



June 1, 2026

Sarah Malloy
Regional Administrator
NMFS Pacific Islands Region
1845 Wasp Blvd. Bldg. 176
Honolulu, HI 96818

Re: **NOAA-NMFS-2025-0045** - Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator

Dear Ms. Malloy:

Wild Oceans and the International Game Fish Association were founded by recreational fishermen who have a passion for conserving marine fish for future generations. We have advocated domestically and internationally for more precautionary management of Western and Central North Pacific Ocean (WCNPO) striped marlin to address the international status of the stock as overfished and subject to overfishing and its ecosystem role as an apex predator. We urge National Marine Fisheries Service (NMFS) to amend the Environmental Assessment for Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator (EA) to include all retained catch and discarded catch in their Total Allowable Catch calculation and to fully analyze alternatives that will reduce the U.S. catch per unit effort of striped marlin. Alternatively, we ask the NMFS to adopt Alternative 4 - No Retention of WCNPO Striped Marlin as it is the only measure that reduces the U.S. relative impact on striped marlin.

In 2024, the Western and Central Fisheries Commission (WCPFC) took a meaningful step towards ending overfishing and rebuilding striped marlin by adopting CMM 2024-06, a Conservation and Management Measure for North Pacific Striped Marlin.¹ This measure seeks to keep catch of striped marlin at or below the recent level average catch and sets an annual overall total catch limit at 2,400 t for 2025-2027 and annual catch limits for Japan, Chinese Taipei, Korea, United States and China.²

¹ CMM 2024-06 - Conservation and Management Measure for the North Pacific Striped Marlin, *available at* <https://cmm.wcpfc.int/measure/cmm-2024-06>

² CMM 2024-06.

In response, NMFS has prepared an Environmental Assessment for Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator (EA).³ The EA is inconsistent with CMM 2024-06 because it does not include all catch, including discarded catch, against the U.S. annual total allowable catch (TAC). Furthermore, the EA fails to document why technically and economically feasible alternatives were eliminated and fails to explore a reasonable range of alternatives that would ensure the domestic management contributes to addressing ongoing international overfishing of the stock. Wild Oceans and the International Game Fish Association recommend that NMFS analyze additional alternatives that: 1) count all catch towards the annual catch limit, 2) require boat side management measures including lowering the depth of top hooks, 3) require release of all live striped marlin, 4) establish a minimum size limit for stipend marlin retention, 5) implement time area closures to reduce the catch of striped marlin during sensitive life stages, and 6) maintain the closure of Papahānaumokuākea Marine National Monument to longline fishing.

The EA is inconsistent with CMM 2024-06 because it does not count all catch, including discarded catch towards the annual catch limit. The purpose of the proposed action is to adopt domestic regulations that manage the U.S. catch of striped marlin consistent with international management requirements in CMM 2024-06 - Conservation and Management Measure for the North Pacific Striped Marlin.⁴ The CMM establishes an ocean-wide TAC of 2,400 mt based on advice from the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean that catch should be kept at or below the recent average catch in order to reach the rebuilding target of 20% SSB $F=0$ by 2034.⁵ Accordingly, each country's Total Allowable Catch (TAC) must include all catch and discarded catch of striped marlin and the overall ocean TAC of 2,400 mt must include all catch and discarded catch of striped marlin. Anything less would undermine the ability to rebuild striped marlin by 2034.

A scientifically sound rebuilding plan includes total fishing mortality including both retained catch and discarded fish removed from the population. A rebuilding plan sets a TAC to ensure the stock can rebuild to its target level within a specified timeframe, and these limits must consider all sources of fishing mortality, including discards. Failure to count all catch and discarded catch is akin to failing to reconcile all withdrawals from an investment account. The investment account will fail to meet the goals for growth and sustained long-term withdrawals.

³ Environmental Assessment for Catch and Retention Limits for Striped Marlin in the Western and Central Pacific Ocean North of the Equator, *available at* <https://www.regulations.gov/document/NOAA-NMFS-2025-0045-0002>

⁴ Environmental Assessment for Catch and Retention Limits for Striped Marlin.

⁵ International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) Stock Assessment Report for Striped Marlin (*Kajikia audax*) in the Western and Central North Pacific Ocean through 2020, *available at*: https://isc.fra.go.jp/pdf/ISC23/ISC23_ANNEX14-Stock_Assessment_Report_for_WCNPO_Striped_Marlin-FINAL.pdf

As an example, the successful conservation and management measures for Pacific bluefin tuna followed this common sense and scientifically sound approach to count all retained catch and discarded catch. CMM 2024-01 paragraph 9 requires that CCMs report total fishing effort and catch levels of Pacific bluefin and specifies that the catch information includes discards.⁶ CMM 2024-06 contemplates a similar accounting and requires “CCMs shall provide their catch, effort, and estimates of total live and dead discards of North Pacific striped marlin.”⁷ Therefore, NMFS should analyze and include all catch and discarded catch in the annual catch limit.

