



WESTERN
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MANAGEMENT
COUNCIL

Report of the American Samoa Archipelago FEP Advisory Panel Meeting

Tuesday, December 5, 2023

5:00 p.m. – 8:00 p.m. (SST)

1. Welcome and Introductions

Nathan Ilaoa, American Samoa (AS) Advisory Panel (AP) Vice Chair opened the meeting at 5:00 p.m. SST. In attendance at the Flying Fox Gastropub included Ray Tulafono. Members in attendance virtually include Joe Hamby, Brian Thompson, Nonu Tuisamoa, Ray Tulafono and Dustin Snow, Jerome Ierome, and Clay Tam. Members absent include Dustin Snow.

Others in attendance included Felix Penalosa, Zach Yamada, Joshua DeMello, Mark Fitchett, Felix Reyes (Council staff), Mia Iwane, Adam Ayers, Justin Hospital, Kirsten Leong (PIFSC), and Heather Nelson (PIRO).

2. Review of the Last AP Recommendations and Meeting

Felix Penalosa, Council staff, provided a review of the last AP recommendation from their meeting on August 30, 2023.

3. Feedback from the Fleetmembers

A. AS Fishermen Observations

The Vice-Chair opened the floor to the AP members to give fishermen observations from fisheries.

An AP member mentioned that bycatch was still a problem in the territory, noting that the big boats that offload at the canneries were selling their bycatch to the stores. Few fishermen are fishing now, and he was concerned that the local fishermen would have problems selling their catch.

Another AP member said he does not have a problem with bycatch from US-flagged fishing boats as long as their catch is sold at a competitive price. It allows the local communities access to those fish instead of being thrown away.

An AP member reported a two-month high seas closure for FADs. Some are still fishing around Kiribati, and the catch has been good but relatively small, indicating a high recruitment.

B. Advisory Panel Fishery Issues and Priorities

The Vice Chair asked the AP members for fishing observations regarding the ecosystem, fish, ocean and fisheries issues from September to December 2023.

An AP member expresses concern about the rising water temperature and its potential impact, particularly on the reef and marine life, including bottomfish and salvage fish. While acknowledging limited control over temperature changes, they suggest exploring possible actions to mitigate the effects on their homes and fisheries.

Another AP member recently picked up a crew from Manua. However, the main issue is the current weather conditions. Despite the experienced crew, there's a heightened awareness of the weather, with costs rising due to unpredictability. The focus is on preparation, as a sense of anticipation exists for a potential large hurricane. Despite good fishing lately, there is a belief that fish activity might be linked to their instinct to feed before a storm.

An AP member expresses his concerns about climate change and anticipates government measures restricting gas stoves and promoting electric vehicles. They are worried about the potential financial burden of transitioning to electric vehicles.

The AP Chairman commented on the temperature changes. He shared observations of significant impacts on water temperature, especially noting the issue of acidification affecting shellfish. In San Diego, for instance, the acidic water prevents shellfish formation in clam and oyster hatcheries. He mentions similar challenges in New Zealand and emphasizes the difficulties faced by operations that cannot relocate. Shellfish and salmon cultures have significantly declined in production. It has also extended to the Alaskan fisheries, affecting the king crab population and other species.

The AP Chairman emphasized the importance of supporting communities faced with economic challenges due to these environmental changes. Initiatives such as the National Seafood Strategy play a significant role in recognizing the importance of these issues.

The AP Vice Chair provided updates on the Department of Marine and Wildlife Resources initiative to introduce failure (giant clams) from Samoa to regrow the local population. He also discussed amendments to the shark law, highlighting an exciting provision that allows possession of the whole shark for cultural purposes but restricts its sale. The AP Vice Chair also reported on the recent fishing tournament held during Thanksgiving week. Fifteen boats participated, with a total catch of 7337.5 lbs of fish over three days. The winning boat, Double Shot, owned by Palmer Marine Charters, secured the top spot with 1601.6 lbs.

4. AS Fishery Issues and Activities

A. Alternatives for the Rebuilding Plan and Annual Catch Limits for the American Samoa BMUS

Zach Yamada, Council staff, presented alternatives for discontinuing the rebuilding plan and specifying annual catch limits and accountability measures for the bottomfish fishery for fishing years 2024-2026. A new benchmark assessment for the American Samoa bottomfish management unit species (BMUS) was presented to the Council in June 2023 and found that the bottomfish fishery was not overfished nor subject to overfishing. At its 196th meeting, the

Council took initial action to discontinue the rebuilding plan and specify an aggregate ACL for fishing years 2024 to 2026. At its upcoming 197th meeting, the Council may take final action to discontinue the rebuilding plan and specify catch limits. The Council will consider the following alternatives: 1) no action - continue the rebuilding plan; 2a) discontinue the rebuilding plan and specify an aggregate ACL; 2b) discontinue the rebuilding plan and specify single species ACLs for the nine assessed BMUS based on their respective P* and SEEM analysis and identify palu loa and palu sina as indicator species for palu malau and palu enaena; 2c) discontinue the rebuilding plan and specify single species ACLs lower than their respective P* and SEEM analysis with the same caveats of alternative 2b for indicator species. As an accountability measure

The AP Vice Chair asked the rationale for selecting 2B, rather than the one AP had selected, and asked if it was a workload issue.

