



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

Report of the American Samoa Archipelago FEP Advisory Panel Meeting

Tuesday, September 6, 2022

5:00 p.m. – 8:00 p.m. (SST)

1. Welcome and Introductions

Nathan Ilaoa, American Samoa Advisory Panel (AP) vice Chair, opened the meeting at 5:00 p.m. AP members present included Clay Tam (AP Chair), Nonu Tuisamoa, Dustin Snow, Brian Thompson, Frank Baron, Samuel Meleisea, Joseph Faaita. Members not in attendance included Pafuti Ana Tupua,

Others in attendance included Will Sword (Council vice Chair) Kitty Simonds, Zach Yamada, Asuka Ishizaki, Mark Fitchett, Matt Seeley, Joshua DeMello (Council staff); Archie Soliai (DMWR); Tori Spence, Pua Borges, Heather Cronin, Keith Kamikawa, Savannah Lewis (PIRO SF); Mia Iwane, Kirsten Leong (NMFS PIFSC); David Itano, Gil Kualii (Public).

2. Review of Last AP Meeting and Recommendations

Council staff presented the report of the last AP meeting held on June 10, 2022. He reviewed the recommendations made at that meeting and provided an update on the status of those recommendations.

3. Feedback from the Fleet

A. AS Fishermen Observations

An AP member reported that there has been rough weather which has led to reduced effort from the smaller recreational and alia fishermen. Regarding the longline fleet, the albacore season was good in light of rising food cost and fish prices going down. Tautai o Samoa Longline and Fishing Association reported only 1 boat was able to go jigging and reported that the cost to outfit the boat was expensive. They are hoping to get other vessels to go jigging for albacore.

An AP member reported that the raft closure started and he expected to see more boats to come back in October and the purse seiners are fishing in the east. He reported that the cannery has been absorbing fish from the foreign flagged purse seine-vessels.

An AP said that Manu'a has been seeing the deepwater fish (palu malau) coming closer to shore that might be caused by the volcano activity.

B. Advisory Panel Issues

An AP member reported that the high cost of fuel has affected the fishery and the prices for fish are down. He said that the longline fleet need help to get out and go fishing for albacore.

An AP member said that they will be meeting the new Coast Guard representative to discuss different issues around American Samoa. Another AP member said that the AP should

invite the new Coast Guard representative to the next informal meeting to bring up their concerns.

4. American Samoa Fishery Issues and Activities

A. Alternatives for an Aquaculture Management Framework in the Western Pacific

Zach Yamada, Council staff, presented the alternatives for managing aquaculture in the Western Pacific region. He provided an overview and background on past Council actions and presented the alternatives that the Council will consider for final action. Alternatives included 1) no action; 2) a limited entry aquaculture program with limited gear types, commercial and research permits for 10 and 3 years respectively, and limited allowable species and marine aquaculture systems; and 3) an expanded limited entry aquaculture program with extended commercial and research permit terms for 20 and 10 years, no prohibition on marine aquaculture systems and allowable to culture all native species respective to the island regions.

An AP member asked who would be agency in charge of issuing and regulating the aquaculture permit. He asked where this permit would be applicable. Council staff said that this action would be to manage aquaculture in federal waters from 3 to 200 nautical miles in the Pacific Islands region. The National Marine Fisheries Service would be the agency in charge of issuing permits in coordination with the Office of Law Enforcement enforcing those regulations.

Kitty Simonds, Executive Director, asked Archie Soliai, DMWR Director, if there are any current regulations for aquaculture in American Samoa and their position on aquaculture. Soliai said that there are no regulations on aquaculture to manage it in American Samoa and that the few that exist are managed under the American Samoa Government Department of Commerce.

The AP Chair said that the Council and NMFS should consider the potential issues of aquaculture genetically modified organisms and hybridization of local species with cultured fish.

The AP recommended that Alternative 3 and recommended the Council coordinate with the ASG DOC regarding aquaculture oversight, noting that existing aquaculture management in AS is handled by DOC.

B. Review of Draft American Samoa Longline BiOp

Asuka Ishizaki, Council staff, provided a brief update on the status of the American Samoa longline biological opinions (BiOp). Council received an update from PIRO on August 31, 2022, indicating that NMFS is preparing supplemental BiOps addressing oceanic whitetip sharks and giant manta rays, which are anticipated to be completed by October 31, 2022. NMFS will also prepare a new BiOp addressing all species, and will provide the Council and SSC the opportunity to review that biological opinion at an appropriate time as permitted within the consultation process.

C. American Samoa LVPA Update

Mark Fitchett, Council staff, presented the fishery performance of all pelagic vessels fishing and reporting catch in American Samoa, including 'large' longline vessels greater than 50 feet long. The American Samoa Large Vessel Prohibited Area (LVPA) was established in 2002, and prohibited longline fishing of vessels greater than 50 feet length for 50 nm seaward of the American Samoa archipelago with the intent to increase performance of small longline and

trolling vessels. The Council recommended and NMFS implemented an exemption to the LVPA in 2016 that allowed certain U.S. longline vessels 50 ft and larger to fish in portions of the LVPA. The 2016 LVPA exemption was repealed in 2017 following litigation, and reinstated in July 2021 after the 9th Circuit Court of Appeals reversed the earlier District Court decision. The reinstated LVPA exemption action included a provision for the Council to annually review the effects of the exemption on catch rates, small vessel participation, and sustainable fisheries development initiatives. Data presented are provided in the 2021 SAFE Report, which do not have any reported data from alia longline vessels in 2021. Longline vessels targeting albacore experienced an increase in catch-per-unit effort from 2020 to 2021. Trolling vessels also experienced a significant increase in pelagic management unit species CPUE from 21 lbs trolling per hour to 33 lbs trolling per hour. Skipjack trolling CPUE doubled from 2020 to 2021 and experienced the greatest CPUE since 2012 in the most recent year. Yellowfin CPUE for those trolling vessels remained at 6 pounds per hour fished.

