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LETTER REGARDING IMPLEMENTATION OF CMM 2017-01 PARAGRAPH 29

**WCPFC15-2018-DP20¹
4 December 2018**

United States of America

¹ This letter was also circulated to CCMs as WCPFC Circular 2018/75 on 30 November 2018



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Office of the Assistant Administrator
Silver Spring, MD 20910

November 29, 2018

Mr. Feleti P. Teo
Executive Director
Western and Central Pacific Fisheries Commission
P.O. Box 2356, Kolonia
Federated States of Micronesia

Re: WCPFC15 Priorities

Dear Feleti,

Thank you for forwarding **Circular No.: 2018/72** and to the Chair, Ms. Rhea Moss-Christian, for drawing attention to the key issues for consideration at the upcoming meeting. In order to inform discussion of the tropical tuna measure, CMM 2017-01, I would like to provide information on the implementation of paragraph 29 of that measure and request that this arrangement be re-examined by the Commission at WCPFC15.

American Samoa and its economy continue to suffer substantial adverse impacts resulting from the limits on fishing effort by U.S. purse seine fishing vessels on the high seas in the Convention Area. We appreciate that paragraph 29 of CMM 2017-01 recognized the economic hardship in American Samoa and was adopted to help alleviate those impacts, but it had only modest effects. The United States transferred 100 fishing days from its 2018 EEZ limit of 558 fishing days to its high seas limit, resulting in a 2018 high seas limit of 1,370 fishing days. The United States EEZ limit was not reached by October 1, 2018, so no further changes were authorized.

Paragraph 29 includes the “expectation that the catch taken by United States flagged purse seine vessels and landed in American Samoa” is no less than the volume landed in 2017, increased by 3,500 short tonnes. The volume landed in American Samoa in 2017 was 62,291 mt; an increase of 3,175 mt (3,500 st) equals 65,466 mt. The United States estimates that as of November 16, 2018, the amount landed in American Samoa for the canneries was 60,107 mt. Although landing activity in the remainder of the year is difficult to predict, it is expected that the 2018 amount likely will exceed 65,466 mt.

Although the expectation with respect to deliveries to the American Samoa canneries may be met, American Samoa has continued to bear a heavy burden of conservation action due in part to the limits on high seas fishing days available to the U.S. fleet ever since they were reduced by 760 days in 2013. Unlike many other members, the United States has routinely had to require its purse seine vessels to cease fishing on the high seas to avoid exceeding our limits. Reduced access to the high seas for U.S. vessels has contributed to a lack of supply to canneries in American Samoa—one of which has already ceased processing fish, the other of which has occasionally had to shut down. The Commission has no agreed method for determining—



pursuant to Article 30.2 and related measures—whether a given measure has transferred a disproportionate burden of conservation action onto developing states or territories; nonetheless, the burden of the high seas limits on American Samoa has been assessed and documented, and it is significant.¹

A substantial number of U.S. purse seine vessels operate out of Pago Pago, American Samoa, and are integrally tied to its economy. As currently structured, the FAD set management and effort controls on the U.S. purse seine fleet have substantial adverse impacts on the local vessels, related processing operations, and the overall well-being of the American Samoa economy. Fishing opportunities on the high seas are critically important for the U.S. fleet and its ability to deliver to the cannery in American Samoa, a small island Participating Territory. It is essential that the Commission meet its obligation to consider the needs of this Participating Territory, much as it considers the purse seine fleets and overall needs of Small Island Developing States. The United States requests that these considerations be taken into account when discussing FAD management and reviewing the level of high seas purse seine limits for the United States.

I would kindly request that you circulate this letter to all CCMs to inform deliberations on paragraph 29 of CMM 2017-01 and the broader tropical tuna measure.

Sincerely,



Samuel D. Rauch III
U.S. Federal Commissioner to the WCPFC

¹ Chan V. and Squires D. 2016. Analyzing the economic impacts of the 2015 ELAPS closure. SWFSC Internal Report. Southwest Fisheries Science Center, National Marine Fisheries Service. 16 pp.