



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

ACTION MEMORANDUM

183rd Council Meeting

September 14-17, 2020

Via Webex from Honolulu, Hawaii

AGENCY REPORTS

Regarding the NMFS PIRO Agency Report, the Council:

1. Requested National Marine Fisheries Service (NMFS) Pacific Islands Regional Office (PIRO) to work with the Council and the Hawaii shallow-set longline industry representatives to establish communication procedures for providing permit holders and vessel owners with timely turtle interaction updates based on observer data to ensure the fleet has access to all available information for purpose of minimizing interactions with loggerhead and leatherback turtles and complying with the trip limit regulations.
2. Requested NMFS PIRO and US Fish and Wildlife Service (USFWS) to reconstitute the Marianas Trench Marine National Monument Advisory Council prior to the publication of the Draft Marianas Trench Marine National Monument Management Plan to ensure comprehensive review of the plan.
3. Requested NMFS PIRO to provide a briefing to Council staff on the NEPA procedural revision and NOAA Interim Guidance.



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MARIANA ARCHIPELAGO FISHERIES

Regarding CNMI Fisheries Issues, the Council:

1. Requested the US Coast Guard assist the CNMI in addressing safety at sea issues including:
 - Providing an automatic identification system (AIS) transmitting beacon and navigational lights on Aguigan (Goat Island) and Anatahan to assist fishermen in identifying the island;
 - Repairing the lights on Rota and Tinian (cross point);
2. Requested NOAA (National Weather Service Pacific Islands) fix VHF Channel 2 (24 hour Weather forecast broadcasted from Saipan).



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PROGRAM PLANNING & RESEARCH

Regarding Electronic Technologies Implementation Plan, the Council:

1. Directed staff to review the draft Electronic Technologies Implementation Plan and requested NMFS Pacific Islands Fisheries Science Center (PIFSC) provide an update at the Council's 184th meeting.

Regarding Report on the Council Response to President Trump's Executive Order 13921 and 13924, the Council:

2. Directed staff to finalize the prioritized list of recommended actions and proposals for initiating actions and submit the list to the Secretary of Commerce as appropriate.

Regarding Modifications to the Pacific Remote Island Area (PRIA) Objectives and Projects in the PRIA Marine Conservation Plan (MCP), the Council:

3. Rescinded its previous recommendation from the 182nd Council meeting that approved the PRIA MCP.
4. Approved the PRIA MCP as finalized at the 183rd Council meeting and directed staff to transmit the document to the Regional Administrator for review, approval and publication in the Federal Register.

In doing so, the Council directed Council staff to work with NMFS to complete edits on the MCP to implement the Council's action. Unless otherwise explicitly directed by the Council, the Council authorized the Executive Director and the Chairman to review the MCP to verify that it is consistent with the Council action before submitting it to the Secretary on behalf of the Council. The Executive Director and the Chairman are authorized to withhold submission of the Council action and take the action back to the Council if, in their determination, the proposed changes are not consistent with the Council action.



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AMERICAN SAMOA ARCHIPELAGO FISHERIES

Regarding CARES Act funding for American Samoa fisheries, the Council:

1. Directed staff to work with AS Department of Marine & Wildlife Resources (DMWR) to assist eligible fishery participants with completing the requirements to submit CARES Act funding applications and provide updates on the proposal status to the fishing community.



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HAWAII ARCHIPELAGO AND PRIA FISHERIES

Regarding Hawaii Fisheries Management, the Council:

1. Directed staff to convene a meeting with NMFS PIFSC, NMFS PIRO, and the State of Hawaii to review the Hawaii fishery monitoring and management regime to develop a coordinated plan, to include draft alternatives for mandatory permitting and reporting, to effectively manage Hawaii Management Unit Species (MUS) and Ecosystem Components (EC) that is consistent between state and federal waters.

