



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

July 14, 2017

Mr. Edwin Reyes
Administrator
Guam Coastal Management Program
Bureau of Statistics and Plans
Government of Guam
P.O. Box 2950
Hagåtña, GU 96932

Dear Mr. Reyes:

The National Marine Fisheries Service (NMFS) will propose a 2017 limit of 2,000 metric tons (mt) of longline-caught bigeye tuna for each U.S. Pacific territory (American Samoa, Guam, and the Northern Mariana Islands). NMFS would allow each territory to allocate up to 1,000 mt of the 2,000 mt each year to U.S. longline fishing vessels in a specified fishing agreement that meets established criteria. As accountability measures, NMFS would monitor, attribute, and restrict (if necessary) catches of longline-caught bigeye tuna, including catches made under a specified fishing agreement. The limits support the long-term sustainability of fishery resources of the U.S. Pacific Islands.

The proposed catch limits and accountability measures are identical to those that NMFS specified in 2016 for Guam longline fisheries. On March 29, 2016, the Guam Bureau of Statistics and Plans found the 2016 action consistent with the approved development and resource policies of the Guam Coastal Management Program.

Pursuant to section 307 of the Coastal Zone Management Act (33 U.S.C. 1456(c)(1)(C)), I have determined that the proposed 2017 action is consistent to the maximum extent practicable with the enforceable policies of the approved Coastal Zone Management Program of Guam. I request your review of, and concurrence with, this determination. Under regulations at 15 CFR 930.41(a), we may presume your concurrence if we do not receive your response within 60 days from receipt of this consistency determination. Because this is a time-sensitive action, however, we request your earliest response to this letter.

Enclosed are the information and analyses supporting this determination. If you have any questions or comments, please contact Jarad Makaiau at 808-725-5176 or jarad.makaiau@noaa.gov.

Sincerely,

Michael D. Tosatto
Regional Administrator

Encl.





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

DRAFT

Supplemental Information Report

Specification of Bigeye Tuna Catch and Allocation Limits for Pelagic Longline
Fisheries in U.S. Pacific Island Territories

July 14, 2017



CONTENTS

1	Introduction	3
2	Background.....	3
3	Scope of the SIR and New Information.....	6
4	Evaluation of New Information	7
5	Other Information not Evaluated in Detail	11
6	Conclusions/Decision	12
7	References	13

1 INTRODUCTION

The National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS) prepared this Supplemental Information Report (SIR) in accordance with the requirements of NOAA Administrative Order (NAO) Section 216-6A, “Compliance with the National Environmental Policy Act, Executive Orders 12114, Environmental Effects Abroad of Major Federal Actions; 11988 and 13690, Floodplain Management; and 11990, Protection of Wetlands,” dated April 22, 2016, and the Companion Manual for NAO 2016-6A, “Policy and Procedures for Compliance with the National Environmental Policy Act (NEPA) and Related Authorities,” dated January 13, 2017.

This SIR documents our evaluation of new information relating to the proposed specification of bigeye tuna catch and allocation limits for pelagic longline fisheries in U.S. Pacific Island territories in 2017. The SIR also documents our finding that:

1. There are no changes to the proposed action that are relevant to environmental concerns;
2. There are no significant new circumstances or new information relevant to environmental issues bearing on the proposed action or its impacts; and
3. The proposed action would not result in environmental impacts that have not already been considered in previous NEPA analyses, and thus, supplementation of prior NEPA is not necessary.

2 BACKGROUND

Proposed Action and Previous NEPA Analyses

NMFS and the Western Pacific Fishery Management Council (Council) manage pelagic fisheries in the Exclusive Economic Zone (EEZ or federal waters; generally 3-200 nautical miles from shore) around American Samoa, Guam, the Northern Mariana Islands, Hawaii and other U.S. insular areas, and on the high seas through the Fishery Ecosystem Plan for Pelagic Fisheries of the Western Pacific Region (Pelagic FEP), as authorized by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Pelagic FEP authorizes NMFS to specify catch limits for pelagic fisheries of the U.S. territories of American Samoa, Guam and the Northern Mariana Islands. The Pelagic FEP also authorizes NMFS to allow each territory to allocate a portion of their specified catch limit to a fishing vessel holding a valid permit issued by NMFS (See [50 CFR 665.819 – Territorial Catch and Fishing Effort Limits](#)).

