



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

MINUTES OF THE
201st MEETING OF THE
WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL

December 16-17, 2024 Council Plenary
By Web Conference (Webex) with Host Sites:

Hawai'i: Council Conference Room, 1164 Bishop Street, Suite 1400, Honolulu

American Samoa: Tedi of Samoa Building Suite 208B, Fagatogo Village

Guam: Cliff Pointe, 304 W. O'Brien Drive, Hagatna

CNMI: BRI Building Suite 205, Kopa Di Oru Street, Garapan, Saipan

Approved by Council:

William Sword, Chair

Western Pacific Regional Fishery Management Council

Table of Contents

| | | |
|------|--------------------------------------------------------------|----|
| I. | Welcome and Introductions | 6 |
| II. | Approval of the 201st Council Meeting Agenda | 6 |
| III. | Approval of the 200th Council Meeting Minutes | 7 |
| IV. | Executive Director’s Report | 7 |
| V. | Agency Reports..... | 8 |
| A. | National Marine Fisheries Service..... | 8 |
| 1. | Pacific Islands Regional Office | 8 |
| 2. | Pacific Islands Fisheries Science Center..... | 10 |
| B. | NOAA Office of General Counsel Pacific Islands Section | 11 |
| C. | US Coast Guard | 12 |
| D. | Enforcement..... | 14 |
| 1. | NOAA Office of Law Enforcement..... | 14 |
| 2. | NOAA Office of General Counsel Enforcement Section | 15 |
| E. | US State Department..... | 16 |
| F. | US Fish and Wildlife Service | 16 |
| G. | Public Comment..... | 16 |
| H. | Council Discussion and Action..... | 17 |
| VI. | Council Member Island Reports | 17 |
| A. | American Samoa..... | 17 |
| B. | Commonwealth of the Northern Mariana Islands..... | 18 |
| C. | Guam..... | 18 |
| D. | Hawai‘i..... | 19 |
| E. | Public Comment..... | 20 |
| F. | Council Discussion and Action..... | 20 |
| VII. | Action Items..... | 20 |
| A. | Main Hawaiian Islands Uku Fisheries | 20 |

| | | |
|-------|--------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1. | 2024 Main Hawaiian Islands Uku Western Pacific Stock Assessment Review Report | 21 |
| 2. | 2024 MHI Uku Stock Assessment Update | 22 |
| B. | Modifying the Guam Bottomfish Rebuilding Plan (Final Action) | 23 |
| C. | US Catch Limits for North Pacific Striped Marlin (Initial Action) | 24 |
| D. | Hawai‘i and American Samoa Longline Fisheries Crew Training Requirement (Initial Action) | 25 |
| E. | Development of an Electronic Monitoring Program for Western Pacific Fisheries (Initial Action) | 28 |
| F. | Update on American Samoa Bottomfish Management Unit Species Revision-Tier 6 Acceptable Biological Catch Control Rule (Initial Action)..... | 30 |
| G. | Guam Marine Conservation Plan..... | 31 |
| H. | Advisory Group Report and Recommendations | 31 |
| 1. | Advisory Panel..... | 31 |
| 2. | Fishing Industry Advisory Committee..... | 33 |
| 3. | Non-Commercial Fisheries Advisory Committee | 34 |
| 4. | Plan Team | 34 |
| 5. | Scientific and Statistical Committee..... | 35 |
| I. | Public Comment..... | 35 |
| J. | Council Discussion and Action..... | 36 |
| VIII. | Public Comment on Non-Agenda Items | 40 |
| IX. | Protected Species | 40 |
| A. | False Killer Whale Foreign Fleet Impacts Analysis | 40 |
| B. | Coral Critical Habitat Designation Final Rule..... | 41 |
| C. | Advisory Group Report and Recommendations | 42 |
| 1. | Advisory Panel..... | 42 |
| 2. | Fishing Industry Advisory Committee..... | 42 |

| | | |
|-----|-----------------------------------------------------------------------------------------------------------------------|----|
| 3. | Pelagic Plan Team..... | 42 |
| 4. | Scientific and Statistical Committee..... | 42 |
| D. | Public Comment..... | 42 |
| E. | Council Discussion and Action..... | 43 |
| X. | Pelagic and International Fisheries | 43 |
| A. | International Fisheries..... | 43 |
| 1. | Outcomes of Technical and Compliance Meeting of the Western and Central Pacific Fisheries Commission..... | 43 |
| 2. | US Positions at Western and Central Pacific Fisheries Commission 21 from Permanent Advisory Committee Meeting..... | 45 |
| 3. | Outcomes of the Western and Central Pacific Fisheries Commission 21st Regular Session 2024..... | 46 |
| B. | Advisory Group Report and Recommendations | 47 |
| 1. | Advisory Panels | 47 |
| 2. | Fishing Industry Advisory Committee..... | 47 |
| 3. | Pelagic Plan Team..... | 47 |
| 4. | Scientific and Statistical Committee..... | 47 |
| C. | Public Comment..... | 47 |
| D. | Council Discussion and Action..... | 48 |
| XI. | Administrative Matters | 49 |
| A. | Council Member and Staff Ethics Training..... | 49 |
| B. | Financial Reports | 49 |
| C. | Administrative Reports | 51 |
| D. | Report on Inflation Reduction Act Program..... | 51 |
| E. | Council Coordination Committee Report | 51 |
| F. | Council Family Changes..... | 52 |
| G. | Scientific and Statistical Committee Program Review | 52 |

| | | |
|-------|------------------------------------------------------|----|
| H. | Council Cultural Protocol Documents | 53 |
| I. | Meetings and Workshops..... | 53 |
| J. | Executive and Budget Standing Committee Report | 54 |
| K. | Public Comment..... | 54 |
| L. | Council Discussion and Action..... | 54 |
| XII. | Election of Officers | 57 |
| XIII. | Other Business | 57 |

I. Welcome and Introductions

The following members of the Western Pacific Regional Fishery Management Council were in attendance:

- Will Sword, chair (American Samoa)
- Roger Dang, vice chair (Hawai‘i)
- Judith Guthertz, vice chair (Guam)
- Sylvan Igisomar, vice chair (Commonwealth of the Northern Mariana Islands [CNMI]) and CNMI Department of Lands and Natural Resources (CNMI DLNR)
- Taotasi Archie Soliai, vice chair (American Samoa) and American Samoa Department of Marine and Wildlife Resources (DMWR)
- Pedro Itibus (CNMI)
- Shaelene Kamaka‘ala (Hawai‘i)
- Francisco Perez (Guam)
- Matthew Ramsey (Hawai‘i)
- Gerald Weaver (CNMI)
- Chelsa Muña, Guam Department of Agriculture (DOAG)
- David Sakoda, Hawai‘i Department of Land and Natural Resources (Hawai‘i DLNR) (designee for Dawn Chang)
- Sarah Malloy, National Marine Fisheries Service (NMFS) Pacific Islands Regional Office (PIRO)
- Colin Brinkman, U.S. State Department
- Brian Peck, U.S. Fish and Wildlife Service (USFWS)
- Marc Stegman, U.S. Coast Guard (USCG) (designee for Rear Adm. Sean Regan, commander for USCG District 14)

Also in attendance were Council Executive Director Kitty M. Simonds; James Lynch, Scientific and Statistical Committee (SSC) chair; Keith Hagg, Frederick Tucher, Elena Onaga, and Christine Terada from the NOAA General Counsel Pacific Islands (GCPI).

II. Approval of the 201st Council Meeting Agenda

Sword asked for a motion to approve the 201st meeting agenda.

Moved by Soliai, seconded by Ramsey.

Motion passed.

III. Approval of the 200th Council Meeting Minutes

Sword asked for a motion to approve the 200th meeting minutes.

Moved by Guthertz, seconded by Itibus.

Motion passed.

IV. Executive Director's Report

Simonds presented the executive director's report. She welcomed attendees to the 201st Council meeting and noted the actions that the Council will be taking up at this meeting, including final action on the Guam Bottomfish Rebuilding Plan, initial action on U.S. catch limits for North Pacific striped marlin and initial action on longline fisheries crew training requirements.

Meetings in October and November 2024 were highlighted, including the Council Coordination Committee (CCC) meeting in Virginia and the regional fishery management council executive directors' meeting in Florida, which focused on improving relationships with NMFS and planning for future webinars. In the past, the Council held virtual monthly meetings with headquarters. The executive directors discussed the planned production of the 50th anniversary video for the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and the postponement of the CCC National Environmental Policy Act (NEPA) working group due to legal rulings.

Simonds provided updates on the precious coral permit for the 'Au'au Channel and staff participation in the Deep-Sea Coral Research and Technology Program Science Planning Workshop.

The Council is working on an aquaculture amendment, which is undergoing consultations between PIRO Sustainable Fisheries Division (SFD), Protected Resources Division (PRD) and Habitat Conservation Division. Additional time is needed to finalize best management practices and initiate a Section 7 consultation. The Council has also been trying to finalize the Fishery Ecosystem Plan (FEP) amendments to the goals and objectives, which the Council took action on in 2010, and expects to receive funds to hire a contractor to finish the document.

Simonds noted concerns about the newly adopted Western and Central Pacific Fisheries Commission (WCPFC) North Pacific striped marlin measure, which significantly reduces the U.S. catch limit, potentially jeopardizing the U.S. tuna fishery. The Council expressed dissatisfaction, stating the decision did not align with scientific recommendations. WCPFC discussions also addressed the urgent need for a management procedure for South Pacific albacore by 2026 to maintain American Samoa's longline fishery and its certification for StarKist cannery exports.

Simonds provided positive news regarding the Inflation Reduction Act (IRA), with NMFS distributing funds to the Councils before year-end. Simonds also noted the Council will need to assess regional priorities under the incoming administration, advocating for equitable resource allocation and stronger regional representation.

V. Agency Reports

A. National Marine Fisheries Service

1. Pacific Islands Regional Office

Malloy presented the PIRO report. Amendment 7 to the American Samoa FEP went into effect Dec. 9, 2024, which discontinues the American Samoa bottomfish management unit species (BMUS) rebuilding plan and establishes new single-species annual catch limits (ACLs) and accountability measures (AMs) for American Samoa bottomfish for the 2024-2026 fishing years.

On Nov. 5, 2024, PIRO withdrew a proposed rule that established a catch and retention limit for striped marlin in the Western and Central North Pacific Ocean north of the equator. The withdrawal was based on scientific information and domestic stock status criteria, which indicated that the population was no longer overfished.

The Marianas Trench Monument Advisory Committee voted October 2024 to expand the committee to include a Guam member. On Dec. 13, 2024, NOAA Office of National Marine Sanctuaries (ONMS) published the final environmental impact statement (EIS) for the proposed Papahānaumokuākea National Marine Sanctuary. After 30 days from the EIS publication date, ONMS may publish the rulemaking to establish the sanctuary.

NMFS planned to publish the final rule for the coral critical habitat in early December 2024 pursuant to a court-ordered deadline. Due to the change in administration and the associated backlog that occurs in publishing regulations in the *Federal Register*, the federal government renegotiated the due date with the plaintiff and the deadline was moved to July 2025.

In October 2024, NMFS received petitions to list 41 Indo-Pacific corals. NMFS has 90 days from the date of receipt to determine whether the petition presents substantial information indicating the listing of these species may be warranted. NMFS plans to complete the assessment in January 2025, but it is unclear when the 90-day finding will be published given the backlog in the *Federal Register*.

Regarding the WCPFC meeting in Fiji, the United States gained traction on the electronic monitoring (EM) standards, which is important for EM initiatives in the Pacific Islands and cetacean protections to level the playing field between the purse seine and longline fleets.

Malloy provided an overview of PIRO's initiative to transition the longline observer program from human-based observing to EM. PIRO has not been able to sustain historic levels of observer coverage in the longline fishery due to increasing costs and budget. PIRO's highest priority for 2025 will be to make progress in developing an EM program for the longline fleet. PIRO is looking to stand up the program by the beginning of 2026, with a goal to create a

program that is effective and flexible to accommodate changes or additions to the types of information collected. The preliminary goal is for the program to begin phasing into operation in 2025 with likely full completion by 2027, although the timing may change throughout the year as the program develops further. The biggest milestone was searching for a partner to assist NMFS with the EM data collection, management and video review. NMFS has partnered with the Pacific States Marine Fisheries Commission (PSMFC), which has a long history with EM and has supported EM operations in the Alaska and West Coast longline fleets.

Lani Watson, NMFS Office of Habitat Conservation, provided information on two recently announced funding opportunities. One is for transformational habitat restoration and coastal resilience projects with \$100 million available. Proposals are due April 14, 2025. The second is for habitat restoration and resilience for tribes and underserved communities with \$20 million available. Proposals are due May 12, 2025. Both funding opportunities are part of NOAA's third and final round of Bipartisan Infrastructure Law and IRA funding, with 15% set aside for federally recognized tribes.

Soliai asked the identity of the petitioner for the 41 coral species.

Malloy said the petitioner is a representative from a nongovernmental environmental organization called The Coral Conservancy.

Soliai asked if NMFS had determined the full conversion costs of the EM program and how it will be paid, noting challenges with the budget.

Malloy said NMFS has cost estimates for a variety of different scales and scopes of the program. NMFS working with PSMFC has provided a much clearer estimate of costs. Although the costs are believed to be significantly lower than the human observer program, NMFS will not know completely until the EM program is fully implemented. Malloy said what is known is there is no way PIRO can sustain the human observer program at anywhere near the historical coverage rate so the agency had to switch to something else. The cost consideration is one of the top three things that NMFS is considering during program development.

Soliai said he appreciates NMFS considering cost as the highest priority, not only for the agency but for the industry. Soliai asked how soon the agency will have the details to share with the Council.

Malloy said she is unsure, and did not know if NMFS typically shares all the details of the observer program costs. If the agency requires the industry to pay for any of the program costs, it will explain exactly what the costs are. NMFS will be using all the money currently designated for the human observer program toward the EM program.

Soliai said he looks forward to receiving more details when possible.

Simonds asked for confirmation that the annual cost of the observer program is approximately \$8 million, and what kind of cost reduction is expected under the EM program.

Malloy confirmed the annual cost of the observer program and said reductions would depend on its scale. The goal by early 2026 is to structure the program to operate within the existing funding for the human observer program. The current human observer program far

exceeds available funding, and the goal of developing the EM program is to keep it within budget.

Simonds asked for confirmation that NMFS has approximately \$3 million to help with the structure of the EM program.

Malloy said it ranges from \$2 to \$6 million depending on events in any given year.

Sword asked if there are any other pending petitions that the Council needs to know about and requested a copy of the petition for the 41 Indo-Pacific corals.

Malloy said NMFS does not have any other pending petitions for the Pacific Islands and will provide the copy of the petition as requested.

Simonds said the petition is public.

Malloy said the petition is on the NOAA website.

Sword asked if NMFS had any updates on giant clams.

Malloy deferred the question to the protected resources section of the agenda.

2. Pacific Islands Fisheries Science Center

Charles Littnan presented the Pacific Islands Fisheries Science Center (PIFSC) report. PIFSC's 10-year strategic planning process has been completed with three high level themes: regionally informed science and research; community and partner collaboration; and organizational excellence. The plan emphasizes PIFSC partnerships with the communities it serves, increased transparency in NOAA science over the next 10 years and the coproduction and codevelopment of scientific products with those communities. PIFSC will be developing a detailed implementation plan focusing on the next three to five years. The timing is unknown due to the incoming administration and changing priorities based on that guidance.

The Social-Ecological and Economic Systems (SEES) Program has two upcoming surveys. The 2025 Marianas Small Boat Socioeconomic Survey's objective is to understand the current economics of small-boat fishing in Guam and the CNMI by documenting the cost of fishing, annual fishing expenditures and levels of investment. This information will be used to estimate the economic contributions of fisheries in terms of jobs, sales and income effects. PIFSC recently published a report describing these economic contributions for the Mariana Islands fishery with 2018 survey data. This survey received 110 responses in Guam, showing that an average of 70% of the fish landed was either consumed at home or given away within the community, with another 7% going to community events. About half the respondents reported selling fish within the 12 months before the survey. For the CNMI, PIFSC received 69 surveys showing an average of 60% of the fish being consumed at home or given away, and three quarters of fishers reported selling catch in the previous 12 months. The 2025 survey will update the baseline from previous surveys conducted in 2011 and 2018. PIFSC hopes to kick off this survey in January 2025 and continue through May 2025. Contracted vendors from Propel Solutions and Lynker will administer the survey.

