



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

ACTION MEMORANDUM

161st Council Meeting
October 20-23, 2014
Laniakea YWCA-Fuller Hall
Honolulu, Hawaii

ENFORCEMENT

Regarding Enforcement, the Council:

1. Recommended the Obama Administration, which has shown interest in the region in regards to President Obama's Ocean Legacy, enhance enforcement of the US EEZ in the Western Pacific Region to detect and deter illegal foreign fishing by increasing availability of patrol assets to the US Coast Guard District 14 and to direct other federal departments and agencies to provide additional monitoring and surveillance tools to support this important mission.



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AMERICAN SAMOA ARCHIPELAGO

Regarding the National Marine Sanctuary of American Samoa, the Council:

1. Directed staff to work with American Samoa Government in the review of the Sanctuary management and socio-economic plans

Regarding the Pacific Marine National Monuments, the Council:

2. Directed staff to assist the territories in the development and review of the monument management plans



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MARIANA ARCHIPELAGO

Regarding Guam's Exclusive Economic Zone (EEZ), the Council:

1. Requested the State Department provide the process used to reduce the southernmost boundary of the U.S. EEZ around Guam.

Regarding the Marianas Trench Marine National Monument, the Council:

2. Requested the Marianas Trench Monument Advisory Committee provide the Council with an update on the timeline and approach for the construction of the MTMNM visitor's center. In addition the Council requested to be included as member on the MTMAC.

Regarding Guam MPAs, the Council

3. Requested the Guam Department of Aquatic and Wildlife Resources provide reports on the status of marine resources in the Guam Marine Preserves.



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PROTECTED SPECIES

Regarding the ESA Listing of Corals, the Council:

1. Requested NMFS to consult and work closely with the Council and the Governments of American Samoa, Guam and CNMI in developing take prohibition regulations as necessary given existing local protections for corals, and if such regulations are deemed necessary, to consider possible exemptions for activities such as cultural and traditional activities, harbor development, and fisheries that are otherwise authorized by NMFS.
2. Directed staff to send a letter to NMFS in response to the critical habitat information solicitation. The Council believes that critical habitat will not provide any additional conservation benefit to the listed coral species in the Western Pacific given that:
 - a. Governments of American Samoa, Guam and CNMI have adequate local protections for corals in place;
 - b. Critical habitat will not aid in curtailing the threat posed by climate change impacts; and
 - c. Listed coral species occurring in American Samoa, Guam and CNMI are at the outer fringes of their geographic distributions while critical habitat can only be designated in U.S. waters.
3. Requested NMFS PIRO work closely with the Council in initiating Section 7 consultation as appropriate for fisheries managed under the American Samoa and Mariana Archipelago Fishery Ecosystem Plans to ensure the best available scientific and commercial information are considered. The Council further requested PIRO to ensure the timely completion of the Section 7 consultations given the Annual Catch Limits specification deadline.

Regarding the False Killer Whale Take Reduction Plan, the Council:

4. Requested NMFS to provide an update at the 118th SSC Meeting and 162nd Council Meeting on the effectiveness of management measures implemented under the False Killer Whale Take Reduction Plan, including the use of weak circle hooks.

Regarding the False Killer Whale Data Availability, the Council:

5. Reiterated its request to NMFS to make available the data used to determine stock status of insular false killer whales to allow the SSC to evaluate the degree to which the Hawaii-based longline fishery impacts this population.



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PROGRAM PLANNING

Regarding annual catch limits, the Council:

1. Recommended maintaining the existing probability of overfishing (P*) level and set the ACLs for the bottomfish fishery in American Samoa, Guam, and CNMI at 101,000 lb (at P* = 41%), 66,800 lb (at P* = 40%), and 228,000 lb (at P* = 39%), respectively, for fishing year 2015. Should the ACL be exceeded, the ACL will be reduced by the amount of the overage in 2016 as the accountability measure in absence of near-real-time monitoring;
2. Recommended maintaining the P* level as reduced by 5% from the ABCs and ACLs for the coral reef ecosystem, crustacean, and MHI non-deep 7 bottomfish as recommended at its 159th meeting. However, the Council recommends a minor technical correction in the Siganidae (rabbitfish) ACL in American Samoa and Guam. This would change the ACL from 163 lbs to 200 lbs for American Samoa and from 19,200 lb to 18,600 lb for Guam. Should the ACLs for the coral reef, crustacean, and the MHI non-deep 7 bottomfish be exceeded based on the recent 3-year average catch, the ACL will be reduced by the amount of the overage in the succeeding fishing year as the accountability measure in absence of near-real-time monitoring;

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.

