Restoring Commercial Fishing to the Pacific Remote Islands Marine National Monument

A Proposed Amendment to the Pacific Remote Islands and Pacific Pelagics Fishery Ecosystem Plans

Prepared for the Western Pacific Fishery Management Council
1164 Bishop Street, Suite 1400
Honolulu, HI 96813

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Cover Photos (clockwise from top): A Hawaii longline vessel sets out on a fishing trip from Kewalo Basin; Bigeye Tuna caught by the Hawaii longline fishery being prepared for the market at Fresh Island Fish; Fresh poke made from the fish landed by Hawaii longline vessels is served up at Nico's at Pier 38. Photos by Joshua DeMello

The Council is seeking comments on the recommended management action. You may submit comments by either of the following methods:

- Comment during the 206th Council meeting on March 24, 2026
- Send written comments to Western Pacific Fishery Management Council, 1164 Bishop Street, Suite 1400, Honolulu, HI 96813
- Email your comments to info.wpcouncil@wpcouncil.org

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Abbreviations

ACL	Annual Catch Limit
ASLL	American Samoa Longline
BiOp	Biological Opinion
CMM	Conservation and Management Measure
Council	Western Pacific Fishery Management Council
DPS	Distinct population segment
DSLL	Deep-set Longline
DEA	Draft Environmental Assessment
DR	Data Report
ECOS	Environmental Conservation Online System
EO	Executive Order
EEZ	Exclusive Economic Zone
EFH	Essential fish habitat
EM	Electronic Monitoring System
ESA	Endangered Species Act

FAD	Fish Aggregating Device
FEP	Fishery Ecosystem Plan
FR	*Federal Register*
HMS	Highly Migratory Species
IATTC	Inter-American Tropical Tuna Commission
ITS	Incidental Take Statement
IUCN	International Union for Conservation of Nature
lb.	pound(s)
LVPA	Large Vessel Prohibited Area
m	meter(s)
MBTA	Migratory Bird Treaty Act
MMPA	Marine Mammal Protection Act
MSA	Magnuson-Stevens Fishery Conservation and Management Act
mt	metric ton(s)
MUS	Management unit species
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NMFS	National Marine Fishery Service
nmi	nautical mile(s)
NOAA	National Oceanic and Atmospheric Administration
NWRS	National Wildlife Refuge System
PIR	Pacific Island Region
PRIA	Pacific Remote Island Areas
PIFSC	Pacific Island Fisheries Science Center
PP	Presidential Proclamation
PRIMNM	Pacific Remote Islands Marine National Monument (also known as Pacific Islands Heritage Marine National Monument or PIHMNM)
RFMO	Regional Fisheries Management Organization
SAFE	Stock Assessment and Fishery Evaluation
SDC	Status determination criteria
SPTT	South Pacific Tuna Treaty or Treaty on Fisheries between the Governments of Certain Pacific Island States and the Government of the United States of America or South Pacific Tuna Treaty
SSLL	Shallow-set Longline
U.S.	United States
USFWS	United States Fish and Wildlife Service
VMS	Vessel monitoring system
WPFMC	Western Pacific Fishery Management Council
WCPFC	Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, also known as the Western and Central Pacific Fisheries Commission
WCPO	Western and Central Pacific Ocean

Glossary

Annual Catch Limit (ACL): The amount of a particular fish species, stock or stock complex that can be caught in a given year.

Bycatch: Fish harvested in a fishery but not sold or kept for personal use. Bycatch includes economic discards and regulatory discards, but not fish released alive under a recreational catch and release fishery management programs.

Exclusive Economic Zone (EEZ): Zone extending from the shoreline out to 200 nautical miles in which the country owning the shoreline has the exclusive right to conduct certain activities such as fishing. In the United States, the EEZ is split into state waters (typically from the shoreline out to 3 nautical miles) and Federal waters (typically from 3 to 200 nautical miles).

Fishery Ecosystem Plan (FEP): Management plan for fisheries operating in Federal waters. Produced by regional fishery management councils and submitted to the Secretary of Commerce for approval.

Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act): Federal legislation responsible for establishing the fishery management councils and the mandatory and discretionary guidelines for federal fishery management plans.

Overfished: A stock or stock complex is considered overfished when stock biomass falls below the minimum stock size threshold (MSST) (*e.g.*, current biomass < MSST = overfished).

Overfishing: Overfishing occurs when a stock or stock complex is subjected to a rate of fishing mortality that exceeds the maximum fishing mortality threshold (*e.g.*, current fishing mortality rate > MFMT = overfishing).

Western Fishery Pacific Management Council (WPFMC): One of eight regional councils mandated in the Magnuson-Stevens Act to develop management plans for fisheries in Federal waters. The WPFMC develops fishery management plans for fisheries of Hawaii, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

1. INTRODUCTION

The Council is considering alternative management options to amend fisheries regulations at 50 CFR part 665 to allow commercial fishing in areas between 50-200 nmi around Wake and Jarvis islands and Johnston Atoll consistent Presidential Proclamation (PP) 10918, "Unleashing American Commercial Fishing in the Pacific." The Council is reviewing alternatives to ensure that marine resources are sustainably and appropriately managed taking into consideration the conservation needs of the fish stocks, protected species, and Monument resources.

The Western Pacific Fishery Management Council (Council) and the National Marine Fisheries Service (NMFS) are responsible for the conservation and management of fisheries and living marine resources on the high seas and within the U.S. Exclusive Economic Zone (EEZ or Federal waters; generally 3-200 nautical miles (nmi) offshore) around the U.S. Pacific Islands, including American Samoa, Guam, Hawaii, the Northern Mariana Islands. For unincorporated islands that do not have territorial seas (*e.g.,* the U.S. Pacific Remote Island Area (PRIA) of Howland, Baker, and Jarvis islands, Kingman Reef, Palmyra and Johnston Atoll and Wake Island), Federal waters begin at the shoreline. The Council and NMFS manage fishing in Federal waters of the PRIA through the Fishery Ecosystem Plan for the Pacific Remote Island Area (PRIA FEP) and the Fishery Ecosystem Plan for Western Pacific Pelagic Fisheries (Pelagics FEP), as authorized under the Magnuson-Stevens Fisheries Conservation and Management Act, 16 U.S.C § 1801 et seq. (Magnuson-Stevens Act).

Federal regulations at 50 CFR 665 implementing the PRIA FEP and Pelagics FEP prohibit commercial fishing in the Pacific Remote Islands Marine National Monument (PRIMNM), also known as the Pacific Islands Heritage Marine National Monument[1], which include U.S. EEZ waters from the shoreline to 50 nmi around Howland and Baker islands, Palmyra Atoll and Kingman Reef; and from the shoreline to the full extent of the 200 nmi U.S. EEZ around Wake and Jarvis islands and Johnston Atoll. However, on April 17, 2025, Presidential Proclamation (PP) 10918, "Unleashing American Commercial Fishing in the Pacific," determined that a prohibition on commercial fishing "*is not, at this time, necessary for the proper care and management of the PRIMNM or the objects of historic or scientific interest therein*" and directed that "*the Secretary of Commerce shall not prohibit commercial fishing*" in the areas between 50-200 nmi around Wake and Jarvis islands and Johnston Atoll. The proclamation further directed that the "*Secretary of Commerce and the Secretary of the Interior shall take appropriate action pursuant to their respective authorities… to implement the proclamation, to regulate fisheries, and to ensure proper care and management of the Monument Expansion*."

1.1 Proposed Action

Under the proposed action, the Council would recommend NMFS to revise fishing regulations at 50 CFR 665 Subpart H - Pacific Remote Islands Marine National Monument by repealing regulations prohibiting all commercial fishing prohibitions in the Action Area. Under the proposed action, to ensure appropriate management of resources consistent with the terms of PP 10918, the Council recommends authorizing commercial fishing in the Area subject to existing requirements, restrictions, and prohibitions found at 50 CFR 665 - Fisheries in the Western Pacific and 50 CFR 300 Subpart O - Western and Central Pacific Fisheries for Highly

[1] On January 5, 2025, the Executive Office of the President issued Proclamation 10880 changing the name of the Pacific Remote Islands Marine National Monument to the Pacific Islands Heritage Marine National Monument in Proclamations 9173 and 8336. These changes were not codified into regulations prior to Proclamation 10918, which refers to the area as the PRIMNM.

Migratory Species. In addition, the proposed action could also require enhanced monitoring in the Action Area waters for all vessels using longline gear, consisting of either an observer or a NMFS-approved Electronic Monitoring System on all fishing trips to the Action Area. Observers are already required on all purse seine trips under rules implemented pursuant to the Western and Central Pacific Fisheries Commission (WCPFC) Implementation Act (see 50 CFR 300.223(e)). This enhanced monitoring is expected to provide a robust data set on 100% of fishing trips to the Action Area, which would ensure fishery managers and scientists have additional information to evaluate when considering potential impacts to fishery resources, protected species, and Monument resources, and to better assess the need for additional measures to ensure proper care and management of resources in the Action Area.

Under the proposed action, commercial fishing shoreward of 50 nmi of Wake and Jarvis islands and Johnston Atoll would remain prohibited. Furthermore, commercial fishing will also remain prohibited shoreward of 50 nmi of Howland and Baker Islands, Kingman Reef and Palmyra Atoll, which collectively comprise the remaining areas of the PRIMNM, consistent with existing regulations at 50 CFR 665.933.

1.2 Purpose and Need for Action

The purpose of this action is to authorize commercial fishing within the U.S. EEZ between 50 to 200 nmi offshore of Wake and Jarvis islands and Johnston Atoll within the PRIMNM, hereafter referred to as the Action Area, and ensure sustainable harvests of fishery resources while conserving protected species and other monument resources, consistent with the Magnuson-Stevens Act, the Antiquities Act, and other applicable laws. This action is needed to comply with the provisions of PP 10918 of April 17, 2025, “Unleashing American Commercial Fishing in the Pacific” and allow appropriately managed commercial fisheries in the Action Area, while ensuring the proper care and management of the PRIMNM.

1.3 Action Area

The PRIMNM comprises U.S. EEZ waters from 0-50 nmi around Howland and Baker islands, Kingman Reef, and Palmyra Atoll, and from 0-200 nmi around Wake and Jarvis islands and Johnston Atoll. However, the area where commercial fishing prohibitions would be removed by the proposed action is limited to waters within the PRIMNM between 50 to 200 nmi offshore of Wake and Jarvis islands and Johnston Atoll (See Figure 1). This area encompasses 308,316 nmi^2 of the U.S. EEZ and constitutes the Action Area for the purposes of this analysis.

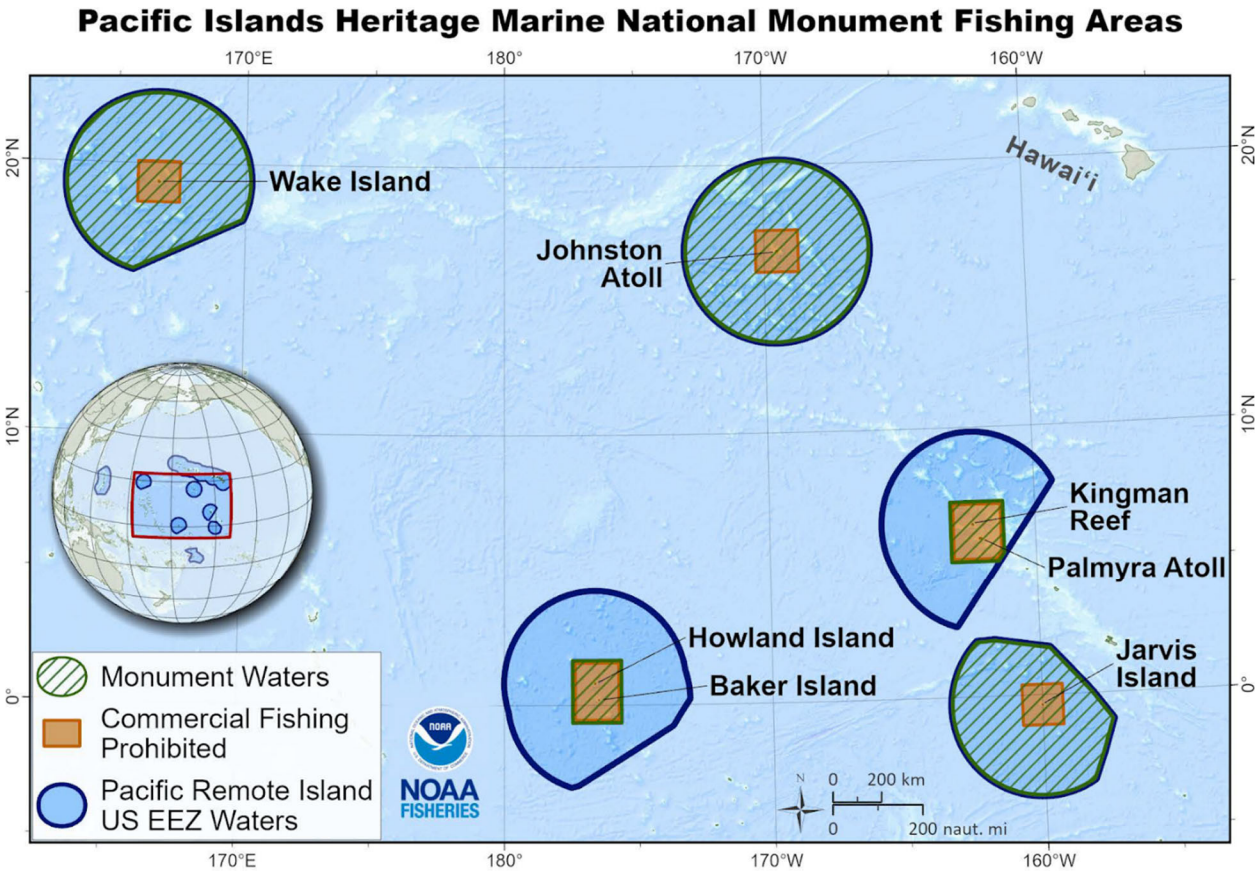

Figure 1: Map of the Commercial Fishing Previously Prohibited Under Proclamation 9173 in the PRIMNM.

1.4 Overview of PRIMNM History

The PRIMNM has known current and historical relevance to communities across the Pacific. Throughout history, islands and atolls of the PRIMNM have been used for early human settlements, guano extraction, landing sites for voyages and whaling, feather and egg collection, and military use and occupation.

The first written records of visitation at the islands occurred in the 1800s during the whaling era. However, artifacts found on the island suggest that voyaging Polynesians visited before then. The atolls and islands within the PRIMNM are not believed to have been continuously inhabited since they were prone to extreme storm and wave influence, and there were insufficient natural sources of freshwater or food to sustain a permanent population. However, evidence indicates they were used as stopping or resting spots on voyages.

The islands and atolls of the PRIMNM (except Wake Island) were claimed by the U.S. between 1857-1859 under the Guano Act of 1856 for the purpose of guano (seabird excrement) extraction to fertilize agricultural fields in the U.S. and Europe. Guano production from the islands was notable in both the rate of production (peak production at Howland Island was 64 mt/day) and total amount collected (272,155 mt from Jarvis Island; Hutchinson 1950, Bryan 1974). Visitation was minimal after guano mining ended in 1891 until 1935 when the government sent individuals from the military and young Native Hawaiian men to colonize Howland, Baker, and Jarvis islands to consolidate the U.S. claim to the area. The project and the

group of young men that were assigned to these expeditions became known as the Hui Panalāʻau.

Many of the islands and atolls in the PRIMNM were strategically important during World War II and served as sites for naval and air operations for the U.S. Several attacks occurred on these U.S. installments during the war. Between the 1950s and 1960s, Johnston Atoll was managed by the U.S. Air Force and used for high-altitude nuclear tests and until 2000 served as a storage and disposal site for chemical weapons. In 2004, cleanup and closure of the storage and disposal facilities was completed and the island became uninhabited. Military infrastructure such as runways remain on the islands.

In 2000, The Nature Conservancy bought most of Palmyra Atoll for conservation and research purposes. With the closure of the military base at Johnston Atoll in 2004, Wake Island is currently the only active U.S. military base within the PRIMNM. Wake Island is closed to the public and permission from the U.S. Air Force is needed to enter the area. A small population of military members and support personnel live on the atoll. The remaining islands are uninhabited.

1.4.1 Actions Prior to Presidential Proclamation 10918

The first Federal protections for the islands, atolls, and reef of the study area came as early as 1926 when Johnston Atoll was protected as a bird refuge. In 1974, Howland, Baker, and Jarvis islands and the reefs, waters, and submerged lands out to 3 nmi were also preserved and set aside as U.S. Fish and Wildlife Service (USFWS) managed national wildlife refuges. In 2001, the islands, reefs, and surrounding waters and submerged lands out to 12 nmi at Palmyra Atoll and Kingman Reef were also established as national wildlife refuges. All five PRIMNM management units are now part of the National Wildlife Refuge System (NWRS). The NWRS units include the emergent land, submerged lands, and waters out to 50 nmi for Howland and Baker islands and Palmyra Atoll and Kingman Reef and out to 200 nmi for Jarvis Island, Wake Island, and Johnston Atoll.

On January 6, 2009, under the authority of the Antiquities Act of 1906 (16 U.S.C. 431), President George W. Bush established the PRIMNM to "*[include] the waters and submerged and emergent lands of the Pacific Remote Islands to the lines of latitude and longitude depicted on the accompanying maps, which lie approximately 50 nautical miles from the mean low water lines of Wake, Baker, Howland, and Jarvis Islands, Johnston Atoll, Kingman Reef, and Palmyra Atoll*" (PP 8336). The PRIMNM was established for the purpose of protecting objects of scientific and historic interest, including extensive seabird and migratory shorebird populations, endemic insects and vegetation, a large abundance of top predators and fish biomass, marine mammals, shallow coral reefs, and deep coral ecosystems.

On September 25, 2014, President Barack Obama issued PP 9173 and expanded the PRIMNM to include the Action Area. PP 9173 states that the expansion area includes significant objects of scientific interest that are part of the deep sea and open water ecosystems. This PP specifically highlights the seamounts and adjacent waters, which provide the opportunity for scientific study and resources, including identification of many species not yet discovered with potential for applied research to develop medicines and other important uses. They also provide significant habitat for pelagic species and seabird foraging.

Both PPs provide direction to the Secretaries of the Interior and Commerce for resource management, including that the Secretaries of Interior and Commerce "*not allow or permit any appropriation, injury, destruction, or removal of any feature of this monument except as provided for by this proclamation and shall prohibit commercial fishing within boundaries of the*

monument," thereby establishing a commercial fishing prohibition between 0-50 nmi around Howland and Baker islands, Kingman Reef and Palmyra Atoll, and from 0-200 nmi around Wake and Jarvis islands and Johnston Atoll. PP 8336 and PP 9173 specified for the Secretary of the Interior and Commerce to "*permit fishing within the monument for scientific exploration and research purposes to the extent authorized by the Magnuson-Stevens Fishery Conservation and Management Act*" and "*permit noncommercial fishing upon request, at specific locations in accordance with this proclamation*." NMFS conducted rulemaking to implement recommendations by the Council for fishing regulations consistent with the PPs for the initial (78 FR 33003, June 3, 2013; 78 FR 39583, July 2, 2013) and expanded PRIMNM (80 FR 15695, Mar. 25, 2015).

1.4.2 Presidential Proclamation 10918

On April 17, 2025, President Donald Trump issued PP 10918, "Unleashing American Commercial Fishing in the Pacific." PP 10918 found that "*appropriately managed commercial fishing would not put objects of scientific and historic interest within the PRIMNM at risk,*" and that "*a prohibition on commercial fishing is not, at this time, necessary for the proper care and management of the PRIMNM or the objects of historic or scientific interest therein.*" The PP directed the Secretary of Commerce to "*expeditiously publish new proposed rules in the Federal Register to amend or repeal all burdensome regulations that restrict commercial fishing in the PRIMNM.*"

1.4.3 Litigation

On May 22, 2025, Kapa'a, Conservation Council for Hawaii and the Center for Biological Diversity filed a complaint in U.S. District Court of Hawaii, alleging that PP 10918 violated the U.S. Constitution and various federal laws. The lawsuit also challenged a letter NMFS sent on April 25, 2025 to all permit holders in the Hawaii and American Samoa longline fisheries and U.S. purse seine vessel owners operating in the Western and Central Pacific Ocean, to inform them of the PP 10918 and that the proclamation removed the commercial fishing prohibition in the PRIMNM expansion area and became effective upon issuance.

On August 8, 2025, the U.S. District Court for Hawaii issued a decision that vacated NMFS's letter of April 25, 2025. In issuing its decision, the Court held in part that the proclamation itself did not immediately repeal existing regulations prohibiting commercial fishing, reasoning that it has not been established that a PP can be used to alter regulations established through notice and comment rulemaking. The court order also notes that "Plaintiffs have statutory procedural rights in notice-in-comment rulemaking that, if exercised, could…potentially [change] the specific regulations on different types of commercial fishing." Accordingly, this proposed rulemaking action, subject to notice and public comment, provides an appropriate opportunity for the public to provide input for the agency to consider in evaluating management options related to commercial fishing in the Action Area.

1.5 Public Involvement

The development of the Council recommendation occurred in meetings of the Council and its advisory bodies, which are open to the public and are noticed in the *Federal Register* (FR), local newspapers and publications, and on the Council's website (www.wpcouncil.org). Meeting agendas provide scheduled opportunities for public comment.
At its 204th Meeting held September 15-17, 2025 (90 FR 40821, August 21, 2025), the Council reviewed three management options and directed Council staff and NMFS to identify Monument

resources that may be impacted by repealing commercial fishing prohibitions in the Action Area and enhancing regulatory requirements to ensure proper care of PRIMNM resources. Public comments were provided at the Meeting voicing support for access to the Monument outside of 50 nmi, as well as opposition to commercial fishing in the Monument, and are recorded in the minutes of the meeting accessible on the Council's website. The Council, at this meeting selected the option of enhanced management as a preliminarily preferred option and directed staff to work with NMFS to identify Monument resources that may be impacted by the restoration of commercial fishing in the PRIMNM expansion area around Jarvis Island, Wake Island, and Johnston Atoll.

The Council's Advisory Panels (AP) reviewed the issue of commercial fishing in the Action Area and made recommendations to the Council (90 FR 51661, November 18, 2025). On December 2, 2025, the American Samoa Archipelago AP met and discussed the differences between the options for restoring commercial fishing but did not make a recommendation to the Council. Opportunities for public comment were provided, but no public comments were made on the action under consideration. The Hawaii Archipelago and Pacific Remote Island Area Fishery Ecosystem Plan AP met on December 5, 2025, and discussed restoring commercial fishing to the monument. The Hawaii AP recommended the Council restore sustainable commercial fishing in the monument and noted that additional fishing regulations were not needed as the fisheries are already over-managed and that the regulations have been proactive in keeping the fisheries sustainable. A public comment period was provided during the meeting, but there were no requests to provide public comment.

At its 205th Meeting held on December 16-17, 2025 (90 FR 52355, November 20, 2025), the Council heard an update on the management options and directed Council staff to finalize analyses of options to restore commercial fishing in the Action Area for final action at the next meeting in March 2026. Public comments on this agenda item indicated both opposition and support for restoring commercial fishing to the PRIMNM.

