



**OFFICE OF THE GOVERNOR
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On April 17, 2023, NOAA's Office of National Marine Sanctuaries issued a Notice of Intent to Conduct Scoping and to Prepare an Environmental Impact Statement for the Proposed Designation of a National Marine Sanctuary for the Pacific Remote Islands, launching the designation process. Sanctuary designation **would result in devastating, negative economic impacts for American Samoa (“AS”)**. A prohibition of commercial fishing inside any Pacific Remote Islands marine sanctuary would essentially destroy the AS economy by undermining the viability of the main economic driver of AS's tuna dependent economy, the AS based purse seine fleet, while yielding little to no conservation benefit for the living marine resources.

A. Severe Social, Economic, and Cultural Impacts:

The designation of a National Marine Sanctuary in the PRIA and any resulting restrictions on commercial fishing would have severe adverse effects on the American Samoa economy and the indigenous culture of the Territory's community.

- 1. The Tuna Industry is American Samoa's Primary Economic Driver:** The tuna industry, specifically the StarKist cannery, the American Samoan fishing fleet, and their related support industries are the largest private sector employer in American Samoa. In fact, American Samoa's non-governmental economy is almost entirely built on tuna related commerce. The tuna industry provides 83.8% of American Samoa's private employment.¹ The StarKist cannery itself is the largest private employer in American Samoa and employs 2,631 individuals representing approximately 15.5% of the entire labor force.² Additionally, total tuna exports from American Samoa are valued at \$353 million per year, with canned tuna making up **99.5%** of the total value of all American Samoa's exports.³ The lone remaining cannery accounts for 85% of American Samoa's GDP.⁴ The American Samoa population is heavily dependent on the StarKist cannery to provide food security for the region.⁵ Additionally, StarKist Samoa is the only cannery that packs military pouches for Meals Ready to Eat (MRE).

- 2. Impacts Caused by the Proposed Designation to American Samoa and the Fishing Industry Are Substantial and will Lead to Economic Catastrophe:** The **cumulative effects** from the proposed restrictions on commercial fishing pose an existential threat to the future of the American Samoa-based tuna purse seine fleet and, as a result, a real and

¹ *American Samoa PRIA Tuna Importance Presentation Page 3.*

² *WPRFMC Letter Page 3.*

³ *See 2021 Statistical Yearbook Table 10.1 Page 128.*

⁴ *American Samoa PRIA Tuna Importance Presentation Page 24.*

⁵ *American Samoa PRIA Tuna Importance Presentation Page 3.*

severe threat to the economy of American Samoa.⁶ **The proposed rules will likely result in the loss of the tuna industry in American Samoa leading to the loss of 5,000 jobs, a potential 40% increase in shipping freight costs, and a significant loss in GDP.** In the past three years, the U.S. tuna purse seine fleet has been reduced from 34 operating vessels to just 13 vessels today. The remaining vessels are based in American Samoa and support the local economy by delivering tuna to the StarKist facility there and by utilizing a range of goods and services provided by local businesses.⁷

American Samoa fishing efforts are predominantly located in the US EEZ. When the PRIA monument was expanded in 2014 & 2016, over half of the fishing ground was lost. Currently, approximately 57% of the US Pacific EEZ prohibits commercial fishing. The proposed rule will potentially increase that percentage to 70%, disproportionately effecting the American Samoa fishing fleet, leading to a likely economic collapse in AS.⁸

3. **Additional Regulation Will Likely Force the American Samoa Fishing Fleet to Leave America Samoa:** The closure of U.S. waters within the current marine monument is one major reason why the American Samoa fleet is forced to pay as much as \$2M per vessel annually to Pacific Island nations to access the productive tuna fishing grounds within their waters, and further closures would exacerbate this situation. The current financial situation recently forced multiple U.S. purse seine vessels (approximately 20% of the entire U.S. fleet) to be sold to foreign operators resulting in a reduction of U.S. tuna production by approximately 70,000 tons and increasing the U.S. seafood trade deficit by up to \$100 million annually. Any additional constraints on the industry will likely result in a mass exodus of the American Samoa fishing fleet, closely followed by the closure of the cannery.
4. **Restrictions in Commercial Fishing in the Sanctuary Will Likely Result in a Material Drop in American Samoa's Population and Additional Costs by the Federal Government.** American Samoa is highly dependent on the United States for financial assistance to support its infrastructure, harbors, airports, hospital, and schools. If the American Samoa tuna industry collapses, American Samoa's unemployment will skyrocket, and its citizens will be forced to leave to find new opportunities elsewhere. This loss of jobs combined with the material decrease in population will result in fewer tax dollars being collected and more citizens need for government assistance. Considering that government employment already accounted for about 40.3% of all employment in America Samoa, and government jobs continued to climb in the last 5 years⁹, these additional restrictions could result in the virtual elimination of private industry in American Samoa, requiring it to become more dependent on U.S. financial aid.
5. **The Designation Will Disproportionally Burden American Samoa:** Any adverse impact to the American Samoa tuna industry will result in job losses and other residual effects that will further increase the poverty level of what is already by far the poorest territory or state in the U.S. and perpetuate inequities for years to come. The U.S. Pacific

