



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

FINAL Report of the American Samoa Archipelago FEP Advisory Panel Meeting

Wednesday, August 30, 2023

6:00 p.m. – 8:00 p.m. (SST)

1. Welcome and Introductions

Brian Thompson, Acting American Samoa (AS) Advisory Panel (AP) Vice Chair opened the meeting at 6:05 p.m. In attendance at the Naumati Ballroom included Dustin Snow, Nonu Tuisamoa and Ray Tulafono. Members in attendance virtually includes Nate Ilaoa (Vice Chair) and Joe Hamby.

Others in attendance includes Zach Yamada, Felix Penalosa, Joshua DeMello, Asuka Ishizaki, Mark Fitchett, Felix Reyes (Council staff), Tony Landkilde, Jim McGuire, Sala McGuire (Public), Heather Cronin (PIRO SFD), Cassie Pardee, John Wiley (Poseidon Fisheries Research), Mia Iwane, Adam Ayers, and Marlowe Sabater (PIFSC).

2. Review of the Last AP Recommendations and Meeting

Felix Penalosa, Council staff, provided a review of the last AP recommendations on June 24, 2023.

An AP member chair asked why their recommendation regarding Fishery Issues in AS for Council to work with other fishery management councils to get their support to prevent fishery closures in the Pacific Remote Island Areas was not taken up by the Council. Council staff said the Council Coordination Committee (CCC) has an existing area based management working group that is addressing these issues. Once their reports are complete, then the Western Pacific staff could provide an update to the AP.

3. Feedback from the Fleet

A. AS Fishermen Observations

The Vice Chair requested the AP members for fishing observations from July to August 2023.

An AP member observed that there was a large amount of foreign vessels unloading fish at the canneries and noted that there was not a lot of fish available in the markets.

Another AP member said there was not a lot of activity at the waterfront drops while another member shared about a village closing fishing on their shores due to the funeral of a high chief. He said that it was a observation of a cultural fishery management practice. The penalty for disregarding these practices is a fine of over \$1000 to feed the entire village.

An AP member reported a few marlins in the markets on both sides of the island and expressed his concerns about the foreign vessels selling their catch to the markets.

An AP member reported that he was solicited by the foreign fleet to sell fish in his shop. Another AP member suggested that he report them to the local agencies to look into the matter.

An AP member reported that he had reached out to the NOAA office of law enforcement agent regarding foreign bycatch. The agent advised that it is supposed to be sold in the canneries and that not all the fish gets sold so they end up in the markets. They advised that AS Customs is supposed to be responsible for monitoring these by-catches, however they are not able to capture the act in its entirety.

Another AP responded that anytime a boat unloads their catch at the cannery, there is a report of fish that is processed. Fish that is not processed by the cannery is not captured in the report and they retain the bycatch onboard. Longline vessels going back to Taiwan will aggregate the load so they can save on freight of all non-canning species where they can get as much money selling in Taiwan. He said that the canneries do not purchase these fish unless an invoice is issued to make it legally binding.

Another AP member added that local shops and markets do not usually complain about the source of the fish as long as it is available. They would much rather harvest the fish than let it go to waste.

An AP member said that the AS government is losing out on money and that they need to reach out to faipule (house representative) and senators. The fishing industry has been finding it difficult for their captions to get their US masters and certify their local fishermen. He said that the industry has requested an exemption to this requirement. The AP member asked about having an American Samoa only Jones Act Waiver. Council staff advised that this matter was discussed at the Council's fishing industry advisory committee (FISC) meeting in which a recommendation to the Council was made.

An AP member said that it is not possible for US flagged vessels to have a waiver of the Jones Act amendment because there is no geographical limitation. If one is on a US flagged vessel, they are under the Jones Act to protect them. This AP member said that there was no initiative to Congress to ask for an exemption in regards to the U.S. Masters shortage. Council staff said the Council has limitations on its recommendations and said the industry could discuss this independently of the AP.

B. Advisory Panel Fishery Issues and Priorities

The Vice Chair asked AP members for fisheries issues and priorities. This included the need for better data collection, communication with stakeholders, and need for better public understanding of the Council process.

Tony Langkilde, representative of the AS Department of Commerce (DOC), provided a report on the Super Alia project. He reported that they are expecting the super alia boats to be shipped in September. The builders are running sea trials and are facing a number of challenges such as delays in shipping schedules, inflation, and availability of supplies. All four boats are expected to be completed by the end of 2025. He noted the EDA is funding the project along with support of the Department of Interior Technical Assistance Program grant for supporting the incubation and training program.

