



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

ACTION MEMORANDUM

171st Council Meeting
October 17-19, 2017
Gov. Rex Lee Auditorium (Fale Laumei)
Utulei, Tutuila, American Samoa

FISHERIES ENFORCEMENT

Regarding enforcement, the Council:

1. Recommended NOAA OLE and USCG conduct education and outreach activities in American Samoa for both US flagged and foreign flagged vessels.



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AMERICAN SAMOA ARCHIPELAGO FISHERIES

Regarding American Samoa fisheries data, the Council:

1. Requested the American Samoa Department of Marine and Wildlife Resources (DMWR) improve its data collection sampling to improve resolution and spatial coverage of those areas. The Council further recommends DMWR to provide its needs regarding data collection staff capacity and funding.
2. Recommended DMWR distinguish between foreign longline and domestic longline in the retail fish vendor data in future reports.

Regarding the American Samoa Marine Conservation Plan, the Council:

3. Noted the Marine Conservation Plan (MCP) expires in mid-2018 and recommended the American Samoa Government (ASG) conduct meetings with relevant stakeholders to develop their new MCP prior to submitting the document to the Council in early 2018.

Regarding non-fishing impacts on fish habitat, the Council:

4. Requested ASG consider which department should have permitting and enforcement authority for sand mining regulations, provide outreach and review the regulations to ensure they are in line with other natural resource management programs.
5. Encouraged ASG to build capacity to collaborate between the government and communities in ongoing natural resource management and education/outreach efforts.

Regarding the longline dock extension project, the Council:

6. Recommended ASG commit to identification of funds to be utilized for the construction of the longline dock extension or the Council will consider reprogramming those funds.

Regarding the Samoa Tuna Packers small vessel dock, the Council:

7. Directed staff to send a letter requesting that Tri Marine/Samoa Tuna Packers (STP) allow American Samoa longline vessels to access the dock.

Regarding the STP processing facility, the Council:

8. Directed staff to send a letter to Tri Marine to provide a status update on their facility and operations in American Samoa.



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PELAGIC AND INTERNATIONAL FISHERIES

Regarding the American Samoa Large Vessel Prohibited Area, the Council:

1. Recognized the importance of fishing to the American Samoa economy, culture, and food security and supports all forms of fishing associated with the Territory. The Council appreciated the public's participation, interest, and comments on the LVPA action and acknowledges the description of cultural fishing provided by Council Member Sesepasara. The Council continued to emphasize the difficult economic conditions facing the American Samoa longline fishery based on public comment and recent catch data, and the Council further noted that catch rates of albacore are projected to decline across the South Pacific region unless stronger international management measures are adopted.

Taking into account the aforementioned issues, the Council identified, as preliminary preferred, the following option that would provide an exemption for large vessels permitted under the American Samoa longline limited entry program to fish seaward of:

- 12 nm around Tutuila;
- 12 nm around Manua;
- 12 nm around Swains; and
- 2 nm around the offshore banks.

The Council further directed staff to prepare a regulatory amendment and associated documentation that analyzes a range of alternatives for final action at its March meeting.

Regarding the monitoring of American Samoa fisheries, the Council:

2. Recommended consideration of adjustments to the logbook and creel survey forms to allow for more information to be collected, such as sold and unsold proportions of the catch, noting that some of this information is being collected already in the creel survey. The Council also recommended the American Samoa Department of Marine and Wildlife Resources consider implementing a mandatory fisheries permit and reporting program that would serve to improve fisheries monitoring in the Territory.

Regarding cultural fishing, the Council:

3. Recommended NMFS PIFSC socioeconomics program gather information on the issue of cultural fishing in American Samoa that may include expert interviews and focus groups as well as document fish flow from small and large vessels and complete this work by January 30, 2018.

Regarding modifications to the American Samoa longline limited entry permit program, the Council:

4. Took final action to recommend an amendment the Pelagics FEP to modify the permit program as follows:
 - a) Replace the four vessel classes with two, where Class A and B vessels would be considered “small” and Class C and D vessels would be considered “large”;
 - b) Restrict permit ownership to U.S. citizens and U.S. nationals only and eliminate the requirement to have documented history of participation to be eligible for owning a permit, but maintain the priority ranking system based on earliest documented history of fishing participation in vessel class size, if there is competition between two or more applicants for a permit;
 - c) Require that permits can only be transferred to U.S. citizens or U.S. nationals, and eliminate the requirement for documented participation in American Samoa longline fishery to receive permit transfer;
 - d) Reduce the “small” vessel class minimum harvest requirement to 500 lbs. of pelagic MUS within a 3-year period, but maintain the existing 5,000 lbs. harvest for the “large” vessel class;
 - e) Require that the entire minimum harvest amounts for the respective vessel classes are to be landed in American Samoa within a three-year permit period, but that the minimum harvests not be required to be caught within the US EEZ around American Samoa;
 - f) Specify a fixed three-year permit period that is the same as the three-year period to make a minimum harvest requirement; and
 - g) Require that the minimum harvest period not restart in the event of a permit transfer and that if the minimum harvest amount has not been caught at the time of transfer, the new permit owner would be required to meet the harvest requirement based on the following formula: the product of percentage of time left within the three-year permit period and the minimum harvest amount.

