



Report for the American Samoa Archipelago Advisory Panel Meeting

Tuesday, December 3, 2024; 5 p.m. – 7 p.m. (SST)

Hybrid Meeting via Webex:

<https://wprfmc.webex.com/wprfmc/j.php?MTID=mab8b416fb2fc300df8bed1e2c82254cc>

Event number (if prompted): 2632 483 1546; Event password (if prompted): ASAP1203mtg

1. Welcome and Introductions

Nathan Ilaoa, American Samoa Advisory Panel (AP) Vice Chair, opened the meeting at 5:02 p.m. Members in attendance included Clay Tam, Gene Pan, Joe Hamby, Nonu Tuisamoa, Jerome Ierome, and Keith Ah Soon. Members absent included Dustin Snow, Edgar Feliciano and Ray Tulafono.

Others in attendance included Felix Penalosa, Asuka Ishizaki, Mark Fitchett, Mark Mitsuyasu, Joshua DeMello, Zach Yamada (Council staff), Mia Iwane, Kirsten Leong, Justin Hospital, Min Ling Pan, Danika Kleiber, Adam Ayers (PIFSC SEES), and David O'Brien (NMFS PIRO).

2. Review of the Last AP Recommendation and Meeting

Felix Penalosa, Council staff, provided a status review of the recommendations from the last AP meeting held on September 3, 2024.

3. Feedback from the Fleet

The Vice Chair requested that the AP members provide fisher observations and issues from October to December 2024.

An AP member noted that atule, or big-eyed scad, is in season and that Tutuila experienced a bad palolo harvest while the islands of Manu'a experienced a strong surge. He said that he got palolo from his family in Manu'a. Another member added that he was fortunate to get some containers of palolo from his family in Ta'u.

An AP member said that shoreline fishermen have not been active due to bad weather and that only the offshore fishermen are doing good.

Another AP member mentioned that they had just concluded a fishing tournament last week, which had a good turnout. He noted that 8-9 boats from Western Samoa participated and that about 2000-3000 lbs of fish were caught. Furthermore, he noted that the prizes were good for the competitors. The weather was good and allowed them two days of trolling and jigging. He mentioned that Dustin's team did well in the tournament while his team caught decent-sized masimasi, which was the second largest in the tournament. The fish caught during the tournament was either sold or donated to charity.

An AP member noted that this was the third tournament of the year and the first time in a while all three major tournaments took place in a year.

Another AP member said Cape Fisheries sold one of their smaller boats and now has 5 vessels in operation. He said that they sold because it was not economically viable and because the area in which it fished favored larger vessels. There are now 10 US flag boats based out of AS, and this is the right size fleet to support the canneries. He noted that more vessels would cause congestion in the ports. With these 10-11 vessels based in AS, the fleet is in a rhythm now. He said that things are going well for the local fleet and that the canneries are entering the holiday season and will be shutting down operations soon for maintenance.

An AP member said that there were some issues but would not have any major impacts on American Samoa. He noted that last year resulted in the FAD closures because the primary fishing grounds are the high seas. He expects to see more advocacy against unfair competition in the tuna industry from unfair imports, like labor. He noted that the US has laws to prevent unfair competition and that he is advocating for the government to pursue this issue of unfair competition.

Another AP member noted the transitioning of a new administration and that it was time for these discussions to take place. He had heard some audio of Director Taotasi Archie Soliai at the commission meetings and commended them on their efforts in working the tuna commission.

Another member agreed on the critical issues regarding the impacts on the canneries and suggested that the Council Chairman find an avenue to meet with the new administration. He said that there needs to be a sufficient amount of time to bring the new administration up to speed with all the fishery issues and that it should be a part of the new administration's agenda. He thanked Hamby for bringing up unfair competition and said that it had been the talk in a lot of meetings.

Another AP member recommended that the incoming administration should be communicated with, noting that there are also newly elected members of the legislature.

AS AP recommends the Council communicate to the new administration in AS the importance of fisheries, particularly the current fishery issues including the PRI sanctuary and International positions.

4. Council Fisheries Issues

A. Options for Hawaii and American Samoa Longline Fisheries Crew Training Requirement

Ishizaki presented the Pelagic FEP draft regulatory amendment for implementing a crew training requirement for the Hawaii and American Samoa longline fisheries. The action is in response to the recent Biological Opinions (BiOps) for the Hawaii deep-set longline (DSSL), Hawaii shallow-set longline (SLL), and the American Samoa longline (ASLL) fisheries, which included a Reasonable and Prudent Measure (RPM) Terms and Condition (T&C) specifying NMFS Pacific Islands Regional Office (PIRO) Sustainable Fisheries Division (SFD) to require species handling training for crew members within two years of the BiOp's publication (i.e., by May 2025). The need for crew training, however, had been recognized prior to the BiOp, with the Council having made recommendations to NMFS since 2018 to expand the existing

owner/operator protected species workshop (PSW) to crew. In April 2024, PIRO SFD, in coordination with the Hawaii Longline Association (HLA), PIRO Protected Resources Division (PRD), and the Council initiated a pilot crew training program with a target of training all current crew members in the Hawaii and American Samoa longline fisheries by May 2025. To date, 516 crew members from 102 vessels have been trained. The purpose of the Council action will be to reduce post-release mortality of protected species by addressing a protected species handling and release training gap with crew members, consistent with the recent BiOp RPM T&C, while also allowing flexibility and enhanced operational efficiency for fishermen.

