



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

ACTION MEMORANDUM

180th Council Meeting

October 21-24, 2019

Sunia Ocean Center

Utulei, Tutuila, American Samoa

AMERICAN SAMOA ARCHIPELAGO FISHERIES

Regarding American Samoa Fisheries, the Council:

1. Directed staff to work with the American Samoa Environmental Protection Agency and Department of Commerce Coastal Zone Management Program to solicit data availability that can support the ecosystem modeling work on climate change impacts.
2. Directed staff to assist the American Samoa Department of Marine and Wildlife Resources (DMWR) with improving the fishery data collection in American Samoa, and to work with the department to assist with outreach to the fishing community on the importance of data collection.
3. Recommended DMWR provide a plan outlining its approach to addressing the recommendations to improve fishery data from the recent PIFMAPS summit.
4. Requested DMWR expedite the Sustainable Fisheries Fund projects to improve fisheries in American Samoa.
5. Directed staff to send a letter of support to EDA for the American Samoa Department of Commerce grant for construction of the *alia tele*.
6. Recommended DMWR meet with the NMSAS to address the concerns of the Aunu'u chiefs regarding enforcement of Sanctuary rules and other important pending issues.



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PELAGIC & INTERNATIONAL FISHERIES

Regarding the American Samoa longline fishery, the Council:

1. Requested NMFS compile and evaluate the catches of albacore from Chinese flagged longline vessels operating in the southwest Pacific and compare to the catches and performance of the American Samoa longline fleet.

Regarding pelagic and international fisheries research priorities, the Council:

2. Requested NMFS PIFSC investigate and/or contribute to sampling of growth of marlins (striped and blue) and prioritize pelagic life history research on pelagic management unit species with incoming stock assessments and especially those that are likely to require management action in the near future.

Regarding the validation of bigeye tuna growth, the Council:

3. Requested NMFS PIFSC contribute to the validation of Western and Central bigeye tuna growth models using bomb radiocarbon dating, as recommended by the WCPFC Science Committee.

Regarding striped marlin, the Council:

4. Requested NMFS and the United States delegation to the WCPFC base any rebuilding plan for the Western Central North Pacific striped marlin stock on 'long term' recruitment scenarios until the ISC billfish working group reconciles uncertainty on the issue.

Regarding the Population Assessment of Loggerhead and Leatherback Turtle Interactions in the Hawaii Shallow-set Longline Fishery, the Council:

5. Recognizing that the SSC endorsed the PIFSC take model ~~as~~ ^{is} best scientific information available for evaluating population-level effects of the shallow-set longline fishery on loggerhead and leatherback turtles, noting that NMFS PIFSC intends to complete an evaluation of effects of the deep-set longline fishery on the loggerhead and leatherback turtles using the existing NMFS PIFSC take model by the end of February 2020, and noting that NMFS PIRO intends to complete the deep-set longline consultation by the end of December 2019, the Council urged NMFS PIRO to delay the completion of the consultation and consider all anticipated scientific information including the NMFS PIFSC take model in the biological opinion.

6. Urged NMFS PIRO to request that NMFS PIFSC apply their take model to the American Samoa longline fishery evaluating its effects on leatherback turtles for consideration prior to completing that consultation.
7. Directed staff to work with NMFS PIFSC on the development of a cost-benefit analysis to evaluate the impact of any management actions for reducing turtle interactions on the economic performance and socioeconomic effects of the shallow-set and deep-set longline fishery. The Council recommended that such analyses include consideration of transferred effect of the US fishery-longline fishery closure on target species as well as protected species.
8. Recommended NMFS review the Reasonable and Prudent Measures (RPMs) in the Hawaii shallow-set longline Biological Opinion in view of the new scientific information, and work with the Council and the SSC in the review.
9. Recommended NMFS work with the Council to develop any necessary RPMs or Reasonable and Prudent Alternatives (RPAs) for the Hawaii deep-set longline fishery and the American Samoa longline fishery to ensure that such measures are appropriate and practicable to ensure the sustainability of the fisheries.

Regarding the SSSL BiOp RPM Work Plan, the Council:

10. Recommended the BiOp Action Team to be convened as a working group of the Pelagic Plan Team, comprising of representatives from PIRO, PIFSC, Council and industry.

Regarding electronic reporting, the Council:

11. Directed staff, in coordination with the Electronic Reporting and Electronic Technologies Steering Committee, to develop an options paper for the March 2020 Council meeting addressing implementation issues including, but not limited to: cost allocation, necessary regulatory and non-regulatory changes for requiring daily logbook transmissions, and system requirements for providing data access to vessel owners and/or operators.

