

Summary of Action Items at the December 2022 Council Meeting

The Council will consider and may take action on the issues summarized below.

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), were provided responsibility for management of activities and species within the MEA under their respective authorities (e.g., Magnuson-Stevens (MSA), National Wildlife Refuge System Administration Act, Endangered Species Act, etc.). The Proclamation prohibited commercial fishing activities and anchoring on any living or dead coral. However, it allows for regulated fishing activities within the MEA, including Native Hawaiian practices (including exercise of traditional, customary, cultural, subsistence, spiritual and religious practices). It also allowed noncommercial 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 that established the MEA contains specific requirements related to the management of 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 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

noncommercial fishing (including traditional indigenous, sustenance, recreational and charter recreational fishing) in the MEA. *The Council will consider a range of alternatives for fishing in the NWHI MEA.*

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.

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. *The Council will consider rescinding its recommendation from the 192nd meeting and including the FEPs in a final action at the meeting.* 🐟