



Pelagics Fishery Ecosystem Plan Team Meeting

November 18, 2024

1:00 p.m. – 4:00 p.m. HST

Virtual Meeting

Council Office Conference Room

Honolulu, Hawaii

REPORT

1. Welcome and Introductions

Pelagic Plan Team Chair, Emily Crigler, opened the meeting, described online protocols, and conducted roll-call. Plan Team members present were Lynn Russell, Bryan Ishida, Jason Helyer, Rob Ahrens, Russ Ito, T. Todd Jones, Kirsten Leong, Nathan Van Ee, Domingo Ochavillo, Brent Tibbatts, Jenny Suter, Frank Roberto, Ashley Tomita, Melissa Snover, and Jason Philibotte. Don Kobayashi, Reka Domokos, Sean Felise, Michael Kinney, Minling Pan, Phoebe Woodworth-Jefcoats, and Chelsey Young were excused. Council staff present were Mark Fitchett, Asuka Ishizaki and Zach Yamada. Others in attendance were Thomas Remington (Council contractor/Lynker) and David O'Brien.

2. Approval of Draft Agenda

Crigler asked members if they had additions or objections to the agenda. Council staff notified members that T. Todd Jones highlighted a recommendation from the SSC to investigate declines in bigeye tuna CPUE, which will be addressed under Agenda Item #6 "Other Business." Jones provided background that the SSC Chair wants the SSC to take a more proactive approach in working with PIFSC and PIRO in taking on projects and suggested that the Plan Team might be an appropriate group to contribute to this work.

3. U.S. Catch Limits for North Pacific Striped Marlin (*Initial Action*)

Fitchett presented a potential new initial action for the Council to take on U.S. catch limits for Western and Central North Pacific (WCNPO) striped marlin. The NMFS withdrew the proposed rule-making to set catch limits for U.S. vessels under the auspices of MSA 304(i) to take action toward ending overfishing and consider the relative impact of U.S. fishermen. NMFS found the purpose and need under MSA 304(i) was no longer relevant due to a stock status change under the Pelagic FEP stock status determination criteria from overfished to no longer overfished. Under international management of the Western and Central Pacific Fisheries Commission (WCPFC), the stock is considered overfished relative to 20% unfished biomass, even though a reference point has not been adopted. The stock is also subject to a WCPFC rebuilding plan to reach 20% unfished biomass (at 60% or greater probability) by 2034.

Because NMFS withdrew previously proposed rulemaking that included previous Council recommendations, the Council, at its 200th meeting, directed staff to re-develop options for catch

limits under a new purpose and need while taking into account a possible rebuilding plan that may be adopted by the WCPFC in December 2024, before the Council's 201st meeting. A new action may be under MSA Section 303(a)(1)(A) in which the Council may implement measures to prevent overfishing, conserve, and sustain viable fisheries. Options the Council may consider for initial action include 1) no catch limit (no action); 2) set a longline retention limit of 443 mt and a catch limit of 457 mt, consistent with adopted WCPFC conservation and management measures and the Council's prior recommendations; 3) set a catch limit under terms of a new WCPFC rebuilding plan, which may set an initial longline retention limit of 360 mt and a catch limit of 371 mt; or 4) prohibit retention of WCNPO striped marlin. A proposal for a WCPFC conservation and management measure will be discussed at the WCPFC annual meeting before the 201st Meeting. This proposal contains three scenarios of catch for the U.S., using 2018-2020 catch levels as a baseline, which serve as the basis for Option 3. The Plan Team was asked to provide advice to the Council.

The Plan Team discussed the following considerations for the Council to inform possible recommendations on this action item:

- Relative impact of U.S. fisheries on WCNPO striped marlin -
 - U.S. has the second highest catch of WCNPO striped marlin and is the only country whose catches or relative impact have not steadily decreased
 - Japan is the leading country to land WCPNO striped marlin and catches three times as much as the U.S. Japanese catches have declined.
- Reasons for U.S. catches not declining and relative impact increasing in recent years -
 - Other countries have modified the operations of their longline fisheries with respect to target species.
 - Japan has divested longline fisheries and had a large drift net fishery until the early 1990s.
 - Hawaii-based U.S. longline fleet has recently been fishing at the capacity of its limited entry regime.
 - There is concern over the veracity of reporting of billfish from some countries, such as China, which is a concern for U.S. industry.
 - Noted disparity between relative fishing effort levels and reported catch.
- The role of WCNPO striped marlin as discards -
 - Other countries do not seemingly discard striped marlin at sea, but staff noted less monitoring of those fisheries
 - It was recommended that the estimation of discards of WCPNO striped marlin from U.S. vessels be improved if there is a retention limit in place.