Regarding data collection improvements, the Council:

3. Requested NMFS (PIFSC and PIRO) provide copies of the data-sharing agreements between agencies party to the FDCRC and further request PIFSC to work with the FDCRC members revise existing agreements or to formulate new sharing agreements to enable faster dissemination and easier accessibility of non-confidential data;
4. Directed staff to coordinate and monitor proposals responding to the Request for Proposals (RFPs) under the NMFS – Fishery Information System/Fishery Information Network Program, Cooperative Research Program, and the Saltonstall-Kennedy Grant.

Regarding WPSAR, the Council:

5. Directed staff to work with PIFSC and PIRO staff and finalize the WPSAR Policy Document and convene the meeting of the WPSAR Steering Committee to endorse the policy and to plan the assessment schedule for the upcoming stock assessments;

Regarding the Regional Electronic Technologies Plan, the Council:

6. Directed staff to work with NMFS PIRO and PIFSC on the development of the plan and to ensure that fisheries data collection involving electronic technologies by the local jurisdictions of AS, CNMI, Guam, and Hawaii are incorporated into the plan

Regarding the education initiative, the Council:

7. Endorsed the Education Steering Committee's recommendations and directs the Committee and staff to use them as a basis for developing the scholarship and internship programs for solicitation of cohorts for the 2015 academic year

Regarding Marine Planning and Climate Change, the Council:

8. Endorsed the MPCCC revisions and prioritization and directs staff to work with the MPCCC to develop an implementation plan for these actions as well as to draft or comment on a draft Marine Planning and Climate Change Policy to be used by the Council to create and/or amend its Fishery Ecosystem Plans and programs



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HAWAII ARCHIPELAGO AND PRIA

Regarding the SSC sub-committee review of the 2014 Draft MHI Deep-7 Bottomfish Stock Assessment, the Council:

1. Supported the recommendations of the SSC and SSC subcommittee that PIFSC should give high priority to incorporating additional types of data (e.g. size data) in the stock assessment. In addition, PIFSC should continue to explore ways to further divide the species complex into smaller groupings or individual species for future stock assessments.

The Council also recommended that members of the public, particularly the fishing community, be consulted and provide comment prior to the independent review of the draft assessment.

Finally, the Council supported the SSC's recommendation reiterating that changes in technological efficiency and the potential bottomfish biomass in BRFA's be considered in future stock assessments.

Regarding changing the daily non-commercial bag limit for Deep-7 species, the Council

2. Deferred taking final action on this measure to ensure consistency with State law as the State Division of Aquatic Resources will be conducting public scoping meetings on changing the State regulations of its non-commercial bottomfish bag limits. The Council directed staff to work with DAR to participate in the planned public meeting to ensure coordination and consistency between proposed State and Federal measures on this issue.

Regarding creating a MHI bottomfish market delay to allow the sale of Deep-7 bottomfish after the closure of the fishery, the Council:

3. Supported the alternative to establish a 5 day market delay for the sale of deep-7 bottomfish and directs staff to explore options to implement the action in coordination with the State of Hawaii as part of the accountability measures if the fishery closes due to reaching of the ACL. In addition, requested DAR include the market delay issue in planned public meetings to ensure consistency between State and Federal Measures.

Regarding the 2014/2015 MHI Deep-7 bottomfish specification, the Council:

4. Endorsed the SSC's P* recommendation at 41% probability of overfishing and set the Acceptable Biological Catch at 346,000 pounds based on 2011 Stock Assessment. The Council agreed with the SSC that the 2011 Stock Assessment is the best available science from which to base this recommendation.

In addition, the Council reiterated its recognition that:

1. The fishery is not overfished or experiencing overfishing,
2. The MHI bottomfish biomass continues to be trending upward based on the 2011 stock assessment and 2014 draft assessment,
3. Given the stable biomass, the SSC's concern regarding the significant drop in catch target (80K) should be addressed and clarified to the SSC's satisfaction.
4. The SSC continues to have concerns regarding the draft 2014 assessment including,
 - a. The use of natural mortality in the calculation of the Minimum Stock Size Threshold which is inconsistent with the production model used to determine Bmsy,
 - b. Assumption that the annual catch limits have been maximized each year, when it is known that over the past three years the ACLs have fallen short by 221,636 pounds,
 - c. The assessment does not address the effects of BRFA's.
5. The 2014 draft stock assessment has not undergone WPSAR;
6. The Council hears, understands, and endorses the fishing community's continued assertion that fisher CPUE does not necessarily track fish abundance in this particular fishery.

