

National Marine Fisheries Service**Pacific Islands Regional Office**

**REPORT TO THE 190th
WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL MEETING**

The National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), Pacific Islands Regional Office (PIRO) is responsible for assisting the Western Pacific Fishery Management Council (Council) in the development of fishery management plans and amendments, initiating Federal fishing regulations, issuing Federal fishing permits, and monitoring fisheries. Other major responsibilities include the conservation and recovery of protected species, conservation and restoration of marine habitats, including the Pacific marine national monuments, and coordination with international organizations to implement fishery agreements and treaties. The following information is provided to update the Council on NMFS activities since the 189th Council meeting.

SPOTLIGHT ON: OBSERVER ONBOARD RECORD COLLECTION APPLICATION (ORCA)

In 2020, the NMFS Pacific Islands Regional Observer Program (PIROP) embarked on a partnership with the West Coast Region Observer Program (WCROP), the Pacific States Marine Fisheries Commission, and the Pacific Fisheries Information Network (PacFIN) on an electronic reporting (ER) software development application called the Onboard Record Collection Application (ORCA). Since the WCROP and PIROP overlap in jurisdiction and responsibility to monitor and report on highly migratory species fisheries in the Pacific, the partners are combining efforts to develop, test, and implement ORCA into a single cross-regional ER system for observers.

The overarching goal of implementing ER is to provide accurate and timely data to assist in decision making specific to fisheries management efforts, and reduce program costs and expenses. This project supports NMFS 2013 Electronic Technologies Directive encouraging "consideration of electronic technologies to complement and/or improve existing fishery dependent data collection programs to achieve the most cost-effective and sustainable approach that ensures alignment of the management goals, data needs, funding sources and regulations (of fisheries)." It also aligns with the 2020-2023 NMFS Pacific Islands Geographic Strategic Plan to modernize fishery information management, and enhance cooperative data collection and dissemination.

In FY21, the project received \$43,500 in NMFS Fisheries Information System (FIS) program funding to expand ORCA to include the observed longline fisheries in the West Coast and Pacific Islands regions. Recently, the project received \$175,000 in FY22 Magnuson-Stevens Act funding to acquire web developer services, defined as application programming interface (API) in Figure 1, to support the ingestion and exchange of data between the ORCA application and the observer database housed at NMFS. NMFS is currently collaborating with PacFIN to house the ORCA application on the NMFS network to enable preliminary testing of several observer data forms on the application. Figure 1, below, shows the workflow within ORCA.

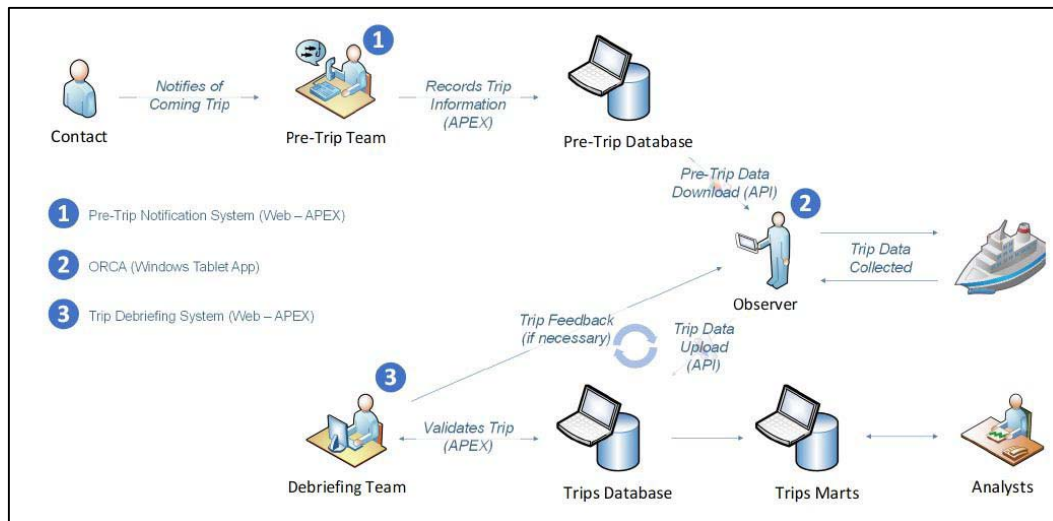


Figure 1. Observer Data Flow (ORCA v1). WCROP, PSMFC 2021

Ultimately, ORCA will allow seamless electronic data management, beginning with pre-trip preparation, through data collection, culminating with data management and end-user consumption.

