

# Compliance Guide

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## Main Hawaiian Islands Bottomfish Fishery 2007 Interim Seasonal Closure (May 15 to October 1, 2007)

April 27, 2007

This guide provides information for fishermen, fish markets, and other affected entities and persons on how to comply with new temporary requirements for the Hawaii bottomfish fishery.

### **Q. How did the new regulations come about and what is their purpose?**

The National Marine Fisheries Service (NMFS) determined that overfishing is occurring on the bottomfish multi-species complex around the Hawaii Archipelago, with the primary problem being excess fishing effort in the main Hawaiian Islands (MHI). NMFS requested the Western Pacific Regional Fishery Management Council (Council) to take appropriate action to end the overfishing.

The new regulations result from a recommendation by the Council to immediately reduce fishing effort on the bottomfish stocks that are experiencing overfishing while the Council, NMFS, and the State of Hawaii develop long-term management measures to prevent overfishing of Hawaii's bottomfish resources in the future.

### **Q. What are the new regulations?**

The new regulations prohibit fishing for seven deepwater species (Deep 7) in the MHI. During the closure, fishing for, and possession of, Deep 7 bottomfish species is prohibited in MHI waters (0-200 nm). The new regulations also prohibit the sale of Deep 7 bottomfish in Hawaii during the closure, unless the fish were caught legally in the federally permitted Northwestern Hawaiian Islands bottomfish fishery or can be documented as legally imported.

### **Q. What are the prohibited Deep 7 bottomfish?**

| Local Name | Common name          | Scientific Name                    |
|------------|----------------------|------------------------------------|
| Ehu        | Squirrelfish snapper | <i>Etelis carbunculus</i>          |
| Gindai     | Snapper              | <i>Pristipomoides zonatus</i>      |
| Hapu'upu'u | Sea bass             | <i>Epinephelus quernus</i>         |
| Kalekale   | Snapper              | <i>Pristipomoides sieboldii</i>    |
| Lehi       | Silver jaw jobfish   | <i>Aphareus rutilans</i>           |
| Onaga      | Longtail snapper     | <i>Etelis coruscans</i>            |
| Opakapaka  | Pink snapper         | <i>Pristipomoides filamentosus</i> |

### **Q. When do the 2007 Seasonal Closure regulations take effect, and how long are they effective?**

A. The 2007 seasonal closure is effective midnight May 15, 2007 to midnight October 1, 2007.

**Q. Where is the closure effective?**

Fishing for, or possession of, any of the Deep 7 bottomfish is prohibited in waters around the MHI, that is, the islands lying east of 161 degrees W. longitude, and from 0-200 nm offshore. All Deep 7 bottomfish possessed in MHI waters are presumed to have been taken and retained from MHI waters, unless the person can prove the Deep 7 bottomfish were taken in the Northwestern Hawaiian Islands by a federally permitted limited entry permit holder or can be documented as legally imported.

**Q. Does the seasonal closure apply to the NWHI or to fish imported from outside Hawaii?**

The seasonal closure does not apply to those with Northwestern Hawaiian Islands limited entry permits or to bottomfish imports. However, NWHI bottomfish fishermen will need to provide copies of their NWHI limited entry permit and commercial marine license upon sale/trade/barter/gift of bottomfish landed in the MHI during the seasonal closure.

**Q. Who is affected by the closure?**

The new regulations apply to all fishermen, commercial, recreational and subsistence, who fish for bottomfish in MHI waters around Hawaii, from 0-200 nm offshore. The regulations also directly affect seafood dealers/marketers/restaurants that purchase or sell Deep 7 bottomfish species.

**Q. What if I accidentally catch one of the prohibited Deep 7 bottomfish while I am fishing for other species?**

You must release the prohibited species back into the water immediately, regardless of its condition. See attached information on releasing incidentally caught bottomfish. Such methods have been demonstrated to enhance survivability of incidentally caught bottomfish returned to the ocean.

**Q. Can I keep a Deep 7 bottomfish in my freezer during the closure?**

Yes, only if the fish was caught prior to May 15, 2007. Possession of Deep 7 bottomfish caught in MHI waters on or after May 15, 2007, is prohibited.

**Q. Can I sell a fish during the closed season if it was caught before the fishery was closed?**

Yes, it is legal to sell Deep 7 bottomfish caught from the MHI during the closed season if you can document that the fish was caught prior to May 15, 2007. It is also legal to sell Deep 7 bottomfish during the closed season that have been legally imported or caught after May 15, 2007 in the federally regulated Northwestern Hawaiian Islands bottomfish fishery. Currently, there are seven federally permitted fishing vessels in the Northwestern Hawaiian Islands limited entry bottomfish fishery.

**Q. Where can I obtain additional copies of this guide or get more information on the regulations?**

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| Pacific Islands Regional Office<br>NOAA National Marine<br>Fisheries Service<br>1601 Kapiolani Blvd. 1110<br>Honolulu, HI 96814 | Division of Aquatic Resources<br>Department of Land and Natural Resources<br>State of Hawaii<br>1151 Punchbowl Street, Rm 330<br>Honolulu, HI 96813 | Western Pacific Regional<br>Fishery Management Council<br>1164 Bishop Street, Suite 1400<br>Honolulu, Hawaii 96813 |
| Tel: 808-944-2200<br>Fax: 808-973-2941<br><a href="http://www.fpir.noaa.gov">http://www.fpir.noaa.gov</a>                       | Tel: 808-587-0100<br>Fax: 808-587-0115<br><a href="http://www.hawaii.gov/dlnr/dar">http://www.hawaii.gov/dlnr/dar</a>                               | Tel: 808-522-8220<br>Fax: 808-522-8226<br><a href="http://www.wpcouncil.org">http://www.wpcouncil.org</a>          |