



ACTION MEMORANDUM

160th Council Meeting
June 25-27, 2014
Laniakea YWCA, Downtown Honolulu, Hawaii

Pelagic and International Fisheries

Regarding exemption to fish within the American Samoa LVPA, the Council:

1. Supported all forms of pelagic fishing in American Samoa and the need to balance existing fishing activity and fishery development aspirations.
2. Recommended deferring action at this time until further discussions and public meetings with representatives of the American Samoa government, Swains Island, Tutuila, Manu'a Islands and American Samoa fishermen.
3. Directed staff to work with Council members and advisors to coordinate the various discussions and public meetings.

Regarding the overfished condition of West Central North Pacific striped marlin stock, the Council:

4. Directed staff to prepare, for consideration at the 161st meeting, draft domestic regulations to prohibit the retention of WCNP striped marlin in the Hawaii longline fishery when 95% of the US limit is reached by the Hawaii longline fishery.

Regarding seafood guidelines, the Council:

5. Directed staff to work with NMFS to consult with the FDA on their interpretation of seafood guidelines with respect to fresh tuna such as parasites in skipjack.

Regarding a WCPO Longline Vessel Day Scheme, the Council:

6. Directed staff to convene a workshop with international participation on a potential Western and Central Pacific Ocean longline vessel day scheme.

Regarding the Marine National Monuments, the Council:

7. Directed staff to work with the US purse seine fleets and Hawaii and American Samoa longline fisheries to identify impacts to these fleets from the proposed expansion of monuments in the Western Pacific Region.

Regarding cost-earnings studies of the Hawaii longline fishery, the Council:

8. Endorsed the SSC recommendation that NMFS examine non-marketed landings and shadow prices, and to document the movement and economic performance of Hawaii longline vessels moving between HI and CA.

Regarding spatial management of Pacific bigeye tuna, the Council:

9. Directed staff to work with NMFS, SPC, WCPFC and IATTC on the application of existing models to evaluate spatial management strategies for Pacific bigeye.

Regarding Hawaii yellowfin and bigeye commercial minimum size, the Council:

10. Directed staff to work with the State of Hawaii to explore options for increasing the commercial minimum size limit for yellowfin and bigeye tuna including a potential size limit of 24 inches.



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Mariana Archipelago Fisheries

Regarding Guam Fisheries, the Council:

1. Directed staff to continue communicating to the Department of Defense, the fishermen's concern regarding impacts to traditional fishing grounds from the potential establishment of the Ritidian firing range, which is also a national wildlife preserve and MPA, as well as communicate concerns over other Military Buildup activities that may impact the Guam fishing community.
2. Directed staff to continue to support activities to address immigrant fishing impacts on Guam's resources through existing Council projects.
3. Approved the Guam Marine Conservation Plan and requested Governor Calvo send the MCP for approval by NMFS as soon as practicable.

Regarding CNMI Fisheries, the Council:

4. Directed staff to prepare the final amendment package for transmittal to NMFS with the proposed action being the removal of the 50 nautical mile closure for bottomfish vessels over 40 feet in length around the southern islands of Rota, Tinian, Aguijan and FDM and 10 nm around Alamagan. Further, the Council deemed that 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.

5. Approved the CNMI Marine Conservation Plan and requests Governor Inos send the MCP for approval by NMFS as soon as practicable.
6. Requested USFWS and/or NMFS remove the grounded vessel within the Marinas Trench Marine National Monument (Maug).
7. Directed staff to conduct workshops on fishing techniques, Hazard Analysis Critical Control Points (HACCP), processing and marketing of fish products for the CNMI.



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Hawaii Archipelago and PRIA Fisheries

Regarding the MHI Deep-7 Bottomfish Stock Assessment, the Council:

1. Discussed the recommendations from the SSC calling for a review of the CPUE standardization procedure as included in the revised stock assessment. Given that the new assessment confirms that the status of the stock has improved over the last decade, the SSC did not foresee an adverse consequence to the stock of continuing to use the 2011 assessment as the best available science for management purposes until the SSC's CPUE standardization concerns are resolved. To examine the CPUE standardization procedure, the Council directed staff to convene a 1-2 day meeting between a subcommittee of the SSC and the authors of the 2014 assessment to review the 2014 CPUE standardization procedure in addition to addressing the specific recommendations as provided by the SSC, including:
 - a. that PIFSC explore the use of random effects in the context of linear mixed models to generate a more accurate abundance index; and
 - b. that two approaches to evaluating the sensitivity of the assessment to different data stanzas: (1) a standard "retrospective analysis" which would involve omitting more recent data points and re-running both the standardization and assessment; and (2) analogously to (1) omit early data points in the time series and re-running both the standardization and assessment.
2. Requested NMFS evaluate the effects of the BRFA's, pre and post implementation, on the long term MHI bottomfish fishery CPUE in the stock assessment.