At its 201st meeting in December 2024, the Council will consider initial action on draft alternatives for implementing the crew training regulatory requirement and updating the existing owner/operator PSW requirement to allow overlap with crew training requirement, if appropriate. The action alternative would revise the longline fishery PSW requirement to implement crew training, with two sub-alternatives presented on the range of implementation approaches. Sub-Alternative 1A would require through regulations a minimum of one trained person on deck of the vessel who oversees and directs activities when retrieving fishing gear (person-on-deck requirement), and NMFS would meet the obligation to require protected species training for crew members through non-regulatory means. Sub-Alternative 1B would implement a crew training requirement in regulations through a certification requirement similar to the existing owner/operator PSW certifications. The Action Team originally considered the certification requirement approach under Sub-Alternative 1B to be in lieu of a person-on-deck regulatory requirement, but has since been advised by NOAA General Counsel that this approach would not comply with the T&C without the person-on-deck regulatory requirement. The Council will also be considering additional regulatory specifications under the action alternative. These decision points are 1) frequency of crew training and certification requirement (a. annual; or b. every 2-3 years); 2) frequency of owner operator PSW certification (a. maintain annual; or b. revise to every 2-3 years); and 3) flexibilities in certification options between crew and owner/operator (a. allow crew certification to be satisfied by owner/operator workshop; and/or allow owner/operator to substitute full PSW certification with crew certification at certain intervals). The AP was asked if there are any additional considerations to help inform the Council's decision on the options outlined and any details regarding implementation.

An AP member said that Option 3 was the preferred option and they asked if the longline owners were consulted and if they had a preferred alternative.

Council staff said the action team has been working on developing the options for Council decision and has not engaged the LL owners. There are LL representatives on the Fishing Industry Advisory Committee (FIAC) that will meet on Thursday and they can meet with them prior to their meeting. As a note, this is initial action and asked if the AP members could help reach out to vessel owners as the action team continues to refine the alternatives.

An AP member said he was hesitant to make a recommendation without representation from the longline owners and recommended the Council consult with the longline owners prior to final action.

An AP member said that he was not sure which alternative to recommend and agreed with others that the boat operator be consulted since this action would affect their operation and

business. They may find that none of the alternatives may work and it is important to get their perspective through a forum like a workshop.

Council staff said the pilot program based on adult learning for crew training in Hawaii was an in person interactive session that focused on different situations.

An AP member said the nets from the purse seine fleet does not think and there is a lot of fish and other protected species that they interact with. In addition for crew training for the longline fishery, this would be beneficial for the purse seine boats based out of American Samoa.

Council staff said they were unsure if the purse seine fishery has crew training requirements, but knows that there are efforts to reduce impacts to protected species. The action presented to the AP is focused on longline fisheries since this is the fishery the Council manages.

An AP member asked if this was an option or action that the foreign longliners will consider.

Council staff said that this would only apply to US fisheries.

An AP member said the US longline boats are much more regulated than the foreign fleet. Each action that impacts foreign fleets has to go through the WCPFC and that process would be long. With each action taken by the Council, there is a need to ensure that the regulations can accommodate the special needs of the American Samoa fleet.

Another AP member said rather than issuing a fine for vessels that do not have a certification, there should be more efforts to incentivise them to conduct the training. The fishery is already overregulated and this could change the motive for the captains and crew to want to participate in the program.

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

B. Longline Electronic Monitoring Implementation Feasibility

Fitchett presented options and decision points the Council may take to implement electronic monitoring (EM) in Western Pacific Region fisheries. EM is currently voluntary for experimental, research, and development purposes. It has not been authorized to monitor fisheries under statutory requirements. There are about 20 EM systems operating in the Hawaii longline fishery. Human observer coverage is declining, going from historical levels of 20% in the deep-set longline fishery to 10-13% in 2024, and estimated to be 7% or less in 2025 and beyond. The reduction in coverage is due to funding limitations. Outfitting and monitoring the

entire fleet is estimated to cost \$2.4 million per year. Declines in monitoring put the fishery at risk of litigation.

