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COUNCIL

## **Report of the American Samoa Archipelago FEP Advisory Panel Meeting**

Wednesday, March 10, 2021

5:00 p.m. – 7:00 p.m.

### **1. Welcome and Introductions**

Will Sword, American Samoa Advisory Panel (AP) vice Chair, opened the meeting at 5:05 p.m. and welcomed the members. AP members in attendance were Nonu Tuisamoa, Frank Barron, Sam Meleisea, Brian Thompson, Jerome Ierome, Dustin Snow, Ana Tupua, and Joseph Faaita.

In attendance was Council Chair Archie Soliai, Council members Howard Dunham and Brian Peck, SSC Members Justin Hospital and Domingo Ochavillo, and Council staff Diana Kitiona, Nate Ilaoa, Asuka Ishizaki, Marlowe Sabaer, and Joshua DeMello. Others in attendance were Kate Taylor and Michael Marsik of NOAA Fisheries.

### **2. Review of Last AP Meeting and Recommendations**

Council staff reviewed the report and recommendations from the AP's last meeting report in November 2020. The AP made recommendations on bottomfish, the Large Vessel Prohibited Area (LVPA), and American Samoa issues. She noted that the bottomfish issue was deferred to the March meeting and the AP would be provided another chance to provide a recommendation on the rebuilding plan at this meeting. This meeting would also provide an update on the LVPA and other American Samoa issues as well.

### **3. Council Issues**

#### **A. Options for Managing the American Samoa Bottomfish Stocks**

Council staff provided an update on the management of bottomfish stocks. The Council deferred action on the American Samoa bottomfish fishery ACL and rebuilding plan from the 184<sup>th</sup> Council Meeting to allow the Department of Marine and Wildlife Resources (DMWR) to complete its territorial management plan and initiate a Community Development Plan (CDP) under the Magnuson Stevens Act. He reviewed the rebuilding options which included no action (status quo); implementing an ACL of 1,500 lb with in-season monitoring; or establishing a moratorium on bottomfish fishing in Federal waters for the next 10 years. Council staff said these alternatives would cause a displacement of the fishery from Federal waters to Territorial waters, and none of the alternatives allow for rebuilding within a 10-year period. Therefore DMWR will work on a territorial bottomfish management plan that will be vetted by the communities and enforced by the DMWR. A CDP allows community involvement that will provide feedback to the Council and the National Marine Fisheries Service (NMFS).

One AP member asked if the three alternatives will be decided on at the 185<sup>th</sup> Council Meeting. Council staff said the final action is not until June and that will provide time for DMWR to finish their bottomfish management plan and CDP. A DMWR representative said that the department will be providing information on the management plan to fishermen soon.

Another member asked if cultural take was included in the moratorium on bottomfish in Federal waters. Council staff said if the Council opts for Federal ACL, the territorial 0-3 mile waters will use the 1,500 pound ACL as well. The Council supports the territory having full control of its fishery from 0-3 miles. The CDP will provide limited access to bottomfish resources in Federal waters and that will require best scientific information available (BSIA) for the stock assessment. The Council is requesting that NMFS will provide a solution to give communities access to bottomfish in Federal waters.

An AP member said that there is a need for funding to support collection of data for bottomfish. Several members stated that the bottomfish fishery is not overfished.

Another AP member said that fishing beyond 3 miles is usually due to fishing for certain species for cultural events (e.g. *fa'alavelaves*, weddings, funerals, etc.). Council staff said that the CDP is being developed to include an exemption of certain species in Federal waters for cultural take.

He pointed out that FAO reports showed that Independent Samoa has been reporting landings of 5,000 tons of coastal fish annually for its subsistence fishery. Niue landed close to 129 tons in a year, but American Samoa landed only 14,000 lbs.

A member said that the method that fishermen are using to fish is what causes them to land less fish. Another added that the management plan gives the local communities an option to determine American Samoa bottomfish ACL. Once the management plan is completed, it will be vetted through the proper channels.

### **B. Catch-It, Log-It Implementation**

Council staff updated the AP on the promotion of Catch-It, Log-It (CILI) PSAs, and actions needed to implement them. The CILI contractor is working on a user-friendly video to make it easier for fishermen to download and use the app. The contractor is also reaching out to local fishing associations to have training at regular meetings. The AP has been informed that training for vendors has already begun.

AP members, who are also members of local fishing associations, expressed their interest in inviting the CILI contractor to do more training for fishermen within their associations. Council staff encourages all fishing associations to contact the contractor to plan these meetings.

Another AP member said that the map on the app does not load, and asked if it was an app problem or connectivity issue. He also asked if the app is optimized for updated browsers. Council staff replied that the map data is caches and that it is best to load the map before going on a fishing trip. The developer reviews issues and optimizes the app on a monthly basis.