The second survey is the Pacific Islands Region Charter/For-Hire Survey, which aims to understand the current economics of charter and for-hire fishing operations across the region by documenting the cost of fishing, annual fishing expenditures and levels of investment. This information will be used to estimate the economic contributions of fisheries in terms of jobs, sales and other income effects. This survey will provide an updated baseline from the 2012 Hawai'i survey, and will also establish an initial baseline for Guam, CNMI and American Samoa. The survey will be conducted between April-July 2025 and will be undertaken by contractors at Lynker.

The Guam Bottomfish Fishery-Independent Survey (BFISH) pilot study was conducted from June 20 to Sept. 7, 2024. Four contracted Guam fishing vessels sampled 65 predetermined grids around Guam, Rota Bank and White Tuna Bank, and completed 30 camera grids. The survey yielded important catch data dominated by ehu with additional catches of yellow tail, kalikali, onaga, lehi, gindai and 'ōpakapaka. The surveyors and biosampling program worked closely to document catch and collect biological samples including otoliths and gonads from BMUS to be included in the life history assessments for the region. The findings were shared with fishers and constituents at the closeout meeting held Nov. 21-22, 2024, where fishers expressed interest in continuing to contribute to year-round interception of their catch to fill fish length and biosampling gaps for future assessments.

Two PIFSC Fisheries Research and Monitoring Division (FRMD) staff traveled to the CNMI and Guam in late September 2024 to engage with partners and train DFW staff on the Sellit Logit and Metabase applications. While in the CNMI, FRMD staff gathered requirements and aligned timelines to support mandatory licensing and reporting regulations, shadowed DFW staff during an island-wide opportunistic survey, planned the integration of new east-side survey route and recovered a year's worth of fish import data from a crashed computer. In Guam, FRMD staff met with the Division of Aquatic and Wildlife Resources (DAWR), Bureau of Statistics and Plans and ARC Environmental Services biosampling team and discussed various project updates and opportunities for improvement. In both regions, the teams worked to understand the technical requirements for integrating fish map photos and data collection. The Sellit Logit development with PSFMC continues to improve the product. Staff members can now manage user accounts, allowing them to add, update and delete future vendor accounts while in the field, rather than waiting for a later time. A small GIS project is underway to digitize the sampling maps in advance of the new creel tablet application, with a strong focus on improving database stability for future development.

Soliai thanked Littnan and PIFSC for their hard work.

Sword said he would like to continue finding ways for the recreational fishermen to report their catches in American Samoa.

B. NOAA Office of General Counsel Pacific Islands Section

Hagg provided the GCPI report. *Willie v. Raimondo* filed in March 2022 challenged NMFS's 2021 rule prohibiting the approach to Hawaiian spinner dolphins as a violation of the Appointments Clause of the U.S. Constitution. The District Court found that NOAA administrators' subsequent ratification of the rule cured any alleged defects. That decision has been challenged by the plaintiffs in the Fourth Circuit, and NMFS is filing a response to their

opening brief, which is due in a few days. Plaintiffs will then have their last response brief due in mid-January 2025.

Center for Biological Diversity (CBD) v. NMFS challenged NMFS's denial of the Center's petition to issue protective regulations for 20 threatened coral species pursuant to Section 4(d) of the Endangered Species Act (ESA) and the Administrative Procedure Act. Briefing from both sides has been completed. The oral arguments are scheduled for mid-February 2025.

Regarding *CBD v. Raimondo*, the Department of Justice filed an unopposed motion Nov. 21, 2024, to extend the deadline to submit the final coral critical habitat determination to the *Federal Registrar* for publication. The court granted the motion and the new deadline is July 15, 2025.

C. US Coast Guard

Stegman reported on the USCG District 14 operations. District 14 responded to 740 cases that consisted of search and rescue, law enforcement and marine environmental protection response, ports, waterways and coastal security missions.

District 14 supported the Forum Fisheries Agency (FFA)'s annual counter illegal, unreported and unregulated (IUU) fishing surge operation KURUKURU with a C-130 aircraft from Air Station Barbers Point and several USCG watchstanders deployed to the Regional Fisheries Surveillance Center in Honiara, Solomon Islands. Operation KURUKURU, the largest of four regional surge operations, aims to detect and deter illegal fishing activities and noncompliance with international fisheries management agreements across the exclusive economic zone of 17 participating Pacific Island countries and the adjacent high seas areas. More than 10,000 vessels contracts were detected during Operation KURUKURU using air, surface and satellite-based assets with 219 visual sightings and 102 boarding inspections conducted both at sea and in port. As a result of maritime domain awareness analysis and inspections, eight vessels of interest were identified and reported to members for further investigations with potential infringements related to noncompliance with national and WCPFC conservation and management measures (CMMs).

USCG District 14 deployed a C-130 aircraft from Air Station Barbers Point to Niue with a delegation to join Tom Udall, U.S. Ambassador to New Zealand, in Niue's Constitution Day celebrations. The C-130 visit successfully provided tours for Niue's children's group and government officials before and after the program. It was the first USCG aircraft visit to Niue.

USCG rescued ailing crew members from two Honolulu-based longline vessels via helicopter. One of the rescues involved a crewmember from a commercial fishing vessel located approximately 78 nautical miles from Maui. USCG Honolulu command center received a medical assistance request from the 70-foot F/V *Pacific Dragon II*. The helicopter crew transported the individual to Maui Memorial Medical Center.

In December 2024, a USCG C-130 aircraft was deployed to the South Pacific in support of Operation Blue Pacific. During deployment, crewmembers embarked fisheries enforcement personnel from several Pacific Island nations and conducted exclusive economic zone (EEZ) patrols under the U.S. Pacific Island nation bilateral law enforcement agreements. Several

domestic fisheries patrols are planned in December 2024 and January 2025 to support commercial fishing vessel safety and fisheries enforcement during the busy holiday fishing season.

Sword asked how many of the eight vessels of interest were mainland Chinese vessels.

Stegman said he did not have information on the vessels' nationalities.

Sword asked for the current population in Niue.

Stegman said approximately 1,500. Niue is one of two Pacific Islands with which the United States does not have bilateral law enforcement agreements. The United States is offering an agreement to Niue, which is considering it. IUU fishing is a regional problem, and the more nations involved, the more assistance USCG District 14 can provide, benefiting the United States.

Soliai asked for clarification regarding the Solomon Islands and Niue being the only countries that do not have any enforcement agreements with USCG.

Stegman confirmed that the Solomon Islands and Niue are the two Pacific Islands without bilateral law enforcement agreements with the U.S. State Department. USCG District 14 conducts domestic enforcement on MSA and internationally supports the WCPFC high seas boarding inspection program. The USCG District 14 also supports the Pacific Islands with bilateral law enforcement agreements known as Shiprider Agreements. USCG supports counter-IUU surge operations with the FFA. Niue was traditionally a territory of New Zealand, but the United States recognized its independence in September 2023 and is now in discussions to establish a bilateral agreement.

Itibus asked if USCG has received any incident reports from Guam and the CNMI.

Stegman confirmed the USCG receives reports from Guam and the CNMI. Patrol boats from Sector Guam operate in the CNMI but largely patrol just outside the EEZ conducting high seas boarding and inspections. USCG also works with the patrol boats going into the Northern Islands to conduct search and rescue or other types of support in the region. Many of the recent search and rescue cases have been in Guam with tourists getting washed over the reef and kayaks overturning, as well as missing fishermen.

Muña asked if the USCG had any reports of interdictions related to illegal migration for Guam. Guam's conservation law enforcement officers have received substantial cross-training with USCG personnel. Muña also asked if District 14 receives reports of this interaction or if they should send them directly to him, noting that these opportunities demonstrate interagency cooperation, team building and skill development.

Stegman confirmed that USCG receives these reports from various entities. USCG would typically receive information on migrants when it is involved with search and rescue. Regarding the cross-training, USCG receives them but in a different department as these are routine between Sector Guam and the office of the governor of Guam. USCG District 14 can begin to highlight these types of reports for the Council.

Muña said it would be nice to receive these types of reports, as it brings recognition to Guam's law enforcement officers. The training had not been routine until the current leadership restarted them recently. Muña said she looks forward to these briefings and recognizes that the information is being shared up the USCG chain of command.

Stegman reassured Muña that USCG District 14 receives these reports and will provide presentations on them in the future.

D. Enforcement

1. NOAA Office of Law Enforcement

Martina Sagapolu provided an overview of the NOAA Office of Law Enforcement's (OLE) activities from Sept. 1 to Nov. 20, 2024. OLE responded to 127 incident cases this quarter, including 57 involving protected species, 70 related to fisheries and none regarding sanctuaries. Of the 127 cases, 76 were from Hawai'i, 46 from American Samoa, five from Guam and none from the CNMI. Five summary settlements were issued for sustainable fishery violations and 10 for marine mammal cases, mostly relating to spinner dolphins. Minor infractions were cited with one relating to a \$1,000 summary settlement issued to the owner/operator of a Hawai'i longline vessel for failing to use the correct seabird mitigation gear, and several \$100 summary settlements issued for the illegal approach of spinner dolphins.

OLE conducted 79 patrols during this period, 71 of which occurred in Hawai'i, two in American Samoa, four in Guam and two in the CNMI. These patrols were both land- and sea-based. OLE worked with DMWR to conduct a Port State Measures Agreement boarding in American Samoa on a Chinese-flagged fishing vessel that requested porting permission in Pago Pago due to engineering issues. OLE, alongside the Marine Safety Detachment Unit, conducted a complete boarding. No violations were detected.

Ongoing patrols, monitoring and inspections are being conducted due to an increase in Marine Mammal Protection Act (MMPA) incidents. OLE partners with the Division of Conservation and Resource Enforcement to provide continuous support on the Big Island of Hawai'i that had most of the cases. A new officer will be assigned to the Big Island once he completes his field training on O'ahu.

Sagapolu highlighted OLE Pacific Islands Division (PID) activities with partners, such as visitors from the American Samoa Government Customs Office that arrived in Honolulu for training. PID officers and Hawaii Longline Association (HLA) personnel led the officers on a tour of the fish auction, which allowed them to see the process of the vessels off-loading, and how the enforcement officers participate in the boarding process. These collaborations solidify the working relationships with Joint Enforcement Agreement Partners, and other territorial and state agencies. The main goal of these partnerships is to identify potential IUU incidents occurring and address them properly. PID personnel also participated in the U.S. Customs and Border Protection-led Operation Clean Sweep at Pier 38 in Honolulu Harbor. This operation focused on two U.S. longline vessels that arrived in Honolulu from Mexico transporting foreign crew members. PID personnel conducted dockside boarding and inspection of the fishing gear and permits, and no violations were found.

The PID officer assigned to the CNMI and Guam partnership division has been trying to visit both locations, but only one officer will be assigned due to funding limitations. The PID officer, together with the Customs Biosecurity Maritime and K9 Unit from Saipan and Guam, conducted a patrol from Saipan to Tinian to enforce Saipan's customs and U.S. regulations in federal waters. During the patrol, one of the bottomfish vessels was given outreach materials, and the officer spoke with the owner about the required permits for commercial sales of the fish caught.

Sagapolu highlighted other OLE activities, including PID personnel and other NOAA officials who attended a Strengthening Capacity of Implementation for Monitoring, Control and Surveillance training in Southeast Asia hosted by the Southeast Asian Fisheries Development Center in Bangkok, Thailand.

Perez asked whether OLE had any effort with the local law enforcement to combat recent illegal activities of migrants from the CNMI landing in Guam.

Sagapolu said it is a U.S. Department of Homeland Security issue and OLE has a good working relationship with this agency on joint task force operations. OLE staff is tasked to participate in their joint task force operation and has been instructed to report illegal activities immediately to the agent in charge assigned to Guam.

Perez asked if U.S. Department of Homeland Security has any marine assets available for that specific issue.

Sagapolu said she does not think the department has any but will bring it up with the agent in Honolulu.

Soliai expressed his appreciation to OLE for its continued efforts in the region, specifically American Samoa. He is happy with OLE's expansion of outreach efforts to include some of the other agencies such as U.S. Customs and Border Protection who can support the mission and enforcement objectives. DMWR and Customs have been collaborating on illegal fishing gear coming through American Samoa and the successful seizure of equipment that violated territorial rights. He hopes that OLE will receive more funding to conduct such efforts. Soliai acknowledged and commended the Marine Safety Detachment in American Samoa on their tremendous efforts. The work is not a popular act, but when it comes to safety, that should be everyone's priority.

2. NOAA Office of General Counsel Enforcement Section

Duane Smith provided a brief update on enforcement cases in the Pacific Islands Region. The NOAA Office of General Counsel Enforcement Section publishes its charging decisions, settlements and cases that go to hearing on the General Counsel Enforcement Section website. Three cases were resolved and two defaulted. The first case involved an ESA and MMPA illegal sale with a fine of \$9,600, which defaulted and is now with the treasury for debt collection. The second case involved an MMPA take of a Hawaiian monk seal harassment, resulting in a \$20,000 fine. This case defaulted and is also with the treasury for debt collection. The final case settled involved another MMPA take of Hawaiian monk seal harassment with a \$4,000 fine. This case was settled for \$2,000.

E. US State Department

Brinkman provided the U.S. State Department report. On the margins of the WCPFC, U.S. Ambassador Marie Damour signed a memorandum of understanding Dec. 2, 2024, on the South Pacific Tuna Treaty. In the Ambassador's remarks, she celebrated the successful negotiations between the United States and Pacific Island partners and reflected on the importance of collaboration in ensuring sustainable fisheries in the Pacific. The memorandum of understanding was signed by the United States, Australia, Federated States of Micronesia, New Zealand, Nauru, Niue, Samoa, Tonga, Tuvalu, Vanuatu, Palau, and Republic of the Marshall Islands. Four parties to the Treaty have yet to sign and will have an opportunity to do so soon.

Soliai said he missed the opportunity to attend the signing ceremony but is glad to see that a few more signatures were obtained. Soliai said the Council had submitted a request to Rachel Ryan for a copy of the treaty, but no response has been received. He requested a copy be shared with the Council.

Brinkman said he believes a copy was sent to Simonds before the Council meeting, but he can follow up if it was not received.

F. US Fish and Wildlife Service

Peck provided the USFWS report. The USFWS has designated Sean Macduff as the first alternate for the agency's representative on the Council. Macduff is the superintendent of the Marianas Trench Marine National Monument, based in Saipan.

The USFWS issued a special use permit for the Pacific Remote Islands Marine National Monument (PRIMNM) to allow a Japanese research vessel to conduct various water quality monitoring throughout the monument waters. PRIMNM's drifting fish aggregating device (FAD) program has agreements with the purse seine fleet, under which The Nature Conservancy and the National Wildlife Refuge are informed when a FAD drifts into monument waters. The program has recovered 44 FADs before they reach the reef. PRIMNM has ongoing studies with U.S. universities, one dealing with herbivorous fish linkages and the other on the connections between foraging seabirds and schools of tuna, dolphins and others that bring the foraged fish to the surface.

The USFWS Ecological Services Honolulu branch is working on a permit request from SpaceX to use the Johnston Atoll, which is an U.S. Air Force jurisdiction managed as a National Wildlife Refuge. Ecological Services has also been conducting surveys, including the U.S. Marine Corps base in Hawai'i and in Kwajalein Atoll. Ecological Services, with partners including Bishop Museum and a couple of universities, has been working in American Samoa on mesophotic deep water corals to characterize the coral assemblages, fish diversity and any bleaching that might occur at around 100 meters depth. Ecological Services has also worked with the Naval Base Guam to develop an emergency response plan for vessel groundings, anchoring, unexploded ordinances and marine debris within Apra Harbor.

G. Public Comment

There were no public comments.

H. Council Discussion and Action

There were no actions taken up under this section.