RULEMAKING

On December 16, 2021, NMFS established the annual harvest guideline for the commercial lobster fishery in the Northwestern Hawaiian Islands (NWHI) for calendar year 2022 at zero lobsters (86 FR 71395). Regulations require NMFS to publish an annual harvest guideline for Federal waters around the NWHI. Regulations governing the Papahānaumokuākea Marine National Monument in the NWHI prohibit the unpermitted removal of monument resources, and establish a zero annual harvest guideline for lobsters. Accordingly, NMFS establishes the harvest guideline at zero.

On December 27, 2021, NMFS published a proposed rule (86 FR 73234) to implement 2022–2025 annual catch limits (ACL) of 295,419 lb, annual catch targets (ACT) of 291,010 lb, and accountability measures (AM) for Main Hawaiian Islands (MHI) uku (Gray jobfish). The ACLs and ACTs apply to the total combined commercial and noncommercial catch. As an in-season AM, if NMFS projects that the total catch will reach the ACT in any given fishing year, NMFS would close commercial and noncommercial uku fisheries in Federal waters for the remainder of the fishing year. As a post-season AM, if NMFS determines that the most recent three year average total catch exceeded the ACL in a fishing year, NMFS would reduce the ACL and ACT for the following fishing year by the amount of the overage. The proposed rule supports the long-term sustainability of MHI uku. A 30-day public comment period ended on January 26, 2022. NMFS received no comments and are preparing the final rule for publication.

On January 19, 2022, NMFS published a proposed rule (87 FR 2742) to prohibit the use of wire leaders in the Hawaii deep-set longline fishery, and require the removal of fishing gear from any oceanic whitetip shark caught in all of the region's domestic longline fisheries. The proposed action is intended to increase post-hooking survival of oceanic whitetip sharks. A 30-day comment period ended on February 18, 2022. NMFS is reviewing the more than 40 comments generally supporting the proposed rule and preparing the final rule for publication.

On January 20, 2022, NMFS published a notice of availability for Amendment 5 to the Fishery Ecosystem Plan for the American Samoa Archipelago, and published its associated proposed rule on February 3, 2022, to rebuild the overfished bottomfish stock complex in American Samoa. Amendment 5 and the rule would implement a rebuilding plan that includes a 5,000 lb ACL starting in 2022. As an in-season AM, if NMFS projects that the fishery will reach the ACL in any year, then NMFS would close the fishery in Federal waters for the remainder of that year. As a post-season AM, if the total annual catch exceeds the ACL during a year, NMFS would close the fishery in Federal waters until NMFS and the American Samoa government implement a coordinated management regime to ensure that the catch is maintained at levels that allow the stock to rebuild. This action is necessary to rebuild the overfished stock consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). NMFS must receive comments by March 21, 2022.

On January 20, 2022, NMFS published a final rule to implement a 492,000 lb ACL for MHI Deep 7 bottomfish for fishing years 2021-22, 2022-23, and 2023-24 (87 FR 3045). The fishing year begins on September 1 and ends on August 31 of the following year. The final rule became effective on February 22, 2022. As an in-season AM, if NMFS projects that the fishery will reach the ACL in any given fishing year, NMFS would close the commercial and non-commercial fisheries in Federal waters for the remainder of the fishing year. As a post-season AM, if the total annual catch exceeds the ACL during a fishing year, NMFS would reduce the ACL for the following fishing year by the amount of the overage. The proposed rule supports the long-term sustainability of MHI Deep 7 bottomfish.

On February 18, 2022, NMFS published a final rule to implement the Council's recommended Amendment 6 to the Fishery Ecosystem Plan for the Mariana Archipelago and the rebuilding plan for the Guam bottomfish stock complex (87 FR 9271). The rule is effective March 21, 2022, and includes a 31,000 lb ACL. As an in-season AM, if NMFS projects that the fishery will reach the ACL in any fishing year, NMFS would close the fishery in Federal waters for the remainder of that year. As a post-season AM, if the total annual catch exceeds the ACL during a fishing year, NMFS would close the fishery in Federal waters until NMFS and the Guam government implement a coordinated management regime that allows the stock to rebuild. NMFS and the Council will review the rebuilding plan every two years and modify it, as necessary, per section 304(e)(7) of the Magnuson-Stevens Act.