The release of the 2014 draft MHI deep 7 bottomfish stock assessment created a situation resulting in greater scientific uncertainty conflicting with the 2011 stock assessment. The sources of uncertainty are as follows:

1. The difference in how the CPUE standardization was handled between the 2011 and the 2014 assessment;
2. The conservative life history information of opakapaka was used as a proxy for the stock complex;
3. Incorporation of fishing skills using CML as a proxy resulted in a significant drop in the catch projection with just a minor drop in the H/Hmsy ratio;
4. Breaking the CPUE time series between 1993 and 1994 is critical not only because it resulted in a significant drop in the catch projection but it comes at a tail end period of high ocean productivity (as described by the fishermen) in the late 1980s making a false impression that the abundance (since the CPUE is declining during that period) had declined; shifting the break (disregarding the CML justification) in the CPUE time series may result in a different outcome;

The Council set the ACL equal to ABC as recommended at its 160th meeting at 346,000 lbs. In-season monitoring of the fishery will continue and projections will be made to determine the closure date as part of the accountability measure. In addition, upon final

tally of catch, should the 2014-2015 catch exceeds the ACL, a reduction by the amount of the overage will be applied to the following fishing year.

Regarding the independent review of the 2014 MHI Deep 7 Bottom fish Stock Assessment, the Council:

5. Requested NMFS PIFSC and PIRO to coordinate with Council staff in planning for the independent review of the draft 2014 Main Hawaiian Island Stock Assessment and further recommends that the review be a Tier 2 review rather than a CIE review following the agreed upon WPSAR process.

Further, the Council is 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.



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PELAGICS AND INTERNATIONAL

Regarding RFMO measures applicable to fisheries managed under the Pelagics FEP, the Council:

1. Recommended to amend the Pelagics FEP to establish a framework to implement RFMO conservation and management measures applicable to pelagic fisheries of the Western Pacific Region.

Regarding Western and Central North Pacific striped marlin, the Council:

2. Domestic Regulations:

Recommended the specification of annual Western and Central North Pacific striped marlin catch limit of 457 mt applicable to US fisheries. As an accountability measure, the Council recommended the specification an annual limit of 434 mt of striped marlin applicable to the Hawaii longline fishery (which is 95% of the 457 mt limit). If the 434 mt limit is reached, the Hawaii longline fishery would not be allowed to retain striped marlin, whereas other fisheries would not be restricted.

Further, the Council deemed 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.

3. International measures:
Reiterated is previous recommendation made at its 157th meeting that NMFS develop management measures that will end overfishing and lead to stock recovery, such as fishing at a constant catch of 3,600 mt as noted in the 2012 stock assessment, and further advocate for measures that establish limits of not more than 500 mt for any CCMs with a history of catching less than 500 mt of striped marlin.

Regarding future bigeye stock assessments, the Council:

4. Recommended the bigeye assessment regions be realigned to reflect the biology of bigeye and the spatial distribution of the fisheries and tag recaptures. In particular, tag recaptures around Hawaii could be used to distinguish a sub-region encompassing the extent of the Hawaii longline fishery. The Council directed staff to ensure that SSC members participate at future pre-assessment workshops.

Regarding limit reference points, the Council:

5. Is concerned about the growing divergence of reference point choices and recommended that efforts be made to “harmonize” assessment approaches between IATTC and WCPFC. Further, the Council notes that for any reference points identified, it would be desirable to calculate sub-region specific values that would support spatial management.

Regarding bigeye management by the WCPFC, the Council:

6. Recommended the US not agree to any further cuts to the US longline bigeye catch limit, as longline fisheries as a whole have been reduced substantially since 2008, whereas purse seine bigeye catch has steadily increased.
7. Recommended the US develop proposals to amend CMM 2013-01 to make measures applicable to purse seine vessels more effective in reducing juvenile catches such as a full purse seine closure periods, purse seine bigeye catch limits, or purse seine FAD set limits commensurate to 2010 levels.
8. Directed staff to convene an international workshop in collaboration with FFA, SPC, PNA and IATTC on a longline vessel day scheme.

Regarding American Samoa, CNMI, and Guam longline bigeye limits and allocation limits pursuant to Amendment 7, the Council:

9. Directed staff to develop appropriate analyses for the specification of 2015 Territory longline bigeye limits including catch and allocation limits.

Regarding the Council’s Disproportionate Burden Workshop, the Council:

10. Recommended the workshop report be forwarded to the WCPFC for consideration.

Regarding bigeye research, the Council:

11. Directed staff to continue to work with NMFS, SPC, IATTC and Hawaii fishermen to conduct research on the connectivity of bigeye caught by Hawaii fisheries to help determine the relationship of high latitude stocks to the wider Pacific bigeye population.

Regarding South Pacific albacore, the Council:

12. Recommended as initial action to establish an albacore longline catch limit for the EEZ around American Samoa at 5,418 metric tons and direct staff to prepare appropriate analyses for the Council to take final action.

13. Recommended the US support a more effective and comprehensive conservation and management measure for South Pacific albacore at the 11th Regular Session of the WCPFC.