In 2015, NMFS issued a Final Environmental Assessment ([2015 EA](#)) that evaluated the potential environmental impacts of specifying a catch limit of 2,000 metric ton (mt) of longline-caught bigeye tuna for each U.S. territory in 2015, and potentially again in 2016 (NMFS 2015). The 2015 EA also analyzed the impacts of allowing each U.S. territory to allocate in each year, up to 1,000 mt of its 2,000 mt bigeye tuna limit to U.S. longline fishing vessels permitted under the Pelagic FEP, and identified in a specified fishing agreement with the territory. The analysis in the 2015 EA indicated that the specification of catch and allocation limits for each of the three U.S. territories in 2015, and potentially again in 2016, is not expected to result in substantial effects to the long-term sustainability of bigeye tuna, other non-target species, bycatch species,

protected species, or adversely affect marine habitats. After considering public comments received on the proposed 2015 catch and allocation limit specifications, and a draft version of the 2015 EA, NMFS finalized the 2015 EA and issued a Finding of No Significant Impact (FONSI) determination on September 29, 2015.

In 2016, NMFS issued a Final Supplemental EA ([2016 Supplemental EA](#)) that evaluated the potential impacts of specifying the same catch limit and allocation limits for each U.S. territory in 2016 (NMFS 2016). NMFS prepared the 2016 Supplemental EA in response to new information on sea turtles that the agency received after completing the 2015 EA and associated FONSI. Specifically, NMFS determined that the Hawaii-deep set longline fishery exceeded the incidental take statements (ITS) for olive ridley sea turtles, green sea turtles, and the North Pacific loggerhead sea turtle distinct population segment (DPS), as authorized in a NMFS 2014 Biological Opinion (2014 BiOp) for that fishery (NMFS 2014). Additionally, on April 6, 2016, NMFS and the U.S. Fish and Wildlife Service published a final rule to list 11 DPSs of green sea turtle under the Endangered Species Act or ESA (81 FR 20058). The final rule replaced the previous range-wide listing and, with eight DPS listed as threatened and three DPSs listed as endangered. Six green sea turtle DPSs may occur in the area where the Hawaii deep-set longline fishery operates, and have the potential to interact with the fishery. These events led NMFS to reinitiate consultation under Section 7 of the ESA on April 13, 2016 to determine whether the continued operation of the Hawaii deep-set longline fishery as managed under the Pelagic FEP, including territorial catch and allocation limits would jeopardize the continued existence of these sea turtle species. Because re-initiation was not triggered for any other ESA-listed species covered in the 2014 BiOp, the impact analyses for all other ESA-listed species contained in the 2015 EA, and in the 2014 BiOp upon, which the analyses were based, remain valid.

NMFS completed this consultation on March 24, 2017 (See Section 4 below for more information on the results of that consultation). However, prior to the completion of ESA consultation, NMFS prepared preliminary estimates on the level of incidental take of these sea turtle species by the Hawaii deep-set longline fisheries when operating under territorial catch and allocation limits. NMFS describes these levels of estimated take in the 2016 Supplemental EA and evaluates the population level impacts associated with the level of incidental take for each species. After considering public comments received on the proposed 2016 catch and allocation limit specifications, and a draft version of the 2016 Supplemental EA, NMFS finalized the 2016 Supplemental EA and issued a FONSI determination on September 9, 2016.

Proposed Action

For 2017, NMFS is again proposing to specify a catch limit of 2,000 mt of longline-caught bigeye tuna for each of the three U.S. territories (i.e., American Samoa, Guam and the Northern Mariana Islands). NMFS is also proposing again, to allow each U.S. territory to allocate up to 1,000 mt of its 2,000 mt bigeye tuna limit to U.S. longline fishing vessels permitted under the Pelagic FEP, and identified in a specified fishing agreement with the territory. See Section 1.3 of the 2015 EA and Section 1.1 of the 2016 Supplemental EA for a detailed description of process and information NMFS and the Council used to specify territorial bigeye tuna catch and allocation limits. See Section 1.4 of the 2015 EA and Section 1.2 of the 2016 Supplemental EA for more information on the purpose and need for the territorial catch and allocation limits.

