



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

MEMORANDUM

November 10, 2020

TO: Interested Parties
FROM: Kitty M. Simonds

SUBJECT: Summary of Action Items for the 184th Meeting of the Western Pacific Regional Fishery Management Council

1. **Specification of Annual Catch Limit and Accountability Measures for the American Samoa Bottomfish Fishery for Fishing Year 2021-2022 (Initial Action)**
2. **Options for the American Samoa Bottomfish Stock Rebuilding Plan (Initial Action)**
3. **Options for the Guam Bottomfish Stock Rebuilding Plan (Initial Action)**
4. **Reasonable and Prudent Measures and/or Reasonable and Prudent Alternatives for the Hawaii and American Samoa Longline Fisheries (Initial Action)**
5. **Potential Catch Limits for North Pacific Striped Marlin (Initial Action)**

The 184th meeting of the Western Pacific Regional Fishery Management Council will convene December 2-4, 2020, by web conference (WebEx) with host sites at the following locations:

- Cliff Pointe, 304 W. O'Brien Drive, Hagatna, Guam
- BRI Building Suite 205, Kopa Di Oru St. Garapan, Saipan, MP
- Tedi of Samoa Building Suite 208B, Fagatogo Village, American Samoa.

The WebEx link is

<https://wprfmc.webex.com/wprfmc/onstage/g.php?MTID=e479b3b162194f927462374974bb8145f>
(if prompted, enter event number: 133 535 2182; password: CM184mtg).

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, November 27, 2020, by postal mail, fax or email as indicated below.

Instructions for connecting to the WebEx and providing oral public comments during the meeting will be posted on the Council website at www.wpcouncil.org/event/184th-council-meeting.

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Summary of Action Items at the 184th Council Meeting

1. Specification of Annual Catch Limit and Accountability Measures for the American Samoa Bottomfish Fishery for Fishing Year 2021-2022

The Council will consider specifying multi-year harvest limits for the American Samoa bottomfish management unit species complex for fishing years 2021-2022. This action would satisfy the Magnuson-Stevens Fishery Conservation and Management Act (MSA) requirements to end overfishing. The best scientific information available is the 2019 benchmark stock assessment with catch projection to 2025. Based on this new information, the maximum sustainable yield was estimated to be at 28,800 pounds, and the overfishing limit (OFL) in 2021 and 2022 is 5,000 pounds. The SSC at its 138th meeting deliberated on the acceptable biological catch (ABC) and utilized the phase-in approach to mitigate the sudden drop in the harvest limits. The ABC for 2021 is the OFL at 5,000 pounds and 2022 at 2,000 pounds.

The Council will consider the following options:

- 1) No Action/Status quo. No harvest limits will be specified for FY 2021-2022;
- 2) Specify the ACL equal to the SSC recommended ABC using the phase-in approach where: FY 2021 is at 5,000 pounds and FY 2022 at 2,000 pounds;
- 3) Specify the ACL immediately at 2,000 pounds for FY 2021-2022;
- 4) Establish a Temporary Prohibition on Bottomfish Fishing in Federal waters around American Samoa

The Council will also consider the Accountability Measures to prevent overfishing from occurring. The Council will deliberate the feasibility of an in-season accountability measure where the expanded catch will be tracked on a monthly level and close the federal waters once the limit is projected to be reached.

2. Options for the American Samoa Bottomfish Stock Rebuilding Plan

The Council will consider taking initial action on the American Samoa Bottomfish Stock Rebuilding Plan. At the 180th Council meeting in October 2019, the Pacific Island Fisheries Science Center presented the 2019 benchmark stock assessment for the bottomfish stock, indicating that the stock is overfished and subject to overfishing. The MSA requires the Council to implement a rebuilding plan within two years of notification that a stock is overfished. The rebuilding plan must allow the biomass to increase back to the maximum sustainable yield (MSY) level within ten years. The current biomass level described in the assessment is very low; thus, it will take a low harvest level and a long time before the biomass reaches MSY.

The Council will consider the following options:

- 1) No Action/Status quo. No rebuilding measures;
- 2) Set the annual catch limit at 1,500 pounds and rebuild in ten years;
- 3) Establish a temporary prohibition on bottomfish fishing in Federal waters around American Samoa;
- 4) Establish additional measures to control and monitor the catch like federal permit and reporting and bag limits

3. Options for the Guam Bottomfish Stock Rebuilding Plan

The Council will consider taking initial action on the Guam Bottomfish Stock Rebuilding Plan. The Guam bottomfish stock is overfished but not subject to overfishing. At its 181st meeting in March 2020, the Council voted to specify the ACL for the bottomfish fishery at 27,000 pounds for Fishing Year 2020 to 2023. This annual catch level would allow the biomass to rebuild to MSY within four years (2024). The catch must remain below 27,000 pounds if the stock is to rebuild in four years. However, there are no measures that would guarantee that the catch would be kept below this level. The Council may increase or lower the annual harvest levels that may prolong or shorten the rebuilding period, respectively. Raising or lowering the annual harvest levels would also lower or increase the chances of exceeding the ACLs, which would trigger the rebuilding timeline extension.

