



WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL

Report of the Hawaii Archipelago FEP Advisory Panel Meeting

Friday, November 19, 2021

1:30 p.m. – 4:30 p.m.

1. Welcome and Introductions

Gil Kualii, Hawaii Advisory Panel (AP) vice-Chair, opened the meeting at 1:30 p.m. Hawaii AP members in attendance included: Basil Oshiro, Nathan Abe, Clay Tam, Carrie Johnson, and Eddie Ebisui III.

Council staff in attendance included Zach Yamada, Joshua DeMello, Asuka Ishizaki, Maria Carnevale, Mark Mitsuyasu, and Kitty Simonds. Public members in attendance included Bryan Ishida (DAR), Mike Fujimoto (DAR), David Sakoda (DAR), Inga Gibson (Pono Advocacy), Heather Cronin (NMFS PIRO), Tammy Harp (Fisherman).

2. Review of Last AP Meeting and Recommendations

Council staff presented the report of the last AP meeting held on September 3, 2021. He reviewed the recommendations made at that meeting and provided an update on the status of those recommendations.

3. Council Issues

A. Modification of Hawaii Longline Seabird Interaction Mitigation Measures

Council staff provided an overview of the final action on modifying seabird interaction mitigation measures in the Hawaii deep-set longline fishery. At its September meeting, the Council selected, as a preliminary preferred alternative, to replace blue-dyed bait and strategic offal discard measures for stern-setting deep-set vessels with a new tori line requirement, with modified offal guidance to be provided to fishermen through a non-regulatory approach. Staff presented the draft tori line regulatory specifications, including discussion on whether materials for the tori lines should be specified in regulations, as well as updated analysis on implementing revised offal management best practices under non-regulatory training or through a regulatory change.

An AP member asked if this action would apply to the US and International fleets. Staff said this action would only apply to the Hawaii fleet. The US fleet has gone above and beyond the standards set by the IATTC and WCPFC, which provides tori lines as an option. They hope they can take their design and show it to other fleets and continue to be the gold standard for the longline fishery.

One member said that management should provide the fleet flexibility in their designs as seabirds may continue to adapt to the gear type.

The AP recognized that there is a need to maintain flexibility in the specification to the extent possible. This includes describing gear type rather than naming the brand of the material. *The*

Hawaii AP supported Alternative 2 with the caveat that name brands are not included and rather the material is described.

B. Proposed NWHI National Marine Sanctuary Update

Council staff reported that NOAA/ONMS published their Notice of Intent (NOI) to designate the Northwest Hawaiian Islands (NWHI) monument as a national marine sanctuary on November 19, 2021. The Council expects to receive the 304(a)(5) package to draft regulations for fishing for the sanctuary and staff noted that a follow-up presentation will be provided at its next meeting. Staff reviewed the process for designation and solicited input from the AP on fishery-related activities they would consider in the NWHI.

An AP member asked if fishing activities would only allow cultural fishing or limited to a max 100 foot vessel limit. He wanted the non-commercial trollers and bottomfish fishers to be able to go in and bring fish back home. He then asked if it was feasible for the Hawaii Longline boats could go back into the NWHI as it serves as a food source for Hawaii. Currently, Hawaii needs to import fish from foreign countries to meet the demands of Hawaii's market. Staff said that under the current monument, commercial fishing is prohibited and would not be allowed under sanctuary rules. Currently, fishing opportunities in the NWHI include non-commercial and subsistence, but the Council could consider bringing fish home as well.

C. Green Turtle Management Update

Council staff provided an update on green turtle management. The Council is assisting and providing guidance to the Native Hawaiian Gathering Rights Association in exploring options for requesting a cultural take of green sea turtles.

An AP member said that green sea turtle take should be based on locality and where there is increased abundance in order to create equilibrium and benefit the entire ecosystem. She did not want to see carte blanche hunting but said that a cultural take is a good idea but there should be caution on how it is applied.

4. AP Plan and Working Group Reports

A. Smart FADs

The AP Vice-chair provided the report from the Smart FAD working group. The working group is looking to develop a solar or wave-powered Smart FAD that would serve like a weather buoy from PacIOOS. Ideally, the Smart FAD would collect water temperature at depth, current direct, wave height, etc. The working group also heard about a project being looked at in Guam to develop Smart-aFAD networks. These designs include echosounder technologies that provide live data on fish biomass (by depth and species). The group agreed to continue to work with interested groups to develop a Smart FAD that would serve the community. They noted that these discussions should also include potential issues such as FADs breaking off, depleting resources, permitting process, and other ecological concerns.

The AP agreed to continue the working group to continue discussions and move towards developing a proposal for a Smart FAD.

