



Press Release

For Immediate Release

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Modern Recreational Fisheries Management Act Implications in the Western Pacific Region

HONOLULU (10 January 2019) On the last day of 2018, President Trump signed into law the Modernizing Recreational Fisheries Management Act (S. 1520), also known as the Modern Fish Act. The bill, which had been stagnant since its introduction in 2017, was pushed through by the efforts of the same coalition of sports fishing organizations that earlier in the year supported the amended Billfish Conservation Act of 2012. The amended Billfish Act had major consequences for the commercial fisheries in Hawaii and the US Pacific Island territories by banning interstate commerce of a sustainable, traditional fishery in the islands. The Modern Fish Act, on the other hand, is more targeted toward the management of recreational fisheries in the South Atlantic and Gulf of Mexico but may have implications for fisheries management in the Western Pacific Region, i.e., the US Pacific Islands.

The new law urges the nation's eight Regional Fishery Management Councils to consider fishing mortality targets, extraction rates and other alternative means for evaluating recreational fishery catch limits rather than tonnage. The law also requires the National Academy of Sciences to review limited access privilege programs to ensure recreational fishing interests are treated fairly.

"Recreational fishing has been strongly represented in the Western Pacific Regional Fishery Management Council since its inception forty years ago," notes the Council's executive director, Kitty M. Simonds. The Council's first chair was a recreational fisherman, Wadsworth Yee, a former Hawaii state senator. Peter Fithian, founder of the Hawaiian International Billfish Tournament in Kona, was another inaugural member. Today, recreational fisherman Dean Sensui, producer of *Hawaii Goes Fishing*, is the vice chair on the Council representing Hawaii, and Edwin Watamura, president of the Waialua Boat Club, is another of the Council's 13 voting members.

"The cultural history of fishing in the islands for subsistence, pleasure and cultural exchange spans millennia prior to Hawaii becoming a state and American Samoa, Guam and the Commonwealth of the Northern Mariana Islands becoming U.S. territories," Simonds added. "Due to this, our fisheries tend to be commercial and non-commercial fisheries, rather than recreational, with the latter often engaged in cultural exchange of fish or bartering/selling enough fish to cover expenses of a fishing trip. Other than the Hawaii bottomfish fishery, management of the non-commercial sector has largely been left to the state and territories. Recently, however, the Council has worked with the state and territories to explore permit and reporting requirements for the recreational sector."

For the Western Pacific Region, it was the President's remarks upon signing the bill that stung the most.

"The power of these councils," Trump said, "has steadily increased over time, raising constitutional concerns related to the manner of the appointment and removal of their members and of members of certain scientific and statistical committees that assist them. Keeping with past practice of the executive branch, my administration will treat the plans promulgated by the council as advisory only; the adoption of the plans will be subject to the discretion of the secretary of Commerce as part of the regulatory process described in section 304 of the Magnuson-Stevens Act [MSA]."

"The Commerce Secretary has always had the discretion to adopt, deny or partially adopt, the fishery management plans and amendments recommended by the Council," Simonds notes. "Moreover, the Commerce Secretary appoints the members of the Council, which are nominated by the Governors."

Western Pacific Regional Fishery Management Council: Secretary of Commerce appointees from nominees selected by American Samoa, CNMI, Guam and Hawaii governors: Archie Soliai, StarKist (American Samoa) (chair); Christinna Lutu-Sanchez, commercial fisherman (American Samoa); John Gourley, Micronesian Environmental Services (CNMI) (vice chair); Michael Duenas, Guam Fishermen's Cooperative Association (Guam) (vice chair); Dean Sensui, film producer (Hawaii) (vice chair); Michael Goto, United Fishing Agency (Hawaii); Edwin Watamura (Hawaii). Designated state officials: Raymond Roberto, CNMI Dept. of Lands and Natural Resources; Suzanne Case, Hawaii Dept. of Land & Natural Resources; Chelsea Muña-Brecht, Guam Dept. of Agriculture; Henry Sesepasra, American Samoa Dept. of Marine & Wildlife Resources. Designated federal officials (voting): Michael Tosatto, NMFS Pacific Islands Regional Office. Designated federal officials (non-voting): RADM Kevin Lunday, USCG 14th District; Michael Brakke, US Department of State; Brian Peck, USFWS.

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