VI. Council Member Island Reports

A. American Samoa

Soliai provided an update on American Samoa, beginning with the results of the local elections. Incumbent Governor Lemanu was not reelected, losing in a runoff to Nikolao Pula and Pulu Ae Ae Jr., with Pula winning 60% of the vote. Pula, formerly the director of the Office of Insular Affairs, will take office Jan. 3, 2025. Congresswoman Amata was reelected with 75% of the vote against three challengers. In the legislature, seven House incumbents and five Senate incumbents will not return, indicating significant changes in the government. He said American Samoa's representation in the NMFS annual report, which has dropped from the top 10 to the top 15, is concerning and could affect assessments of fisheries' impacts.

Soliai said American Samoa has partnered with the Samoa Ministry of Agriculture and Fisheries and the Pacific Community (SPC) to train staff in legislative drafting. Additionally, a staff member participated in squid fishing training led by a master fisherman from SPC, with plans to bring similar training to the territory in 2025. He said the palolo event occurred as expected in October but was minimal in November with a heavy rise in the Manu'a Islands. The American Samoa legislature also sent a letter to President Biden expressing concerns about the proposed expansion of the PRIMNM, citing potential economic and cultural impacts.

Soliai said the Ronald Reagan Marine Railway shipyard has been fully rebuilt and can now accommodate vessels up to 300 feet. The shipyard has been busy servicing regional vessels, including some from China. A new winch house, built entirely by shipyard employees, was also recently dedicated. American Samoa, along with Guam, was approved as an associate member of the Pacific Islands Forum in August, an upgrade from its previous observer status. This allows the territory to have a voice in regional discussions, though future changes in regional governance could impact this membership. Additionally, American Samoa's request for observer status in the FFA was approved in November, allowing participation in key fisheries meetings starting in May 2025. This is expected to enhance collaboration and support for territorial fisheries issues.

Soliai said nearly 10 boats from Samoa participated in the annual Buds and Suds Fishing Tournament over Thanksgiving weekend with the total catch exceeding 3,500 pounds.

Sword said recent fishing trends in American Samoa have seen an increase in smaller marlin, similar to what is being seen in Hawai'i. While the yellowfin tuna season has not yet peaked, larger yellowfin are expected in the coming months. He said there was a catch with an unusually large 60-pound wahoo and a 46-pound barracuda. American Samoa has achieved eight International Game Fish Association world records in bottomfish over the past five years with six of these records for species that had never been recorded before and two exceeding existing world record sizes.

Weaver said there has been a decline in the size of marlin in recent fishing tournaments in the CNMI and that there has not been a marlin more than 200 pounds recently. He said previously, winning marlin weighed 300–400 pounds.

Sword said while last year's tournament had a few marlin more than 200 pounds, the trend of smaller fish is noticeable. He said the I'a Lapo'a tournament, an International Game Fish Association-sanctioned event, requires tagging and releasing marlin under 200 pounds. Despite this restriction, more than 40 marlin were tagged and released, which he considered a significant number.

B. Commonwealth of the Northern Mariana Islands

Weaver provided a summary of key highlights in the CNMI in the last quarter. He said in the CNMI, the *Saipan Tribune* was moving to online only in 2025, the Hyatt Regency Saipan has reopened as the Sheraton Marianas Beach Resort and Micronesia Air Cargo Services is expanding its services to Saipan, Tinian, Rota and Guam. The Rota derby had 19 participants, including vessels from Guam, with the winning marlin weighing 114 pounds. A new fishing tournament called Ping and Juan's Coconut Classic for youth under 15 years of age was held, aiming to educate the youth on fishing and water safety. He said fishers are concerned about fuel prices with diesel at \$7.18 per gallon on Tinian, \$9.87 on Rota and \$5.27 on Saipan.

Soliai said that it is almost a sin to bring in a marlin that is less than 200 pounds.

Sword said what is caught in the islands is what is eaten.

Itibus said fishers are concerned with shark depredation. Fuel consumption and equipment are costly and affect the livelihood of fishers when hooked fish are lost to sharks. He said the CNMI elected a new delegate to the House of Representatives, Kimberlyn King-Hinds, a former prosecutor at the local Attorney General's Office.

C. Guam

Guthertz provided an update on the Council's Military Working Group activities, including the U.S. Marine Corps firing range surface danger zone that extends beyond the ranges and over the water and how it will impact nearshore water areas. The purpose of the working group is to help the military with its commitment to the one island, one people concept. The working group remains committed to collaborating with stakeholders to address concerns of Guam and CNMI's fishing communities. The Guam Advisory Panel (AP) and Council members developed a list of recommendations aimed at mitigating the anticipated impacts of significant increases in military personnel, their families and civilian contractors on the region's fisheries and fishing infrastructure. Areas of concern include full-year range use schedules published in media outlets and social media. The first batch of 100 U.S. Marines have relocated to Guam, primarily for logistics support and the numbers will increase over time until 5,000 Marines are finally on Guam. She also said Guam lost a mature, endemic fire tree due to the lack of canopy protection when the military cleared the area for its firing range. The tree is a symbol of resilience and culture and underscores the fragility of the environment and the delicate balance that must be maintained and protected. She said there has been ongoing collaboration between the Guam law enforcement community and the federal government to participate in interdiction

of illegal migration to Guam through the Northern Mariana Islands, which is directly related to the military buildup.

Perez said the Missile Defense Agency recently conducted a successful missile test in Guam. The tests will take place twice a year for the next 10 years. Affected areas include military and private property near Ritidian and Tarague beaches from possible launch debris. There should be a recovery plan for the debris, including buoyancy, so the likelihood of any impacts on marine mammals and fish, including noise, are low to none. The Guam Fishermen's Cooperative Association building was severely damaged by Typhoon Mawar in 2023 and a temporary facility was built while work is ongoing to rebuild the main structure. Fishermen have adapted to not selling to the Cooperative and are selling their catch to vendors, restaurants, fish markets and hotels. He said Ambros, Inc. recently held its 75th anniversary fishing derby with 97 participating boats. The heaviest catch of pelagic species included marlin at 175.3 pounds, yellowfin at 45.7 pounds, wahoo at 26.9 pounds, mahimahi at 31 pounds and bonita at 16.3 pounds.

Muña said DAWR held two public meetings during October, to discuss the proposed giant clam ESA listing. There were 80 combined participants at the meetings in Sinajana and Inalahan who shared their perspectives. The 49th Coral Reef Task Force was held in Saipan with a landmark action of CNMI Governor Arnold Palacios signing an executive order declaring CNMI's coral reefs as critical infrastructure. This paved the way for federal funding through the Federal Emergency Management Agency after disasters. She said there were four named storms that were simultaneously active in the Western Pacific during November. The experts predict that these occurrences will become more common and as more changes are anticipated, especially to the fisheries, it is hoped all the little islands in the region will survive.

Weaver said area closures during the Marine firing range use total 39 weeks out of the year. The closures do not allow too many days open for derbies and events that are shoreline-based.

Perez said the ranges will be closed during active use. The missile testing does not have any effect on the firing range closures.

D. Hawai'i

Bryan Ishida, Hawai'i DLNR Division of Aquatic Resources (DAR), presented the agency report for August to October 2024. During the 2023-2024 deep-seven bottomfish fishing year, 284 commercial marine license (CML) holders made 1,647 trips and reported 151,827 pounds in mixed deep-seven species catch, below the previous five years. The catch in the 2024 fishing year for targeted species such as 'ōpakapaka (pink snapper), onaga (long-tail red snapper) and ehu (short-tail red snapper) were similar to the 10-year average. To date, lehi (silver mouth snapper) represents 9% of the catch compared to its typical 4%. In the first two months of the 2025-2026 deep-seven bottomfish fishing year, there was a slow start and could pick up with the demand of red fish for the holiday season. The Kona crab fishery had 21 CML holders making 46 trips and reporting landings of 3,401 pounds. Following the extended closed season and allowance to retain female crabs, there was an observed increase in catch which may be indicative of renewed interest in the fishery. For uku (green jobfish), there were 151 CMLs holders making 540 trips, and reporting landings of 29,643 pounds. This was lower than the

previous five years. There was no major spike around May and June, suggesting that there was not much commercial fishing activity reported. In 2024, there were 2,493 CMLs issued for a revenue of \$347,250. There is a steady decline in CMLs in the non-longline and longline sectors combined. He said two permits for the Papahānaumokuākea Marine National Monument were under review, one for conservation and management and one for research. One FAD was confirmed missing in October 2024. The Aquatic Invasive Species Management Program held the “Don’t Let It Loose” Campaign with the Hawai‘i Department of Agriculture, Coordinating Group on Alien Pest Species, University of Hawai‘i and the Waikīkī Aquarium in October 2024. Unfortunately, during the reporting period, a new invasive species was detected, *Anemonia Majano*, in Kaneohe Bay. This is a common aquarium anemone that was detected at the site of a suspected illegal coral outplanting. The DAR Aquatic Invasive Species team is currently working on a plan for removal and eradication.

Dang asked if Ishida could provide more information on the permit applications that were under review.

Ishida said he did not know offhand and referred him to the link provided in the DAR written report.

Soliai asked for the cost for the Hawai‘i CML.

Ishida said CMLs for residents are \$100 and \$250 for nonresidents.

Ramsey reported shark depredation has been an issue for the commercial and recreational fishers. Fishers reported an abundance of small marlin that may be a good sign for the future of the fishery. Regarding the nearshore fishing, winter is the season for the big octopus and fishers are making good use of that catch. Winter is not a typical season to catch big ulua (giant trevally), but a young woman landed a 100 pounder from the island of O‘ahu using a spinner reel. Another rare catch was a unicolor grouper that was potentially a record for the State of Hawai‘i. He said many bottomfish fishers participated in a fishing-independent survey in Hawai‘i (BFISH) meeting hosted by the Pacific Islands Fisheries Group, PIFSC and DAR. The meeting was an excellent example of how fishermen can contribute to the conversation and provide constructive criticism on bottomfish management and how PIFSC can work with fishers.

Dang reported the swordfish fishery just started, and the longline representatives continue to participate in the protected species workshop (PSW) on safe handling best practices. Overall, there has been great participation from the fleet.

E. Public Comment

There were no requests for public comment.

F. Council Discussion and Action

There were no actions taken up under this section.

VII. Action Items

A. Main Hawaiian Islands Uku Fisheries

1. 2024 Main Hawaiian Islands Uku Western Pacific Stock Assessment Review Report

Erik Franklin provided the report of the Western Pacific Stock Assessment Review (WPSAR) for the main Hawaiian Islands (MHI) Uku Fishery Stock Assessment. The WPSAR panel consisted of three SSC members that included himself, Milani Chaloupka and Jason Helyer. The meeting was held at the NOAA Pier 38 office in September 2024. The panel was directed to address the six Terms of Reference (TOR). During the meeting, each of the panel members reported his preliminary report and recommendation.

TOR #1 asked if the input data sources and filtering methods were well documented and the same as those used in the 2020 benchmark assessment, to which the panel responded yes. The assessment update included five years of commercial catch, catch per unit effort (CPUE), size frequencies, five years of noncommercial catch and one year of NOAA diver survey abundance. In addition, the noncommercial catch was corrected with a linear factor for the period of 2003 to 2017 that reflected the decline in landline telephone use in Hawai‘i. This correction approach was also used for the MHI deep-seven bottomfish benchmark assessment and was WPSAR approved.

TOR #2 asked if the CPUE standardization methodology was the same as those used in the 2020 benchmark stock assessment. The panel responded yes, noting that the CPUE indices were standardized using generalized mixed-effects models with similar approaches and inputs from the benchmark assessment.

TOR #3 asked if the assessment model and methodology were the same as those used in the 2020 benchmark stock assessment. The panel responded yes. The software Stock Synthesis version 3.3 was used for model fitting and the results for the assessment update, which followed the methodologies used in the benchmark assessment.

TOR #4 asked if the methods used to project future population state were the same as those used in the 2020 benchmark stock assessment. The panel responded yes. The future population state projected used the same single sex age structured projection model in the age-structured projection model software as the benchmark stock assessment.

TOR #5 asked if the results include estimated stock status in relation to the estimated reference points and other results required to address management goals stated in the relevant FEP or other documents provided to the review panel. The panel responded yes. The update assessment included MHI uku stock status relative to reference points for spawning stock biomass, fishing mortality and probability of overfishing for future years. The results addressed the management goals for the MHI uku stock, which is neither overfished nor experiencing overfishing.

TOR #6 asked the panel to suggest and prioritize recommendations for improvement and research for consideration in future benchmark assessments. As high priority recommendations, the panel recommended to: 1) use a single model likelihood for the data standardization component rather than two-stage delta modeling approach; 2) use a posterior predictive check test to evaluate data standardization model performance; 3) expand data collection to improve understanding of noncommercial catch data to supplement information collected for the Hawai‘i Marine Recreational Fishing Survey (HMRFS); 4) explore model-based noncommercial catch

expansions that incorporate variables such as weather, holidays and weekends; and 5) explore different geographic scales such as island and coastline for the area variable in the CPUE standardization. Medium priority recommendations include: 1) promote dialogue between fishers and relevant science agencies are encouraged to integrate fisher observations; 2) explore other fisher identification random effect structures in the generalized mixed-effects models, including reclassifying fishers as high catch fishers versus the rest; 3) explore alternative classifications for fishers reporting commercial uku catch to differentiate between high and low CPUE fishers; 4) deploy software systems that facilitates automation and streamlining of stock assessment process to more frequent update stock assessments with a goal toward annual assessments; and 5) include a side-by-side comparison of Stock Synthesis 3.3 and Fisheries Integrated Modeling System in future benchmark assessments for any species or complex to evaluate the level of correspondence. Low priority recommendations included: 1) explore regional environmental drivers of recruitment rather than focus solely on Beverton-Holt stock recruitment curve; 2) develop a spatially explicit uku capture-mark-recapture program in MHI to derive estimates of dispersal and survival or mortality rates; 3) research on biological and fishery characteristics of uku spawning aggregations; and 4) perform a pilot study to evaluate if the single uku catch trips project size structure for uku catch.

Ramsey said people catch uku from nearshore, shoreline, kayak, spear and deep-sea handline, and asked if the assessment took into consideration the different gear types.

Franklin said an ongoing issue is how to characterize noncommercial and commercial catch regardless of how it is landed. A lot of focus will be put on improving the accuracy of the fisheries catch going into the next assessment.

2. 2024 MHI Uku Stock Assessment Update

Marc Nadon, PIFSC, provided an overview of the 2024 MHI Uku Stock Assessment update. The key difference between the 2020 benchmark assessment and the update assessment is that PIFSC added five years of CPUE, length and catch data from the fishery reporting system, noncommercial catch from the HMRFS and Marine Recreational Information Program, a single year of diver survey in 2019, and corrected recreational catch to account for the decline in landline phones from 2003 to 2017. The three main types of data in the assessment update included catch, abundance and size composition. The correction applied to recreational catch due to the decline of landline phones increased the recreational catch estimate effort and population size compared to the methods applied in the 2020 benchmark stock assessment.

The assessment update found that the fishery was neither overfished nor experiencing overfishing, and the estimated population of the stock is bigger, which allows for a higher ACL. The stock assessment updated used a population model called Stock Synthesis 3.3 that is commonly used across the nation and international regional fishery management organizations (RFMOs). The MHI uku fishery is composed of deep-sea and inshore handline, troll and other gear types. Regarding the population, the uku population had a slight decline from 1948 to the early 2000s followed by an increase and plateau from 2017 to 2023. The reason for the increase was directly related to the CPUE. In terms of spawning stock biomass in 2023, the assessment estimated approximately 995 metric tons (mt), and estimated the spawning stock biomass at maximum sustainable yield (MSY) at 394 mt, which is three times higher than the long-term MSY of 111 mt. Since PIFSC does not conduct assessments every year, the assessment projected

catch projections from 2025 to 2031 using different catch scenarios in five-metric-ton increments from 130 mt to 260 mt. This exercise was used to develop the probability of overfishing risk table. Based on the fishery performance data included in the assessment, the number of boat trips had an increased trend over the last five years.

In addition to the data included in the assessment, there are opportunities to include results from the BFISH survey and pilot uku catch mail survey to generate an alternative recreational catch estimate compared to the HMRFS catch expansion estimate. There is also ongoing work on the Marine Recreational Information Program nationally, where bias was detected in its effort survey. PIFSC has identified uku for its main effort to focus on ecosystem-based fisheries management and conduct a research track assessment to better understand and improve the next benchmark assessment.