4. Hawaii and American Samoa Longline Fisheries Crew Training Requirement (*Initial Action*)

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 primarily 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) 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 requiring crew to be trained on protected species handling best practices while allowing flexibility and enhanced operational efficiency for fishermen and reduced administrative burden for NMFS.

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 include a crew training requirement, specify that crew training focuses on protected species handling and release, and follow a similar certification and compliance monitoring approach as the existing PSW requirement. The Council will also be considering additional regulatory specifications under the action alternative. These decision points include 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); 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); and 4) additional flexibilities to prevent delays in fishing trips (a. address through program implementation at NMFS' discretion; or b. identify specific exceptions in regulations). A potential regulatory exception identified by the Action Team is for Hawaii longline vessel crew pickup trips, on which vessels may fish on the return trip to cover costs. The Plan Team was asked if there are any additional considerations to help inform the Council's decision on the options outlined and any details regarding implementation.

The Plan Team discussed the following considerations for the Council decision points under the action alternative to inform its recommendation on this action item:

- Frequency of crew training certification requirement -
 - Annual certification would be more suitable considering crew turnover and the infrequent nature of the protected species interactions (i.e., certain species groups may only be encountered every 2-3 years; thus, less frequent training may not be as effective).
 - Annual certification for crew would also help meet BiOp requirements.
 - Annual certification for crew, even if the requirement is for one crew per vessel, would be a significant undertaking; the monthly crew training may be insufficient for annual certification, considering that the owner/operator training for their annual certification is currently offered weekly with an online option.
 - The occurrence of training events is expected to be monthly regardless of recertification frequency, and the high attendance from the initial pilot training will help satisfy the requirement for one trained crew for the first few years.

- PIRO is considering developing an online version of the crew training recertification course so that the renewal can be done at any time.
- PIRO will continue to have the ability to adjust how frequently the crew training sessions are held as part of the program administration (i.e., the frequency of training sessions is not specified in regulations), and can make them more accessible as needs arise.
- Frequency of owner/operator certification requirement -
 - Owner/operator training would be best maintained as an annual requirement, along with an annual crew training requirement.
 - Changing the owner/operator certification frequency would require concurrent changes to the False Killer Whale Take Reduction Plan regulations, which cannot be changed through a regulatory amendment under the Council's Pelagic FEP.
- Flexibilities in certification options between crew and owner/operator -
 - Allowing crew to satisfy their training requirement through the owner/operator workshop would be useful for ASLL crew.
 - In-person owner/operator training is currently not accessible to HILL foreign crew (due to foreign national access to the federal facility), and additional language support would be needed for crew, but the ability for HILL crew to satisfy their training requirement by attending the owner/operator training could be a future possibility.
 - Species identification, which is not covered in the crew training sessions, may become more important in the future for operators considering electronic monitoring (EM).
 - Allowing owner/operators to take the crew training as a substitute would mean they would not receive annual training on mitigation measure requirements, which may impact protected species interactions; operators taking the crew training course occasionally could have some benefits, but there would be no benefits for vessel owners since they do not handle protected species and they need to know the broader set of requirements.
- Additional flexibilities to prevent delays in fishing trips -
 - PIRO can help prevent delays in fishing trips regardless of whether exceptions are specified in regulations.
- Other general considerations -
 - Crew training is likely to be more effective for the lead crew member, although members noted that not all vessels have a designated deck boss, and tracking individuals at that level would be difficult.
 - Requiring the trained person to be on deck at all times would be difficult to enforce, and based on the pilot training sessions, vessels are likely to send multiple crew to training and would be likely to have at least one trained crew on deck by simply requiring one certificate on board.

5. Development of an Electronic Monitoring Program for Western Pacific Fisheries (Initial Action)

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.

Fitchett provided decision points for the Plan Team to consider: 1) to 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. The Plan Team was asked to weigh in on Council decision points and possible options for initial action.