Purpose and Need for the Proposed Action

The purpose and need for the action is the same as was described in Section 1.4 of the 2015 EA (NMFS 2015) and Section 1.2 of the 2016 Supplemental EA (NMFS 2016). In summary, the purpose of this action is to establish a bigeye tuna catch and an allocation limit for longline fisheries of each U.S. territory, consistent with the conservation needs of the stock that will help to support the development of fisheries in those territories under Pelagic FEP.

Based on the status determination criteria set forth in the Pelagic FEP, bigeye tuna in the Western and Central Pacific Ocean (WCPO) is currently subject to overfishing due to international overfishing, but is not overfished. To address the overfishing status of this stock, the Western and Central Pacific Fisheries Commission (WCPFC) has adopted several conservation and management measures (CMM) to reduce fishing mortality of bigeye tuna in longline and purse seine fisheries by certain WCPFC member countries, including the United States. NMFS implements WCPFC CMMs domestically through rulemaking under the authority of the WCPFC Implementation Act (See [50 CFR 300, Subpart O – Western and Central Pacific Fisheries for Highly Migratory Species](#)).

Under the [CMM 2016-01](#), longline fisheries of the United States are subject to a catch limit of 3,763 mt in 2014, 3,554 mt in 2015 and 2016 and 3,345 mt in 2017. The CMM also requires that any overage of the catch limit be deducted from the catch limit for the following year. The U.S. longline bigeye tuna catch limits contained in CMM 2016-01 are identical to the catch limits contained in the previous CMM applicable to bigeye tuna including, CMM 2013-01, CMM 2014-01 and CMM 2015-01. For purposes of consistency, NMFS will cite CMM 2016-01 in this document.

The objective of CMM 2016-01 is to reduce fishing mortality of bigeye tuna to a level no greater than the fishing mortality that produces maximum sustainable yield or F_{MSY} , (i.e., $F/F_{MSY} \leq 1$). However, the WCPFC exempts Small Island Developing States (SIDS) and participating territories (PT) to the WCPFC from provisions of the CMMs (see Section 1.1 of the 2015 EA). As PTs to the WCPFC, the U.S. territories are not subject to the U.S. bigeye tuna catch limit under CMM 2016-01. For this reason, the bigeye tuna limits proscribed in CMM 2016-01 apply only to vessels in the Hawaii longline fishery. Therefore, the proposed catch limit of 2,000 mt for each of the three U.S. territories is needed to ensure stock sustainability in conjunction with the 1,000 mt allocation limit.

Because the U.S. territories have no limit on the amount of bigeye tuna that may be caught in their longline fisheries, the Council was concerned that allocations under specified fishing agreements that are not accompanied by limits on total Territory harvests could create the potential for uncontrolled harvest of bigeye tuna in U.S. territorial longline fisheries. Therefore, the proposed allocation limit of 1,000 mt is needed because the U.S. territories do not currently harvest substantial amounts of bigeye tuna, and yet desire to responsibly develop their fisheries. Allowing each U.S. participating territory to allocate a portion of its bigeye tuna catch limit at a level that is consistent with the objective of CMM 2016-01 – to reduce fishing mortality of big eye tuna to a level no great than F_{MSY} – provides support for NMFS-approved fisheries development projects identified in each U.S. participating territory's marine conservation plan

(MCP). See Section 1.1 of the 2015 EA for more detailed information on Amendment 7 to the Pelagic FEP, MCPs and CMM 2016-01, and all prior CMMs related to bigeye tuna.

3 SCOPE OF THE SIR AND NEW INFORMATION

Council on Environmental Quality (CEQ) regulations at [40 CFR 1502.9\(c\)](#) requires Federal agencies to prepare supplements to either draft or final environmental impact statements if either of the following occurs:

1. The agency makes substantial changes in the proposed action that are relevant to environmental concerns; or
2. There are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.

In determining whether supplementation of prior NEPA is necessary, the Companion Manual for NOAA NAO 216-6A, authorizes NMFS to prepare a SIR. A SIR is a concise document that describes NMFS evaluation of new information, changed circumstances, or proposed changes to an action and assists the agency in determining and documenting whether a supplemental NEPA document is necessary.