PROGRAM ACTIVITIES

International Fisheries

NMFS staff led the U.S. delegation to the 10th meeting of the South Pacific Regional Fisheries Management Organisation (SPRFMO), hosted virtually, from January 23 – 27, 2022. This meeting was preceded by the 9th meetings of the Finance and Administration Committee and the Compliance and Technical Committee from January 17 – 21, 2022. SPRFMO adopted 9 conservation and management measures, including a revised measure for jack mackerel, a revised measure for bottom fishing, as well as a revised measure for the record of vessels.

Sustainable Fisheries

On January 28, 2022, NMFS published a Notice of Availability of a draft environmental assessment (EA) for the Garapan Fishing Base shoreline revetment project in western Saipan (87 FR 4565), with a 30-day public comment that closed on February 28, 2022. NMFS proposes to provide Western Pacific Sustainable Fisheries Funds (WPSFF) to the Council to support the

project. The Council would then provide funds to the CNMI Department of Land and Natural Resources to construct the revetment and stabilize 380 feet of shoreline. NMFS has completed the Magnuson-Stevens Act Essential Fish Habitat (EFH), National Historic Preservation Act, and the Endangered Species Act (ESA) compliance reviews for the project. On January 14, 2022, NMFS provided the CNMI Division of Coastal Resources Management with a Federal Consistency Determination. NMFS will consider public comments and information from the compliance reviews, and expect to finalize the EA in March 2022.

As of February 17, 2022, observer coverage is approximately 17% in the Hawaii deep-set longline fishery, and 100% in the Hawaii shallow-set fishery. Coverage in the American Samoa longline fishery is 0% due to flight cancellations. Coverage in the deep-set fisheries for 2021 was approximately 18% in Hawaii, and 5% in American Samoa. The shallow-set fishery was 100%. More information about the Observer Program is at www.fisheries.noaa.gov/pacific-islands/pacific-islands-region-observer-program.

NMFS issued an experimental fishing permit (EFP) to the Hawaii Longline Association to test tori lines (bird scaring devices) in the Hawaii shallow-set longline fishery. The EFP allows one of three candidate vessels to conduct a pilot study using tori lines as a replacement for current regulations that require deployment of gear at night (night-setting), thawed blue-dyed bait, and strategic offal discharge. The EFP is valid for 18 months from March 24, 2022 to September 24, 2023, or a maximum of 80 longline sets, whichever occurs first. The intent of the EFP is to test new ways to discourage seabird interactions that also increase operational flexibility.

NMFS staff continue to participate in national grant programs that support the management and sustainability of U.S. fisheries.

- In February 2022, the NMFS Office of Sustainable Fisheries announced Magnuson-Stevens Act Implementation and National Catch Shares Program funding. NMFS awarded funding for the advancement of the Pacific Islands observer program e-reporting onboard record collection application (ORCA, see description above); work on Pacific Islands observer coverage and bycatch estimation, bycatch reduction and handling, and improving catch (and non-target) forecasting in the longline fisheries; and fishery-dependent data collection in the Pacific Islands Territories.
- On February 14, 2022, NMFS announced that the Fisheries Information System (FIS), Electronic Technologies, Quality Management/Continuous Improvement, and Catch Share programs are collectively making available, subject to appropriations, up to \$5.5 million to support projects in Regional Offices, Science Centers, Headquarters Offices, Fisheries Information Network programs, and State partners through the interstate commissions. This annual funding opportunity supports initiatives that improve the quality, efficiency, and effectiveness of fisheries-dependent data collection and management. The deadline for pre-proposals is April 8, 2022. More information on FIS and the funding opportunity is at www.fisheries.noaa.gov/national/commercial-fishing/fisheries-information-system-program#funding-innovative-projects.

NMFS continues to provide required annual Protected Species Workshop (PSW) training to the longline fleet. From January 1 through December 31, 2021, NMFS completed 312 PSW certifications, and from January 1 2022 to February 18, 2022, NMFS completed 62 PSW certifications for Hawaii and American Samoa pelagic longline vessel owners and operators. NMFS offers an online PSW recertification training that may be taken two out of every three years. NMFS also offers in-person live webinar PSW certification courses every Friday morning

for all vessel owners and operators participating in the Hawaii and American Samoa permitted pelagic longline fishery.

NMFS published a draft programmatic environmental impact statement (PEIS) for a potential offshore aquaculture management program in the Pacific Islands on May 7, 2021. NMFS and Council staff have updated the PEIS in response to public comments and anticipate publishing the final PEIS this spring. The next step would be for staff to prepare and the Council consider potential fishery ecosystem plan amendments and implementing regulations to establish a program.