In addition, NMFS requested public comments on Executive Order (EO) 14276, *Restoring American Seafood Competitiveness*, on August 27, 2025. The request was for suggestions to improve fisheries management and science, including regulatory barriers and priority needs that impact the nation's seafood supply and competitiveness. Comments were due October 14, 2025, and then extended to December 15, 2025, due to the government shutdown. While the request was not aimed at the monuments, a large number of comments came in opposing commercial fishing in marine monuments, including PRIMNM. There were also comments in favor of reinstating fishing privileges within marine national monuments and reopening monuments to commercial fishing based on sound science.

2. ALTERNATIVES UNDER CONSIDERATION

This section analyzes the range of alternatives from maintaining the current fishing prohibitions to removing all of the fishing prohibitions and does not further analyze other alternatives. For other management alternatives considered but rejected from further analysis, see Section 2.4.

2.1 Features Common to All Alternatives

There are several features common to management of marine resources that would be in place under all alternatives under consideration, including:

- USFWS management of Monument resources

- Fisheries management of pelagic stocks under Magnusson-Stevens Act, WCPFC Implementation Act, including U.S. catch limit of bigeye tuna for longline fisheries, effort limits for purse seine fisheries, and prohibitions on shark finning
- Protection of species under the ESA and MMPA, such as regulations to protect endangered and threatened species and marine mammals, including no retention rules for oceanic white tip sharks, requirement to use monofilament leaders in longline fisheries, and requirements for protected species handling for longline captains and owners

2.2 Description of the Alternatives

2.2.1 Alternative 1: No Action - Maintain Commercial Fishing Prohibitions.

Under the no action alternative, the Council does not recommend revising fishing regulations to implement the provisions of PP 10918. Specifically, regulations at 50 CFR 665 Subpart H would remain in place and continue to prohibit commercial fishing throughout the PRIMNM, including the Action Area between 50 to 200 nmi offshore of Wake and Jarvis islands and Johnston Atoll. Carrying forward this alternative would conflict with the language of PP 10918, which states that the Secretary of Commerce "shall not prohibit commercial fishing" in the Action Area.

Expected Outcomes

This alternative would maintain all existing regulations in the Action Area in their current state. Adoption of this alternative would be unlikely to change the longline and purse seine fisheries in terms of gear types used, areas fished, level of catch or effort, or effects on target or non-target stocks or protected species.

2.2.2 Alternative 2: Repeal Commercial Fishing Prohibitions and Authorize Commercial Fishing subject to existing regulations applicable outside the PRIMNM.

Under this alternative, the Council recommends revising fishing regulations at 50 CFR 665 Subpart H to remove the prohibition on commercial fishing in the Action Area. By removing the commercial fishing prohibition, all fishing requirements, restrictions, and prohibitions at 50 CFR part 665 - Fisheries in the Western Pacific and 50 CFR 300 Subpart O - Western and Central Pacific Fisheries for Highly Migratory Species applicable to these areas would be immediately restored to the management framework in place before provisions of PP 9173 were implemented in regulation (*i.e.,* 80 FR 15695, March 25, 2015). This management regime includes all gear restrictions, permits, reporting, and requirements for compliance with the Magnuson-Stevens Act, ESA, MMPA, MBTA, and other applicable laws. Under Alternative 2 all commercial fishing shoreward of 50 nmi of Wake and Jarvis islands and Johnston Atoll, and at Howland and Baker islands, Kingman Reef and Palmyra Atoll, which collectively comprise the remaining areas of the PRIMNM would continue to be prohibited.

Pursuant to regulations implementing Western Pacific FEPs developed by the Council under the authority of the Magnuson-Stevens Act and implementing regulations at 50 CFR 600 and 50 CFR 665, the following fisheries are authorized to engage in commercial fishing in the U.S. EEZ waters around Wake and Jarvis islands and Johnston Atoll, subject to all fishing requirements, restrictions and prohibitions proscribed in those parts:

- Pacific Remote Island Area Fisheries - Subpart E (starting at 50 CFR 665.598)
- PRIA bottomfish fisheries (starting at 50 CFR 665.600)
- PRIA coral reef ecosystem fisheries (starting at 50 CFR 665.620)
- PRIA crustacean fisheries (starting at 50 CFR 665.640)

- PRIA precious coral fisheries (starting at 50 CFR 665.660)
- Western Pacific Pelagic Fisheries - Subpart F (starting at 50 CFR 665.798), including:
    - PRIA pelagic troll and handline fisheries (*e.g.* permit at 50 CFR 665.801(f))
    - Western Pacific longline fisheries (*e.g.* permit at 50 CFR 665.801(d))
    - Western Pacific squid jig fisheries (*e.g.* permit at 50 CFR 665.801(g))

In addition, the U.S. longline and purse seine fisheries are authorized to engage in commercial fishing in the U.S. EEZ waters and on the high seas pursuant to regulations implementing the WCPFC Implementation Act at 50 CFR 300 Subpart O, as well as general Magnuson-Stevens Act regulations at 50 CFR 600.

Expected Outcome

This alternative would remove fishing prohibitions in the 50-200 nmi area around Johnston Atoll, Wake and Jarvis Islands and maintain all other existing fishing regulations, including permitting, gear restrictions, protected species mitigation, etc. Under this alternative, all fisheries are permitted to operate under the current fishery management framework. However, due to the distance from port, depth of water, and high costs, it is likely that only pelagic fisheries (longline, troll, handline, and purse seine) are expected to fish in the action area.

2.2.3 Alternative 3: Repeal Commercial Fishing Prohibitions and Authorize Commercial Fishing with Enhanced Monitoring.

Under this alternative, the Council recommends revising fishing regulations as described for Alternative 2. In addition, enhanced fisheries monitoring would be mandated in the Action Area waters for all vessels using longline gear, consisting of either an observer or a NMFS-approved Electronic Monitoring System. Observers are required for all purse seine fishing trips by existing regulations (see 50 CFR 300.223(e)). The PIRO Regional Administrator may also require vessels fishing in the PRIA for bottomfish or crustaceans to carry an observer.

This enhanced monitoring is expected to provide a robust data set on 100% of fishing trips to the Action Area, which would provide additional information for fishery managers and scientists to use in assessing potential impacts to fishery resources, protected species, and Monument resources, and better evaluate whether there is a need for additional measures to ensure proper care and management of resources in the Action Area.

Expected Outcome

This alternative would remove fishing prohibitions in the 50-200 nmi area around Johnston Atoll, Wake and Jarvis Islands and maintain all other existing fishing regulations, including permitting, gear restrictions, protected species mitigation, etc. Under this alternative, all fisheries are permitted to operate under the current fishery management framework. However, due to the distance from port, depth of water, and high costs, it is likely that only pelagic fisheries (longline, troll, handline, and purse seine) are expected to fish in the action area. Additional measures would be added requiring enhanced monitoring of fishing in the action area with potentially additional data being collected during those trips.

2.3 Comparison of the Alternatives

Alternative 1, No Action, continues the existing prohibition on commercial fishing and is the main difference from Alternatives 2 and 3. Alternative 1 does not allow commercial take and therefore annual catch from the area is set at zero. Alternatives 2 and 3 do not have specific catch limits for the action area, instead the fisheries are limited to the international quotas on bigeye

tuna catch set by the WCPFC and IATTC at 6,554 mt and 750 mt, respectively. There are no annual catch targets and accountability measures include in-season monitoring. There is no change to Essential Fish Habitat (EFH) area as these alternatives do not propose a change in EFH. Table 1 provides a comparison of the alternatives under consideration.

Table 1: Summary of Alternatives

Topic	***Alternative 1 - No action***	***Alternative 2 - Preferred Alternative***	***Alternative 3***
Annual Catch Limit (bigeye tuna)	*No ACL*	*WCPFC: 6,554 mt* *IATTC: 750 mt*	*WCPFC: 6,554 mt* *IATTC: 750 mt*
Annual Catch Target	*No ACT*	*NA*	*NA*
Accountability Measure	*None*	*In-season monitoring*	*In-season monitoring*
Change in EFH area	*NA*	*NA*	*NA*

2.4 Alternatives Considered, but Rejected from Further Analysis

In the development of this action, the Council considered a broader range of options that may be included to meet the purpose and need. Alternatives considered by Council but not analyzed further in this document are described below.

1. **Monitoring requirement for PRIA archipelagic fisheries.** Alternatives 2 and 3 repeal prohibitions and authorize commercial fishing for all commercial fisheries, including archipelagic fisheries identified in the PRIA FEP (*e.g.*, bottomfish, crustacean, precious coral fisheries). As discussed in more detail in Chapter 3, these fisheries have had little to no activity historically within the Action Area, even prior to the establishment and expansion of the PRIMNM. Existing regulations at 50 CFR 665.606 and 50 CFR 665.645 require non-pelagic bottomfish and crustacean fisheries to carry an observer when required to do so by NMFS. The other fisheries in the PRIA FEP are the coral reef fishery and precious coral fishery. There is no coral reef habitat in the Action Area, and regulations for precious coral harvest require that only selective methods be used (*e.g.*, hand harvest or use of submersibles) so there is no bycatch or protected species interactions associated with precious coral harvest in the Pacific Islands Region. Additionally, there are no identified precious coral beds in the Action Area, and NMFS had never received an application for a precious coral permit for the area. Therefore, available information does not indicate that additional monitoring requirements are warranted for archipelagic fisheries to ensure the proper care and management of Monument resources.

2. **Implement Action Area Specific Management.** PP10918 directs the Secretary of Commerce and the Secretary of the Interior to take appropriate action pursuant to their respective authorities as may be available to implement the proclamation, to regulate fisheries and ensure proper care and management of the Monument.

In accordance, the Council considered developing new management requirements specific to the Action Area including the following:

- Annual catch limits (ACLs) and effort limits specific to the Action Area for target stocks
- Hardcaps and management triggers specific to the Action Area for protected species. These measures would result in fishery closures if reached
- Gear limitations specific to fishing within the Action Area

However, as discussed in depth in Chapter 3, historical catch data as well as current stock assessments and statuses relative to overfishing and overfished criteria, and protected species interaction data and consultations under the ESA, do not support the necessity of area-specific management within the Action Area for target fish stocks or protected resources. Additionally, there are no defined stocks or federal management units for protected species that coincide geographically with the Action Area. Fishery species are managed based on stocks, and protected species are managed as a species or distinct population segments that are considerably larger than the Action Area. Given the remoteness, geographic distance, and limited scope of the Action Area when compared to the entire range of managed pelagic stocks, it is likely that these additional management requirements would have limited effectiveness in the conservation and management of the resources.

3 **Repeal other burdensome regulations.** Proclamation 10918 also directs the Secretary of Commerce, through the Administrator of NOAA, to repeal all burdensome regulations that restrict commercial fishing in the Action Area. Given that commercial fishing has been prohibited in the PRIMNM, NOAA lacks data to identify what other regulations applicable to the Action Area might be burdensome to U.S. fisheries and thus should be amended or repealed. Given the proclamation findings, the repeal of other fishing regulations at this time does not meet the purpose and need for action and is not considered further.

2.5 Past, Present and Reasonably Foreseeable Management Actions

2.5.1 Council Action

At its 204th meeting held September 16-17, 2025, the Council undertook an initial review of existing fishing regulations applicable to the PRIMNM fisheries to determine whether any regulations were burdensome, disadvantage U.S. fishermen or limit them from achieving optimum yield from the fishery, or were contrary to the purposes of Executive Order 14276, "Restoring American Seafood Competitiveness," and should be repealed. The Council also evaluated the best available scientific and commercial information on PRIA fisheries to determine whether existing fishery fishing requirements, restrictions, and prohibitions at 50 CFR part 665, 50 CFR 300 Subpart D, and 50 CFR 300 Subpart O are sufficient to protect monument resources or whether additional regulations were necessary to ensure proper care and management of the Monument.

Based on this review, the Council recommended restoring commercial fishing with enhanced management as a preliminarily preferred option and directed staff to work with NMFS to identify monument resources that may be impacted by the restoration of commercial fishing in the Action Area.

At its 205th Meeting held on December 16-17, 2025 (90 FR 52355, November 20, 2025) , the Council heard an update on the management options and directed Council staff to finalize analyses to restore commercial fishing in the Action Area for final action in March 2026.

2.5.2 Electronic Monitoring

The Council has previously recommended, and NMFS is currently undergoing, rulemaking to authorize the use of onboard electric monitoring systems (EM) for the longline fisheries operating under the Pelagic FEP as recommended by the Council. The final rule is anticipated to go into effect in Fall 2026. The amendment and implementing regulations would authorize the use of data collected by EM - camera and related equipment - for the use in management of vessels fishing under Hawaii and American Samoa limited access longline permits. The intent of the rule is to provide robust and reliable estimates of protected species interactions and catch to fulfill statutory requirements while reducing the overall costs of a monitoring program.

NMFS has already begun installing EM systems onboard longline vessels for management purposes and is targeting 2028 for all longline vessels to be equipped with EM systems and anticipates phasing out onboard at-sea observers with the implementation of EM. A detailed description of the EM program is included in Chapter 3.

2.5.3 Crew Training

The Council has previously recommended, and NMFS is currently undergoing, rulemaking to implement a crew training requirement for the longline fisheries operating under the Pelagic FEP as recommended by the Council. The final rule is anticipated to go into effect in Summer 2026. This action would revise existing protected species workshop requirements to establish a mandatory crew training requirement for the Hawaii and American Samoa longline fisheries. This action would expand the existing protected species handling and release training, which is currently required for vessel owners and operators in these fisheries, to also include fishing vessel crew members.

By ensuring that trained personnel are present during protected species interactions, the action is intended to enhance the effectiveness of mitigation measures, improve post-release survival rates, and maintain operational and administrative efficiency for both fishermen and NMFS. The proposed revisions are consistent with the Terms and Conditions set forth in the 2023 and 2024 Endangered Species Act (ESA) Biological Opinions (BiOps) for these fisheries.

3. AFFECTED ENVIRONMENT AND EFFECTS OF THE ALTERNATIVES

The following sections describe the affected environment and identify and evaluate potential effects to resources under Alternatives 1, 2, and 3. The affected environment describes the environment, including monument resources that would be affected by the proposed action. The affected environment provides a baseline and reflects conditions as they currently exist prior to implementation of the proposed action.

Environment impacts that could occur to the affected environment under each alternative are analyzed within each section. A summary of effects is provided at the end of the chapter. Monument resources that were eliminated from detailed study are also briefly summarized at the end of the chapter.

As described in detail below, target stocks and protected species managed by the Council and NMFS that occur within the Action Area are analyzed here across their stock or population and

throughout the entirety of its range, as authorized by existing statutes. As such, under all alternatives, existing management measures would remain in place for authorized fisheries, including catch limits for managed stocks, effort restrictions, reporting and monitoring requirements, and gear limitations. Under all outcomes associated with the alternatives, the current and maximum foreseeable levels of fishing effort by all fisheries managed through the FEPs would continue to be subject to applicable biological opinions, including regulations implementing the terms and conditions required to mitigate impacts on protected species. NMFS is required to re-initiate consultation under ESA Section 7 if the level of anticipated take in any incidental take statement (ITS) is exceeded or another criterion for reinitiation is triggered. To meet management mandates, NMFS will continue to develop protected species mitigation measures as resource concerns are identified through reporting and monitoring.

2.6 Current Management and Administration

Fish stocks managed under the Pelagics FEP are considered highly migratory species and migrate across domestic and international boundaries across the Pacific Ocean. These highly migratory species are managed throughout the range of stocks, consistent with National Standard 3, and are targeted by both U.S. fisheries and by foreign fishing fleets. Because they migrate long distances and live primarily in the open ocean, they do not reside exclusively in the Action Area and only a small fraction of the total harvest of these species is taken within U.S. waters.

NOAA Fisheries and international scientific and management organizations, including the WCPFC assess the population status of stocks of highly migratory species caught by U.S. and international fisheries across their range, which includes the entire western and central Pacific Ocean (WCPO), extending from approximately 150 degrees W. longitude westward to Asia in the north and Australia in the south. As a signatory party to the WCPFC, the United States accepts stock assessments for highly migratory species adopted by the WCPFC as best scientific information available for the purposes of National Standard 2 and for developing conservation and management measures to prevent overfishing, consistent with National Standard 1.

3.1.1 PRIMNM Co-Management

The Antiquities Act of 1906 provides the President authority to proclaim national monuments on Federal lands and waters that contain "*historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest"* and to reserve "*the smallest area compatible with the proper care and management of the objects to be protected*" (54 U.S.C § 320301 et seq.).

The Secretary of the Interior (through USFWS), in consultation with the Secretary of Commerce (through NMFS), has primary management responsibility for the Monument's emergent and submerged lands and waters out to 50 or 200 nmi, depending on the Monument unit. The Secretary of Commerce, in consultation with the Secretary of the Interior, has primary management responsibility for fishery-related activities regulated pursuant to the Magnuson-Stevens Act and any other applicable legal authorities from 12 to 50 or 200 nmi depending on the island or island group. The Secretaries coordinate management in the Monument pursuant to applicable legal authorities. Under U.S. Department of the Interior Secretarial Order 3284-a2, as amended, the Secretary of the Interior delegated all management responsibilities for the Monument to the Director of USFWS and directed the Monument be managed as units of NWRS, except for those lands at Wake Island and Johnston Atoll under administrative control of the U.S. Air Force, until terminated.

3.2 Fishery Management

NMFS and the Council manage fishing in the Exclusive Economic Zone (or Federal waters, generally out 200 nmi from shore) around the PRIA through an archipelagic-based (PRIA FEP) and a Pacific-wide (Pacific Pelagics FEP) FEP as authorized by the Magnuson-Stevens Act.

The National Standards are principles mandated by the Magnuson-Stevens Act that must be followed in any fishery management plan to ensure sustainable and responsible fishery management. National Standard 1 requires conservation and management measures to prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery for the U.S. fishing industry (50 CFR 600.310). National Standard 2 requires conservation and management measures be based on the best scientific information available (50 CFR 600.315). National Standard 3 states, "*To the extent practicable, an individual stock of fish shall be managed as a unit throughout its range, and interrelated stocks of fish shall be managed as a unit or in close coordination*" (50 CFR 600.320).

Management unit species (MUS) were established under the PRIA FEP and the Pelagic FEP, and these occur within the PRIMNM. Pursuant to regulations implementing Western Pacific fishery management plans developed by the Council under the authority of the Magnuson-Stevens Act at 50 CFR 665, the following fisheries are authorized to engage in commercial fishing in the U.S. EEZ waters around Wake and Jarvis islands and Johnston Atoll, subject to all fishing requirements, restrictions and prohibitions proscribed in that part.

- Pacific Remote Island Area Fisheries - Subpart E (starting at 50 CFR 665.598)
- PRIA bottomfish fisheries (starting at 50 CFR 665.600)
- PRIA coral reef ecosystem fisheries (starting at 50 CFR 665.20)
- PRIA crustacean fisheries (starting at 50 CFR 665.640)
- PRIA precious coral fisheries (starting at 50 CFR 665.660)
- Western Pacific Pelagic Fisheries - Subpart F (starting at 50 CFR 665.798), including:
    - PRIA pelagic troll and handline fisheries (*e.g.* permit at 50 CFR 665.801(f))
    - Western Pacific longline fisheries (*e.g.* permit at 50 CFR 665.801(d))
    - Western Pacific squid jig fisheries (*e.g.* permit at 50 CFR 665.801(g))

In addition, under the Magnuson-Stevens Act, the U.S. cooperates with or through international management organizations to promote coordinated international management of highly migratory species (HMS) across their entire range. In the Pacific Ocean, two Regional Fisheries Management Organizations (RFMOs), the Inter-American Tropical Tuna Commission (IATTC) and the WCPFC, manage fisheries for HMS, such as striped marlin and bigeye tuna. Individual RFMO member states are responsible for implementing the requirements of RFMO resolutions or measures under domestic regulations for their fisheries and vessels flying their flag. The United States is a member of both the IATTC and WCPFC. As a result, stock assessments and stock status for Pelagic MUS are developed and monitored through international RFMOs and conducted on a Pacific-wide scale for some stocks (*e.g.,* Pacific bluefin tuna), and across large areas of the ocean basis for other stocks (*e.g.*, Western and Central Pacific bigeye tuna).

The U.S. purse seine fishery is authorized to engage in commercial fishing in U.S. EEZ waters and on the high seas, pursuant to regulations implementing the WCPFC Implementation Act at 50 CFR 300 Subpart O, as well as general Magnuson-Stevens Act regulations at 50 CFR 600.

USFWS may issue Special Use Permits for non-commercial fishing within 12 nmi of emergent land within the PRIMNM, while NMS is responsible for issuing non-commercial fishing permits within the EEZ outside of 12 nmi. Non-commercial and subsistence fishing occurs on a limited basis within the PRIMNM, typically by residents and visitors to the islands and atolls. The U.S. Air Force manages a recreational and sustenance fishing permitting system at Wake Island developed in coordination with USFWS and with input from NMFS and contingent on specific, agreed-upon aspects of the fishing program (USAF 2015). Since 2014, recreational fishing has only occurred around Palmyra Atoll and Wake Island by visitors and temporary workers. Fishing primarily occurs from the shore or from small motorboats within 12 nmi of shore. No fish or coolers of fish are allowed to be taken off island by plane or ship. Catch rates are low and primarily consist of bonefishes, wahoo, and yellowfin tuna. See Section 3.5.2 on Current Uses for more information regarding USWFS Special Use Permits.

3.2.1 PRIA Fishery Ecosystem Plan

Descriptions of fisheries and the status of protected species and consultation history are incorporated by reference from the PRIA FEP (WPRFMC 2009b) and the 2024 SAFE Report for the PRIA FEP (WPFRMC 2025a). As described in the PRIA FEP, management measures for archipelagic fisheries include permit and reporting requirements, gear restrictions to reduce habitat damage and minimize bycatch quantity and mortality, provisions for at-sea observer coverage, and a framework for regulatory adjustments.

Historically, all of the fisheries managed under the PRIA FEP have had limited participation with no reported trips or catch (WCPRMC 2025a). Table 2 lists the number of federal permits that have been issued for each archipelagic fishery managed under the PRIA FEP, inclusive of non-commercial fishing in the PRIMNM since 2013 (NMFS unpublished data). Of the bottomfish fishing permits issued from 2013 through 2022, four were issued to NOAA research vessels, four were issued to work boats ferrying supplies, and the other seven permits were issued to fishing vessels. Since 2020, no permits have been issued for PRIA FEP fisheries.

Distance from population centers and the associated logistics and costs of traveling to the PRIA have contributed to limited interest in the fisheries. Given the historically negligible participation in the archipelagic fisheries and the lack of habitat required for these fisheries in the Action Area, it is unlikely that archipelagic commercial fisheries would develop under either of the action alternatives under consideration. Therefore, the impacts related to archipelagic fisheries in the PRIA are not analyzed further.

Table 2: Number of Federal permit holders in the PRIA FEP fisheries

Year	Bottomfish	Lobster	Shrimp	Precious Corals	Coral Reef Fisheries
2013	2	0	0	0	0
2014	2	0	0	0	0
2015	1	0	0	0	0
2016	1	0	0	0	0

Year	Bottomfish	Lobster	Shrimp	Precious Corals	Coral Reef Fisheries
2017	1	0	0	0	0
2018	4	0	0	0	0
2019	4	0	0	0	0
2020	0	0	0	0	0
2021	0	0	0	0	0
2022	0	0	0	0	0
2023	0	0	0	0	0
2024	0	0	0	0	0
Total	15	0	0	0	0

3.2.2 Pacific Pelagics Fishery Ecosystem Plan

Detailed descriptions of fisheries managed by the Pelagics FEP are incorporated by reference from the Pelagics FEP (WPRFMC 2009a) and annual Pelagic SAFE Report (WPRFMC 2025b). Fish stocks managed under the Pelagics FEP are considered highly migratory species and migrate across domestic and international boundaries across the Pacific Ocean. These highly migratory species are managed throughout the range of stocks, consistent with National Standard 3, and are targeted by both U.S. fisheries and by foreign fishing fleets. Because they migrate long distances and live primarily in the open ocean, they do not reside exclusively in the Action Area and only a small fraction of the total harvest of these species is taken within U.S. waters.