B. FishMaps

The FishMaps working group provided an update to HI AP. The working group was put together to continue the AP's effort to document fishing effort around Hawaii in order to be included in offshore development discussions. The resulting maps should be collaborative with the fishing community and representative of areas that are important to fishers. While the entire ocean is important for fishing, particular structures and areas support different fishing gears and methods which would identify which fishers need to be consulted. The group plans to have a complete map of traditional grounds to present at the next AP meeting. The group will continue working with Council staff to developing outreach materials that introduce the project as a product of the Hawaii AP.

Working group members noted that they have a plan for moving forward to update the community through Hawaii Fishing News. The members also plan to work with AP members on developing a video with representatives from each island and enhancing maps with non-confidential pelagic landings data.

An AP member noted that Hawaii Fishing News is also developing a map for their website that will show where all of the 100+ pound ulua were caught since the 1920s as well as the locations of all state record fish catches. She offered the data for FishMaps if the working group finds it useful.

C. Offshore Energy

Council staff reported on behalf of the Offshore Energy Working Group. Concerns about offshore energy and its impacts to fishing resulted in the AP developing a working group to provide updates to the AP and fishermen on potential projects as well as provide a group that the offshore developers can consult with the fishing community. The working group is developing an offshore energy resolution that details best practices and a process for consulting the fishing community. This resolution will be presented to the AP for consideration and adoption at its next meeting.

5. AP Outreach and Education

Council staff presented the outreach efforts with the AP, including the lunar calendar, two Hawaii Fishing News Articles highlighting AP members, and their contribution to the Hawaii speakers' bureau. She noted that AP members have already gotten requests to present through the efforts of the AP and volunteering information through the speakers' bureau.

There was discussion regarding the lunar calendar format and design and AP members thanked staff for their assistance in the AP's outreach efforts.

6. Hawaii Fishery Issues and Activities

A. DAR Sportfish Funding Report

Michael Fujimoto, State of Hawaii Division of Aquatic Resources (DAR) staff, provided an overview of the State's Sportfish Restoration Funds (SRF) and projects. The program's purpose is to fund and aid the States in fish restoration and management projects. Examples of eligible projects include restoring, conserving, managing, and enhancing sport fish populations; conducting research on the problems of managing fish and their habitat; stocking fish for

recreational purposes; providing public access for recreational fishing; and providing technical assistance for managing sport fish populations. The Sportfish funds support several projects that include survey of fish and habitat, investigation of Hawaiian estuaries, artificial reef, FADs, and statewide fisheries development.

An AP member asked how many artificial reefs have been deployed off of Hawaii Island. DAR staff said that there is currently no artificial reef off of Hawaii Island. The member asked if there were any plans to expand the artificial reef program. DAR staff responded that permitting is an issue and plans for a previous artificial reef off Ewa was scrapped after a survey found too many corals. There are plans to expand existing artificial reefs off of Maunalua Bay with additional modules.

Another member asked what percentage of the SRF is allocated for boating. DAR staff reported that 15% of the SRF is for boating access, but they also receive funds through the boating infrastructure grant, clean vessel act, boating safety, and gasoline tax money.

A member asked how DAR intends to use SRF to improve fisheries in Hawaii. DAR staff replied that this happens through their fish counts and surveys, the data from these programs guides management decision to allow people to continue fishing.

AP members discussed apportionment and the funding levels provided to the state. DAR staff noted that there is a match requirement for the state and that if state funding can be bumped up for certain projects, they would be able to reallocate federal funding to other projects. DAR is currently going through a strategic planning process to prioritize projects and determine which projects could use other funding sources or if reallocations can be done.

An AP member asked if each island is allocated funding because freshwater funds are provided to Kauai and Oahu. He wanted to know if there was equity across the state. DAR staff said that all of the programs funded under SFR are statewide and freshwater funding is also used to assist efforts in Wailoa on Hawaii Island. If there freshwater fishing opportunities that were publicly available on other islands, these funds could provide support.

B. Council Coral Reef Program

Council staff presented on an upcoming grant proposal being developed to assist in the Council's coral reef program. Currently, the staff is working with all of the island agencies to identify potential projects and collaboration opportunities. He noted that the program is currently funding biosampling activities on Oahu and Maui which has collected life history information that is being used for management. He then solicited the AP for any additional ideas for coral reef ecosystem-associated projects to potentially include in the proposal.

C. Hawaii Fishermen Observations

An AP member reported that the larger tunas have been swimming closer to shore off Kona, Hawaii. The kayak fishermen had an increase in the catch for marlin and big tuna. November has provided calm weather. Off of Hilo, a member reported that ono have been coming in later than usual.