B. Modifying the Guam Bottomfish Rebuilding Plan (Final Action)

Zach Yamada, Council staff, presented the action to modify the Guam bottomfish Rebuilding Plan. The Guam bottomfish fishery comprises 13 species of snappers, groupers and an emperor fish. In 2020, when the Council was notified the Guam bottomfish fishery was overfished, it recommended implementing a plan with an ACL of 31,000 pounds to rebuild the stock by 2031. PIFSC released an assessment update in early 2024 and a review determined that it was the best scientific information available (BSIA). After PIFSC finalized the assessment in March 2024, the Council requested NMFS review the rebuilding plan progress and asked PIFSC to provide updated catch projections to rebuild the stock. At the September 2024 meeting, the Council took initial action to modify the rebuilding plan, and the Council was asked to consider taking final action to modify the rebuilding plan at this meeting.

In the 2024 assessment update, the fishery was found to not be overfished, but based on the criteria of the rebuilding plan, the stock is not yet rebuilt. PIFSC's catch projections show three options: with zero catch, an ACL of 31,000 pounds and an ACL of 34,000 pounds. Projections assume that there would be complimentary management within territorial waters. The projections indicate that retaining the 31,000-pound ACL would rebuild the stock by 2028, and a 34,500 pound-ACL would allow the stock to rebuild by 2031. PIRO reviewed the rebuilding plan and updated catch projections, and provided guidance that the Council may consider modifications to the rebuilding ACLs, AMs and higher performance standards.

Alternative 1, the no action alternative, would continue the rebuilding plan as-is with a 31,000-pound ACL and operate under in-season monitoring using data from the Guam creel survey, with a closure in federal waters if the ACL is exceeded. Alternative 1 also includes a higher performance standard, meaning that exceeding the ACL will trigger a closure in federal waters until a coordinated management approach is established with the government of Guam. Alternative 1 would be based on BSIA from the update assessment and would rebuild the stock by 2028.

Alternatives 2a and 2b have the same suite of management but different ACL (31,000 pounds under alternative 2a; 34,500 pounds under alternative 2b). Both alternatives would be based on BSIA, prevent overfishing and achieve rebuilding by the target time frame of 2031. Alternatives 2a and 2b also include options for a post-season AM. The Council took initial action to establish a three-year average post-season overage adjustment. The analysis in the

environmental assessment explores two scenarios for the post-season overage adjustment under recent catch levels. In addition to the ACL framework and as an additional AM, the Council would direct its SSC to review the overage if the fishery were to exceed the ACL more than once in a four-year period, and could request PIFSC to rerun the model to understand how fishery performance affected the progress of the stock relative to the rebuilding targets.

Alternative 2c would modify the rebuilding plan to establish a moratorium. This would still be based on BSIA, prevent overfishing and achieve rebuilding, and could potentially restrict fishing at offshore banks and displace effort into territorial waters. Alternative 2c assumes there would be complimentary management in territorial waters. Without complimentary management and considering that 70% of catch comes from territorial waters, the bottomfish stock would be rebuilt in three years compared to two years according to the PIFSC projections.

Yamada presented a summary of the impact analysis. For target species, the recent updated assessment found that the fishery was not overfished or experiencing overfishing, but not rebuilt. If the proposed ACLs under alternatives 1 through 2b are exceeded, then there would likely be adverse effects to target species. Alternative 2c would likely have adverse effects on fishing, but under all alternatives, the stock would be rebuilt by 2031. The impacts are not likely to change for target and nontarget bycatch species as well as physical resources, given the highly selective nature of the fishery. Regarding socioeconomic impacts, availability of bottomfish resources for local communities and commercial vendors would not change if the ACL remains the same at 31,000 pounds, whereas increasing the ACL under alternative 2b could increase the amount of resources to the market, and a moratorium under alternative 2c would have adverse impacts. No adverse impacts are expected to biodiversity and ecosystem function, since landings have been below the ACL since 2012, with the exception of 2021 and 2022. There is no significant adverse impact expected on protected species or essential fish habitat as the action is not likely to change the way the fishery operates. No adverse effects on the management setting or cost of administering the fishery are expected.

C. US Catch Limits for North Pacific Striped Marlin (Initial Action)

Mark Fitchett, Council staff, presented on an initial action on U.S. catch limits for Western and Central North Pacific Ocean (WCNPO) striped marlin in light of a new measure under the WCPFC. NMFS withdrew the proposed rule to set catch limits for U.S. vessels pursuant to MSA 304(i) to take action toward ending overfishing and consider the relative impact of U.S. fishermen. NMFS found the purpose and need under MSA 304(i) was no longer relevant due to a stock status change under the Pelagic FEP stock status determination criteria from overfished to no longer overfished. Due to NMFS's withdrawal of the proposed rule, which would have implemented the Council's recommendations, the Council at its 200th meeting directed staff to redevelop options for catch limits under a new purpose and need while taking into account any new CMM adopted by the WCPFC in December 2024. A new action may be recommended under MSA Section 303(a)(1)(A), allowing the Council to recommend measures to prevent overfishing, conserve and sustain viable fisheries.

WCPFC adopted CMM 2024-06 in December 2024. According to the WCPFC, the stock is considered overfished relative to 20% unfished biomass, even though a reference point has not been adopted. The stock is also subject to a WCPFC rebuilding plan to reach 20% unfished biomass (at 60% or greater probability) by 2034.

The Council previously recommended setting a U.S. striped marlin catch limit of 457 mt consistent with CMM 2010-01, of which longline fisheries would catch 443 mt before ceasing retention. CMM 2024-06 reduces the U.S. annual catch to 228.4 mt, with the opportunity for up to 165 mt more, contingent on collective underages in catch by other countries in CMM 2024-06 below a 2,400-mt total. That could give the United States a potential catch limit of 393.4 mt, which would be the limit for 2025. Catch limits for 2026 and 2027 would be contingent on catches from 2024 and 2025, respectively. Catch under this option would be defined as all catch, retained or discarded, unlike being retained and landed as defined before.

Options the Council may consider for initial action include 1) no catch limit (no action); 2) set a longline retention limit of 443 mt and a catch limit of 457 mt, consistent with the Council's prior recommendations; 3) set a catch limit under terms of a new WCPFC rebuilding plan, with an initial longline catch limit of 228.4 mt and an additional catch up to 165 mt depending on underages from other WCPFC members; or 4) prohibit retention of WCNP striped marlin. Recent U.S. catches have been below the catch limit under option 2 and above the minimum 228.4 mt under option 3, but within the range of possible catches under option 3 which extends to up to 393.4 mt. The Council has the opportunity to reconsider its previous decisions and implement CMM 2024-06.

Soliai asked if there are any risks to the U.S. fishery if there are no underages under the new WCPFC measure.

Fitchett said U.S. catches in 2024 were projected to be 434 mt at the time of the WCPFC meeting. If there are no underages from other nations, the 2024 catch level would be well above the 228.4 mt limit. No underages means no additional catch up to 393.4 mt for the United States. 2024 catch levels have been high and will affect catch limits for 2026.

D. Hawai'i and American Samoa Longline Fisheries Crew Training Requirement (Initial Action)

Asuka Ishizaki, Council staff, presented the Pelagic FEP draft regulatory amendment for implementing a crew training requirement for the Hawai'i and American Samoa longline fisheries. The Action Team initiated development of the draft regulatory amendment following the Council's review of an options paper to define the scope of the action at the September 2024 meeting. The action is in response to the recent biological opinions (BiOps) for the Hawai'i deep-set longline (DSL), Hawai'i shallow-set longline (SSL), and the American Samoa longline (ASLL) fisheries, which included a reasonable and prudent measure (RPM) Term and Condition (T&C) specifying PIRO SFD to require species handling training for crew members within two years of the BiOp's publication (i.e., by May 2025). The need for crew training, however, had been recognized prior to the BiOp, with the Council having made recommendations to NMFS since 2018 to expand the existing owner/operator PSW to crew.

In April 2024, PIRO SFD, in coordination with the HLA, PIRO PRD, and the Council initiated a pilot crew training program with a target of training all current crew members in the Hawai'i and American Samoa longline fisheries by May 2025. To date, 534 crew members from 107 vessels have been trained.

The purpose of the Council action will be to reduce post-release mortality of protected species by addressing a protected species handling and release training gap with crew members,

as well as to ensure there is someone on deck who can assist with protected species handling and release during hauling operations consistent with the recent BiOp RPM T&C.

The action alternative would revise the longline fishery PSW requirement to implement crew training, with two implementation approaches under consideration by the Action Team. The first approach (described as subalternative 1b in the written document) would implement a crew training requirement in regulations through a certification requirement similar to the existing owner/operator PSW certifications. The Action Team originally considered the certification requirement approach to be in lieu of a person-on-deck regulatory requirement, but has since been advised by GCPI that this approach would not comply with the T&C without the person-on-deck regulatory requirement. GCPI also advised that the T&C language does now allow for any exemptions to the requirements. The second approach (described as subalternative 1a in the written document) would require through regulations a minimum of one trained person on deck of the vessel who oversees and directs activities when retrieving fishing gear (person-on-deck requirement), and NMFS would meet the obligation to require protected species training for crew members through nonregulatory means. This second approach would be consistent with the T&C and would provide flexibility by allowing the operator to meet the person-on-deck requirement if no trained crew is on deck. The Action Team identified some concerns that the second approach may reduce crew training participation over time, as well as questions about enforcement. The Council was asked to provide feedback and direction on the regulatory approach for further refinement by the Action Team.

The Council was also asked to provide direction on several other additional regulatory specifications under the action alternative. These decision points were 1) frequency of crew training and certification requirement (a. annual; or b. every 2-3 years); 2) frequency of owner/operator PSW certification (a. maintain annual; or b. revise to every 2-3 years); and 3) flexibilities in certification options between crew and owner/operator (a. allow crew certification to be satisfied by owner/operator workshop; and/or b. allow owner/operator to substitute full PSW certification with crew certification at certain intervals).

Ishizaki also presented a preliminary analysis of the potential reduction in impacts from crew training, which shows that the greatest reduction in impacts would be expected in the SSLL fishery due to the higher proportion of animals captured alive. The preliminary analysis also indicates that a 3-5% improvement in survivorship may be expected for sharks and leatherback turtles. For leatherback turtles, 5% reduction in post-release mortality rate translates to about a reduction of about five leatherback turtle mortalities in the DSLR over five years, or an average of about one leatherback turtle mortality reduction per year. The Action Team plans to provide a more detailed analysis at the time of Council final action in June.

Simonds asked if the purpose of having a person on deck would be to reduce impacts from trailing gear.

Ishizaki said the training is intended to reduce post-release mortality by improving survivorship outcomes of the animals that are released alive.

Simonds asked if there a survey was done to determine existing issues with fishermen not being able to cut gear.

Ishizaki said the BiOp has some information on how successful crew have been in removing trailing gear based on past observer interaction reports. However, the BiOp does not include analysis on the effects of the RPM so the Action Team will be developing that analysis.

Simonds said she wanted to confirm there was a report from the observers on the impacts to the animals, as they would know how fishermen could improve handling. She said it is easier to understand impacts in terms of number of animals instead of percentages. Simonds asked for clarification on the differences in the crew and owner/operator certificates and training.

Ishizaki said the crew would receive different training from the owner/operator. The crew training focuses on how to handle the animal once it is captured and the appropriate tools to use, whereas the owner/operator training also covers required gear and species identification. The operator would have the ability to meet the person-on-deck requirement if there are no certified crew members on board. However, operators are typically not on deck where hauling activities are taking place.

Simonds asked if there will be an analysis of how well crew training is working after a year of implementation compared to the years prior.

Ishizaki said while much of the data are confidential, there have been good outcomes reported in the months since the pilot training program started. She noted the Action Team could review the available data to see if they can be aggregated to present publicly.

Simonds asked for clarification on the analysis used to develop the RPMs in the BiOp.

Melissa Snover, PIRO, said the logic behind the RPM that requires ESA-listed species to be released from fishing gear in a manner that minimizes injury was based on seeing how much of the animals in the observer data were being released with gear still on them, and reducing the amount of that gear would reduce post-interaction mortality rate for all of the species. The crew training is the T&C for this RPM, and the thought behind it was to improve the outcomes of the interactions by training crew, noting that animals were being released with training gear even on vessels that had observers on board.

Simonds asked what would happen if the requirement to have a certified person on deck during hauling is not met, and whether the captain would be responsible for reporting whether the requirement was met.

Jarad Makaiau, PIRO, said the agency is continuing to explore how to turn the T&C into an enforceable regulatory provision. With the reduction in observer coverage, there will be fewer instances where there will be an observer on board to document what is happening on deck. Observers are also not enforcement officers, but rather responsible for observing what happens. Details will still need to be worked through on what kind of documentation will be collected from observers or captains, and how any infractions would be reported to NOAA OLE.

Simonds said the Council would like to have all these pieces of information before it votes final on the action, as the Council needs to understand how the regulations will be enforced and monitored.

Soliai said it would make sense to have owners, operators and crew trained together at the same time, considering the high crew turnover and recruitment issues especially in the American Samoa longline fishery.

E. Development of an Electronic Monitoring Program for Western Pacific Fisheries (Initial Action)

Fitchett presented options for implementing EM in Western Pacific Region fisheries. EM is currently voluntary for experimental, research and development purposes, and has not been authorized to monitor fisheries under statutory requirements. There are approximately 20 EM systems operating in the Hawai'i longline fishery and none in the American Samoa fishery. NMFS is planning to ramp up EM in longline fisheries progressively from 2025 through 2027, with an aspiration to outfit all vessels. Human observer coverage has declined from historical levels of around 20% in the DSLF fishery to 13% in 2024, and is anticipated to be 7% or less in 2025 and beyond due to funding limitations. Outfitting and monitoring the entire fleet is estimated to cost \$2.4 million per year. There are RFMO requirements for monitoring and minimum standards for EM as adopted by the WCPFC in December 2024.

Previous Council recommendations at its 199th and 200th meetings directed staff to draft regulatory considerations to supplement current monitoring mechanisms and fulfill data collection requirements. Key decision points for the Council to consider were presented, including: 1) whether to authorize EM as an optional program (phase-in approach) or as a fully developed mandatory program; 2) whether to authorize EM to monitor longline fisheries under the Pacific Pelagic FEP or for all fisheries across all FEPs; and 3) how to establish a relationship with existing monitoring mechanisms, and whether to complement observer coverage or complement logbooks and observer coverage. Potential objectives for EM include maintaining monitoring and estimation of protected species bycatch events while reducing costs, integrating EM data into existing monitoring systems and developing a program that could be implemented as a full regulatory framework for future action.

An optional EM program could allow flexibility and development of better standards before a fully implemented mandatory program, similar to how electronic reporting (ER) was implemented for the longline fisheries in the region, while a mandatory program would expedite fleet-wide usage. An operational EM program and standards for a full mandatory program do not currently exist, and current resources are limited. An incrementally phased-in approach would provide an opportunity for development of specification for EM systems, development of a vessel monitoring plan and ensuring all elements are in place to implement a fully mandatory program. An optional approach would also receive more buy-in from the fishery and would be perceived as less of a top-down mandate. As for the scope of an EM program, developing one for pelagic longline fisheries would be simpler, but authorizing it for all fisheries under all FEPs could allow for quicker adoption of EM as it becomes available in other fisheries.

The development of a relationship with existing monitoring systems for protected species would require a review of the original intent of their implementation in the 1990s and how to integrate EM with data already collected. Human observers were incorporated into regulations initially to monitor protected species (sea turtles) while also serving as a mechanism to verify logbooks. Work by PIFSC has shown EM to be highly effective for species identification as well as post-release condition. EM has its limitations compared to observers in that biological data

collection is limited. But EM does satisfy required monitoring in the regulations. Logbooks were developed to monitor catch as well as interactions with protected species. EM could be used to verify logbooks for protected species interactions, as a 100% review of EM footage is unrealistic. Protocols could be established to review footage while also verifying logbooks to improve reporting, though this may add complexity.