NOAA Fisheries and international scientific and management organizations, including the WCPFC assess the population status of stocks of highly migratory species caught by U.S. and international fisheries across their range, which includes the entire western and central Pacific Ocean (WCPO), extending from approximately 150 degrees W. longitude westward to Asia in the north and Australia in the south. As a signatory party to the WCPFC, the United States accepts stock assessments for highly migratory species adopted by the WCPFC as best scientific information available for the purposes of National Standard 2 and for developing conservation and management measures to prevent overfishing, consistent with National Standard 1.

3.2.2 Stock Status of Pelagic MUS

Status determination criteria (SDC) are objective metrics NMFS uses to determine when overfishing is occurring or a MUS is overfished and are defined in the FEP. Since HMS stocks are managed through international RFMOs, stock assessments are conducted using data from multiple countries by an international team of scientists. These assessments are reviewed by a science committee and presented to the commission (*i.e.*, IATTC or WCPFC), similar to the domestic process involving the SSC and Council. Because the assessments are produced by an

international body, the criteria for the international stock status determination may differ from those used domestically. In those cases, NMFS makes a stock status determination based on information in the assessment and domestic SDC. Table 2 presents the stock status of pelagic MUS based on the SDCs of the FEP and the most recent stock assessments available at the time of publication. This status reflects the best scientific information currently available regarding the effects of past and ongoing fishing on both target and non-target species.

As shown in Table 3, overfishing is occurring on striped marlin and silky sharks, and the oceanic white-tip shark stock is overfished. Overfishing is not currently occurring on any of the longline or purse seine target stocks and no target stocks are overfished.

Details on the status, life history, biology, and management of each species are incorporated by reference from the FEP SAFE report (WPRFMC 2025b) and the NMFS species directory (NMFS 2026). Additional information on stock status can be found through the NMFS Species Information System (NMFS 2026).

Table 3: Stock status of Pelagic MUS under the FEP

Stock	***Is overfishing occurring?***	***Is the stock overfished?***	***Assessment results***
Skipjack Tuna; Western and Central Pacific Ocean (WCPO)	*No*	*No*	*Castillo Jordan et al. (2022)*
Skipjack Tuna; Eastern Pacific Ocean (EPO)	*No*	*No*	*Maunder (2022)*
Yellowfin Tuna (WCPO)	*No*	*No*	*Magnusson, et al (2023)*
Yellowfin Tuna (EPO)	*No*	*No*	*Minte-Vera et al. (2020)*
Albacore (S. Pacific)	*No*	*No*	*Teears et al. (2024)*
Albacore (N. Pacific)	*No*	*No*	*ISC (2023)*
Bigeye Tuna (WCPO)	*No*	*No*	*Day et al (2023)*
Bigeye Tuna (EPO)	*No*	*No*	*Xu et al. (2024)*
Pacific Bluefin Tuna	*No*	*No*	*ISC (2024)*
Blue Marlin (Pacific)	*No*	*No*	*ISC (2021)*
Swordfish (N. Pacific)	*No*	*No*	*ISC (2023b)*
Striped Marlin WC (N. Pacific)	*Yes*	*No*	*ISC (2023a)*
Striped Marlin; NE. Pacific Ocean	*No*	*No*	*Hinton et al (2010)*
Blue Shark (N. Pacific)	*No*	*No*	*ISC (2022)*
Oceanic white-tip shark (WCPO)[1]	*No*	*Yes*	*Neubauer-Large (2025)*
Silky shark (WCPO)	*Yes*	*No*	*Clarke et al. (2018)*
Silky Shark (EPO)	*Yes*	*No*	*Lennert-Cody et al. (2022)*
Shortfin mako shark (N. Pacific)	*No*	*No*	*ISC (2024a)*

Stock	*Is overfishing occurring?*	*Is the stock overfished?*	*Assessment results*
Common thresher shark (N. Pacific)	*No*	*No*	*Teo et al. (2018)*
Other Billfishes[2]	*Unknown*	*Unknown*	--
Other Pelagic Sharks[3]	*Unknown*	*Unknown*	--
Other Pelagic MUS[4]	*Unknown*	*Unknown*	--

[1]NMFS interpretation as Neubauer-Large 2025 did not specify overfishing and overfished status.
[2]Black Marlin (Pacific), Shortbill Spearfish (Pacific), Sailfish (Pacific)
[3]Longfin Mako Shark (N. Pacific), Bigeye Thresher Shark (N. Pacific), Pelagic Thresher Shark (N. Pacific), Salmon Shark (N. Pacific)
[4]Dolphinfish (Pacific), Wahoo (Pacific), Opah (Pacific), Pomfret (family Bramidae, W.Pacific), Kawakawa (Pacific), Oilfish (family Gempylidae, Pacific), other tuna relatives (Auxis spp., Allothunnus spp., and Scomber spp, Pacific), Squids (Pacific)

3.2.3 Small-boat Fisheries

Commercial and non-commercial pelagic squid jig and pelagic troll and handline fishing are authorized within the PRIA under the Pelagic FEP. A squid jig fishery has never developed and participation has been limited in the pelagic troll and handline fishery (Table 4; NMFS unpublished data). Since 2013, 36 total pelagic troll and handline permits have been issued – six permits were issued to NOAA research vessels, five to work boats, and the other 25 to fishing vessels. No permits were issued from 2020 through 2024, and there is currently one active permit that was issued to a research vessel. Given the historically low participation and challenging logistics associated with reaching the PRIA, it is unlikely that commercial troll/handline or squid fisheries would develop under any of the action alternatives under consideration. Therefore, these fisheries are not analyzed or discussed further.

Table 4: Number of Federal permit holders for PRIA-based fisheries managed under the Pelagic FEP

Year	Pelagic Troll and Handline	Pelagic Squid jig
2013	6	0
2014	9	0
2015	5	0
2016	3	0
2017	3	0
2018	8	0
2019	2	0
2020	0	0
2021	0	0

Year	Pelagic Troll and Handline	Pelagic Squid jig
2022	0	0
2023	0	0
2024	0	0
2025	1	0
Total	37	0

3.2.4 Longline Fisheries

U.S. and territorial longline fisheries in the Western Pacific comprise the Hawaii deep-set tuna longline fleet (DSLL; including several vessels based on the U.S. West Coast), the Hawaii shallow-set swordfish longline (SSLL) fleet, and the American Samoa albacore tuna longline (ASLL) fleet. In the past, several deep-set tuna longline vessels were based in Guam and the CNMI, but there has been no longline fishing in these locations since 2011. These longline fisheries are managed under the Pelagics FEP, implemented by regulation at 50 CFR Part 665, as well as by regulations implemented under the WCPFC Implementation Act at 50 CFR Part 300 Subpart O.

Longline fishing is authorized between latitudes 50° N and 20° S and longitudes 120° W and 170° E, but the Hawaii based longline fishing mainly occurs to the north and south of the Hawaiian Islands between the Equator and 40° N and longitudes 140° W and 180° W. The Council estimates that the total area of which the longline fisheries are authorized to operate is 15,980,390 nmi.[2] The Action Area of 308,316 nmi^2 represents approximately 1.9% of the available fishing grounds to U.S. longline fishing.

3.2.4.1 Fleet Characteristics

3.2.4.1.1 Hawaii based Longline Fisheries

Longline fishing gear consists of a mainline that exceeds 1 nmi (6,076 ft) in length that is suspended horizontally in the water column, from which branchlines with hooks are attached. The fleet has historically operated, and continues to operate, in two distinct fisheries based on gear deployment: deep-set longline by vessels that target primarily bigeye tuna and shallow-set longline by those that target swordfish. Generally, deepset longline gear targeting tuna is set in the morning at approximate depths ranging between 100-300 meters and hauled in the evening. Shallow-set Longline gear targeting swordfish is set at sunset at depths less than 100 meters and hauled at sunrise. Both fisheries are managed under a single limited-access permit program by NMFS and the Council which caps the number of vessels at 164, with some vessels holding permits for both Hawaii and American Samoa.

The number of vessels in the Hawaii longline fishery has grown over time, averaging 141 vessels between 2012 and 2021. In 2024, the Hawaii-permitted longline fishery had 150 active

[2] Total area includes foreign EEZs and areas closed to longline fishing.

vessels, took 1,635 trips, and set 65.9 million hooks with effort similar to 2023, but with a slight overall increase in the last 10 years.

The DSLL generated $110.8 million or 88% of the total pelagic revenue in 2024, a 7% decline from 2023 ($119.4 million). This decline is due to a drop in the average fish price. In contrast, participation in the shallow-set fishery has declined, from a peak of 35 vessels in 2006 to 21 in 2024. The SSLL fishery had 54 trips and 1.1 million hooks set with a decline in trips and vessels in 2024. It contributed $4.5 million, or 4% of the total pelagic revenue in 2024. This sector is subject to an annual hard cap on leatherback turtle interactions, which can result in temporary closures if exceeded. More information on the most recent fishery performance information can be found in the most recent annual FEP SAFE Report (WPRFMC 2025b).

3.2.1.4.2 American Samoa Longline Fishery

The ASLL fishery is a Federally managed, limited access fishery capped at 60 vessels. Vessels range in size between 40 and 70 feet and primarily target albacore tuna for local canning in Pago Pago, though other tunas and Pelagic MUS like billfish, mahimahi, wahoo, opah, and sharks are also caught. Fishing occurs in the American Samoa EEZ and on the high seas. Between 14 and 26 vessels also hold Hawai‘i longline permits, allowing them to fish in the EEZ around Hawaii.

Federal regulations prohibit commercial fishing in marine national monuments and, historically, within the Large Vessel Prohibited Area (LVPA) around American Samoa for vessels greater than 50 feet in length. However, since July 6, 2021 (86 FR 36239), large longline vessels that hold a Federal ASLL limited entry permit may fish within the LVPA around American Samoa to approximately 12-17 nmi from the shoreline around Swains Island, Tutuila, and the Manua Islands.

Fishing effort in the American Samoa fishery peaked in 2007 with 29 vessels deploying approximately 17.5 million hooks (NMFS 2015). Since then, activity has declined significantly. By 2024, only 9 vessels participated, deploying 4.1 million hooks across 1,359 sets (WPFMC 2025b), with an estimated fleet revenue of $3.23 million. For more information on the most recent fishery performance information, please see Section 2.1.2 of the Pelagic FEP SAFE report (WPRFMC 2025b).

3.2.4.2 Monitoring and Management

Longline fishing is subject to a range of gear, handling, and catch limit requirements to reduce interactions with protected species and minimize their mortality. These measures are incorporated by reference from the Hawai‘i Pelagic Longline Regulation Summary (NMFS 2025) and in the American Samoa Pelagic Longline Regulation Summary (NMFS 2022). NMFS has historically monitored longline fisheries primarily through the use of at-sea observers. Longline operators are also required to record and report all catch, including protected species, daily in an electronic logbook provided by NMFS. Longline fishing vessels may be required to carry at-sea observers who collect detailed information on the fishery, including total catch and discards, interactions with protected species, compliance with mitigation measures and gear requirements, and biological data on the catch. Observers are able to collect more detailed and impartial information than can typically be expected of fishermen. This information is used to better inform the impact or effect the fishery is having on protected resources and ensure compliance with the applicable laws discussed below.

NMFS generates fleet-wide estimates of interactions with protected species for the longline fisheries using methods described by McCracken et al. (WPFMC 2025b), when available. When these data are not available, NMFS estimates fleet-wide interactions by expanding observed interactions using an expansion factor based on the observer coverage rate. For example, in 2017, the Hawai‘i DSLL fishery had an observer coverage rate of 20.4%. To estimate total interactions at 100% coverage, NMFS multiplied each observed interaction by 4.9.

The Pacific Islands Region (PIR) Observer Program was established in the early 1990s and historically maintained high observer coverage rates. Since the early 2000s, the PIR Observer Program, funded by NMFS, has maintained a target to deploy at-sea observers on 100% of Hawaii SSLL trips and 20% of DSLL trips. These coverage rates were initially prescribed in NMFS Endangered Species Act Biological Opinions (BiOps) for Pacific Island longline fisheries. Today, NMFS BiOps require the agency to deploy observers on longline fishing trips "at levels reliable for estimating protected species interactions."

Recent funding constraints have significantly reduced at-sea observer coverage, particularly in the Hawaii DSLL fishery. In recent years, NMFS set at-sea observer coverage rates for the DSLL fishery to 13 percent in 2024 and 7 percent in 2025 and 2026 (Web Notice, December 23, 2025). At-sea observer coverage rates have remained consistent at 100 percent in the Hawaii shallow-set fishery and 10 percent in the American Samoa longline fishery. Variation in coverage may occur based on the total number of trips per year. Table 5 describes recent observer coverage rates for PIR longline fisheries.

Table 5: Number of fishing trips and trips with observers in Pacific Island longline fisheries in calendar years 2022-2024 (the calendar year runs January 1 to December 31)

Fishery	2022			2023			2024*		
	No. of Trips	*Trips w/observers*	*Observer Coverage*	*No. of Trips*	*Trips w/obs*	*Observer Coverage*	*No. of Trips*	*Trips w/observers*	*Observer Coverage*
HI SSLL	72	72	100%	60	60	100%	51	51	100%
HI DSLL	1,449	293	20.2%	1,516	264	17.4	1,566	209	13.3%
AS DSLL	46	4	8.7%	34	3	8.8%	43	4	9.3%
WP LL	0	0	0	0	0	0	0	0	0
Total LL	1,567	369	23.5%	1,610	327	20.3%	1,660	264	15.9%

The Council and NMFS are currently in the process of expanding coverage with onboard electronic monitoring systems (EM) in the Hawaii and American Samoa longline fisheries to supplement data collection by at sea-observers. EM is a tool used to collect fishing data that supports and improves stock assessments and ensures that catch limits are sustainable in the long term. EM provides versatile monitoring capabilities for a range of vessels and records detailed and verifiable data that benefit protected species and fishermen, while improving cost-effectiveness and operational efficiency. To date, NMFS has implemented fourteen electronic monitoring programs across the U.S. with additional programs under development.

The Pacific Islands Fisheries Science Center (PIFSC) has conducted several evaluations to determine the data that can be collected effectively using EM systems and the degree of accuracy to which it can be collected compared to at-sea observers (Carnes et al. 2019; Stahl et al. 2024). In an initial evaluation on how to effectively use EM systems in Hawai‘i based pelagic longline fisheries, Carnes et al. 2019 found that EM could:

- Detect 89% of all catch enumerated by at-sea observers (retained and bycatch) during video review
- Locate 98% of the retained fish enumerated by at-sea observers in the SSLL fishery and 100% in the DSLL fishery
- Reduce data review time by 76% when compared to similar data collected by at-sea observers
- Provide accurate enumeration over broad taxonomic groupings (*e.g.*, tunas, billfishes, sea turtles) and for many economically valuable fish species; however, identifications were not possible down to the species level for all species including some MUS and protected species

Subsequent studies have identified detection accuracy at different video review speeds (Stahl and Carnes 2020) and the ability of EM to estimate the percent likelihood of mortality for bycaught species (per Ryder et al. 2006; Stahl et al. 2023). Recommendations for best practices have been provided to improve detection and accuracy of retained and discarded catch and the post-release condition of protected species that interact with longline fisheries.

NMFS is currently undergoing rulemaking to authorize the use of EM for the longline fisheries operating under the Pelagic FEP, as recommended by the Council. The final rule is anticipated to go into effect in Fall 2026. The amendment and implementing regulations would authorize the use of data collected by EM for the use in management of vessels fishing under Hawai‘i and American Samoa limited access longline permits. The intent of the rule is to provide robust and reliable estimates of protected species interactions and catch to fulfill statutory requirements while reducing the overall costs of a monitoring program.

The Council and NMFS intend to use a combination of fisheries-dependent data collected by at-sea observers and EM systems for management purposes. This includes monitoring of BiOp incidental take statements applicable to the Hawaii and American Samoa longline fisheries at levels reliable for estimating protected species interactions rates that occur in these fisheries. The Council and NMFS also plan to use information collected through the EM program for other regulatory purposes (*e.g.*, bycatch mitigation) and to monitor compliance with applicable laws and regulations administered by NMFS.

In December 2025, an Electronic Monitoring Initiative Agreement was signed between NMFS and Hawaii and American Samoa longline permit holders to allow NMFS to use EM data collected voluntarily onboard longline vessels for management purposes. In combination with the 2026 at-sea observer coverage rate set for 7 percent for DSLL (Web Notice, December 23, 2025), NMFS anticipates collecting information on up to 20% of all deep-set longline trips in 2026. At this time, NMFS is targeting 2028 for all longline vessels to be equipped with EM systems and anticipates phasing out onboard at-sea observers with the emergence of EM.

3.2.4.3 Effort and Catch

In 2024, Hawaii's commercial fisheries caught and landed 33.6 million pounds of pelagic species, an 8.5% increase over 2023. The majority of Hawaii's pelagic catch was tuna, followed by billfish and other of pelagic MUS, with all three groups showing increases compared to the

previous year. Most of this catch (87%) came from the DSLL fishery, which landed 29.4 million pounds in 2024 and was the primary driver of the overall increase in pelagic landings. The SSLL fishery contributed 2.0 million pounds, or about 5% of the total (WPFMC 2025b). In American Samoa. commercial fisheries landed approximately 3.4 million pounds of pelagic species in 2024, an increase from 2.7 million pounds in 2023 and the highest total since 2019. Tuna species dominated landings, comprising 94% of the total. Non-tuna species included blue marlin, wahoo, swordfish, sailfish, striped marlin, and mahimahi (WPFMC 2025b).

3.2.4.3.1 Retained Catch

A summary of 2024 total pelagic landings across the Hawaii and American Samoa commercial fisheries, along with year-over-year changes from 2023, is provided in **Table 6**. These and other catch statistics for these fisheries can be found in the 2024 SAFE report (WPRFMC 2025b).

Table 6: Total pelagic landings (lb.) in Hawaii and American Samoa in 2024 and percent change from the previous year.

Species	American Samoa			Hawai'i		
	2023 lb.	**2024 lb.**	**% Change**	**2023 lb.**	**2024 lb.**	**% Change**
Swordfish	6,965	9,054	30.0	2,690,879	2,247,830	*-16.5*
Blue marlin	86,555	147,574	70.5	1,068,833	1,838,813	72.0
Striped marlin	3,715	4,197	13	503,499	1,420,498	182.1
Other billfish*	4,708	8,999	91.1	495,583	458,161	-7.6
Mahimahi	3,104	2,597	*-16.3*	896,895	570,509	*-36.4*
Wahoo	26,147	38,569	47.5	903,034	1,276,212	41.3
Opah (moonfish)	296	395	33.4	504,996	290,495	*-42.5*
Sharks (whole wt.)	90	271	201.1	8,260	5,357	*-35.1*
Albacore	1,942,582	2,258,160	16.2	1,126,593	608,329	*-46.0*
Bigeye tuna	82,624	116,332	40.8	14,525,856	13,775,508	*-5.2*
Bluefin tuna	238	0	*-100*	4,407	6,354	44.2
Skipjack tuna	109,282	354,458	224.4	396,387	547,545	38.1
Yellowfin tuna	487,587	460,191	*-5.6*	7,358,261	10,117,375	37.5
Other pelagics**	2,193	3,567	62.7	504,084	458,161	*-9.1*
Total	**2,756,086**	**3,404,364**	**23.5**	**30,987,567**	**33,621,147**	**8.5**

*Other billfish include black marlin, spearfish, and sailfish.
**Other pelagics include: kawakawa, unknown tunas, pelagic fishes (dogtooth tuna, rainbow runner, barracudas), oilfish, and pomfret.

3.2.4.3.2 Released Catch

Released or non-retained species, referred to as bycatch, account for approximately 50% of the total catch in the Hawaii and American Samoa longline fisheries, based on data collected by at-sea observers. Common bycatch in these fisheries includes sharks, stingrays, lancetfish, snake mackerels, and other unmarketable fish. Marketable fish may be released by fishers when not as valuable (*e.g.*, small size or damage from sharks or marine mammals) or for other reasons such as prioritization due to fish hold space. Protected species such as sea turtles, marine mammals, seabirds, and certain species of sharks and rays are also considered bycatch, although they are caught at relatively low rates compared to other bycaught fish species. In most cases, bycatch is released alive.

Estimated released catch for the ten most commonly bycaught fish species in the Hawaii and American Samoa fisheries in recent years is summarized in Table 7- Table 9. These estimates are derived from data collected by the at-sea observer program. Additional catch and bycatch statistics can be found in the 2024 SAFE report (WPRFMC 2025).

Table 7: Total estimated bycatch in number of fish for the 10 most commonly by-caught species from the PIR Observer Program for the Hawaii DSLL fishery

Species	2019	2020	2021	2022	2023	2024	Average	SD
Lancetfish, Longnose	275,802	288,339	217,244	153,865	199,574	165,052	216,646	55,739.6
Shark, Blue	134,067	139,284	124,209	87,911	88,965	108,592	113,838	22,283.0
Snake Mackerel	49,481	43,862	67,877	59,556	98,779	62,200	63,626	19,303.4
Escolar	47,973	50,556	53,089	45,225	45,246	61,159	50,541	6,035.3
Shark, Bigeye Thresher	10,399	9,754	13,313	11,746	5,913	11,884	10,502	2,568.6
Tuna, Bigeye	19,481	20,596	12,360	5,773	4,946	5,143	11,383	7,256.1
Stingray, Pelagic	10,949	9,357	8,526	9,533	9,219	20,674	11,376	4,623.5
Pomfret, Dagger	8,929	5,667	9,450	5,936	10,646	9,970	8,433	2,117.8
Tuna, Yellowfin	7,434	6,138	10,804	5,064	3,903	8,853	7,033	2,536.5
Tuna, Unidentified	6,855	4,097	5,052	4,899	2,364	2,334	4,267	1,737.8

Note: The top 10 species comprised of over 90% of total bycatch

Table 8: Total estimated bycatch in number of fish for the 10 most commonly by-caught species from the PIR Observer Program for the Hawaii SSLL fishery

Species	2019	2020	2021	2022	2023	2024	Average	SD
Shark, Blue	4,225	6,949	6,446	8,252	7,214	10,544	7,272	2085.2
Lancetfish, Longnose	1,232	1,268	2,480	3,150	3,121	3,940	2,532	1095.6
Shark, Shortfin Mako	298	1,151	808	1,224	1,007	1,121	935	344.01
Swordfish	254	251	499	541	646	1,523	619	230.8
Escolar	122	152	521	557	686	498	423	470.5

Oilfish	57	248	219	359	217	317	236	104.4
Stingray, Pelagic	82	328	171	123	123	143	162	49.9
Dolphinfish	18	20	75	69	86	500	128	86.5
Snake Mackerel	16	31	98	151	104	85	81	24.5
Tuna, Bigeye	55	77	79	35	50	103	67	184.5

Note: The top 10 species comprised of over 90% of total bycatch

Table 9: Total estimated bycatch in number of fish for the top 10 bycatch species from the PIR Observer Program for the ASLL fishery

Species	**2019**	**2020**	**2021**	**2022**	**2023**	**Average**	**SD**
Stingray, Pelagic	11,908	8,395	8,259	6,487	13,056	9,621	2,748.16
Lancetfish, Longnose	4,991	4,063	3,913	2,749	6,199	4,383	1,290.42
Escolar, Longfin	6,609	5,037	4,788	3,706	5,859	5,200	1,100.89
Escolar	5,094	5,540	5,517	3,111	3,989	4,650	1,066.11
Tuna, Albacore	1,584	1,136	1,077	1,258	2,131	1,437	434.59
Tuna, Yellowfin	1,180	1,476	1,363	1,755	1,893	1,533	289.67
Shark, Silky	1,840	1,227	1,238	949	1,734	1,398	375.73
Shark, Blue	2,681	2,958	2,721	1,752	1,451	2,313	666.27
Snake Mackerel, Unidentified	0	3	2	1	873	176	389.74
Pomfret, Sickle	535	407	425	515	782	533	149.89

Note: The top 10 species comprised 84% of total bycatch in 2023.