Regarding MHI BF Deep 7 Annual Catch Limits, the Council:

3. Recommended the 2013-14 ACL of 346,000 lbs for the Main Hawaiian Island deep 7 bottomfish fishery be rolled over for fishing year 2014-15. This level of catch is equal to ABC and is associated with a risk of overfishing (P*) of 41% based on projections from the 2011 bottomfish stock assessment (Brodziak et al. 2011). The SSC deemed the 2011 to be the best scientific information available pending the resolution of the CPUE standardization issues and scientific inquiry of the SSC on the updated assessment.

4. Recommended that, in order to prevent the ACL from being exceeded, an in-season closure will be used as an accountability measure based on the projected date on when the ACL will be reached for the MHI Deep 7 Bottomfish fishery.

Regarding MHI Bottomfish Regulatory Changes, the Council:

5. Directed staff to prepare a draft amendment to the Hawaii FEP considering the options as presented to change the federal non-commercial bag limit of 5 deep-7 bottomfish per person per day and to establish a grace period of up to 7 days for the possession of bottomfish for seafood dealers and markets once the MHI fishery is closed.

Regarding the PRIA/Hawaii Sustainable Fisheries Fund Marine Conservation Plan, the Council:

6. Approved the plan as presented and directed staff to transmit final document to NMFS PIRO.

Regarding the inconsistency between Federal and State of Hawaii shark finning regulations, the Council:

7. Requested the State of Hawaii conform to federal shark finning regulations.

Regarding Fishery Development in Hawaii, the Council:

8. Encouraged the State of Hawaii to address and potentially increase the inspection of roadside fish sales to prevent illegal activities.
9. Directed staff to explore placement of a community FAD on Oahu and to consult with Hawaii AP members on the potential site locations.
10. Directed staff to facilitate a meeting with the State of Hawaii and Big Island fishermen regarding the placement of Fish Aggregation Devices off West Hawaii.



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American Samoa Archipelago Fisheries

Regarding foreign fish landings in Pago Pago, the Council:

1. Directed staff to request Certificate of Origin information from NMFS for foreign landings in Pago Pago to evaluate landings trends and assess the leakage of fish into local markets.

Regarding fisheries development, the Council:

2. Directed staff to assist the American Samoa government in identifying potential markets for locally caught fish in American Samoa and to explore the potential for Manu'a fish landings to be used in the local school lunch program.
3. Directed staff to ensure that contracted development coordinator consults with a wide range of fishing industry representatives in the development of a fisheries training program.
4. Directed staff to assist the American Samoa Government in its efforts to standardize docking fees for fishing vessels in Pago Pago Harbor and assist in the planning activities to address dock space for all vessels in Pago Pago including container and cruise ships, purse seine, longline and alia fishing vessels.

Regarding the American Samoa Marine Conservation Plan (MCP), the Council:

5. Approved the American Samoa MCP and directs staff to assist DMWR to finalize the plan for submittal to NMFS for approval.

Regarding the potential expansion of Marine National Monuments in the US Pacific Islands, the Council:

6. Directed staff to assist the American Samoa government in identifying the potential impacts of the proposed expansion to the Territory.

Regarding the American Samoa National Marine Sanctuary, the Council:

7. Recommended the Sanctuary program complete a socio-economic study to identify direct economic benefits of the Sanctuary to American Samoa.
8. Recommended the Sanctuary program draft a research plan and make it available for review to local agencies, community members, and the Council.

Regarding the American Samoa Ocean Regional Council, the Council:

9. Recommended the American Samoa government re-establish the American Samoa Ocean Regional Council and to consider participation by ocean users and other affected individuals and businesses.



