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COUNCIL

## Status Report on the Regulatory Implementation Approach for the Hawaii and American Samoa Longline Fisheries Crew Training

202<sup>nd</sup> Council Meeting  
March 25-27, 2025  
Honolulu, Hawaii

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### 1 INTRODUCTION

The Western Pacific Regional Fishery Management Council (Council or WPRFMC) at the 201<sup>st</sup> meeting in December 2024 took initial action on the regulatory amendment to implement a crew training requirement for the Hawaii deep-set longline (DSL), Hawaii shallow-set longline (SSL), and the American Samoa longline (ASL) fisheries. The Council directed the Action Team to refine the regulatory approach for implementing the crew training and person-on-deck requirement under Alternative 1, taking into consideration recommendations from the advisory groups, and provide an update at the March 2025 meeting in advance of Council final action at the June 2025 meeting.

The Council additionally requested NMFS to make the crew training program accessible to fishery participants and work with the Council and Hawaii and American Samoa longline fishery representatives to explore an appointment scheduling system that would facilitate greater participation in the training sessions.

This document provides a status report from the Action Team on progress made since the 201<sup>st</sup> meeting.

### 2 REFINED REGULATORY APPROACH

The Action Team met in January 2025 to determine the best regulatory approach to meet objectives/intent of implementing crew training in the Hawaii and American Samoa longline fisheries. The Action Team focused on a regulatory approach that would have both components: 1) crew certification (i.e., minimum 1 crew certified, NMFS issues certificate, minimum 1 certificate on board) intended to address the existing crew training gap; and 2) a trained person on deck requirement that would address the intent of having a trained person (*ideally crew - "crew as first responders" concept*) immediately available to respond to protected species interactions. Details of each component are described below.

Crew certification requirement: The regulation would specify that at a minimum one crew per vessel be certified for crew training, NMFS would issue a certificate for completion of crew training, and require a minimum of one crew’s training certificate to be on board the vessel.

- Pros:
  - Provides a clear requirement to fill the existing training gap, and would facilitate having a trained person on deck (captain and at least one crew on board would be certified).
  - Provides a clear enforcement mechanism.
  - Having a regulatory requirement for crew training attendance and certification would help ensure NMFS will continue to offer crew training.
- Cons:
  - Vessels would not have the flexibility to have the captain be the sole person on board with training, which may be problematic for crew pickup trips or with new crew in the fishery. Most of these situations could be alleviated by NMFS ensuring training program accessibility through online training options and/or an appointment system.

Person on deck requirement: the Action Team generally agreed that some form of “person on deck” requirement in conjunction with the crew certification requirement would be the best approach as it would be more likely that the intent of having crew to be “first responders” for protected species handling would be fulfilled under this approach (compared to not having the crew certification portion of the requirement). The Action Team generally agreed that it is most important to focus on having the trained person (ideally crew) immediately available to direct/oversee the protected species interaction response, and that such language may provide a suitable alternative to language around “on deck during hauling activities”. The Action Team discussed three possible options for regulatory language for this requirement, with option B being the most preferred approach:

- A. 1 trained person participating in hauling
- B. 1 trained person immediately available to direct/oversee PS handling and release (preferred)
- C. 1 trained person on deck during hauling

The Action Team acknowledged that the “1 trained person” approach does not address the preference for the trained person being a crew member, but noted that the language would provide flexibility for the trained captain to step into the role if the trained crew member is not immediately available.

### **3 REVISION TO THE RPM TERMS & CONDITIONS**

The 2023 Hawaii DSSL and ASLL BiOps, issued in May 2023, included a RPM T&C requiring crew training on best practices for handling and release of incidentally captured protected species. In addition, a Supplemental BiOp for the Hawaii SSSL fishery focused on loggerhead sea turtles issued in March 2024 included RPM and T&C regarding crew training. The T&C is the same in both 2023 BiOps and the 2024 Supplemental shallow-set BiOp, and requires the NMFS SFD to:

(T&C 1.b. in the 2023 BiOps and T&C 1.c. in the 2024 Supplemental BiOp) “To reduce post-release mortality, within two years NMFS SFD shall require species handling training for crew members and at a minimum have one trained person on deck who directs and oversees activities of the vessel when retrieving fishing gear. Training shall include best practices identified in 1.a above<sup>1</sup>.”

Following the December 2024 Council meeting, NMFS revisited the T&C and determined that the language should be refined to achieve the desired outcome for improved protected species handling and reduced post-interaction mortality throughout the longline fleets. The proposed revision to the T&C language is as follows:

“To reduce post-release mortality, within two years NMFS SFD shall provide protected species handling training to all crew members. When on a fishing trip, each vessel will carry at least two persons with approved protected species handling training. In addition, whenever fishing gear is being retrieved and an ESA-listed species interaction occurs, there will be at least one trained person on deck to direct the proper handling and release of that animal. Training shall include best practices identified in 1.a above.”

PIRO provided the Council with the draft revision of the T&C in accordance with the National Marine Fisheries Service (NMFS) Policy Directive 01-117 regarding the integration of Endangered Species Act (ESA) Section 7 with Magnuson-Stevens Act (MSA) Processes and the regional ESA-MSA Integration Agreement established between the Council and PIRO. The Council may provide comments on the proposed revision to PIRO by March 28, 2025.