⁶ ATA Comments on Proposed PRIMNM Page 2.

⁷ ATA Comments on Proposed PRIMNM Page 2.

⁸ American Samoa PRIA Tuna Importance Presentation Page 24.

⁹ See 2021 Statistical Yearbook Page 127.

Island community should not carry the full conservation burden of the country under the "America the Beautiful" initiative outlined in Executive Order 14008. The proposal for the Marine Sanctuary designation states it will ensure over 30% of the conservation goal under "America the Beautiful." But this would be counter to Sec. 219 of Executive Order 14008 on securing an equitable future for the underserved American Samoa community. It would also run counter to Executive Order 13985, which makes it the policy of your administration to "pursue a comprehensive approach to advancing equity for all...including people of color and others who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality." The people of American Samoa fall under these categories of underserved as approximately 57% of our population lives in poverty and 83.2% are native Samoans.

The Pacific region has already done more than its share to achieve the goals of the 30x30 Initiative. This burden is heavy for the people of American Samoa due to their dependence on their fishing fleet's access to these waters. The welfare of the U.S. Nationals who rely on and whose ancestors relied on fishing to sustain the local economy must be considered.

6. **American Samoa Is an Underserved Community That Requires Protection:** Under another but still current Presidential Executive Order 13537, the IGIA shall solicit information and advice from the elected leaders of the U.S. Insular Areas of Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands and make recommendations to the President annually, or as appropriate, on the establishment or implementation of Federal programs concerning these Insular Areas. Failure to do this prior to any expansion of the PRIMNM likely violates Executive Order 13537. This is also in line with Executive Order Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities, such as American Samoa which is a prime example of an underserved community with more than 50 % of our residents below the US poverty level and 88.7% of the population being Native Samoan or Other Pacific Islander.
7. **The Proposed National Marine Sanctuary Infringes on American Samoa's Traditional Fishing Grounds:** The PRIA and the high seas have been a historically important traditional fishing grounds for the American Samoa people. Due to the creation of the Marine National Monument by President Bush in 2009 and expansion by President Obama in 2014 and 2016, more than 50% of the U.S. EEZ's in the Pacific are closed to commercial fishing which includes the American Samoa-based U.S. flagged tuna vessels. The contemplated expansion will increase the closed areas to approximately 70% of the U.S. EEZ's in the Pacific.
8. **The Proposed National Marine Sanctuary Closes the Area to Traditional Seafarers and Navigators:** There is currently a cultural reawakening occurring in American Samoa, including traditional sea farers and navigators. The PRIA includes the historical sea routes of the Samoans, restricting the use of culturally significant waters.

B. No Environmental Benefit

Despite the devastating social and economic impacts for American Samoa, there is little evidence to suggest that designating a National Marine Sanctuary and further restricting commercial fishing in the PRIA would provide any material benefit to the marine wildlife or natural resources.

- 1. American Samoa's Current Fishing Practices are Sustainable¹⁰:** American Samoa has a relatively small locally based tuna purse seiner fleet that supplies the majority of the raw material needs of the StarKist cannery, the lone remaining cannery located within American Samoa. These vessels are bound by U.S. laws and standards to ensure minimal adverse effects on the environment — standards that exceed foreign and international requirements. The Pacific Remote Island Areas (“PRIA”), consisting of Howland and Baker Islands, Palmyra atoll and Kingman Reef, have been traditional fishing grounds for the U.S. fleet that supplied the local cannery even before the establishment of the PRIMNM. The proposed designation that would create a National Marine Sanctuary covering the entire EEZ will have a devastatingly negative impact to the U.S. fleet. This will be especially hard on American Samoa. Without a sustainable fish supply, the American Samoa tuna industry will collapse, and its economy soon will follow. This would lead to an economic catastrophe that no U.S. state or territory has experienced in recent times.

