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REPORT TO THE 201st WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL MEETING

The National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), Pacific Islands Regional Office (PIRO) is responsible for assisting the Western Pacific Fishery Management Council (Council) in the development of fishery management plans and amendments, initiating Federal fishing regulations, issuing Federal fishing permits, and monitoring fisheries. Other major responsibilities include the conservation and recovery of protected species, conservation and restoration of marine habitats, including the Pacific marine national monuments, and coordination with international organizations to implement fishery agreements and treaties. The following information is provided to update the Council on NMFS activities since the 200th Council meeting.

SPOTLIGHT

False Killer Whale Take Reduction Team

Since the March 2023 in-person meeting of the False Killer Whale Take Reduction Team (TRT), NMFS has been working diligently to evaluate appropriate measures to reduce the incidental mortality and serious injury of the pelagic false killer whale stock by the commercial Hawaii deep-set longline fishery to levels below the stock's Potential Biological Removal.

This included conducting and evaluating a study that tested the Hawaii Longline Association's "Fighting Line Device," which was developed to improve outcomes of protected species interactions. This study examined different leader materials and tested the combined performance of gear components involved in false killer whale interactions. Additionally, NMFS convened a working group with veterinarians to consider handling guidelines, tracked the usage of fighting line devices onboard vessels, analyzed longline fishing effort and potential effort reduction measures, and implemented consensus recommendations from the TRT regarding handling and training for the dock-side crew training program.

NMFS intends to hold an informational webinar for the TRT in January 2024 to provide the outcomes and summaries of the above actions.

Marine Wildlife Stranding Response and Native Hawaiian Community Engagement

PIRO NMFS has been investing in building partnerships with Native Hawaiian practitioners by facilitating their direct engagement with stranding response and parts disposition for sea turtles and marine mammals, to the maximum extent allowed under the Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA). For example, practitioners with Kia'i Kanaloa on Hawai'i Island recently led two cetacean stranding responses under the guidance of PRD staff. In both responses, valuable conservation science information was gathered in a manner that was respectful of important Native Hawaiian cultural beliefs and practices (see a recent feature story about these collaborative responses). NMFS is exploring issuing an MMPA stranding agreement to Kia'i Kanaloa to formalize this relationship.

RULEMAKING

On October 31, 2024, NMFS informed the Council that Amendment 7 to the American Samoa Fishery Ecosystem Plan was approved. On November 7, the final rule implementing this amendment was published in the *Federal Register*. Amendment 7 discontinues the rebuilding plan for American Samoa bottomfish management unit species (BMUS) based on the results of the 2023 benchmark stock assessment, which found that the assessed species were not overfished or experiencing overfishing. NMFS will also implement new single-species annual catch limits and accountability measures for American Samoa bottomfish for fishing years 2024 to 2026. The final rule will also establish indicator species for two BMUS that were unassessed in the 2023 benchmark stock assessment. The final rule is effective on December 9, 2024.

On November 5, 2024, NMFS received notice that the White House Office of Information and Regulatory Affairs (OIRA) has deemed the draft Omnibus Amendment to the Fishery Ecosystem Plans of the Pacific Islands Region; Aquaculture Management Program significant under <u>Executive Order 12866</u>. OIRA will conduct a review of the draft FEP amendment and regulations, including seeking input from other Federal agencies, which will likely extend the publication timeline for 90 days or more.

On November 5, 2024, NMFS withdrew a February 26, 2024, proposed rule: "Catch and Retention Limits for Striped Marlin in the Western and Central North Pacific Ocean North of the Equator". This proposed rule was intended to satisfy Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) obligations to address U.S. fishing vessels' relative impact on this internationally managed stock that, based on a prior stock assessment and domestic status determination criteria, NMFS determined was overfished. NMFS withdrew the proposed rule because NMFS has determined the stock is no longer overfished, not approaching an overfished condition, and is rebuilding, based on a more recent assessment. Thus, the factual and legal bases for the proposed rule no longer apply.

PROGRAM ACTIVITIES

Habitat Conservation

In the last three months, NMFS has completed 19 individual essential fish habitat (EFH) consultations, as well as 6 EFH consultations reviewed using multiple programmatic consultations. The individual consultations included: Sinking of a Dry Dock from Cabras Island, Guam, Glass Breakwater Emergency Repair in Apra Harbor, Guam, Tinian Harbor Boring Study, USCG Base Honolulu Acquisition and Development of Pier 53, Re-establishment of the Pohoiki Boat Ramp Channel on Hawaii Island, Navy Conventional Prompt Strike Weapon System Flight Tests, and three Federal Highway Administration road rehabilitation projects around the Hawaiian Islands.

In October 2024, NMFS supported a Mariana Trench Monument Advisory Committee (MTMAC) meeting where MTMAC members voted to approve a recommendation to expand

representation to include a Guam seat. NMFS and U.S. Fish and Wildlife Service are ready to implement the official nomination process pending formal nomination by the Governor of Guam.