Regarding PAC Recommendations on South Pacific albacore, the Council:

12. Requested NMFS and the United States delegation to the WCPFC work with other international delegations to develop a target reference point for South Pacific albacore to include CPUE of small island developing states (SIDS) and Participating Territories to reach historical levels in addition to a biomass target reference point.
13. Requested NMFS and the United States delegation to the WCPFC work with other international delegations to develop a harvest plan for South Pacific albacore to achieve its target reference points 'soonest' and under 20 years.
14. Requested NMFS and the United States delegation to the WCPFC work with other international delegations to develop an allocation scheme for countries and cooperating members whereas SIDS and Participating Territories are exempt from annual catch reductions to reach the target reference point or that SIDS and Participating Territories can maintain catches commensurate with historical optimal levels. The allocation scheme

must take into consideration charter arrangements and allocations should be accounted by fishing vessel registry, such that conservation benefits are not undermined.

Regarding fisheries in the Western and Central Pacific, the Council:

15. Requested NMFS and the United States delegation to the WCPFC work with other international delegations to develop criteria for which fishing capacity in the WCPFC Convention Area does not exceed a determined amount from current or historical levels.
16. Directed staff to draft a letter to the Trump administration outlining the precarious state of international affairs with United States fisheries in the Pacific. This includes, but not limited to: the expansion of the marine monument in Hawaii, US Territories and PRIAS, the lack of recourse for failures in compliance and compliance monitoring, the lack of incentive for compliance and exceeding observer coverages in US fisheries, the lack of fishing capacity controls (specifically China), disproportionate burden of the United States in providing highest observer coverage and compliance standards, negotiations of the Compact of Free Association, and shortcomings of the South Pacific Tuna Treaty.
17. Requested NMFS work to grant purse seiners that operate 'primarily' out of American Samoa to enjoy SIDS privileges under Article 30 of the WCPFC. This is to ameliorate hardships of US fisheries restricted by ELAPS rules.

Regarding BBNJ, the Council:

18. Directed staff to draft a letter to the US State Department inquiring on any proposed process to implement 'area-based management' under BBNJ and to request that United States position to the Convention maintain that high seas waters adjacent to nations who implement existing spatial closures within their EEZs be exempt from further closures.

Regarding the American Samoa longline fishery, the Council:

19. Requested DMWR to work in collaboration with the Council and NMFS to develop an alia longline fishery in the Manua Islands.



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PROTECTED SPECIES

Regarding Hawaii Green Turtles, the Council:

1. Recognizing the vulnerability of nesting habitat on low-lying atolls from sea level rise, recommended NMFS and USFWS explore research to inform conservation efforts to mitigate such impacts, including the feasibility and efficacy of nest relocation to resilient nesting beaches.

Regarding the False Killer Whale Abundance Estimates, the Council:

2. Recommended NMFS PIFSC provide the final abundance estimates for review at the March 2020 SSC and Council meeting, and recommended NMFS PIFSC provide early access to the draft final documents in advance of the meeting.



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PROGRAM PLANNING & RESEARCH

Regarding the 2019 Territory Bottomfish Benchmark Stock Assessment, the Council:

expressed its concern that the available data used in the stock assessment do not accurately represent the current territorial bottomfish fisheries. The Council notes problems with the species composition of the bottomfish management unit species (BMUS) complex defined in the American Samoa Archipelago and Mariana Archipelago [Guam and the Commonwealth of the Northern Mariana Islands (CNMI)] Fishery Ecosystem Plans (FEPs). The mixing of the shallow- and deep-water species groups in the BMUS definition and the change over time in the proportion of deep and shallow species that the fisheries target may affect the catch per unit effort (CPUE) and may require a re-evaluation of the current BMUS complex definition. The accuracy of the assessment is further complicated by the diversity in life history characteristics of the species defined in the current BMUS complex.

The Territorial bottomfish fisheries are comprised of only a few, generally smaller vessels that operate on a part-time basis and are heavily dependent on external factors, such as weather (wind and current), fuel costs and market demand. The local market for bottomfish is currently limited, especially in American Samoa, where the fishery is a small boat fresh fish fishery with a range limited to the habitats close to the islands. Fishery development projects underway and supported by multiple Territorial and federal agencies include, among others, a design for a larger multiple gear fishing vessel, financing schemes for fishermen to purchase the vessel and potential shipment of bottomfish to the Hawai'i market, which American Samoa has done in the past.

The American Samoa bottomfish fishery for deeper species operates mostly in the offshore banks and deep-water habitats found in federal waters, while the shallow bottomfish fishery occurs on the inner shelf in American Samoa. In Guam, the deep bottomfish fishery occurs in both territorial and federal waters. Shallow bottomfishing also occurs in the offshore banks, highlighting the differences in the distribution of bottomfish per territory. In the CNMI, the bottomfish fishery operates nearshore and around Farallon di Medinilla (FDM), whose waters are regularly closed by Department of Defense for military operations, as well in the Northern Islands, where vessels go in a caravan for safety when weather permits.