NMFS continues to update information on fish catch limits at www.fisheries.noaa.gov/pacific-islands/commercial-fishing/pacific-islands-annual-catch-limits.

NMFS continues to manage fisheries in consideration of status changes and incidental take events of protected species. Information about interactions between the Hawaii shallow-set longline fishery and sea turtles is at www.fisheries.noaa.gov/pacific-islands/bycatch/sea-turtle-interactions-hawaii-shallow-set-longline-fishery.

NMFS continues to process all applications for fishing permits in the region electronically. Application and payment instructions for all permit types are at www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-fishing-permits. Applicants may also contact NMFS for individual assistance at piro-permits@noaa.gov or (808) 725-5190. Current fishing permit status, applications, and other information are available at www.fisheries.noaa.gov/pacific-islands/resources-fishing/pacific-islands-permit-holders.

March 3, 2022 was the deadline to renew Hawaii longline permits for the 2022 fishing year. As of that date, PIRO had renewed 145 permits. Three permits that were active in 2021 have not yet sought renewal; two of which are not currently fishing and one may be transferred. Instructions for renewing Hawaii longline permits for 2022 are at www.fisheries.noaa.gov/pacific-islands/commercial-fishing/renew-your-hawaii-longline-permit-online. Permit holders may contact NMFS for individual assistance at piro-permits@noaa.gov or (808) 725-5190.

Permits as of March 3, 2022:

Permit	Number
Pelagic	
Hawaii longline (limited entry)	145 (of 164)
American Samoa longline (limited entry)	42 (of 60)
Western Pacific general longline	-
Receiving vessel	3
Pacific Remote Island Areas troll & handline	-
Pelagic squid jig	-
Experimental fishing permit	-
Hawaii	
Main Hawaiian Islands non-commercial bottomfish	-
Special coral reef ecosystem	-
Precious coral	-
Crustaceans	1 (shrimp)
American Samoa	

Special coral reef ecosystem	-
Precious coral	-
Crustaceans	-
Mariana Islands	
Guam large vessel bottomfish	-
Northern Mariana Islands bottomfish	9
Special coral reef ecosystem	-
Precious coral	-
Crustaceans	-
Pacific Remote Island Areas	
Bottomfish	-
Special coral reef ecosystem	-
Precious corals	-
Crustaceans	-
Monuments	
Non-commercial and recreational charter	-

Protected Resources

On October 16, 2020, NMFS announced the initiation of a 5-year review for the MHI Insular False Killer Whale Distinct Population Segment (IFKW DPS) (85 FR 65791). NMFS accepted public comment and any new information on the species' status until December 15, 2020. NMFS is using relevant information received during the public comment period as well as new information from the 2021 Recovery Status Review to determine if this DPS should remain listed as endangered. NMFS anticipates publishing the 5-year review, which is currently undergoing internal review, in spring 2022.

NMFS observers have recorded 3 interactions with false killer whales in the deep-set longline fishery in 2022. One of those interactions occurred inside the Exclusive Economic Zone (EEZ) and resulted in a serious injury. In 2021, 15 observed false killer whale interactions occurred in the Hawaii longline fishery. Five of those interactions occurred inside the EEZ and resulted in serious injury or mortality, which met the trigger for closure of the Southern Exclusion Zone (SEZ) through the remainder of the 2021 fishing year. The trigger value for the SEZ closure is four observed mortality or serious injuries of false killer whales incidental to the deep-set longline fishery within the EEZ (85 FR 81184). However, the final injury determination of the interaction that met the trigger was not available until 2022 and the SEZ was not closed in 2021. The False Killer Whale Take Reduction Team convened on February 3, 2021 to discuss the 2021 false killer whale interactions that occurred inside the EEZ.

On January 25, 2021, NMFS received a petition to list the shortfin mako (*Isurus oxyrinchus*) under the (ESA) from Defenders of Wildlife. As part of the response to this petition, NMFS convened an Extinction Risk Assessment (ERA) team. The ERA team is comprised of experts from across NMFS, including: the Office of Protected Resources; Office of Sustainable Fisheries' Highly Migratory Species Division; Office of International Affairs & Seafood Inspection; Northeast, Southeast, Southwest, and Pacific Island Fisheries Science Centers; and West Coast and Pacific Islands Regional Offices. The ERA team had its first meeting on January 13, 2022 and is scheduled to meet several more times over the next couple of months

to make recommendations regarding the extinction risk of the shortfin mako over the foreseeable future.