The Council was asked to weigh in on the three decision points in considering initial action for authorizing EM.

Malloy emphasized that NMFS is now moving at an aggressive timeline with constraints, particularly funding, in the immediate but also long-term. EM cannot operate in the same way as ER because funding dedicated to the human observer program will need to be dedicated to EM. NMFS is looking at a mandatory phased implementation of EM and not a voluntary program. Malloy said it would be most effective over the next few months for NMFS and the Council to work together to identify questions the Council will need to resolve. NMFS does not have bandwidth to expand outside the longline fisheries.

Soliai said moving EM authorization beyond pelagic fisheries seems like a bigger challenge given funding.

Simonds asked if the EM program will be phased-in during 2025-2027, and whether observer coverage will be maintained at 7%.

Malloy said NMFS is currently considering these options. EM components will be cheaper than human observer components. Total monitoring will increase with a combination of humans and cameras.

Simonds recalled comparative studies that looked at levels of observer coverage, which determined that any coverage beyond 20% does not help in achieving estimation goals. Simonds asked if that is factoring in on what coverage levels are being considered. Simonds also asked what the roles of PIFSC and PIRO will be, given Malloy reported earlier that the PSMFC is assisting in installing systems, reviewing data and collecting data.

Malloy said NMFS must first administer the entire system, including setting up the regulatory pieces, and monitoring and evaluating implementation of EM, as well as contract oversight. NMFS would also conduct data reviews to monitor the process. Then the agency can determine how it can be used to satisfy other requirements.

Simonds asked if that includes catch estimations like in the mainland. Simonds noted catch estimation is not an issue in the region while observer monitoring is for protected species. She asked for confirmation that PIRO is working with PSFMC along the way.

Malloy said the agency is working with PSFMC to set up EM in the coming year. Malloy referred to recent PIFSC scientific papers on the necessary observer coverage rates for extrapolating rare events, which presented new monitoring benchmarks compared to the previous 20% level. NMFS is considering that information in the context of the budget to determine the coverage rate.

Simonds said she looks forward to the SSC reviewing this coverage rate information, as well as the cost-benefit analyses, before the Council takes final action. Simonds said the Council has been talking about changing the observer coverage for many years, noting the Council wrote its first letter about EM in 2002.

F. Update on American Samoa Bottomfish Management Unit Species Revision-Tier 6 Acceptable Biological Catch Control Rule (Initial Action)

Joshua DeMello, Council staff, presented an update on the American Samoa BMUS revision and Tier 6 acceptable biological catch (ABC) control rule. In 2019, the Council initiated a revision to the BMUS list by splitting the list into shallow and deep segments after discussing the results of the territorial bottomfish stock assessment. This was done in parallel with efforts to develop a territorial bottomfish fishery management plan (FMP). A PIFSC hierarchical analysis on the BMUS indicated which species are caught in the fishery. Species not caught in the fishery were proposed to be moved into the ecosystem component species list or the territorial FMP. The BMUS revision process was initiated for all territories but, American Samoa was chosen as the first area to move forward due to efforts in data collection, improved stock assessment and its overfished and overfishing status.

To revise the BMUS list, the Plan Team formed working groups to review MSA provisions, including EFH and status determination criteria required for adding a species to the Council's FEPs. In June 2023, the Council took initial action to change the American Samoa BMUS list, including the MSA provisions as well as an additional method for specifying ACLs. Due to limited data available for some species, the Plan Team proposed using a rate-based approach using fish length rather than weight to determine the ACL. This approach would add a new Tier 6 to the existing five tiers the SSC uses to set a stock ABC. Tier 6 would allow the SSC to base the ABC on length, enabling the Council to establish a length-based ACL.

Since the Council took initial action in June 2023 on the American Samoa BMUS revisions, the SSC discussed ABC control rules at its national meeting and further examined data quality in American Samoa. From those discussions, the Council has the option to provide the Tier 6 ABC beyond American Samoa and make the tool available for every stock in the region. With the data-limited situation for many of the stocks, the Tier 6 approach provides a management alternative. Alternatively, the Council could consider adding a Tier 6 whenever an MUS list is updated. Data limitations evidenced in American Samoa were also prevalent in the Guam data WPSAR in 2024. The Council's options are to keep Tier 6 limited to American Samoa bottomfish, or to add Tier 6 for all the fisheries.

Guthertz asked what the value is of providing a Tier 6 ABC method for all areas, based on the evaluation so far. She also asked if it would be feasible and whether it would give the Council the information it needs.

DeMello said adding a Tier 6 to the ABC control rule would allow for considering spawning potential ratio (SPR) as a stock status measure and creating an ACL in the future that is appropriate for the fishery. Guam has a couple of species such as *Etelis bowenii* that is rarely caught or has been misidentified in the past but is caught as part of the fishery. For those species, an ACL under the existing ABC control rule will be low due to limited data. With the length-based approach under Tier 6, people could still go fishing because the limit is not a number but

rather a minimum size. The data WPSAR in Guam showed that there are a few species in the current BMUS list that would work with the weight-based limit, but there are many data-limited species that would benefit from having this length-based rate approach.

Simonds asked where each of the territories is in developing its own FMP. She said the territorial FMPs may reduce the data-limited situation that the Council has been addressing for 40 years. In the first 20 years, the Council used SPR, but MSY later became a mandate and now it is back to SPR. She said the Council is still talking about the best way to collect information in the territories. American Samoa has village chiefs that continue to oversee the villages and could use the cultural system to collect information. Guam is working on an FMP for corals and maybe all species with the help of PIRO Habitat Conservation Division. Simonds said the Council should find out where each of the territories is in terms of managing its fisheries, noting the plans should include how to collect information.

G. Guam Marine Conservation Plan

Muña reported an amendment to the Guam Marine Conservation Plan (MCP) was submitted to the governor, including a provision to make the fishing platform compliant with the Americans with Disabilities Act. A formal amended MCP will be sent from the governor's office to NMFS.

H. Advisory Group Report and Recommendations

1. Advisory Panel

Nate Ilaoa, American Samoa AP vice chair, presented the AP meeting report and recommendations.

Regarding American Samoa fishery issues, the American Samoa AP recommends the Council communicate to the new administration in American Samoa the importance of fisheries, particularly the current fishery issues including the proposed Pacific Remote Islands National Marine Sanctuary and international positions.

The American Samoa AP recommends the Council request NMFS PIRO to provide an update on the consultation for the seawall and shoreline reinforcement project in American Samoa.

Ilaoa reported the AP agreed that the transition in leadership was a good opportunity to explain and describe the lay of the land on fisheries for the incoming American Samoa administration. This includes issues such as the proposed sanctuary designations and discussions at the RFMO meetings.

Regarding the shoreline reinforcement project, Ilaoa reported an AP member inquired on multiple requests from his constituents on the status of the shoreline reinforcement project and the associated consultations that need to be completed. He spoke to representatives from the Army Corp of Engineers who said the process was held up on a NMFS consultation to review the permits for the project. The AP requested the Council assist in getting the project back on track.

Regarding EM, the American Samoa AP recommends the Council to engage the American Samoa longline vessel owners to provide information on the impacts of this action to their continued operation.

Regarding Hawai‘i and American Samoa longline crew training, the American Samoa AP reiterates its previous recommendation that the Council consider allowing the American Samoa longline crew to satisfy the training requirement through the existing owner/operator PSWs (decision point 3, option a). The AP further recommends that the Council ensure American Samoa longline vessel owners are consulted on the alternatives and decision points, so they have the opportunity to provide information on the impacts of this action to their operations. The AP additionally recommends that the Council take into consideration the unlevel playing field on which the U.S. fleets continue to operate and are subject to stricter regulations than foreign fleets which may have greater impacts to protected species.

Ilaoa reported for both action items on crew training and EM, the AP agreed that the American Samoa fleet need to be consulted on these actions and to defer action until they have provided their preferred alternatives.

Clay Tam, AP chair, presented the Hawai‘i AP meeting report and recommendations. Tam acknowledged Ramsey’s report and thanked the Council for hosting the AP members at the BFISH meeting held at Pier 38. He noted that having fishing representatives made a big difference in the conversation on how scientists and managers can improve fisheries management.

Regarding Hawai‘i and American Samoa Longline crew training, the Hawai‘i AP recommends the Council consider the following:

- The training program should be offered to all crew so that there are multiple crew on deck who have knowledge of protected species handling and release best practices, regardless of the minimum number of crew required to be certified or number of trained persons on deck.
- The training program should be made accessible to industry as much as possible, such as having an appointment system so that vessels can schedule training for new crew to coincide with their arrival.

Tam reported that the AP discussed that this program should occur at higher frequencies to ensure that the captains and crew members are informed through the evolving program. In addition, to ensure resources to the longline fleet, rather than having a scheduled meeting, the training should be appointment-based system to allow the fleet flexibility since they change their crew frequently.

Regarding EM, the Hawai‘i AP recommends the Council proceed with authorizing EM as a phased-in monitoring program focused on protected species estimation for longline fisheries under the Pacific Pelagic FEP.

Tam said the longline fleet should be consulted in the process and be at no cost to the fishers. The fishery faces issues with maintaining its presence on the market and this cost may negatively impact it. Regarding where EM should be applied, the AP agreed that this action

focuses on the longline fleet and not the small-boat fisheries in the different archipelagos. For Hawai‘i alone, there are thousands of boats, and they do not operate the same way as the longline fleet.

Richard Farrell, CNMI AP vice chair, presented the AP meeting report and recommendations.

Regarding CNMI fisheries issues, the CNMI AP recommends the Council explore avenues to install moorings to have prepositioning ships to tie up to and remove damage to the environment in Saipan, Tinian and Rota.

Farrell reported the AP discussed this issue several years ago and requested follow up and to expand the avenues to the outer islands of Tinian and Rota due to the increase in military exercises between Saipan, Rota and Tinian.

Dominick San Gil, Guam AP vice chair, presented the AP meeting report and recommendations.

Regarding the Guam bottomfish rebuilding plan, the Guam AP recommends the Council take final action on alternative 2b, that modifies the rebuilding plan ACL and AMs to specify an ACL of 34,500 pounds, to rebuild the stock by 2031 and specify a three-year average post-season overage adjustment AM.

Regarding Guam fisheries, the Guam AP acknowledged the work of the bottomfish cooperative research and recommended the Council request NMFS PIFSC to look at alternatives to reincorporate the MOUSS underwater camera system using new technology like GoPro cameras, which may be cheaper and lighter. The AP understands the value of underwater footage and its role in providing an improved Guam stock assessment.

Regarding deployment of FADs, the Guam AP recommends the Council request NOAA and the Department of Defense (DOD) work with DAWR to coordinate deployment of FADs around Guam.

2. Fishing Industry Advisory Committee

Michael Goto, Fishing Industry Advisory Committee (FIAC) chair, presented the report and recommendations.

Regarding WCNPO striped marlin, the FIAC recommends the Council proceed with option 3, consistent with the a new WCPFC CMM that sets a base catch limit of 228.4 mt annually from 2025 to 2027, with an additional catch of no more than 165 mt added each year contingent on catch underages by WCPFC members. A catch limit for 2025 would be 393.4 mt, with catch limits for 2026 and 2027 pending data from 2024 and 2025.

The FIAC recommends the Council prepare a letter to the incoming presidential administration outlining the disadvantages of U.S. Pacific fisheries due to poor negotiations at the WCPFC and Billfish Conservation Acts of 2012 and 2018.

Regarding the Hawai‘i and American Samoa Longline fisheries crew training requirement, the

FIAC supports a requirement that would provide flexibility for the trained person on deck to be the operator or a crew member. The FIAC recommends an annual or two-year certification period for crew and maintaining an annual renewal for owners/operators. The FIAC notes that the requirement must be accompanied by continued commitment from NMFS to offer crew training and making the training accessible to fishery participants as much as possible (e.g., online option; scheduling training sessions to coincide with new crew arrivals).

Regarding EM, the FIAC recommends the Council proceed with authorizing EM as a phased-in monitoring program focused on protected species estimation for longline fisheries under the Pacific Pelagic FEP. The EM program should supplement human observer monitoring and logbook data.

3. Non-Commercial Fisheries Advisory Committee

DeMello, Council staff, presented the Non-Commercial Fisheries Advisory Committee (NCFAC) report and recommendations on behalf of the chair.

Regarding Hawai'i fisheries, the NCFAC recommends the Council include kayak fishers as part of its small-boat fisheries meetings to better capture data from the kayak fishery.

DeMello reported this recommendation was in reference to the pilot uku survey and intended to ensure that PIFSC and DAR engage the kayak fishers who catch a fair number of fish.

Regarding noncommercial fisheries, the NCFAC recommends the Council work to provide a consistent definition for noncommercial fishing.

DeMello reported that under the MSA, only recreational and commercial fishing are defined. The NCFAC made this recommendation to ensure there was a consistent definition of noncommercial fishing if there is legislation that addresses this issue.

4. Plan Team

Emily Crigler, Pelagic Plan Team chair, presented the report and recommendations.

Regarding potential U.S. catch limits of WCNPO striped marlin, the Pelagic Plan Team recommends the Council direct staff to work with NMFS to ensure there is a robust mechanism in place to best estimate at-sea discards if there is a retention limit that is reached under the implementation of any option that the Council may take.

Regarding the Hawai'i and American Samoa longline fisheries crew training requirement, the Pelagic Plan Team recommends the Council:

- Consider an annual crew training certification requirement (1a).
- Maintain the annual certification requirement for owners/operators (2a).
- Allow crew certification to be satisfied through attending the owner/operator training for ASLL crew and as a potential future option for the Hawai'i longline crew noting that additional administrative and logistics support would be needed for providing

- this option to the Hawai‘i-based crew (3a).
- Consider providing an exception to the crew training requirement for crew pickup trips (4b).

Regarding authorizing EM, the Pelagic Plan Team recommends the Council authorize EM in pelagic longline fisheries to be used as a monitoring tool to supplement existing monitoring mechanisms. The use of EM should be mandatory as operators procure NMFS-approved systems.

5. Scientific and Statistical Committee

Lynch, SSC chair, presented the report and recommendations.

Regarding the MHI uku update stock assessment and WPSAR chair report, the SSC endorses the findings of the WPSAR review panel and recommends that the MHI uku update stock assessment be considered BSIA.

Regarding the development of an EM Program for Western Pacific Fisheries, the SSC recommends that:

- EM be phased-in by NMFS with the intent for a full mandatory program implemented by the end of 2027 to ensure the minimal obligatory annual observer coverage of 5%, with the primary objective for protected species monitoring and bycatch estimation, and secondary objective for discard accounting.
- EM initially be limited to the following pelagic FEP fisheries: the Hawai‘i-based SSL swordfish fishery (at 100% coverage), the Hawai‘i-based DSL tuna fishery and the American Samoa DSL tuna fishery.
- EM coverage replace the current observer program coverage and verify logbook data, and be subject to the same expansion procedures applied currently to the observer coverage for the SSL and DSL fisheries.

Lynch reported the SSC acknowledges that this is initial action and there is a need to evaluate the economic impacts of this action on the fishery depending on who is funding EM.

Regarding the American Samoa BMUS revisions-ABC control rule, the SSC recommends the Council provide the Tier 6 ABC control rule for all the FEPs.

Lynch reported that the SSC recognizes the value of the Tier 6 control rule as an important tool in fishery analysis.

I. Public Comment

Eric Kingma, HLA executive director, said he was disappointed in how the striped marlin management measure turned out in Fiji. The United States is the only fleet or country taking a reduction, where the acceptable baseline period is 20 years, and it is going to have an impact. Every regulatory rule has an impact, the value of marlin is down, and there is not a lot to go on for Council action and not a lot of discretion. Kingma also said HLA has supported crew training

and nearly 600 crew members have been trained. He said the option that provides more flexibility is the approach being advised by the agency, which would require that the operations be observed by a trained person, whether that be the captain or crew. HLA wants training to continue, and HLA is currently helping to fund and organize the training. The overall objective is to continue to offer the opportunity for all crew to be trained. Regarding EM, HLA has participated in pilot programs since 2010. It is time to implement EM and increase the observer coverage, so HLA supports Council taking action to authorize EM. He said vessels will sign up for EM if they do not have to carry human observers, which is an incentive for the industry. Kingma said the fleet cannot have a mandatory program if it is not funded or not implemented, so the details will have to be worked out. He said he hopes the program continues and would like to ensure that the data are confidential and does not deviate from existing observer data confidentiality standards.

