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To:	Michael Weiss - NOAA Federal
Subject:	Pacific Territories commercial fishing
Date:	Thursday, August 17, 2017 8:06:42 AM
Attachments:	Pacific Territories and Tuna Fishery.docx

Attached is my condensation of everything you have sent me on this. I had to send it on to Downey immediately on completion a few minutes ago, but please let me know if you see any errors or major omissions. It can't get much longer if it is to be usable.

Commercial Fishing in the Pacific Territories

American Samoa – Rose Atoll Monument waters

Commercial fishing is prohibited but non-commercial fishing is allowed within Rose Atoll Marine National Monument, with a fishing permit, in the area from 12 to approximately 50 nautical miles. To date, no permits have been issued.

Prior to the designation of the Monument in 2009, large fishing vessels were prohibited from roughly the same area under a **2002 NMFS rule establishing a "Large Vessel Prohibited Area"** (LVPA). Within the LVPA, only vessels under 50 feet could fish. The area of the LVPA (which includes the area now designated as a monument) **was a very important part of the large vessel fleets fishing grounds**, but NMFS weighed the many impacts thoroughly and made the difficult decision to restrict large vessel fishing in this area. **Subsequently, the small-vessel fleet (called "alia" fishing vessels) has declined to just 1 active boat and the need for the entire LVPA has diminished. NMFS issued regulations to reduce the LVPA area adjacent to but outside of the monument in 2015 to a distance of 12 nm offshore. The NMFS action was vacated by a Judge's order in 2017**. The Western Pacific Fisheries Management Council is again considering the need for the LVPA and taking action to reduce the burden of the LVPA on the large vessel fleet.

Tuna vessels fishing in PRIA Monument waters – (from American Samoa and Hawaii)

Under the Jones Act, only US-build vessels can fish in the US EEZ at the PRIAs. There is no statutory authority for an exception. Currently there are 40 large longline fishing permits with **15 large longliners**. **Most of them are US-built and would qualify for Jones Act access to fish in US waters.** There are **currently 35 US flagged purse seiners** based in American Samoa, and 9 **of these are US-built** and so could fish in PRIA waters if opened.

The purse seiners operate principally under a multilateral treaty which allows them access to fish for tunas in the waters of 16 Pacific Island countries and the **preferred fishing grounds are in foreign zones of the equatorial Western Pacific**. Over the years, most of the US purse seine catch was off-loaded to the canneries in Pago Pago, of which only 1 remains.

Historically, there has been little commercial fishing in the southern PRIAs by the Samoa-based vessels. In 1997, 25% of their catch came from areas off Howland, Baker and Jarvis Islands, but since then the catch has been minimal. Their representative said they would like to have the option open to them, particularly since they may need to target tuna species other than albacore in order to make a living in the future.

Roughly 4% of the Hawaii-based longline fishing effort took place in the PRIA EEZ prior to designation and expansion, with about 60% of that coming from the U.S. EEZ around Kingman and Palmyra and most of the remainder from the U.S. EEZ around Johnston. NOAA - it is reasonable to foresee that (b) (5) [redacted]

yellowfin tuna fishing grounds. The overall catch composition of these two tuna species (bigeye:yellowfin) is 10:1. However, the catch from the PRIA EEZs is roughly 2:1 and represents a significant portion of the valuable yellowfin landings. At certain times of the year and for certain social and cultural purposes, yellowfin tuna is especially important. (b) (5) [redacted]

Islands Unit, Marianas Trench Monument

CNMI tends to have fewer than 50 vessels engaged in commercial pelagic fishing. Most vessels are outfitted with rod and reel gear and lack the capacity for longline gear or to chill large amounts of catch. [i.e. they catch for the local market].

Similarly, the Guam commercial fleet is predominantly a troll fishery and a small charter fishery. Around 200 small commercial vessels are engaged in some aspect of commercial pelagic fishing. Most vessels are outfitted with rod and reel gear and lack the capacity for longline gear or to chill large amounts of catch [also catch for local market].

Research uncovered accounts of 129 trips to the Islands Unit waters spanning the years 1939 to 2009. From 1979 to 2009, this would be an **average of 3.8 trips per year**. Accounts of fishing in the northern islands indicate that **these trips were rarely wholly commercial in nature**. While many operations described in the northern islands intended to make a profit and sell a large portion of their fish, nearly all operations had the **practice of giving a good deal of the catch away to family, friends and the local community, now known as "customary exchange."**

The oral histories collected for this research indicate that fishing trips to the Islands Unit waters were conducted as much for the experience of traveling to the islands themselves and fishing in the surrounding waters as for a chance of gaining profit.

Permit holders who harvest fish under a non-commercial fishing permit may engage in customary exchange, which helps to preserve traditional, indigenous and cultural fishing practices on a sustainable basis**.**

Since commercial fishing was prohibited and non-commercial fishing regulations went into effect in 2013 in the Islands Unit, **NOAA Fisheries has not received any applications for non-commercial fishing permits** (i.e., sustenance, recreational and traditional indigenous fishing). According to the resident fishing community, the lack of interest in non-commercial fishing in the Islands Unit can be **attributed to the fact that the cost of gas far exceeds the ability to cover expenses** ("customary exchange" may include reimbursement of direct costs).