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Protected Species

Regarding the MMPA Negligible Impact Determination, the Council:

1. Directed staff to draft a letter to NMFS in response to the MMPA NID expressing the Council's concurrence with the determination and concerns regarding the overestimated impact. The Council concurred with NMFS' conclusion that the Hawaii longline fishery will have a negligible impact on the CNP humpback whale stock, the Hawaii sperm whale stock, and the MHI insular false killer whale stock. However, the Council agreed with the SSC's conclusions that, based on the available scientific information, the fishery M&SI estimate for the MHI insular FKW stock is probably overestimated and very likely to be less than 10% of the PBR for the following two reasons:
 - a. the current stock boundary of uniform 140km around the MHI is overinflated given that all existing satellite tag data show that the maximum distance from shore traveled by a MHI insular FKW on the windward side of the island is 51.4km; and
 - b. given the modified longline exclusion zone under the FKWTRP and the distribution of MHI insular FKW based on satellite tag data, it is likely that the Hawaii longline fishing effort no longer overlaps on the windward side with the MHI insular FKW stock.

Regarding the MHI insular false killer whale, the Council:

2. Recommended NMFS revise the stock boundary expeditiously in accordance with the available satellite tag data. The Council further requested PIFSC include SSC members in the working group deliberations regarding stock boundary revision.

Regarding scientific data of false killer whales, the Council:

3. Recommended NMFS include a data hand-over clause in all future contracts and permits to ensure all data used for public policy consideration are readily accessible.
4. Recommended NMFS obtain the scientific data upon which the MHI insular false killer whale stock assessment report (SAR) is based, and cautions NMFS upon relying on such calculations until such data are obtained and independently reviewed.

Regarding green turtles, the Council:

5. Directed staff to develop a white paper for managing green turtles under the Council's Archipelagic Fishery Ecosystem Plans and solicit input from each of the island areas.



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Program Planning and Research

Regarding Annual Catch Limits, the Council:

1. Recommended the ACLs for fishing year 2014 be rolled over for fishing year 2015 to 2018 for certain stock/stock complexes that have no new scientific information and no new catch data, or for which catches in 2012 and 2013 did not exceed the ACLs. This would apply specifically to CNMI reef shark, bumphead parrotfish and humphead wrasse in American Samoa, Guam and the CNMI, and precious corals, deep water shrimp, slipper lobsters, and Kona crab in all island areas.
2. For the MHI non-Deep 7 bottomfish, American Samoa, Guam and Hawaii reef sharks and spiny lobsters in all island areas, the Council recommended setting the ACLs 5% lower (based on the existing SEEM Analysis as presented at the 159th CM) than the SSC recommended ABC.

The Tables 1 through 4 describes the MSY (OFL proxy), ABC, ACL, and probability of overfishing levels (where known) for each MUS for fishing year 2015-2018. The ACLs for all other coral reef species complexes were previously specified at the 159th Council Meeting and are included in this action memo to comprehensively summarize all of the specifications.

Table 1. American Samoa

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
<i>Coral Reef Species Complex</i>					
<i>Selar crumenophthalmus</i> – atule or bigeye scad	45,300	38,400	40%	37,400	35%
Acanthuridae – surgeonfish	148,600	133,800	40%	129,400	35%
Carangidae – jacks	24,300	20,800	35%	19,900	30%
Crustaceans – crabs	7,800	4,700	30%	4,300	25%
Holocentridae – squirrelfish	16,800	15,500	35%	15,100	30%
Kyphosidae – chubs/rudderfish	2,600	2,200	35%	2,000	30%
Labridae – wrasses ¹	19,000	16,600	35%	16,200	30%
Lethrinidae – emperors	23,700	20,400	35%	19,600	30%
Lutjanidae – snappers	65,400	64,400	35%	63,100	30%
Mullidae – goatfish	12,700	12,000	35%	11,900	30%
Mugilidae – mullets	8,200	5,200	35%	4,600	30%