J. Council Discussion and Action

Regarding MHI uku fishery stock assessment update, the Council:

- 1. Accepted the 2024 assessment as BSIA and directed staff to develop potential ABC and ACLs for initial action at the 202nd Council meeting in March 2025.**

Moved by Soliai; seconded by Ramsey.

Motion passed.

Regarding the Guam bottomfish, the Council:

- 2. Recommended, as Final Action, alternative 2b that modifies the Guam BMUS rebuilding plan ACL to 34,500 pounds to rebuild the stock to B_{MSY} by 2031 and a postseason overage adjustment. The ACL shall provide the highest level of catch expected to rebuild the stock by T_{Target} with at least 50% probability and prevent overfishing at 38%. This alternative would discontinue in-season monitoring through creel surveys and implement a postseason AM where if the average catch of the three most recent years exceeds the specified ACL in a fishing year, the ACL for the subsequent fishing year will be reduced by the amount of the overage. Further, the Council would direct its SSC to review the overage and other available information and recommend PIFSC to rerun the stock assessment model to understand how the ongoing fishery performance affected the progress of the stock relative to the rebuilding plan.**

Further, the Council deems that the regulations implementing the recommendations are necessary or appropriate in accordance with Section 303(c) of the MSA. In doing so, the Council directs staff to work with NMFS to complete regulatory language to implement the Council's final action. Unless otherwise explicitly directed by the Council, the Council authorizes the Executive Director and the Chairman to review the draft regulations to verify that they are consistent with the Council action before submitting them, along with this determination, to the Secretary on behalf of the Council. The Executive Director and the Chairman are authorized to withhold submission of the Council action and/or proposed regulations and take the action back to the Council if, in their determination, the proposed regulations are not consistent with the Council action.

Moved by Soliai; seconded by Ramsey.
Motion passed with Malloy abstaining.

- 3. Requested NMFS PIFSC to look at alternatives to reincorporate the MOUSS survey using new technology to reapply for research fishing in the Mariana Islands.**

Moved by Soliai; seconded by Weaver.
Motion passed.

Regarding WCNPO striped marlin, the Council:

- 4. Directed staff and the Action Team to develop a regulatory amendment for the Pacific Pelagic FEP to set a catch limit for WCNPO striped marlin, with a preliminary preferred alternative to implement a catch limit of 228.4 mt annually from 2025 to 2027, with an additional catch of no more than 165 mt added each year contingent on catch underages by other nations prescribed by a new CMM.**

Moved by Soliai; seconded by Weaver.
Motion passed.

Regarding Hawai'i and American Samoa longline fisheries crew training requirement, the Council:

- 5. Recommended the following regulatory specifications associated with crew training:
 - a. Annual or two-year certification for crew training (decision point 1a-b)**
 - b. Maintain annual requirement for owner/operator PSW certification (decision point 2a)**
 - c. Allow crew certification to be satisfied by owner/operator workshop (decision point 3a)****
- 6. 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.**
- 7. Requested NMFS make the crew training program accessible to fishery participants and work with the Council and Hawai'i and American Samoa longline fishery representatives to explore an appointment scheduling system that would facilitate greater participation in the training sessions.**

Moved by Soliai; seconded by Itibus.
Motion passed.

Regarding development of an EM Program for Western Pacific Fisheries, the Council:

- 8. Directed staff to establish an Action Team to develop a proposal for the Pelagic FEP to authorize the use of EM in pelagic longline fisheries with the objective to:**

- a. Authorize the use of EM to monitor and provide reliable estimates of protected species interactions with the Hawai‘i and American Samoa longline fisheries.
 - b. Phase in the use of NMFS-approved EM systems over a three-year period (2025-2027) with NMFS funding, as an optional program to supplement the human observer program until permanent resources are available to fully implement a mandatory program.
9. Requested NMFS and Council advisory groups, during the phase-in of EM, to work on:
- a. Establish regional standards for NMFS-approved EM systems
 - b. Develop a statistically robust and cost-effective EM data review process to improve precision of protected species interactions using EM data that could be reviewed by the SSC and Plan Teams.
 - c. Develop a checklist for tasks and the timeline needed to implement a fully mandatory EM program.
 - d. Provide regular status reports to the Council on the progress of EM development and implementation in the longline fisheries.
 - e. Develop elements needed for a vessel monitoring plan, which would describe camera configurations and catch handling requirements to ensure the EM systems are able to capture the necessary data images.
10. Requested NMFS and directed staff to engage the Hawai‘i and American Samoa longline vessel owners to provide information on the impacts of this action to their continued operation.

Malloy said NMFS abstains from recommendation #8 establishing an Action Team.

Moved by Soliai; seconded by Itibus.
Motion passed with Malloy abstaining.

Regarding American Samoa bottomfish, the Council:

11. Directed staff to remove the Tier 6 ABC control rule component of the American Samoa BMUS revision action and develop an amendment to each of the FEPs to include the Tier 6 approach in the Council’s ABC control rules.

Moved by Soliai; seconded by Ramsey.
Motion passed.

Regarding the Guam MCP, the Council:

12. Directed staff to write to the governor of Guam indicating the Council’s review and concurrence with the Guam MCP and request the governor provide the amended MCP to NMFS for approval.

Moved by Soliai; seconded by Itibus.
Motion passed.

Regarding American Samoa fisheries issues, the Council:

13. Directed Council staff to coordinate a meeting with the new American Samoa Government administration to communicate the importance of fisheries, and current fishery issues including the proposed Pacific Remote Islands National Marine Sanctuary and international fisheries positions.

14. Requested NMFS PIRO to coordinate a meeting with the American Samoa Government to provide an update on the consultation for the Seawall and Shoreline Reinforcement Project.

Moved by Soliai; seconded by Itibus.

Motion passed.

Regarding CNMI fisheries issues, the Council:

15. Requested staff to coordinate with the DOD, CNMI DLNR and the fishing community concerns regarding the pre-positioning ship anchorage in the CNMI and potential for developing a permanent mooring system to potentially decrease damage to benthic resources.

Moved by Soliai; seconded by Itibus.

Motion passed.

Regarding Hawai'i fisheries, the Council:

16. Requested NMFS PIFSC consider including kayak fishers as part of its small-boat fisheries meetings to better capture data from the kayak fishery.

Moved by Soliai; seconded by Itibus.

Motion passed.

Regarding noncommercial fisheries, the Council:

17. Directed staff to work with NMFS PIFSC on developing a consistent definition for noncommercial fishing.

Simonds asked what the issue was.

DeMello said there is a definition for commercial fishing and recreational fishing under the MSA. However, noncommercial fishing is considered differently depending on the context. The State of Hawai'i says that if a fisherman sells one fish, then that person is commercial, but under HMRFS, fishermen are not considered commercial as long as they are not making their living from it, or less than 51% of your income. The NCFAC wanted to see if there is something that is more consistent so that when the Council is looking at the data, those fishers that are not true commercial fishermen can be identified.

Simonds said there has been discussion about fixing the MSA for years and wanted to make sure that this is for how the region will work.

Moved by Itibus; seconded by Soliai.

Motion passed.

Regarding FAD deployment, the Council:

18. Requested NOAA and DOD work with DAWR to coordinate deployment of FADs around Guam.

Moved by Muña; seconded by Itibus.

Motion passed.

VIII. Public Comment on Non-Agenda Items

There was no public comment on non-agenda items.

IX. Protected Species

A. False Killer Whale Foreign Fleet Impacts Analysis

Ishizaki provided the update on the false killer whale (FKW) foreign fleet impacts analysis on behalf of SSC Chair Lynch. The Council at the 200th meeting in September 2024 received a presentation on the analysis from Rob Ahrens, PIFSC. The next step was for SSC members who participated in a working group convened by PIFSC to review the draft manuscript of the analysis. A subgroup of SSC members, Shelton Harley, Ray Hilborn, Graham Pilling and David Itano, conducted the review in November and compiled their comments into a report that they shared with PIFSC staff in advance of the SSC meeting.

The SSC subgroup's comments primarily focused on the data and the uncertainties associated with the analysis, including the need to clearly describe those uncertainties and account for biases in the analysis. SSC subgroup also suggested approaches for testing the assumption around the missing SSL data in the Global Fishing Watch dataset. The subgroup also provided comments on the appropriate interaction rate to estimate the foreign fishing fleet's impact in the pelagic FKW range that overlaps with the Hawai'i fishery. PIFSC staff members at the December 2024 SSC meeting said they would include additional clarifications in the manuscript and noted that any additional biases, even if accounted for in the analysis, are expected to have only small effects on the overall result.

The SSC subgroup also considered the impact of the analysis on the potential biological removal (PBR) calculation for the pelagic FKW stock. PIFSC currently factors in the uncertainties from foreign fishing impacts through the recovery factor in the PBR calculation. The SSC subgroup recommended that the impact be accounted for directly in the calculation of the mortality and serious injury (MSI) estimates instead of the PBR calculation, given that the framework for analyzing foreign fleet impacts is reasonable and provides a mechanism for estimating the bycatch level. PIFSC staff members at the SSC meeting indicated that they would account for the analysis results in both the MSI estimates as well as the PBR calculation. The SSC made the following recommendations as a result of their discussions:

Regarding the FKW foreign fleet impacts analysis, the SSC endorses the subgroup's finding that the analysis provides a framework for estimating the foreign fleet bycatch within the pelagic FKW assessment area.

The SSC requests PIFSC provide an update at the March 2025 SSC meeting on how the analysis will be incorporated in the estimation of MSI and PBR.

B. Coral Critical Habitat Designation Final Rule

Malloy reiterated the status of the coral critical habitat designation process from the earlier PIRO agency report, noting that due to *Federal Register* delays, NMFS renegotiated with the plaintiff to delay the final rule publication date from December 2024 to July 2025. She noted that her staff are available to respond to questions on this matter or other protected resources issues.

Muña said Guam has a meeting scheduled with NMFS Office of Protected Resources later in the week to discuss the giant clam proposed rule and associated community meetings. She asked if there are any plans to have more public meetings within the extended public comment period.

Guthertz suggested that NMFS coordinate with Guam DOAG on best locations to hold additional public hearings to maximize participation in Guam.

Dawn Golden, PIRO, said the agency intends to discuss with DOAG on the scheduled call as to what can be done in the remaining time within the extended public comment period, noting that it does not have funds to come out to Guam for additional in-person hearings. She said NMFS is open to holding virtual meetings, if that is helpful.

Muña asked if it would be possible to exempt Guam from any impacts of the listing if there is no anticipated benefit to their recovery by listing them for the Pacific, noting that some of the giant clam species do not occur in Pacific waters based on the best scientific data available.

Golden said ESA does not allow NMFS to provide such exemptions.

Chelsey Young, PIRO, said ESA specifically mandates that NMFS does not take into account impacts such as economics when evaluating whether to list a species, and NMFS is only allowed to consider the BSIA about the status of the species to determine whether it meets the definition of threatened or endangered. This is why some listed species occur entirely outside of the United States.

Muña said Guam is dealing with the proposed ESA listing of the monarch butterfly, and the USFWS is making efforts to reduce the impacts of the listing on Guam's work with other butterfly species, recognizing that the monarch butterflies considered for listing do not come into the Pacific region. Similarly, there is no impact from activities in Guam to the expected recovery of giant clam species proposed for listing. Muña said there would be a benefit to recovery from Guam's proposal to culture clams. Some of the giant clam species proposed for listing occur as fossilized species in Guam, and the territory would not negatively impact the recovery because they no longer occur in the area, yet the species would still be listed. She said it is counterintuitive to have a listed species impact the island when Guam's work is not expected to impact the recovery of the species, and wondered if NMFS could follow the same path as USFWS.

Young said she would need to get more information from Muña and USFWS and could discuss further in the call scheduled later in the week.

Muña asked what factors other than economic impacts could be considered.

Young said economic and sociocultural impacts can be considered for the 4(d) take prohibition regulations for threatened species, which is a separate process from considering whether a species should be listed under the ESA. The statute specifies five factors that need to be considered for listing determination, which includes habitat destruction and loss, overutilization for commercial or recreational purposes, disease and predation, inadequate regulations to control for threats, and other natural or man-made factors. Those five factors are compared to the species' population, genetics, connectivity and other biological factors that contribute to a species' extinction risk.

Muña asked what factors could be provided through public comment in response to the listing that could strengthen their position against the listing.

Young said NMFS heard a lot about the impacts of the import and export regulations in the 4(d) rule for the threatened species, which is helping to inform how NMFS can tailor those regulations. In terms of the listing, she said information from Guam about presence, distribution and abundance would be informative.

Soliai asked NMFS to share any details on the settlement agreement with CBD.

Golden said the settlement agreement required NMFS to get the final rule submitted to the *Federal Register* by Dec. 1, 2024, which the agency met. However, due to the different factors that come into play with the administration change, the Department of Justice asked CBD if the deadline could be postponed until the new administration had an opportunity to review, and CBD agreed.

C. Advisory Group Report and Recommendations

1. Advisory Panel

Tam brought to Council members' attention a letter from a Kona fisherman included in the Hawai'i AP report. The letter outlines concerns about the imbalance of protection of sharks, and the economic impacts that sharks are having on fishers.

2. Fishing Industry Advisory Committee

There were no FIAC recommendations regarding protected species.

3. Pelagic Plan Team

There were no Pelagic Plan Team recommendations regarding protected species.

4. Scientific and Statistical Committee

SSC recommendations for protected species were reported under agenda item A above.

D. Public Comment

There were no public comments.

E. Council Discussion and Action

Regarding the FKW foreign fleet impacts analysis, the Council endorsed the SSC recommendations and requested PIFSC to provide an update at the March 2025 SSC meeting on how the analysis will be incorporated into the estimation of mortality and serious injury and potential biological removal for the pelagic stock of FKWs.

Soliai acknowledged the work that the SSC and the subgroup made on this FKW issue.

Moved by Soliai; seconded by Igisomar.
Motion passed.

X. Pelagic and International Fisheries

A. International Fisheries

1. Outcomes of Technical and Compliance Meeting of the Western and Central Pacific Fisheries Commission

Jason Philibotte, PIRO assistant regional administrator for the International Fisheries Division, spoke on outcomes of the 20th Regular Session of Technical and Compliance Committee (TCC) meeting of the WCPFC held in Pohnpei, Federated States of Micronesia in September 2024. He also summarized outcomes of the WCPFC meeting held Nov. 26 to Dec. 3, 2024, in Fiji for agenda item X.A.3.

At the TCC, the United States was noncompliant on two matters. First, it was a priority noncompliant for delayed implementation of regulations protecting sharks and mobulid rays. Domestic regulations went into effect in mid-2023, so the United States will be in compliance moving forward. The United States was also noncompliant for a few vessels failing to list IMO numbers. However, it became fully compliant in December 2024, making the United States noncompliant for 2024 but back in compliance for 2025.

There was discussion at the TCC on audit points for compliance under measures. These audit points can only be enacted with consultation with small island developing states (SIDS) and territories to make sure there is not any undue burden. This will include some discussion with the territories on this issue. The TCC also developed a work plan for ER and EM in an intercessional working group toward developing minimum standards. There will be intercessional work on voluntary guidelines for high seas boarding inspections next year. No new vessels were added to the IUU list this year.

Seven CMMs were adopted at the 21st Regular Session of the WCPFC (WCPFC21), including the charter notification scheme, compliance monitoring, Pacific bluefin tuna, and the monitoring, control and surveillance of Pacific bluefin tuna, crew labor standards, sharks, North Pacific striped marlin and protection of cetaceans for purse seine and longline operations. The WCPFC has been offering more small working groups to prepare for meetings intercessionally. Work plans for the upcoming year were approved, including climate change, FAD management, ER/EM, South Pacific albacore tuna and the TCC work plan.