D. BMUS Revision Update

Matthew Seeley, Council staff, presented a status update on the Territorial BMUS revision. Five different working groups met to discuss the revision for each island area as it pertains to the specific MSA components (Status Determination Criteria, ACL/AM, Monitoring and Bycatch, EFH, Fishing Communities).

AP members expressed support for the upcoming community outreach in American Samoa, and indicated members can provide assistance.

5. Pacific Remote Island Coalition Request to Expand PRIA Monument

Mark Fitchett, Council staff, presented the proposal by the Pacific Remote Island Coalition to expand the Pacific Remote Island Marine National Monument off Palmyra and Howland/Baker. He provided an overview of the conservation, cultural and historical values outlined in the proposal, threats posed by the proposal, and impacts on American Samoa.

Nate Ilaoa, AP vice-Chair, provided an overview of the proposal presented at the Fishing Industry Advisory Committee meeting held on September 6, 2022. He said that the purse seine fleet is on the decline as access to domestic US waters continues to decrease.

An AP member asked more on the reflagged US vessel are still beholden to MSA laws. Council staff said that once they leave US management, then there is a reciprocal conservation loss as that vessel does not needs to comply with the Western and Central Pacific Commission requirements and US law. He said that American Samoa is not considered a small island developing state and that has been an arguing point for the AS fleet to enjoy the exemptions on the high seas.

Another AP member said the western Pacific has already achieved the 30x30 goal and continues to carry the burden on closing more of its waters. The AP wants to know what is going to help the ecosystem and where is the hard number to show its conservation value. There is a need to ensure that promises for funds to support research and outreach are committed. An AP member said the only thing that is becoming endangered are the fishermen. He said that he had brought this issue up during a Marine Fisheries Advisory Committee and asked if city and county, State, and federal 30x30 initiatives are combined or separate. US fishermen are already

on an unlevel playing field and we have these managed federal areas and asked what extra value does the proposal have for the Western Pacific.

Council staff said that the coalition have yet to answer the question of what they want to protect. If they told the Council what they want to protect then they could have a conversation on what they are asking for. The Council has provided the newsletter and they are asking the question of the status of the proposal and where is it in the process. Eric Kingma, Hawaii Longline Association (HLA), reported that HLA does fish around Johnston and they have to compete with the foreign fleets.

An AP said that he thought that the US was trying to shrink the monument rather than expand then. He said that this expansion will protect the green jobs as there will be nothing else to protect moving forward. Frank. Another AP member said that more regulation on American Samoa would be detrimental on their culture and way of life. Fishermen have been around for centuries and he said that part of this to blame are those who do not respect Fa'a Samoa.

An AP member asked if Congresswoman Amata has taken a position on the proposal. Council staff said that Amata has provided a letter of opposition on the proposal to expand the monument.

Regarding the Proposal to Expand the Pacific Remote Islands Marine National Monument, the American Samoa AP recommends the Council to request updates from NMFS on its previous recommendations to consider unintended consequences to American Samoa and its previous request for the scientific evaluation of the proposal.

6. CARES Act Update

Archie Soliai, DMWR Director, provided an update on CARES Act 2. He reported that the agency's spend plan was approved in June although they are still processing commercial and subsistence applicants. Once this review process is complete then they should receive funds to disperse to applicants who applied. He will provide the AP with updates as they become available.

7. 2022 Advisory Panel Activities Plan

A. SFF Projects

Council staff provided an update on the Sustainable Fishery Fund projects. He reported that the gear diversification project was still in development. SFF12 supported the albacore study contract, alia vessel upgrades, training for educators and the Manu'a student fishing tournament. The findings from the South Pacific Albacore forecasting study will be presented at the 192nd meeting. The products and materials for the tournament were purchased, and the contractor is waiting to confirm a date.

B. Education and Outreach

There were no updates on education and outreach for the American Samoa AP

8. Public Comment

Archie Soliai, DMWR Director, made a public comment on the PRIC proposal and reiterated that this does affect the socioeconomics of the fisheries and we should also consider EO 13985 and 14008 and the sad thing is that this monument can be expanded with a stroke of pen

9. Discussion and Recommendations

- ***Regarding Alternatives for an Aquaculture Management Framework, the American Samoa AP recommends Alternative 3.***
- ***Regarding Aquaculture, the American Samoa AP recommends that the Council coordinate with the AS DOC regarding aquaculture oversight, noting that existing aquaculture management in AS is handled by the DOC.***
- ***Regarding the Proposal to Expand the Pacific Remote Islands Marine National Monument, the American Samoa AP recommends the Council to request updates from NMFS on its previous recommendations to consider unintended consequences to American Samoa and its previous request for the scientific evaluation of the proposal.***
- ***Regarding Equity and Environmental Justice (EEJ), the American Samoa AP recommends that the Council direct staff to have the AP review the Council's EEJ letters and NMFS EEJ policies prior to the upcoming Council Meeting***

10. Other Business

The AP Chair reported that the Marine Fisheries Advisory Committee EEJ working group met and provided their comments on the NMFS EEJ Strategy where they emphasized the needs of the territories and to protect the fishing communities in western Pacific.

Council Staff reported that the Council has provided their comments on the Draft NMFS EEJ strategy that outlined comments from the Council family, outcomes from our Western Pacific EEJ workshop held in April, and the need for coordination and support from the regional Councils as NMFS moves to finalize the national strategy and develop regional implementation plans.