The Council directs staff to finalize and transmit the FEP amendment for Secretarial review, as appropriate. Further, the Council deems 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 the Annual Limits on Sea Turtle Interactions in the Hawaii Shallow-set Longline Fishery, the Council:

5. Recommended option 3, removal of the hard cap measure consisting of annual limits for loggerhead and leatherback turtles and associated fishery closure procedure as the preliminary preferred alternative. The Council recognized that the gear measures implemented in 2004 have been successful in reducing sea turtle interactions in the fishery, and that the hard cap measure is no longer necessary given that the fishery and turtle interactions are likely to remain relatively stable in the future and unlikely to rebound to the 1990s peak levels. The Council believes that the removal of the hard cap measure will reduce uncertainty in the fishery and eliminate the potential for spillover and transferred effects of increased overall impacts to sea turtles in the Pacific.
6. Directed staff to prepare a draft amendment to the Pelagic FEP including analysis of impacts and considering the analysis to be conducted for the shallow-set longline fishery ESA consultation
7. Directed staff to conduct a meeting to review the alternatives with the shallow-set longline vessel operators.

Regarding the Amendment 7 specification process, the Council:

8. Directed staff to write a letter to Secretary Ross documenting that for the third year in a row NMFS PIRO has failed to authorize the US Territory longline bigeye limit specifications prior to the US longline bigeye limit being reached. The letter should note the impacts on vessel owners, crew, and local seafood markets as a result of the shutdowns experienced from the lack of seamless transitions. The letter should also request that in order to prevent future unnecessary delays and impacts that NMFS develop procedure with clear deadlines to meet the necessary milestones in the annual specification process.

Regarding the WCPO US longline bigeye limit, the Council:

9. Directed staff to write a letter to Secretary Ross recognizing that the WCPO bigeye is not subject to overfishing or considered overfished and requests that the US government work to obtain a US longline bigeye limit of 6,000 mt under the WCPFC tropical tuna measure. The Council further recommends that the US government acknowledge that any proposed reductions in the US longline bigeye limit would prevent the US in joining consensus on a new tropical tuna measure.



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PROTECTED SPECIES

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

1. Requested NMFS to consult with the Council in the current serious injury determination guideline review process and requested NMFS to provide a presentation of the review at the March 2018 SSC and Council meeting.
2. Directed staff to work with industry representatives, PIRO and PIFSC to consider alternative approaches to minimize injuries on false killer whales released alive, including considerations for the serious injury determination guideline review, and provide a briefing to the SSC and Council at the March 2018 meeting in preparation for the April 2018 Take Reduction Team meeting.



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PROGRAM PLANNING AND RESEARCH

Regarding alternatives for aquaculture management, the Council:

1. Deferred action on aquaculture until the Council's March 2018 meeting when the Draft Programmatic Environmental Impact Statement and the accompanying analyses are available.

Regarding the options for designating management unit species into Ecosystem Components, the Council:

2. Selected option 2.1 designating the following species (Appendix 1) as in-need of federal conservation and management based on the factors described in §600.305(c)(1) of the NS1 revised guidelines; Further selected option 2.2.1 designating the remaining management unit species as "ecosystem components" and will be retained in the Fishery Ecosystem Plans in order to achieve ecosystem management objectives;
3. Directed staff to work with State of Hawaii in finalizing the species list and develop an amendment to classify the management unit species as in need of federal conservation and management and the remaining MUS as ecosystem components and present the draft amendment at the Council June 2018 meeting
4. Directed staff to explore options for a dedicated monitoring program for the species listed as in need of conservation and management

Regarding the gold coral moratorium, the Council:

5. Recommended a five-year extension to the Gold Coral Moratorium to provide time for other management options, such as ACLs, Ecosystem Component designation, a prohibition (permanent moratorium), etc., to be developed and implemented.

Regarding the Social Science Planning Committee strategic plan, the Council:

6. Supported the Strategic Plan as developed by the Committee and looks forward to the report on research priorities at the next council meeting

Regarding outreach and education, the Council:

7. Directed staff to work with the Council's Education Committee to develop a plan to ensure fisheries are incorporated in classroom lessons at the primary and secondary levels, as appropriate, throughout the Western Pacific Region

APPENDIX 1.