An AP member asked, if any representatives of the company building the boats will be traveling down to AS to train the locals in operating and maintaining the Super Alia. Langkilde responded that it is part of their planning.

Another AP member asked what the purpose of the Super Alia project. Langkilde responded that it will be part of the incubator project where they will lease out two of the vessels and the other will be used for training purposes. He also mentioned that each boat is capable of housing an ice machine.

An AP member asked what DOC is doing to recruit for the training program and what is the budget. Langkilde responded that it is all part of their plan and that they are looking to hire a master fisherman. AS DOC will be reaching out to the community college to recruit potential training personnel while also providing outreach to various media outlets such as radio advertisement and television.

An AP member noted that the details of the budget should be available online on USAspending.com.

An AP member asked what the status was on the PRIA sanctuary designation.

Council staff said the Council will be taking initial action at its 196th meeting on whether or not the Council will develop fishing regulations for the proposed PRIA sanctuary.

4. AS Fishery Issues and Activities

A. American Samoa P* and SEEM Working Group Report

Zach Yamada, provided a report on the results of the working group meetings convened in person in American Samoa on August 28 and 29. The working groups were composed of federal and territorial agency staff, and bottomfish fishermen. The P* working group quantified the scientific uncertainties in the 2023 benchmark stock assessment for the nine American Samoa bottomfish management unit species using a consensus scoring system based on four dimensions: assessment information, uncertainty characterization, stock status, and productivity-susceptibility. The SEEM working group utilized a scoring system ranging from 0-10 for each member and the final dimension score to generate nine scores that were averaged respectively.

An AP member asked about the current progress of the P* and SEEM.

Council staff said the results of the working group will be incorporated in the options developed for discontinuing the bottomfish rebuilding plan and specifying annual catch limits and accountability measures for fishing years 2024 to 2026.

An AP member asked if we received a positive turnout with the working groups.

Council staff responded that there were three fishermen that participated and received some positive feedback from the agency folks in both the P* and SEEM working groups.

An AP member wanted to know about the other species that were close to overfishing. The acting chair for the P* and SEEM working group said palu loa and asoama were close to being overfished, but the working group agreed that the fishery was healthy.

B. Options for the Rebuilding Plan and Annual Catch Limits for the American Samoa BMUS

Zach Yamada presented options for discontinuing the rebuilding plan and specify annual catch limits and accountability measures for the bottomfish fishery for fishing years 2024-2026. The best scientific information available is the 2023 benchmark assessment with catch projections to 2028. The P* and SEEM working group evaluated the scientific uncertainty and quantified risks levels for the SSC to consider. The options presented were: 1) No action; 2) Discontinue the rebuilding plan; 2a) Specify nine single-species ACL for the assessed species based on the results of the P* and SEEM analysis and identify palu loa and palu ula as indicator species for palu malau and palu ena ena; 2b) Specify nine single-species ACL for the assessed species lower than the results of the P* and SEEM analysis and identify palu loa and palu ula as indicator species for palu malau and palu ena ena; 2c) Specify an aggregated ACL for the assessed species based on the results of the P* and SEEM analysis and identify palu loa and palu ula as indicator species for palu malau and palu ena ena. Options for accountability measures include: implement in-season monitoring using the current creel survey data expansion; implement a single year post season overage adjustment; and or implement a three year average post-season overage adjustment.

An AP member asked what the catch project for 2022 was. Council staff responded that it was around 2,000 pounds.

Another AP member wanted to proceed with no action due to his concern over two of the species being close to overfished.

An AP member disagreed with this and emphasized that all this work was done to get out of the overfished status and that no action would only be a step backwards in the whole process. He noted that the AS fishery would get a higher ACL. If AP were to recommend discontinuing the rebuilding plan, then the bottom fishermen would benefit more. He stressed that the Council and working groups have worked together through contentious public meetings to get out of the overfished status when all the people on the ground know that we are not overfishing or experiencing overfishing. He urged the panel to consider changing the ACL and move forward.

Another AP member says that if we are not reaching an ACL of 5,000 pounds then there is no need to take action. He also agrees with the previous member's comment about taking no action and says there is no disagreement that it would jeopardize the fishery. He questions why choosing no action would be a solution.

Council staff said that no action would not comply with National Standards 1 and 2 to use best scientific information available. The AP agreed that Option 2a would be the best option for further fishery development and the Council should recommend a post season three year average overage adjustment due to the uncertainty of the data.