Regarding #1 above, the proposed territorial catch and allocation limits for 2017 are identical to the catch and allocation limits NMFS implemented in 2015 and 2016 and analyzed in the 2015 EA and 2016 Supplemental EA. Therefore, there is no change to the agency action.

Regarding # 2 above, the completion of ESA consultation for olive ridley sea turtles, the North Pacific DPS of loggerhead sea turtle, and the six green sea turtle DPSs represents new information that may be relevant to the analyses contained in the 2016 Supplemental EA. Specifically, on March 24, 2017, NMFS completed ESA Section 7 consultation by issuing a Supplement to the 2014 Biological Opinion (2017 Supplemental BiOp) for the Hawaii deep-set longline fishery (NMFS 2017). The 2017 Supplemental BiOp includes new estimates on the number of olive ridley, North Pacific DPS of loggerhead sea turtle, and green sea turtle DPS that may be incidentally hooked or entangled by the Hawaii deep-set longline fishery operating under the Pelagic FEP, including under longline bigeye tuna catch and allocation limits. The 2017 Supplemental BiOp also includes new estimates on the population level impacts the fishery may have on each sea turtle species. These new estimates of take and population level impacts differ from the levels described and analyzed in the 2016 Supplemental EA.

Other new information is the recent catches of WCPO bigeye tuna by longline fisheries in the U.S. territories and Hawaii in 2015 and 2016. In both years, the total bigeye tuna catch was lower than the level anticipated to occur under territorial longline bigeye tuna catch and allocation limits. Therefore, the purpose of this SIR is to document NMFS evaluation of new information against the information contained in the 2016 Supplemental EA. The SIR will help NMFS determine whether the new information represents significant new information that requires the agency to further supplement the 2015 EA or the 2016 Supplemental EA.

4 EVALUATION OF NEW INFORMATION

New Information in the 2017 Supplemental BiOp

Summary of the Data Used and Methodologies Applied

Although the thresholds for “significance” under NEPA and “jeopardy” under ESA differ, the 2016 Supplemental EA and the 2017 Supplemental BiOp both use same general analytical approach for evaluating the impacts of Hawaii deep-set longline fishing operations on ESA-listed species. For both analyses, the first step is to identify the stressors associated with the action with regard to ESA-listed species (e.g., hooking and entanglement in longline fishing gear, collisions with vessels, etc.). The second step is to determine the magnitude of stressors (e.g., how many individuals of a species are exposed to hooking and entanglement). In this step of the analysis, NMFS identifies the number, age (or life stage), and sex of the individuals that are likely to be exposed to a proposed action’s effects, and the populations or subpopulations those individuals represent. The third step describes how the exposed individuals are likely to respond to these stressors (e.g., the number of mortalities that can be expected to result from interactions with longline fishing gear). The final step is establishing the risks those responses pose to listed resources. Because sea turtle populations are monitored by counting females at nesting beaches, the response to sea turtle populations resulting from interactions with longline fishing gear must be quantified in terms of adult nester equivalents (ANE) or in other words, the equivalent number of adult females that would be removed from the population.

With respect to fishing effort, the 2017 Supplemental BiOp indicates that the Hawaii deep-set longline fishery would continue to operate largely unchanged in terms of fishing location, the number of vessels, catch rates of target, non-target, and bycatch species, depth of hooks, or deployment techniques in setting longline gear when compared to the levels described in the 2016 Supplemental EA. This is because the 2016 Supplemental EA relied on levels of participation and effort described in the 2014 BiOp. While the 2017 Supplemental BiOp, noted that there was a slight increase in some measures of effort in 2015 (i.e., active vessels, trips, and hooks), it also noted that there is no information to believe that this slight increase in some effort measures in 2015 (e.g., less than a 3 percent increase in hooks set) will result in a material change in the future conduct of the fishery that will introduce effects to listed species in a manner or to an extent not considered in the 2014 BiOp. Therefore, the levels of fishing effort used in the analyses in the 2016 Supplemental EA and the 2017 Supplemental BiOp are not substantially different.

