



Options Paper on Requiring Landings of PMUS in American Samoa

151st Council Meeting
June 15-18, 2011
Waikiki, HI

I. Introduction

At its 150th meeting (American Samoa; March 2011), the Western Pacific Regional Fishery Management Council (Council) directed its staff to write an options paper investigating the pros and cons of requiring the landing of pelagic management unit species (PMUS) in American Samoa by all longline and purse seine fisheries. The paper would also investigate options for prioritizing participation in the longline fishery by community residents.

Based on the recommendation above, several options and their associated pros and cons are described below. However, to follow U.S. jurisdictional realities, the scope of this paper only applies to U.S. pelagic longline and purse seine fishing vessels operating in the Western Pacific Region. These vessels fall under the following categories:

- Hawaii limited entry permitted longline vessels (164 permits; 130 active vessels)
- American Samoa limited entry longline vessels (60 permits; 28 active vessels)
- Western Pacific general longline permitted vessels (2 active vessels in CNMI)
- South Pacific Tuna Treaty licensed purse seine vessels (44 licenses; 36 active vessels)

II. Purpose and Need

Also at its 150th meeting, the Council took action to modify the American Samoa longline limited entry program in regards to eligibility criteria, vessel size classes, and minimum harvest requirements. The Council recommended these changes to remove programmatic barriers that may be affecting participation in the small vessel size classes. Under existing regulations American Samoa longline permit holders must meet the following minimum harvesting requirements over a three year period: 1,000 lbs of pelagic management unit species (PMUS) for vessels less than 50 ft, and 5,000 lbs of PMUS for vessels 50 ft and longer, harvested in the EEZ around American Samoa. At its 150th meeting, the Council recommended to reduce the small vessel (current permit classes A & B) minimum harvest requirement to 500 lbs and maintain the 5,000 lbs harvest requirement for large vessels (current permit classes C & D). As written, these are minimum harvest requirements and do not require permit holders to land PMUS caught in the EEZ in American Samoa. However, in all practicality, most if not all of the fish caught by longline vessels in the EEZ around American Samoa, and which are retained on board, are landed in Pago Pago. In other words, it is extremely rare that longline vessels fishing in the EEZ around American Samoa land fish outside of Pago Pago. However, as fisheries are dynamic new markets can appear suddenly (e.g., Samoa, Cook Islands); therefore, the Council is interested in exploring management options related to landing requirements in American Samoa to ensure community participation, and further that fish harvested in the EEZ around American Samoa be landed in American Samoa, thus providing benefits American Samoa.

Another issue related to landing requirements is the rebuilding of the WCPO U.S. purse seine fleet with ventures between U.S. and Taiwanese companies. From 2006-2009, approximately 25 vessels were built in Taiwan and flagged to the U.S. These vessels are licensed by NMFS under the South Pacific Tuna Treaty Act. Several of these new U.S. flagged purse seine vessels are “homeported” in American Samoa, but have never visited, nor landed fish in Pago Pago. U.S. Coast Guard (USCG) regulations implementing the Jones Act (P.L. 66-261) prevent US purse seine vessels that were not built in US to fish in the US EEZ. Vessel documentation, fisheries endorsements, and homeporting requirements also fall under USCG jurisdiction. Currently, the USCG allows vessels that are homeported in American Samoa to be exempted from vessel manning requirements, i.e., only a U.S. captain is required, whereas without the exemption, all officers (e.g., captain, engineer, navigator) onboard would have to be U.S. citizens. Since 2006, the Council has been concerned with foreign built U.S. flagged purse seine vessels listing American Samoa as its homeport and receiving exemptions to manning requirements, but not landing fish in American Samoa, thus believed not to be providing any benefits to American Samoa. For these reasons, several options related to American Samoa landing requirements for U.S. vessels operating in the WCPO are also provided below.

III. Options

a) Require at least one annual landing of PMUS by all U.S. longline vessels and purse seine vessels in the WCPO

Pros	Cons
<ul style="list-style-type: none"> • Would contribute to consistent supply of raw product for canneries and export processing facility (existing facilities rely on foreign caught fish as well) • Consistent and/or increased landings would provide benefits to American Samoa economy through offloading operations, refueling, and provisioning • Would facilitate port sampling of US purse seine vessels by NMFS in a US port to monitor catches of bigeye tuna and other species 	<ul style="list-style-type: none"> • Potential oversupply of product resulting in low prices, potential waste, transshipment • Pago Pago harbor capacity for purse seine and longline vessels is limited and overcrowding from too many vessels in port would be problematic • Would require establishing conditions on Hawaii, American Samoa, and Western Pacific General longline permits to require landings • May unduly impact Hawaii longline and Western Pacific General longline permitted vessels that do not fish near American Samoa resulting in disproportionate economic impacts • Council does not regulate U.S. purse seine fleet unless if fishing within U.S. EEZ in the Western Pacific Region; not

implementable for purse seine vessels that do not fish in EEZ, of which 26 existing US purse seine vessels are restricted from doing due to being not built in US.