Another AP member had concerns about the new super alia that will be arriving and their impacts to the fishery.

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. coruscans*) and palu sina (*P. filamentosis*) as indicator species for palu malau (*E. carbunculus*) and palu ena ena (*P. flavipinnis*); and***
- ***Recommends a post season 3-year average overage adjustment.***

5. Council Fishery Issues and Activities

A. 2024 US Territorial Bigeye Tuna Catch and Allocation Specification

Mark Fitchett, Council staff presented the 2024 US Territorial Bigeye Tuna specification. Three options were presented: 1) no action, 2) total catch and effort attributions consistent with status quo (3000 metric ton [mt] total attributions), and 3) a combination of attribution possibilities that may exceed 3000 mt. The AP should consider possible tradeoffs under each option and sub-alternatives. Tradeoffs may include departing from the status quo arrangement of allowing any territory to allocate up to 1500 mt with total allocations not exceeding 3000 mt. Only CNMI and American Samoa have engaged in territorial agreements with the Hawaii Longline Association for the last several years.

The AP recommended the Council rollover its previous recommendation and select Option 2, allowing transfers of up to 1,500 mt from any territory to US-flagged longline vessels with total transfers not to exceed 3,000 mt.

Regarding the 2024 US Territorial Bigeye Tuna Catch/Effort Limit and Allocation Specifications:

- ***The American Samoa AP recommends the Council select Option 2, allowing transfers of up to 1,500 mt from any territory to US-flagged longline vessels with total transfers not to exceed 3,000 mt.***

B. Options and Scenarios for EM in WP Longline

Mark Fitchett, council staff, presented the goals and objectives of a pre-implementation plan for electronic monitoring (EM) in Pacific Island fisheries. These objectives include a) protected species monitoring and estimation, b) retained catch monitoring, and c) discard monitoring. The monitoring goals and objectives will frame a ‘purpose and need’ for Council action in the future.

An AP member asked Fitchett to clarify if cameras will be replacing the observers.

Fitchett responded that the cameras will be installed on vessels and that it won’t be replacing the observers.

6. Updates on Poseidon Fisheries Research Biosampling

Cassie Pardee and John Wiley, from Poseidon Fisheries Research, provided an update on their Biosampling project in American Samoa. Their projects will focus on reef species in American Samoa that includes *A. lineatus* (alogo), *C. striatus* (poge), *A. xanthopterus* (yellowfin

surgeonfish), *N literatus* (umelei), *C japanesis* (laea ulusama), *C microrhinos* (laea ulumako), *S oviceps* (fuga alsina), *S rubroviolaceus* (laea-mea), *E mera* (gatala aloalo), *L amboinensis* (filoa gutumumu), *L rebrioperculatus* (filoa pa'omumu), *L xanthochilus* (filoa gutusama), *M grandoculis* (matamata mu), *M berndti* (malau ugatele), *S tiere* (malau tui).

An AP member asked which villages and islands they visited to conduct their biosampling. He expressed his concerns that all the samples came from the island of Tutuila and nothing was sampled from the rest of the islands of American Samoa. He added that the species that were sampled Tutuila that were considered common are not necessarily common in other islands especially in Manu'a.

An AP member requested that they have an outreach to teach about the species life history in American Samoa.

7. Program planning update

Asuka Ishizaki, 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 has started developing project proposals to address the IRA priorities, including climate scenario planning, regulatory review, protected species, and community engagement. The projects would need to be completed by 2027.

An AP member said that they have other issues to worry about in regards to Climate Change. He could not comprehend anything that was presented. He asked that we work on the current problems that the dying fishery is facing.

8. Other Business

There was no other business to discuss.

9. Public Comment

The Vice Chair asked for public comment and asked Council staff to provide any names from the webex.

Sala Mcguire, AS resident, said she can concerns about the plans for the Super Alia project and the management of the project.

Jim Mcguire, AS resident, said he had concerns on the data for specifying annual catch limits for bottomfish. He said deep bottomfish was not available in the markets and this could be an indicator that the fishery is not healthy. He asked the AP members where to buy bottomfish if available.

10. 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 the 2024 US Territorial Bigeye Tuna Catch/Effort Limit and Allocation

Specifications:

- *The American Samoa AP recommends the Council select Option 2, allowing transfers of up to 1,500 mt from any territory to US-flagged longline vessels with total transfers not to exceed 3,000 mt.*

Meeting ended: 8:54 p.m., AST