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
Mollusks – turbo snail; octopus; giant clams	29,600	20,200	35%	18,400	30%
Scaridae – parrotfish ²	294,600	280,100	35%	272,000	30%
Serranidae – groupers	30,500	27,300	40%	25,300	35%
Siganidae – rabbitfish	200	181	40%	163	35%
All Other CREMUS Combined - Other CRE-fish - Other invertebrates - Misc. bottomfish - Misc. reef fish - Misc. shallow bottomfish	28,500	20,300	35%	18,400	30%
<i>Cheilinus undulatus</i> – humphead (Napoleon) wrasse	N.A.	1,743	N.A.	1,743	N.A.
<i>Bolbometopon muricatum</i> – bumphead parrotfish	N.A.	235	N.A.	235	N.A.
Carcharhinidae – reef sharks	2,300	1,700	35%	1,615	30%
Crustacean complex					
Deepwater shrimp	N.A.	80,000	N.A.	80,000	N.A.
Spiny lobsters	7,300	5,100	35%	4,845	30%
Slipper lobsters	N.A.	30	N.A.	30	N.A.
Kona crab	N.A.	3,200	N.A.	3,200	N.A.
Precious Coral complex					
Black corals	8,250	790	N.A.	790	N.A.
Precious corals in the exploratory beds	N.A.	2,205	N.A.	2,205	N.A.

¹ Family Labridae does not include *Cheilinus undulatus* (humphead or Napoleon wrasse)

² Family Scaridae does not include *Bolbometopon muricatum* (bumphead parrotfish)

³MSY is the OFL proxy

Table 2. Guam

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
Coral Reef Species Complex					
<i>Selar crumenophthalmus</i> – atulai or bigeye scad	61,300	52,300	30%	50,200	25%
Acanthuridae – surgeonfish	118,000	101,700	35%	97,600	30%
Carangidae – jacks	31,700	29,900	30%	29,300	25%
Crustaceans – crabs	8,600	7,600	35%	7,300	30%
Holocentridae – squirrelfish	13,900	12,000	35%	11,400	30%
Kyphosidae – chubs/rudderfish	10,300	9,800	35%	9,600	30%
Labridae – wrasses ¹	28,500	25,800	35%	25,200	30%
Lethrinidae – emperors	78,000	58,000	35%	53,000	30%
Lutjanidae – snappers	21,800	18,600	35%	18,000	30%
Mollusks – turbo snail; octopus; giant clams	29,000	25,000	35%	23,800	30%
Mugilidae – mullets	26,200	19,400	35%	17,900	30%
Mullidae – goatfish	16,400	15,600	40%	15,300	35%
Scaridae – parrotfish ²	87,100	75,000	35%	71,600	30%
Serranidae – groupers	28,600	23,700	35%	22,500	30%
Siganidae – rabbitfish	19,700	19,500	40%	19,200	35%
All Other CREMUS Combined	211,300	191,300	35%	185,000	30%

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
- Other CRE-fish - Other invertebrates - Misc. bottomfish - Misc. reef fish - Misc. shallow bottomfish					
<i>Cheilinus undulatus</i> – humphead (Napoleon) wrasse	N.A.	1,960	N.A.	1,960	N.A.
<i>Bolbometopon muricatum</i> – bumphead parrotfish	N.A.	797	N.A.	797 (CNMI & GU combined)	N.A.
Carcharhinidae – reef sharks	2,900	2,000	30%	1,900	25%
Crustacean complex					
Deepwater shrimp	N.A.	48,488	N.A.	48,488	N.A.
Spiny lobsters	4,600	3,300	35%	3,135	30%
Slipper lobsters	N.A.	20	N.A.	20	N.A.
Kona crab	N.A.	1,900	N.A.	1,900	N.A.
Precious coral complex					
Black corals	8,250	700	N.A.	700	N.A.
Precious corals in the exploratory beds	N.A.	2,205	N.A.	2,205	N.A.

