



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

MEMORANDUM

November 14, 2022

TO: Interested Parties
FROM: Kitty M. Simonds
SUBJECT: Summary of Action Items for the 193rd Meeting of the Western Pacific Regional Fishery Management Council

1. Alternatives for Fisheries Management Measures in the NWHI Monument Expansion Area
 2. North Pacific Striped Marlin Catch Limits
 3. Alternatives for an Aquaculture Management Framework in the Western Pacific
-

The 193rd meeting of the Western Pacific Regional Fishery Management Council will convene in-person on Dec. 5-8, 2022, with a remote participation option available by web conference (Webex).

The Webex link is <https://tinyurl.com/193CouncilMtg> (if prompted, enter event number: 2450 029 5925; password: CM193mtg or 26193685 if on a mobile device). Specific information on joining the meeting, instructions for connecting to the Webex and providing oral public comments during the meeting will be posted on the Council website at: <https://www.wpcouncil.org/event/193rd-council-meeting>

In-person attendance will be hosted at Pagoda Hotel, 1525 Rycroft St, Honolulu, HI, 96814.

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. (HST), Friday, Dec. 2, 2022, by postal mail, fax or email as indicated below.

Mail: Ms. Kitty M. Simonds, Executive Director
Western Pacific Regional Fishery Management Council
1164 Bishop St., Suite 1400, Honolulu, HI 96813

FAX: (808) 522-8226

E-mail: info@wpcouncil.org

Summary of Action Items at the 193rd Council Meeting

1. Alternatives for Fisheries Management Measures in the NWHI Monument Expansion Area (Final Action)

In 2016, President Obama via Presidential Proclamation 9478 set aside an area of 50-200 nautical miles (nm) adjacent to the Papahānaumokuākea Marine National Monument (PMNM) as the Monument Expansion Area (MEA). Through the Proclamation, the Secretary of Commerce (NOAA), in consultation with the Secretary of the Interior (U.S. Fish and Wildlife Service), are responsible for management of activities and species in the MEA within their respective authorities (e.g., Magnuson-Stevens Fishery Conservation and Management Act (MSA), National Wildlife Refuge System Administration Act, Endangered Species Act, etc.). The Proclamation prohibits commercial fishing activities and anchoring on any living or dead coral. However, it also allows for regulated fishing activities, including Native Hawaiian practices (the exercise of traditional, customary, cultural, subsistence, spiritual and religious practices) within the MEA, and non-commercial fishing (provided that the fish harvested either in whole or in part, does not enter commerce through sale, barter or trade, and that the resource is managed sustainably).

The Proclamation contains specific requirements for managing fishing in the area. Specifically, Proclamation 9478 authorizes the Secretary of Commerce to manage non-commercial fishing on a sustainable basis and consistent with the overall conservation objectives of the MEA.

The purpose of this action is to amend the Hawai'i and Pacific Pelagic Fishery Ecosystem Plans (FEPs) and promulgate regulations consistent with the fishery-related requirements of Proclamation 9478. This action is necessary to administer the MEA consistent with the conservation and management directives of Proclamation 9478. This action would codify the MEA's boundary and prohibit commercial fishing in the designated area, while authorizing non-commercial fishing (including traditional indigenous, sustenance, recreational and charter recreational fishing) in the MEA.

The Council will consider a range of alternatives that include the following options for fishing in the NWHI MEA:

- 1) *No Action* - not develop fishing regulations for the NWHI MEA;
- 2) *Status Quo* - develop fishing regulations that are identical to current fishing regulations for 3-50 nm;
- 3) *Prohibit Commercial Fishing* - provide for a regulation that disallows fishing commercially within the NWHI MEA;
- 4) *Allow Non-Commercial Fishing* - provide federal permits with logbooks for non-commercial fishing within the NWHI MEA and allow that catch to be brought back to the main Hawaiian Islands for non-commercial purposes; and
- 5) *Allow for Subsistence Fishing* - provide a federal permit that would allow for Native Hawaiian subsistence fishing practices with a definition of subsistence that may or may not include customary exchange or cost recovery.

The Council will review an analysis of the alternatives and public comments. The Council may deliberate or agree on a final recommendation for the Secretary of Commerce.

2. North Pacific Striped Marlin Catch Limits (Final Action)

The Western and Central North Pacific Ocean (WCNPO) striped marlin stock is overfished, experiencing overfishing based on best scientific information available (BSIA). The stock is subject to an interim rebuilding plan by the Western and Central Pacific Fisheries Commission (WCPFC). At its 185th meeting in March 2021, the Council considered recommendations in response to the stock status, taking into account the relative impacts of U.S. vessels, as required by the MSA Section 304(i). The Council took final action recommending a Pacific Pelagic FEP amendment to establish a management framework using a phase-in approach, with an initial catch limit of 457 mt for 2022, and specification of catch limits for U.S. vessels throughout the duration of a WCPFC rebuilding period based on an anticipated and improved stock assessment in 2023.

Due to the unresolved uncertainty in the BSIA associated with the delay in a new stock assessment, the Council's final action from the 185th meeting has not yet been implemented. Therefore, the Council will consider taking final action at this meeting as follows:

- 1) No action/status quo: do not set a limit for retaining (landing) WCNPO striped marlin;
- 2) Set an annual catch target of 457 mt in U.S. longline fisheries, consistent with WCPFC conservation and management measures, with an annual retention limit of 434 mt as an accountability measure;
- 3) Set an annual catch target of 426 mt in U.S. longline fisheries, consistent with a reduction in catch equivalent to the U.S. relative contribution to international overfishing of this stock, with an annual retention limit of 404 mt as an accountability measure; and
- 4) Prohibit retention of WCNPO striped marlin.

3. Alternatives for an Aquaculture Management Framework in the Western Pacific (Final Action)

The purpose of this amendment is to establish long-term sustainable aquaculture in federal waters by establishing a federal management program for developing a sustainable aquaculture industry in the exclusive economic zone (EEZ) of the Pacific Islands Region (American Samoa, Guam, Hawai'i, the Pacific Remote Island Areas (PRIA) and the Northern Mariana Islands). This program is needed to provide the Council and National Marine Fisheries Service with a framework that provides for a review and authorization of where, how and how much aquaculture is developed, to regulate and manage aquaculture activities in federal waters of the EEZ.

At its 192nd meeting, the Council took final action to establish an aquaculture management program in the Western Pacific Region and directed staff to finalize the amendment to the Hawai'i and Pacific Pelagic FEPs, but inadvertently omitted FEPs for the American Samoa Archipelago, Mariana Archipelago and PRIA.

At its 193rd meeting, the Council will consider rescinding its recommendation from the 192nd meeting and taking final action on an Aquaculture Management Framework in the Western Pacific.

The Council will consider the following alternatives:

- 1) No action (Status Quo/Current Management);
- 2) Amend the 5 FEPs (Hawai'i, American Samoa, Mariana, PRIA, Pelagic) and regulations to establish a new aquaculture management program that would include a permitting, recordkeeping and reporting system for commercial (10 years) and research (3 years) projects; allowable species limited to the Council's managed species, and limited gear restriction; and
- 3) Same management program as alternative 2, but expanded with longer permit durations for commercial (20 years) and research (6 years) permits, and a broader scope of allowable species and gear types.