WCPFC21 adopted the first-ever binding CMM for crew labor standards within an RFMO. The crew labor standards have criteria for working conditions and also outline steps in the event a crew member is missing or falls overboard, is mistreated or passes away during operations. The North Pacific striped marlin CMM covers 2025 to 2027 until a new stock assessment. The original cetacean CMM only addressed the protection of cetaceans in purse seine fisheries, but the new CMM introduced by the United States has been updated to also cover interactions with cetaceans in longline fisheries. WCPFC21 did not make progress on South Pacific albacore, and 2025 will be the year of South Pacific albacore. A few workshops will be held in 2025 focused on management procedures, implementing those procedures, and examining the compatibility between bigeye tuna and South Pacific albacore management procedures.

2025 WCPFC meetings include a joint Inter-American Tropical Tuna Commission and Northern Committee meeting on Pacific Bluefin management in February, Northern Committee in Japan in early July, the Scientific Committee in Tonga mid-end August and the TCC in Pohnpei at the end of September. The 2025 annual meeting will take place in Vanuatu during the first week of December.

Soliai said it was unfortunate that no progress was made on South Pacific albacore and asked if this issue was brought up in bilaterals.

Philibotte said NMFS had talking points ready for the bilaterals and had anticipated moving forward with those prepared discussions. However, the way that WCPFC chose to address some of the topics on the agenda hindered its ability to have substantial conversations on South Pacific albacore. PIRO IFD is looking to partner closely with the territories and the South Pacific Group (SPG), building on the relationship American Samoa has developed with the SPG.

Soliai said it is important for the territories to be part of those discussions. He had several meetings and discussions with both SPG and other FFA members with respect to these issues. Soliai also read into the record a prepared statement for the sake of constructive criticism. He started by expressing deep disappointment over the lack of meaningful support and representation the United States government provided to the territories during the recent WCPFC meetings in the Cook Islands and, more recently, in Fiji. The territories felt marginalized by the U.S. delegation, only being asked for updates on bilateral efforts regarding South Pacific albacore. American Samoa's longline fishery is at risk of losing its Marine Stewardship Council (MSC) certification. If a management procedure is not implemented by 2026, a failure to make meaningful progress at WCPFC21 jeopardizes the ability of the American Samoa fleet to retain MSC certification. Without it, American Samoa's longline fleet could lose access to key markets, including the cannery, which would be catastrophic for American Samoa's economy and devastating for the territory. Soliai and other representatives from Guam and the CNMI felt the U.S. head of delegation's view was for the territories to go fend for themselves. The territories also lost out significantly when Paragraph 9 was removed from CMM 2021-01 in the previous meeting in 2023. Soliai is advocating for American Samoa now as a new observer and an associate member of the FFA.

Muña said this last meeting was her first in-person WCPFC meeting. Communication with the territories was short of anything effective. There was never a one-on-one meeting that they had in prior years with the head of delegation to ensure each jurisdiction was adequately

represented. Instead, their only consultation was a group meeting that shared a document with behavioral expectations. She was also led to believe there would be a group chat to help keep current communications with all members of the delegation. Ironically, the name of the chat was United States and the territories, but the territories were excluded until she complained. Muña and Igisomar went on their own to discuss issues with other members on partnerships. Muña said she hopes that at WCPFC22 there will be better and more effective communication.

Malloy apologized for the territories' exclusion on the group chat and said it serves a useful purpose. Malloy said Guam and the CNMI were invited to participate in the Permanent Advisory Committee to Advise the U.S. Commissioners to the WCPFC (PAC), to which CNMI and Guam are both members, and are always invited to go over proposals and agenda items. Having conversations about priorities at the meeting is too late and they set those meetings up in advance during the year to try to get input as the year rolls along. Malloy said she respects Soliai's positions and values the American Samoa inclusion into the FFA. She hopes the next person to represent American Samoa can make the best of that relationship and fold that into the shared goals with the United States.

Igisomar said this was his second meeting at the WCPFC, and the CNMI was excluded from the strategies aimed at addressing certain issues. While he appreciates the opportunities with the PAC, he noted they are a small agency overwhelmed with tasks. He called for more flexibility from big government to help the commonwealth chart a path forward for some of its initiatives, despite its participation in smaller meetings like the PAC. Igisomar expressed extreme disappointment in the leadership at the WCPFC meetings and in the negotiations, criticizing their failure to ask about priorities or aspirations. Instead, the territories are left to fend for themselves, holding bilaterals for fishery development. He looks forward to change and better representation.

Guthertz said in the transition period, there needs to be a lot of unity between the Council family and NOAA and U.S. Department of Commerce professionals in ensuring that all interests for their constituents are a priority. Guthertz expressed concern over the next administration which may view the federal government as a bureaucracy that needs to be ripped apart and people moved around. Even though the territories are 9,000 miles from Washington D.C., most of them are citizens and nationals that need to be included as part of the process to advance interests. Being a part of bilaterals and international discussions should be part of the process. Guthertz also expressed concern over military buildup.

Sword said Soliai has represented 90% of the efforts to develop inroads between American Samoa and other governments at the WCPFC, and it reflects poorly on U.S. leadership of federal partners when he is not listened to. Unfortunately, this has been the norm for the United States at these meetings he had attended over the years. American Samoa has dropped from a top U.S. port to 13th, which reflects poorly on how the United States is operating. The Pacific is the biggest "protein basket" for the world and not overfished, which China understands but the United States does not.

2. US Positions at Western and Central Pacific Fisheries Commission 21 from Permanent Advisory Committee Meeting

Kingma, executive director of HLA and vice chair of the PAC, reported on U.S. positions going into the WCPFC. Recommendations reflect the PAC's majority and minority views.

Kingma highlighted the requirements for the PAC under the Ensuring Access to Pacific Fisheries Act, as well as the focus of the law on minimizing any disadvantage to U.S. fishermen in relation to other members of the Commission and maximizing opportunities for U.S. fishing vessels to harvest fish stocks on the high seas. Other provisions of the law require that the Secretary prevent any transfer of fishing capacity to other members of the Commission, and to ensure that the CMMs consider the historical and traditional fishing patterns of the U.S. fishing industry.

Harvest strategies, tropical tuna, South Pacific albacore, North Pacific striped marlin, seabirds, labor and EM were the major topics at the PAC. This was an off year for the tropical tuna measure as a new CMM was adopted the previous year. The PAC wanted to ensure that the WCPFC adopts a skipjack management procedure, which it did. For developing a target reference point, the PAC wanted the WCPFC to take into consideration the subregional differences in biomass, given the historical patterns of the Hawai'i longline fishery that operates where relative biomass levels are higher than other regions. Improved dialogue with the FFA and Parties of the Nauru Agreement was requested to help assist American Samoa. South Pacific albacore was a big-ticket item for the WCPFC, and it did not agree on a target reference point or a management procedure, which leaves significant commercial impacts on those fisheries that rely on MSC certification, including the American Samoa longline fleet.

The PAC recommendation on striped marlin was based on a baseline level of catch from 2019 to 2020, which was analyzed and evaluated. Kingma said instead the United States caved to pressure from Japan, Korea and others, and set the measure back to an older reference period that only benefited those countries. Kingma noted that pushing a CMM that puts the United States at the greatest disadvantage for the sake of getting a measure passed is contrary to the Ensuring Access to Pacific Fisheries Act.

There was also a measure proposal by New Zealand on seabirds which was not agreed upon, and the United States was opposed to it based on lack of scientific backing and inconsistency with measures the Council has put forward. The PAC also recommended the United States ensure a CMM on labor is adopted, with an interest in ensuring that the focus was on the core issues related to labor standards preventing human trafficking and forced labor, providing safe and decent working conditions. The PAC also recommended that the United States analyze what laws are already on the books and how the potential labor measure could be implemented.

Simonds thanked Kingma for reminding the Council about the Ensuring Access to Pacific Fisheries Act and noted that the press release and Council letters include a section on the responsibilities of the Secretary of Commerce and State to remind others how the United States is supposed to operate. Simonds said the recommendations from the PAC should be followed more closely.

Soliai concurred with Simonds. He called on the U.S. government to support the 2025 workshops on South Pacific albacore.

Sword said the PAC and U.S. delegation should also be reminded of the law.

3. Outcomes of the Western and Central Pacific Fisheries Commission 21st Regular Session 2024

This agenda item was included in Philibotte's presentation under A.1.

B. Advisory Group Report and Recommendations

1. Advisory Panels

There were no AP recommendations regarding pelagic and international fisheries.

2. Fishing Industry Advisory Committee

There were no FIAC recommendations regarding pelagic and international fisheries.

3. Pelagic Plan Team

Crigler provided the Pelagic Plan Team report and recommendations.

Regarding investigating bigeye tuna CPUE, the Pelagic Plan Team formed a working group of Rob Ahrens, Ashley Tomita, Bryan Ishida, Russ Ito, Mark Fitchett and a member of the PIFSC Stock Assessment Program to investigate the declining trend of CPUE on a per-hook versus per-set basis and report back to the Plan Team at its May 2025 meeting.

Crigler reported this recommendation originated from the SSC but was taken up by the Plan Team in the form of a working group.

4. Scientific and Statistical Committee

There were no SSC recommendations regarding pelagic and international fisheries.

C. Public Comment

Ilaoa, American Samoa businessman, echoed Soliai's disappointment with the U.S. government, criticizing the lack of support and inclusion at the recent WCPFC meeting. He said the U.S. delegation's actions amounted to extremely unfair treatment of American Samoa and the other Pacific Islands. The potential consequences in American Samoa jeopardizing the local longline fleet's ability to access certain markets, especially the cannery could have real-life catastrophic consequences for the American Samoa economy that relies so very heavily on the tuna industry. In the contract with the United States in the Deeds of Cession, the U.S. government vowed to protect and look after American Samoa's interests. Ilaoa said the United States should follow through with that vow and do a better job by including the territories. The Pacific has been the home of Samoans for 3,000 years. Yet the U.S. government expects them to carry the majority of the burden for conservation efforts, particularly the president's "30x30" initiative. There has been little or no environmental justice or equity for American Samoa with the way that the federal government has treated it lately, forcing these large closures on its fishing grounds.

Joe Hamby, Cape Fisheries, thanked Kingma for this presentation on the PAC, noting this was the first time in many years he heard the directives of the Ensuring Access to Pacific Fisheries Act discussed. He likened it to being "hit by a hammer," as the first part says the United States is supposed to minimize the disadvantages of the U.S. fishing fleets. Sadly, the

U.S.-flagged, American Samoa-based tuna fleet remains disadvantaged as the United States fails to regulate it as a SIDS fleet. This ongoing failure continues to push U.S.-flagged purse seiners out of the fishery, harming American Samoa's economy, which depends on these fleets. The second directive in the law is to preserve the fishing opportunities in the high seas for U.S. fishing interests. Just a few years prior, the United States unilaterally gave up high seas fishing days at a WCPFC meeting without consulting American Samoa. The third directive is to minimize the transfer of U.S. fishing efforts to other flags. The United States has failed miserably, as evidenced by the massive flight of U.S. purse seiners to SIDS flags and charters in search of exemptions from management measures and lowers operating costs, and less regulatory oversight. Hamby said the U.S. leadership has failed to comply with these directives and emphasized that the Ensuring Access to Pacific Fisheries Act should be reiterated at each PAC meeting.

D. Council Discussion and Action

Regarding WCPFC issues, the Council:

- 1. Requested NMFS ensure that proposed workshops in 2025 for South Pacific albacore each have defined objectives to implement a management procedure by 2026 and that the United States and American Samoa are prepared to support harvest strategies that would be most beneficial to American Samoa.**
- 2. Directed staff to write a letter to the new incoming secretary of commerce and the deputy assistant secretary of commerce for international fisheries outlining issues with the newly adopted North Pacific striped marlin CMM, the Billfish Conservation Act and any shortcomings (i.e., processes and negotiations) at the WCPFC.**
- 3. Directed staff to write a letter to the incoming secretary of commerce and the deputy assistant secretary of commerce for international fisheries requesting that all U.S. decisions be consistent with the Ensuring Access to Pacific Fisheries Act and that there is appropriate consultation with the U.S. Territories and Commonwealth.**

Malloy asked for clarification on what is meant by shortcomings.

Sword said it was process and outcomes.

Fitchett asked if shortcomings on process and negotiations was the intent.

Sword said discussions with Council members and territories in the international meetings need to improve and be more inclusive.

Clarifying language "processes and negotiations" was added to recommendation #2 by general consent.

Guthertz added clarification that consultations should refer to territories and commonwealth.

Clarifying language was added to recommendation #3 by general consent.

Moved by Soliai; seconded by Muña.
Motion passed.

Regarding investigating bigeye tuna CPUE, the Council:

- 4. Endorsed a Pelagic Plan Team working group consisting of Rob Ahrens, Ashley Tomita, Bryan Ishida, Mark Fitchett and a member of the PIFSC Stock Assessment Program to investigate the declining trend of CPUE on a per-hook versus per-set basis and report back to the Plan Team at its May 2025 meeting.**

Moved by Soliai; seconded by Ramsey.
Motion passed.

XI. Administrative Matters

A. Council Member and Staff Ethics Training

Terada, GCPI, presented the annual ethics training, which covers rules of conduct, lobbying restrictions, financial interest disclosures and voting recusals. Terada emphasized that Council members and staff must follow federal ethics regulations, including prohibitions on using Council resources for personal matters and restrictions on disclosing nonpublic information. Lobbying rules prevent the use of grant funds for influencing legislation, although personal lobbying is allowed if done independently of Council resources. Grassroots lobbying, such as encouraging others to contact legislators, is strictly prohibited.

Council members with financial ties to the fisheries industry must disclose relevant interest including those of their spouse and minor children. These disclosures must be updated annually and within 30 days of any changes. Voting restrictions require members to recuse themselves from decisions that could significantly affect their financial interest. Recusal determinations are conducted before Council meetings, and members can request a review if they disagree with the determination. Terada encouraged members to consult GCPI for guidance on any ethics-related questions.

B. Financial Reports

Randy Holmen, Council staff, referred members to the financial documents in their briefing materials and provided updates on the total expenditures in the following open awards:

- \$3,301,905 in the Administrative Multi-Year Award, ending December 2024. \$850,603 committed funds remaining;
- \$69,916 in the 2024 administrative add-on funds, ending December 2024. \$15,084 committed funds remaining;
- \$166,939 in the 2022 Coral Reef Award, ending September 2025. \$91,060 committed funds remaining;
- \$154,622 in the 2023 Coral Reef Award, ending September 2025. \$100,377 committed funds remaining;
- \$21,945 in the 2024 Coral Reef Award, ending September 2025. \$168,518 committed funds remaining;

- \$16,607 in the IRA (Initial) Award, ending December 2027. \$170,892 committed funds remaining;
- No expenditures in the IRA (Priorities 0-4) Award, ending December 2027. \$661,030 committed funds remaining;
- \$76,116 in the Sustainable Fisheries Fund (SFF) XII Award, ending July 2025. \$432,758 committed funds remaining;
- \$101,074 in the SFF XIII Award, ending July 2025. \$404,300 committed funds remaining;
- \$44,389 in the 2022 American Samoa SFF Award, ending July 2025. \$55,610 committed funds remaining;
- \$20,069 in the 2023 American Samoa SFF Award, ending September 2026; \$374,454 committed funds remaining;
- No expenditures to date in the 2024 American Samoa SFF Award, ending July 2027. \$353,625 committed funds remaining;
- No expenditures to date in the 2022 CNMI SFF Award, ending July 2025. \$372,554 committed funds remaining; and
- No expenditures to date in the 2024 CNMI SFF Award, ending July 2027. \$748,155 committed funds remaining; and
- \$54,124 in the SFF Pacific Remote Island Areas Award, ending July 2025. \$34,022 committed funds remaining.

Simonds discussed changes to the administration of coral grants, explaining that the new authorization requires competition for funding among all applicants. As a result, DeMello's compensation, which relies on these funds, will need to be temporarily absorbed into the budget until the Council can apply for new funding through a request for proposal process, which may take a year. Simonds highlighted the financial strain on the councils, noting they have not received significant funding increases and have had to absorb substantial costs, including Ishizaki's compensation. This has impacted decisions on hiring and meetings. Additional financial costs include retiree benefits, new programs like CMOD training and NOAA-required Council member training, which Simonds believes NMFS headquarters should fund. Furthermore, Council members' travel compensation has been reduced. Simonds also addressed the SFF grants expiring in July 2025, emphasizing the need for the territories to complete projects on time to avoid any extensions.