Table 1. Final list of species that are in need of conservation and management for American Samoa. The list was generated from the multivariate analysis and through careful deliberation of the Ecosystem Component Expert Working Group with consideration of the information from the BioSampling Program

No	Correct Scientific Name	Common Name	FAMILY	FEP GROUP
1	<i>Caranx lugubris</i>	black trevally, jack	Carangidae	BF Multi-species complex
2	<i>Seriola dumerili</i>	amberjack	Carangidae	BF Multi-species complex
3	<i>Lethrinus rubrioperculatus</i>	redgill emperor	Lethrinidae	BF Multi-species complex
4	<i>Aphareus rutilans</i>	(lehi) (silverjaw jobfish)	Lutjanidae	BF Multi-species complex
5	<i>Aprion virescens</i>	grey snapper, jobfish	Lutjanidae	BF Multi-species complex
6	<i>Etelis carbunculus</i>	red snapper	Lutjanidae	BF Multi-species complex
7	<i>Etelis coruscans</i>	longtail snapper	Lutjanidae	BF Multi-species complex
8	<i>Etelis sp. (from the PIFSC cruise)</i>	un id bottomfish sp	Lutjanidae	BF Multi-species complex
9	<i>Lutjanus kasmira</i>	blueline snapper	Lutjanidae	BF Multi-species complex
10	<i>Pristipomoides filamentosus</i>	pink snapper (paka)	Lutjanidae	BF Multi-species complex
11	<i>Pristipomoides flavipinnis</i>	yelloweye snapper	Lutjanidae	BF Multi-species complex
12	<i>Pristipomoides sieboldii</i>	pink snapper (kalekale)	Lutjanidae	BF Multi-species complex
13	<i>Pristipomoides zonatus</i>	flower snapper (gindai)	Lutjanidae	BF Multi-species complex
14	<i>Variola louti</i>	lunartail grouper	Serranidae	BF Multi-species complex
15	<i>Acanthurus xanthopterus</i>	Yellowfin surgeonfish	Acanthuridae	CRE-Fishes
16	<i>Naso hexacanthus</i>	Black tongue unicornfish	Acanthuridae	CRE-Fishes
17	<i>Naso lituratus</i>	Orangespine unicornfish	Acanthuridae	CRE-Fishes
18	<i>Caranx sexfasciatus</i>	Bigeye trevally	Carangidae	CRE-Fishes
19	<i>Elagatis bipinnulata</i>	Rainbow runner	Carangidae	CRE-Fishes
20	<i>Selar crumenophthalmus</i>	Bigeye scad	Carangidae	CRE-Fishes
21	<i>Sargocentron melanospilos</i>	Blackspot squirrelfish	Holocentridae	CRE-Fishes
22	<i>Sargocentron microstoma</i>	Filelined squirrelfish	Holocentridae	CRE-Fishes
23	<i>Sargocentron xantherythrum</i>	Hawaiian squirrelfish	Holocentridae	CRE-Fishes
24	<i>Lethrinus xanthochilus</i>	Yellowlip Emperor	Lethrinidae	CRE-Fishes
25	<i>Etelis radiosus</i>	Scarlet snapper	Lutjanidae	CRE-Fishes
26	<i>Lutjanus bohar</i>	Twinspot/red snapper	Lutjanidae	CRE-Fishes
27	<i>Lutjanus gibbus</i>	Humpback snapper	Lutjanidae	CRE-Fishes
28	<i>Paracaesio stonei</i>	Stone's snapper	Lutjanidae	CRE-Fishes
29	<i>Hyporthodus octofasciatus</i>	Eightbar grouper	Serranidae	CRE-Fishes
30	<i>Saloptia powelli</i>	Powell's grouper	Serranidae	CRE-Fishes

Table 2. Final list of species that are in need of conservation and management for Guam. The list was generated from the multivariate analysis and through careful deliberation of the Ecosystem Component Expert Working Group with consideration of the information from the BioSampling Program

No	Scientific Name	Common Name	Family Name	FEP GROUP
1	<i>Caranx ignobilis</i>	giant trevally, jack	Carangidae	BF Multi-species complex
2	<i>Caranx lugubris</i>	black trevally, jack	Carangidae	BF Multi-species complex
3	<i>Seriola dumerili</i>	Amberjack	Carangidae	BF Multi-species complex
4	<i>Lethrinus rubrioperculatus</i>	redgill emperor	Lethrinidae	BF Multi-species complex
5	<i>Aphareus rutilans</i>	red snapper, silvermouth (lehi)	Lutjanidae	BF Multi-species complex
6	<i>Etelis carbunculus</i>	red snapper (ehu)	Lutjanidae	BF Multi-species complex
7	<i>Etelis coruscans</i>	red snapper (onaga)	Lutjanidae	BF Multi-species complex

