



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

MEMORANDUM

June 3, 2020

TO: Interested Parties

FROM: 
Kitty M. Simonds

SUBJECT: Summary of Action Items for the 182nd meeting of the Western Pacific Regional Fishery Management Council

- 1. 2021 US Territorial Longline Bigeye Specification (Final Action)**
 - 2. Guam and Pacific Remote Island Area/Hawaii Marine Conservation Plan**
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The 182nd meeting of the Western Pacific Regional Fishery Management Council will convene June 23-25, 2020, by web conference (WebEx) with host sites at the following locations:

- Hilton Guam Resort & Spa, Chuchuko Room, 202 Hilton Rd., Tumon Bay, Guam;
- Hyatt Regency Saipan, Royal Palm Ave., Micro Beach Rd., Saipan, CNMI; and
- Department of Port Administration, Airport Conference Room, Pago Pago Int'l Airport, Tafuna Village, American Samoa.

The Council will consider and may take action on the issues summarized below, including any public comments on them. Written public comments on final action items should be received by the Council's executive director by 5 p.m. (Hawai'i time), Friday, June 19, 2020, by postal mail, fax or email as indicated below. Instructions for providing oral public comments during the meeting will be posted on the Council website at www.wpcouncil.org.

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Summary of Action Items at the 182nd Council Meeting

1. 2021 US Territorial Longline Bigeye Specification (Final Action)

Bigeye tuna comprises a Pacific-wide population that is internationally managed and assessed as separate stocks in the Western and Central Pacific Ocean (WCPO) and Eastern Pacific Ocean (EPO) by the Western and Central Pacific Fisheries Commission (WCPFC) and the Inter-American Tropical Tuna Commission, respectively. Stock assessments conducted in 2017 (updated in 2018) for the WCPO indicate the bigeye tuna stock is not subject to overfishing nor overfished. A new stock assessment is expected in 2020 with no new significant information to be incorporated, so stock status is not expected to change.

The WCPFC, of which the United States is a member, develops and agrees on conservation and management measures (CMMs) for highly migratory species caught by fisheries (longline and purse seine) and flag state in the WCPO. In December 2018, the WCPFC agreed on CMM 2018-01, which maintains the 2016 longline bigeye limits of six countries, including the United States, which has a limit of 3,554 metric tons (mt). CMM 2018-01, like earlier conservation measures, does not establish an individual limit on the amount of bigeye tuna that may be harvested annually in the Convention Area by Small Island Developing States (SIDS) and Participating Territories, including American Samoa, Guam and the Commonwealth of the Northern Mariana Islands (CNMI). CMM 2018-01 will expire at the end of 2020 with a possibility of new catch limits for fishery sectors and flag states under the WCPFC. The WCPFC may also decide to resume current catch limits for flag states and participating members through 2021.

Amendment 7 to the Council's Pelagic FEP established a management framework that provides catch or effort limits applicable to the US Participating Territories that include the authority of the US Participating Territories to use, assign, allocate and manage the pelagic management species catch and effort limits agreed to by the WCPFC through Specified Fishing Agreements with US vessels permitted under the Pelagic FEP for the purposes of responsible fisheries development.

For 2019, the Council's specifications limited each US Participating Territory's bigeye longline catch to 2,000 mt and its allocation limit with US-flagged vessels to up to 1,000 mt. However, only two agreements were made with US-flagged vessels and the fishery closed before the end of the fishing season on December 28. For 2020, the Council took action at its 181st meeting in March 2020 to specify bigeye longline catch and allocation limits to up to 2,000 mt for each Participating Territory with total allocations from the US Participating Territories not to exceed 3,000 mt. The action is undergoing rulemaking.

At its 182nd meeting, the Council will consider taking final action on the specification of the annual Territory bigeye longline limits applicable for American Samoa, Guam and the CNMI for 2021. The Council will also consider limits on the amount of catch that could be transferred under Specified Fishing Arrangements by the US Participating Territories to vessels permitted under the Pelagic FEP.

The Council will consider the following limit options for 2021:

- 1) No management action: No specification of catch or allocation limits;

- 2) Status quo: Specify a 2,000-mt catch limit for each US Participating Territory and allocation limits that do not collectively exceed 3,000 mt among all Participating Territories;
- 3) Specify a 2,000-mt catch limit and up to a 2,000-mt allocation limit for each US Participating Territory (see options below):
 - a. 2,000 mt allocation for Guam and CNMI and 1,500 mt allocation for American Samoa;
 - b. 1,500 mt allocation per US Participating Territory; or
 - c. 1,500 mt allocation for Guam and the CNMI and 1,000 mt for American Samoa;
- 4) Other total and allocation limit combinations.

2. Guam and Pacific Remote Island Areas Marine Conservation Plan

The Marine Conservation Plans (MCPs) for Guam and the Pacific Remote Island Areas expire in 2020. At its 182nd meeting, the Council will review the MCPs for concurrence and approval. After review by the Council, the MCPs are transmitted to the Secretary of Commerce for approval.

Section 204(e) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) authorizes the Secretary of State, with the concurrence of the Secretary of Commerce (Secretary) and in consultation with the Western Pacific Regional Fishery Management Council, to negotiate and enter into a Pacific Insular Area Fishery Agreement (PIAFA). A PIAFA would allow foreign fishing within the 200-mile US exclusive economic zone (EEZ) adjacent to American Samoa, CNMI, Guam, or the Pacific Remote Island Areas with the concurrence of, and in consultation with, the applicable Governors. According to the MSA, before entering into a PIAFA, the appropriate Governor, with the concurrence of the Council, must develop a three-year MCP providing details on uses for any funds collected by the Secretary under the PIAFA. In the case of the Pacific Remote Island Areas (PRIA), the MSA directs the Council to develop and submit the MCP (MSA §204(e)(4)(b)) .

In addition to PIAFA funds, the MSA provides that fines and penalties of violations by foreign vessels occurring within the EEZ around the Pacific Insular Areas, including sums collected from forfeiture and disposition or sale of property seized by the federal government, are to be deposited into the applicable local government's treasury and to be used to implement the respective MCP. For fines from illegal foreign fishing in the PRIA, the funds are deposited into the Sustainable Fisheries Fund, which allows the Council to use funds to implement MCP projects.

The MSA requires that the MCPs shall be consistent with the Council's FEPs. The MSA also requires that the MCPs include, but are not be limited to, the following conservation and management objectives:

- (i) Pacific Insular Area observer programs, or other monitoring programs, that the Secretary determines are adequate to monitor the harvest, bycatch and compliance with the laws of the United States by foreign fishing vessels that fish under Pacific Insular Area fishing agreements;
- (ii) Conduct of marine and fisheries research, including development of systems for information collection, analysis, evaluation and reporting;

(iii) Conservation, education and enforcement activities related to marine and coastal management, such as living marine resource assessments, habitat monitoring and coastal studies;

(iv) Education and training in the development and implementation of sustainable marine resources development projects, scientific research, and conservation strategies; and

(v) Western Pacific community-based demonstration projects under section 112(b) of the Sustainable Fisheries Act and other coastal improvement projects to foster and promote the management, conservation, and economic enhancement of the Pacific Insular Areas.

If approved by Council and Secretary of Commerce, the MCPs are valid for a period of three years; however, an MCP can be modified at any time and resubmitted for approval.