Regarding Annual Catch Limits (ACLs) for Main Hawaiian Island Uku, the Council:

2. Selected, as a preliminary preferred alternative, Alternative 4 that specifies an ACL at 41 percent risk of overfishing corresponding to an annual catch of 295,419 pounds and set an annual catch target (ACT) at 36 percent risk of overfishing corresponding to annual catch of 291,010 pounds for fishing year 2022 to 2025.
3. Directed staff to convene an Action Team comprised of Council, NMFS PIRO, and NMFS PIFSC staff to develop alternative accountability measures for ensuring catch does not exceed the ACL. Recognizing challenges with tracking catch from the non-commercial fishing sector, the Council further recommended the Action Team also include as an alternative, the following Accountability Measures for the fishery:
 - a. An in-season accountability measure for only the commercial fishery in federal waters where the commercial catch is tracked through the monthly reports from the Fisher Reporting System by the Division of Aquatic Resources. The commercial and non-commercial fisheries for uku will close in federal waters once the commercial portion of the ACT is projected to be reached;
 - b. A postseason adjustment where the recent three year average of the commercial catch will be compared to the commercial portion of the ACT. No overage adjustment will be applied to the following year if the average catch exceeded the ACT. If the average catch exceeded the commercial portion of the ACL, the ACL and ACT will be reduced by the amount of the overage; and
 - c. For evaluation purposes, the Council directs staff to apply the same accountability measure process using the commercial and non-commercial data to evaluate the overall fishery performance to the total ACT and ACL for potential use as a postseason accountability measure for all fishery sectors.

4. Directed staff to prepare a regulatory amendment that evaluates the potential impacts of alternative ACLs and accountability measures (AMs) for review at the 185th Council meeting in March 2021.



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PROTECTED SPECIES

Regarding ESA and MMPA Updates, the Council:

1. Directed staff to draft comment letters in response to the following actions with input from advisory body members:
 - a. Marine Mammal Deterrents Guideline proposed rule; and
 - b. Insular False Killer Whale Draft Recovery Plan.

Regarding Tori Lines in the Hawaii Longline Fishery, the Council:

2. Directed staff to develop an options paper to consider inclusion of tori lines in the seabird mitigation measures, including an option to allow the use of tori lines without blue-dyed bait.
3. Requested NMFS PIRO and NMFS PIFSC to support additional at-sea trials for winter 2020/spring 2021 and allow for testing tori line efficacy without the use of blue-dyed bait when fishing north of 23N under an Experimental Fishing Permit to inform development of options for revising mitigation measures.



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PELAGIC AND INTERNATIONAL FISHERIES

Regarding Mandatory Electronic Reporting in the Hawaii and American Samoa Longline Fisheries, the Council:

1. Recommended as final action a regulatory amendment for mandatory electronic reporting (ER) for vessels operating under the Hawaii longline limited entry permit and vessel size classes C and D under the American Samoa longline limited entry permit (Sub-Alternative 1b). Specifically:
 - a. Require applicable vessel operators to record and submit logbook data electronically using a NMFS-certified electronic logbook application;
 - b. Require daily submission of electronic logbook data (24 hours after completion of each fishing day); and
 - c. In the event of technology malfunction with hardware, software, or transmission, logbook data should be submitted by paper or electronically within 72 hours of the end of each fishing trip.

Further, the Council deemed 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.

2. Recommended target implementation dates for mandatory ER for vessels operating under the Hawaii longline limited entry permit and vessel size classes C and D under the American Samoa longline limited entry permit by July 1, 2021.

Regarding Oceanic Whitetip Sharks, the Council:

3. Directed staff and requested NMFS PIFSC to provide updates on: the PIFSC EBFM project with respect to oceanic whitetip sharks, post-release mortality, individual vessel impacts on oceanic whitetip sharks, and the line-cutter project be provided to the

Intersessional Pelagic Plan Team and the December 2020 meetings of the SSC and Council.

4. Recommended the Oceanic Whitetip Shark Working Group proceed with investigating Monte Carlo analyses of longline mitigation measures exhibited by Harley et al (2015) and that updates be completed and reviewed by the Plan Team before the March 2021 SSC meeting.

Regarding the Reasonable and Prudent Measures (RPMs) and/or Reasonable and Prudent Alternatives (RPAs) for the Hawaii Deep-set and American Samoa Longline Fisheries, the Council:

5. Reiterated its request to review draft Biological Opinions and any applicable RPMs or RPAs for all ongoing consultations for fisheries managed under the Council's Fishery Ecosystem Plans. The Council further requests that NMFS PIRO ensure that such a review is timed so that formal review and input from the SSC and Council can be provided through its scheduled meetings.

