



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

ACTION MEMORANDUM

177th Council Meeting

April 12, 2019

Council Office

Honolulu, Hawaii

And by Teleconference/Webinar

Regarding the Management of Loggerhead and Leatherback Turtle Interactions in the Hawaii-based Longline Fishery, the Council:

1. Maintained the recommendation from the 173rd Meeting for amending the Pelagic FEP to establish a management framework for the Hawaii shallow-set longline fishery consisting of the following measures:
 - a. Establish an annual limit on the number of North Pacific loggerhead and leatherback turtle interactions that the Council will recommend to NMFS consistent with the anticipated level of annual interactions that is set forth in the current valid biological opinion. Once either one of these interaction limits is reached, the fishery closes for the remainder of the calendar year.
 - b. Establish individual trip interaction limits for loggerhead and leatherback turtles for the Hawaii limited entry permit vessels that declare their trips as a shallow-set trip
 - i. Upon determining that a vessel has reached either the loggerhead or leatherback turtle trip interaction limit based on data from NMFS observers, shallow-set vessels will be required to return to port without making additional sets.
 - ii. The vessel may resume shallow-set fishing operations after returning to port and providing the required 72-hour notification under 50 CFR 665.803 prior to departure.
 - iii. The Council may make recommendations to NMFS to revise the individual trip limits upon periodic review of the effectiveness of the limits.
2. Recommended the Hawaii shallow-set longline fishery be reopened and the following limits be implemented under the management framework:
 - a. Annual limit of 36 loggerhead turtles and 16 leatherback turtles, consistent with the draft SSL BiOp. For the 2019 fishing year, interactions occurring from January 1, 2019 until the fishery closure on March 19, 2019 shall apply against the 36 loggerhead and 16 leatherback limit; and
 - b. Individual trip limits of 5 loggerhead turtles and 2 leatherback turtles.
3. Recommended an annual review of the Hawaii shallow-set longline fishery's performance under the individual trip limits in the Annual SAFE Report.

Further, the Council deems that the regulations implementing the recommendations are necessary or appropriate in accordance with Section 303(c) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA). In doing so, the Council directs Council staff to work with NMFS to complete regulatory language to implement the Council's final action. Unless otherwise explicitly directed by the Council, the Council authorizes the Executive Director and the Chairman to review the draft regulations to verify that they are consistent with the Council action before submitting them, along with this determination, to the Secretary on behalf of the Council. The Executive Director and the Chairman are authorized to withhold submission of the Council action and/or proposed regulations and take the action back to the Council if, in their determination, the proposed regulations are not consistent with the Council action.

Regarding the Draft Biological Opinion for the Hawaii Shallow-set Longline Fishery, the Council:

4. Directed staff to send a letter to NMFS providing comments on the draft BiOp reflecting the report from the Biological Opinion Review Advisory Panel and Council discussion.
5. Requested NMFS meet with Council staff to discuss comments regarding the draft BiOp
6. Requested NMFS consider revising the RPMs for consistency with the Council recommended action and implement RPMs with immediate timelines through the MSA regulatory process for Council actions.