



**Report of the American Samoa Archipelago FEP
Advisory Panel Meeting**

March 10, 2016

Department of Commerce Conference Room
Fagatogo Village, American Samoa

1. Welcome and Introductions

Chair welcomed the members and guests to the meeting and reviewed the agenda. Attending members were Christinna Lutu-Sanchez, Ray Tulafono, Lafoga Alovao, Brian Thompson, Krista Corry, and Mac Aveina. Guests to the meeting were William Sword (American Samoa Vice Chair), Tepora Lavatai (DMWR), Tony Langkilde (DOC), and Robert Tuala (DOC).

2. Outstanding Council Action Items

Council Island Coordinator went over the American Samoa action items from the past Council meeting held in October of last year and gave status updates on those actions.

3. Council Issues

A. Council Program Review

The Island Coordinator gave a summary to the members. There were no comments made at the meeting.

B. Overview of Eastern Pacific Swordfish

The Chair explained to the members that this particular issue did not affect American Samoa directly, but that everything looked good and that the AP could make a recommendation to support it if no one had any issues with the language. The Chair then invited discussion on the topic from members and guests.

The members agreed that they would support it. Will Sword asked about swordfish amount being landed in AS and if it might affect the two canneries if swordfish was ever to be used as an export alternative. Krista Corry said swordfish isn't something that is exported from American Samoa. Tony Langkilde said it doesn't pertain to American Samoa as it affects other areas of Pacific, so he suggested the Panel might consider a recommendation supporting the Hawaiian longline fleet that is more affected. The Chair said the Panel should support whatever the Hawaii AP recommends.

C. FEP revisions

Members were then asked by the Chair what comments they had on the FEP revisions that were sent out to review them. Chrissy directed attention to the beginning of the FEP (the arrangements and committees that apply to American Samoa), and asked if there might be a recommendation

to make mention of the status of participating Territories (page 23 of FEP). She then opened the issue to the group for discussion.

Mr. Sword suggested that something be inserted to include our status as a SIDS. He said it was important to our identity and our rights as a US territory. The Chair reminded that it was a recommendation that AP had previously made. Sword suggested that maybe the Council could explore the possibility of inclusion of SIDS as a participating territory in the FEP document. Mr. Sword suggested that maybe the Council could consider use of DOJ fines directed to ASG for AS fishery infrastructure, development, and planning (made mention of Hawaii state problems in getting those funds for their own fisheries). The Chair said there was a previous recommendation and asked if there had been a response from the recommendation that recommendation the Council made about directing funds to the American Samoa Government. Chair asked the Coordinator to follow up with the outcome of that recommendation/action item and report back to the Panel at the next meeting. Island Coordinator told the members that DMWR was instructed to make sure all the things they would use that funding for is included in the Marine Conservation Plan. The Chair said in this regard, ASG is already in control of those funds as they draft the MCP. The Chair directed Nate to find out what percentage of funds goes to other sources beside MCP. Tony Langkilde said the government always has to justify requests for funds, citing existing documents.

4. American Samoa Archipelago FEP Community Activities

Island Coordinator gave a summary of the items to be reported to the Council at the upcoming 165th meeting in Honolulu. The Chair then opened the topic for members and guests to discuss.

Regarding the Disaster Relief fund, Mr. Sword inquired about the funding source life cycle, and if there is a possibility that it might be lost if not spent in a certain amount of time. Chair reminded the group that the AP had previously recommended disaster funds be used for Manu'a alia repairs. Coordinator explained that DMWR will not be using those funds to repair alia anymore, opting instead to use fine monies for the repairs. Langkilde said the survey which was done jointly by DOC and the Fisheries Task Force for Manu'a alia repair was much higher than \$27K allocated for repairs. Their survey estimated \$75 - \$100K, and counted 8 boats in need of repairs. The Chair commented that for that cost, they could just purchase new alia boats. Sword asked if it was possible for the local Shipyard Services to send someone there to repair boats rather than fixing here on Tutuila. Tepora Lavatai from DMWR said that DMWR would not include engine purchases in that amount for the boats in Manu'a. Member Alovao said that he travels frequently to Manu'a and almost all the alia are not fishing but sitting on the land and it would be a shame to spend money to fix boats and not have engines and they get wasted. He also said that some people are just lazy and looking for handouts. Alovao also asked why DMWR can't include engine purchases in their repair plan for Manu'a alia; he suggested it would be a waste of money if the boats are repaired but can't fish without engines.