Previous Council recommendations at its 199th and 200th meetings directed staff to draft regulatory considerations to supplement current monitoring mechanisms and fulfill data collection requirements. Potential objectives for EM could be maintaining monitoring and estimation of protected species bycatch events while reducing costs and allowing the incorporation of EM data into existing data monitoring systems, all the while developing a program that could be implemented as a full regulatory program for future action.

Options provided to the AP to consider included: 1) authorize as an optional program (phase-in approach) or to authorize EM as a fully developed mandatory program; 2) authorize EM to monitor longline fisheries under the Pelagic FEP or for all fisheries across all FEPs; and 3) to establish a relationship with existing monitoring mechanisms, which could be to complement observer coverage or to complement logbooks and observer coverage. An optional EM program could allow flexibility and development of better standards before a fully implemented mandatory program while a mandatory program would expedite fleet-wide usage. An operational EM program and standards for a full mandatory program do not currently exist, and current resources are limited. As for the scope of an EM program, developing a program for pelagic longline fisheries would be simpler, but authorizing a program for all fisheries in all FEPs may allow for quicker use of EM when it becomes available in other fisheries.

Lastly, the development of a relationship with existing monitoring systems would require a review of the original intent of their implementation and how to integrate EM with data already collected. Human observers were incorporated in regulations initially to monitor protected species (sea turtles) while also serving as a mechanism to verify logbooks. Logbooks were developed to monitor catch as well as interactions with protected species. EM has been determined to be satisfactory in identifying species and post-release conditions, though there are limitations for some species. EM could be used to verify logbooks for protected species interactions. Other means to collect biological samples would have to be developed in the absence of human observers.

An AP member said it was important for the American Samoa LL owners to have the opportunity to chime in and asked if they had the opportunity to provide their input.

Council staff said the steering committee had limited time to engage LL owners. NMFS may or may not fund EM. With the decline of the Observer program, there is a need for other options. Fleet training and outreach are important for both Hawaii and American Samoa. The other option is a phased-in approach.

An AP member said there are benefits to EM but was hesitant to provide input without representation from the American Samoa LL fleet. He asked when the Fishing Industry Advisory Committee was going to meet and suggested Council staff engage the industry on this action to provide further insight.

The AS AP recommended the Council direct staff to engage the AS LL owners to provide their input on the potential impacts of implementing EM to their fleet.

C. Update on AS BMUS – Tier 6 ABC Control Rule

Council staff provided an update on the American Samoa bottomfish management unit species (BMUS) revision. ACLs have been effective management tools for preventing overfishing in many fisheries. However, ACL-based management has been difficult in our data limited fisheries. To address these concerns, the NMFS amended the National Standard 1 guidelines in 2016 to include “alternative approaches” for satisfying statutory requirements other than those set forth in the National Standard 1 guidelines.

An alternative approach that may be practicable in the Western Pacific (WP) is to use a “rate-based” approach. The key difference between the weight/numbers-based ACLs that have historically been used in the WP and rate-based ACLs is the metric being monitored and used for triggering AMs (i.e., rate vs. an amount of fish). In the rate-based approach, a metric, such as the mean size of fish in the data, is used to estimate a fishing mortality rate (F) and the maximum fishing mortality rate (MFMT). A lower mean size of fish is generally associated with a higher F, and a higher mean size of fish is associated with a lower F. The mean size is also biologically relevant as an indicator of the percentage of mature fish and the spawning potential ratio (SPR).

The use of either tool would be closely related to the reference points associated with the established SDC for that stock. The SDC control rules would also be amended under the Council’s initial action to allow for the application of the results of new stock assessments. Once a reference point is established, a control rule could express what change in fishing effort is needed to maintain the indicator near the reference point.

The decision to use a rate-based ACL for a data limited stock should be based on whether the stock qualifies for use of the (h)(2) flexibilities for data limited stocks (see section on the Flexibility in the Application of ACLs to Data Limited Stocks below); there are sufficient data to estimate the current average fishing mortality rate, or a proxy for F, at MFMT; and is it possible to manage with/enforce a rate-based approach. If these conditions are met, then the Council may consider a rate-based ACL as an alternative to the standard approach (i.e. weight/numbers).

In June 2023, the Council, at its 195th meeting in American Samoa, the Council took up the APs recommendation and took initial action to revise the American Samoa Archipelago FEP list of BMUS to include new species and designate other species as ecosystem components. Along with this action, there are MSA provisions that are also required to be followed such as establishing ACLs. It was unclear in the direction of whether the Council intended to take make this rate-based approach available only to American Samoa bottomfish; or if the Council would like to have this rate-based approach, described as “Tier 6,” added to the current tiered system of Allowable Biological Catch (ABC) control rules applied to other fisheries.

Options may include reserving the Tier 6 control rule for 1) American Samoa BMUS only, 2) applying the approach to select other fisheries, or 3) making the Tier 6 (rate-based) control rule approach available for all fisheries.