¹ Family Labridae does not include *Cheilinus undulatus* (humphead or Napoleon wrasse)

² Family Scaridae does not include *Bolbometopon muricatum* (bumphead parrotfish)

³MSY is the OFL proxy

Table 3. Commonwealth of the Northern Mariana Islands

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
Coral Reef Species Complex					
<i>Selar crumenophthalmus</i> – atulai or bigeye scad	122,500	89,400	40%	77,400	35%
Acanthuridae – surgeonfish	361,200	324,600	40%	302,600	35%
Carangidae – jacks	55,300	47,400	35%	44,900	30%
Crustacean – crabs	9,100	5,300	35%	4,400	30%
Holocentridae – squirrelfish	78,500	69,300	35%	66,100	30%
Kyphosidae – chubs/rudderfish	29,500	24,600	35%	22,700	30%
Labridae – wrasses ¹	73,500	59,900	35%	55,100	30%
Lethrinidae – emperors	69,700	58,200	40%	53,700	35%
Lutjanidae – snappers	225,800	202,700	40%	190,400	35%
Mollusks – turbo snail; octopus; giant clams	16,700	11,600	40%	9,800	35%
Mugilidae – mullets	7,700	5,300	40%	4,500	35%
Mullidae – goatfish	31,000	29,200	35%	28,400	30%
Scaridae – parrotfish ²	189,900	157,300	35%	144,000	30%
Serranidae – groupers	110,300	92,800	35%	86,900	30%
Siganidae – rabbitfish	12,000	10,400	35%	10,200	30%
All Other CREMUS Combined - Other CRE-fish - Other invertebrates - Misc. bottomfish - Misc. reef fish - Misc. shallow bottomfish	14,500	8,500	40%	7,300	35%

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
<i>Cheilinus undulatus</i> – humphead (Napoleon) wrasse	N.A.	2,009	N.A.	2,009	N.A.
<i>Bolbometopon muricatum</i> – bumphead parrotfish	N.A.	797	N.A.	797 (CNMI & GU combined)	N.A.
Carcharhinidae – reef sharks	N.A.	5,600	N.A.	5,600	N.A.
Crustacean complex					
Deepwater shrimp	N.A.	275,570	N.A.	275,570	N.A.
Spiny lobsters	9,600	7,800	35%	7,410	30%
Slipper lobsters	N.A.	60	N.A.	60	N.A.
Kona crab	N.A.	6,300	N.A.	6,300	N.A.
Precious coral complex					
Black corals	8,250	2,100	N.A.	2,100	N.A.
Precious corals in the exploratory beds	N.A.	2,205	N.A.	2,205	N.A.

¹ Family Labridae does not include *Cheilinus undulatus* (humphead or Napoleon wrasse)

² Family Scaridae does not include *Bolbometopon muricatum* (bumphead parrotfish)

³MSY is the OFL proxy

Table 4. Hawaii

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
<i>Selar crumenophthalmus</i> – atule or bigeye scad	1,150,800	1,025,000	35%	988,000	30%
<i>Decapterus macarellus</i> – opelu or mackerel scad	538,000	459,800	35%	438,000	30%
Acanthuridae – surgeonfish	445,500	367,900	35%	342,000	30%
Carangidae – jacks ¹	185,100	168,100	40%	161,200	35%
Crustaceans – crabs	43,100	35,400	30%	33,500	25%
Holocentridae – squirrelfish	159,800	150,000	30%	148,000	25%
Kyphosidae – chubs/rudderfish	122,800	108,600	35%	105,000	30%
Labridae – wrasses	229,200	211,000	35%	205,000	30%
Lethrinidae – emperors	39,600	36,600	35%	35,500	30%
Lutjanidae – snappers ²	359,300	338,200	40%	330,300	35%
Mollusks – octopus	50,300	38,200	30%	35,700	25%
Mugilidae – mullets	24,600	20,100	30%	19,200	25%
Mullidae – goatfish	195,700	173,100	35%	165,000	30%
Scaridae – parrotfish	271,500	251,700	35%	239,000	30%
Serranidae – groupers	141,300	132,200	40%	128,400	35%
All Other CREMUS Combined - Other CRE-fish - Other invertebrates	540,800	496,500	35%	485,000	30%
Carcharhinidae – Reef sharks	12,400	9,800	35%	9,310	30%
Bottomfish Complexes					
Main Hawaiian Island Deep 7 Bottomfish	417,000	346,000	41%	346,000	41%
Hawaii Non-Deep 7 Bottomfish	265,000	187,100	30%	178,000	25%
Crustacean complex					

