



## **Western Pacific Regional Fishery Management Council**

### **Report on Implementing Magnuson-Stevens Act Provisions and Other Current Activities of Interest**

#### **Status of Rebuilding Plans:**

The only Western Pacific Region (WPR) MUS currently determined to be overfished and subject to a rebuilding plan is the seamount groundfish, pelagic armorhead, which has been under a complete moratorium for more than 30 years. The status of the fishery remains unchanged during the duration of the moratorium as only a small portion of fishing grounds for this fishery is within US jurisdiction located on Hancock Seamount, the northernmost end of the Hawaiian archipelago. The primary fishery takes place on the Emperor Seamount Chain in international waters northwest of Hawaii.

Other than pelagic armorhead, no other WPR MUS or species complex has been evaluated as being overfished, as opposed to being subject to overfishing, thus there are no rebuilding plans in effect.

#### **New Management Programs under Development:**

NMFS approved the Western Pacific Regional Fishery Management Council's (WPRFMC) five Fishery Ecosystem Plans (FEPs) in 2009, and since, all WPRFMC management actions have either been amendments or regulatory amendments to these FEPs. The current practice in the WPR is that WPRFMC staff draft, in their entirety, integrated amendments which also contain sections required by NEPA applicable to Environmental Assessments and Environmental Impact Statements. NMFS PIRO staff primarily conduct reviews and generally do not draft sections of documents.

In late 2011, WPRFMC staff met with PIRO SF leadership to discuss changes to the current system of developing amendment documents. Specifically, the issue of co-drafting between staffs was discussed as well as the potential use of the "living FEP document" approach. In 2010 PIRO SF contracted the review of potential living document options, but to date has yet to present that work in any detail to WPRFMC staff. There are pluses and minuses in the living document approach and WPRFMC staff wish to further explore these options with PIRO SF in early 2012. Another approach that seems to hold merit is to establish a "living source document" that is continuously updated with new environmental, socio-economic, and protected species information. Often information in FEP amendment documents become outdated, requiring significant time to update prior to transmittal. A living source document that is primarily updated by NMFS PIRO could be used to cite or incorporate by reference, thereby the latest information in the FEP amendment would be available, irrespective of the latest FEP amendment. PIRO SF and Council staff met on February 17, 2012 to discuss ways to move forward. PIRO SF and the Council agreed that this would be beneficial for all parties and would jointly explore ways to

achieve the goal of attaining a “living FEP document”. The task set was to extract essential elements of the FEP and impute these elements into an agreed upon outline. This product was reviewed in April 12, 2012 during a second meeting with both staffs agreeing on the structure of the document and agreeing into looking into different ways to reference sections. Both staffs continue to work on a pilot “living FEP” for American Samoa.

**Other Issues of Concern from the WPR Council:**

***Implementation of ACLs Remain the Major Issue***

NMFS should enhance their support and involvement in the Council process in addressing these issues regarding the Annual Catch Limits. The ACL process, and specifications for the 2012 fishing year, were developed almost exclusively by Council staff with very minimal support from NMFS. A clearer engagement by NMFS in the ACL process development and specifications may provide the Council with the additional support needed to provide a better process and more accurate ACL specifications.

Despite meeting the ACL requirements for fishing year 2012 with the specification of 94 catch limits for the different management unit species in Hawaii, American Samoa, Guam, and the Commonwealth of Northern Mariana Islands, majority of the specified ACLs are based on solely catch data with only three ACLs based on an MSY estimate generated by stock assessments. The lack of stock assessments for most of the management unit species listed in the FEPs limits the WPRFMC’s ability to meet ACL management requirements with high scientific credence. This stems from a set of compounding factors, particularly: 1) assessment of stocks from a less industrialized and low value fishery are and have not been a priority of the Science Center; 2) data from which stock assessments are based on does not satisfy the basic requirements of the simplest stock assessment model; 3) data collection systems that generate fishery dependent information were not designed for stock assessment, annual catch limits based on total harvest, and real-time monitoring to apply accountability measures; and 4) there is insufficient funding to improve the data collection systems thereby limiting the ability to conduct stock assessments. Managing stocks based on catch limits require an accountability measure to ensure that ACLs are not exceeded. Unfortunately, the current fishery monitoring system was not designed to collect real-time catch landing information. The annual landing information is usually completed six months into the next fishing year. Even if there was an accountability measure established, majority of the fisheries in the WPR are almost entirely in state/territorial waters rendering any federal closure to be useless.

The Council has started to address these issues through: 1) evaluating the data collection programs in the Western Pacific region and seek ways to improve data collection; 2) drafting a proposal for NMFS funding to address gaps and issues related to data collection, statistically analyze the existing 30 year data for stock assessment purposes, and improve efficiency of current data collection and enhance status reporting. The Council identifies this as a crucial step in enhancing fishery management in the region under the new mandates describe in the MSA.

Depending on the information gathered after the first fishing year, the Council will also consider revising the specified catch limits using a more robust method utilizing biomass, catch, and proxy mortality information to generate an MSY value for each family of reef fish with

ACLs. The ecosystem component option is still one the table and will be analyzed depending on the performance of the initial year specification. Habitat information and GIS maps will be used as proxy to determine whether it is worthwhile using ACLs as a management tool if majority of the fishery is beyond federal jurisdiction. Amendments to the Council's established ACL specification process may be needed to incorporate these new methods.