- Would establish new burden on NMFS and USCG to monitor and enforce landing requirements

b) Require at least one annual landing of PMUS by all U.S. longline vessels and purse vessels that list American Samoa as its “homeport”

Pros	Cons
<ul style="list-style-type: none"> • Would contribute to consistent supply of raw product for canneries and export processing facility (existing facilities rely on foreign caught fish as well) • Consistent and/or increased landings would provide benefits to American Samoa economy through offloading operations, refueling, and provisioning • Would facilitate port sampling of US purse seine vessels by NMFS in a US port to monitor catches of bigeye other species 	<ul style="list-style-type: none"> • Not implementable under Magnuson-Stevens Act - Council does not have jurisdictional authority over homeporting regulations (USCG) • There are some American Samoa-permitted longline vessels that fish in the EEZ around American Samoa that do not list American Samoa as its homeport

c) Require that all PMUS caught by American Samoa longline permitted vessels and U.S. purse seine vessels in the EEZ around American Samoa be landed in American Samoa

Pros	Cons
<ul style="list-style-type: none"> • Would contribute to consistent supply of raw product for canneries and export processing facility • No change for AS based longline vessels from current operations • Ensure that vessels harvesting fishery resources from EEZ around American Samoa to maximize benefits to the American Samoa economy through required landings (offloading operations, refueling, and provisioning) 	<ul style="list-style-type: none"> • Would reduce operational flexibility for purse seine vessels that have greater range and that fish broader distance from American Samoa • Would reduce operational flexibility for longline vessels that may wish to land fish in other ports (e.g. Fiji, Cook Islands) • Very little purse seine effort in EEZ around American Samoa, therefore no significant increase in landings would be expected (proposed no FAD fishing as well as

restricted PS fishing area 0-75 nm in American Samoa)

- Would only apply to 12 U.S. flagged purse seine vessels that were built in U.S. and authorized to fish in EEZ by USCG. The Taiwanese built U.S. flagged purse seine vessels are prohibited from fishing in the U.S. EEZ under USCG regulations (Jones Act)

d) Require at least one annual landing by U.S. Purse Seine vessels that fish in the US EEZ around Guam, CNMI, PRIA or American Samoa

Pros	Cons
<ul style="list-style-type: none">• Would contribute to consistent supply of raw product for canneries and export processing facility• Ensure that vessels harvesting fishery resources from EEZ around American Samoa provide some benefits to the American Samoa economy through required landings (offloading operations, refueling, and provisioning)• Would facilitate port sampling of US purse seine vessels by NMFS in a US port to monitor catches of bigeye other species	<ul style="list-style-type: none">• Would require Council rescinding or modifying current recommendation to amend Pelagics FEP to prohibit purse seine fishing in EEZ around Guam and CNMI• Would reduce operational flexibility for purse seine vessels that have greater range and that fish broader distance from American Samoa• Very little purse seine effort in US EEZ in WCPO (less than 5 % annually) therefore no significant increase in landings would be expected (proposed no FAD fishing and restricted PS fishing area 0-75 nm)• Would only apply to 12 U.S. flagged purse seine vessels that were built in U.S. and authorized to fish in EEZ by USCG. The Taiwanese built U.S. flagged purse seine vessels are prohibited from fishing in the U.S. EEZ under USCG regulations (Jones Act)

e) Require annual minimum landing requirements of PMUS by American Samoa longline limited entry permitted vessels

Pros	Cons
<ul style="list-style-type: none"> • Increased landings from 12 dual-permitted longline vessels may provide benefits to American Samoa economy through offloading operations, refueling, and provisioning • No significant changes to current operations of American Samoa based longline vessels • May lead to more participation in fishery by American Samoa community residents if permits are given up by dual-permitted vessels because of high costs associated with annual landing requirements 	<ul style="list-style-type: none"> • May reduce operational flexibility and would force dual-permitted vessels fishing out of Hawaii to make annual minimum landings with potential impacts related to fuel costs, market prices

f) Require minimum landing requirements of PMUS by American Samoa longline limited entry permitted vessels over three-year period

Pros	Cons
<ul style="list-style-type: none"> • No major change from status quo as in practice by permitted vessels 	<ul style="list-style-type: none"> • Unlikely to lead to more participation by community residents in longline fishery as this would result in little change to status quo

IV. Discussion and Council Action

For practical reasons, most if not all of the PMUS harvested and retained by longline vessels in EEZ around American Samoa are landed in American Samoa. While the three-year minimum harvest requirement provides operational flexibility to American Samoa longline permit holders that may not have an active vessel in American Samoa or that choose to fish in another area of the Western Pacific Region, it could be precluding community participation in the fishery if otherwise that permit would be fished regularly in American Samoa under annual minimum landing requirements. Regarding purse seine landing requirements, it appears that the only Council management nexus (i.e., Magnuson-Stevens Fishery Conservation and Management Act) would be to require purse seine caught fish harvested in the US EEZ in the Western Pacific Region. At its 151st meeting, the Council will take action on whether to further consider the issues and options outlined above.