Soliai inquired if there is a path forward to addressing the dilemma of the Council being underfunded and not meeting its obligations.

Simonds recounted a discussion at the October 2024 CCC meeting with Brian Pawlak, NMFS, when he indicated that no additional funding should be expected in the coming years, as planning is already underway for 2028-2030. Simonds noted a shift in the budgeting process becoming top-down, and although the Council line item exists separately, it has seen little increase over the years despite additional expenses due to commissions and associated increase in international travel. Simonds emphasized the need to find a better approach, particularly with the new administration, to secure funding and address the historical neglect of the region, which is often overlooked due to its geographic distance from headquarters. Simonds expressed a

commitment to advocating for change and leveraging new opportunities to improve funding allocation.

Soliai added that the procurement process and limited capacity are major obstacles for SFF projects in the territories. Construction projects, in particular, face challenges due to a lack of qualified companies and difficulties in obtaining permits. These issues are compounded by the territories' remote location, making it harder to access resources and expertise available.

C. Administrative Reports

Simonds noted there were no staff changes and that recusal determinations were sent to Council members by GCPI. She announced a significant transition involving Scott Bloom, who has been with PIRO since 2003 and served as the program officer for various initiatives including the SFF. Bloom has taken on a new role at NMFS headquarters as the execution and obligation branch chief, overseeing programs such as the Saltonstall-Kennedy Grant Program and fishery disaster funding. Hideyo Hattori will take over as the federal program officer for grants at PIRO.

D. Report on Inflation Reduction Act Program

Mark Mitsuyasu, Council staff, provided an update on the IRA program projects, outlining the Council's funding priorities, which include scenario planning for large- and small-boat fisheries, regulatory review of FEPs, projects addressing protected species and bycatch changes due to climate change, and community engagement on climate impacts. The Council received initial funding in September 2024 and a solicitation for contractor proposals was open from October to November 2024, with several submissions now under review. Steering committees will be formed to guide the projects over the next three years, with a goal to begin by January 2025.

Simonds stated that NMFS recently confirmed that the full amount would be distributed by Dec. 31, 2024, alleviating concerns that a new administration may block the funding.

E. Council Coordination Committee Report

Sword reported on several key discussions held during the October 2024 CCC meeting and related trade meetings. Major topics of the trade meetings focused on the impact of subsidies to foreign fishing fleets and the tariffs on tuna loins from Vietnam and Thailand, which often originate from Chinese vessels. The U.S. International Trade Commission was unaware that American Samoa's StarKist cannery engages in the loining process, and that understanding led to the representatives identifying steps American Samoa can take on the matter. Meetings with the Council on Environmental Quality about marine sanctuaries and economic diversification were met with indifference, despite explanations of the cannery's economic importance.

The CCC meeting itself focused primarily on Council funding, which remains largely earmarked for other regions, particularly New England. Discussions also included an update on the National Seafood Strategy, which aims to maintain and increase U.S. wild-caught production, modernize seafood infrastructure, and strengthen the industry. Sword expressed skepticism about the effectiveness of these efforts, especially in American Samoa, where closures and poor management from NOAA have hindered growth. Another major topic was the Code of Conduct,

aimed at setting professional standards for Council participation, with a working group formed to finalize the framework by the next CCC meeting.

Simonds reported a meeting of the executive directors was convened following the CCC meeting to discuss plans to work with NMFS to support the Council budgets, priorities, staffing and plans for the MSA 50th anniversary.

F. Council Family Changes

Mitsuyasu reported on Council family changes under the AP, SSC, Archipelagic Plan Team and Pelagic Plan Team. In the AP, David Cabrera (CNMI) and Nathan Abe (Hawai'i) stepped down, with a recommendation to replace Abe with Edwin Ebisui III. Open alternate positions remain in Guam, the CNMI and Hawai'i.

In the SSC, new members include Courtney Carothers, Cathy Dichmont, Alister Hunt, Jim Roberts, Justin Suca and Robin Waples. Departing members include Craig Severance (after 30 years), Steve Martell, Don Kobayashi and Justin Hospital.

Changes in the Archipelagic Plan Team include Bradley Gough replacing Keith Bigelow, Eric Cruz joining as a Guam representative, Francisco Villagomez for the CNMI, and Rhane Malae for America Samoa. T. Todd Jones stepped down as chair, with a recommendation to appoint Marlowe Sabater in his place. Ian Bertram also stepped down.

For the Pelagic Plan Team, Ashley Tomita replaces Russell Ito, Jenny Stahl replaces T. Todd Jones and Don Kobayashi stepped down.

Muña requested a few weeks to find a replacement for the SSC, as her agency recently lost a staff member who previously served on the committee.

G. Scientific and Statistical Committee Program Review

Lynch presented on the SSC strategic planning exercise and discussed ongoing efforts aimed at improving its effectiveness in providing expertise to the Council and NMFS. This includes a newly developed SSC Code of Conduct that emphasizes collaboration, respect for diverse viewpoints and independent decision-making. The SSC has identified key projects focused on improving communication of scientific information, addressing bottomfish species complex management, integrating climate change considerations into stock assessments, and strengthening the emphasis on human dimensions, social science and economic analysis. With the inclusion of economic expert Alister Hunt, there is a renewed focus on using economic models to guide decision-making. The SSC is working to merge subgroup recommendation into a unified work plan for implementation in 2025. Lynch highlighted the commitment of SSC members, addressing previous concerns about stagnation, and emphasized the need for resources to support these initiatives. He expressed optimism about the reinvigorated engagement and direction of the SSC moving forward. The SSC made the following recommendation on this matter:

Regarding SSC strategic planning, the SSC adopts the Strategic Plan and Code of Conduct and recommends the Council endorse the plan.

Soliai commended the SSC for developing the new strategic plan and direction, which will make the SSC stronger and better at providing recommendations to the Council.

H. Council Cultural Protocol Documents

Council Island Coordinators Angela Dela Cruz (CNMI), Felix Penalosa (American Samoa) and Felix Reyes (Guam), introduced the cultural protocol documents aimed at fostering respectful and effective engagement with island communities. The documents outline key cultural protocols for the three island areas, ensuring Council staff and affiliates interact with communities in a manner that is culturally appropriate. It provides guidance on etiquette, communication and relationship-building to promote trust and positive interactions.

For CNMI, the document covers Chamorro and Refaluwasch traditions, highlighting shared and unique customs, common phrases and the importance of early community involvement. It includes information on agencies, permits and outreach strategies, emphasizing respect for indigenous practices.

For Guam, the document focuses on its Chamorro heritage, historical distinctions from CNMI and cultural traditions such as the Nginge' practice. It also addresses military presence, religious influence, marine preserves and logical considerations like transportation and weather.

For American Samoa, the document details the Fa'asamoa way of life, emphasizing respect for elders, chiefs and cultural hierarchies. It provides guidelines on greetings, community engagement and significant traditions such as the 'Ava ceremony. Additionally, it highlights the importance of respecting village curfews and the strong role of religion in daily life.

Council members and the APs reviewed the protocol documents, providing feedback on language translation, inclusivity of distant communities and the need for early engagement. Many locals expressed concerns about insufficient time to provide input, underscoring the importance of timely and transparent communication.

The next step is for the Council to review, suggest edits and approve the three cultural protocol documents. Once approved, the documents will be made available for future regional travel and shared with the Council family. Reyes reflected on the initial challenge of the project but ultimately found it an enjoyable and rewarding experience for the island coordinators, as translating their lived cultural practices into words was both meaningful and engaging. Reyes expressed gratitude to everyone who contributed, including indigenous communities, AP members, Council members and staff, local agencies, cultural practitioners and various resources.

Simonds commended the island coordinators for a job well done, and said the documents should be posted on the Council website and linked to websites in the island areas.

Guthertz congratulated the island coordinators for developing the guidelines, noting that the document will be helpful to the Council members when visiting other jurisdictions as part of the Council meetings.

I. Meetings and Workshops

Simonds reviewed tentative dates for upcoming Council, SSC and other family meetings in 2025. The Council plans to travel to the Mariana Islands for the March Council meeting, American Samoa for the June Council meeting and will be in Honolulu for the September Council meeting. Unless additional funds are received, December will be a virtual meeting.

Council members discussed the option of having the March Council meeting in the Mariana Islands in either Guam or the CNMI, instead of having meeting dates in both locations.

Simonds requested that members discuss which place they prefer to meet but reminded members of the Council's obligations to the territories and the State of Hawai'i and the purpose of fulfilling the MSA.

Guthertz acknowledged comments from the Council and Simonds and suggested a compromise would be to add an extra day in each location. Simonds suggested the Council develop at least three options for review.

J. Executive and Budget Standing Committee Report

Sword summarized previous discussions on financial reports, the IRA program and various policy matters, including exceptions to the Jones Act and cabotage laws. The committee also reviewed misinformation on mercury toxicity in tuna and addressed the election of officers.

Simonds highlighted discussions on cabotage laws, explaining that changes would require approval from the DOD and that further action should come from territorial delegations rather than the Council.

Sword added that the Council wrote to Secretary of Commerce Gina Raimondo regarding Jones Act exemptions and received a response from Troy Miller, U.S. Customs and Border Protection senior official performing the duties of a commissioner, indicating that changes require justification as a national defense interest. Reprieve from high airlines costs to American Samoa and the Mariana Islands remain a challenge without a significant change in the law.

K. Public Comment

Ilaoa expressed appreciation from AP members to Penalosa for his exceptional work on the protocol document for American Samoa, highlighting his attention to detail and incorporation of advisor feedback. They express hope that the document will serve as a valuable resource for visiting Council members and federal partners, fostering respectful and meaningful engagement with the local community. If used properly, it could lead to better outcomes for all involved. Ilaoa said he looks forward to seeing staff and the Council members in March.

L. Council Discussion and Action

Guthertz asked on the status of the Indigenous Committee.

Sword stated that the vice chairs will be getting recommendations from the island members for the committee.

Regarding administrative matters, the Council:

1. Accepted the 201st Council meeting financial and administrative reports and advises the American Samoa and CNMI governments to finish their projects by July 2025.
2. Directed staff to move forward acquiring contractual services to support the overall coordination and four priority project areas in the Council's IRA award.
3. Endorsed the Council Cultural Protocol living documents and directs staff to distribute to the Council family and post on the Council's website.

Moved by Soliai; seconded by Ramsey.

Motion passed.

4. Recommended the following changes to its advisory bodies:
 - a. AP
 - i. Accepted David Cabrera's resignation as a member of the CNMI AP.
 - ii. Accepted Nathan Abe's "retirement" from the Hawai'i AP and replaces him with Edwin Ebisui III from the alternate list.
 - iii. Directs staff to resolicit for alternate members in Guam, the CNMI and Hawai'i.
 - b. Appointed the following members to the SSC:
 - i. Courtney Carothers, professor, University of Alaska Fairbanks
 - ii. Cathy Dichmont, director, Cathy Dichmont Consulting
 - iii. Alister Hunt, founder, Finology
 - iv. Jim Roberts, research scientist, Anemone Consulting
 - v. Justin Suca, assistant professor, University of Hawai'i
 - vi. Robin Waples, affiliate professor, University of Washington
 - c. Removed the following members from the SSC:
 - i. Craig Severance
 - ii. Steve Martell
 - iii. Don Kobayashi
 - iv. Justin Hospital
 - d. Appointed to the Archipelagic Plan Team
 - i. Bradley Gough, replacing Keith Bigelow (retired)
 - ii. Eric Cruz, as the PIFSC Guam representative
 - iii. Francisco Villagomez, as the PIFSC CNMI representative
 - iv. Rhane Malae, as the PIFSC American Samoa representative
 - e. Removed from the Archipelagic Plan Team
 - i. T. Todd Jones, who is stepping down and replace with Marlowe Sabater as chair of the Archipelagic Plan Team;
 - ii. Ian Bertram who has not participated in the Plan Team
 - f. Appointed to the Pelagic Plan Team:
 - i. Ashley Tomita who replaces Russell Ito (retired)
 - ii. Jenny Stahl
 - g. Removed from the Pelagic Plan Team
 - i. Donald Kobayashi
 - ii. T. Todd Jones

Itibus asked about the resignation of CNMI AP member David Cabrera and the process of selecting a replacement.

Mitsuyasu stated the Council has openings for alternate positions in Guam, the CNMI and Hawai'i, and will issue a request for applicants, which will then be presented to the Council for appointment on that panel.

Moved by Soliai; seconded by Itibus.
Motion passed.

- 5. Directed staff to send a letter to the incoming president-elect's administration outlining the lack of support and shortcomings of federal agencies toward U.S. Pacific Island fisheries which have widespread economic and political consequences.**

Moved by Guthertz; seconded by Itibus.
Motion passed with Malloy abstaining.

- 6. Directed staff to send a letter to the Department of Commerce regarding the disappointment in the U.S. head of delegation to WCPFC with the lack of engagement with stakeholders and territorial representatives at the WCPFC meeting held this month in Fiji. This includes the agency's failure to follow the recommendations of the PAC that would have advanced U.S. and territorial interests.**

Malloy pointed out that there was already a similar recommendation adopted under the Pelagic and International section.

Fitchett clarified that the earlier recommendation was directed at the incoming administration, whereas the recommendation on the table is addressing the Department of Commerce.

Malloy said NMFS abstains from this recommendation.

Moved by Guthertz; seconded by Igisomar.
Motion passed with Malloy abstaining.

- 7. Directed staff to send a letter to the NOAA requesting equitable distribution of allocated funds to U.S. Pacific Island communities such as funds directed to U.S. federally recognized tribes and underserved communities through the Administration's Bipartisan Infrastructure Law to support for habitat restoration and IRA.**

Ramsey asked if a clarification is needed on what is meant by U.S. tribes.

Guthertz said it refers to federally recognized tribes, and suggested the change be made to the language.

The change was adopted by general consent.

Moved by Guthertz; seconded by Itibus.
Motion passed.

8. Endorsed the SSC Strategic Plan and Code of Conduct.

Moved by Soliai; seconded by Itibus.
Motion passed.

9. Recommended the response on cabotage laws be provided to the Council members to work with their administrations.

Moved by Weaver; seconded by Guthertz.
Motion passed.

10. Requested the CNMI, American Samoa and Hawai'i Council members to provide recommendations for membership for the Council's Indigenous Committee (Guam has provided its recommendations for membership).

Moved by Guthertz; seconded by Weaver.
Motion passed.

11. Thanked Scott Bloom, federal program officer, for his support of the Council, territories and commonwealth over the past 22 years and wishes him well in his new position as the NMFS/Headquarters execution and obligation branch chief.

Moved by Weaver; seconded by Guthertz.
Motion passed.

XII. Election of Officers

Regarding election of officers, the Council:

Appoints the following as its executive officers for 2025:

- 1. Council Chair - Will Sword**
- 2. Vice Chair for American Samoa - Archie Soliai**
- 3. Vice Chair for CNMI - Sylvan Igisomar**
- 4. Vice Chair for Guam - Judith Guthertz**
- 5. Vice Chair for Hawai'i - Roger Dang**

Moved by Itibus; seconded by Ramsey.
Motion passed.

XIII. Other Business

Simonds requested clarification on the approval process for the proposed sanctuary in the Northwestern Hawaiian Islands, particularly regarding the role of NOAA, the Council's recommendations and the MSA.

Makaiau explained that the final EIS for the Papahānaumokuākea National Marine Sanctuary was released the previous week, and under NEPA procedures, federal agencies must

wait at least 30 days before issuing a record of decision. Once a record of decision is issued, the agency can issue the final regulations. However, the National Marine Sanctuaries Act has a specific provision that requires a 45-day congressional review period before the designation becomes effective. ONMS is expected to issue the final regulation around Jan. 17, 2025, followed by the 45-day period during which Congress may engage before regulations become effective.

Simonds emphasized the importance of understanding this timeline, ensuring clarity for further Council discussions.

Malloy announced that PIRO onboarded its new deputy regional administrator, Michelle Mansker. Mansker has been serving as the acting deputy regional administrator at PIRO for the past two years.

Sword closed the meeting in prayer.

Meeting adjourned.