No	Scientific Name	Common Name	Family Name	FEP GROUP
8	<i>Lutjanus kasmira</i>	blueline snapper	Lutjanidae	BF Multi-species complex
9	<i>Pristipomoides auricilla</i>	yellowtail snapper	Lutjanidae	BF Multi-species complex
10	<i>Pristipomoides filamentosus</i>	pink snapper (paka)	Lutjanidae	BF Multi-species complex
11	<i>Pristipomoides flavipinnis</i>	yelloweye snapper	Lutjanidae	BF Multi-species complex
12	<i>Pristipomoides sieboldii</i>	pink snapper (kalekale)	Lutjanidae	BF Multi-species complex
13	<i>Pristipomoides zonatus</i>	snapper (gindai)	Lutjanidae	BF Multi-species complex
14	<i>Variola louti</i>	lunartail (lyretail) grouper	Serranidae	BF Multi-species complex
15	<i>Naso hexacanthus</i>	Black tongue unicornfish	Acanthuridae	CRE-Fishes
16	<i>Naso unicornis</i>	Bluespine unicornfish	Acanthuridae	CRE-Fishes
17	<i>Carangoides orthogrammus</i>	Goldspot trevally	Carangidae	CRE-Fishes
18	<i>Caranx melampyus</i>	Bluefin trevally	Carangidae	CRE-Fishes
19	<i>Caranx sexfasciatus</i>	Bigeye trevally	Carangidae	CRE-Fishes
20	<i>Elagatis bipinnulata</i>	Rainbow runner	Carangidae	CRE-Fishes
21	<i>Selar crumenophthalmus</i>	Atulai	Carangidae	CRE-Fishes
22	<i>Myripristis berndti</i>	Bigscale Soldierfish	Holocentridae	CRE-Fishes
23	<i>Sargocentron spiniferum</i>	Long-Jawed Squirrelfish	Holocentridae	CRE-Fishes
24	<i>Cheilinus undulatus</i>	Napoleon wrasse	Labridae	CRE-Fishes
25	<i>Lethrinus erythracanthus</i>	Orange-Spotted Emperor	Lethrinidae	CRE-Fishes
26	<i>Lethrinus olivaceus</i>	Longface Emperor	Lethrinidae	CRE-Fishes
27	<i>Lethrinus xanthochilus</i>	Yellowlip Emperor	Lethrinidae	CRE-Fishes
28	<i>Monotaxis grandoculis</i>	Bigeye Emperor	Lethrinidae	CRE-Fishes
29	<i>Aphareus furca</i>	Silvermouth/Jobfish	Lutjanidae	CRE-Fishes
30	<i>Lutjanus fulvus</i>	Flametail Snapper	Lutjanidae	CRE-Fishes
31	<i>Lutjanus gibbus</i>	Humpback Snapper	Lutjanidae	CRE-Fishes
32	<i>Chlorurus microrhinos</i>	Steephead Parrotfish	Scaridae	CRE-Fishes
33	<i>Hipposcarus longiceps</i>	Parrotfish	Scaridae	CRE-Fishes
34	<i>Scarus altipinnis</i>	Fil-Finned Parrotfish	Scaridae	CRE-Fishes
35	<i>Scarus forsteni</i>	Tricolor Parrotfish	Scaridae	CRE-Fishes
36	<i>Scarus rubroviolaceus</i>	Parrotfish	Scaridae	CRE-Fishes
37	<i>Scarus schlegeli</i>	Chevron Parrotfish	Scaridae	CRE-Fishes
38	<i>Variola albimarginata</i>	Whmargin Lyretail Grouper	Serranidae	CRE-Fishes

Table 3. Final list of species that are in need of conservation and management for the Commonwealth of Northern Mariana Islands. The list was generated from the multivariate analysis and through careful deliberation of the Ecosystem Component Expert Working Group with consideration of the information from the BioSampling Program. The yellow highlights are deemed important by CNMI and the blue highlights are from the BioSampling information.

No	Scientific Name	Common Name	Family Name	FEP GROUP
1	<i>Caranx ignobilis</i>	giant trevally	Carangidae	BF Multi-species complex
2	<i>Caranx lugubris</i>	black trevally, jack	Carangidae	BF Multi-species complex
3	<i>Lethrinus rubrioperculatus</i>	redgill emperor	Lethrinidae	BF Multi-species complex
4	<i>Aphareus rutilans</i>	red snapper, silvermouth (lehi)	Lutjanidae	BF Multi-species complex
5	<i>Aprion virescens</i>	grey snapper, jobfish	Lutjanidae	BF Multi-species complex
6	<i>Etelis carbunculus</i>	red snapper (ehu)	Lutjanidae	BF Multi-species complex
7	<i>Etelis coruscans</i>	red snapper (onaga)	Lutjanidae	BF Multi-species complex
8	<i>Lutjanus kasmira</i>	blueline snapper	Lutjanidae	BF Multi-species complex
9	<i>Pristipomoides auricilla</i>	yellowtail kalikali	Lutjanidae	BF Multi-species complex
10	<i>Pristipomoides filamentosus</i>	pink snapper (paka)	Lutjanidae	BF Multi-species complex
11	<i>Pristipomoides flavipinnis</i>	yelloweye snapper	Lutjanidae	BF Multi-species complex
12	<i>Pristipomoides sieboldii</i>	pink snapper (kalekale)	Lutjanidae	BF Multi-species complex
13	<i>Pristipomoides zonatus</i>	flower snapper (gindai)	Lutjanidae	BF Multi-species complex

