recusal and attribution policies prior to final publication.

Moved by Gourley; seconded by Duenas.
Motion passed.

XIII. Other Business

Simonds commented on the CCC meeting discussion regarding Soliai's requirement to recuse from voting on certain American Samoa proposals or amendments because the determination has been that he carries the entire StarKist company on his shoulders, even though he is an employee. Simonds said the lawyers on the committee brought forth the Council's concern and it's being worked on.

Ebisui thanked the Council members and staff and adjourned the 172nd Council meeting.

APPENDIX: List of Acronyms

ABC	acceptable biological catch
ACL	annual catch limit
AP	Advisory Panel
BBNJ	Biodiversity Beyond National Jurisdiction
BMP	best management practice
BOEM	Bureau of Ocean Energy Management
BotCam	bottom camera
BRFA	Bottomfish Restricted Fishing Area (Hawai‘i)
CCC	Council Coordination Committee
CML	commercial marine license (Hawai‘i)
CMM	conservation and management measure
CMSP	coastal and marine spatial planning
CNMI	Commonwealth of the Northern Mariana Islands
CPUE	catch per unit effort
DASBR	Drifting Acoustic Spar Buoy Recorders
DLNR	Department of Land and Natural Resources (Hawai‘i)
DLNR	Department of Lands and Natural Resources (CNMI)
DMWR	Department of Marine and Wildlife Resources (American Samoa)
DOCARE	Division of Conservation and Resources Enforcement (Hawai‘i)
EBFM	ecosystem-based fishery management
EC	ecosystem component
EEZ	exclusive economic zone
EIS	environmental impact statement
EM	electronic monitoring
ENSO	El Nino Southern Oscillation
EO	executive order
EPO	Eastern Pacific Ocean
ESA	Endangered Species Act
FAD	fish aggregation device
FEP	fishery ecosystem plan
GFCA	Guam Fishermen’s Cooperative Association

HICEAS	Hawaiian Islands Cetacean and Ecosystem Assessment Survey
IEA	Integrated Ecosystem Assessment
IPMEN	International Pacific Marine Educators Network
IUU	illegal, unreported and unregulated
JEA	Joint Enforcement Agreement
LME	large marine ecosystem
LVPA	Large Vessel Prohibited Area (American Samoa)
MCP	Marine Conservation Plan
MES	Micronesian Environmental Service
MFMT	maximum fishing mortality threshold
MHI	main Hawaiian Islands
MLCD	Marine Life Conservation District (Hawai'i)
M&SI	mortality and serious injury
MMPA	Marine Mammal Protection Act
MOUSS	Modular Optical Underwater Survey System
MPA	marine protected area
MRIP	Marine Recreational Information Program
MSA	Magnuson-Stevens Fishery Conservation and Management Act
MSE	Management Strategy Evaluation
MSST	minimum stock size threshold
MSY	maximum sustainable yield
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NOC	National Ocean Council
NS	Nation Standard
NWHI	Northwestern Hawaiian Islands
OLE	Office of Law Enforcement
PBR	potential biological removal
PIFSC	Pacific Islands Fisheries Science Center
PIRO	Pacific Islands Regional Office
PRIAs	Pacific Remote Island Areas
RAMP	Reef Assessment and Monitoring Program
REAC	Regional Ecosystem Advisory Committee

RFMO	regional fishery management organization
RPB	Regional Planning Body
SAFE	Stock Assessment and Fishery Evaluation
SCS	Scientific Coordination Subcommittee
SEZ	Southern Exclusion Zone
SSC	Scientific and Statistical Committee
SST	sea surface temperature
TIRN	Turtle Island Restoration Network
TRP	Take Reduction Plan
TRT	Take Reduction Team
USCG	US Coast Guard
USFWS	US Fish and Wildlife Service
VMS	vessel monitoring system
WCPO	Western and Central Pacific Ocean
WPSAR	Western Pacific Stock Assessment Review