Council Staff replied that the workload for 2A and 2B was a non-issue. Further clarification was needed between the September and December meetings. There is significant concern over the current stock assessment, which categorizes single species into nine stock statuses. The issue revolves around the potential consequences if one of these single-species exceeds the designated limit. Pursuing this path may not align with NS-1 and NS-2, so he suggests considering options 2B and 2C as viable alternatives.

The AP Vice chair asked if the science committee shared concerns regarding 2A and 2B.

Yamada responded that there has been extensive discussion regarding the application of the stock assessment for management, so since the stock assessment has single species stock status, it may not be appropriate to use the aggregate compared to single species.

An AP member asked if there were any issues with the exclusive specification, noting that it appears to be a more effective way to monitor each species individually.

An AP member asked if the rebuilding plan for the American Samoa Bottomfish fishery was lifted.

Council staff responded based on the 2023 Stock Assessment, which found that AS bottomfish fishery was not overfished or experiencing overfishing. That gave direction to the Council to discontinue the rebuilding plan and specify new catch limits.

An AP member asked what was the process to discontinue the rebuilding plan.

Council staff outlines the process that follows after the American Samoa FEP AP meeting. After the meeting, the recommendation is presented to the Council, and the Council is responsible for taking final action. In a hypothetical scenario where the recommendation is to discontinue the rebuilding plan and specify the ACL for the nine single species, the Council can agree with the AP's recommendation and take action. Once the Council decides, the next step is to notify the National Marine Fisheries Service (NMFS) at the regional office.

Regarding the American Bottomfish annual catch limits, the AS AP recommends the Council:

- ***Discontinue the rebuilding plan and specify 9 single species ACLs based on the P* and SEEM analysis for fishing years 2024-2026.***

- *Recommend using palu loa (E. coruscan) and palu sina (P. flavipinnis) as indicator species for palu malau (E. carbunculus) and palu ena ena (P. filamentosus); and*
- *Recommends a postseason 3-year average overage adjustment.*

B. Fishing Regulations for the Proposed Pacific Remote Island National Marine Sanctuary

Joshua DeMello, Council staff, presented the analysis of options for fishing regulations for the proposed Pacific Remote Islands (PRI) National Marine Sanctuary. As part of the sanctuary designation process under the National Marine Sanctuaries Act, section 304(a)(5) requires the appropriate fishery management council be given the opportunity to prepare draft regulations for fishing within the EEZ. NOAA has identified that proposed fishing management actions are necessary, and provided the Western Pacific Regional Fishery Management Council a package of materials intended to help the Council make a determination of what would best fulfill the sanctuary goals and objectives. The Council may decide to prepare draft fishing regulations and recommendations, determine that regulations are not necessary, or decline to make a determination with respect to the need for recommendations.

The AP Vice Chair strongly prefers Option 2 (Status Quo), emphasizing the desire to avoid further government burden on the Pacific. He strongly disagrees with Option 3, citing concerns about additional red tape and the existing challenges faced by fishermen.

Another AP member voiced significant concern about the proposed rule, stating that the fishery is already over-regulated. He supports Option 2, as he believes there are already sufficient regulations.

Another AP member emphasized the lack of regulations that monitor the area.

The American Samoa AP recommends Option 2 Status quo. The fishery is already highly regulated and the AP agrees that the potential to impact American Samoa is too great. Should the sanctuary be designated, the AP recommends the Council request the ONMS provide consistent monitoring of resources in the proposed sanctuary in order for American Samoa to determine potential impacts to the territory, particularly in light of potential climate change impacts.

C. Multi-Year Bigeye Tuna Catch and Allocation Specification

Mark Fitchett, Council staff, presented alternatives for setting a framework for a multi-year bigeye tuna (BET) catch and allocation limits applicable for American Samoa, Guam, and CNMI to US-flagged Hawaii longline vessels. Under Amendment 7 to the Pelagic FEP, the Council specified annual fishing agreements to support the territorial marine conservation plan and fishery development projects. At its 194th meeting, the Council took initial action of no catch limits and 1,500 mt allocation limits for each U.S. participating territory for fishing years 2024 through 2026. At its 197th meeting, the Council may take final action on the following alternatives: 1) No action - no catch or allocation limits; 2) catch limit of 2,000 per territory and 1,500 allocation limits, limiting total transfers to 3,000 mt (status quo); 3) specify for each U.S. participating territory up to a 1,500 t allocation limit, with the option to set a catch limit without the requirement to do so; or 4) specify for each U.S. participating territory an 2,000 t allocation

limit, with the option to set a catch limit without the requirement to do so. The AP may recommend a preferred alternative for the Council's final action for its upcoming meeting.