Another member reported that fishers had been catching onaga from their jet skis off of Maui. They were fishing in the Triangle and caught 80-90 pounds within four hours in areas that normal bottomfish fishermen rarely catch fish. He has seen an increase in opakapaka in the markets and reported that bottomfish prices have been reasonable.

Another AP member reported that on Oahu there has been an increase of *oio* (bonefish) and Kona crab. Bottomfish has been slow on Oahu, which may be correlated with the prices. A member said that they have seen more oio tagged inside Hawaii Kai throughout October. A fisher caught a spawning onaga, which is unusual for this time of the year. Another member reported that the ono catch has remained steady and he had seen less marlin than usual.

For Kauai, fishermen have been catching ahi from 30-60 pounds. Water has been ideal for bottomfish. Boat ramps have been full on weekends and the demand for fresh fish remains high.

D. Advisory Panel Issues

The AP provided potential fishing issues in Hawaii that have been reported by the fishing community.

An AP member noted that the water has been calm so people have been fishing and catching with markets in Hawaii Island being flooded with bottomfish.

Another AP member noted that supply of fish on Oahu has been steady but the United Fishing Agency is hoping for larger volumes to accommodate the seasonal demand. The Pacific Islands Fisheries Group completed their bottomfish surveys and the member thanked those that participated. He also noted that there has been an overall low number of opakapaka being caught, although Oahu fishermen have caught a fair amount. He also reported that there have been issues with shoreline fishermen using drones to drop lines with jug floats. These jugs are hard to see at night and boats often run them over and get the line caught on the propeller. He suggested putting a light stick in the jug and that these fishermen should be held responsible.

Another AP member commented that there is a lot of opakapaka so there is no need to be concerned. He also noted that there are weird currents which have been affecting fishing and said he was unsure of why it was occurring.

7. Annual Report of Hawaii AP Activities

A. 2021 Plan and Activities

The AP vice-Chair reviewed the AP's plan and the activities accomplished in 2021. Although they could not conduct outreach on uku and data collection in 2020, they completed their speakers' bureau. They have had inquiries from the AP members to speak at different venues on traditional fishing, fish tagging, and how fishers use the lunar cycle. The AP produced two Hawaii Fishing News articles that introduced the group, featured members, and updated the community on the FishMaps project. The AP is currently working on their FishMaps project that maps traditional fishing grounds, Smart FADs to serve as a tool for the fishing communities, and the Offshore Energy working group that provides energy developers the perspectives and concerns from the fishing community.

The overall AP Chair also credited the AP for working with the fishing community to record fishermen observations and including that knowledge into the Annual SAFE Reports. This effort has gained a lot of traction with interest from researchers to tie empirical science and traditional knowledge. He said that this effort provided an identity to the AP and now scientists are coming to the AP to learn about fishing.

B. Planning for 2022/End of Term

The vice Chair reported that the AP term ends in December 2022. They hope to accomplish as much as they can. He reported that he made an unofficial request to get the current members a 2-year extension to complete all of their projects. He recognized that this AP is a motivated team and his goal is to support this team in completing these projects.

8. Public Comment

No public comment.

9. Discussion and Recommendations

The Hawaii Advisory Panel made the following recommendations:

Regarding seabird mitigation measures in the HI longline fishery:

- The Hawaii AP recommends the Council support Alternative 2 and make sure that the regulations list the material description rather than brand names.

10. Other Business

Council staff reported that on September 28, 2021, NMFS issued a final rule to implement a 50-yard approach rule for Hawaii spinner dolphins, and a separate proposed rule to establish time-area closures at five nearshore areas known to be resting areas. Both rules are issued under the authority of the Marine Mammal Protection Act (MMPA). The proposed time-area closures would restrict activity between 6 a.m. and 3 p.m. daily in parts of Kealakekua, Hōnaunau, Kauhakō (Ho‘okena), and Makako Bays on Hawai‘i Island, and La Perouse Bay on Maui, with limited exemptions for vessels transiting through the area for organized canoe races and to access privately owned property adjacent to the restricted areas. The time-area closure proposed rule is open for public comment until December 27, 2021.

The AP noted that regulations should not be punitive for the actions of a few. Instead, NMFS should look at providing additional enforcement to stop the bad apples from harassing dolphins. Council staff noted that enforcement will be by both the State and Federal enforcement agencies through a Joint Enforcement Agreement. However, harassment regulations are already included as part of the Marine Mammal Protection Act that could already be enforced.

An AP member asked if the dolphins were resident to those areas or whether areas are used on a rotational basis. Another AP member said there are many pods in those areas where the water is clean.

The meeting was adjourned at 4:24 p.m.