No	Scientific Name	Common Name	Family Name	FEP GROUP
14	<i>Randallichthys filamentosus</i>	Randall's snapper	Lutjanidae	BF Multi-species complex
15	<i>Hyporthodus octofasciatus</i>	eightband grouper	Serranidae	BF Multi-species complex
16	<i>Variola louti</i>	lunartail grouper (lyretail grouper)	Serranidae	BF Multi-species complex
17	<i>Acanthurus xanthopterus</i>	Yellowfin Surgeonfish	Acanthuridae	CRE-Fishes
18	<i>Naso lituratus</i>	Orangespine Unicornfish	Acanthuridae	CRE-Fishes
19	<i>Naso unicornis</i>	Bluespine Unicornfish	Acanthuridae	CRE-Fishes
20	<i>Carangoides orthogrammus</i>	Yellow Spotted Trevally	Carangidae	CRE-Fishes
21	<i>Caranx melampygus</i>	Bluefin Trevally	Carangidae	CRE-Fishes
22	<i>Caranx papuensis</i>	Brassy Trevally	Carangidae	CRE-Fishes
23	<i>Caranx sexfasciatus</i>	Bigeye Trevally	Carangidae	CRE-Fishes
24	<i>Caranx sp. (juvenile)</i>	EE: Juvenile Jacks	Carangidae	CRE-Fishes
25	<i>Scomberoides lysan</i>	Leatherback	Carangidae	CRE-Fishes
26	<i>Selar crumenophthalmus</i>	Bigeye Scad	Carangidae	CRE-Fishes
27	<i>Elagatis bipinnulata</i>	Rainbow Runner	Carangidae	CRE-Fishes
28	<i>Myripristis berndti</i>	Berndt's soldierfish	Holocentridae	CRE-Fishes
29	<i>Myripristis murdjan</i>	Murdjan's soldierfish	Holocentridae	CRE-Fishes
30	<i>Myripristis violacea</i>	violet soldierfish	Holocentridae	CRE-Fishes
31	<i>Cheilinus undulatus</i>	humphead wrasse	Labridae	CRE-Fishes
32	<i>Lethrinus harak</i>	Blackspot Emperor	Lethrinidae	CRE-Fishes
33	<i>Lethrinus obsoletus</i>	Yellowstripe Emperor	Lethrinidae	CRE-Fishes
34	<i>Lethrinus olivaceus</i>	Longnose Emperor	Lethrinidae	CRE-Fishes
35	<i>Lethrinus xanthochilus</i>	Yellowlips Emperor	Lethrinidae	CRE-Fishes
36	<i>Monotaxis grandoculis</i>	Bigeye Emperor	Lethrinidae	CRE-Fishes
37	<i>Aphareus furca</i>	Smalltooth Jobfish	Lutjanidae	CRE-Fishes
38	<i>Lutjanus gibbus</i>	Humpback Snapper	Lutjanidae	CRE-Fishes
39	<i>Mulloidichthys flavolineatus</i>	Yellowstripe Goatfish	Mullidae	CRE-Fishes
40	<i>Parupeneus barberinus</i>	Dash & Dot Goatfish	Mullidae	CRE-Fishes
41	<i>Chlorurus frontalis</i>	tanfaced parrotfish	Scaridae	CRE-Fishes
42	<i>Chlorurus microrhinos</i>	Pacific steephead parrotfish	Scaridae	CRE-Fishes
43	<i>Hipposcarus longiceps</i>	longnose parrotfish	Scaridae	CRE-Fishes
44	<i>Scarus altipinnis</i>	filament fin parrotfish	Scaridae	CRE-Fishes
45	<i>Scarus ghobban</i>	bluebarred parrotfish	Scaridae	CRE-Fishes
46	<i>Scarus rubroviolaceus</i>	red lipped parrotfish	Scaridae	CRE-Fishes
47	<i>Cephalopholis argus</i>	peacock grouper	Serranidae	CRE-Fishes
48	<i>Siganus argenteus</i>	forktailed rabbitfish	Siganidae	CRE-Fishes
49	<i>Siganus sp.</i>	Rabbitfish (menahac)	Siganidae	CRE-Fishes

Table 4. Final list of species that are in need of conservation and management for Hawaii. The species comprise catches more than 20% in federal waters based on the 2nmi reporting grids in the FRS database. The yellow highlights were added based on information from the re-estimated catches by Williams and Ma 2013 from MRIP.

No	SCIENTIFIC NAME	COMMON NAME	FEP GROUP
1	<i>Pleurocorallium secundum</i>	Pink coral	Precious coral
2	<i>Hemicorallium laauense</i>	Red coral	Precious coral
3	<i>Kulamanamana haumeaee</i>	Gold coral	Precious coral
4	<i>Narella sp</i>	Gold coral	Precious coral
5	<i>Calyptrophora sp</i>	Gold coral	Precious coral
6	<i>Callogorgia gilberti</i>	Gold coral	Precious coral
7	<i>Lepidisis olapa</i>	Bamboo coral	Precious coral
8	<i>Acanella sp</i>	Bamboo coral	Precious coral

