



Report of the Non-Commercial Fisheries Advisory Committee Meeting

Tuesday, November 16, 2021

3:00 p.m. – 5:00 p.m. (HST)

1. Welcome and Introductions

Dean Sensui, Non-Commercial Fisheries Advisory Committee (NCFAC Chair), opened the meeting at 3:20 p.m. and welcomed the members. Members in attendance included: Phil Fernandez, Hongguang Ma, Keith Kamikawa, Steve Kaneko, Alex Castro, and Audrey Toves.

Also in attendance was Joshua DeMello, Zach Yamada, Marlowe Sabater, Mark Fitchett, Felix Reyes, Floyd Masga and Diana Kitiona (Council Staff). Public members in attendance included Adam Ayers (PIFSC), Archie Soliai (DMWR), Bryan Ishida (DAR), Clay Tam (PIFG), Heather Cronin (PIRO SFD), Justin Hospital (PIFSC), Mark Ladao (Star Advertiser), Sarah Severino (Pacific Monitoring), Tammy Harp (Fisherman).

2. Review of Last NCFAC Meeting and Recommendations

Council staff presented the report of the last NCFAC meeting held on September 1, 2021. He reviewed the recommendations made at that meeting and provided an update on the status of those recommendations.

3. Discussion on Fishery Allocations

A. Report on Previous Council Discussions

Council staff presented an introduction on allocations under the MSA. Allocations were considered as part of the Limited Access Privilege Programs which also provided the ability to specify catch shares for fisheries. Allocations are used when there are conflicts between fishery sectors. The Council previously looked at catch shares as a tool for managing fisheries in the region with its longline and bottomfish fisheries. The impediments on the use of catch shares was the lack of reliable catch and effort data (see catch shares impediment slides); The Council did not choose to use catch shares as an allocation tool because the inadequacy of the monitoring infrastructure for an allocation system, the governance framework is not suited for an allocation system, and there are no user conflicts that this would solve. He provided a review of the MHI uku fishery allocation discussions from previous meetings noting that the ACL was set for a combined commercial and non-commercial fishery to avoid user conflicts. The Council will be considering potential management tools for small boat fisheries, including allocation, for future management.

One member commented that the uku discussion translates to pelagic as the same non-commercial data issues exist with the pelagic fishery. Getting to any sort of rational number to get a portion of what is caught will be difficult. Allocation is likely not a valid tool for management in the region at this time.

The Chair noted that in order for allocation to work there would need to be an additional system for determining the universe of fishermen and receiving reporting because the current system wasn't designed for allocation. Council staff added that knowing the universe would be helpful

to either divvy up the catch or target for sampling but also to determine sector-wide allocations and track catch relative to a limit. The current system has high uncertainty in bi-monthly expansions and improving data collection is an element that needs to be addressed prior to being used.

One member asked if allocation has to be done for individuals or if it could be done by sectors. Council staff replied that some regions have individual catch shares, others have vessel allocation, and still others have sector allocation. Vessel catch shares have been difficult to track due to a vessel being sold or owners changing vessels. Resolving licensing would be a good first step if using historical participation in a fishery for allocation.

Another member said that the current Hawaii non-commercial fishery data is fairly consistent with the commercial data in terms of tracking the same type of trends. He added that with allocation, if a fisherman doesn't report, they don't have skin in the game. Council staff replied that if there is no history of participation, developing catch shares would be an issue and noted that commonly caught pelagic species have better data but those that are not as popular or sector-specific would have more variable data. The member asked if better consistency in voluntary non-commercial reporting would be best. Council staff replied that mandatory reporting with high compliance and enforcement will provide the best data but that has been an issue when applied to the non-commercial fisheries.

A member noted the use of non-commercial data in the development of the uku stock assessment and noted the issue for allocation is that estimates are produced every two months so the data might not be timely for catch monitoring or allocation. Council staff agreed and said that in-season monitoring would require a projection of catch and delays in the release of estimates would affect that projection.

B. Potential for Future Allocations

The NCFAC discussed the need for future allocations noting that the data is not up to par for allocation purposes. While more data is available in Hawaii, there is a greater proportion of non-commercial fishing in the other island areas. Members noted that using historical participation for allocation might vary depending on the time period used to make that determination.

A member from the Mariana Archipelago noted that yellowfin catch had been declining in recent years with larger yellowfin less likely. Council staff noted that La Nina and El Nino years drive the recruitment of tunas and that the oceanographic and environmental factors are also playing a role. Competition for tunas outside of the EEZ may also have an impact on the availability of larger fish as well.