The Council recognizes the potential impacts of the overfished and overfishing status of the BMUS in American Samoa and the overfished status in Guam. The Council is concerned that the precipitously lower overfishing limit in the 2019 Territory Bottomfish Benchmark Stock Assessment would severely limit the bottomfish fisheries in Guam and American Samoa. The

conservative catch limit coupled with the overfished status will hamper the fishery development aspirations and approval of bottomfish fishery-related projects using federal funding.

1. In anticipation of the finalized 2019 benchmark stock assessment indicating the American Samoa bottomfish stock is subject to overfishing and overfished, and recognizing its obligation to immediately work with its SSC to ensure ABC is set appropriately to end overfishing in response to an overfishing determination, the Council requested NMFS to implement interim measures to reduce overfishing, consistent with MSA Section 304(e)(6), for the American Samoa bottomfish fishery. There is a drastic change in the stock status and harvest limits due to the 2019 benchmark stock assessment. Immediate ending of overfishing is expected to result in a severe economic and cultural impact to the communities that utilize these resources for commercial, subsistence, religious and cultural purposes. The Council requested that such an interim measure include implementation of an ACL for 2020 at a level that reduces overfishing while increasing biomass through the duration of the interim measure.
2. The Council recommended the following steps to address the issues surrounding the territory bottomfish fisheries.
 - a. Directed staff to develop an options paper for revision of the BMUS complexes in the American Samoa Archipelago and Mariana (Guam and CNMI) Archipelago FEPs, which accounts for the stock throughout its range in the case of the Mariana Archipelago bottomfish fisheries, and to present the options paper at the 181st Council meeting in March 2020.
 - b. Requested NMFS PIFSC immediately develop a new benchmark assessment after the Council takes final action on the BMUS revision amendment package.
 - c. Requested that, for future benchmark assessments, the WPSAR Steering Committee incorporate into its schedule a data preparation workshop to be held prior to the WPSAR review. For the Territory bottomfish fisheries, the data preparation workshop should explore changes in targeting between the shallow- and deep-water complexes over time as well as life history differences. Findings from the data preparation workshops could improve CPUE standardization in future assessments. Further, the Council recommends that the workshop include Scientific and Statistical Committee members as well as the fishing community that is knowledgeable of the stock and fishery being assessed.
 - d. Recommended NMFS provide an alternative modeling inference in addition to the base case stock assessment model in instances in which data and data filtering are equivocal.
 - e. Recommended NMFS, in collaboration with the Council and territory agencies, implement the data collection recommendations from the Pacific Insular Fisheries Monitoring and Assessment Planning Summit (PIFMAPS) in order to improve the fishery-dependent information to be used in future stock assessments. This would include mandatory licenses and reporting, supported by electronic reporting.
 - f. Directed staff to provide support to the Guam Department of Agriculture in developing regulatory language for the mandatory license and reporting requirement for the commercial and non-commercial fisheries.
 - g. Requested NMFS to implement fishery-independent surveys for American Samoa and

the Marianas Archipelagos given the documented uncertainties in the CPUE and catch expansions from the creel surveys. This could validate the index of abundance generated from the creel survey based CPUE.

- h. Recommended NMFS PIFSC conduct timely outreach in the Mariana Archipelago regarding the results of the benchmark stock assessment
- i. Directed staff to work with NMFS PIFSC and the territory agencies to conduct extensive outreach on the importance of submitting accurate data.
- j. Directed staff to conduct an extensive training for the fishers and agency staff on the use and management of the electronic reporting application for the small boat fisheries

Regarding NSI Technical Guidance on Phase-Ins and Carry-Over, the Council:

- 3. Recognized the potential use of the phase-in and carry-over approaches for the fisheries in the US Pacific Islands. The Council directed staff to draft the comment letter based on the recommendations from the report for transmittal prior to the January 15, 2020, deadline. Further, the Council directed staff to explore the potential use of the phase-in approach for the territory bottomfish fishery in light of the new stock assessment.

Regarding the Pacific Insular Fisheries Monitoring and Assessment Planning Summit, the Council:

- 4. Directed staff to work with NMFS PIFSC in the implementation of the reviewer recommendations, particularly supporting the mandatory license and reporting using the electronic reporting platform. Further, the Council directed staff to work with the territory fishery agencies to ensure coordinated monitoring of fisheries in the territorial and federal waters.

Regarding the Report to Congress on Section 201 of Modernizing Recreational Fisheries Act (MRFA), the Council:

- 5. Directed staff to draft the comments on the Report to Congress on Section 201 of MRFA and provide the comments and process paper to NMFS prior to the December 31, 2019, deadline.