***Reduction of available fishing grounds for insular fishermen due to military activities***

The increased military presence in the Mariana Archipelago carries with it the potential to further reduce fishing opportunities for insular fishermen fishing around the coasts and on banks and seamounts within range of their small craft. The implementation of the Navy's live firing range within the US EEZ around Guam includes the banks to the south of Guam, which has effectively closed the area to fishermen for up to 180 days of the year. The southern banks are thus an important fishing ground, and which may be open only for half of the year. Further, the closures may impose safety at sea issues given fishermen may risk fishing on the banks in periods of inclement weather to target short periods of open access.

The rate of fishermen drowning on Guam has increased as more of the coast has been closed, especially on the leeward coast, with fishing more often on the exposed windward coast. Modification of fishermen's behavior would suggest that they will take more risks to access fishing grounds if placed under additional constraints. The Centers For Disease Control NIOSH report that evaluated the impacts of coastal MPAs on fishermen fatalities support confirmed these trends.

These closures add to Guam fishermen's concerns about being increasingly restricted from traditional fishing grounds around Guam's coast through the network of military restrictions, marine protected areas and access limitation to various fishing gears.

In the CNMI, the Navy's bombing target range includes the island of Farallon de Medinilla (FDM). This island is surrounded by an extensive bank which represents one of the most important fishing grounds for fishermen in southern CNMI. Currently, fishermen are excluded from within 3 nautical miles of the island, which though a constraint is one they have adapted to. The Navy now proposes extending the FDM exclusion zone out to 12 nm, quadrupling the area closure and effectively marginalizing one of the most important fishing grounds for small scale insular fishermen in the CNMI.

The Council made headway into the military issues in Guam with a recent meeting with military officials during the Council's visit to Guam in March 2012. A dialogue has begun with the military to collect fishery data from those trips taken and ended in the military installations. This is a positive first step in what the Council hopes is increased two-way communications with the DOD in the region.

***Consistency between Federal and Local Shark-Finning Laws***

The WPRFMC continues to wait for an opinion on the possession of shark fins and recent State and territory laws banning their possession outright. This means that possessing imported dried shark fins for the restaurant trade is banned along with the possession of fins by fishermen

who want to land sharks. The completion of a legal opinion is complicated by the adoption of similar measures by the local government in Hawaii, California, Guam and CNMI. Will the opinion state that territories/states cannot arbitrarily ban shark fin possession when there are already existing fishery management plans (WPRFMC and PFMC) and laws regulating the possession of shark fins? NOAA GC PIR was supposed to complete a revised analysis prior to the Western Pacific Council's June 2011 meeting factoring in recent changes to the Shark Fin Prohibition Act and recently passed Marianas law but this has not happened. Moreover, at the October 2011 WPRFMC Meeting, NOAA GC PIR indicated that there would likely be little movement on this opinion since sharks, unlike bigeye tuna, were not a major economic resource for WPR fisheries, especially the Hawaii longline fishery which catches the greatest volume of sharks.

While this is undoubtedly true for the of the Hawaii longline fishery as a whole, an analysis of logbook data shows that substantial fractions (44-60%) of the observed catches of mako and thresher sharks were taken by less than 20% of the permitted vessels. Sharks are not a major component of the Hawaii longline fishery, comprising 0.1 -1.0% of landed volume. Sharks sell for about \$0.50/lb at the Honolulu fish auction, and the total volume traded in 2009 and 2010 was worth \$142, 000 and \$113,000 respectively. This revenue is equivalent to the fuel bill for a longliner for two or three trips. The small proportion of landings of sharks should not be an argument against preempting the shark fin laws. Longline fishing in Hawaii continues to be increasingly challenged by economic factors where the price of diesel fuel has doubled in recent years, making fuel costs 50% of trip costs as opposed to 30% in the past. Every commercially landed fish helps offset costs and legally landed sharks can play their part.

### ***Fishing in the Western Pacific***

#### **Big Fish and Records**

In March, a 231 lb Bigeye Tuna was reeled in off of Hawaii Island (and sold for \$3800!) by a visitor from Saskatchewan, Canada. This broke the state record for bigeye tuna that was set in 1996 at 228 lbs. The story of the record catch was reported in the Edmonton Journal.

In April, National Spearfishing Champion Kimi Werner, landed an 84 lb Ono (Wahoo), setting a world record for spearfishing.

#### **Hawaii seafood consumption**

A recent paper by the University of Hawaii at Manoa's College of Tropical Agriculture and Human Resources shows that on a per capita basis, Hawai'i spent \$104.29 on seafood consumption at home, more than twice the comparable U.S. measure of \$45.20 per resident. This spending rate is also higher than the \$53.46 for all consuming units in the U.S. western region. Table 1 shows the per capita seafood expenditure of Hawai'i and U.S. residents for at-home consumption and at food service establishments.<sup>6</sup> It also shows that Hawai'i residents spent 11.4% of their total food expenditure on seafood, a higher proportion compared to 6% for all U.S. residents.

Hawaii's top ranked species consumed is tuna (yellowfin, bigeye, other-a.k.a *ahi*) of which prices have increased lately, due mainly to market supply decreasing (decreased imports and low supply locally) and demand continuing to increase.