Family Group	MSY ³ (lbs)	ABC (lbs)	Probability exceeding MSY	ACL (lbs)	Probability exceeding MSY
Deepwater shrimp	N.A.	250,773	N.A.	250,773	N.A.
Spiny lobsters	20,400	15,800	30%	15,010	25%
Slipper lobsters	N.A.	280	N.A.	280	N.A.
Kona crab	N.A.	27,600	N.A.	27,600	N.A.
Precious coral complex					
Black corals in Auau channel	8,250	7,500	N.A.	5,512	N.A.
Precious corals in the known beds					
• Makapuu					
• Pink	3,307	3,009	N.A.	2,205	N.A.
• Bamboo	628	571	N.A.	551	N.A.
• 180 Fathom					
• Pink	734	668	N.A.	489	N.A.
• Bamboo	139	126	N.A.	123	N.A.
• Brooks Bed					
• Pink	1,470	1,338	N.A.	979	N.A.
• Bamboo	280	256	N.A.	245	N.A.
• Kaena Point					
• Pink	220	201	N.A.	148	N.A.
• Bamboo	42	37	N.A.	37	N.A.
• Keahole Point					
• Pink	220	201	N.A.	148	N.A.
• Bamboo	42	37	N.A.	37	N.A.
• Exploratory areas	N.A.	2,205	N.A.	2,205	N.A.

Note: *Bolbometopon muricatum* (bumphead parrotfish) and *Cheilinus undulatus* (humphead or Napoleon wrasse) do not occur in Hawaii.

¹ Carangidae includes the BMUS, kahala (*Seriola dumerili*).

² Lutjanidae includes BMUS, taape (*Lutjanus kasmira*).

³MSY is the OFL proxy

3. Because near-real-time monitoring of catches are not possible in any coral reef, crustacean, precious coral and Hawaii non-deep-7 bottomfish fisheries, recommended utilizing a moving three-year average catch to evaluate fishery performance against the recommended ACLs (e.g. use 2013-15 catches to evaluate performance against 2015 ACL, 2014-16 catches to evaluate performance against the 2016 ACL and so on). If this three-year average catch exceeds the ACL, but does not exceed the Allowable Biological Catch (ABC), no overage adjustment is necessary because catch below the ABC does not result in negative impact to stock sustainability.
4. If the three year average catch exceeds the ACL and the ABC in any given year, recommended, as an Accountability Measure (AM), a reduction in the ACL for the subsequent year by the amount of the overage.
5. Directed staff to work with Hawaii Division of Aquatic Resources to closely monitor the spiny lobster and parrotfish fishery and to get a better understanding on the effect of changes in ACLs on these stocks and impacts of the CRVS on the catch trends.

Regarding Evaluation of 2013 catches relative to 2013 ACLs, the Council:

6. Noted that 2013 catches exceeded the specified 2013 catches for MHI non-deep 7 bottomfish, and Hawaii crabs, mollusk, parrotfish, squirrelfish and surgeonfish. This was the second time catches exceeded ACL for each of these species groups. The Council further noted that 2013 catches exceeded the specified 2013 ACL for Hawaii spiny lobsters, Guam jacks, and CNMI bigeye scad and goatfish.
7. Determined that overages in Hawaii may have been influenced by improvements in catch reporting compliance due to the 2009 implementation of the civil resource violation (CRV) penalties by the State of Hawaii. CRV penalties include, but are not limited to fines for failing to submit a catch report, or for late reporting, and non-renewal of a fishing license for chronic violators. Because the 2012 and 2013 ACLs are based on the 75th percentile of the catch history through 2008, it does not include data after 2009 where catch reporting improved, and therefore ACLs are underestimated.
8. Further determined that overages in CNMI and Guam were likely the result of overestimates of catch caused by a small number of fishermen with high catches being used in expansion algorithms to estimate total island-wide catch.
9. Noted that although OFL is not known, other biological indicators show that the overages are not likely to have an impact on stock sustainability, or resulted in overfishing because:
 - a. Based on probability of overfishing projections presented in the EA for the 2013 and 2014 ACL and AMs for MHI non-Deep 7 bottomfish (NMFS 2013), 2013 catch is associated with a less than a 35 percent probability of overfishing;
 - b. Based on catch-to-biomass analyses presented in Appendix D of the EA for the 2012 and 2013 ACL and AMs for Pacific Island coral reef ecosystem fisheries (NMFS 2011a), 2013 catches of Hawaii parrotfish, squirrelfish, and surgeonfish, CNMI goatfish and jacks, and Guam jacks are an insignificant portion of the estimated stock biomass, and is not indicative of excessive fishing pressure.
 - c. While Hawaii crabs and mollusks were not included in the catch-to-biomass analyses, the Council concluded the ratio or catch to biomass for these groups is likely to be similar to those of other Hawaii coral reef taxonomic groups, and 2013 catches is not likely to have resulted in excessive fishing pressure.
10. Recognizing that for some species groups, catch has exceeded the ACL more than once in a four year period, recommended modifying its system of ACLs and AMs by applying the Biomass Augmented Catch MSY (BAC-MSY) model for calculating MSY and OFL for all Pacific Island coral reef ecosystem management unit species, Hawaii spiny lobster and MHI non-Deep 7 bottomfish.

