



## **164<sup>th</sup> Meeting of the Western Pacific Regional Fishery Management Council**

October 20-22, 2015

Governor H. Rex Lee Auditorium, Utulei, American Samoa

### **Synopsis**

#### **WPRFMC Fishery Ecosystem Plan Revisions**

The Council at its 162<sup>nd</sup> meeting was provided an update on activities associated with the five-year review and revision of the Council's fishery ecosystem plans (FEPs), which were adopted in 2009. We engaged Council family members and others via a series of meetings in Guam and CNMI (November 2014), American Samoa (January 2015) and Hawaii (February 2015) to solicit feedback and other participation and hired an outside consulting group to recommend improvements to the plans. The primary input we received was related to communication, process, data for ecosystem-based management, and goals and objectives.

The Council subsequently directed staff to revise the FEP outline to address the issues described during the review process. At the 163<sup>rd</sup> meeting, staff provided the revised FEP and annual report outlines to the Council for input, feedback, and direction. Council members indicated they were satisfied that the revised outlines substantially addressed those issues and staff proceeded to develop draft revised plans (enclosed). Although the revisions to the FEPs are non-regulatory in nature, they do include items that necessitate Secretarial review.

Following is a summary of the substantive and non-substantive FEP modifications found in the draft revised FEPs.

#### **Substantive Modifications**

- Council Management Policy

The current FEPs do not contain a management policy. Following the example other fishery management councils, the revised FEPs state: "The Council's management policy is to apply responsible and proactive management practices, based on sound scientific data and analysis and inclusive of fishing community members, to conserve and manage fisheries and their associated ecosystems."

- Objectives

The current FEPs contain the same 10 objectives, and several of these objectives are not measurable as written. The revised FEPs also contain similar objectives, except where an objective is unnecessary. For example, in areas where no stocks are overfished, it is not necessary to include an objective to rebuild overfished stocks. In addition, in order to manage for more and different ecosystem conditions across the different archipelagic and pelagic

ecosystems, staff have revised the objectives to include a) issues such as protected species, habitat, traditional and local knowledge and b) sub-objectives that are tailored to the needs and conditions of that FEP. These draft objectives are as follows. Please refer to each FEP for the draft sub-objectives specific to that management area.

Objective 1. Support Fishing Communities

Objective 2: Prevent Overfishing on Council-managed Stocks

Objective 3. Improve Fishery Monitoring and Data Collection

Objective 4. Promote Compliance

Objective 5. Reduce Bycatch and Minimize Interactions and Impacts to Protected Species

Objective 6. Refine and Minimize Impacts to Essential Fish Habitat Review and update EFH and HAPC designations on regular schedule (5-years) based on the best available scientific information of a higher EFH level than was used for the original designation.

Objective 7. Increase Traditional and Local Knowledge in Decision-making

Objective 8. Rebuild Overfished Stocks

Objective 9. Consider the Implications of Spatial Management Arrangements in Council Decision-making

Objective 10. Consider the Implications of Climate Change in Council Decision-making

- Inclusion of Approved Management Measures

After the current FEPs were approved and adopted in 2009, the Council amended them several times. Changes include the Community Development Program process and regulations, the ACL process and accountability measures, fishery management measures associated with marine national monuments in our region, the CNMI longline area closure, the American Samoa green sea turtle interaction measure, and the territorial catch attribution mechanism and process. We have incorporated these changes into the new drafts and will incorporate any additional approved changes.

- Integrated Living FEP Structure

The current format and contents of the FEPs inhibit a single, up-to-date document. Instead, the public must read the FEP, amendments to it, and the Code of Federal Regulations, to understand all of the management measures and processes associated with fisheries managed under a plan. It is not unusual for amendment documents to run more than 130 pages. This presents a significant challenge to public understanding of fishery management in the Western Pacific Region. The revised FEPs are constructed in a way that allows staff to update them as new management measures are implemented. A key feature of this is the incorporation by reference of certain data, policies, and procedures that are available in source documents that are regularly or periodically updated.

- Annual/SAFE Report Contents

The current FEPs reference the annual fishery ecosystem reports and identify some of their contents. However, the revised FEPs better describe the importance of these reports to a

living plan and expand the description of items that shall be contained in the annual fishery ecosystem reports, in order to incorporate a wider range of relevant ecosystem parameters.

- Five Year Research Priorities

The reauthorized MSA, at Section 302(h), created a responsibility for the eight regional councils to develop and transmit multi-year regional research needs to the Secretary of Commerce and the regional science centers of the National Marine Fisheries Service for their consideration in developing research priorities and budgets for the region of the Council. The current FEPs do not mention or describe this responsibility; the draft revised FEPs do.

### Non-Substantive Modification

- Addition of Key Authorities and Management Drivers

The draft revised FEPs now contain, near the beginning of each document, fairly brief descriptions (seven pages) of the primary fishery management authorities, drivers, and important federal laws that act upon the fishery management process. These are: the MSA and its national standards, including EFH, NMFS guidance, and the NEPA, ESA, and MMPA.

- Reorganization of the Plan

The draft revised FEPs have been structured such that information regarding each fishery and the management thereof is placed together. Now, the reader can find the fishery description, type and amount of fishing gear, harvest amount, fishing areas, time of fishing, number of hauls (or sets, traps, etc.), economic, present and probable condition of the fishery, MSY, OY (including domestic harvesting and processing of), MSA conservation and management measures, MUS, bycatch and bycatch reporting, international recommendations and other applicable laws, EFH, and HAPC in one place for each fishery, rather than across two or more chapters.

- Removal of Discretionary Background Information

The current FEPs contain a large amount of information about fishery-associated ecosystems in the western Pacific. This information is mostly found in two chapters in the current plans: Topics in Ecosystem Approaches to Management and Description of the Environment. Feedback we received during the review process suggested that a management plan need not and should not contain this amount of ecosystem data, especially since in this case the information is largely the same across all FEPs, despite the fact that each island area is unique in longitude, latitude, bathymetry, ocean currents, protected species, etc. In addition, it is not practicable to update the amount of information contained therein in near real-time. Therefore, staff have removed this information and will use it to develop a stand-alone FEP ecosystem resource document.

- Streamlining

The draft revised FEPs have been streamlined. There are many places where descriptions of processes and data have been made more succinct. One important area that was streamlined is the section: Consistency with Applicable Laws. Per the North Pacific Fishery Management Council approach, we significantly shortened this section, from approximately 10 pages to less than one page, and we refer the reader to the Operational Guidelines for the Fishery Management Process developed by NMFS in consultation with the Council Coordinating Committee for details regarding these laws and how they apply.

The draft revised FEPs were provided to PIRO on Friday, September 11 to initiate Agency review. Jarad Makaiau of the PIRO Sustainable Fisheries Division communicated to the Council that in the interest of time and efficiency he would coordinate a group review of one draft FEP (Pacific Pelagic FEP), and that this review would be preliminary. PIRO agreed to provide these comments by October 9, to allow Council staff time to improve the documents prior to the Council meeting. Christopher Hawkins will present pertinent elements of the draft FEPs, as well as relevant PIRO preliminary review findings, at the 164<sup>th</sup> meeting. Following Council action, staff will work with PIRO to finalize the draft plans.