



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**NATIONAL MARINE FISHERIES SERVICE**  
Pacific Islands Regional Office  
1845 Wasp Blvd., Bldg 176  
Honolulu, HI 96818  
(808) 725-5000 · Fax: (808) 725-5215

February 8, 2023

Agenda Item I.2.b  
NMFS Report 1  
March 2023

Mr. John Gourley, Chair  
Western Pacific Fishery Management Council  
1164 Bishop Street, Suite 1400  
Honolulu, HI 96813

Mr. Simon Kinneen, Chair  
North Pacific Fishery Management Council  
605 West 4th Avenue, Suite 306  
Anchorage, AK 99601-2252

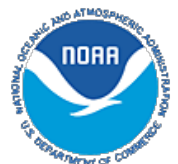
Mr. Marc Gorelnick, Chair  
Pacific Fishery Management Council  
7700 NE Ambassador Place, Suite 101  
Portland, OR 97220-1384

Dear Chairs Gourley, Kinneen, and Gorelnick:

As you are aware, the United States participated in the Nineteenth Regular Session of the Western and Central Pacific Fisheries Commission (Commission) in Da Nang, Vietnam from November 27 to December 3, 2022. The provisional outcomes of the Commission meeting are available on the [Commission's website](#). Below, the National Marine Fisheries Service (NMFS) provides its initial assessment of the regulatory actions that may be needed to implement the recent decisions of the Commission.

### *Conservation and Management Measure for Sharks*

The Commission adopted a revised Conservation and Management Measure (CMM) for Sharks. The revisions that would likely require regulatory action include provisions that prohibit longline vessels operating in the Convention Area between 20° North and 20° South from using wire trace as branch lines and from using shark lines or branch lines running off of the longline floats or drop lines, and a requirement for longline vessels to follow certain guidelines when releasing sharks that are not retained. Both of these provisions become effective January 1, 2024. In coordination with the Western Pacific Fishery Management Council (WPFMC) through the Magnuson-Stevens Fishery Conservation and Management Act (MSA), NMFS has already implemented regulations prohibiting the use of wire leaders within 1 meter of any hook deployed in the Hawaii deep-set longline fishery, and handling requirements for oceanic whitetip sharks applicable to all U.S. Pacific Island longline



fisheries. However, these regulations do not address all of the provisions of the CMM. Regulations are also needed to bring the Hawaii shallow-set longline fishery, the American Samoa longline fishery, and the longline fisheries of Guam and the Northern Mariana Islands into compliance with the provisions of the CMM. NMFS is planning to implement these regulations under the authority of the Western and Central Pacific Fisheries Convention Implementation Act.

### *Conservation and Management Measure for North Pacific Swordfish*

The Commission adopted a new CMM for north Pacific swordfish that limits the effort of fisheries occurring north of 20° North. For the U.S. longline swordfish fishery, the level of effort shall not be increased beyond the maximum number of limited entry permits available in 2008-2010. Under the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific and implementing regulations at 50 CFR 665.801, the U.S. longline fishery is subject to a limited access program. NMFS established the Hawaii longline limited access permit program in 1994 due to concerns about the then-rapid growth of this fishery in the 1990s. These concerns included the potential and actual impact of the expanded fishery on the status of some fish stocks, the impact of increased longline catches on other fisheries, and interactions between longline fishing and protected species such as Hawaiian monk seals and sea turtles (59 FR 26797, May 24, 1994). Eligibility criteria for initial permit issuance required a person to: hold a longline permit during the three-year permit issuance moratorium established in April 1991; and submit an application to NMFS by September 21, 1994. Based on these criteria, NMFS determined the maximum number of qualified applicants was 164, which became the maximum number of Hawaii longline limited access permits. The 164 permits are freely transferable, but may not be registered for use with a vessel that has a length overall greater than 101 ft. NMFS does not believe regulatory action is needed at this time to implement any of the provisions of this CMM.

### *Daily Catch and Effort Reporting*

Effective January 1, 2024, all vessels that fish on the high seas or beyond national jurisdiction within the area of application of the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Convention Area) will be required to electronically report catch and effort. NMFS is undertaking internal consultations regarding potential regulatory action, which will not be required by the Commission until 2024 for purse seine and longline gear and not until 2025 for vessels with troll gear. NMFS will provide additional information to the Councils on any necessary regulatory action at the appropriate time.

Other substantive decisions by the Commission, none of which require regulatory action, include:

- The Commission decisions to waive purse seine observer requirements due to COVID-19 were not extended and expired on December 31, 2022. All U.S. purse seine vessels operating in the Convention Area are carrying observers and are in compliance.
- The United States garnered unanimous support for its climate delegation paper which, with input from other members, requires climate as a standing agenda item at the annual meeting and at each of the preceding subsidiary body meetings.
- The 2023 tropical tuna work plan was approved by the Commission and will be conducted initially via email (February), and through a virtual workshop in June that will inform the next meeting of the Scientific Committee, with subsequent virtual and in-person workshops to be determined.

- The WCPFC adopted a CMM on a Management Procedure for Western and Central Pacific Ocean Skipjack Tuna. The measure will come into effect in February 2023 (replacing CMM 2015-06) and will undergo periodic evaluation until it expires or is replaced in February 2030.
- The Commission adopted a harvest strategy for North Pacific Albacore Fishery, which replaced its previously adopted interim harvest strategy, and ensured compatibility with the corresponding harvest strategy adopted by the Inter-American Tropical Tuna Commission in August 2022.
- The Commission adopted nearly 100 “audit points” that define how the Secretariat will assess members’ compliance with agreed obligations and further agreed to apply these new audit points in the compliance monitoring review in September 2023.

Sincerely,



Sarah Malloy  
Regional Administrator (Acting)

cc: Scott Rumsey, Ph.D., Regional Administrator (Acting), West Coast Region  
Jon Kurland, Regional Administrator, Alaska Region  
Tia Brown, Director (Acting), Pacific Islands Fisheries Science Center  
Kristen C. Koch, Director, Southwest Fisheries Science Center