The Plan Team discussed the following considerations for the Council to inform possible recommendations on this action item:

- Whether EM should be mandatory or left as an optional program -
 - Plan Team members supported the use of EM as mandatory, but as EM systems become available.
 - Plan Team members acknowledge that optional implementation better allows for gradual phasing in but may not guarantee statistically sound sampling of a fishery

- One Plan Team member suggested EM could be optional, but mandatory for shallow-set fisheries.
- One Plan Team member asked if operators can decline observers if the program is optional. This may create an issue with sampling that requires observers.
- Limitations and improvements of EM versus observers -
 - EM does not have the near-real-time monitoring capability like observers, particularly for the shallow-set fishery.
 - Artificial intelligence (AI) and machine learning (ML) development has the potential to decrease the review time of video footage and improve the capabilities of species identification.
 - EM may have limitations in hard-to-identify species like marlins or small tunas
 - Staff clarified that the current understanding is that EM would not replace observers but could be used in combination with observers to improve total sampling.
- Whether EM should be used for complementing monitoring for estimation of protected species and/or all species including retained catch -
 - Retained catch is regularly integrated with and validated by records from the Honolulu fish auction.
 - Protected species monitoring should be the focus, given that is the intention for observers.
 - Focusing on sampling EM data and looking for specific interactions may be a more efficient use of EM reviews rather than analyzing footage for landed catch estimation. AI/ML models may decrease EM review time. This type of review may also lead to quicker management of protected species measures.
- Whether EM should be limited to longline fisheries versus authorized in any fishery in any FEP -
 - Plan Team members supported the implementation of EM in pelagic longline fisheries, given the complexity of authorizing for all fisheries, some of which may not have EM or monitoring mechanisms that EM could complement.
- Whether EM can complement existing monitoring mechanisms -
 - One Plan Team member suggested that because EM is different, therefore it cannot complement other monitoring and is its own monitoring mechanism.
 - Another Plan Team member suggested that instead of *complement*, EM could be considered to *supplement* other data streams and that options should be framed as such. Staff concurred that the intent in the document was not for EM to replace existing mechanisms, but to increase sampling as an additional program.
- Whether EM should be used to verify logbooks -
 - A Plan Team member noted that logbooks are currently verified by other means (described above) and EM systems may not have the capacity to capture certain details reported in logbooks.
 - Staff clarified that EM could make logbooks a more powerful monitoring tool for protected species by utilizing EM as a verification tool, much like a secondary intent of the observer program.

6. Other Business

Mark Fitchett projected a recommendation and discussion from the September 2024 SSC report: “The SSC recommends the Council request prioritization of further catch per unit effort analyses of bigeye tuna accounting for variable effort (such per-hook or per set basis) to help diagnose possible causes for the apparent declining trend in nominal catch rates.” The industry has anecdotally provided some indication that operational and bait usage has an effect. T. Todd Jones indicated that this item was best suited for the Plan Team to discuss. Jones asked members to volunteer to form a working group and investigate. Fitchett suggested this working group provide a report at the May 2025 Plan Team meeting.

Plan Team members discussed the merit of this recommendation, noting there are differences in nominal versus standardized CPUE. One Plan Team member noted that increased yellowfin catch may affect bigeye catch as well. The fleet may also be moving to other areas and climate change could be affecting distributions.

Plan Team Chair Crigler asked for members to volunteer to form a working group. These individuals are identified in the recommendation below.

7. Public Comment

There was no public comment.

8. Discussion and Recommendations

Regarding Potential U.S. Catch Limits of Western and Central Pacific Striped Marlin, the Pelagic Plan Team:

Recommends the Council direct staff to work with NMFS to ensure there is a robust mechanism in place to best estimate at-sea discards if there is a retention limit that is reached under the implementation of any option that the Council may take.

Regarding the Hawaii and American Samoa Longline Fisheries Crew Training Requirement, the Pelagic Plan Team recommends the Council:

- Consider an annual crew training certification requirement (1a)
- Maintain the annual certification requirement for owners/operators (2a)
- Allow crew certification to be satisfied through attending the owner/operator training for ASLL crew and as a potential future option for the Hawaii longline crew noting that additional administrative and logistics support would be needed for providing this option to the Hawaii-based crew (3a)
- Consider providing an exception to the crew training requirement for crew pickup trips (4b)

Regarding Authorizing Electronic Monitoring, the Pelagic Plan Team:

Recommends the Council authorize electronic monitoring in pelagic longline fisheries to be used as a monitoring tool to supplement existing monitoring mechanisms. The use of electronic monitoring should be mandatory as operators procure NMFS-approved systems.

Regarding Investigating Bigeye Tuna CPUE, the Pelagic Plan Team:

Forms a working group of Rob Ahrens, Ashley Tomita, Bryan Ishida, Mark Fitchett, and a member of the Stock Assessment Program to investigate the declining trend of CPUE on a per hook versus per set basis and report back to the Plan Team at its May 2025 meeting.

Crigler also asked Plan Team members and staff to acknowledge Russ Ito, who will be retiring at the end of 2024. This will be his final meeting. Plan Team members provided Ito a farewell and look forward to seeing him in retirement.

The Pelagic Plan Team adjourned at 4:36 P.M.