3.2.4.3.3 Longline Fishing in the PRIAs

Catch and effort by PIR longline fisheries in the PRIA EEZs is described in PIFSC Data Reports 23-08 and 23-17 and is summarized in Table 10 and Figure 2-Figure 4. Due to data confidentiality requirements (50 CFR 229.11), confidential data is excluded from this analysis.

Briefly, longline fishing has historically occurred around Jarvis Island, Johnston Atoll, and Kingman Reef and Palmyra Atoll. Between 1997 and 2008, retained catch from the combined American Samoa and Hawai‘i-based longline fishing effort in the EEZs of the PRIA ranged from 149 to 1,404 mt per year. Between 2009 and 2014, following establishment of the PRIMNM, retained catch from the combined American Samoa and Hawaii-based longline fishing effort in the EEZs of the PRIA ranged from 242 to 573 mt per year. From 2015 to present, following the PRIMNM expansion, there has been a total of 125 mt of retained catch from the combined American Samoa and Hawaii based-longline fisheries in the PRIA EEZ (PIFSC DR-23-08). Apart from a small amount of catch in the EEZ near Johnston Atoll in 2015 when the PRIMNM was first expanded, the rest of the catch occurred in the EEA around Kingman and Palmyra, which remained open to commercial fishing.

By island area, between 1996-2022, fishing occurred around Jarvis Island and effort ranged from 1 to 168 mt annually. Around Johnston Atoll, fishing effort ranged from 83 to 544 mt annually. Around Kingman Reef and Palmyra Atoll, fishing effort ranged from 38 to 807 mt

annually. In many years, fishing effort was zero or low enough to be confidential in all PRIA areas (PIFSC DR-23-17).

In 2025, there were 20 longline trips that reported fishing effort in the Johnston Atoll EEZ (from 50 – 200 nm) which included 87 total sets and 61 mt of total retained catch. Two of the 20 trips including a NMFS protected species observer and no protected species interactions were reported during any of these trips (PIFSC 2025).

Table 10: Annual summary of PIR longline fisheries catch and effort inside the PRIA EEZ (PIFSC DR-23-17). C.d. denotes confidential data

Haul Year	EEZ Area	Number of Trips	Number of Sets	Number of Hooks Set	Est. Retained Metric Tons	Est. Retained Value ($)
Pre-PRIMNM Establishment						
1997	Johnston Atoll	38	168	289,230	177	n/a
1997	Kingman Reef & Palmyra Atoll	14	81	141,890	68	n/a
1998	Johnston Atoll	41	172	298,500	154	n/a
1998	Kingman Reef & Palmyra Atoll	123	881	1,617,471	654	n/a
1999	Johnston Atoll	30	112	211,240	83	n/a
1999	Kingman Reef & Palmyra Atoll	56	436	859,173	266	n/a
2000	Jarvis Island	c.d.	c.d.	c.d.	c.d.	c.d.
2000	Johnston Atoll	92	585	1,209,119	544	2,619,403
2000	Kingman Reef & Palmyra Atoll	103	853	1,786,725	738	4,131,734
2001	Jarvis Island	c.d.	c.d.	c.d.	c.d.	c.d.
2001	Johnston Atoll	104	513	1,033,179	455	1,529,384
2001	Kingman Reef & Palmyra Atoll	100	913	1,771,968	690	3,018,641
2002	Jarvis Island	17	142	324,465	168	674,241
2002	Johnston Atoll	97	562	1,122,573	428	1,836,087
2002	Kingman Reef & Palmyra Atoll	112	1,001	2,063,006	807	3,910,649
2003	Jarvis Island	8	118	300,122	94	227,391
2003	Johnston Atoll	41	273	524,746	172	630,432
2003	Kingman Reef &	21	132	268,232	94	370,934

Haul Year	EEZ Area	Number of Trips	Number of Sets	Number of Hooks Set	Est. Retained Metric Tons	Est. Retained Value ($)
	Palmyra Atoll					
2004	Jarvis Island	5	34	79,629	20	98,263
2004	Johnston Atoll	104	451	922,090	291	1,422,570
2004	Kingman Reef & Palmyra Atoll	61	461	950,509	290	1,591,908
2005	Jarvis Island	c.d.	c.d.	c.d.	c.d.	c.d.
2005	Johnston Atoll	28	120	288,981	84	368,469
2005	Kingman Reef & Palmyra Atoll	16	92	200,450	58	311,244
2006	Jarvis Island	4	14	28,323	11	38,069
2006	Johnston Atoll	81	365	772,687	274	1,483,163
2006	Kingman Reef & Palmyra Atoll	56	438	944,308	347	1,962,592
2007	Jarvis Island	3	9	19,200	3	10,996
2007	Johnston Atoll	65	310	682,237	223	1,145,383
2007	Kingman Reef & Palmyra Atoll	79	757	1,669,348	592	3,512,823
2008	Jarvis Island	c.d.	c.d.	c.d.	c.d.	c.d.
2008	Johnston Atoll	59	356	782,455	286	1,362,642
2008	Kingman Reef & Palmyra Atoll	24	212	516,603	143	841,356
Pre-PRIMNM Expansion						
2009	Johnston Atoll	74	305	688,603	181	961,584
2009	Kingman Reef & Palmyra Atoll	27	193	452,667	133	734,331
2010	Johnston Atoll	40	170	434,342	130	686,437
2010	Kingman Reef & Palmyra Atoll	50	399	988,178	363	2,310,854
2011	Johnston Atoll	58	230	536,529	187	1,123,970
2011	Kingman Reef & Palmyra Atoll	14	114	316,820	135	779,819
2012	Jarvis Island	3	3	7,410	1	3,577

Haul Year	EEZ Area	Number of Trips	Number of Sets	Number of Hooks Set	Est. Retained Metric Tons	Est. Retained Value ($)
2012	Johnston Atoll	89	447	1,081,454	315	2,618,847
2012	Kingman Reef & Palmyra Atoll	40	308	788,370	258	2,215,883
2013	Jarvis Island	3	13	26,426	3	19,367
2013	Johnston Atoll	73	329	827,291	238	1,926,142
2013	Kingman Reef & Palmyra Atoll	21	131	344,109	66	602,525
2014	Jarvis Island	c.d.	c.d.	c.d.	c.d.	c.d.
2014	Johnston Atoll	40	174	436,514	129	746,563
2014	Kingman Reef & Palmyra Atoll	21	144	379,619	112	794,452
Post-PRIMNM Expansion						
2015	Johnston Atoll	c.d.	c.d.	c.d.	c.d.	c.d.
2015	Kingman Reef & Palmyra Atoll	16	119	317,527	76	480,943
2016	Kingman Reef & Palmyra Atoll	8	46	113,410	38	189,615
2017	Kingman Reef & Palmyra Atoll	c.d.	c.d.	c.d.	c.d.	c.d.
2018	Kingman Reef & Palmyra Atoll	c.d.	c.d.	c.d.	c.d.	c.d.
2019	Kingman Reef & Palmyra Atoll	c.d.	c.d.	c.d.	c.d.	c.d.
2021	Kingman Reef & Palmyra Atoll	c.d.	c.d.	c.d.	c.d.	c.d.
2025 [3]	Johnston Atoll	20	87	276,282	61	c.d.

[3] Note: 2025 data from PIFSC 2025

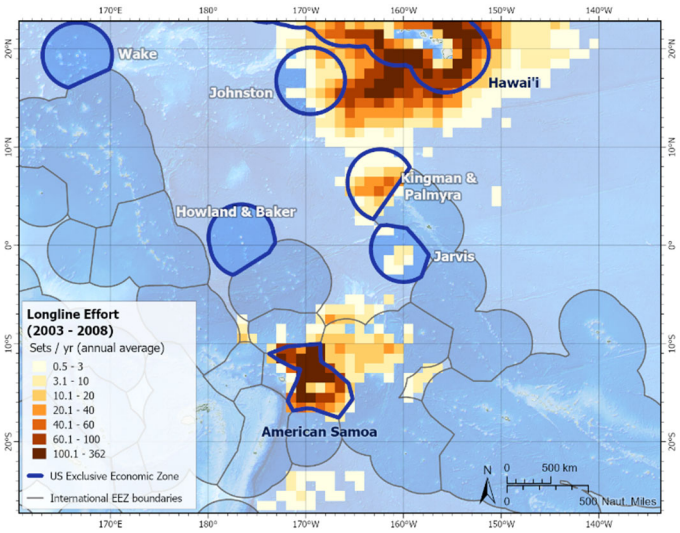

Figure 2: Longline fishing effort pre-establishment (2003-2008) in the PRIMNM

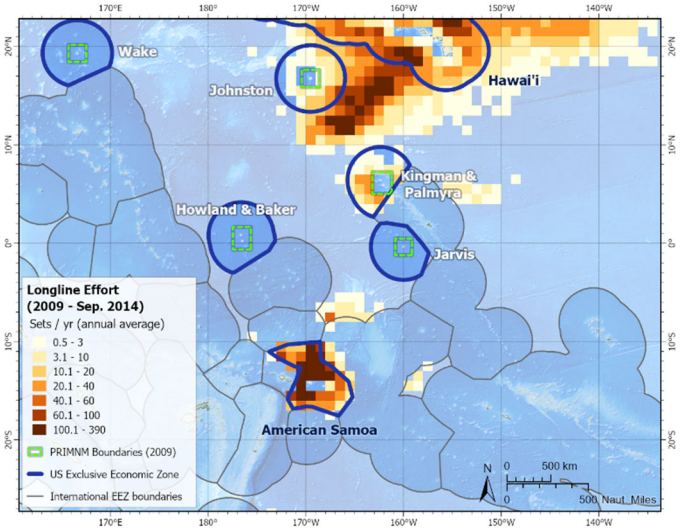

Figure 3: Longline fishing effort pre-expansion (2009-Sept. 2014) in the PRIMNM

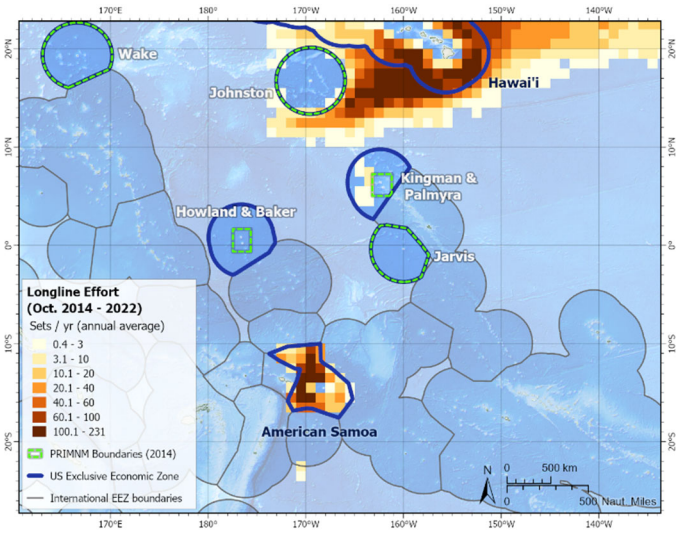

Figure 4: Longline fishing effort post-expansion (Oct 2013-2022) in the PRIMNM

3.2.4.4 Environmental Effects of Longline Fisheries

3.2.4.4.1 Alternative 1

Under this alternative, longline fishing would not be allowed within the Action Area. All other management measures would remain in place for the fishery, including catch limits for all managed stocks, gear limitations, and reporting and monitoring requirements. Fishing effort and catch is expected to remain at similar levels for the longline fleets and target stocks would remain not experiencing overfishing and not overfished.

An argument made against allowing fishing in the action area is the potential for these areas to create a "spillover effect" where a protected area, such as the monument, act as a safe haven for fish species to grow in abundance and exceed the capacity of the area and therefore "spillover" to adjacent areas. A study by Medoff et al. (2022) estimated that the 2016 expansion of the Papahānaumokuākea Marine National Monument (PMNM), the world's largest fully protected marine protected area (MPA) at the time, generated positive spillover benefits for two highly migratory species, yellowfin tuna and bigeye tuna, evidenced by a statistically significant increase in Catch Per Unit Effort (CPUE) for vessels near the boundary relative to those far away. However, this positive finding is refuted by other research. Hilborn et al. (2025) directly challenged Medoff et al.'s methodology, arguing that the observed strong CPUE gradient was an artifact stemming from the incorrect assumption of absolutely equivalent changes in CPUE across all areas following a regional yellowfin tuna abundance increase. Medoff et al. (2022) assumed that an increase in CPUE would be equal in all areas rather than proportional. When analyzed using proportional change, they found that yellowfin CPUE increased less near the PMNM border than farther away, suggesting no evidence for a net fishery benefit.

While not mentioned in Medoff et al., it was documented that yellowfin abundance increased dramatically across the western Pacific starting just prior to the expansion of PMNM (Magnusson et al. 2023). Furthermore, the biological plausibility of increased regional abundance of those species due to fishing prohibitions in the Monument is questionable due to the relatively low catches of yellowfin in the Monument expansion area before it was closed it to fishing. In other words, it is not plausible for spillover to occur in such a dramatic fashion in a period of two years due to the small amount of yellowfin removals from fishing in years prior. As identified by Hilborn et al. (2025) it was the increased yellowfin stock abundance that

resulted in higher yellowfin CPUE seen in the Hawaii longline fishery, not spillover from Monument expansion.

Furthermore, economic evaluation by Chan (2020) demonstrated negative economic consequences, reporting that fishers heavily impacted by displacement from the newly closed area experienced a 7% decrease in CPUE and a 9% reduction in revenue per trip, resulting in a $3.5 million loss in the 16 months post-expansion, attributed to being excluded from previously productive fishing grounds.

Ecologically, evaluations of related oceanic MPAs in the region yield negative or null results. Research by Gilman et al. (2020) found a causal effect of an 84% reduction in standardized bigeye tuna catch rate attributable to the earlier 2009 Kingman/Palmyra MPA intervention, potentially caused by excluding fishing from naturally productive submerged features, and found no causal impacts on species diversity or mean trophic level of the catch; and Blanluet et al. (2025), using non-fisheries-dependent acoustic data from dFADs near Palmyra Atoll, found no measurable increase in tuna biomass density inside the protected area, consistent with expectations for reserves located in areas of low pre-closure fishing pressure. Hampton et al (2023) examined impacts of oceanic MPAs in an adjacent archipelago, Phoenix Islands Protected Area (PIPA), which had relatively high fishing pressure on skipjack and bigeye tunas from purse seine and longline fisheries before it was closed. Hampton et al (2023) determined that despite closing PIPA from significant exploitation, there was no evidence of spillover effect. Further analyses by Hampton et al (2023) concluded limited conservation efficacy for the tropical tunas by closing up to 33% of the Western and Central Pacific Ocean to fishing, given that fishing effort would otherwise be displaced elsewhere in the range of the tuna species. Hampton et al (2023) concluded that large oceanic MPAs are likely not "effective frontline management tools for tropical tunas and other species having similar life history characteristics."

Accordingly, in 2025, vessels from the Hawaii longline fishery fished in the action area around Johnston Atoll and did not experience an increase in catch, catch rates, or size of target species that would be expected if the closed area increased abundance in targeted species (See Table 10). Based on the research cited above, along with the information derived from longline fishing within the EEZ around Johnston Atoll in 2025, it is not believed that No Action will contribute to a spillover effect for the targeted, highly migratory pelagic species. In addition, all targeted tuna stocks within the WCPO are currently assessed to be not subject to overfishing or in an overfished condition (Table 3).

3.2.4.4.2 Alternative 2

As previously described, the Magnuson-Stevens Act directs the Council and NMFS to manage fisheries across the entirety of a stock's range to ensure conservation and management measures that prevent overfishing while achieving, on a continuing basis, the optimum yield from each fishery. Effort and catch limits, in addition to all other management measures, will not be affected by this action as management measures are applied through a stocks range.
Under this alternative, the proposed action would expand the available fishing ground to longline fishing within the Action Area, which represents 1.9% of the total US EEZ available to U.S. longline fishing. Longline fishing is expected to resume seaward of 50 nmi around Johnston Atoll and purse seine fishing around Jarvis Island, with more effort expected around Johnston comparatively. Longline fishing is not expected to occur within the EEZ of Wake Island given the distance from the port of Honolulu and limited historical effort. Hawaii-based longline vessels have fished within the PRIA, with Johnston and Palmyra Atolls seeing the most effort

within the historical time period. Even with this fishing in the past, the PRIA were reported to be in pristine condition at the time of the PRI monument designation. Under this alternative, fishing effort is not expected to exceed historic levels within the Action Area.

No additive-impacts to target or non-target stocks are expected given the lack of change in total fishing effort as a result of this alternative as compared to the entire range of the managed stocks. If any managed stock becomes overfished or is experiencing overfishing, NMFS will work with the Council and WCPFC for internationally managed stocks to determine whether additional action is warranted upon review and analysis of new data available under the fishery management council process proscribed under the authorities of the Magnuson-Stevens Act and WCPFC Convention Implementation Act.

3.2.4.4.3 Alternative 3

Effects on the fishery in terms of fishing effort and catch are expected to be the same under Alternatives 2 and 3. Under Alternative 3, only vessels with EM or at-sea observers will be allowed to fish within the Action Area. The Council recognizes that some vessels may be prohibited from fishing in the Action Area if the vessel is not assigned an at-sea observer or does not have an EM system installed.

At the end of 2025, 17 vessels (out of 149 active vessels) are equipped with EM systems. NMFS intends to install EM systems on 50 vessels a year to complete installation on all longline vessels in 2028. While NMFS is committed to providing the initial EM system aboard vessels, vessels may opt to purchase an EM system prior to their NMFS scheduled installation date to allow them earlier access to fish in the Action Area. NMFS and fishery participants would need to coordinate on hardware, software, and configuration in order to provide the proper specifications for a comparable EM system. During this time, vessels may also fish within the Action Area if an at-sea observer is onboard and may request one from NMFS.

Enhanced monitoring will allow NMFS to collect a more robust dataset of catch and effort information in the Action Area that will help identify potential trends in fishing activity and catch. This would support the Council and NMFS consideration if additional management measures are necessary in the future. Alternative 3 also limits the amount of fishing that may occur in the Action Area in the near-term to those with EM or an observer, meaning that the impacts from fishing specifically in that area are likely to be low due to low participation. However, the potential for additional impacts due to an increase of EM in the fleet is likely low due to the historical low levels of fishing effort in the Action Area.

3.2.5 Purse Seine Fishery

Detailed information regarding the U.S. purse seine fleet is incorporated by reference from the Programmatic Environmental Assessment for the Implementation of Decisions of the Western and Central Pacific Fisheries Commission on Management of Tropical Tunas in the Western and Central Pacific Ocean from 2015-2020 (NMFS 2015) and its Supplemental Environmental Assessment to Update through 2025 (NMFS 2021). Fleet characteristics, monitoring and management, and catch and effort are described only briefly in this DEA given that the fishery is not directly managed by the Councils under the MSA.

3.2.5.1 Fleet Characteristics

U.S. purse seine vessels in the WCPO range in length from 53 to 79 m in registered length with the largest being able to hold up to 2,200 m^3 of frozen fish. Vessels in this fishery

rely on multiple methods to identify tuna school locations including the use of FADs and observations. In 2020, 14 out of 24 of the United States WCPO purse seine fishery vessels maintained helicopters onboard to additionally assist in spotting schools of tuna. Once a school is identified, the purse seining technique for catching tuna involves employing a net that is set vertically in the water with floats attached to the upper edge and chains for weight on the lower edge. Purse seine nets can be up to 1,500 meters (m) or more in length and 150 m deep.

Participation in the U.S. purse seine fishery increased from the late 1980s to the mid-1990s, peaking at around 50 vessels, and then gradually decreased until reaching 13 vessels in 2006. From 2011 - 2017, participation increased to about the levels of the mid 1990s before declining again following 2020. Currently, the U.S. purse seine fleet includes 12 vessels participating, which is close to half of the number of vessels that operated in 2020.

Purse seine catch is stored onboard as a frozen whole product. Most of the purse seine catch has historically been off-loaded to canneries in Pago Pago, American Samoa. However, recently, more vessels have shipped their catches from the ports of other Pacific Island countries to canneries in Southeast Asia and Latin America. Cannery products from American Samoa are typically destined for U.S. canned tuna markets. Catches of non-tuna species are consumed onboard the vessel or discarded at sea.

Fishing is the primary economic driver for American Samoa with its tuna cannery providing over 80 percent of the territory's private employment and over 99% of its exports. The cannery processes about 100,000 tons of tuna per year with much of it coming from purse seine fisheries. U.S. purse seine fishery landings in American Samoa provides direct economic effects including ex-vessel values as well as crew and captain employment/income. Indirectly, the fishery provides economic impacts from fishing operations through the costs of fuel, food, and gear (Chan 2023). The economic impact from both direct and indirect impacts were modeled to be between $291.5 M and $292.5 M which is more than a quarter of the total economic output of American Samoa in 2019. Chan 2023 estimated that for every $1 of ex-vessel value in American Samoa, an additional $3.30 of sales is generated, supporting $1.60 of the American Samoa GDP.

3.2.5.2 Monitoring and Management

The U.S. purse seine fishery is authorized to engage in commercial fishing in the WCPO pursuant to regulations implementing the WCPFC Implementation Act (50 CFR 300 Subpart O), High Seas Fishing Compliance Act (50 CFR 300 Subpart R), Tuna Conventions Act (50 CFR 300 Subpart C), and Magnuson-Stevens Act.

WCPFC establishes binding conservation and management measures (CMMs) including total allowable fishing day limits, seasonal prohibitions on Fish Aggregating Devices (FADs), and a comprehensive compliance regime featuring 100% human observer coverage and satellite-based Vessel Monitoring Systems (VMS). South Pacific Tuna Treaty (SPTT) manages access of U.S. purse seine vessels to the EEZs of Pacific Islands Parties to the SPTT and provides for technical assistance in the area of Pacific island country fisheries development. The SPTT is implemented domestically by regulations (50 CFR 300 Subpart D) issued under authority of the South Pacific Tuna Act of 1988 (SPTA; 16 U.S.C. § 973-973r).

