



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

MEMORANDUM

May 17, 2024

TO: Interested Parties
FROM: *Kitty*
Kitty M. Simonds

SUBJECT: Summary of Action Items for the 199th Meeting of the Western Pacific Regional Fishery Management Council

1. Options for Specifying Main Hawaiian Islands Deep 7 Bottomfish ACL for 2024-2027
2. American Samoa Marine Conservation Plan

The 199th meeting of the Western Pacific Regional Fishery Management Council will convene in-person June 24-26, 2024, at the Ala Moana Hotel, Hibiscus Ballroom, Honolulu, HI. Remote participation option will be available by web conference (Webex).

The Webex link is <https://tinyurl.com/199CouncilMtg> (if prompted, enter event number: 2632 858 5207; password: CM199mtg). Specific information on joining the meeting, instructions for connecting to the Webex and providing oral public comments during the meeting will be posted on the Council website at: <https://www.wpcouncil.org/event/199th-council-meeting>

The Council will consider and may take action on the issues summarized below, including any public comments on them. Written public comments on final action items should be received by the Council's executive director by 5 p.m. (HST), Thursday, June 20, 2024, by postal mail, fax or email as indicated below.

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Summary of Action Items at the 199th Council Meeting

1. Options for Specifying Main Hawaiian Islands Deep 7 Bottomfish ACL for 2024-2027 (Initial Action)

At its 198th meeting, the Council received the 2024 Main Hawaiian Islands (MHI) Deep 7 bottomfish benchmark stock assessment and accepted it as best scientific information available on the status of the fishery, and directed staff to convene the P* (Risk of Overfishing) and SEEM (Social, Economic, Ecological and Management Uncertainty) Working Groups. In May 2024, the Council's P* and SEEM Working Groups and the Scientific and Statistical Committee (SSC) evaluated the scientific, social, ecological, economic, and management uncertainties and recommended a risk level to the Council.

Based on the results of the P* and SEEM Working Group meeting, the Council will consider taking initial action at the 199th meeting on specifying annual catch limits (ACLs) and accountability measures (AMs) for the MHI Deep 7 bottomfish fishery for fishing years 2024-2025 to 2026-2027. The Council will consider the following options:

- 1) Option 1: No Action. Do not specify an ACL and AMs.
- 2) Option 2: Status quo, specify an ACL of 492,000 (Syslo et al. 2021)
- 3) Option 3: Specify an ACL and ACT based on P* and SEEM scores
- 4) Option 3: Specify an ACL and ACT below the P* and SEEM scores
- 5) Accountability Measures to consider:
 - a. In-season monitoring using the commercial marine licensing and reporting
 - b. Post-season overages single year adjustment
 - c. Specify the ACL equal to the ABC based on the P* score and optionally specify an ACT based on the P* and SEEM scores.

2. American Samoa Marine Conservation Plan

Section 204(e) of the MSA authorizes the Secretary of State, with the concurrence of the Secretary of Commerce and in consultation with the Council, to negotiate and enter into a Pacific Insular Area Fishery Agreement (PIAFA). A PIAFA would allow foreign fishing within the 200-mile U.S. exclusive economic zone (EEZ) around American Samoa, the CNMI, Guam or the PRIA with the concurrence of, and in consultation with, the applicable governors. According to the MSA, before entering into a PIAFA, the appropriate governor, with the concurrence of the Council, must develop a three-year MCP providing details on uses for any funds collected by the Secretary under the PIAFA.

In addition to PIAFA funds, the MSA provides that fines and penalties of violations by foreign vessels occurring within the EEZ around the Pacific Insular Areas, including sums collected from forfeiture and disposition or sale of property seized by the federal government, are to be deposited into the applicable local government's treasury and to be used to implement the respective MCP. Also authorized by the MSA is the Western Pacific Sustainable Fisheries Fund, which allows the Council to use funds to implement MCP projects.

The MSA requires that the MCPs shall be consistent with the Council's FEPs. The MSA also requires that the MCP include, but not be limited to, the following conservation and management objectives:

- i. Pacific Insular Area observer programs, or other monitoring programs, that the Secretary determines are adequate to monitor the harvest, bycatch and compliance with the laws of the United States by foreign fishing vessels that fish under Pacific Insular Area fishing agreements;
- ii. Conduct of marine and fisheries research, including development of systems for information collection, analysis, evaluation and reporting;
- iii. Conservation, education and enforcement activities related to marine and coastal management, such as living marine resource assessments, habitat monitoring and coastal studies;
- iv. Education and training in the development and implementation of sustainable marine resources development projects, scientific research, and conservation strategies; and
- v. Western Pacific community-based demonstration projects under section 112(b) of the Sustainable Fisheries Act and other coastal improvement projects to foster and promote the management, conservation and economic enhancement of the Pacific Insular Areas.

The Marine Conservation Plan (MCP) for American Samoa expires in July 2024. At its 199th meeting, the Council will review the MCPs for concurrence and approval. After review by the Council, the Governor transmits the MCP to the Secretary of Commerce for approval. If approved by the Council and Secretary of Commerce, the MCP is valid for three years; however, an MCP can be modified at any time and resubmitted for approval.