Another member said that before allocations are developed, there needs to be a way to enforce the rules that are already on the books. Allocation may become just another regulation that doesn't get enforced while the existing rules, if enforced, may already provide the needed protection. Members from other areas agreed that enforcement is needed but their areas don't have as many regulations.

A member noted that in general, non-commercial fishermen are opportunists and do not specialize in a particular fishery. They fish for a particular species when it is around and will switch when another species is around. The characterization of non-commercial fishing is very different from commercial fisheries where certain fish are targeted. He said that crustacean fisheries are more specialized due to needing to have that type of gear and skill, so those fisheries could be looked at if allocation if needed.

The NCFAC noted that there are no user conflicts and the current catch limits are not limiting the fisheries at this time. They also noted the importance of enforcement of existing regulations and the need to discuss what allocation and enforcement would look like. *They agreed that the issues around allocation are important to discuss and that a working group should develop what allocation and enforcement would look like for the Council.*

4. Update on National Recreational Fishing Summit

NOAA/NMFS is planning to hold the fourth National Recreational Fishing Summit on March 29-30, 2022 in Alexandria, VA. NMFS recreational fishing coordinators and the summit steering committee are planning for the summit to occur in person but will be dependent upon COVID restrictions and they hope to finalize details by the end of the year. The steering committee has met to work on developing discussion topics and one topic that is likely will be climate change and its impacts to recreational fishing communities. It was noted that Matt Ramsey, Council Member, is on the steering committee and is working with the fishing community to provide ideas and topics to the committee.

One member said that the last summit report from 2018 concluded that more collaboration with scientists was discussed amongst other topics. He hoped that the upcoming summit would report on any progress made on the results of the previous summits and the needs expressed by the fishermen at those meetings. He encouraged the recreational fishing coordinators and steering committee to continue to follow up on the fishermen's requests so fishermen are not continually ignored.

The NCFAC agreed that providing a status and follow-up to previous summit recommendations would be useful for the 2022 summit.

5. Fishermen Observations

NCFAC members noted that fishing has been impacted due to the lack of fishing tackle and the increase in numbers of fishers during COVID. A member noted that tackle shops have reported that sales and gross revenue has gone up with demand while supply inventories are low. Another reported that there are more avid fishermen now where these folks might have been occasional weekend warriors before. The Guam charter business saw an increase after shutdown and there are more people buying boats and fishing which has caused certain areas to become more crowded such as harbors and fishing spots.

6. Non-Commercial Fishing Activities, Issues, and Efforts

NCFAC members discussed Fish Aggregation Devices (FADs) with one member noting that buoys are holding more fish as there seems to be more fish at this time of the year at the FADs

than normal. Fishermen are asking if the lack of FADs cause the fish to aggregate at fewer spots and that is what they are seeing. He said that the buoys are being replaced so that is something to look at in the data. Another member noted that it is disappointing that FADs are not being deployed properly in other areas and they end up losing the FAD in a matter of months.

Another member noted that competition for space at harbors and boat ramps continue to be a problem especially during low wind days. Keehi boat ramp had sardines or halalu running recently and the competition for space was intense. Prior to that, there were weeks where the wind was blowing heavy and although fish might have been closer, harbors were empty.

7. Public Comment

Kirsten Leong, NMFS Pacific Islands Fisheries Science Center, commented that in the Environmental Justice discussions people noted the issues about relying on historical catch to establish allocation. Those underserved communities that were not able to establish historical catch due to inequity would never get that opportunity. This is something for the NCFAC to consider in allocation discussions.

Clay Tam, Pacific Islands Fisheries Group, commented that there have been problems with drones taking out lines from shore on Oahu. Gear is tangling with boats that are trying to come in at night and that gear should at least have a light stick so it can be seen. The lost gear is not environmentally responsible as well. He also commented that fishermen do not want to deal with federal enforcement because while they may be few they have a bigger bite and don't mess around.

8. Discussion and Recommendations

The Non-Commercial Fisheries Advisory Committee (NCFAC) made the following recommendations:

Regarding fishery allocation,

- The NCFAC recommended the Council put together a working group made up of FIAC, NCFAC and others to discuss the issue of allocation and what it would look like, including the lack of enforcement.

Regarding the national recreational fishing summit,

- The NCFAC recommended the Council request the summit steering committee include an update on fishermen requests from previous summits, including the progress that has been made, on the next summit agenda.

9. Other Business

There was no other business.

The meeting concluded at 5:00 p.m.