The U.S. purse seine fleet is managed through fishing effort limits in terms of fishing days. The limits applied to the high seas and the U.S. EEZ within the Convention Area, between the latitudes of 20° N. and 20° S., an area referred to in U.S. fisheries regulations as the Effort Limit Area for Purse Seine, or ELAPS. In 2010, the WCPFC implemented a 100% observer

coverage requirement for all purse seine vessels operating in the WCPO (CMM 2008-01). Since implementation, all purse seine vessels have operated with an at-sea observer from the Commission's Regional Observer Programme.

Since the late 1990s, the U.S. purse seine fishery has increased its reliance on sets made on drifting FADs setting on natural floating objects had been a practice since inception of the fishery. Reliance on FADs has varied greatly however, accounting for more than 90% of all sets in some years, and less than 30% in other years. In 2009, WCPFC began implementing restrictions on FAD use. Initial regulations established one or more closed periods each year during which purse seine vessels were prohibited from fishing on FADs in the WCPFC Convention Area, with additional restrictions established more recently to limit the number of FAD sets per year and the number of FADs allowed per vessel.

3.2.5.3 Effort and Catch

From 1997-2010, the U.S. purse seine fleet in the WCPO conducted 6 percent of its effort in the U.S. EEZ, 22 percent on the high seas, and the remainder in the EEZs of Pacific Island Parties to the SPTT (unpublished NMFS data). Skipjack tuna generally accounts for around 80 percent of the U.S. purse seine catch, yellowfin tuna for about 16 percent, and bigeye tuna for the remaining portion (about 4 percent).

The U.S. purse seine catch in the WCPFC Convention Area (excluding catch in high seas by American Samoa-based purse seine vessels) was 30,833 mt in 2024, which is significantly less than total annual catch for 2020 (137,406 mt). The 2024 catch was primarily composed of skipjack tuna (84%), with smaller catches of yellowfin (3%) and bigeye tuna (13%). The skipjack catch has fluctuated over the past five years ranging from 25,894 mt in 2024 to 116,886 mt in 2020 with variable participation in the U.S. fleet with only 12 vessels operating in 2024 compared to 23 vessels in 2020. A total of 459 days of fishing occurred in 2024 in the WCPFC Convention Area (excludes days fished in the high seas by American Samoa-based vessels). Additional details on catch and effort by the U.S. purse seine fishery in the WCPO is incorporated by reference from the 2025 U.S. Annual Report to the Commission (NMFS 2025).

3.2.5.4 Retained Catch

Based on observer data, the U.S. purse seine fleet operating in the WCPO primarily catches skipjack with smaller catches of yellowfin and bigeye tuna. As depicted in Table 11 below, the purse seine fleet also catches a small amount of various non-target fish species, some of which is retained.

Table 11: A summary of retained catch by the U.S. purse seine fleet in metric tons between 2015-2024

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	Avg	SD
Black Marlin	12.4	2.9	5.0	3.0	3.1	1.4	2.0	0.3	0.2	4.7	3.5	3.4
Blue Marlin	8.7	3.0	6.8	6.0	4.7	9.3	2.4	3.5	3.9	2.5	5.1	2.4
Mahimahi	1.7	1.0	12.5	7.4	8.3	3.9	12.8	3.0	19.0	5.3	7.5	5.5
Other Marlins	1.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.4

Other Pelagic[1]	4.4	4.5	3.9	5.6	1.4	1.0	2.0	1.7	0.7	1.0	2.6	1.7
Pomfrets	0.3	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Sailfish	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Spearfish	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Striped Marlin, North Pacific	0.0	0.0	0.0	0.2	0.5	0.4	0.1	0.5	0.0	0.2	0.2	0.2
Striped Marlin, South Pacific	0.1	0.1	0.0	0.3	0.1	0.6	0.0	0.0	0.0	0.0	0.1	0.2
Swordfish, South Pacific	0.0	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Tuna, Bigeye	2,328	5,961	7,822	9,677	5,452	11,813	8,902	10,975	9,677	9,640	8,225	2,736
Tuna, Skipjack	229,599	185,396	160,466	177,652	161,045	127,485	58,755	55,977	72,129	83,540	131,204	57,625
Tuna, South Pacific Albacore	0.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Tuna, Unidentified[2]	0.0	0.0	0.0	0.0	1.0	0.0	0.0	0.0	0.0	0.0	0.1	0.3
Tuna, Yellowfin	19,354	19,701	26,677	23,358	23,244	12,411	6,767	6,766	11,388	3,335	15,300	7,783

[1] Other pelagics include Mola spp, Pelagic stingray, Ribbonfishes, Great barracuda, Lancetfish, Snake mackerel, Rainbow runner, Dogtooth tuna, and other Pelagic fishes.
[2] Other tunas include Kawakawa, Frigate tuna, and other tunas

3.2.5.5 Released Catch

The purse seine fishery has a small amount of released or non-retained catch as described in Table 12.

Table 12: A summary of discarded catch by the U.S. purse seine fleet in metric tons between 2015-2024

	2015	**2016**	**2017**	**2018**	**2019**	**2020**	**2021**	**2022**	**2023**	**2024**	**Average**	**SD**
Black Marlin	89.4	23.9	21.3	20.1	18.9	12.2	13.8	10.1	4.4	3.7	21.8	23.5
Blue Marlin	36.4	21.0	33.5	33.0	30.3	21.7	9.8	8.8	108.8	15.7	31.9	27.3
Blue shark	0.0	0.0	0.5	0.0	0.2	0.0	0.0	0.2	0.0	0.2	0.1	0.2
Mahimahi	6.7	21.9	43.3	26.0	12.4	6.1	56.4	38.5	439.3	37.0	68.8	124.5

Mako shark	0.1	0.0	0.0	0.0	0.3	0.1	0.0	0.0	0.0	0.0	0.0	0.1
Other marlins	12.8	2.5	1.0	0.1	2.7	0.4	0.0	0.0	0.0	0.0	1.9	3.8
Other Pelagic[1]	84.1	219.3	54.1	77.9	82.7	25.2	20.1	8.3	10.3	22.2	60.4	60.2
Other Shark	95.4	115.9	154.2	124.2	112.5	586.2	399.5	199.2	71.4	225.9	208.4	154.6
Pomfrets	0.0	0.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Sailfish	0.9	0.3	0.2	1.4	0.6	0.0	0.1	0.0	0.2	0.0	0.4	0.4
Spearfish	0.1	0.1	0.1	0.2	0.1	0.0	0.0	0.0	0.2	0.0	0.1	0.1
Striped Marlin, North Pacific	2.5	1.6	1.4	0.9	2.8	0.5	1.3	0.1	1.6	0.4	1.3	0.8
Striped Marlin, South Pacific	6.2	3.9	2.8	1.5	2.3	0.3	0.0	0.3	0.6	0.0	1.8	1.9
Swordfish, North Pacific	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0
Swordfish, South Pacific	0.0	0.0	0.0	0.3	0.1	0.0	0.0	0.1	0.0	0.0	0.1	0.1
Tuna, Bigeye	8.4	18.6	14.5	27.2	25.1	68.9	21.2	23.0	20.7	84.1	31.2	23.5
Tuna, Skipjack	2,141	786	1,100	1,657	1,471	525.7	197.0	437.2	790.0	593.4	969.8	582.9
Tuna, South Pacific Albacore	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.0	0.0	0.0
Tuna, Unidentified[2]	0.0	0.0	18.0	20.8	0.0	0.0	0.0	0.0	0.0	7.0	4.6	7.7

[1] Other pelagics include Mola spp, Pelagic stingray, Ribbonfishes, Great barracuda, Lancetfish, Snake mackerel, Rainbow runner, Dogtooth tuna, and other Pelagic fishes.
[2] Other tunas include Kawakawa, Frigate tuna, and other tunas

3.2.5.6 Fishing in the PRIAs

Catch and effort data for the U.S. purse seine vessels inside the U.S. EEZ and PRIA, on the high seas, and in non-US (foreign) EEZs between 1988 and 2022 is reported in PIFSC Data Reports DR-23-04 and DR-23-08 and is summarized below and in Table 13 and **Figure 5**–**Figure 7**.

From 1988-2008, prior to the establishment of the PRIMNM, retained catch from purse seine fishing effort in the EEZs of the PRIA ranged from a low of 642 to high of 37,480 mt per year, representing 0.3-25.6% of total catch. Fishing days within the EEZ of the PRIA ranged from 39 to 1463 days annually, representing 0.5-21.1% of fishing days in PRIA waters (1988-1989 there were zero fishing days).

Between 2009 and 2014, following the establishment of the PRIMNM, retained catch from purse seine fishing effort in the EEZs of the PRIA, within the reduced fishing area, ranged from 418 to 3,779 mt annually, representing 0.2-1.5% of total catch. Fishing days within the

EEZs of the PRIA ranged from 12 to 139 days annually, representing 0.2-1.7% of fishing days in PRIA waters.

From 2015 to 2024, following the PRIMNM expansion, retained catch from purse seine fishing effort within the reduced fishing area (Howland and Baker islands and Kingman Reef and Palmyra Atoll) has ranged from 1,524 to 5,889 mt, representing 0.8-10.8% of total catch . Fishing days ranged from 39 to 131 days annually, representing 0.9-9.6% of fishing days in PRIA waters (2015 there were zero fishing days). The two highest years on record have been 2021 and 2022, with 113 and 131 fishing days respectively. In 2021 and 2022 the effort and retained catch in the open PRIA areas was 11% of total retained catch, annually. In subsequent years 2023 and 2024, effort varied between 3.2% and 9.1%, respectively.

Purse seine tuna catch from the PRIA is landed primarily in American Samoa. From 1988 – 2008, 83% of tuna were landed in American Samoa. From 2009 – 2014 the annual average was 78%, and from 2015 – 2021 the annual average was 91%.

Within the Action Area of this proposed action, fishing only occurred around Jarvis Island between 1988-2014. Purse seine fishing did not occur around Johnston Atoll or Wake Island. Prior to the establishment of the PRIMNM, fishing days around Jarvis ranged from 0 to 339 days, representing 0% - 5.7% of total fishing days of the fleet. Retained catch from around Jarvis ranged from 0 to 12,499 mt, representing 0 - 5.8% of total retained catch by the fleet. Following the expansion of PRIMNM at the end of 2014, fishing days around Jarvis between 50 to 200 nmi ranged from 0 to 54 fishing days, representing 0 - 0.7% of total fishing days of the fleet. Retained catch from 50 to 200 nmi around Jarvis Island ranged from 0 to 2,692 mt, representing 0 - 1.1% of total retained catch.

As summarized in PIFSC Data Report DR-23-15, U.S. purse seine vessels fish in EEZ waters around the PRIAs (Howland & Baker, Kingman & Palmyra, and Jarvis); however, effort and retained catch varies annually. Pre-COVID-19 (2010–2019), the average annual catch (mt or 1,000 kg) was 2,317 mt with an ex-vessel value of $4,177,341. During COVID-19 (2020–2022), vessels fished more frequently in the PRIAs, with an average annual catch of 5,554 mt and a doubling in value ($8,298,544). On average, 85% of the catch from the PRIAs is delivered to Pago Pago, American Samoa.

Table 13: Annual summary of USA purse seine catch and effort inside PRIA EEZ. Adapted from PIFSC-DR-04

Year	Howland and Baker - Fishing Days	Howland and Baker - Retained Catch (mt)	Jarvis - Fishing Days	Jarvis - Retained Catch (mt)	Palmyra Atoll - Fishing Days	Palmyra Atoll - Retained Catch (mt)	Fishing Days in PRIA (%)	Retained Catch from PRIAs (%)
Pre-PRIMNM Establishment								
1988	0	0	0	0	0	0	0.00%	0.00%
1989	0	0	0	0	0	0	0.00%	0.00%
1990	760	19,551	0	0	15	348	11.90%	11.90%
1991	69	1,676	0	0	0	0	1.00%	0.80%

1992	507	13,182	0	0	0	0	6.70%	6.30%
1993	479	12,359	0	0	0	0	5.80%	6.10%
1994	355	14,898	339	12,499	cd	cd	8.40%	12.80%
1995	39	467	0	0	0	0	0.50%	0.30%
1996	187	3,653	0	0	cd	cd	2.60%	2.50%
1997	1,120	30,445	335	6,870	8	172	21.10%	25.60%
1998	435	17,086	cd	cd	0	0	7.10%	9.80%
1999	200	10,813	cd	cd	0	0	4.20%	5.90%
2000	81	1,405	32	704	cd	cd	2.50%	1.70%
2001	302	6,530	0	0	0	0	6.10%	5.70%
2002	86	796	316	6,318	0	0	7.30%	6.20%
2003	193	4,448	0	0	cd	cd	4.10%	5.10%
2004	57	257	183	3,062	39	968	6.80%	6.40%
2005	87	2,244	cd	cd	31	1,271	3.80%	4.20%
2006	178	5,860	0	0	0	0	6.70%	8.50%
2007	45	370	34	955	cd	cd	2.90%	1.50%
2008	40	642	cd	cd	0	0	0.60%	0.30%
Pre-PRIMNM Expansion								
2009	40	1,826	24	782	0	0	0.80%	1.00%
2010	12	451	0	0	cd	cd	0.20%	0.20%
2011	19	418	cd	cd	0	0	0.20%	0.20%
2012	58	868	54	2,692	cd	cd	1.40%	1.40%
2013	74	1,851	43	1,330	22	598	1.70%	1.50%
2014	115	3,357	13	128	cd	cd	1.50%	1.20%
Post-PRIMNM Expansion								
2015	cd	cd	0	0	0	0	0.00%	0.00%
2016	75	2,927	0	0	cd	cd	1.30%	1.50%
2017	88	3,159	0	0	cd	cd	1.60%	1.90%
2018	65	1,549	0	0	cd	cd	1.10%	0.80%
2019	23	837	0	0	17	687	0.90%	0.90%
2020	68	3,215	0	0	31	2,114	2.70%	3.90%

2021	66	3,059	0	0	47	2,384	7.70%	10.80%
2022	94	3,948	0	0	37	1,941	9.60%	10.60%
2023	60	1,902	0	0	10	477	4.20%	3.20%
2024	52	3,334	0	0	36	2,434	7.9	9.10%

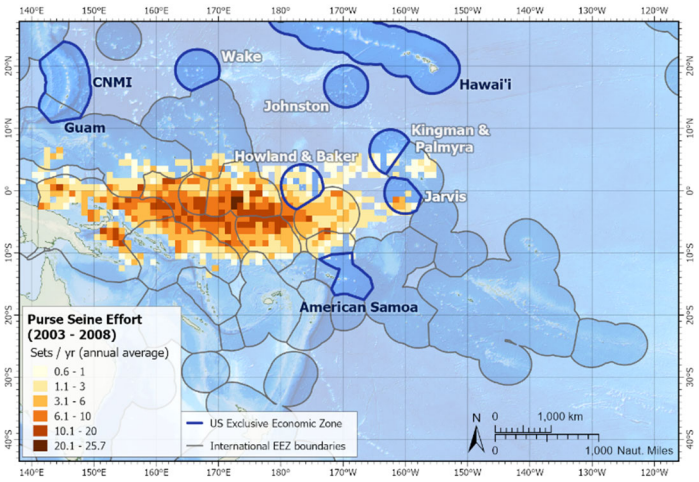

Figure 5: Purse seine fishing effort in the PRIMNM pre-establishment (2003-2008)

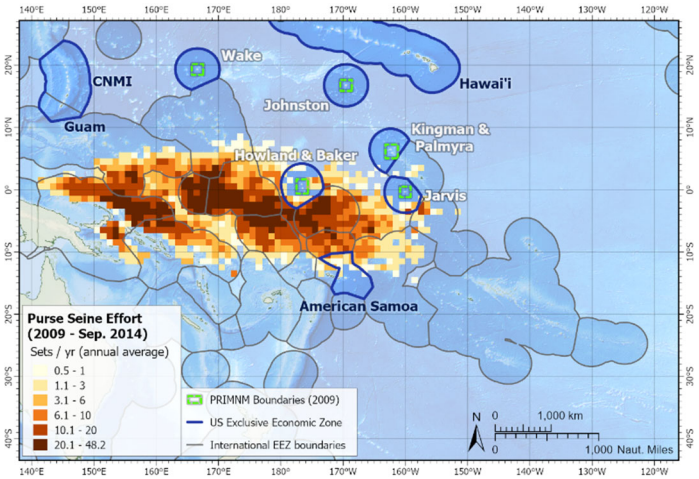

Figure 6: Purse seine fishing effort in the PRIMNM pre-expansion (2009-Sept. 2014)

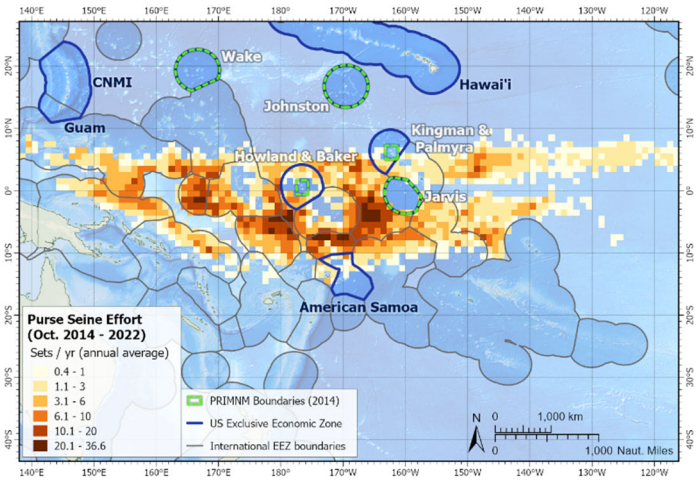

Figure 7: Purse seine fishing effort in the PRIMNM post-expansion (Oct 2013-2022)

3.2.5.7 Environmental Consequences on Purse Seine Fishery

3.2.5.7.1 Alternative 1

Under this alternative, purse seine fishing would not be allowed within the Action Area. All other management measures would remain in place, including total allowable catch limits for all managed stocks and reporting and monitoring requirements for catch and effort. Fishing effort of catch is expected to remain at similar levels for the purse seine and target stocks would remain not experiencing overfishing and not overfished status.

3.2.5.7.2 Alternative 2

Under Alternative 2, purse seine fishing is not expected to occur around Wake Island and Johnston Atoll given the lack of historical fishing in this area. Fishing around Jarvis Island is likely to resume with this action. Fishing effort around Jarvis Island may represent a similar or higher proportion of the total effort and total retained catch compared to levels reported pre-establishment of the PRIMNM, given the proportional increase in effort observed within the open PRIA areas in most recent years (Table 12). Interannual variation in effort within the PRIA has been observed and is expected to continue. However, given the significant decrease in fleet size since 2020 and the corresponding decrease in overall effort, total fishing days or catch around Jarvis Island is not expected to reach pre-establishment levels.

Consistent with National Standard 3 of the Magnuson-Stevens Act, managed stocks will continue to be assessed throughout their range. Impacts to target or non-target stocks are not expected under this Alternative given the lack of change in total catch and effort limits for the fishery and the relatively limited area that will be open to fishing compared to the entire range of the managed stocks. If any managed stock becomes overfished or is experiencing overfishing, NMFS will work with the Council and WCPFC for internationally managed stocks to determine whether additional action is warranted upon review and analysis of new data available under the fishery management council process proscribed under the authorities of the Magnuson-Stevens Act and WCPFC Implementation Act .

3.2.5.7.3 Alternative 3

The purse seine fishery has been subject to a 100% monitoring requirement since 2010. Therefore, Alternative 3 would have the same effects described in Alternative 2.

3.3 Protected Species

The Council and NMFS manages living marine resources within the PRIMNM and on the high seas through authorities under the Endangered Species Act of 1973 (ESA; 16 U.S.C. § 1531 et seq.), the Migratory Bird Treaty Act (MBTA; 16 U.S.C. § 703–712), and the Marine Mammal Protection Act (MMPA; 16 U.S.C. § 1361 et seq.). NMFS and USFWS share responsibility for the administration of Endangered Species Act (ESA), which focuses on conserving and protecting threatened and endangered species. USFWS manages terrestrial and freshwater species, including sea birds, while NMFS is responsible for the management of most marine species, including whales, sharks, seals, and coral. USFWS and NMFS share jurisdiction over sea turtles.

Similar to pelagic MUS, many protected species within the marine environment have highly migratory life histories. They primarily live in the open ocean and migrate long distances across jurisdictional boundaries, though some species spend portions of time nearshore and in island-associated terrestrial habitats. The ESA lists species as endangered or threatened if it is at risk "*throughout all or a significant portion of its range*" (16 U.S.C. § 1532). The Marine Mammal Protection Act (MMPA) defines conservation and management "*for the purposes of increasing and maintaining the number of animals within species and populations of marine mammals at their optimum sustainable population*" (16 U.S.C. § 1362). Protected species that occur within the Action Area are analyzed here across their population and throughout the entirety of its range, as authorized by the ESA and MMPA.

3.3.1 Methodology for environmental consequences on protected species

The following sections identify and evaluate potential impacts to ESA-listed species under Alternatives 1, 2, and 3. The analysis specifically considers the following:

- Levels of protected species interactions
- Impacts to a listed species throughout all or a significant portion of its range

Under all outcomes associated with the alternatives, the current and maximum foreseeable levels of fishing effort by all fisheries managed through the PRIA and Pelagic FEPs will continue to be subject to applicable biological opinions, including regulations implementing the terms and conditions required to mitigate impacts on protected species. NMFS is required to re-initiate consultation under ESA Section 7 if the level of anticipated take in any ITS is exceeded or another criterion for reinitiation is triggered. To meet management mandates, the Council will continue to work with NMFS to develop protected species mitigation measures as resource issues are identified through reporting and monitoring.

3.3.2 Protected Species in the Action Area

Table 14 identifies protected species that may either reside within, or transit through, the Action Area and have the potential to interact with fisheries. Species are identified from the PRIA FEP and USFWS Environmental Conservation Online System (ECOS). The potential effect of fisheries operations on each species are determined by active BiOps. It includes each species' ocean zone (coastal, pelagic, or both) and classifies the potential effect of fishery operations on each species as no effect (N), discountable (D), or adverse (A). As documented in

the BiOps, potential effects on protected species from fishery operations stem from either fishing activities or vessel transiting. Longline fishing is prohibited in coastal areas, so species found only in coastal zones are primarily exposed to vessel transiting effects, which are generally considered discountable. Discountable effects (D) are those highly unlikely to occur, such as effects from vessel transiting (e.g., noise, collisions, waste, discharge, or emissions). NMFS also considers effects to be discountable for species that have not been observed as hooked, entangled, or depredating bait or catch, or for which observed interactions are exceedingly rare. Adverse effects (A) are identified when species have documented interactions with longline gear that are reasonably expected to continue. Effects are not determined for species not listed under the ESA.