#### **4 STATUS OF PILOT TRAINING PROGRAM & TRAINING PROGRAM ACCESSIBILITY**

The crew training pilot program seeks to ensure all vessels in the Hawaii and American Samoan longline fleets are given an opportunity to have their crew members trained prior the May 2025 deadline stated in the RPM T&C. The program simultaneously sought to investigate the feasibility of training all crew members participating in the fishery and to develop a permanent training program. As of February 2025, 576 individual crew members from 114 vessels have been trained.

Initial efforts focused on large training events where all available vessels in port would be able to attend. These training events required participation from multiple partners (DHS, HLA, PRD, DOT - Harbors), live interpretation for the 1-hour lessons in 3 languages most commonly spoken by crew (Indonesian, Vietnamese, and Tagalog), and the setup of an outdoor classroom. While these monthly events proved to maximize opportunities for attendance, once the program had reached 60%-70% of the 150 vessels in the fleet, new vessel attendance dropped due to fewer vessels in port on training day that had not yet received training. As of February 2025, less than 50% of vessels in attendance at any training are new vessels that have never had crew members

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<sup>1</sup> (T&C 1.a. in the 2023 BiOps & T&C 1.b. in the 2024 Supplemental BiOp) “NMFS SFD shall implement measures to minimize the amount of trailing gear left on ESA-listed species to the maximum extent practicable to reduce the amount of injury and harm, the likelihood of further gear entanglement or entrapment, and improve the post-release mortality of ESA-listed species. This may include using new technologies once proven, such as fighting lines (i.e., additional gear that reduces tension on the branchline), line cutting devices, and other gear modifications.”

trained. With a rate of less than 50% new vessels in attendance at each of the remaining pilot training events (March, April, May, June), NMFS Pacific Islands Regional Office (PIRO) does not expect to reach the goal of having all vessels with trained crew members by May 2025 without separate accommodations. Further, the feasibility of implementing the pilot training format as a permanent program has also been affected by the lack of funding for regular interpretation services and recent changes to foreign crew's ability to move between piers to access dock-side training areas. As such, an alternative approach is needed for the crew training program.

Although training attendance by new vessels inevitably decreases over time, the number of new crew members who require training has not followed the same level of regression. Crew turnover rates seem to be high enough that a majority of vessels that have attended more than one training between April 2024 and March 2025 have not sent the same crew members. To date, 91% of all crew members in attendance have been new, untrained individuals. This points to the high turnover rate of crew members in the fleet and the need for regularly offered accessible training options.

#### *Access plan (Long-term baseline) - Short-form Video and Quiz Training*

NMFS PIRO plans to adjust the current large event training program to a smaller and more time and cost effective program to ensure a system for an efficient and effective training in compliance with the RPM T&C. The new short-form training program will maintain an in-person format and will consist of a video followed by a short comprehension quiz. The training will use the existing Protected Species Workshop's animated handling and release guideline video with interpreted audio tracks, translated resources, and foreign language closed-captions to ensure training is offered in the languages most commonly spoken by crew members. The supplemental quiz and resources will be used to ensure comprehension and encourage prioritization of becoming familiar with the material. This training format (video and a short comprehension quiz) is modeled after the insurance-required training that some vessel owners currently implement with all crew on the vessels under their management, and thus is a familiar format for the longline fleet. This training option can be offered to a single or multiple vessels and would be able to accommodate the unpredictable schedule of the longline fleet. Scheduling and delivery of the training can occur weekly at either pier with the Protected Species Workshop Coordinator's availability being the only schedule-limiting factor.

All training would be encouraged to occur in-person to ensure participation and completion as well as offer the opportunity for questions and support such as checking required handling gear compliance and physical demonstrations. However, exceptions can be made circumstantially for vessel owners and operators to administer the video-based training to their crew at sea (e.g., Crew pickup trips that wish to fish on their way back; coordinator's inability to accommodate training due to scheduling or location).

The short form training plan ensures there is a program in place to accommodate all vessels and crew and ensure compliance with the BiOp's RPM T&C and any regulations implemented through Council action. This plan also reduces burden on NOAA/partner staff and fisher schedules. NMFS PIRO recognizes that these adjustments come at the expense of a more hands-

on engaging training opportunity and the opportunity for detailed direct communication with the crew members.

Based on the success of the pilot program and large-event format of training, NMFS recognized the potential and importance of a more hands-on and comprehensive training opportunity. NMFS hopes to look into the possibility of offering alternate training opportunities in the future pending funding and partner availability.

## **5 COUNCIL INPUT AT THE 202ND MEETING AND NEXT STEPS**

The Council at its 202nd meeting is asked to provide further feedback and direction on the regulatory implementation approach, and identify any other considerations in preparations for implementing the crew training requirement in the Hawaii and American Samoa longline fisheries.

The Action Team plans to finalize the regulatory implementation approach based on the revised T&C and considering the Council's input at this meeting, and will prepare supporting analysis for the draft regulatory amendment to implement the crew training requirement in preparation for the Council's final action at the June 2025 meeting.