The Chair said that according to the DMWR Director, all money from the Disaster Relief fund is accounted for in their spending plan. Mr. Sword said NOAA PIRO said it hasn't drawn down any of the funds other than the money given to compensate boat owners. He also suggested that boat owners should show proof of getting their engines before given money to repair their boats. Langkilde said that outboard engines are very expensive, and most fishermen cannot afford

engines. He said ASG needs to buy engines. The Chair suggested to inquire with NOAA about the possibility of either a no cost extension or if the funding can be reprogrammed to avoid losing the money.

Regarding the boat ramp to be built with those funds, Mac Aveina said that DMWR had moved the ramp location further from the Fagatogo Marina after consulting with NOAA staff last year. Sword said that they need to avoid the mistakes made when the last ramps were build – and how the contractor never asked locals about Faga’alu ramp design, which is why no one uses it. Langkilde suggested improving the Pago Pago ramp instead of building a new one. Lavatai of DMWR said the money in the fund is for the bottomfish fishery that lost or had damaged boats. She said it is a lengthy processes to get local and federal required permits, and that has resulted in the spending delays. She also said that this is why the department redirected plans with its spending funds (supporting the Shipyard Services instead of building a training facility). She said there is not a set plan yet for the new ramp.

When asked again by Mr. Sword why DMWR cannot include engine replacements in the disaster spending plan, Lavatai said that it was determined that engines weren’t considered a justifiable cost for boat repair costs. Krista Corry said that at some point, the fishermen must assist themselves and assume the normal operation costs for gas, repairs, etc. Sword reiterated that the government shouldn’t give anything until they give guarantees that they’ll go out fishing, possibly an agreement that they’d fish if they received funds. Langkilde cited a report done by Henry Seseasara of the Governor’s Fishery Task Force that DOC is using as basis for Manu’a fishery support. He said the cost is much higher than what DMWR is allocating and suggested the AP request an increased amount for those Manu’a boats. Coordinator requested a copy of this report and Langkilde said he would share it.

The Chair suggested that whatever assistance the local government offers alia fishery should also be made available to the local longline fishery as well. Brian Thompson recalled that after Hurricane Tusi in the late 1980s, money was given to Manu’a for the alia boats as well. He said costs are higher for Manu’a than Tutuila because of how isolated they are and with unreliable transportation. The Chair said in that regard the Territory had a Governor who was well aware of the plight of the Manu’a islands having come from there, and should make the availability of funds a priority for Manu’a alia boats.

5. American Samoa FEP Issues

The Chair asked the members who were assigned at the February monthly meeting to give updates on existing American Samoa FEP issues. She also allowed for discussion after each of the updates was given by members and guests.

On the recommendation made previously for US Coast Guard inspections, Krista Corry gave an update. She spoke with local USCG LT Vignette Kaltsas and was told inspections have not happened recently due to the office’s busy schedule, but they’ll start up again. She said cutters on island will be leaving shortly but when they return she can set up a meeting with the longline association. As for Council request on improving response time, they’re working on getting a locally based asset and that the Admiral is supportive of a local asset, and also working with the local Coast Guard Auxiliary. Mr.

Sword clarified that when the USCG say asset for American Samoa, it means they will be training local people, not bringing bringing a vessel down. He said that the local Department of Public Safety and Coast Guard Auxiliary will work with the USCG on specialized training and certification. The Chair said there have been no letters or other follow up items since the Admiral's presentation back in October in American Samoa.