Table 14: Protected species that may be present in the Action Area

Common Name	**Scientific Name**	**Ocean zone**	**ESA Status**	**HI DSLL**	**HI SSLL**	**ASLL**	**PS**
Sea Turtles							
Green sea turtle (Central South Pacific DPS and Central West Pacific DPS)	*Chelonia mydas agassizi*	Coastal/Pelagic	E	A	A	A	A
Hawksbill sea turtle	*Eretmochelys imbricata*	Coastal/Pelagic	E	D	D	A	A
Leatherback sea turtle	*Dermochelys coriacea*	Coastal/Pelagic	E	A	A	A	A
Loggerhead sea Turtle North Pacific DPS	*Caretta caretta*	Pelagic	E	A	A	A	A
Olive Ridley sea Turtle	*Lepidochelys olivacea*	Pelagic	T	A	A	A	A
Marine Mammals							
Blainsville beaked whale	*Mesoplodon densirostris*	Pelagic	Not ESA-listed				
Blue whale	*Balaenoptera musculus*	Pelagic	E	D	D	N	D
Bottlenose dolphin	*Tursiops truncatus*	Pelagic	Not listed				
Bryde's whale	*Balaenoptera edeni*	Pelagic	Not listed				
Common dolphin	*Delphinus delphis*	Pelagic	Not listed				
Cuvier's beaked whale	*Ziphius cavirostris*	Pelagic	Not listed				

Dall's porpoise	*Phocoenoides dalli*	Pelagic	Not listed				
Dwarf sperm whale	*Kogia simus*	Pelagic	Not listed				
False killer whale	*Pseudorca crassidens*	Pelagic	Not listed				
Fin whale	*Balaenoptera physalus*	Pelagic	E	D	D	N	D
Fraser's Dolphin	*Lagenodelphis hosei*	Pelagic	Not listed				
Hawaiian Monk Seal	*Monachus schauinslandi*	Coastal	E	D	D	N	N
Humpback whale (Central American DPS)	*Megaptera novaeangliae*	Pelagic	E	D	D	N	D
Killer whale	*Orcinus orca*	Pelagic	Not listed				
Longman's beaked whale	*Indopacetus pacificus*	Pelagic	Not listed				
Melon-headed whale	*Peponocephala electra*	Pelagic	Not listed				
Minke Whale	*Balaenoptera acutorostrata*	Pelagic	Not listed				
Pacific white-sided dolphin	*Lagenorhynchus obliquidens*	Pelagic	Not listed				
Pygmy killer whale	*Feresa attenuata*	Pelagic	Not listed				
Pygmy sperm whale	*Kogia breviceps*	Pelagic	Not listed				
Risso's dolphin	*Grampus griseus*	Pelagic	Not listed				
Rough-toothed dolphin	*Steno bredanensis*	Pelagic	Not listed				
Sei whale	*Balaenoptera borealis*	Pelagic	E	D	D	N	N
Short-finned pilot whale	*Globicephala macrorhynchus*	Pelagic	Not listed				
Sperm whale	*Physeter macrocephalus*	Pelagic	E	A	D	D	D
Spinner dolphin	*Stenella longirostris*	Pelagic	Not listed				
Spotted dolphin	*Stenella attenuata*	Pelagic	Not listed				
Striped dolphin	*Stenella coeruleoalba*	Pelagic	Not listed				
Fishes							

Giant Manta Ray	*Oceanodroma castro*	Coastal/Pelagic	T	A	A	A	A
Oceanic white tip shark	*Carcharhinus longimanus*	Pelagic	T	A	A	A	A
Scalloped hammerhead shark (Indo-West Pacific DPS)	*Sphyrna lewini*	Pelagic	T	A	N	A	A
Seabirds and Shorebirds							
Band-rumped storm petrel	*Oceanodroma castro*	Coastal/Pelagic	E	D	D	N	N
Black-footed albatross	*Phoebastria nigripes*		Not listed				
Bristle-thighed curlew	*Numenius tahitiensis*		Not listed				
Brown booby	*Sula leucogaster*		Not listed				
Christmas shearwater	*Puffinus nativitatis*		Not listed				
Frigatebirds	*Fregata spp.*		Not listed				
Hawaiian dark-rumped petrel	*Pterodroma phaeopygia sandwichensis*	Coastal/Pelagic	E	D	D	N	N
Laysan albatross	*Phoebastria immutabilis*		Not listed				
Masked booby	*Sula dactylatra*		Not listed				
Newell's Shearwater	*Puffinus auricularis newelli*	Coastal/Pelagic	T	D	D	N	N
Noddies	*Anous spp.*		Not listed				
Petrels	*Pseudobulweria spp., Pterodroma spp.*		Not listed				
Red-footed booby	*Sula sula*		Not listed				
Short-Tailed Albatross	*Phoebastria immutabilis*	Coastal/Pelagic	E	A	A	N	N
Tropicbirds	*Phaethon spp*		Not listed				
Wedge-tailed shearwater	*Puffinus pacificus*		Not listed				

More detailed information, including the range, abundance, status, and threats of listed species, is incorporated by reference from the status reviews, 5-year reviews, and recovery plans for each species found on the NMFS species directory. A brief overview of protected species is provided below.

3.3.3 Fishery Interactions

Logbook data for protected species interactions with longline and purse seine fisheries in the PRIA are incorporated by reference from PIFSC Data Report 23-21 and summarized briefly. Due to data confidentiality requirements (50 CFR 229.11), confidential data is excluded from this analysis.

Table 15 summarizes protected species interactions for the longline fisheries from DR-23-21. Between 1998-2021, protected species interactions with longline fisheries in the PRIA occurred around Johnston Atoll, Jarvis Island, Kingman Reef & Palmyra Atoll. Trips with interactions after 2015 were either zero or not disclosed due to confidentiality. Between 1998-2008, percent of hooks observed ranged from 5.3% to 36.9% for longline fisheries in the PRIA. Between 2009-2014, percent of hooks observed ranged from 14.8% to 30.1%.

Table 15: Summary of protected species interactions with longline fisheries in the PRIA between 1998-2021 *

	1998-2008	**2009-2014**
Sea turtles		
Green/black sea turtle	4	1
Leatherback sea turtle	4	4
Olive ridley sea turtle	13	4
Fishes		
Giant manta ray	N	18
Manta/mobula	24	3
Oceanic whitetip shark	1610	257
Scalloped hammerhead	27	0
Unidentified hammerhead	12	0
Marine Mammals		
False killer whale	5	0
Short-finned pilot whale	2	0
Unidentified porpoise	2	0
Spotted dolphin	1	0
Seabirds		

Black-footed albatross	3	2
Laysan albatross	3	1

*Annual interaction levels are not included for confidential data. Data collected after 2015 were either zero or confidential.

Table 16 summarizes protected species interactions for the purse seine fishery between 2010 to 2020 from DR-23-21. Data on interactions involving the purse seine fleet became available after 2010, when the requirement for 100% observer coverage was implemented. Between 2010-2020, protected species interactions with the purse seine fishery in the PRIA occurred around Jarvis Island, Howland and Baker islands, and Kingman Reef & Palmyra Atoll. No interactions occurred with seabirds within the Action Area.

Table 16: Summary of total protected species interactions with the purse seine fishery in the PRIA between 2010-2020 *

	2010-2020
Sea turtles	
Green/black sea turtle	1
Leatherback sea turtle	1
Fishes	
Giant manta ray	7
Oceanic whitetip shark	24
Marine Mammals	
False killer whale	1
Bryde's whale	1
Spinner dolphin	6

*Annual interaction levels are not included for confidential data.

3.3.4 Endangered Species Act

Section 7(a)(2) of the ESA requires each federal agency to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of critical habitat of such species. Species may be managed by a distinct population segment (DPS) if there is a population or group of populations that is discrete from other populations of the species and significant in relation to the entire species (61 FR 4722).

Biological opinions (BiOps) provide comprehensive analyses of the effects of fisheries on species listed under the ESA. BiOps also include estimates of the anticipated incidental take of ESA-listed species that may result from the proposed action. If the level of incidental take for any listed species exceeds the amount authorized in the BiOp, NMFS is required to immediately

reinitiate formal consultation under the ESA. As provided in 50 CFR 402.16, reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained or is authorized by law, and if:

1. The amount or extent of incidental take for any species is exceeded (incidental take statement, ITS);
2. New information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion;
3. The agency action is subsequently modified in a manner that may affect listed species or critical habitat to an extent in a way not considered in this opinion; or
4. A new species is listed or critical habitat designated that may be affected by the action.

Consultation history, detailed information on the life histories, and information on anticipated incidental take of ESA-listed species in the purse seine, Hawaii deep-set longline, Hawai‘i shallow-set, and American Samoa longline fisheries are incorporated by reference from the following BiOps. As authorized by the ESA, impacts from the fishery are analyzed as a whole on listed species across their population and throughout the entirety of its range, and effects considered are not limited to a specific geographic area or a limited subset of fishery operations. All active biological opinions for the longline and purse seine fisheries are listed below:

- Hawaii Shallow-set Longline
    - NMFS. 2024. Supplemental Biological Opinion for Hawaii Shallow-Set Longline Fishery for North Pacific Loggerhead Sea Turtles
    - NMFS. 2019. Biological Opinion on the Continued Authorization for the Hawaii Pelagic Shallow-Set Longline Fishery.
    - UWFS. 2012. Biological Opinion of the U.S. Fish and Wildlife Service for the Operation of Hawaii-based Pelagic Longline Fisheries
- Hawaii Deep-set Longline
    - NMFS. 2023. Biological Opinion for the Authorization of the Hawaii Deep-Set Longline Fishery
    - UWFS. 2012. Biological Opinion of the U.S. Fish and Wildlife Service for the Operation of Hawaii-based Pelagic Longline Fisheries
- American Samoa Longline
    - NMFS. 2023. Biological Opinion for the Authorization of the American Samoa Longline Fishery
- Purse Seine
    - NMFS. 2025. Supplement to the Authorization of the U.S. West and Central Pacific Purse Seine Fishery for Oceanic Whitetip Sharks
    - NMFS. 2021. Biological Opinion for the Authorization of the United States Western and Central Pacific Ocean Purse Seine Fishery

These documents can be found by clicking on the hyperlinks, by searching the following website, or by contacting NMFS using the contact information at the beginning of the document. In early 2025, the Hawaii DSLL fishery exceeded the ITS for threatened oceanic whitetip sharks and endangered leatherback sea turtles. NMFS is developing a biological assessment of the fishery in light of this ITS exceedance and will reinitiate consultation under section 7 of the ESA when that analysis is complete.

3.3.4.1 ESA-listed Sea Turtles

Four ESA-listed species of sea turtles are likely or have the potential to occur within the Action Area: green (*Chelonia mydas*), hawksbill (*Eretmochelys imbricata*), leatherback (*Dermochelys coriacea*), and olive ridley (*Lepidochelys olivacea*). Loggerhead sea turtles (*Caretta caretta*) are also ESA-listed and known to interact with purse seine and longline fisheries in the WCPO. However, due to their known population distribution and migratory patterns, loggerhead sea turtles are not likely to occur within the area (Briscoe et al. 2021), though rare occurrence is possible around Johnston Atoll based on historic interaction data. No species of sea turtles are known to nest on Johnston Atoll or Wake and Jarvis islands.

Likelihood of occurrence for each species in the Action Area is described in Table 17 and was identified using USFWS ECOS and fisheries interaction data (USFWS 2026). More detailed information, including the range, abundance, status, and threats of listed species, is incorporated by reference from the status reviews, 5-year reviews, and recovery plans for each species found on the NMFS species directory (NMFS 2026).

Table 17: Likelihood of occurrence for sea turtles in the Action Area

Common Name	Scientific Name	Population & Status	Likelihood of occurrence in Action Area
Green Sea Turtle	*Chelonia mydas*	Central North Pacific DPS - Threatened Central South Pacific DPS and Central West Pacific DPS - Endangered	Likely to occur
Leatherback Sea Turtle	*Dermochelys coriacea*	Western Pacific DPS - Endangered	Potential to occur
Olive Ridley Sea Turtle	*Lepidochelys olivacea*	Pacific populations - Threatened	Potential to occur
Hawksbill	*Eretmochelys imbricata*	Endangered	Potential to occur
Loggerhead	*Caretta caretta*	North Pacific Ocean DPS - Endangered	Not likely to occur

Green sea turtles have been observed foraging and resting around Johnston Atoll, Jarvis and Wake Island with a particularly high density of green sea turtles at Jarvis Island (Becker et al. 2019). On July 19, 2023, NMFS issued a proposed rule to establish critical habitat for Distinct Population Segments (DPSs) of green sea turtles in the Western Pacific (88 FR 46572). Jarvis Island was proposed to provide high conservation value to the DPS; Johnston and Wake were proposed to provide low conservation value. A final rule has not been published.

From 1988-2021, longline fisheries interacted with green, leatherback, and olive ridley sea turtles within the PRIA, with the majority of interactions occurring around Kingman Reef and Palmyra Atoll. There were limited interactions between the longline fisheries and sea turtles

at Johnston Atoll: one interaction with a leatherback sea turtle in 2010 and four interactions with olive ridley sea turtles. No interactions with other sea turtle's species occurred with the longline fisheries around Wake or Jarvis islands. There were no interactions with the purse seine fishery and sea turtles within the study period (2010-2020) in the Action Area.

In 2023, the ITS for loggerhead sea turtles was exceeded for the SSLL fishery, prompting reinitiation of ESA Section 7 consultation on October 27, 2023. A Supplemental BiOp issued on March 12, 2024, concluded the fishery is not likely to jeopardize loggerhead sea turtles, and a new ITS took effect. The 2019 BiOp remained in effect for all other species, with no additional ITS exceedances in 2024. In 2025, the Hawaii DSLL fishery exceeded the ITS for endangered leatherback sea turtles. NMFS has developed a biological assessment of the fishery and draft biological opinion in light of this ITS exceedance and will reinitiate consultation under section 7 of the ESA when that analysis is complete.

Active biological opinions for purse seine and longline fisheries have concluded that the continued operation of the fisheries, in accordance with the FEP and implementing regulations, may affect but is not likely to jeopardize the continued existence of any ESA-listed sea turtle species.

3.3.4.1.1 Environmental Consequences on ESA-listed Sea Turtles

3.3.4.1.1.1 Alternative 1

Under Alternative 1, commercial fishing prohibitions would remain in place for the Action Area and there would be no change to the operations or fishing access of longline and purse seine fisheries. Vessels would continue to operate under existing permits and regulatory requirements, and current mitigation measures for ESA-listed sea turtles (e.g., gear configurations, handling requirements) would remain in effect. Therefore, no changes in the level or nature of interactions with ESA-listed sea turtles are expected relative to the baseline.

3.3.4.1.1.2 Alternative 2

Based on historic data, the longline fisheries may incidentally interact with sea turtles within the Action Area under Alternative 2. There have been no reported interactions with green sea turtles within the Action Area with all reported interactions with the longline fisheries having occurred around Kingman Reef and Palmyra Atoll. Similarly, the majority of interactions with olive ridley and leatherback sea turtles have been reported around Kingman Reef and Palmyra Atoll, with some interactions around Johnson Atoll and none around Wake or Jarvis islands (PIFSC Data Report 23-21). Additionally, longline fishing in the Action Area is not expected to have a significant effect on green sea turtles given the low conservation value proposed for Johnston Atoll and Wake Island and limited longline fishing expected around Jarvis Island. There have been no interactions by the purse seine fishery with sea turtles in the Action Area. Purse seine fishing is expected to increase around Jarvis and may interact with sea turtles given the high conservation value of the area, although no interactions have been reported and total interaction rates within the PRIA remain low.

Overall, Alternative 2 is not expected to have a significant impact on sea turtles given the low historical interaction rates with the Action Area across all species and fisheries. If the ITS for any sea turtles are exceeded for the longline or purse seine fisheries, NMFS will re-initiate consultation under ESA Section 7. To meet management mandates, NMFS and the Council will continue to develop sea turtle mitigation measures as resource issues are identified through reporting and monitoring.

3.3.4.1.1.3 Alternative 3

The impacts on sea turtles from Alternative 3 is expected to be the same as Alternative 2. In addition, under Alternative 3 all vessels will be monitored through EM systems or an at-sea observer if fishing within the Action Area. With 100% monitoring required, NMFS will be able to collect a robust dataset while ensuring resources are not being adversely affected.

Interactions levels with sea turtles under this Alternative would be similar to Alternative 2, but with 100% monitoring of fishing within the Action Area required by this Alternative, NMFS will collect a robust dataset to monitor sea turtle interaction rates. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis of new data available from enhanced monitoring under the fishery management council process proscribed under the authority of the Magnuson-Stevens Act and through continued monitoring of ITS exceedances established through BiOps.

3.3.4.2 ESA-listed Fishes

There are three species of fishes listed as threatened that may occur within the Action Area: Pacific scalloped hammerhead shark *(Sphyrna lewini*; Indo-West Pacific DPS), oceanic whitetip shark (*Carcharhinus longimanus*), and giant manta ray (*Mobula birostris*). There are no fishes listed as endangered within the Action Area. More detailed information, including the range, abundance, status, and threats of listed species, is incorporated by reference from the status reviews, 5-year reviews, and recovery plans for each species found on the NMFS species directory (NMFS 2026).

Purse seine and longline fisheries are known to interact with ESA-listed oceanic whitetip sharks and giant manta rays. Longline fisheries have also interacted with scalloped hammerhead sharks belonging to the Indo-West Pacific DPS, though only three interactions have been recorded since 2004 for the DSLL and none have been observed for the SSLL since 2004. Oceanic whitetip sharks make up the majority of listed fish interactions in the fisheries. The 2025 oceanic whitetip shark stock assessment (Neubauer and Large 2025) includes data from years following the implementation of Conservation and Mitigation Measures prohibiting retention and requiring release in a manner that reduces harm for both purse seine and longline fisheries and prohibiting wire leaders and shark lines in longline fisheries. This assessment concurred with the previous stock assessment in that the spawning stock biomass dropped to a low of approximately 4 % of the unfished spawning biomass in 2016, but that the stock has since increased to between 6 and 7 % of the unfished biomass in 2022/2023, or an approximately 50% increase in biomass. The assessment concluded that reductions in oceanic whitetip shark mortality due to the required release of captured sharks and other mitigation measures has substantially reduced fishery mortality, reducing it to below biological limit reference points that would preclude stock rebuilding. Their overall conclusions are that, while the stock is still depleted, it is showing signs of recovery (Neubauer and Large 2025).

An ITS is not required to provide protective coverage for oceanic whitetip sharks and giant manta rays because there are no take prohibitions under ESA Section 4(d) for these species.[4] However, active BiOps for all fisheries have included ITSs for oceanic whitetip sharks,

[4] On May 14, 2024, NMFS issued a proposed rule to issue protective regulations under section 4(d) which would apply to all of the prohibitions listed under sections 9(a)(1)(A) to 9(a)(1)(G) to oceanic whitetip sharks (89 FR 41917). The proposed rule has not been finalized.

giant manta rays, and scalloped hammerhead sharks to monitor take and serve as reinitiation triggers to ensure that continued authorization of the fishery remains consistent with a "no jeopardy" determination.

At present, the DSLL, ASLL, and purse seine fisheries include ITSs for ESA-listed elasmobranchs based on a 5-year running sum for each species rather than annual interactions to account for interannual variability. If the maximum allowable running sum is exceeded in any five consecutive years, consultation must be reinitiated to reassess the fishery's impact on these species. A calendar year ITS is still applied for the SSLL fishery.

On March 6, 2025, NMFS published a supplemental BiOp for Oceanic Whitetip Sharks after the initial five-year ITS was exceeded in the purse seine fishery. The BiOp concluded that the fishery is not likely to jeopardize the continued existence of oceanic whitetip sharks and a new ITS took effect based on a 5-year running sum. On September 2025, the DSLL exceeded its 5-year running sum. More information on this will be included in the supplemental BiOp.

Pelagic fisheries have historically interacted with giant manta rays, oceanic whitetip sharks and scalloped hammerhead sharks within the PRIA. Interactions with the longline fisheries and oceanic white tip sharks occur within the EEZ around Kingman Reef and Palmyra Atoll and Johnston Atoll. The majority of interactions with giant manta rays and scalloped hammerhead sharks occurred around Kingman Reef and Palmyra Atoll. Around Johnston Atoll, there have only been two interactions with manta rays/giant manta rays and two interactions with scalloped/unidentified hammerheads. In 2002, there were interactions with 18 scalloped hammerhead sharks, 6 unidentified hammerhead sharks, and 52 oceanic white tip sharks. However, no interactions around Jarvis with any ESA-listed fishes have occurred since (data confidential years not included).

The majority of interactions with the purse seine fishery in the PRIA occurred around Howland and Baker islands. The purse seine fishery interacted with two giant manta rays around Jarvis Island in 2013. No other interactions with the purse seine fishery and ESA-fishes around Jarvis have been reported.

Active biological opinions for purse seine and longline fisheries have concluded that the continued operation of the fisheries, in accordance with the FEP and implementing regulations, may affect but is not likely to jeopardize the continued existence of any ESA-listed shark and ray species.

3.3.4.2.1 Environmental Consequences on ESA-listed Fishes

3.3.4.2.1.1 Alternative 1

Under Alternative 1, there would be no change to the operations or fishing access of longline and purse seine fisheries. Vessels would continue to operate under existing permits and regulatory requirements, and current mitigation measures for ESA-listed fishes (e.g., gear configurations, handling requirements) would remain in effect. Therefore, no changes in the level or nature of interactions with ESA-listed fishes are expected relative to the baseline.

3.3.4.2.1.2 Alternative 2

Longline fishing in the Action Area is not expected to have a significant effect on the ESA-listed fishes given the limited longline fishing expected around Johnston Atoll, Jarvis and Wake islands. The purse seine fishery has low overall interaction rates with ESA-listed fishes with only two interactions with giant manta rays being reported within the Action Area.

If any ITS for ESA-listed fishes is exceeded for the longline or purse seine fisheries, NMFS will re-initiate consultation under ESA Section 7. To meet management mandates, NMFS and the

Council will continue to develop protected species mitigation measures as resource issues are identified through existing reporting and monitoring methods and data collection.

3.3.4.2.1.3 Alternative 3

The impacts on ESA-listed fishes from Alternative 3 is expected to be the same as Alternative 2. In addition, Alternative 3 includes a mandatory EM or observer requirement which may provide greater coverage of ESA-listed fish species interactions in the Action Area. With 100% monitoring of fishing within the Action Area required by this alternative, NMFS will collect a more robust dataset to monitor interactions with ESA-listed fishes. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis of new data available from enhanced monitoring under the fishery management council process proscribed under the authority of the Magnuson-Stevens Act and through continued monitoring of ITS exceedances established through BiOps.

3.3.4.3 ESA-listed Marine Mammals

There are six species of ESA-listed marine mammals that may transit within the Action Area. All species are listed as endangered and include blue whales (*Balaenoptera musculus*), fin whales (*Balaenoptera physalus),* Hawaiian monk seals (*Monachus schauinslandi*), Humpback whales (*Megaptera novaeangliae;* Central American DPS), Sei whales (*Balaenoptera borealis*), and Sperm whale (*Physeter macrocephalus*).

Marine mammals are highly migratory and the Action Area is not known to provide critical feeding, nursing, or resting areas for these species. Presence of ESA-listed marine mammals in the Action Area is most likely transitory. There has been one documented birth of a Hawaiian monk seal at Johnston Atoll, in addition to a few rare sightings. Critical habitat for Hawaiian monk seals is designated and does not include the Action Area. More detailed information, including the range, abundance, status, and threats of listed species, is incorporated by reference from the status reviews, 5-year reviews, and recovery plans for each species found on the NMFS species directory (NMFS 2026).

Although some ESA-listed marine mammals may occur within the Action Area and could potentially interact with the fisheries, no interactions have been reported or observed within the study period. Active biological opinions for purse seine and longline fisheries have concluded that the continued operation of the fisheries, in accordance with the FEP and implementing regulations, may affect but is not likely to jeopardize the continued existence of any ESA-listed marine mammal species.