9	<i>Antipathes griggi</i>	Black coral	Precious coral
10	<i>Antipathes grandis</i>	Black coral	Precious coral
11	<i>Myriopathes ulex</i>	Black coral	Precious coral
12	<i>Aphareus rutilans</i>	Lehi, Deep/Silvermouth	Deep 7 complex
13	<i>Pristipomoides filamentosus</i>	Opakapaka, Pink snapper	Deep 7 complex
14	<i>Etelis coruscans</i>	Onaga, Longtail snapper	Deep 7 complex
15	<i>Pristipomoides sieboldii</i>	Kalekale, Lavender jobfish	Deep 7 complex
16	<i>Etelis carbunculus</i>	Ehu, Squirrelfish snapper	Deep 7 complex
17	<i>Hyporthodus quernus</i>	Hapu'upu'u, Shapon, Sapon	Deep 7 complex
18	<i>Pristipomoides zonatus</i>	Gindai, Buninas, Flower snapper, Tai	Deep 7 complex
19	<i>Aprion virescens</i>	Uku	Non deep 7 complex
20	<i>Seriola dumerili</i>	Kahala, Greater amberjack	Non deep 7 complex
21	<i>Elagatis bipinnulata</i>	Hawaiian Salmon, Rainbow Runner, Kamano	CRE-Fishes
22	<i>Caranx ignobilis</i>	White ulua, Mamulan, Tarakiton	CRE-Fishes
23	<i>Naso hexacanthus</i>	Opelu kala, Sleek unicornfish, Tataga (Black tongue)	CRE-Fishes
24	<i>Mulloidichthys pfluegeri</i>	Moelua, Moilua, Weke nono, Moana ula	CRE-Fishes
25	<i>Myripristis murdjan</i>	Uu, Menpachi, Bigscale/Blotcheye soldierfish	CRE-Fishes
26	<i>Selar crumenophthalmus</i>	Atulai, Akule, Lengo, Rengo	CRE-Fishes
27	<i>Parupeneus porphyreus</i>	Kumu, Whitesaddle goatfish	CRE-Fishes
28	<i>Heterocarpus laevigatus</i>	Deepwater shrimp, Nylon shrimp	Crustacean
29	<i>Ranina ranina</i>	Kona crab	Crustacean
30	<i>Panulirus marginatus</i>	Ula, Hawaiian red spiny lobster	Crustacean
31	<i>Panulirus penicillatus</i>	Ula hiwa, Green/Pronghorn/Tuffed spiny lobster	Crustacean
32	<i>Scyllaridae</i>	Hawaii slipper lobsters	Crustacean



**WESTERN
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FISHERY
MANAGEMENT
COUNCIL**

ACTION MEMORANDUM

171st Council Meeting
October 17-19, 2017
Gov. Rex Lee Auditorium (Fale Laumei)
Utulei, Tutuila, American Samoa

HAWAII ARCHIPELAGO AND PRIA FISHERIES

Regarding the annual catch limit (ACL) specification for the main Hawaiian islands coral reef fishes for fishing year 2018 to 2020, the Council:

1. Selected option 1 (no ACL and AM) for *Myripristis berndti*. There is no reliable catch data to verify the validity of the mean length estimates from the UVS. Some of the life history parameters were from a different species from a different geographic location. The stepwise approach was not applied. The population estimates were severely biased downward. This species is also a candidate for ecosystem components. There is no ability to monitor the catch of this species because the State of Hawaii Fisher Reporting System has no species code for this species. This species was also shown to be caught 77% from shore (Williams and Ma 2013). The stock assessment showed that this species is above the 30% SPR (0.59) therefore not experiencing overfishing and not overfished.
2. Selected option 2 (roll over the current ACL) for *Monotaxis grandoculis*. This sets the ACL at 35,500 lbs equivalent to a <10% risk of overfishing using the new assessment as reference.

Species	OFL _{current}	ABC _{current}	P* level	ACL _{current}	P* _{equivalent}
<i>Monotaxis grandoculis</i>	39,000	36,600	30%	35,500	<10%

Regarding the accountability measures, in the event that the three year average catch exceed the ACL, the following year ACL will be decreased by the amount of the overage.

3. Selected option 3 (specify ACLs equal to ABCs at species level based on the new assessment) for the following species:

Species	OFL (lbs)	P* level	ABCs (lbs)	ACLs (lbs)
<i>Lutjanus kasmira</i> (taape)*	486,120	42%	464,950	464,950
<i>L. fulvus</i> (toau)*	73,410	36%	64,595	64,595
<i>Aprion virescens</i> (uku)	132,280	42%	127,205	127,205
<i>Parupeneus porphyreus</i> (kumu)***	2,579	39%	2,243	2,243
<i>Cephalopholis argus</i> (roi)*	244,490	41%	238,758	238,758

[* introduced species] [*** indicates <SPR30]

The Council used the C30 from the Underwater Visual Surveys (UVS) as recommended in the assessment document. For *Aprion virescens*, the Council noted that the ACL from the UVS C30 is conservative due to the limited depth at which the surveys were conducted. For *Parupeneus porphyreus*, the Council used the ACL from the C30 from catch because it was more conservative due to the stock status

The Council set the ACL equal to ABC because the recent three year average catches of *L. kasmira*, *L. fulvus*, and *C. argus* are significantly below the selected ACLs. The Council notes these three species and *P. porphyreus* are candidates for Ecosystem Component designation. Regarding the accountability measure for these species, in the event that the three year average catch exceed the ACL, the following year ACL will be decreased by the amount of the overage.