Regarding North Pacific Striped Marlin, the Council:

6. Endorsed the phased projections conducted by NMFS PIFSC and directed staff to work with NMFS PIRO to develop a proposed WCPFC measure to limit total catch of North Pacific striped marlin from 2021 to 2024 based on total catch levels (1951 mt) indicated in 'Phase 1' of the phased reductions.
7. Directed staff to work with NMFS PIRO to incorporate allocated US longline catch limits of North Pacific striped marlin that are consistent with previous Council recommendations (457 mt) into any proposed WCPFC measure on North Pacific striped marlin

Regarding WCPFC Research Project Budgeting, the Council:

8. Requested the US delegation to the WCPFC prioritize and endorse projects that have immediate impacts on improving the assessment and management of bigeye tuna, including bomb radiocarbon dating.



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ADMINISTRATIVE MATTERS

Regarding Council family changes, the Council:

1. Approved the following changes to the membership of the Non-Commercial Fishing Advisory Committee:
 - HMRFS Coordinator
 - NMFS PIRO Recreational Fishing Coordinator
 - NMFS PIFSC Recreational Fishing Coordinator
 - Saipan Fishermen's Association Representative
 - Pago Pago Gamefish Association Representative
 - Guam Non-commercial - Shut Up and Fish
 - HFACT Representative(s)
 - PIFG Representative(s)
 - Hawaii Fishing Club Representative(s)

2. Approved the following membership changes to the Fishing Industry Advisory Committee:

Proposed New FIAC Members:

- Michael Goto United Fishing Agency, Ltd., Hawaii
- Kerry Umamoto Hilo Fish Company, Hawaii
- Josh Schade Ahi Assassins, Hawaii
- Eric Kingma Hawaii Longline Association, Hawaii
- Kenton Geer Commercial Seamount Fisherman, Hawaii
- Carlos Herrera Hitman's Tackle, Guam
- Vince Haleck Tautai O Samoa Association, American Samoa
- Lino Tenorio Commercial Bottomfish Fisherman, CNMI
- Dean Sensui Hawaii Goes Fishing, Region

Outgoing FIAC Members:

- Lua Saite Moliga American Samoa Alia Fishing Association
- Basil Oshiro Maui Cooperative Fishing Association, Hawaii
- Neil Kanemoto Pacific Islands Fisheries Group, Hawaii
- Russell Dunham Tri-Marine International, Singapore
- Bruce Johnson Fresh Island Fish (Retired), Hawaii
- Brooks Takenaka United Fishing Agency, Ltd., Hawaii
- Charles Umamoto Hilo Fish Company, Hawaii 7

Regarding the Council Coordination Committee (CCC) issues, the Council:

3. Requested NMFS Office of Sustainable Fisheries work with the Western Pacific, Caribbean, Gulf of Mexico and South Atlantic Fishery Management Councils to explore alternative approaches to manage data limited stocks pursuant to the NS1 600.310(h)(2) and request NMFS release the Technical Guidance document on data limited stocks as soon as possible.
4. Directed staff to consult with other Councils to assess consistency in the review of essential fish habitat in regard to degraded habitat and application of mitigation measures commensurate with impacts.
5. Directed staff to review the final rule on Council member financial disclosure and recusal and report to the Council at the next meeting.

Regarding the development of an Offshore Energy Policy, the Council:

6. Adopted the Offshore Energy Policy as presented and directs staff to incorporate it into the Council SOPP as appropriate.

Regarding US Fisheries in the Pacific, the Council:

7. Directed staff to send a letter to Francis Brooke Jr., Deputy Director of National Economic Council (NEC), requesting, consistent with Council correspondence to the Administration, the NEC to assist US fisheries undergoing economic hardship by mitigating harmful impacts such as removing fishing prohibitions in US Pacific Marine National Monuments, increasing the US bigeye quota, reducing imports of US targeted fish and leveling the uneven playing field through international negotiations.