3.3.4.3.1 Environnemental Consequences on ESA-listed Marine Mammals

3.3.4.3.1.1 Alternative 1

Under Alternative 1, there would be no change to the operations or fishing access of longline and purse seine fisheries. Vessels would continue to operate under existing permits and regulatory requirements, and current mitigation measures for ESA-listed marine mammals (e.g., gear configurations, handling requirements) would remain in effect. Therefore, no changes in the level or nature of interactions with ESA-listed marine mammals are expected relative to the baseline.

3.3.4.3.1.2 Alternative 2

The removal of fishing prohibitions under Alternative 2 is unlikely to impact ESA-listed marine mammals as there have been no reported or observed interactions with longline fisheries or purse seine fisheries in the Action Area. The current monitoring of interactions through logbook reporting and observer placement are reported through the Annual SAFE Report reviewed by the Council and NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis.

3.3.4.3.1.3 Alternative 3

There are no expected impacts on ESA-listed marine mammals from Alternative 3 similar to Alternative 2. Alternative 3 includes a mandatory EM or observer requirement which may provide greater coverage of ESA-listed marine mammal interactions in the Action Area. With 100% monitoring of fishing within the Action Area required by this alternative, NMFS will collect a more robust dataset to monitor interactions with ESA-listed marine mammals. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis of new data available from enhanced monitoring under the fishery management council process proscribed under the authority of the Magnuson-Stevens Act and through continued monitoring of ITS exceedances established through BiOps.

3.3.4.4 ESA-listed Seabirds

The PRIMNM provides important nesting and foraging habitat for many species of seabirds. The threatened Newell's shearwater (*Puffinus auricularis newelli*) and endangered short-tailed albatross (*Phoebastria albatrus*), Hawaiian dark-rumped petrel (*Pterodroma phaeopygia sandwichensis*), and band-rumped storm petrel (*Oceanodroma castro*) are the ESA-listed seabirds known to exist in the Action Area. Newell's shearwater and band-rumped petrel are found primarily in the Hawaiian Islands and the short-tailed albatross and Hawaiian dark-rumped petrel are found across the Pacific. The PRIMNM is not considered a primary breeding or resting site for any of the ESA-listed seabirds, though they may be present. A comprehensive description of the species' distribution, population status, threats, and recovery strategy can be found in the species' recovery plans at USFWS ECOS (UWFSW 2026). As described below, all seabirds are also protected under the MBTA.

The purse seine fishery rarely interacts with seabirds throughout its range and since NMFS initiated the observer programs in the Hawai‘i longline fishery in 1994, there have been no observed interactions between ESA-listed seabird species and the fisheries. In 2012, USFWS issued a no-jeopardy BiOp for the DSLL and SSLL fisheries on endangered short-tailed albatross (USFWS 2012). Since its issuance, the ITS has not been exceeded.

Active biological opinions for purse seine and longline fisheries have concluded that the continued operation of the fisheries, in accordance with the FEP and implementing regulations, may affect but is not likely to jeopardize the continued existence of any ESA-listed seabirds. Ecosystem level effects from this action on seabirds are analyzed in Section 3.4.2.

A Seabird and Pelagic Fishes Interrelationships Workshop convened in 2011 found that there is a lack of baseline data regarding basic bird and epipelagic fish biology and distribution, as well as the nature of the association between seabirds and subsurface predators (Maxwell and Morgan, 2012, Maxwell and Morgan, 2013), indicating a lack of scientific evidence establishing indirect effects of harvesting targeted species (i.e., tunas) on seabird foraging dynamics.

3.3.4.4.1 Environmental Consequences on ESA-listed Seabirds

3.3.4.4.1.1 Alternative 1

Under Alternative 1, there would be no change to the operations or fishing access of longline and purse seine fisheries. Vessels would continue to operate under existing permits and regulatory requirements, and current mitigation measures for ESA-listed seabirds (e.g., gear configurations, handling requirements) would remain in effect. Therefore, no changes in the level or nature of interactions with ESA-listed seabirds are expected relative to the baseline.

3.3.4.4.1.2 Alternative 2

An increase in interactions between ESA-listed seabirds and fisheries within the Action Area is not expected under Alternative 2. Prior to monument establishment, there were no interactions with ESA-listed seabirds and fisheries. The PRIMNM does not include primary resting or breeding habitat for ESA-listed seabirds and their presence is expected to be intermittent. Studies also suggest that indirect effects on seabird foraging dynamics from longline and purse seine fisheries is not expected. Therefore, a significant impact on ESA-listed seabirds is not expected.

3.3.4.4.1.3 Alternative 3

There are no impacts on ESA-listed seabirds expected from Alternative 3 similar to Alternative 2. In addition, Alternative 3 includes a mandatory EM or observer requirement which may provide greater coverage of ESA-listed seabird interactions in the Action Area should an interaction occur. With 100% monitoring of fishing within the Action Area required by this alternative, NMFS will collect a more robust dataset to monitor interactions with ESA-listed seabirds. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis of new data available from enhanced monitoring under the fishery management council process proscribed under the authority of the Magnuson-Stevens Act and through continued monitoring of ITS exceedances established through BiOps.

3.3.5 Marine Mammal Protection Act

Given the availability of comprehensive, detailed information on the life history for all marine mammal species likely to occur in the proposed action area and their current stock statuses, this information is incorporated by reference from the 2024 U.S. Marine Mammal Stock Assessments (Carretta et al. 2024).

The Marine Mammal Protection Act of 1972 (MMPA; 16 U.S.C. § 1361, et seq.) prohibits, with certain exceptions, the take of marine mammals in the U.S. EEZ and by U.S. citizens on the high seas, and the importation of marine mammals and marine mammal products into the United States. The MMPA authorizes the Secretary of Commerce to protect and conserve all cetaceans and pinnipeds. Marine mammals are primarily vulnerable to longline fishing through hooking and entanglement. Other potential impacts to marine mammals from the operation of fisheries include collisions with vessels, exposure to waste and discharge, and disturbance from human activity and equipment.

The MMPA requires NMFS to prepare and periodically review marine mammal stock assessments to determine a stock's potential biological removal (PBR) level and assess whether incidental commercial fishery takes are "insignificant and approaching zero mortality and serious injury (MS&I) rate." According to the 2024 List of Fisheries (NOAA 2024), which classifies

U.S. commercial fisheries into categories by their level of incidental marine mammal M&SI, the fisheries affected by the proposed action are classified as follows:

- Category I (frequent interactions): Hawaii DSLL
- Category II (occasional interactions): Hawaii SSLL, American Samoa longline, Western and Central Pacific Ocean tuna purse seine
- Category III (remote likelihood of/no known interactions): Western Pacific squid jig

Under Section 101(a)(5)(E) of the MMPA, incidental (but not intentional) takes of ESA-listed or depleted marine mammals during commercial fishing are permitted if three criteria are met:

1. Incidental take has negligible impact on the affected species or stock;
2. A recovery plan is in place or is being developed; and
3. Required monitoring, vessel registration, and take reduction plans are established.

NMFS monitors the impacts of fisheries on non-ESA listed marine mammals by comparing estimated annual M&SI to each stock's PBR level. For most marine mammal stocks where PBR estimates are available, observed M&SI levels in both the Hawaii deep-set and SSLL fisheries remain well below the PBR, indicating that current interaction levels are sustainable. For more information, including current observed interactions by fishery, please see Section 3.3 of the 2024 FEP SAFE Report (WPRFMC 2025).

During the study period, both the purse seine and longline fisheries interacted with non-ESA listed marine mammals within the Action Area. Most reported marine mammal interactions with the longline fishery have involved small dolphin species prior to 2009. No longline interactions within the PRIAs were reported with marine mammals between 2009-2021. Within the Action Area, there was one interaction with the longline fishery and a false killer whale in 2001 and one interaction in 2004 with a short-finned pilot whale around Johnston Atoll. There were no other longline interactions within the Action Area. In 2013, the purse seine fishery interacted with a Byrde's whale and a false killer whale around Jarvis Island.

3.3.5.1 Environmental Consequences on Marine Mammals

3.3.5.1.1 Alternative 1

Under Alternative 1, there would be no change to the operations or fishing access of longline and purse seine fisheries. Vessels would continue to operate under existing permits and regulatory requirements, and current mitigation measures for marine mammals (e.g., gear configurations, handling requirements) would remain in effect. Therefore, no changes in the level or nature of interactions with marine mammals are expected relative to the baseline.

3.3.5.1.2 Alternative 2

Longline and purse seine fisheries may interact with marine mammals within the Action Area. While interactions with marine mammals around the Action Area have occurred, incidents have historically been infrequent and are not expected to significantly contribute to the MS&I levels of any marine mammal stock. The current monitoring of interactions through logbook reporting and observer placement are reported through the Annual SAFE Report and reviewed by the Council and NMFS. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis.

3.3.5.1.3 Alternative 3

The impacts on marine mammals from Alternative 3 is expected to be the same as Alternative 2. In addition, Alternative 3 includes a mandatory EM or observer requirement which may provide greater coverage of ESA-listed seabird interactions in the Action Area should an interaction occur. With 100% monitoring of fishing within the Action Area required by this alternative, NMFS will collect a more robust dataset to monitor interactions with marine mammals. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis of new data available from enhanced monitoring under the fishery management council process proscribed under the authority of the Magnuson-Stevens Act and through continued monitoring of incidental take of marine mammals.

3.3.6 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. § 703-712) makes it illegal to intentionally take, possess, import, export, transport, sell, purchase, barter, or offer for sale or barter any migratory bird, or its parts, nests, or eggs, except under the terms of a valid federal permit. On April 11, 2025, the Department of the Interior issued a new solicitor's opinion clarifying that the MBTA "*does not apply to the accidental or incidental taking or killing of migratory birds*," and only prohibits intentional actions that directly kill or harm migratory birds (Zerzan Opinion 2025).

3.3.6.1 Seabirds

The PRIMNM supports 14 million resident seabirds (representing 20 species) which use the islands for breeding and pelagic waters for foraging. An additional 33 seabird species migrate through the PRIMNM and forage in the pelagic ecosystem. PRIMNM supports the largest sooty tern (*Onychoprion fuscatus*) and red-tailed tropicbird colonies, large aggregations of lesser frigatebirds (*Fregata ariel*), robust colonies of red-footed and masked boobies (*Sula dactylatra*), and Central Tropical Pacific endemics such as the grey-backed tern (*Onychoprion lunatus*), and one of the smallest of the seabirds, the blue-gray noddy (*Procelsterna cerulea*). Ten of the 20 breeding species in the PRIMNM are listed as Birds of Conservation Concern (USFWS 2021) and 17 of the 33 non-breeding seabird species using PRIMNM waters have elevated status in the IUCN Red Data List (Near Threatened, Vulnerable, or Endangered). According to USFWS, black-footed albatross and Laysan albatross recently recolonized Wake Island, making it one of the few colonies outside the Hawaiian archipelago.

The longline fisheries occasionally interact with seabirds such as albatrosses (black-footed and Laysan), northern fulmars, sooty shearwaters, and gulls. Seabirds are vulnerable to fisheries through hooking and entanglement, which may result in injury or mortality. Seabirds are likely to drown if the interaction occurs during gear deployment (setting), but seabirds may be released alive when fishermen promptly apply seabird handling and release techniques during gear retrieval (hauling). The SSLL fishery has a lower mortality rate with most interactions resulting in injured releases; while most interactions in the DSLL fishery results in mortality of albatrosses (*unpublished NMFS)*. Based on 100% observer coverage since 2010, the purse seine fleet has not been reported to interact with seabirds.

Most of the interactions in the longline fishery occur north of 23N (Gilman et al. 2016). Seabird measures are not required south of 23N based on limited historical interactions in these waters, including latitudes that include Johnston Atoll. While not required, DSLL vessels typically operate with weighted branchlines wherever they fish. (Gilman et al. 2016), thus DSLL

vessels that would fish in the 50-200nm Action Area would likely employ at least one seabird mitigation measure.

Seabird mitigation measures in the Hawai‘i longline fisheries are designed to significantly reduce interactions with seabirds and are described in detail in the Compliance Guide for Reducing and Mitigating Seabird Interactions in the Hawaii-based Longline Fishery (NMFS 2024). NMFS and the Council continue to monitor seabird interactions and have implemented mitigation measures to reduce incidental take. Additional information on the seabirds that interact with FEP fisheries are described in Section 3.3 of the 2024 Pelagic SAFE Report (WPRFMC 2025b) and the annual NMFS Seabird Interactions and Mitigation Efforts in Hawai‘i Longline Fisheries report (NMFS 2025).

During the study period, interactions were recorded between fisheries and non-listed black-footed and Laysan albatross. There were no interactions recorded for the purse seine fishery with any seabirds. Given the relatively low level of seabird interactions observed in pelagic fisheries compared to the size of these breeding populations, fisheries are unlikely to have a direct impact on their overall population status.

A Seabird and Pelagic Fishes Interrelationships Workshop convened in 2011 found that there is a lack of baseline data regarding basic bird and epipelagic fish biology and distribution, as well as the nature of the association between seabirds and subsurface predators (Maxwell and Morgan, 2012, Maxwell and Morgan, 2013), indicating a lack of scientific evidence establishing indirect effects of harvesting targeted species (i.e., tunas) on seabird foraging dynamics.

3.3.6.2 Shorebirds

The proportionally small areas of emergent land in the PRIMNM play a crucial role to transient and over-wintering shorebirds. At least 20 species of shorebirds have been recorded in the Monument. Most of these are classified as infrequent visitors or vagrants, but the islands support regionally significant populations of four migrants: Pacific golden plovers (*Pluvialis fulva*), bristle-thighed curlews (*Numenius tahitiensis*), wandering tattlers (*Tringa incana*), and ruddy turnstones (*Arenaria interpres*). The bristle-thighed curlew and wandering tattler are designated as species of high conservation concern in USFWS Birds of Conservation Concern List for 2021 (USFWS 2021) and use the predator-free islands in the PRIMNM as important wintering sites.

During the study period, there have been no reported interactions between fisheries and shorebirds within the Action Area.

3.3.6.3 Environmental Consequences on migratory birds

3.3.6.3.1 Alternative 1

Under Alternative 1, there would be no change to the operations or fishing access of longline and purse seine fisheries. Vessels would continue to operate under existing permits and regulatory requirements, and current mitigation measures for migratory birds (e.g., gear configurations, handling requirements) would remain in effect. Therefore, no changes in the level or nature of interactions with migratory birds are expected relative to the baseline.

3.3.6.3.2 Alternative 2

Under Alternative 2, fisheries have the potential to interact with migratory birds within the Action Area. Based on historic data, there have been relatively low levels of seabird

interactions with pelagic fisheries compared to the size of these breeding populations. Most of these interactions occur north of 23N latitude. Seabird mitigation measures, while not required south of 23N (including at the latitudes of the action area), have been implemented to further reduce interactions between longline fisheries and seabirds. In the DSLL fishery uses weighted branchlines, one of the seabird mitigation measures, wherever they fish, ensuring that fishing in the action area would employ at least one of the mitigation measures. Interactions with fisheries are unlikely to have a direct impact on the overall population status as migratory birds. Ecosystem level effects from this action on seabirds are analyzed in Section 3.4.2.

3.3.6.3.3 Alternative 3

The impacts on migratory birds from Alternative 3 is expected to be the same as Alternative 2. In addition, Alternative 3 includes a mandatory EM or observer requirement which may provide greater coverage of migratory bird interactions in the Action Area should an interaction occur. With 100% monitoring of fishing within the Action Area required by this alternative, NMFS will collect a more robust dataset to monitor interactions with marine mammals. NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis of new data available from enhanced monitoring under the fishery management council process proscribed under the authority of the Magnuson-Stevens Act and through continued monitoring of incidental take of migratory birds.

3.4 Ecosystem and Habitat

The Action Area considered in this DEA is between 50 to 200 nmi around Wake and Jarvis islands and Johnston Atoll. Within 50 nmi, the protection of Monument resources, as determined by Proclamations 8336 will remain in effect.

Without management to ensure fishing is sustainable, the removal of top predator pelagic species such as swordfish and other billfish, as well as tuna species above natural mortality rates has the potential to cause major imbalances or wide-ranging changes to ecosystem functions, biodiversity, and habitats. Ecosystem considerations are discussed here.

3.4.1 Deep Sea Ecosystems

Seamounts were identified as objects of interest in Proclamation 9173 with 132 known seamounts within the expansion area and 33 known within the 2009 boundaries of the Monument. Seamounts serve as important aggregations sites for many pelagic species and support higher biodiversity compared to both coast and ocean open environments (Morato et al. 2010). They are also believed to host a high diversity of benthic species, many of which are not yet discovered. Some seabirds have also been shown to forage in pelagic areas near seamounts (Miller et al. 2018). For analysis on seabirds see Section 3.3.6.1.

Within the PRIA, seamounts may also provide habitat for managed fishery stocks including for deepwater shrimp, precious corals, and bottomfish, although there are currently no known precious coral beds in the PRIA. NMFS and the Council have implemented gear restrictions as regulatory measures to protect habitat and reduce bycatch from destructive fishing methods. Specifically, fishing for bottomfish with bottom trawls and bottom set gillnets is prohibited, as is the possession or use of any poisons, explosives, or intoxicating substances for the purpose of harvesting bottomfish (51 FR 27413, August 27, 1986; WPRFMC 2002a). There are also gear restrictions for deepwater shrimp and precious coral fisheries.

3.4.1.1 Environmental Consequences

3.4.1.1.1 Alternative 1

Under Alternative 1, commercial fishing would continue to be prohibited in the Action Area and there would be no potential impacts to deep sea ecosystems from pelagic fishing. Existing regulations on gears and fisheries would continue to provide protection from any other fishing that may occur in the Action Area.

3.4.1.1.2 Alternative 2

NMFS does not expect fisheries to develop for deepwater shrimp, precious corals, or bottomfish given the costs and logistical challenges associated with reaching the PRIA. NMFS has issued six or less bottomfish permits annually since the program began in 2006, but no fishing has been reported. The most recent attempt at a crustacean fishery in the PRIA was at Palmyra in 1999 for lobster and deepwater shrimp. NMFS last issued a shrimp permit in 2010, but no catch was reported. If a fishery were to develop, gear restrictions would remain in place to prevent habitat destruction on seamounts. NMFS expects a negligible effect from PRIA fisheries on deep-sea ecosystems.

Seamounts are known to be aggregating sites for pelagic species and pelagic fishing is likely to occur near seamounts within the Action Area under Alternative 2. However, the pelagic fisheries authorized under this action do not involve contact with the seafloor, seamounts, or any benthic habitats so impacts to benthic species and deep sea habitat are expected to be negligible. Incidental take of protected pelagic species aggregating around seamounts may occur with an increase in fishing activity. Historical protected species interactions with longline and purse seine fisheries within the Action Area, and interactions within the areas open to commercial fishing within the PRIA, are at comparable levels compared to interaction rates across the longline and purse seine fisheries. Therefore, NMFS does not expect an increased number of interactions to occur within the Action Area under Alternative 2.

The current monitoring of interactions through logbook reporting and observer placement are reported through the Annual SAFE Report reviewed by the Council and NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis.

3.4.1.1.3 Alternative 3

Under Alternative 3, fishing within the Action Area will require electronic monitoring or observers. The impacts of fishing will be similar to Alternative 2, in that impacts are expected to be negligible to deep sea ecosystems. However, enhanced monitoring will provide additional information on any unforeseen interactions or impacts that would be considered by the Council and NMFS for any potential management that may be needed.

3.4.2 Coral Reef Ecosystems

The remaining boundary of PRIMNM continues to provide protection for coral reef ecosystems, reef fish, and shorebirds and seabirds. Direct effects on corals and reef fish are not expected given the lack of spatial overlap with fisheries expected to operate as part of this action and are not analyzed further.

An important source of nutrients to coral reefs is derived from seabirds transferring marine-derived nutrients from the pelagic into nearshore reef environments via excretion of

nutrient-rich guano (Honig and Mohoney 2015; Lorrain et al. 2017). Studies have shown coral reefs can grow two to four times faster near islands with healthy bird populations (Savage 2019; Benkwitt et al. 2023) and can be beneficial to reef fish (Graham et al. 2018; Benkwitt et al. 2021; Jaennot et al. 2025).

Pelagic fishing could potentially have an indirect impact on coral reefs by disrupting this nutrient cycle. Tunas and other large marine predators drive forage fish to the surface where they are accessible to seabirds, however variability exists in this facilitated foraging association (Maxwell et al. 2018). Several studies have shown that skipjack tunas support foraging for many species of seabirds, while foraging behavior associated with yellowfin tunas also occurs (Spear et al. 2007), but is less common and may even be avoided for bigeye tunas (Jaquemet et al. 2004; Hebshi et al. 2008; Miller et al. 2018). Foraging distance also varies significantly between seabird species ranging from coastal (<10 km) to thousands of kilometers from land and can also vary during breeding season (Maxwell et al. 2018).

Removal of skipjack tuna by fisheries could potentially disrupt nutrient cycling for coral reefs, however the threshold in which tuna fisheries may cause a negligible impact on seabird population dynamics has not been identified (Danckwerts et al. 2014; Maxwell et al. 2018).

The pelagic fisheries authorized under this action do not involve contact with the seafloor or benthic habitats, and operations take place far from coastlines, so the fishery does not spatially overlap with the coral. Direct impacts to corals are not analyzed further in this assessment.

Drifting fish aggregating devices (FADs) are a prevalent fishing strategy used by virtually every tuna purse seine fleet fishing in the Pacific Ocean. Fishing on FAD's has a lower carbon footprint as compared to school fishing as it reduces the need for fishing vessels to search vast areas to locate the tuna.

It is important to note that FADs drift with prevailing Equatorial currents, principally from east to west. Thus, FADs entering the Jarvis EEZ will almost certainly have been deployed either in the EEZ of Kiribati, or even further east in the international waters of the Eastern Tropical Pacific Ocean (ETPO). These FADs are being deployed by any and all of the tuna fishing fleets in the region, including Ecuador which has by far the largest purse seine fleet in the ETPO. Other tuna fishing fleets include the EU, Panama, Peru, Colombia, and several Central American countries. The number of FADs deployed by US vessel represent a small portion of the total number of FADs that potentially drift into and through the Jarvis EEZ.

3.4.2.1 Environmental Consequences

3.4.2.1.1 Alternative 1

Under Alternative 1, NMFS would not permit commercial fishing in the Action Area and existing fishing regulations would remain in place. The existing protections for coral reef ecosystems would remain in place in the nearshore areas around the islands and atolls. However, inside the Action Area, there are no known coral reef ecosystems and NMFS expect that there would be little to no impacts from allowing pelagic fishing in the Action Area. The known coral reef ecosystem areas are within 3 miles of shore and currently protected by National Wildlife Refuges, the PRIMNM, and Marine Protected Areas designated by the Coral Reef Ecosystems Fishery Management Plan (2004).

3.4.2.1.2 Alternative 2

Based on current studies, seabirds have foraging behavior primarily associated with skipjack tunas, which are targeted by the purse seine fishery. As described above, purse seine fishing is expected to resume around Jarvis Island, but not around Wake Island or Johnston Atoll. Purse seine fishing currently operates outside of 50 nmi around Palmyra Atoll and Howland and Baker islands. Incidental take of seabirds foraging is not expected given that the purse seine fishery has 100% observer coverage and based on observer data available to NMFS, the purse seine fleet has not been reported to interact with seabirds.