To estimate the number species exposed to the hooking/entanglement stressor, the 2016 Supplemental EA uses NMFS observer data from 2004 through March 31, 2016, while the 2017 Supplemental BiOp uses data from 2004 through the June 30, 2016. This additional three months of data includes sea turtle interactions occurring during this period. Additionally, the 2017 Supplemental BiOp includes more recent information on sea turtle biology, population demographics and updated ANE analyses that is applied annually, than the 2016 Supplemental EA. Together, these differences influence the number, age (or life stage), and sex of the individuals that are likely to be exposed to interactions, and resulting population level effects on adult nesting females. NMFS considers the 2017 Supplemental BiOp the best scientific

information available for evaluating the effects of Hawaii deep-set longline operations on olive ridley sea turtles, the North Pacific DPSs of loggerhead sea turtle, and the six green sea turtle DPSs.

Table 1 summarizes key information related to the impact of Hawaii deep-set longline fishing operations on olive ridley sea turtles, the North Pacific DPS of loggerhead sea turtle, and the six green sea turtle DPSs as described in the 2016 Supplemental EA (Column A) and the 2017 Supplemental BiOp (Column B). Specifically, Column A of the table provides the annual number of interactions for each sea turtle species (A1), the equivalent number of adult females expected to be removed from the population as a result of these interactions or the ANE (A2), the estimated nester abundance for each species (A3), the percentage of the nesting population lost due to interactions (A4), and the number of years to result in one adult female mortality (A5), as described in the 2016 Supplemental EA. Column B of the table provides the annual number of interactions for each sea turtle species (B1), the equivalent number of adult females expected to be removed from the population as a result of these interactions or the ANE (B2), the estimated nester abundance for each species (B3), the percentage of the nesting population lost due to interactions (B4), and the number of years to result in one adult female mortality (B5), as described in the 2017 Supplemental BiOp.

Table 1. Comparison of the interactions, ANE mortalities, nester abundance, percentage of the nesting population lost, and years to result in one adult female mortality between the 2016 Supplemental EA and the 2017 Supplemental BiOp.

Species	Column A - 2016 Supplemental EA					Column B - 2017 Supplemental BiOp				
	A1. Annual Interactions	A2. ANE Mortalities over a 3-year period	A3. Nester Abundance	A4. Percent of Nesting Population loss over a 3-year period	A5. Years to 1 Adult Female Mortality	B1. Annual Interactions	B2. ANE Mortalities over 1 year	B3. Nester Abundance	B4. Percent of Nesting Population lost annually	B5. Years to 1 Adult Female Mortality
North Pacific loggerhead DPS	5	0.81	8,897	0.0091	3.7	6	0.31	8,990	0.00345	3.26
Olive ridley (Eastern)	39	25.12	>1,000,000	0.002512	0.12	61 (47 from the Eastern population and 14 from the Western population)	13.27	>1 million	0.00133	0.08
Olive ridley (Western)		7.50	205,000	0.003659	0.4		3.96	205,000	0.00193	0.26
East Pacific green DPS	3	0.32	20,062	0.00161	9.34	4	0.054	20,000	0.00027	18.62
Central North Pacific green DPS	2	0.32	3,846	0.00845	9.34	2	0.027	3,800	0.00071	37.25
East Indian-west Pacific green DPS	2 (two from either the East Indian or South west green DPS)	0.32	77,009	0.00042	9.34	2	0.027	77,000	0.00003	37.25
Southwest green DPS		0.32	83,058	0.00039	9.34	2	0.027	83,000	0.00003	37.25
Central West green DPS	1 (one from either the Central West or Central South Pacific green DPS)	0.32	6,518	0.00845	9.34	1	0.013	6,500	0.00021	74.49
Central South Pacific green DPS		0.32	2,677	0.01235	9.34	1	0.013	2,600	0.00052	74.49

Comparison of the Data Results

As shown in Column A4 in the table above, the 2016 Supplemental EA anticipates that depending on the sea turtle species, the ANE associated with the annual level of interactions represents between 0.00039 percent and 0.01235 percent of adult female nesters over a three-year period. These numbers, proportionally adjusted on an annual basis, are analogous to the fishery causing a single adult female mortality ranging between 0.12 to 9.34 years, depending on the species. This is an insubstantial fraction of the overall nesting population of each species. Given this information, NMFS determined the Hawaii deep-set fishery would not have a substantial effect on the overall size of any sea turtle populations and is not likely to reduce appreciably the likelihood of both the survival and recovery of the species in the wild. NMFS also determined that under territorial catch and allocation limits, the overall population for all sea turtle species would remain large enough to maintain genetic heterogeneity, broad demographic representation, and successful reproduction, and to retain the potential for recovery.