There was discussion on the differences existing between land and at sea inspection standards. Krista Corry discussed inspection standards and procedures being different at sea as opposed to land inspections. Lafoga Alovao said they should be standard, but that isn't the case. Mr. Sword suggested the high turnover of USCG personnel in the territory magnifies the problem.

Regarding the shark law conflict that exists due to the local ban on shark fishing, Ray Tulafono gave an update to the group. He said the Attorney General has assigned one of the Assistant Attorney Generals to work with Domingo Ochavillo of DMWR to prepare a draft of the revision to address the inconsistency with the federal laws. Tulafono said he will continue to follow up with the process and report back to the panel.

Regarding the recommendation previously made for territorial annual catch limits, the Coordinator reported to the panel that since the recommendation has been made, the onus is now on the local government to begin the development of catch limits and to decide how the Council could assist in the process. To date, no action has taken place to implement catch limits within 3 miles of shore.

Regarding the NOAA NMFS economic analysis of the Tri Marine petition made last year, the Chair reported that there currently is still no result; however she was told that the process is being expedited.

On the issue of marine managed areas and their effectiveness in American Samoa, Mac Aveina reported that he is still getting information from DMWR staff, and he has met with both fisheries and community based fisheries divisions. When discussion was opened, Mr. Sword asked how the Council could possibly recommend fishing be opened in the restricted Zone of Aunu'u Sanctuary waters. The Chair suggested getting comments from Aunu'u's new alia fishing association on the matter.

6. Public Comments

There were no public comments.

7. Discussion and Recommendations

- 1. Regarding recreational fisheries, the Panel recommends that the Council support and encourage local participation in fishing tournaments by providing for a tournament perpetual trophy or tournament category for American Samoa participants that will enhance fishery science and management and build interest and participation in fishing with residents of the Territory.*

Mr. Sword asked if a second recommendation could be made to recognize fishermen who submit the most catch cards over the course of a year. He said they could be recognized and awarded some prize at the Pago Pago Game Fish Association's annual Sport Fish Banquet. The Chair

suggested that the panel get more information on the details of the association's catch card and fishery before making this a recommendation.

Lafoga Alovao said that it would be a good idea to also support an annual fishing derby for rod and reel fishing. He said we would have to make sure to specify which tournament is being supported with these recommendations and not offer support to those who don't participate or attend.

2. *Regarding dedicated dock space for the American Samoa longline fishery, the Panel recommends that the Council request that the American Samoa Government make known the planned funding source that will be utilized for the construction of the future longline dock and a timeframe to complete the project.*

All members agreed with this recommendation as written.

3. *Regarding the American Samoa US purse seine fleet, the Panel recommends the Council to request information on the results of the NMFS economic study commissioned last year specifically in correlation with the request to exempt AS based seiners from certain high seas fishing restrictions. (CSL)*

All members agreed with this recommendation as written.

4. *Regarding the American Samoa based US purse seine fleet, the AP recommends that the Council request the NMFS to streamline regulations for the US fleet to adhere to IATTC rules in the overlap area.*

All members agreed with this recommendation as written.

5. *Regarding the American Samoa tuna canneries, the panel recommends that the Council request information from the USTR on discussions and plans held to prevent negative impact of recently signed FTAs to the domestic tuna canning industry and subsequently the economy of American Samoa. (CSL)*

All members agreed with this recommendation as written.

6. *Regarding the proposed FEP modifications, the panel supports the revisions and recommends the inclusion of language to acknowledge the unique status of the participating territories as SIDS.*

All members agreed with this recommendation as written.

7. *Regarding the membership of the Advisory Panel for American Samoa, the Panel recommends the Council solicit applications for the following positions on the AP:*
 - *Island Fisheries Subpanel for spot previously held by Romero Veavea (exceeded number of absences)*
 - *Alternate member #1*
 - *Alternate member #2*

All members agreed with this recommendation as written.

8. Other Business

There was no other business to report.