There was no discussion from the American Samoa AP.

5. Updates from NOAA Fisheries' SEES Program

PIFSC Social-Ecological and Economic Systems (SEES) Program provided an overview on the American Samoa fish flow, 2025 American Samoa Longline Fieldwork, 2026 IRA Infrastructure work, and Accounting for Social and Cultural Benefits of Fishing.

Regarding the American Samoa fish flow project, Iwane said they conducted their first rounds of meetings during her trip from November 14 to 21, 2024. They met with fishing representatives, government officials, marketers, and other NOAA line offices where they scoped out which types of fish enters into different avenues. During their interview, they found that fish caught by spear and the alia are sold to restaurants, stores and households compared to the longline and purse seine catch that primary sells their fish to the cannery and markets. In Winter 2024 PIFSC and the contractor will work on refining the project focus and methodology; data collection with the contractor (Spring-Fall 2025); and data analysis and reporting (Winter 2025).

Regarding physical infrastructure and human capital, they are working to understand seafood infrastructure and the people involved in seafood chain and scope what types of data may be available and how PIFSC can continue to monitor and evaluate change over time. They may begin scoping this work in 2025.

Regarding the monitoring of American Samoa Longline trip cost, Pan said PIFSC will be in American Samoa in February 2025 to collect 2024 information to include in the Annual SAFE report.

Kirsten Leong provided an overview on accounting for social and cultural benefits of fishing. This paper provides a systematic review of U.S. policy documents and peer-reviewed literature to identify potentially underrepresented fishing practices and communities associated with non-commercial fishing, i.e., fishing that is not clearly commercial or recreational. A wide range of terms were used for types of non-commercial fishing, and five underlying dimensions emerged: (1) fisher demographics; (2) fishery characteristics; (3) disposition of fish; (4) beneficiaries of fishing; and (5) reasons for fishing. Further examining fishing terms against disposition of fish revealed three classes of uncounted benefits: food systems, culture and heritage, and non-market economies.

An AP member invited the PIFSC SEES staff to have a more in depth discussion. Cultural aspects are important, community college has set up new securities program. they focus on different types of securities, including seafood. its something that may line up with your goals. Food security is getting alot of traction with the rollout of the National Seafood Strategy.

6. Review of 2023-2026 AP Action Plan

Penalosa, Council staff, provided a review of the AP's Action Plan.

The Advisory Panel (AP), made up of dedicated volunteers, continues to work toward supporting sustainable fisheries and communities in American Samoa. A highlight this year is the Video Public Service Announcement (PSA) Project, led by Vice Chair Nate Ilaoa, with draft scripts already completed and contributions from members helping to finalize the content.

Another success is the AP's social media platform, particularly the Facebook page managed by Ilaoa, which now has 301 followers and serves as an effective tool for sharing updates and fisheries news. While these projects are making progress, others like protecting the Nu'uuli mangroves and creating vocational training programs, have faced challenges due to limited funding, which the AP is working to address.

Looking ahead to 2025, the AP aims to build on its successes, focusing on community engagement through the social media platform, securing funding for key projects, expanding education and outreach, and strengthening partnerships with local organizations. Protecting areas like the Nu'uuli mangroves and promoting sustainable fishing practices will remain a priority. The AP also recommends that the Council engage with the incoming government administration through an orientation on fisheries issues, emphasizing sustainability, economic impacts, and advocacy against unfair competition.

An AP member agreed that there is no cost associated with social media platforms and that it is a popular platform in American Samoa.

Another member said if the Council has any major issues the AP is able to advocate and share information through the AP's social media platform. Furthermore another AP member also noted that the AP can help share Council's press releases.

7. Updates on Council IRA Projects

Mark Mitsuyasu, Council staff, provided an update on the Council Inflation Reduction Act Projects. The Council published a request for proposals in November and will be reviewing the proposals for its four priority areas that include scenario planning, regulatory review, protected species and communities.

8. Other Business

An AP member said there is a seawall shoreline protection project that was planned for construction. They spoke to a representative from the US Army Core of Engineer (ACOE) and asked what was the progress to begin the construction. The US ACOE said the project was under review for the habitat consultation by NMFS. Further he requested the Council request NMFS PIRO to provide an update and expedite the consultation process to allow the contractor to begin construction.

9. Public Comment

There were no request for public comments.

10. Discussion and Recommendations

Regarding American Samoa Fishery Issues, the AS AP recommends the Council communicate to the new administration in AS the importance of fisheries, particularly the current fishery issues including the PRI sanctuary and International positions.

Recommends the Council request NMFS PIRO to provide an update on the consultation for the seawall and shoreline reinforcement project.

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

Regarding Electronic Monitoring, the AS AP recommends the Council to engage the American Samoa Longline vessel owners to provide information on the impacts of this action to their continued operation.

Meeting ended at 7:51pm