The EA fails to include a reasonable range of alternatives that would ensure the domestic management contributes to addressing ongoing international overfishing of the stock.

Instead, the EA relies solely on a retained catch limit and summarily dismissed alternatives, including area-based management, gear restrictions, and requiring releases of live striped marlin, without adequate explanation or consideration of conservation benefits. The EA does not discuss other conservation and management measures such as minimum size limits which have been successfully incorporated in other U.S. fisheries.

Catch limits alone may not shield striped marlin from excess fishing mortality. Once the catch limit is reached, unless the fisheries are closed, fleets will continue their pursuit of target species, and catch, kill and discard striped marlin as bycatch. Supplemental conservation measures that reduce catch can help avoid reaching and then exceeding the catch limit. Accordingly, we support adoption of annual limits along with robust complementary conservation and management measures.

Gear Restrictions

According to the EA, “[e]ffort limits and gear restrictions were rejected from analysis because these would be applicable to the U.S. longline fishery only and may have deleterious impacts on target species catch and fishery economic performance. Such limits would outweigh conservation benefits and be counter to the need for the action.” This unsubstantiated and arbitrary reasoning doesn’t consider the benefits of modifying longline gear to remove hooks adjacent to floats or lower hook depth. Epipelagic species such as marlins prefer the upper zone of the ocean to approximately 100 meters deep. Consequently, the shallowest hooks adjacent to the longline floats have substantially higher billfish catch than any deeper hooks. Removing the upper hooks (above 100 meters) in deep-set longline sets can significantly reduce *Istiophorid* catch without reducing target bigeye tuna catch.^{8,9} This modification may also benefit certain sea

⁶ CMM 2024-01.

⁷ CMM 2024-06.

⁸ Beverly, S., Curran, D., Musyl, M., and Molony, B. (2009) Effects of eliminating shallow hooks from tuna longline sets on target and non-target species in the Hawaii-based pelagic tuna fishery. Fisheries Research 96 (2009) 281-288.

⁹ Bigelow, K and Mourato, B, Evaluation of Longline Mitigation to Reduce Catches of North Pacific Striped Marlin in the Hawaii-Based Tuna Fishery, Western and Central Pacific Fisheries Commission, WCPFC-SC6-2010/EB-WP-03 (2012).

turtles and sharks, including the threatened oceanic whitetip shark.¹⁰ We support evaluation and adoption an alternative that requires modification of all deep-set longline gear to remove the hooks above 100 meters.

Mandatory Release of Live Striped Marlin

The EA fails to adequately consider the positive conservation impact gained from requiring release of striped marlin caught and brought to longline vessels alive. The EA dismisses the well documented mitigation measure because “[l]ive release of striped marlin catch across all international fleets, assuming 48% of striped marlin are alive at the boat as estimated for U.S. longline vessels, would not result in rebuilding of the stock.” The purpose of this regulation is not to unilaterally rebuild the stock, but to promotes stock rebuilding consistent with the WCPFC rebuilding plan. Releasing live striped marlin would reduce the fishing mortality and improve the chance of rebuilding.

While minimizing WCNPO striped marlin catch-per-unit effort is a preferred method to achieve rebuilding, mandatory release of live marlin at haul back can reduce fishing mortality and has been adopted elsewhere to help rebuild billfish stocks.¹¹ According to the Western Pacific Fishery Management Council, 48% of striped marlin caught on U.S. longlines are alive at haul back. In addition, billfish have high survivability when released from longline gear.¹² Requiring release of all live WCNPO striped marlin promote the stock rebuilding goal.

Establish a Minimum Size Limit

The EA ignores the a well recognized mechanism for minimizing impact on a stock by establishing a minimum size limit. The average size of WCNPO striped marlin caught by Pacific longline vessels continues to decline.¹³ The “spawn-at-least-once” principle suggests that sustainability is secured if fish are protected from commercial fishing until after they have spawned. Minimum size limits have been adopted for north Atlantic swordfish and require that fish below a minimum size be released regardless of their status (dead or alive).¹⁴ We support adoption of a minimum size limit for striped marlin in all longline fisheries in order to allow juvenile striped marlin to mature and to spawn at least once.

¹⁰ Bigelow and Mourato (2012).

¹¹ The International Commission for the Conservation of Atlantic Tunas (ICCAT) recently adopted C-19-05, requiring the release of blue marlin and white marlin to help rebuild the species. ICCAT C-19-05, *available at* <https://www.iccat.int/Documents/Recs/compendiopdf-e/2019-05-e.pdf>

¹² Musyl, M., Moyes, C., Brill, R., Mourato, B., West, A., McNaughton, L., Chiang, W., and Sun, C. Postrelease Mortality in Istiophorid Billfish, *Canadian Journal of Fisheries and Aquatic Sciences*. 72 (2015) 1-19.