Pacific Insular Areas contain unique historical, cultural, legal, political, and geographical circumstances which make fisheries resources important in sustaining their economic growth.¹¹ The WPRFMC has established federal permitting and reporting, gear restrictions, protected species mitigation measures, and no-take Marine Protected Areas (MPAs), all of which have successfully maintained the biodiversity and unique cultural and historical resources in the PRIA to this day without the additional restrictions being proposed.¹² The existing commercial fisheries in the region occur offshore in the open ocean (at least 50 NM from land) and have no interaction with or impact on the resources in the nearshore environment, coral reefs, oceanic seamounts, or other ecosystems and habitats needing protection.¹³

- 2. American Samoa is Unaware of any Scientific Evidence that the designation of a National Marine Sanctuary in the PRIA Region Will Produce the Desired Ecological Results:** There is no scientific evidence to support the notion that large-scale closures in "blue water" open ocean ecosystems (such as the designation of a national marine sanctuary) have any impact on the sustainability of highly migratory species like tuna, are effective for protecting biodiversity in these dynamic ecosystems, or can mitigate stressors such as climate change. The existing commercial fisheries in the region occur offshore in the open ocean (at least 50 NM from land) and have no interaction with or impact on the resources in the nearshore environment, coral reefs, oceanic seamounts, or other

¹⁰ WPRFMC Letter Pages 1-3.

¹¹ WPRFMC Letter Page 1.

¹² WPRFMC Letter Page 1.

¹³ ATA Comments on Proposed PRIMNM Pages 3-4.

ecosystems and habitats needing protection.¹⁴ The Fisheries are highly regulated and monitored to ensure strict adherence to requirements and procedures to minimize interactions with marine mammals, sharks, rays, sea turtles, sea birds, and other marine fauna.¹⁵

At least two recent papers by highly respected scientific authorities (Hilborn, et al., 2022, and Hampton, et al., 2023) conclude that large, open ocean marine protected areas (MPAs) have little tangible benefit for the resources being managed.¹⁶ Large, open ocean MPAs are designed to protect huge swaths of open ocean, but are a poor choice for efficiently and effectively managing fisheries.¹⁷ "Because of their size and scale, [large, open ocean MPAs] garner lots of splashy headlines and notoriety for the conservation organizations and politicians who implement them," but they "do nothing to alleviate" the "most pressing threats to biodiversity in the oceans" such as "climate change, ocean acidification, and land-based pollutants."¹⁸

On the contrary, the result of large static area closures are a transfer of fishing efforts from one place to another, oftentimes at the expense of conservation. Instead of fishing in U.S. waters where they have privileged access, these U.S.-flagged vessels will have to fish elsewhere, likely further away from American Samoa, thereby increasing their costs and decreasing the control the U.S. will have over such vessels. This situation also exacerbates the "uneven playing field" the American Samoa fleet and fishing industry face while competing with heavily subsidized fishing industries such as China's, in waters that are already heavily fished.

- 3. Current Boundaries are the Result of a 2014 Compromise:** The 2014 fishing boundaries, which are still in effect today, were a result compromise between the Obama administration, American Samoa, and the fishing industry which expanded the sanctuary to specific islands while maintaining previous boundaries. These boundaries should be upheld as agreed upon by all interested stakeholders.¹⁹

In 2014, President Obama expanded that Monument to include the entire U.S. EEZ around Wake Island, Johnson Atoll, and Jarvis Island. The loss of fishing opportunities in Jarvis Island, in particular, dealt a significant blow to the industry, as the EEZ around Jarvis Island was among the richest traditional fishing grounds for the American Samoa-based fleet. Within two years of this action, one of the two canneries that operated in American Samoa at the time closed for good.²⁰ This is the reason the StarKist cannery is the lone operating cannery today, and evidence of the fact that further restriction will likely result in the closure of this cannery as well.

¹⁴ ATA Comments on Proposed PRIMNM Pages 3-4.

¹⁵ ATA Comments on Proposed PRIMNM Pages 3-4.

¹⁶ ATA Comments on Proposed PRIMNM Pages 4-5.

¹⁷ ATA Comments on Proposed PRIMNM Pages 4-5.

¹⁸ ATA Comments on Proposed PRIMNM Pages 4-5.

¹⁹ ATA Comments on Proposed PRIMNM Page 4.

²⁰ ATA Comments on Proposed PRIMNM Pages 2-3.