Regarding the accountability measures for *Aprion virescens*, requested the State of Hawaii to provide a monthly report on landings from the Fisher Reporting System and directs the Plan Team to develop a near-real-time monitoring for this species. Should the ACLs be projected to be reached, the fishery in federal waters will be closed and the Council encourages the State of Hawaii to develop a parallel rulemaking to close the State waters as well.

4. Selected option 4 (specify ACLs equal to ABC at family level using the assessed species as indicators) for the following species:

Family	Indicator species	OFL (lbs)	P* level	ABCs (lbs)	ACL (lbs)
Acanthuridae	<i>Acanthurus dussumieri</i> (palani)	546,440	24-40	496,085	496,085
	<i>Naso lituratus</i> (umaumalei)***				
	<i>Naso brevirostris</i> (kala lolo)***				
	<i>N. unicornis</i> (kala)***				
	<i>Acanthurus blochii</i> (pualu)***				
	<i>N. hexacanthus</i> (kala lolo)***				
Carangidae	<i>Caranx melampygus</i> (omilu)	830,260	27-32	21,178	21,178
	<i>Carangoides orthogrammus</i> (ulua)				
	<i>Caranx ignobilis</i> (ulua aukea)***				
Mullidae	<i>Parupeneus insularis</i> (munu)	194,210	34-44	158,740	158,740
	<i>P. cyclostomus</i> (moano)***				
	<i>Mulloidichthys vanicolensis</i> (weke'ula)				
	<i>M. flavolineatus</i> (weke'a)				
	<i>M. pfluegeri</i> (weke nono)				
Scaridae	<i>Scarus dubius</i> (lauia)	417,400	31-	380,050	380,050

Family	Indicator species	OFL (lbs)	P* level	ABCs (lbs)	ACL (lbs)
	<i>Chlorurus spilurus</i> (uhu)***		39		
	<i>S. psittacus</i> (uhu)				
	<i>Chlorurus perspicillatus</i> (uhu uliuli)				
	<i>S. rubroviolaceus</i> (uhu ele'ele)***				
	<i>Calotomus carolinus</i> (ponuhunuhu)***				

[*** indicates <SPR30]

For Acanthuridae, the Council used the C30 from the UVS as recommended in the assessment document. However, since *Naso hexacanthus* has no UVS derived ABC, the ABC was derived from the catch-C30. For Mullidae, the Council recommended using the C30 from the UVS as recommended in the assessment document. However, since *Mulloidichthys pfluegeri* has no UVS derived ABC, the ABC was derived from the catch-C30.

The Council set the ACL equal to ABC because the recent 3 year average catches for these species complexes are significantly lower than the selected ACLs except for the Carangidae complex. The Council noted that all of these species/complexes are candidates for Ecosystem Components. Regarding the accountability measures, in the event that the three year average catch exceed the ACL, the following year ACL will be decreased by the amount of the overage.

- For the remaining CREMUS in the Hawaii FEP not covered by the stock assessment, the Council recommends retaining the current ACLs based on the Biomass-Augmented Catch MSY approach.

The ACLs for these complexes are as follows:

Species Complex	OFL (lbs)	P* level (%)	ABCs (lbs)	P* level (%)	ACL (lbs)
<i>Selar crumenophthalmus</i> (akule)	1,138,000	35	1,025,000	30	988,000
<i>Decapterus macarellus</i> (opelu)	531,200	35	459,800	30	438,000
Carcharhinidae (reef sharks)	12,500	35	9,800	30	9,310
CR-crustaceans	42,800	30	35,400	25	26,637
Kyphosidae (rudders)	119,600	35	108,600	30	105,000
Labridae (wrasse)	227,400	35	211,000	30	205,000

Species Complex	OFL (lbs)	P* level (%)	ABCs (lbs)	P* level (%)	ACL (lbs)
Mollusk	49,500	30	38,200	25	31,163
Mugilidae	24,500	30	20,100	25	19,200
All CREMUS combined	535,600	35	496,500	30	485,000

Regarding the accountability measures, in the event that the three year average catch exceed the ACL, the following year ACL will be decreased by the amount of the overage.

The Council directs Council staff to finalize and transmit the FEP amendment for Secretarial review, as appropriate. Further, the Council deems 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.

6. For the remaining species in the Lutjanidae and non-deep 7 complex, recommended NMFS to calculate the OFLs based on the BAC-MSY approach in order to complete the ABC specifications for the Hawaii FEP
7. Directed staff and recommended NMFS to focus its efforts in finalizing the Ecosystem Components Amendment to address the operational issues associated with specifying annual catch limits for data poor stocks



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MARIANA ARCHIPELAGO FISHERIES

Regarding CNMI fisheries, the Council:

1. Requested CNMI DFW provide a report to the Council on the current status and future plans of the Smiling Cove, Tinian, and Rota West marinas.
2. Recommended CNMI DFW provide a report to the Council on the data used to justify the potential regulations for minimum size requirements for commercial sale in the CNMI.