### **C. Status of the American Samoa Large Vessel Prohibited Area (LVPA)**

Council staff provided an update of the LVPA. The American Samoa Government filed a petition for the case to be heard in the US Supreme Court after losing an appeal which reinstated the original amendment. That has not happened yet as the petition is currently pending.

A member asked about the procedure for reinstatement of the amendment. Staff said the original rule is to be put back in place. If the territory wants changes, the Council would have to do so in the form of another recommendation. He said the original amendment has an annual review built in allowing the Council to look at catch numbers and make a decision on revising the boundaries of the LVPA.

#### **D. Status of Fishery Biological Opinions**

Council staff briefed AP members on two biological opinions relevant to American Samoa. NOAA Fisheries' Office of Protected Resources' biological opinions document how federal actions affect species under ESA and critical habitat. Consultation for oceanic whitetip shark has started though there are no records of them in American Samoa bottomfish fishery. There are records of oceanic whitetip sharks in Guam and CNMI, although few. The second consultation is regarding American Samoa longline fishery, which is ongoing. An update on these two biological opinions will be given at the 185th Council Meeting, with consultations anticipated to be completed in May. The American Samoa Longline fleet does not have the same exempted status as the Hawaii longline fleet, and a letter from owners of the American Samoa longline fleet has been sent to PIRO requesting the same status for the local fleet.

#### **4. American Samoa Reports**

Council staff briefed AP members on the American Samoa report for the 185th Council Meeting in March. The *Motu Ripoti* summarizes COVID-19 restrictions in American Samoa, and impacts on the local fisheries and fishing operations. The report also gives an update of the longline fleet's diversification project. Island fisheries updates have also been noted in the report. Fishermen have experienced low catches for both the pelagic trolling and bottomfishing fisheries, and an increase number of sharks which have resulted in catch losses.

A member asked about the status of the CARES Act funding for fishermen. DMWR is still in the process of reviewing more than 7,000 applications, which has caused some delays. DMWR expects this process to be completed in April.

#### **5. Report on American Samoa Archipelago FEP AP Plan Activities**

Council staff reported on the outreach and education projects that are still ongoing. The SFF curriculum and outreach PSA project is behind schedule and the contract has been extended. Planning for the Manu'a fishing tournament for students K-12 is underway. The project will be a collaborative effort between the Council and DMWR.

An AP member asked about the timelines of the two projects. Council staff updated the AP on the status of the extension for PSAs with a projected deadline in August. The teacher's workshop will be scheduled once PSAs are completed. AP members are encouraged to be involved in identifying outreach opportunities. PSAs will be aired by the local television station, free of charge. The Manua fishing tournament is scheduled for the ending of May.

#### **6. Fishery Issues and Activities**

One member suggested that a televised game (e.g. spin the wheel) can help raise awareness about local fisheries and activities. Another member suggested a talkshow to kickoff PSAs on local television.

AP members did not bring up any issues for discussion.

## **7. Public Comment**

There were no public comments.

## **8. Discussion and Recommendations**

The American Samoa Advisory Panel made the following recommendations:

### ***Regarding CDP and BF Management Plan,***

- **The American Samoa AP recommended the Council request DMWR work with the AP to schedule outreach with local fishermen.**
- **The American Samoa AP recommends the Council work with DMWR on the development of the Community Development Program Plan, and request NMFS to provide access to bottomfish resources in federal waters for cultural and traditional purposes.**

## **9. Other Business**

NMFS PIFSC gave more updates and details on their small boat survey project for 2021 as reported in the last AP meeting in November 2020. Two local contractors will be surveying small boat fishermen in Samoan or English regarding fishing experiences in 2020. The survey will target 50-60 fishermen. Data from this study will assist in estimating economic contribution of small-boat fisheries, provide management alternatives, and look into cultural impacts of management actions.

AP members asked if boat captain and crew members will be surveyed separately. PIFSC said that the survey is designed to identify owners and crew members of the same boat.

The Council Chair asked when the report will be released. PIFSC said that a similar survey in 2017 released their report in 2019. However, a brochure with preliminary results will be provided to the local agencies and fishermen by the end of 2021. A more in-depth report will be available by the end of 2022.

An AP member asked for an update on dock projects and if there was any funding for floating docks for sportfishermen. Council member stated that the Fagatogo dock is waiting on equipment parts to continue the installation of the last pile. The dock that was contracted to Sylva Group is awaiting Army Corps. permit before the work can start. Upcoming SFF funding can be used to fund future floating docks for sportsboats.

The vice Chair asked DMWR to provide a presentation on the Marine Conservation Plan (MCP). The DMWR representative briefed AP members on the MCP, which expires in July, and asked for input before the 185th CM.

The Council Chair said there is evidence of people fishing but the data is not being captured on the Catch-It, Log-It app. He expressed the need to have fishermen trained to use the app and start logging their catch.

The vice Chair adjourned the meeting at 7:00 p.m.