Habitat Conservation

NMFS staff located in American Samoa, Commonwealth of the Northern Mariana Islands (CNMI), Guam, and Hawaii continue to work with local and Federal resource partners to implement local projects that prioritize the management and conservation of coral reefs and other valuable habitats in the Pacific Islands Region, as part of the NMFS Coral Reef Program and an extension of the NOAA Coral Reef Conservation Program (CRCP).

In American Samoa, NMFS continues to provide support to the Department of Marine and Wildlife Resources (DMWR) and local resource partners to develop a sustainable Jurisdictional Coral Reef Fisheries Management Plan (JCR-FMP). This effort includes addressing science needs and assisting local agency partners to identify their preferred management options to achieve sustainable fishery management. NMFS coordinates with local agencies to develop best management practices at the village level by facilitating community outreach and applying a ridge-to-reef management approach to reduce impacts of land-based sources of pollution to coral reefs. NMFS continues to support the implementation of the American Samoa Coral Restoration Action Plan. NMFS also coordinates and supports related initiatives to conserve coral reefs and promote marine resources stewardship in American Samoa.

In the CNMI, NMFS continues to oversee the growth and management of the Saipan Coral Nursery Pilot Project and serve as the technical monitor for the first project designed to test coral sexual propagation techniques in the jurisdiction. The ESA-listed species, *Acropora globiceps*, continues to exceed expectations for both growth and survivorship within the nursery. NMFS is coordinating a reef resilience study for Rota and Tinian in 2022 that will ultimately provide important information on the health of habitats that support nearshore fisheries. NMFS continues to collaborate on multiple coastal resilience and marine debris projects, funded in response to recovery efforts following Super Typhoon Yutu (October 2018).

In Guam, NMFS continues to enable the development of Guam's JCR-FMP by providing reports, capacity, and constructive feedback for consideration. Planned next steps are to provide technical assistance to address science needs and facilitate dialogue with local agency partners on their preferred management options to achieve sustainable targets.

In Hawaii, NMFS continues to provide technical assistance and support to the Department of Land and Natural Resources and Division of Aquatic Resources (DLNR-DAR) for sustainable coral reef fisheries management, coastal protection, and coral restoration. The Hawaii fisheries extension agent contract position has been backfilled. NMFS also continues to co-coordinate the Pacific Islands Managed and Protected Areas Community (PIMPAC) that supports capacity-building activities in the U.S. Pacific Flag Islands and the Freely Associated States of Micronesia for adaptive management planning, biological and socioeconomic monitoring, enforcement, fisheries management, and environmental law. A 2021 PIMPAC environmental law intern from the University of Hawaii successfully completed a project with Guam's Office of the Attorney General in November. PIMPAC again plans to reach out to jurisdictional partners and the University of Hawaii to develop internship opportunities for this summer.

At the U.S. Army Kwajalein Atoll (USAKA), NMFS continues its work under the USAKA Environmental Standards (UES) agreement to complete environmental assessments, reviews, and consultations and coordinations for UES protected species.

The Mariana Trench Marine National Monument (MTMNM) Draft Management Plan and Environmental Assessment comment period closed on July 26, 2021 after an extended open public comment period. NMFS and U.S. Fish and Wildlife Service (USFWS) hosted virtual public meetings for Guam and CNMI during the first two weeks of June 2021. NMFS and USFWS received over 50 public comments. NMFS and USFWS will address those comments in the final management plan, which is anticipated to be complete by the end of 2022.

NMFS and USFWS published the Notice of Intent to prepare the management plan for the Pacific Remote Islands Marine National Monument in the Federal Register on December 21, 2021 (86 FR 72214). The public comment period remained open until January 20, 2022. Commenters submitted a total of 55 comments prior to the comment period closure, including a very detailed comment by the Council. NMFS and USFWS staff will use this input to inform the drafting of the management plan.

NMFS staff have consulted on 16 essential fish habitat (EFH) consultations since November 1, 2021, including the NMFS-funded Fishing Base Revetment Installation project in CNMI, the National Transportation and Safety Board's (NTSB) TransAir 810 recovery, and the US Army Corps of Engineers erosion protection project at Wailua Beach. The fishing revetment will help stabilize the shoreline at Garapan Fishing Base, and protect public land and infrastructure. It would reduce erosion and help to improve water quality in Saipan Lagoon. NMFS's consultation with the NTSB supported state recovery efforts of TransAir 810. NMFS continues to work on EFH outreach media for future dissemination in the Marianas and American Samoa. Lastly, the Office of Habitat Conservation has awarded funding to support eDNA research in the Pacific Islands Region designed to support refining EFH designations.