As shown in Column B4 in the table above, the 2017 Supplemental BiOp anticipates that depending on the sea turtle species, the revised ANE associated with the updated annual level of interactions represents between 0.00003 percent and 0.00345 percent of adult female nesters annually. These numbers, proportionally adjusted on an annual basis, are analogous to the fishery causing a single adult female mortality ranging between 3.26 to 74.49 years, depending on the species. This information indicates that for each sea turtle species, adult female mortalities associated with the estimated annual level of interactions remain an insubstantial fraction of the overall nesting population and are not substantially different from those described in the 2016 Supplemental EA.

The information in the 2017 Supplemental BiOp continues to support the conclusion that, under territorial catch and allocation limits, the overall population for all sea turtle species would remain large enough to maintain genetic heterogeneity, broad demographic representation, and successful reproduction, and to retain the potential for recovery. Therefore, the best scientific information available continues to support the conclusion that the Hawaii deep-set longline fishery as managed under the Pelagic FEP, including territorial catch and allocation limits would not have a substantial impact on the overall population of olive ridley, North Pacific DPS of loggerhead sea turtle, and the six green sea turtle DPSs.

2015 and 2016 Catch of Western and Central Pacific Bigeye Tuna

In the 2015 EA, NMFS anticipated that up to 9,554 mt of WCPO bigeye tuna could potentially be caught under territorial longline bigeye tuna catch and allocation limits. This amount is obtained by adding the full use of each territory's catch and allocation limit ($2,000 \text{ mt} \times 3 = 6,000 \text{ mt}$), plus the catch from the U.S. longliners from Hawaii ($3,554 \text{ mt}$) ($2,000 + 2,000 + 2,000 + 3,554 = 9,554 \text{ mt}$).

As described in the 2015 EA, overfishing occurs when the fishing mortality rate (F/F_{MSY} ratio) is greater than 1.0 for one year or more. NMFS considers a stock overfished when the total stock biomass (B/B_{MSY} ratio) falls below the minimum size stock threshold (MSST). For bigeye tuna, MSST is breached if the B/B_{MSY} ratio falls below 0.6. The analysis in the 2015 EA indicates that

if the longline fisheries in the U.S. territories and Hawaii together caught 9,554 mt of bigeye tuna, the projected median mortality would be $F_{2032}/F_{MSY} = 1.007$, and median total biomass would be $B_{2032}/B_{MSY} = 1.510$. However, the $F_{2032}/F_{MSY} = 1.007$ ratio is associated with a 55 percent probability of overfishing and is virtually indistinguishable from the overfishing threshold of $F/F_{MSY} > 1.0$, while the $B_{2032}/B_{MSY} = 1.510$ biomass rate is associated with a zero percent probability of being overfished. Based on this information, NMFS determined that specifying a 2,000 mt catch limit for each territory and allowing each territory to allocate 1,000 mt of their specified limit through specified fishing agreements would not result in substantial impacts to bigeye tuna, or jeopardize the sustainability of the species.

In 2015, total combined catch of bigeye tuna by longline fisheries in the U.S. territories and Hawaii combined was 5,840 mt, increasing to 6,270 mt in 2016 (NMFS unpublished data, Preliminary 2016 U.S. Part 1 annual report to the Western and Central Pacific Fisheries Commission). These levels of catch are lower than the level anticipated and analyzed in the 2015 EA (i.e., 9,554 mt), and, therefore, do not change the environmental impacts considered in prior NEPA analyses.

5 OTHER INFORMATION NOT EVALUATED IN DETAIL

This section describes other information NMFS received after completing the 2015 EA and associated FONSI that are not significant to environmental concerns and do not change the environmental impacts considered in NMFS prior NEPA analyses. However, they are relevant to the management of longline fisheries managed under the Pelagic FEP and included in this SIR for the purpose of disclosure.