International Fisheries

NMFS led the U.S. delegation to the Western and Central Pacific Fisheries Commission's (WCPFC) 20th Technical and Compliance Committee meeting from September 24 - October 1, 2024. The United States sought to (1) secure agreement on climate action within WCPFC, (2) tighten restrictions on shark and cetacean bycatch, and (3) ensure all members engage in the WCPFC compliance process. On the margins of meeting, the United States led the transshipment working group and also participated in working groups on seabirds, forced labor, and electronic reporting and electronic monitoring.

NMFS hosted the annual meeting of the Permanent Advisory Committee to advise the U.S. Section of the WCPFC (PAC) online from October 21-23, 2024. The PAC developed recommendations on north Pacific striped marlin and south Pacific albacore, among other matters.

NMFS will be attending the 21st regular session of the WCPFC, in Suva, Fiji, November 27 -December 4, 2024. Key issues for discussion include north Pacific striped marlin, seabird mitigation measures, crew labor standards, revising the transshipment measure, updating south Pacific albacore management, developing a work plan to address climate change, revising the cetaceans measure to include mitigation measures for longline fishing, developing electronic monitoring standards, and progressing Pacific bluefin tuna management.

Protected Resources

On November 30, 2023, NMFS published a <u>new proposed rule to designate critical habitat</u> for five Western Pacific coral species listed as threatened under the Endangered Species Act (ESA) in American Sāmoa, Guam, CNMI, the Pacific Remote Island Area (PRIA), and Lalo in the Northwestern Hawaiian Islands. In January 2024, NMFS conducted a series of public hearings and outreach engagements across the Pacific Islands Territories, including American Samoa, Guam, and CNMI to discuss the new proposal and solicit public comment. A Settlement Agreement previously required delivery of the final rule to the Federal Register office no later than December 1, 2024; however, the White House's Council on Environmental Quality requested, and was granted, an extension for submission of the final coral critical habitat rule. Instead of December 1, 2024, the new deadline will be July 15, 2025.

On October 2, 2024, NMFS received petitions to list 41 Indo-Pacific reef coral species under the ESA, all in the *Acropora* genus, from the Honolulu-based conservation group The Coral Conservancy. NMFS is currently reviewing the petitions and determining whether they present substantial information that indicates the petitioned actions may be warranted. For this process, NMFS is only allowed to consider the information presented within the petition and in NMFS's own files. This decision is due, to the maximum extent practicable, within 90 days of receipt of the petition. NMFS is now working on the 90 day finding.

From September 24-27, 2024, NMFS staff participated in the Joint Region Marianas Integrated Natural Resources Management Plan Meeting in Guam. Meeting attendees included Sikes Act Partners (Department of Defense (DoD), US Fish and Wildlife Service, NOAA, Guam Department of Aquatic and Wildlife Resources and CNMI Department of Fish and Wildlife) to review natural resources management actions on DoD lands in the Marianas.

Sustainable Fisheries

NMFS staff continue to participate in national grant programs that support the management and sustainability of U.S. fisheries:

- <u>Bycatch Reduction Engineering Program (BREP)</u>: On October 9, 2024, the Fiscal Year 2025 BREP notice of funding opportunity was published on grants.gov. Pre-proposals are due on December 13, 2024. In 2025, BREP will provide \$2.3 million in funding to support applied management projects and activities to reduce bycatch. BREP provides critical funds for investigating problems and developing solutions designed to minimize bycatch of fish and protected species and reduce bycatch mortality. There are four high-priority areas for the Fiscal Year 2025 including researching new technology; encouraging technology adoption; reducing post-release mortality; and conducting international research. More information on BREP, previously funded projects, and the annual funding opportunity can be found on the BREP website.
- Fisheries Information System (FIS): Selected projects are funded in partnership with the NMFS National Observer Program's Electronic Technologies program and the National Catch Share Program. Funding priorities are set by the FIS Program Management Team, whose members represent a broad cross-section of state, regional, and federal partners from regional offices, science centers, and Fisheries Information Networks from all over the country. This year four proposals will be funded to advance use of artificial intelligence to improve catch and bycatch data collection, support training in cloud technologies, continue development of an eReporting application and platform, and develop a data warehouse to support ecosystem-based fisheries management of uku in Hawai'i. More information on IF, previously funded projects, and the annual funding opportunity can be found on the FIS website.

Protected Species Workshops

NMFS continues to provide required annual Protected Species Workshop (PSW) training to the longline fleet. NMFS offers an online PSW recertification training that may be taken two out of every three years, and a live PSW certification course weekly. The live course is offered in-person only on the first Friday of each month but otherwise runs as a hybrid course. So far during 2024, NMFS held 30 live workshops (10 in-person only and 20 hybrid) and had 71 individuals participate in the online PSW recertification training. These combined efforts led to 253 total certifications.

NMFS has also initiated a new Protected Species Crew Training Program. Training longline crew in protected species safe handling and release is a mandatory requirement from the 2023 ESA biological opinion for the Hawai'i longline fisheries, which states that at least one crew

member trained in protected species handling and release must be on deck during fishing operations at all times. The first crew training session was held on April 19, 2024, with interpreters providing Tagalog and Vietnamese translation for the participants. Monthly trainings have been provided since April (with the exception of October), training a total of 516 crew members across 110 vessels in 2024. See data below.