¹³ International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) Stock Assessment Report for Striped Marlin (*Kajikia audax*) in the Western and Central North Pacific Ocean through 2017, *available at*: <https://www.wcpfc.int/node/42926>

¹⁴ Recommendation by ICCAT to Establish a Rebuilding Program for North Atlantic Swordfish. ICCAT 99-02, *available at* <https://www.iccat.int/Documents/Recs/compendiopdf-e/1999-02-e.pdf>

Area-Based Management

According to the EA “Area-based management is not appropriate because there is little evidence to show any current fishing area has a disproportionate impact on the WCNPO striped marlin stock. The Hawaii longline fishery has already been precluded from fishing in many of its historical fishing areas, and additional area closures would cause unnecessary financial hardship to the fleet that is counter to the need for the action.” This reasoning ignores the fact that longline fishing in Papahānaumokuākea Marine National Monument resulted in a higher rate of striped marlin catch than in other areas. The Western Pacific Fishery Management Council has recommended that the Trump Administration re-open Papahānaumokuākea Marine National Monument to longline fishing. If the Administration takes this action, then the Hawai’i longline fleet will have access to an area with a disproportionately high catch of striped marlin. The EA should consider an alternative that maintains the closure of the Papahānaumokuākea Marine National Monument area to longline fishing given the high rate of striped marlin catch.

Protecting striped marlin spawning and nursery grounds. Spatial management measures, such as time-area closures, are widely advocated for managing bycatch in fisheries and the impact on vulnerable life-history stages, particularly juvenile habitat, migratory corridors and spawning aggregations. Juveniles can be protected by closing nursery areas or migratory corridors. In 2000, the National Marine Fisheries Service adopted the Florida Swordfish Management Area to protect juvenile swordfish and by doing so, implicitly acknowledged that a juvenile fishery is unsustainable.

Catching and killing spawning striped marlin harms the population by removing vital, reproductive adults, and preventing those fish from replenishing the stock. Spawning grounds of striped marlin are confirmed in Hawaiian waters,¹⁵ and the Kona Gyre and Cross Seamounts have historically been regarded as spawning grounds and nursery habitat for striped marlin. Additionally, recent genetic research has identified the area of the central North Pacific exploited by the U.S. longline fleet as a potential juvenile nursery and feeding ground for multiple stocks of sub-adult striped marlin.¹⁶ We support identifying key nurseries and spawning habitat for striped marlin and designating time-area longline fishing closures in these areas.

We request that NMFS analyze additional alternatives that: 1) count all catch including discarded catch towards the annual catch limit, 2) include practical boat-side management measures such as changing hook depth, 3) require release of all live striped marlin, 4) establish a minimum size limit, and 5) maintain the closure of Papahānaumokuākea Marine National Monument to longline fishing.

¹⁵ Hyde, J. R., Humphreys, R., Musyl, M., Lynn, E., and Vetter, R. (2006). A central north Pacific spawning ground for striped marlin, *Tetrapterus audax*. *Bulletin of Marine Science* 79, 683–690.

¹⁶ Martinez, J.L., Graves, J.E., McDowell, J.R. (2025). SNP genotyping reveals a mixed-stock fishery for striped marlin, *Kajikia audax*, in the central North Pacific Ocean. *ICES Journal of Marine Science* 82:9, fsaf156.

In addition, the EA also fails to consider the positive economic impacts these mitigation measures will have on small boat fishermen.

We expect that concerted ocean-wide international action taken to protect and rebuild striped marlin will result in robust recreational, small boat and subsistence fishing and economies whose success depend on healthy population levels. The EA summarily dismisses the positive impact of reducing fishing mortality of striped marlin on non-industrial fisheries.

The Preferred Alternative Fails to Address the U.S. Substantial Contribution to the Ongoing Overfishing of the Stock.

Over the past 10 years, the United States longline fleet has landed more than 15% of the total WCNPO striped marlin, the majority of which are juveniles. We have an imperative to acknowledge our domestic impact on the stock and offer real solutions for reducing catch and mortality of striped marlin and protecting the spawning and nursery grounds to ensure the long-term viability of WCNPO striped marlin. In the past two years, U.S. catch of striped marlin has reached a new high level. If NMFS adopts Alternative 3, the U.S. impact on striped marlin will continue to increase and the concerted ocean-wide international action taken to protect striped marlin will fail.

We urge NMFS to prepare regulations that reduce fishing mortality necessary to rebuild WCNPO striped marlin, accounting for and valuing this apex predator's role in the open-ocean ecosystem. If NMFS does not consider other conservation and management measures then we urge NMFS to adopt Alternative 4 as it is the only Alternative that will reduce the mortality of striped marlin caused by U.S. vessels.

Sincerely,



Theresa Labriola
President
Wild Oceans



Jason Schratwieser
President
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