Regarding fishery monitoring, the Council:

11. Directed staff to explore the use of the re-estimated HMRFS catches (Williams and Ma 2014) in the re-specification of Hawaii Annual Catch Limits.

12. Recommended NMFS PIFSC, in collaboration with the Council, develops a BioSampling Program for Hawaii.
13. Directed staff to work with State of Hawaii and HPU in exploring the impacts of the Civil Resource Violations System on the reported data and how this affects the results of the kumu and uhu stock assessments.

Regarding fishery data collection improvements and research coordination, the Council:

14. Endorsed the Comprehensive Regional Strategic Plan for Fishery Data Collection and Research drafted by the Fishery Data Collection and Research Committee for implementation. Furthermore, the Council directed staff to work with the FDCRC members and agency staff on specifying the tasks and timeline for implementation.

Regarding the WPRFMC 5-year Research Priorities, the Council:

15. Directed staff to transmit the updated research priorities to NMFS-PIFSC.

Regarding the fisheries research, the Council:

16. Recommended NMFS support funding studies be found to redesign and tank test popup satellite archiving tags (PAT) with finlets in order to reduce hydrodynamic wobble with the goal to reduce drag, which also improves increased tag retention rates.

Regarding Social Science research, the Council:

17. Endorsed integrated assessments for relevant fisheries under Council jurisdiction and direct staff to develop a pilot project. By integrated assessments, the Council means fishery assessments that concurrently synthesize and integrate information on the relevant physical, chemical, ecological, and human processes in relation to specific fishery management issues and objectives.
18. Directed staff to develop an integrated assessment research project, as defined above, that includes two or more of the four research priority thematic areas (Stocks, Protected Species, Ecosystems, and Human Communities) described in the WPRFMC's 5-Year Research Priorities.
19. Endorsed the proposed Human Dimensions 2014-2019 programmatic activities as recently vetted and modified by the Social Science Planning Committee.

Regarding Marine Planning and Climate Change, the Council:

20. Directed staff to engage other organizations and programs working on climate change issues to partner up with the MPCC and the Council.
21. Directed staff to define "climate change" (for the purposes of the MPCC) to include natural climate variability such as the El Nino Southern Oscillation (ENSO) cycle. The Council further directed staff to take advantage of the evolving El Nino for education and outreach purposes, commit to sharing information and supporting planning for this event as appropriate.

22. Directed staff to send a letter to the Executive Branch related to the Council's previous recommendation to: "Develop and transmit a formal recommendation to Congress to fund the necessary science to understand impacts of change in climate and ocean chemistry and adaptation strategies for fisheries". The letter shall include marine planning as one of the adaptation strategies for fisheries.

Regarding non-commercial fisheries, the Council:

23. Recommended NMFS add non-commercial fisheries as its own category separate from recreational fisheries and recognize the uniqueness of each region to provide flexibility in the National Policy.



WESTERN
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ACTION MEMORANDUM

160th Council Meeting
June 25-27, 2014

Laniakea YWCA, Downtown Honolulu, Hawaii

Administrative Matters

Regarding Administrative Matters, the Council:

1. Supported the Advisory Panel 5-year plan as developed by staff and advisors and directed staff to move forward with the solicitation for new Advisory Panel members as soon as possible.
2. Requested NMFS PIFSC and PIRO provide assistance to CNMI, Guam and American Samoa by compiling all sea turtle data collected through PIRO and PIFSC funded activities into a technical report.