Crew Training Program				
Date	Workshops/Day	Total Vessels	Total participants	
04/19/2024	3	8	26	
05/10/2024	2	19	81	
06/21/2024	2	23	96	
07/12/2024	2	20	78	
08/23/2024	2	19	85	
09/27/2024	2	22	91	
11/08/2024	2	17	69	

The Hawai'i Longline Association (HLA) has partnered with NMFS to contribute to the success of these events, including providing funds for language interpretation, t-shirts and refreshments for participants. In addition, NOAA Office of Law Enforcement, Hawai'i Department of Transportation Harbor Police, Department of Homeland Security, and Council staff all provided extensive support for this effort.

Lastly, for additional outreach to fishermen, an animated PSW handling and release <u>video</u> is available online. NMFS has also recently made translated versions of the Tagalog, Indonesian, and Vietnamese handling and release guidelines available online as downloadable PDFs. The document links can be found on the PIRO PSW <u>webpage</u> and the NOAA <u>digital resource library</u> <u>webpage</u>.

Engagement Events

From September 16–19, 2024, NMFS staff participated in the 154th annual American Fisheries Society meeting. SFD staff 1) had a joint presentation with PRD regarding understanding monk seal interactions at the Blue Ocean Mariculture site, 2) chaired a session titled "Collaborative science through fisher-researcher partnerships" and presented on a mahimahi diet study, and 3) presented a poster on the ecology of ta'ape in Hawai'i.

On November 7, 2024, NMFS aquaculture staff presented at an annual Board of Directors meeting for <u>Sea Pact</u>, a seafood processing and distribution industry group. The presentation outlined NOAA's aquaculture initiatives in the region and nationally, as the group finalized some of their strategic planning processes.

On November 8, 2024 NMFS aquaculture staff attended the Hawai'i agriculture conference at the Hawai'i Convention Center, elevating regional priorities for aquaculture and connecting with key aquaculture stakeholders.

On September 16, 2024, NMFS provided a presentation on U.S. fisheries management at the 4th Annual Shiprider Symposium, organized by the U.S. Coast Guard. The Symposium served as an opportunity for Pacific Island countries signatory to bilateral maritime law enforcement agreements with the United States to gather and share best practices, exchange information among subject matter experts, and foster collaboration and understanding among participating nations. Pacific partners from Republic of Palau, Cook Islands, Republic of Marshall Islands, Fiji, Kiribati, Nauru, Tonga, Tuvalu, and Samoa, along with the Forum Fisheries Agency Secretariat, Pacific Quadrilateral Defense Coordinating Group representatives, Maritime Surveillance officers, and U.S. Coast Guard partners gathered to maintain and strengthen valuable partnerships across the region.

Permits

NMFS continues to update information on fish catch limits, available on the website.

All Pacific Islands region fishing permit applications and payments are processed electronically. Applications are submitted online through the National Permit System (NPS) or through Kiteworks secure file transfer. Fee payments are processed in NPS or through the Department of Treasury's <u>pay.gov</u> secure online payment system. PIRO's permit website includes <u>instructions</u> for fishing permit applications and for 2024 Marine Mammal Protection Act (MMPA) certificates. Applicants may contact NMFS for individual assistance at <u>piro-permits@noaa.gov</u> or (808) 725-5190. Applicants may also visit the <u>website</u> for current fishing permit status.

In 2025 through 2026, significant updates to NPS will be underway using multi-year funding from the Inflation Reduction Act. This work will migrate all Pacific Islands Region permit applications and processing to the online NPS system to improve public access, efficiencies and tracking. The funding will support NPS system enhancements as well as outreach workshops and educational materials in the region to introduce the system to permit holders in all the islands.

Permit	Number		
Pelagic			
Hawaii longline (limited entry)	150 active, 14 inactive/no-vessel (164 of 164)		
American Samoa longline (limited entry)	25 current, 35 available (60 of 60)		
Western Pacific general longline	-		
Receiving vessel	2		
Pelagic squid jig	2		
Experimental fishing permit	-		
Hawaii			

Permits as of October 30, 2024:

Permit	Number	
Main Hawaiian Islands non-commercial	-	
bottomfish		
Special coral reef ecosystem	-	
Precious coral	1	
Crustaceans	3 (1 lobster, 2 shrimp)	
American Sāmoa		
Special coral reef ecosystem	-	
Precious coral	-	
Crustaceans	-	
Mariana Islands		
Guam large vessel bottomfish	-	
Northern Mariana Islands bottomfish	3	
Special coral reef ecosystem	-	
Precious coral	-	
Crustaceans	-	
Pacific Remote Island Areas		
Pelagic Troll & Handline	1	
Bottomfish	-	
Special coral reef ecosystem	-	
Precious Coral	-	
Crustaceans	-	
Marine National Monument		
Recreational Fishing	-	
Recreational Charter	-	