An AP member suggested allocating 3000 mt for all US participating territories.

Mark Fitchett, Council Staff, said that American Samoa does not have a catch limit for the longline fleet. Since 2012, the commission has removed that limit for small developing territories.

Another AP member said the Council should keep a portion for the local fleet and that 2000 mt should be enough.

Another AP member agreed and said they should set our catch limits and not get greedy.

An AP member says this is the money to help our local fisheries and questions why we should limit allocations. He does not think the fishery could reach the 2000 mt catch limit.

Another AP member says that if it doesn't make a difference between having a 3000 limit or a 2000 limit, then why change it? It should be left as it is.

An AP member recommended increasing the catch limit for AS for Big Eye Tuna to 3000 mt because they have an active longline fleet.

AS AP recommends considering increasing the catch limit for AS for BET to 3000 mt because they have an active longline fleet.

5. Updates on Council Inflation Reduction Act Application Priorities and Development

Council staff provided an overview of the Inflation Reduction Act (IRA) funding. The Councils have been allocated \$20M from the IRA funding to contribute to dynamic management and increasing fishing community resiliency in response to climate impacts. Council staff have started developing project proposals to address the IRA priorities, including climate scenario planning, regulatory review, protected species, and community engagement. The projects need to be completed by 2027.

An AP member supported the Giant Clam projects implemented by DMWR and noted that more protected species are not included in their projects and are also culturally significant. There are a lot of species out there that need to be protected and should be included in their projects.

Another AP member commended the Council on the well-written proposal and looks forward to making comments once it is proposed.

Another AP member noted that putting this money into the local community is essential and supports the viability of the fisheries. Training has been discussed many times, and funds must be put in to teach the locals technical skills. The member also notes that a lot of this money will streamline regulations.

The AP Vice Chairs move to endorse the Council's IRA proposal.

The AP members vote all in favor of the IRA proposal.

Regarding the IRA proposal

The American Samoa AP endorsed the four project priorities and highlighted the need to focus on community engagement and capacity building.

6. Other Business

Mia Iwane and Justin Hospital provided an overview of the Economic and Social Characteristics of the AS small boat fishery and the Economic contributions of US Commercial Fisheries in AS.

An AP member commended Mia Iwane and Justin Hospital on conducting this economic survey.

Another AP member asked if they had asked the fishermen about their main challenges in maintaining operations.

Justin Hospital said the cost of fishing was overarching and very common among fishermen. They also had market challenges, and the COVID-19 shutdown contributed to those impacts.

Another AP member noted that the fisheries are providing revenue and other opportunities and lifting the communities.

Regarding Council family changes, Joseph Faaita resigned, and the American Samoa AP requested the Council open solicitation for an alternate replacement.

7. Public Comment

There was no request for public comment

8. Discussion and Recommendations

Regarding the American Bottomfish annual catch limits, the AS AP recommends the Council:

- ***Discontinue the rebuilding plan and specify 9 single species ACLs based on the P* and SEEM analysis for fishing years 2024-2026.***
- ***Recommend using palu loa (*E. coruscan*) and palu sina (*P. filamentosis*) as indicator species for palu malau (*E. carbunculus*) and palu ena ena (*P. flavipinnis*); and***
- ***Recommends a postseason 3-year average overage adjustment.***

Regarding Fishing Regulations for the Proposed Pacific Remote Island National Marine Sanctuary, the AS AP recommends Option 2 Status quo. The fishery is already highly regulated and the AP agrees that the potential to negatively impact American Samoa is too great. Should the sanctuary be designated, the AP recommends the Council request the ONMS provide consistent monitoring of resources in the proposed sanctuary in order for

American Samoa to determine potential impacts to the territory, particularly in light of potential climate change impacts.

Regarding the Multi-Year Bigeye Tuna Catch and Allocation Specification, the AS AP recommends considering increasing the catch limit for AS for BET to 3000 mt because they have an active longline fleet.

Regarding the IRA proposal

The American Samoa AP endorsed the four project priorities and highlighted the need to focus on community engagement and capacity building.

Regarding Council Family Changes

The American Samoa AP request the Council open solicitation for alternate replacements.

Meeting ended: 8:01 p.m., AST