Proposed Listing of Oceanic White Tip Shark and Giant Manta Ray under ESA

On December 29, 2016, NMFS issued a proposed rule to list the oceanic whitetip shark as threatened under the ESA (81 FR 96304). On January 12, 2017, NMFS proposed listing the giant manta ray as threatened under the ESA (82 FR 3694). Both species are incidentally caught in longline fishing operations, however are released, with the majority (<70%) released alive.

The 2015 EA evaluated the effects of longline fishing activities non-target species, including oceanic white tip sharks and giant manta rays. For oceanic white tip sharks the 2015 EA indicates that recent catch and release levels by the U.S. longline fleet, including the Hawaii longline fishery (44 mt), represent a small percent (1.6 percent) the stock's estimated MSY (2,700 mt). For giant manta rays, the 2015 EA reports that recent longline catch and release was approximately 2,000 lb. However, there is no historical or current global abundance estimates for giant manta rays and thus, no information indicates that the U.S. longline fisheries are having a significant impact on giant manta ray populations or likely to jeopardize the continued existence of the species. Therefore, the proposed listing does not change the understanding of the potential effects of the proposed action that was not previously considered in the 2015 EA.

NMFS has not made a final determination on whether to list the oceanic white tip shark and giant manta ray under the ESA. Should NMFS list these species under the ESA, NMFS would initiate ESA Section 7 consultation.

6 CONCLUSIONS/DECISION

NMFS evaluated the above new information to determine if specifying a 2017 catch limit of 2,000 mt of longline-caught bigeye tuna for each U.S. territory, and allowing each territory to allocate up to 1,000 mt of its 2,000 mt bigeye tuna limit to a U.S. longline fishing vessel(s) permitted under the Pelagic FEP would result in environmental impacts that are significantly different from those described in the 2015 EA and 2016 Supplemental EA. After considering the new information against previous environmental analyses, NMFS has determined that supplementation of prior NEPA is not necessary. NMFS based this determination on the following:

1. The proposed 2017 catch and allocation limits are identical to those that NMFS implemented in 2015 and in 2016;
2. The environmental impacts of specifying a catch limit of 2,000 mt of longline-caught bigeye tuna for each U.S. territory, and allowing each territory to allocate up to 1,000 mt of their 2,000 mt bigeye tuna limit were adequately addressed in prior NEPA analyses;
3. The 2017 Supplemental BiOp supports the conclusion that the impacts to sea turtle populations as a result of interactions with the Hawaii deep-set longline fishery as managed under the Pelagic FEP, including the proposed 2017 catch and allocation limits are not substantially different than the impacts considered in prior NEPA analyses, which the agency determined are not significant; and
4. Other information described in this SIR is not significant to environmental concerns and do not change the environmental impacts considered in prior NEPA analyses.

Accordingly, NMFS has determined that further supplementation of the 2015 EA and the 2016 Supplemental EA is not necessary.

DRAFT ONLY

Michael D. Tosatto
Regional Administrator

Date

7 REFERENCES

- NMFS. 2014. Biological opinion issued in accordance with the Endangered Species Act for the continued authorization of the Hawaii-based Pelagic Deep-set Tuna Longline Fishery. National Marine Fisheries Service, Pacific Islands Region, Protected Resources Division, Honolulu. September 19, 2014. 216 pp.
- NMFS. 2015. Environmental Assessment: Specification of Bigeye Tuna Catch and Allocation Limits for Pelagic Longline Fisheries in U.S. Pacific Island Territories in 2015 and 2016, including a Regulatory Impact Review (0648-XD998). September 28, 2015. 181 pp.
- NMFS. 2016. Supplemental Environmental Assessment: Specification of Bigeye Tuna Catch and Allocation Limits for Pelagic Longline Fisheries in U.S. Pacific Island Territories in 2016, including a Regulatory Impact Review (0648-XE284) September 9, 2016. 54 pp.
- NMFS. 2017. Supplement to the 2014 Biological Opinion issued in accordance with the Endangered Species Act for the continued authorization of the Hawaii-based Pelagic Deep-set Tuna Longline Fishery. National Marine Fisheries Service, Pacific Islands Region, Protected Resources Division, Honolulu. March 24, 2017. 133 pp.