Regarding Non-Commercial Fisheries Data, the Council:

- 6. Requested NMFS continue to support future recreational summits or workshops on non-commercial fisheries data to continue the national exchange on non-commercial fishery reporting issues and initiatives.

Regarding OceanObs, the Council:

- 7. Directed staff to continue to work with Ocean Networks Canada, Pacific Islands Ocean Observation System (PacIOOS), First Stewards, and others to implement the Aha Honua Declaration presented at OceanObs '19 as well as the OceanObs '19 Declaration

Regarding the fishing community perceptions on the MPA siting and process and its implication, the Council:

8. Directed staff to convey the SSC comments on the report to the authors for future consideration. The Council also recommends that the report be considered as part of the NEPA process for fishery management actions



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MARIANA ARCHIPELAGO FISHERIES

Regarding Guam Fisheries, the Council:

1. Directed staff to work with the Mariana Advisory Panel on a plan for developing community FADs and collaborating with the local agencies on FAD development and deployment.



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HAWAII ARCHIPELAGO FISHERIES

Regarding the NMFS PIFSC Stock Assessment on Uku, the Council:

1. Recommended NMFS PIFSC engage Hawaii fishermen on the uku fishery stock assessment to incorporate the insight and knowledge of Hawaii fishermen prior to draft completion and WPSAR review. An effort will be made to include fishermen who represent the variety of methods used to take Uku.
2. Endorsed the terms of reference for the MHI uku benchmark assessment and appoints David Itano as the WPSAR Chair.
3. Recommended that future assessment development should incorporate the “data call out” to comply with the requirements of the Modernizing Recreational Fisheries Act.

Regarding the small boat fisheries in Hawaii, the Council

4. Directed staff to develop a scoping document to evaluate the effectiveness of the Council’s management measures in relation to the small boat pelagic fisheries and present the information at the 181st Council meeting. Further, the Council directed staff to identify and include information gaps from the existing data collection programs to support more effective fishery management.



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ADMINISTRATIVE MATTERS

Regarding Administrative Matters, the Council:

1. Approved changes to the Council's Statement of Policies and Procedures (SOPP) to remove descriptions of "other ad hoc committees" and "other policies and procedures" and consolidate that information into two standalone documents to be hosted on the Council's website.
2. Directed staff to work with NOAA GC to finalize a policy on a standard indirect cost rate to limit proposal submittals to a maximum rate of 15% when responding to Council contract solicitations and that this policy be posted on the Council's website.
3. Noted that the intent of the Geographic Strategic Plan was that it be a joint product of the Region, Science Center and Council in each region. The near-final document produced for this region is a product of NMFS PIRO and NMFS PIFSC with input provided by the Council. As the Council prepares for the November 5-7, 2019 CCC meeting, it will continue to carry forward its priorities for this plan, which remain to, 1) improve coordination and collaboration between the Council and NMFS in establishing management and conservation measures in a timely way; 2) support communities and development of domestic fisheries in the region; 3) utilize MSA as the principle mechanism to mitigate fishery impacts to ESA-listed and MMPA species to ensure consideration of socioeconomic impacts.
4. Endorsed the following changes to the Advisory Panel:
 - a. Removed Edgar Feliciano as an alternate on the American Samoa AP
 - b. Appointed Chad Pacheco and Basil Oshiro as Alternates to the Hawaii AP
 - c. Removed Carlos Sanchez and Krista Corry from the American Samoa AP for refusing participation with the Council and directed staff to open a solicitation to fill those positions on the AP.
5. Endorsed the following changes to the Plan Teams:
 - a. Appointed Francisco Villagomez (CNMI DFW) and Jude Lizama (CNMI DFW) to replace Mike Tenorio and Trey Dunn, respectively on the Archipelagic Plan Team;
 - b. Appointed Trey Dunn (CNMI DFW) to replace Mike Tenorio on the Pelagic Plan Team
 - c. Appointed Felipe Carvalho (PIFSC) as the Stock Assessment *ex-officio* to replace Annie Yau
 - d. Appointed Melanie Hutchinson (PIFSC) to the Plan Team

6. Endorsed the following changes to the Fishery Data Collection and Research Committee - Technical Committee:
 - a. Appointed Jude Lizama to replace Mike Tenorio on the Data Collection subcommittee
 - b. Appointed Shane Abeare to replace Trey Dunn on the Research subcommittee
7. Supported Council participation in the CCC initiative to establish the new council member training program – Council Member Ongoing Development (CMOD).
8. Elected the following members as Council officers for 2020:
 - Archie Soliai, Chairman
 - Howard Dunham, American Samoa Vice-Chair
 - John Gourley, CNMI Vice-Chair
 - Mike Duenas, Guam Vice-Chair
 - Ed Watamura, Hawaii Vice-Chair