The Council will consider the following options:

- 1) No Action. No rebuilding measures;
- 2) Status quo: Retain the ACL at 27,000 pounds to rebuild the stock in four years. Apply in-season accountability measures (AMs);
- 3) Reduce the ACL below 27,000 pounds to rebuild the stock in less than four years. Apply in-season AMs;
- 4) Increase the ACL above 27,000 pounds to rebuild the stock in between five to ten years. Apply in-season AMs;
- 5) Establish a Temporary Prohibition on Bottomfish Fishing in Federal waters around Guam;
- 6) Establish additional measures to control and monitor the catch like federal permit and reporting and bag limits

4. Reasonable and Prudent Measures and/or Reasonable and Prudent Alternatives for the Hawaii and American Samoa Longline Fisheries

The Council at its 181st meeting in March 2020 reiterated its recommendation to NMFS that it works with the Council to develop any necessary reasonable and prudent measures (RPMs) or reasonable and prudent alternatives (RPAs) under the ongoing Endangered Species Act (ESA) Section 7 Consultations for the Hawai'i 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. Prior to the 182nd meeting in June 2020, NMFS Pacific Island Regional Office (PIRO) Protected Resources Division (PRD) indicated to Council staff that it is not yet in a position to discuss development or RPMs or RPAs but encouraged the Council to work with PIRO Sustainable Fisheries Division (SFD) on the following:

- Consider any actions that the fishery could take to avoid adversely impacting listed species and, if impacts cannot be avoided, work to minimize impacts of incidental take;
- Start with Hawai'i shallow-set longline RPM applicability and offer new measures; and
- Focus on leatherback turtles (concern with species status), oceanic whitetip shark (taken in large numbers) and giant manta rays (demographic units poorly understood).

At its 182nd meeting, the Council reviewed available information regarding leatherback turtles, oceanic whitetip sharks and giant manta rays and recommended a range of considerations for the initial development of any draft RPMs and/or RPAs. The Council further directed staff to continue working with PIRO, PIFSC, advisory group members and industry to develop any

necessary RPMs and to provide a report and options, if applicable, to the SSC and Council at the September meetings.

The Council at its 184th meeting may consider new information from the ongoing consultations, if available, and may consider initial action on mitigation measures under the Pelagic FEP consistent with potential or draft RPMs/RPAs.

5. Potential Catch Limits for North Pacific Striped Marlin

The Council, at its 161st meeting in 2014, recommended the specification of annual Western and Central North Pacific striped marlin catch limit of 457 mt applicable to US fisheries. As an accountability measure, the Council recommended the specification an annual limit of 434 mt of striped marlin applicable to the Hawaii longline fishery (which is 95% of the 457 mt limit). If the 434 mt limit is reached, the Hawaii longline fishery would not be allowed to retain striped marlin, whereas other fisheries would not be restricted. This was in response to overfishing condition that the stock had persisted. This recommendation was incorporated into draft Pelagic FEP Amendment 8, which provided a framework to wrap-in conservation and management measures (CMMs) by regional fishery management organizations (RFMOs) such as the Western and Central Pacific Fisheries Commission (WCPFC), into the Pelagic FEP with any subsequent catch/effort limits as internationally agreed upon by the RFMO. The previous catch limit recommendation for striped marlin was from CMM-2010-01, which suggested 20% reductions from a baseline level from 2000-2003. At the WCPFC Meeting in December 2019, a rebuilding plan was adopted for the stock, but with no specific terms to reach the objectives. The target for the stock is to reach 20% spawning biomass in absence of fishing 20% $SSB_{F=0}$ within a 15 year horizon (by 2034), assigning catch and/or effort limits that would demonstrably reach the target with 60% probability. No specific catch or effort strategies have been provided or adopted (which would be incorporated into Amendment 8, if adopted).

On June 4, 2020, the Council was notified of the overfishing condition of the stock from a 2019 stock assessment and its obligation to act within one year of notification pursuant to MSA 304(i) - these obligations are to 1) address relative impacts of Council-managed stocks on internationally overfished stocks and 2) to make further recommendations to the State Department to help end international overfishing.

At its 181st Meeting (March 2020), the Council *recommended that NMFS include any new projections with phased catch reductions in any proposal for North Pacific striped marlin to WCPFC17*. Previous projections in the stock assessment implemented constant catch levels over a ten year horizon and there was debate over recruitment scenarios, *therefore phased reductions were recommended to take advantage of the 15 year rebuilding horizon*. PIFSC staff provided those projections to Council staff prior to this 183rd Council Meeting. At its 183rd Meeting, the Council recommended that phased catch limits developed by PIFSC be used as a basis to propose a CMM which would initiate a total allowable catch of striped marlin among all nations in the North Pacific, with a catch limit of striped marlin by US vessels to be 457 mt, consistent with previous Council actions.

The US may propose a CMM for North Pacific striped marlin to the WCPFC, which would establish catch limits for US fisheries and be incorporate into Amendment 8. However, this measure may not materialize.

The Council at its 184th meeting may elect to adopt catch limits for North Pacific striped marlin, regardless of CMM adoption by the WCPFC in 2020, in order to comply with MSA 304(i) requirements. These catch limits may be consistent to proposed limits by the US to the WCPFC, past Council recommendations, or catch/effort limits that demonstrably reduce the relative impact of US fisheries on the internationally overfished stock. The Council may elect to take no action, thus proceeding with catch limits adopted by CMM 2010-01 under the auspices of Amendment 8, which is to be finalized by the March 2021 Meeting.