Most of the interactions with longline fisheries occur north of 23N latitude. Seabird mitigation measures, while not required south of 23N (including at the latitudes of the action area), have been implemented to further reduce interactions between longline fisheries and seabirds. In the DSLL fishery uses weighted branchlines, one of the seabird mitigation measures, wherever they fish, ensuring that fishing in the action area would employ at least one of the mitigation measures. Under Alternative 2, the Hawaii longline fishery would be authorized to fish in the action area while under these requirements for seabird interaction mitigations. Due to the unlikelihood of interactions in combination with measures being employed by the fleet, it is unlikely that there will be impacts to seabirds under this alternative.

NMFS is not aware of any studies that have documented a direct adverse impact on seabirds from a reduction in species associated with facilitated foraging (i.e., tunas), or a threshold in which this may occur. Furthermore, nutrient cycling within coral reef ecosystems are extremely complex and are influenced by a wide range of factors such as ocean temperature, currents, La Niña and El Niño events, primary productivity, microbiota activity, and availability of primary sources such as guano. While guano availability could potentially decrease from fishing activity, NMFS is not aware of any studies demonstrating this effect.

NMFS recognizes that many coral reefs within the PRIMNM have experienced significant bleaching events and reducing any anthropogenic stressors to these systems may be beneficial. Domestic and international fisheries are subject to quota-based and science-informed management designed to prevent overfishing and prevent imbalances or wide-ranging changes to ecosystem functions. Skipjack tunas are not considered overfished or experience overfishing. Furthermore, effort by the purse seine fleet targeting skipjack tunas has declined significantly in recent years with only 12 vessels currently participating. The pelagic fisheries authorized under this alternative does not involve contact with the seafloor or benthic habitats, and operations take place far from coastlines, so the fishery is not expected to have direct impacts on coral reefs. Non-pelagic fisheries authorized under Alternative 2 may have an impact on bottom substrate. However, the alternative allows fishing from 50-200 nmi in the action area which is beyond the areas with coral reefs. Due to the lack of overlap between non-pelagic fisheries and coral reefs, the bottomfish, crustaceans, and precious corals, are not likely to have impacts on coral reefs.

NMFS does not expect projected levels of effort by the purse seine fleet within the PRIMNM to disrupt ecosystem dynamics between seabirds and skipjack tunas or have a significant adverse impact on coral reef ecosystems. The current monitoring of interactions through logbook reporting and observer placement are reported through the Annual SAFE Report reviewed by the Council and NMFS will continue to work with the Council to determine whether additional action is warranted upon review and analysis.

Opening the Jarvis EEZ to tuna fishing by US fishing vessels will not impact the number of FADS that drift into and through the Jarvis EEZ. In fact, if US flag purse seiners are allowed to fish in Jarvis, they will likely target tuna aggregating under the drifting FADs, catch that fish,

and recover the drifting FADs before they exit the western boundary of Jarvis EEZ, where they will be targeted by foreign fishing fleets.

3.4.2.1.3 Alternative 3

In addition to the potential impacts included in Alternative 2, Alternative 3 would provide enhanced monitoring that would allow for additional data collection on coral reef ecosystems that could be used by the Council and NMFS to determine if additional management measures are needed.

3.5 Communities

3.5.1 Historical Uses

The PRIMNM has known current and historical relevance to communities across the Pacific. Throughout history, islands and atolls of the PRIMNM have been used for early human settlements, guano extraction, landing sites for voyages and whaling, feather and egg collection, and military use and occupation.

The first written records of visitation at the islands occurred in the 1800s during the whaling era. However, artifacts found on the island suggest that voyaging Polynesians visited before then. The atolls and islands within the PRIMNM are not believed to have been continuously inhabited since they were prone to extreme storm and wave influence, and there were insufficient natural sources of freshwater or food to sustain a permanent population. However, evidence indicates they were used as stopping or resting spots on voyages.

The islands and atolls of the PRIMNM (except Wake Island) were claimed by the U.S. between 1857-1859 under the Guano Act of 1856 for the purpose of guano (seabird excrement) extraction to fertilize agricultural fields in the U.S. and Europe. Guano production from the islands was notable in both the rate of production (peak production at Howland Island was 64 mt/day) and total amount collected (272,155 mt from Jarvis Island; Hutchinson 1950, Bryan 1974). Visitation was minimal after guano mining ended in 1891 until 1935 when the government sent individuals from the military and young Native Hawaiian men to colonize Howland, Baker, and Jarvis islands to consolidate the U.S. claim to the area. The project and the group of young men that were assigned to these expeditions became known as the Hui Panalāʻau.

Many of the islands and atolls in the PRIMNM were strategically important during World War II and served as sites for naval and air operations for the U.S. Several attacks occurred on these U.S. installments during the war. Between the 1950s and 1960s, Johnston Atoll was managed by the U.S. Air Force and used for high-altitude nuclear tests and until 2000 served as a storage and disposal site for chemical weapons. In 2004, cleanup and closure of the storage and disposal facilities was completed and the island became uninhabited. Military infrastructure such as runways remains on the islands.

3.5.2 Current Uses

In 2000, The Nature Conservancy bought most of Palmyra Atoll for conservation and research purposes. With the closure of the military base at Johnston Atoll in 2004, Wake Island is currently the only active U.S. military base within the PRIMNM. Wake Island is closed to the public and permission from the U.S. Air Force is needed to enter the area. A small population of military members and support personnel live on the atoll. The remaining islands are uninhabited.

Because all PRIMNM lands and waters are managed as units of the NWRS, all activities are prohibited by USFWS unless the refuge manager determines they are appropriate and compatible with the mission and spirit of NWRS and the purposes of the Monument or refuge, as applicable. If an activity is found compatible and appropriate, it may be allowed by a USFWS Special Use Permit with consultation from NOAA. Uninterrupted navigation and overflight are allowed within and over the PRIMNM. Because of the remote location and the absence of home ports, marine traffic consists of transiting merchant vessels, research ships, and fishing vessels. Under current USFWS compatibility determinations, activities that may be permitted within the NWRs and the Monument include:

- Scientific research and exploration at Howland Island, Baker Island, Jarvis Island, Palmyra Atoll, Kingman Reef, Wake Island, and Johnston Atoll
- Sailboat and motorboat visitation at Palmyra Atoll
- Recreational fishing for bonefish at Palmyra Atoll
- Amateur radio operation at Howland, Baker, and Jarvis islands
- Wildlife observation through recreational diving and snorkeling at Palmyra Atoll
- Commercial filming at Palmyra Atoll, Howland Island, and Baker Island
- Environmental education and interpretation, including wildlife photography, at Palmyra Atoll

Table 17 summarizes the Special Use Permits issued by USFWS, in consultation with NOAA, within the PRIMNM from 2014 through 2025. Scientific research is the most commonly permitted activity with an average of 16.8 permits issued per year. Research is primarily conducted by federal agencies, non-governmental organizations, and academic institutions across multiple disciplines. Recreational/visiting vessels are the next most frequently permitted activity, all of which have been to Palmyra Atoll. Six recreational fishing permits around Palmyra were issued between 2014 and 2017, with no permits issued throughout the PRIMNM. There have been no requests for permits to conduct cultural, spiritual, or religious practices, although such activities would be permitted pending USFWS compatibility review.

Sustenance fishing is also allowed within Palmyra Atoll National Wildlife Refuge (0 to 12 miles) by permission and oversight from the U.S. Fish and Wildlife Service through Secretarial Order 3224. USFWS Special Use Permits are not issued for this Activity.

Table 18: USFWS and NOAA Special Use Permits issued by year by type to all entities between 2014 and 2025

Year	Recreational fishing	Research	Monitoring	Resupply vessel	Recreational/ Visiting Vessel	Commercial filming
2014	1	27	0	1	6	0
2015	1	13	1	1	0	1
2016	2	30	0	1	2	1
2017	2	16	0	2	1	0
2018	0	7	0	2	1	1
2019	0	12	0	1	5	1
2020	0	6	0	0	0	0
2021	0	12	1	0	2	0
2022	0	25	0	2	4	0

2023	0	18	0	2	6	0
2024	0	22	0	1	5	0
2025	0	14	0	0	5	0
Grand Total	6	202	2	13	37	4
Average per year	0.5	16.8	0.2	1.1	3.1	0.3

[1]Data updated through July 2025

*Three additional permits have been issued for amateur radio operation and are not included.

3.5.3 Environmental Consequences

All activities currently permitted within the PRIMNM will still be allowed, or prohibited, under all Alternatives. The proposed action is limited in scope and does not affect activities outside of commercial fishing.

Under Alternatives 2 and 3, allowing commercial fishing to resume seaward of 50 nmi may increase vessel occurrence in the Action Area. NMFS is aware that cultural practitioners have future intentions to use the PRIA land and waters for "cultural, spiritual, religious, subsistence, recreational, educational, and aesthetic activities, including, but not limited to, voyaging canoe wayfaring, collecting natural materials used in traditional Native Hawaiian cultural practices, subsistence fishing, religious rituals and spiritual practices, and monitoring spawning seasons and distributions of marine species" (Kapaa v Trump 2025). Cultural practitioners indicate that they were expecting to experience a pristine environment void of commercial activity during those practices. It is possible that voyagers and other cultural practitioners may encounter fishing vessels within the Action Area that could alter the traditional experience of voyaging and practicing in pristine areas. However, given the large size of the Action Area (308,316 nmi^2) and low level of fishing anticipated to occur under this proposed action, NMFS considers this impact to be minor as the likelihood of encounters is expected to be low. Furthermore, at this time, USFWS nor NMFS has not received any requests for Special Use Permits to conduct these activities within the PRIMNM.

As discussed in Section 3.4 on Ecosystem and Habitat and Section 3.8 on Resources Eliminated From Further Study, NMFS does not expect nearshore environments to be impacted by this proposed action. Researchers of the nearshore environment should be able to continue to conduct research around the PRIMNM without experiencing significant impacts to their activities. The Climate Adaptation and Resilience Laboratory currently operate on Palmyra Atoll and is praised for its research on island conservation, coral reef resilience, and ocean research. Commercial fishing is currently allowed seaward of 50 nmi around Palmyra Atoll indicating that nearshore research and pelagic fishing may coexist without significant impacts to research opportunities.

3.6 Historic, Archaeological, or Cultural Resources

Section 101(b)(4) of NEPA (42 U.S.C. § 4331) requires the federal government responsibility to "preserve important historic, cultural and natural aspects of our national heritage, and to maintain, wherever possible, an environment which supports diversity and variety of individual choice."

NOAA is responsible for inventorying, evaluating, and protecting cultural resources under its management per the National Historic Preservation Act (NHPA), as amended. As

defined in 54 U.S.C. § 300308, these resources are "any prehistoric or historic district, site, building, structure, or object included on, or eligible for inclusion on, the National Register [of Historic Places], including artifacts, records, and material remains related to the district, site, building, structure, or object." Properties of traditional religious and cultural importance to an Indigenous nation or tribe may be determined eligible for inclusion in the National Register of Historic Places (36 CFR § 800.16(l)(1)). Within the PRIA, Wake Island is listed on the National Register of Historic Places; however, the designation is limited to the terrestrial area and is outside of the scope of the Action Area (National Park Service 1985).

NOAA estimates there are more than 80 reported ship and aircraft losses in the historical record for the PRIA, and other types of properties, such as moorings, anchors, cannons, bunkers, and nearshore infrastructure have been documented among the atolls and islands. There has been very little field survey for heritage sites in the distant Pacific Ocean; of the 80 vessel losses, only 11 have been located and assessed. NOAA also maintains a heritage resource database for the PRIA (Van Tilburg 2023).

3.6.1 Environmental Consequences

Longline and purse seine fishing are not known to adversely affect historic, cultural, or archaeological resources. Under Alternatives 2 and 3, fisheries will only be permitted to operate more than 50 nmi offshore and at maximum depths of 300 meters. Therefore, longline and purse fishing will not spatially overlap with known submerged cultural or historical sites or coastal areas where such cultural or religious practices may occur.

As described previously, NMFS does not anticipate activities from fisheries managed under the PRIA FEP to emerge under this proposed action and therefore does not expect any effects on historic, cultural, or archaeological resources.

3.7 Resources Eliminated from Detailed Study

3.7.1 Physical Environment

Given the wide geographic distance between the islands within the PRIMNM, there are significant variances in ocean conditions. The islands may be split into three groupings by oceanic conditions: the northernmost oligotrophic islands of Johnston Atoll and Wake Island, the central transition islands of Kingman Reef and Palmyra, and the equatorial upwelling islands of Howland, Baker, and Jarvis Islands (Brainard et al. 2019).

Additional information on oceanic and climate are incorporated by reference from the PRIA FEP and the most recent Archipelagic and Pelagic Stock Assessment and Fishery Evaluation (SAFE) Reports (NMFS 2025a, NMFS 2025b).

3.7.2 Corals

Coral and coral reefs play an integral role within the PRIMNM ecosystem, providing vital support for the preservation and sustenance of both marine and terrestrial flora and fauna. The PRIMNM boasts a rich diversity of coral genera, ranging from 14 at Johnston Atoll to 35 at Kingman Reef. These genera are likely to encompass a substantial number of coral species, although precise classification at the species level poses challenges due to subtle variabilities phenotypically, genotypically, and hybridization. Within the PRIMNM, coral reefs vary in size, ranging from 1.7 km² at Howland Island to 65.7 km² at Johnston Atoll (Brainard et al. 2019).

There are two species of corals found in the PRIMNM, *Acropora globiceps* and *Acropora retusa*, listed as threatened under Endangered Species Act.[5] On July 15, 2025, NMFS designated critical habitat for *Acropora globiceps* around Johnston and Palmyra Atoll (50 CFR Part 223).[6]

Precious corals are non–reef building and inhabit depth zones below the euphotic zone. Precious corals may be divided into deep- and shallow-water species. Deep-water precious corals are generally found between 350 and 1,500 meters and include pink coral (*Corallium secundum*), gold coral (*Gerardia* sp. and *Parazoanthus* sp.), and bamboo coral (*Lepidistis olapa*). Shallow-water species occur between 30 and 100 meters and consist primarily of three species of black coral: *Antipathes dichotoma*, *Antipathes grandis,* and *Antipathes ulex*. There are no known precious coral beds in the action area, but precious corals potentially occur in the action area. Additional information on precious corals is incorporated by reference from the PRIA FEP.

The pelagic fisheries authorized under this action do not involve contact with the seafloor or benthic habitats, and operations take place far from coastlines, so the fishery does not spatially overlap with the coral. Direct impacts to corals are not analyzed further in this assessment. Impacts are not expected for fisheries managed under the PRIA FEP due to their limited to negligible activity.

3.7.3 Reef Fish

Across the U.S. Pacific, the nearshore waters of the PRIMNM have some of the highest fish biomass, which reflects the high biomass of large-bodied fishes (like piscivores) observed at these islands, as well as small planktivores and primary consumers (Brainard et al. 2019).

A number of reef fish found in the PRIMNM are listed as threatened or vulnerable by the International Union for Conservation of Nature (IUCN). Wake Island is notable in the U.S. Pacific for the high rate of sightings of bumphead parrotfish (*Bolbometopon muricatum)*; Wake and Palmyra Atolls also have higher sightings of Napoleon wrasses (*Cheilinus undulatus)*, which are listed as endangered by the IUCN (Brainard et al. 2019).

Fisheries managed by the PRIA FEP, including coral reef, crustaceans, and bottomfishing, may target or overlap spatially with coral reef fish. However, as discussed previously, NMFS does not expect fisheries managed under the PRIA FEP to develop under this action and are not discussed further.

The pelagic fisheries authorized under this action do not involve contact with the seafloor or benthic habitats, and operations take place far from coastlines, so the fishery does not spatially overlap with reef fishes. The area of the PRIMNM inland of the Action Area that will remain closed to commercial fishing (0 - 50 nmi) under this proposed action. Therefore, potential impacts are not analyzed further.

3.7.4 Derelict gear

Derelict fishing gear, sometimes referred to as "ghost gear," is any discarded, lost, or abandoned fishing gear in the marine environment. Gear lost in pelagic habitats can drift into vulnerable nearshore habitats (e.g., coral ecosystems) and cause significant damage to Monument resources. Significant work is being done to reduce the impact of FADs on marine ecosystems. For example, TNC is working with the US and Spanish purse seine fleets to track

[5] On October 2, 2024, NMFS received a petition to list 41 species of *Acropora spp.* and is still undergoing its 90-day finding.

[6] *A. globiceps* and *A. retusta* were considered for critical habitat designation around Wake Island, but were ineligible due to Section 4(a)(3) of the ESA.

FADs and intercept them if they are on course to damage the reefs surrounding Palmyra Atoll. WCPFC passed CCM 2023-01 encouraging vessels to transition to non-plastic and biodegradable materials in the construction of FADs and intend to discuss implementing requirements in 2026.

Under Alternatives 2 and 3, fishing activity may occur closer to shore, but the proposed action does not alter gear use or increase the risk of gear loss, and fishing effort is not expected to change. Therefore, any increase in the scale or frequency of damaging events is considered low and unlikely to result in measurable impact. As such, potential impacts are not analyzed further.

In recent years, the purse seine industry has taken several steps to mitigate the impacts of drifting FADs on the marine environment, including:

- Using only fully non-entangling FADs to protect non-targeted species;
- Reducing the use of synthetic materials in FAD construction;
- Developing biodegradable FADs;
- Supporting FAD management by regional fishery management organizations, e.g., IATTC and WCPFC, along with other related actions; and
- Participation in programs for FAD tracking, recovery and retrieval, in cooperation with the Secretariat of the Pacific Community (SPC), the Nature Conservancy, Cook Islands, French Polynesia, and others.

In recognition of the need to do even more to address the any negative aspects of drifting FADs, the US purse seine fleet, along with the fleets from Ecuador, the EU, and Panama, are working to establish a private foundation, the purpose of which is to provide funding for tracking and retrieving FADs before they enter ecologically sensitive areas.

3.7.5 Essential Fish Habitat

Essential Fish Habitat (EFH) is defined under the Magnuson-Stevens Act as the waters and substrate needed for fish spawning, breeding, feeding, and growth to maturity. Detailed descriptions of the EFH for the managed species can be found in the Pelagic FEP Appendix (WPRFMC 2005a) and PRIA FEP Appendix (WPRFMC 2005b) .

Longline and purse seine gear operate in deep pelagic waters and do not contact the seafloor, and vessel operations do not involve anchoring or other activities that would impact benthic habitat. Therefore, the likelihood of adverse effects to EFH or coastal ecosystems from gear loss is extremely low, and any such effects are expected to be negligible and temporary. As previously discussed, NMFS does not expect any fisheries managed by the PRIA FEP to develop under this action. As a result, EFH and coastal habitat impacts are not analyzed further in this assessment.

Table 19: Summary of Environmental Consequences

Resource	**Alternative 1**	**Alternative 2**	**Alternative 3**
Description	**No Action**	**Authorize commercial fishing**	**Authorize commercial fishing with enhanced monitoring**

Longline Fisheries	No change	Major beneficial	Major beneficial
Purse Seine Fishery	No change	Major beneficial	Major beneficial
Target Stocks	No change	Negligible	Negligible
Non-Target Stocks	No change	Negligible	Negligible
ESA-listed Species	No change	Negligible	Negligible
Marine Mammals	No change	Negligible	Negligible
Migratory Birds	No change	Negligible	Negligible
Deep Sea Ecosystems	No change	Negligible	Negligible
Coral Reef Ecosystems	No change	No Change	No Change
Socioeconomics	No change	Minor beneficial	Minor beneficial
Communities	No change	Minor adverse	Minor adverse
Historic, Archaeological, or Cultural Resources	No change	Negligible	Negligible
Management and Administration	No change	Minor adverse	Minor adverse
Cumulative Effects	No change	Minor adverse	Minor adverse

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APPENDIX A – EXAMPLE OF DRAFT PROPOSED REGULATIONS

The fishing regulations for the Pacific Islands Heritage Marine National Monument (or PRIMNM) is provided under 50 CFR 665, subpart H-Pacific Remote Island Marine National Monument.

For the reasons set out in the preamble, NMFS amends 50 CFR part 665 as follows:

PART 665 –– FISHERIES IN THE WESTERN PACIFIC

1. The authority citation for 50 CFR part 665 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq*.

2. Amend § 665.932 by revising the text to read as follows:

§ 665.932 Definitions.

The following definitions are used in this subpart:

* * * * *

Proclamations means Presidential Proclamation 8336 of January 6, 2009, "Establishment of the Pacific Remote Islands Marine National Monument," Presidential Proclamation 9173 of September 29, 2014, "Pacific Remote Islands Marine National Monument Expansion," and Presidential Proclamation 10918 of April 17, 2025 "Unleashing American Commercial Fishing in the Pacific.

****

3. Amend § 665.933 by revising paragraph (a) and adding paragraphs (a)(1) through (a)(5) to read as follows:

§ 665.933 Prohibitions.

* * * * *

(a) Commercial fishing in prohibited areas. Commercial fishing is prohibited in the areas of the Monument as defined in paragraphs (a)(1) through (a)(5) of this section.

(1) *Wake Island.* Commercial fishing is prohibited in the Wake Island unit of the Monument within an area defined by straight lines connecting the following coordinates in the order listed:

ID	E. long.	N. lat.
1	165° 42' 56"	20° 9' 27"
2	167° 32' 23"	20° 9' 27"
3	167° 32' 23"	18° 25' 51"
4	165° 42' 56"	18° 25' 51"
1	165° 42' 56"	20° 9' 27"

(2) *Howland and Baker Islands*. Commercial fishing is prohibited in the Howland and Baker units of the Monument as defined in 50 CFR 931(b).

(3) *Jarvis Island*. Commercial fishing is prohibited in the Jarvis Island unit of the Monument within an area defined by straight lines connecting the following coordinates in the order listed:

ID	W. long.	Lat.
1	160° 50' 52"	0° 28' 39" N.
2	159° 8' 53"	0° 28' 39" N.
3	159° 8' 53"	1° 13' 15" S.
4	160° 50' 52"	1° 13' 15" S.
1	160° 50' 52"	0° 28' 39" N.

(4) *Johnston Atoll*. Commercial fishing is prohibited in the Johnston Atoll unit of the Monument within an area defined by straight lines connecting the following coordinates in the order listed:

ID	W. long.	N. lat.
1	170° 24' 37"	17° 35' 39"
2	168° 37' 32"	17° 35' 39"
3	168° 37' 32"	15° 53' 26"
4	170° 24' 37"	15° 53' 26"
1	170° 24' 37"	17° 35' 39"

(5) *Kingman and Palmyra Atoll*. Commercial fishing is prohibited in the Kingman Reef and Palmyra Atoll unit of the Monument as defined in 50 CFR 931(e).

****

4. Amend § 665.934 by revising paragraph (a) to read as follows:

§ 665.934 Regulated activities.

(a) Commercial fishing in the Monument is prohibited in certain areas, as defined in §§ 665.933.

****

5. Amend § 665.935 by revising paragraph (a) to read as follows:

§ 665.935 Fishing permit procedures and criteria.

(a) *Non-commercial and commercial fishing.*

(1) *Applicability*. Except as provided in section 665.934(d), a vessel that is used to non-commercially or commercially fish for, take, retain, or possess MUS in the Monument must be registered for use with a permit issued pursuant to §§ 665.603, 665.624, 665.642, 665.662, 665.801.