Regarding the minimum size for ahi in Hawaii, the Council:

14. Recommended further research be conducted on ahi harvest rates, utilization and socio-economic issues related to catch, and market flow of very small tuna in Hawaii. These studies should:
 - a. Examine long term trends in yellowfin and bigeye CPUE by size class for coastal troll and handline gear.
 - b. Investigate and estimate the landings and economic value of small yellowfin and bigeye tuna in poorly documented fisheries and markets.
 - c. Determine the contribution of yellowfin and bigeye tuna to commercial landings at small size classes, i.e. < 3 lbs, 3 - <10 lbs, 10 - <15 lbs, etc., and present data as length frequency distributions by fishery.
 - d. Examine social, cultural, and economic impacts of increasing the commercial size limit on yellowfin and bigeye tuna.
 - e. Conduct a Yield per Recruit analysis of yellowfin and bigeye tuna harvested by Hawaii-based fisheries

Regarding President Obama's Expansion of the Pacific Remote Islands Marine National Monument, the Council:

15. Recommended a regulatory amendment to expand the PRI MNM boundaries to 200 nm for Jarvis Island and Wake and Johnston Atolls. Through the extension of the boundaries of the PRIMNM in Jarvis Island and Wake and Johnston Atolls, the regulations that currently apply within the PRI MNM would be extended to the apply within the new boundaries. In this action, commercial fishing would be prohibited within the extended boundaries of PRI MNM. Non-commercial fishing would be allowed within the extended boundaries.

Further, the Council deemed 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 quarterly longline reports, the Council:

16. Endorsed the SSC reiteration to receive the regular quarterly reports on the American Samoa and Hawaii longline fisheries from NMFS PIFSC. These are flagship fisheries and the Council and SSC should continue to monitor trends in these fisheries.



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ADMINISTRATIVE MATTERS

Regarding Administrative Matters, the Council:

1. Endorsed the request to include a Council representative on the US Coral Reef Task Force as a voting member and that the representative be allowed to participate on the All Islands Committee (AIC). In addition, the Council will bring this issue to the Council Coordination Committee meeting for consideration at its February 2015 meeting.
2. Endorsed the Marine Planning and Climate Change Committee (MPCCC) Standard Operation Policy and Procedures (SOPP) as drafted and supports the appointment of Sandra Aigalesala Fuimanono Lutu, American Samoa Coastal Management Program, to the MPCCC.
3. Endorsed a modification to the Sustainable Fisheries Fund IV budget to include funds for the administrative line.
4. Selected as its officers the following members:
 - Council Chair-Ed Ebisui
 - Hawaii Vice Chair-McGrew Rice
 - Guam Vice Chair-Michael Duenas
 - American Samoa-Vice Chair William Sword
 - CNMI Vice Chair-John Gourley
5. Appointed the following people to the Advisory Panel for the 2015-2018 term:

DRAFT 2015-2018 Advisory Panel

American Samoa

Island Fisheries

Lafoga Alovao
Romero Veavea
Nathan Sagapolutele

Pelagic Fisheries

Craig Double
Christinna Sanchez
Michael Crook

Ecosystems and Habitat

Ray Tulafono
Mac Aveina
Stephen Haleck

Indigenous Fishing Rights

Krista Corry
Brian Thompson
Isaiah Hunkin

Alternates

Fa'asala Augafa
Nonu Tuisamoa

Hawaii

Island Fisheries

Layne Nakagawa (Maui)
Nathan Abe (Hawaii)
Edwin Watamura (Oahu)

Pelagic Fisheries

Gary Beals (Hawaii)
Sean Asuncion (Maui)
Roy Sokolowski (Oahu)

Ecosystems and Habitat

Breanland Tam (Oahu)
Steven Yamasaki (Maui)
Lyn McNutt (Kauai)

Indigenous Fishing Rights

Tathan Marks (Hawaii)
Basil Oshiro (Maui)
Clay Tam (Oahu)

Alternates

James Kuwada (Hawaii)
Geoff Walker (Hawaii)

Marianas-Guam

Island Fisheries

Ken Borja
Manuel P. Duenas II
Stephen Meno

Pelagic Fisheries

James Borja
Alan Ainbinder
Matthew Orot

Ecosystems and Habitat

Cliff Kyota
Jason Miller
Felix Reyes

Indigenous Fishing Rights

Ray Flores
Peter Perez
Jesse Rosario

Alternates

Judith Guthertz
Dale Alvarez
Roberto Cabreza
William Bradford

Marianas-CNMI

Island Fisheries

Frank Aldan
Manny Ramon
Richard Farrell (Tinian)

Pelagic Fisheries

Pedro Itibus
Richard Seman
Juan Diego Tenorio

Ecosystems and Habitat

Floyd Masga
Joaquin Villagomez
Ray Tebuteb

Indigenous Fishing Rights

Lawrence Concepcion
Raymond Dela Cruz, Jr.
(Tinian)
Perry Mesngon (Rota)

Alternates

Lino Tenorio
Michael Fleming
Juan Diego Blanco
Cecilio Raiukiulipiy