C. Other Considerations:

1. **Consultation of the Affected Communities Was Not a Priority.** It was not until numerous attempts were made to contact both NOAA and the White House that NOAA agreed to in-person meetings regarding this designation. While NOAA did help conduct a workshop on island last year regarding a possible designation, little interaction or consultation has taken place since.
2. **The Designation is Contrary to Law:** Any commercial fishing restrictions would be inconsistent with the position of the Western Pacific Fishery Management Council, a likely violation of the Magnuson-Stevens Fishery Conservation and Management Act to make fishery-management decisions for the PRIA region.
3. **The Designation of a National Marine Sanctuary in the PRIA Region Will Hurt U.S. National Security Interests:** The activities of the American Samoa-based fleet provide a critical counterbalance to China's growing influence across the region. As a result, maintaining a viable American Samoa-based purse seine fleet operating in the Pacific Ocean contributes not only to the United States and American Samoa economy, but to regional food security, national security, and other vital national interests. For example, the StarKist cannery is one of the only, if not the only, cannery that is currently certified to perform tuna packs that meet the U.S. Military's requirements to supply tuna to U.S. servicemen and servicewomen. Any risk to the StarKist cannery therefore risks the ability of the U.S. Military to adequately provide safely sourced provisions for its fighting force which will have far reaching effects worldwide.
4. **The Designation of a National Marine Sanctuary in the PRIA Region Will Put American Samoa's Fishing Fleet at a Competitive Disadvantage vis-a-vis It's International Competition:** Further restrictions on commercial fishing (i.e. area restrictions proposed herein) will further discourage commercial vessels in American Samoa and decrease the fish landed back in American Samoa, further constraining the supply of fish to the cannery there. Canneries in Mexico and Ecuador would be the beneficiaries, to the detriment of U.S. interests.²¹ Fishing prohibitions not only weaken U.S. fisheries but also increase seafood imports and jeopardize U.S. food and national security. The proposed National Marine Sanctuary would continue to displace U.S. fishing fleets to international waters where they must fish alongside and compete with foreign fishing fleets. Fishing vessels from China, Taiwan, Korea, and Japan are regularly observed fishing the border of the U.S. EEZ around American Samoa, Hawaii and the PRIA.
5. **Another Step in the US Ceding the Pacific to China:** China continues to build up its longline fleet in the Western and Central Pacific Ocean which has increased from around 100 vessels in 2007 to over 520 now (catching approximately 50,000 metric tons of tuna annually). China's fleet also includes 73 purse seine vessels. In comparison, there are 14 U.S.-flagged longline vessels and 13 U.S.-flagged purse seine vessels based in American Samoa. China is making a concentrated effort to integrate its economic, diplomatic, military, and technological might to expand its influence throughout the Pacific. This approach by China appears to be very effective, as evidenced by the recent bilateral

²¹ ATA Comments on Proposed PRIMNM Pages 2-3.

agreements made with our Pacific neighbors, including the Independent State of Samoa. Further restrictions will reduce US presence in the Pacific and allow China's presence to grow.²² International regulations under the WCPFC that limit activities of US vessels on high seas create a competition imbalance between US and China fleets and have resulted in a decline in the Pacific-based US fleet.²³

The U.S. Indo-Pacific Strategy highlights concern over China's influence in the Pacific region and its vulnerable island countries. If China succeeds in using the bilateral agreements with the island nations in the Pacific region, their heavily subsidized fishing fleets will harvest the fish supply from within the fishing zones that will be denied to the U.S. fishing fleet. The United States is losing influence in the international fisheries management organizations, such as the Western and Central Pacific Commission, due to weakened U.S. fisheries. These impacts are exacerbated by the loss of U.S. fishing grounds as a result of monument designations. Deterrence of foreign fishing fleet encroachment in the U.S. EEZ is compromised when U.S. commercial fishing vessels are removed from 70% percent of the entire U.S. EEZ that is now under monument protection. Reducing fishing grounds by designating a national marine sanctuary will aid Chinese expansion by forcing our U.S. fishing vessels out of U.S. waters. This is the time for the United States to use American Samoa to increase the U.S. presence in the Pacific region to provide security and economic development to the island nations presently seeking or signing bilateral agreements with China.

- 6. The Designation Could Result in the Loss of Kosher Tuna:** The StarKist is also one of the only canneries that are able to perform a certified kosher tuna pack. The potential loss of the cannery due to the expansion of the PRIMNM would have a significant effect on the Jewish population of the U.S., and it would eliminate a source of clean and healthy kosher protein.

²² *ATA Comments on Proposed PRIMNM Pages 5-6.*

²³ *WPRFMC Letter Page 3.*