Regarding Guam fisheries, the Council:

3. Requested Gov Guam consider a moratorium on sea cucumber harvest while working on revising their sea cucumber management measures to provide additional safeguards on the stock.



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ADMINISTRATIVE MATTERS

Program Area: ADMINISTRATIVE MATTERS

Regarding Council Family Changes, the Council:

1. Removed Mac Aveina on the American Samoa Advisory Panel and replaces him with Allen Snow.
2. Removed Tate Marks from the Hawaii Advisory Panel and replaces him with Gil Kualii.
3. Added Joaquin “Jack” Torres to the CNMI Advisory Panel as an alternate member.
4. Adds the US Fish and Wildlife Service to the American Samoa and the US Army Corps of Engineers to the AS, CNMI, Guam and Hawaii Regional Ecosystem Advisory Committees.
5. Added Aufai Areta, dean and director of American Samoa Community College’s Community and Natural Resources/Land Grant Programs, and Alfredo De Torres, coordinator of Northern Mariana College’s Natural Resources Management Program, to the Education Committee and makes no recommendations for a US Fish and Wildlife Service representative on the Committee at this time.
6. Added Michelle McGregor, Economist, PIRO to the Social Science Planning Committee and removed David Loomis, Institute for Coastal Science, East Carolina University.

Summary of Advisory Group Changes

Advisory Group	Add	Remove
AS Advisory Panel	Allen Snow	Mac Aveina
Hawaii Advisory Panel	Gil Kualii	Tate Marks
CNMI Advisory Panel	Joaquin “Jack” Torres (Alternate)	
Education Committee	Aufai Areta	
	Alfredo De Torres	
Social Science Planning Committee	Michelle McGregor	
AS REAC	US FWS	

AS, CNMI, Guam and Hawaii	US Army Corps.	
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Regarding the proposed amendments to the Billfish Conservation Act, the Council:

7. Directed staff to send a letter to the Assistant Administrator for Fisheries, Chris Oliver, requesting that NMFS support the Council's position maintaining the ability of fishermen in the Western Pacific Region to continue to send marlin and other billfish to the US mainland, contrary to the language included in the proposed amendments to the Billfish Conservation Act which would prohibit billfish commerce with the mainland.

Pacific marlins should not be bundled in with overfished Atlantic marlin and billfish as all but one stock in the Pacific (Northwest Central Pacific striped marlin) are not overfished.

Regarding Administrative Matters, the Council:

8. Endorsed the 2016 annual audit as completed by the independent auditor.
9. The Council directed staff to send a letter to the NOAA/NMFS Assistant Administrator requesting that NMFS reconsider the following policy regarding recusal of Council members on Council decisions:

“NOAA GC Regional Sections should attribute to a Council member all harvesting, processing, and marketing activity of, and all vessels owned by, a company that is wholly or partially owned by the Council member. NOAA GC Regional Sections should attribute to a Council member all harvesting, processing, and marketing activity of, and all vessels owned by, a company that employs the Council member.”

This policy can be found in the NATIONAL MARINE FISHERIES SERVICE INSTRUCTION 01-116-01, Procedures for Review of Fishery Management Council Financial Disclosures and Recusal Determinations at Section 3.1.2.1 (Draft, Sept. 25, 2014), as well as the letter from NOAA General Counsel Lois Schiffer to Simon Kinneen (Apr. 8, 2015).

The Council believes that this attribution policy does not achieve the purpose of Section 302(j) of the MSA, which prohibits appointed Council members from voting on Council decisions that would have a significant and predictable effect on the Council member's financial interests. Rather, this attribution policy results in the mandatory recusal of Council members on decisions that often have little to no impact, much less a "significant and predictable impact," on the Council member's financial interests. The Council requests that NMFS reconsider this position.

10. Recommended the American Samoa longline swordfish trip limit amendment action be addressed through a teleconference Council meeting to be held on November 15, 2017 at 2:00 p.m.(HST), 1:00 p.m. (American Samoa Time), and 10:00 a.m.(Marianas Time Nov. 16, 2017).
11. Directed staff to send a letter to Department of Interior regarding use of port and dock facilities, paid for by the Sport Fish Restoration Program, to support both recreational and commercial fishing vessels given the multipurpose nature of the vessels and fishing activities occurring in the Western Pacific Region.

12. Directed staff to send a letter to NMFS detailing the need to increase the Council's base level funding to fully support administrative and programmatic staffing needs.

Regarding Council Officers, the Council:

13. Elected the following officers for 2018:
 - Edwin Ebisui, Council Chair
 - Archie Soliai, Vice-Chair American Samoa
 - John Gourley, Vice-Chair CNMI
 - Michael Duenas, Vice-Chair Guam
 - Dean Sensui, Vice-Chair Hawaii