



## **164<sup>th</sup> Council Meeting**

**October 21-22, 2015 Council Plenary**

**Governor H. Rex Lee Auditorium (Fale Laumei)**

**Department of Commerce**

**Government of American Samoa**

**Utulei, American Samoa**

### **Synopsis of Issues for Program Planning and Research**

#### **A. ACL Specification for Territorial Bottomfish (ACTION ITEM)**

##### **1. P\* working group report**

The release of the 2015 Territorial Bottomfish Stock Assessment Updates, its subsequent review through the WPSAR Tier 3 review, and SSC's endorsement as best scientific information available for the BMUS in American Samoa, Guam and CNMI triggered the re-evaluation of the risk of overfishing for the ABC specification in fishing year 2016-2018. The P\* Working Group met via teleconference on September 23-24, 2015 to re-evaluate the various criteria under the four P\* Dimensions: 1) Assessment Information; 2) Uncertainty Characterization; 3) Stock Status; 4) Productivity and Susceptibility. The Council will hear a presentation from Dr. Domingo Ochavillo, Chair of the P\* WG, on the results of the scientific uncertainty evaluation. The catch associated with the final P\* value was the basis for the SSC's specification of the Acceptable Biological Catch.

##### **2. SEEM working group report**

Council staff convened a meeting Friday, September 21, 2015 at the Council office and via teleconference line to consider whether any social, economic, ecological or management uncertainty (SEEM) issues warrant the Council to consider additional catch reduction in territorial bottomfish fisheries, beyond what the P\* risk assessment group recommended. Participating in the meeting were: Craig Severance (Chair), Cynthia Grace McCaskey (PIFSC), Minling Pan (PIFSC), Justin Hospital (PIFSC), Christopher Hawkins (WPFMC), and Marlowe Sabater (WPFMC support staff for meeting). Sarah Ellgen and Ariel Jacobs (NMFS PIRO-SFD) were observers.

SEEM dimension factors could include a fishing community's economic reliance on the fishery, whether of the MUS are an important component of another species' diet, and whether managers have the tools to constrain catch to the limits they set. The P\* assessment considers whether and how much to reduce catch from Overfishing Limit (OFL) to Allowable Biological Catch (ABC), whereas SEEM considers whether to recommend a reduction from ABC. Like P\*, SEEM is reductionary or neutral, since ACL cannot exceed ABC. There is no guidance or instruction on developing a SEEM score.

Previous SEEM meetings have identified important social and economic factors associated with our various the fisheries, and these factors have remained constant. Given that the catch to

assumed biomass relationship typically skews (in some cases heavily) towards biomass in many of our island area fisheries, previous SEEM working groups have not recommended a reduction from ABC based on any social or economic issue. However, SEEM working groups have recommended relatively modest percentage reductions based on ecological and management uncertainty factors. Considering the current catch to assumed biomass relationship, these recommendations were precautionary.

The territorial bottomfish SEEM working group that met on September 25, 2015 is recommending the Council consider reductions of 5.3% (American Samoa), 5% (Guam) and 6% (CNMI) for SEEM factors. These numbers are driven largely by working group members' concerns with several management uncertainty factors.

If the Council chooses to accept the recommendations from the P\* and SEEM working groups, it may elect to set the ACL directly based on the reductions described in Table 2 (i.e.,  $ACL = OFL - (P^* \text{ reductions} + SEEM \text{ reductions})$ ), or it may elect to set the ACL equal to ABC and use the SEEM reductions as the basis for an annual catch target.

### **3. Options for Territorial Bottomfish Annual Catch Limits for fishing year 2016-2017**

The Council will be specifying the Annual Catch Limits for the bottomfish fisheries in American Samoa, Guam, and CNMI. The ACL specification for fishing year 2012-2015 was based on the 2012 stock assessment update (Brodziak et al. 2012). An updated stock assessment with data to 2013 was released and reviewed by the Tier 3 WPSAR panel. The new information needs to be considered in the re-specification of ABC for fishing year 2016 and 2017. The P\* Working Group recommended a risk level to which the bottomfish fishery can be managed based on the quantified scientific uncertainty. The catch associated with that P\* level corresponds to the Acceptable Biological Catch that the SSC specified at its 121<sup>st</sup> meeting in October 13-14, 2015. The Council has the following alternatives in specifying ACLs for fishing year 2016 and 2017.

Alternative 1: No Action – do not specify ACLs for fishing year 2016 and 2017

Alternative 2: Status Quo – retain the ACLs based on the 2012 analysis with the ABC were based on old information (Brodziak et al. 2012) and old P\* analysis

Alternative 3: Set ACLs equal to the SSC recommended ABC after considering the SEEM working group recommendations

Alternative 4: Set the ACLs/ACTs lower than the SSC recommended ABC based on the SEEM working group recommendations

### **B. Integrated Stock Assessment Model for data poor stocks**

Council staff, in behalf of Dr. Steven Martell, will be presenting an overview of the Data Poor Stock Assessment Model using the catch-MSY method incorporating other available data sets in the Western Pacific Region. A large number of fish and invertebrate species listed in fisheries management plans have insufficient data to conduct routine stock assessments, determine stock status and set appropriate Annual Catch Limits (ACLs). The current practice for setting ACLs for many data poor species is based solely on: (a) the historical catch information, or (b) use of ratios such as change in mean size or spawning potential ratio (SPR) to infer depletion, or (c) comparative studies on local density in heavily depleted versus near pristine habitats using under

water visual census. Nearly all of the assessment methods for data poor stocks rely solely catch data, or one source of data for directly estimating population density. There are a number of new developments to the catch-MSY approach originally developed by Martell and Froese (2012). These new developments include the use of an age-structured model, ability to fit to abundance data, mean size, and other sparse information on composition or density. In addition, the model is also parameterized using management variables (i.e., MSY and FMSY) which are then used to imply the scale and productivity of each stock.

### **C. Territory Science Initiative Project Updates**

Council staff will provide the Council with an update on the progress on the Territory Science Initiative Projects in American Samoa, Guam, and CNMI. A report was submitted to PIFSC on the progress of the project. The first 2 years of the TSI project was geared towards improving the commercial vendor receipt book program to enhance the quality and quantity of fish dealer reports. Improving this segment of the data collection would enhance the integration of the creel-survey based data set and the commercial dealer data through cross validation of the data streams. The Council will be recognizing the vendors that participated in the American Samoa Program and award a plaque of appreciation to the vendors that had a 100% compliance rate during the project period.

### **D. Fishery Ecosystem Plan Modifications (ACTION ITEM)**

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 these drafts:

#### 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.
- Living FEPs 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 were 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.

#### **E. Regional, National and International Outreach & Education**

Council staff will provide updates on Council outreach and educational initiatives from later June through August, including but not limited to the National Marine Educators Association conference, `Aimalama Lunar Conference, Festival of the Pacific, *Pacific Islands Fishery News*, Council ads/press releases/social media, Rota and Tinian brochures, Advisory Panel brochures, 2016 lunar calendars and associated art contests, 40<sup>th</sup> anniversary of the Magnuson-Stevens Act, the NOAA Marine Fisheries Advisory Committee (MAFAC) Climate & Marine Resources Task Force and National Marine Fisheries Service Pacific Islands Regional Action Plan drafting team.