



**Report of the Non-Commercial Fisheries Advisory Committee Meeting
September 25-26, 2013
Council Office
Honolulu, Hawaii**

1. Welcome and Introductions

Joshua DeMello, Council staff, provided the welcoming remarks and provided introductions for the group. In attendance was: Steve Lopez (Paradise Fishing Club-Kona), Gene Weaver (Saipan Fisherman's Association), George Poysky (Pago Pago Game Fishing Association), Bill Shontell (Kohala Trollers), Norm Swift (Waianae Boat Fishing Club), Chad Pacheco (North Shore Fishing Tournament-Kauai), Gil Kualii (Hilo Trollers), and Patrick Conley (Garden Isle Trollers) and Rodney Villanueva (Aiea Boat Club)

Also in attendance were Matt Ramsey, Chris Hawkins, and David Itano from NMFS PIRO and Dawn Kotowicz, Courtney Beavers, and Hongguang Ma from NMFS PIFSC. Other Council staff included Mark Mitsuyasu, Charles Kaaiai, Marlowe Sabater, and Asuka Ishizaki

2. Overview of the Council and Non-commercial fishery agencies in the Western Pacific

DeMello presented an overview of the Council and where it fits in the overall picture of fishery management in the region. It was noted that the bottom-up approach to management is a unique process that can't be found in the rest of the Federal government.

Members commented that there needs to be feedback loops identified where fishermen are informed of the status of recommendations or issues passed to the Council or over to NMFS, including those proposed by outside public groups including environmental organizations (NGOs). They also noted that future presentations on the Council process provide a flow chart with timeframes on how long it takes to go from identifying an issue until it is made into a regulation.

3. About the Non-Commercial Fisheries Advisory Committee

Mitsuyasu presented the background on the NCFAC and an overview of its responsibilities. He noted that while this process is bottom-up, it's only as good as the people that participate. He explained that this is a different approach to identify the non-commercial sector, as previous efforts met dead ends. This new approach utilizes boat clubs because they are already organized and leaders in their non-commercial communities. Mitsuyasu noted that there are lots of issues coming down that will affect the non-commercial fishing communities and a lot of issues coming from these communities so there needs to be a flow of information passed back and forth. He said that the frequency of meetings depends on what the issues are, though the Council will try to bring the group together on a regular basis, and all meetings are open to the public, final reports of the meeting are provided, and the meeting is noticed in the Federal Register.

Mitsuyasu said that the learning curve for fisheries is long and steep as the issues vary a lot so it is hard to get a handle on the width and depth of the subject matter. He explained to the members to let their clubs and other clubs know what the Council is doing so that the message gets out and includes everyone. Lopez commented that there needs to be a consistent feedback

mechanism between NCFAC and clubs and a stronger one between Council and NCFAC (information flow).

Members asked about opportunities for information to be provided to their groups. Mitsuyasu explained that the Council can send staff or one of their partners to their meetings if requested.

There were questions about the timeline for rule making. Mitsuyasu explained that rulemaking can take a long time to implement (approximately 2 years or so), as it goes through multiple reviews and a public commenting process. He said that by the time the proposed rule gets to the end of the process, the opportunity to change the rule has already passed a year or so ago so it's important to get your comments in as early as possible.

Mitsuyasu provided an example of the bottomfish fishery and the change from a fishery with no limits on catch to one that is based on an Annual Catch Target that may be affecting a larger amount of non-commercial fishermen that the Council didn't know about. There were 46 meetings over a two-year period but reaching the non-commercial fishermen was difficult since they were an unknown. Members wanted to know if we should be reinventing the wheel or plug into existing networks? Mitsuyasu said the Council and this group are here to help coordinate existing networks or develop new ones if needed.

A main concern of members was convincing others that it was worth their time to participate. Mitsuyasu said that the Council is available to send staff to meetings or target meetings for when there are opportunities to engage their organization and provide information that they may need. He also said that a main message is that while fisheries management is dry and not very exciting, if you don't pay attention to it, it'll be too late to do something when you do find out about a rule change.

4. Non-commercial fisheries in the Western Pacific

DeMello provided the report on pelagic recreational fisheries in the 2011 Pelagic Annual Reports and the 2011 coral reef fishery non-commercial report. He noted that in the coral reef fishery, shore-based, the non-commercial fishery is equal or greater than the commercial fishery. He noted that in the pelagic fishery its variable by species and by year.

5. Data collection initiatives for non-commercial fishing

a. Hawaii Marine Recreational Fishery Survey

DeMello presented the Hawaii Marine Recreational Fishery Survey (HMRFS) and gave a historical overview of where the program came from. He noted that this group, in its former make-up as the Recreational Data Task Force and its Chairman brought the national Marine Recreational Fisheries Statistical Survey (MRFSS) to Hawaii to get a handle on non-commercial fishing data. DeMello also provided an example of the forms and the methods for estimating non-commercial catch. Conley, who is an HMRFS surveyor, provided additional information on HMRFS including the type of questions asked and knowing who to survey. Conley also noted that there is a random schedule of different sites that provide different time periods that need to be surveyed and the surveyors talk to every single person that comes in and reports all catch even if its zero.

There was a short discussion on how HMRFS estimates a total catch by surveying only a few fishermen. DeMello noted that the random samples taken should balance out, over the long run, the differences between those that fish/catch a lot and those that may not fish/catch as often. Hawkins added that surveying techniques seek to reduce the bias and error so that you don't sample all one type of fishermen and ensure that all representatives are included. Other survey comments from the group included the surveyors following protocols. Hawkins said that it's hard to tell people they have to stay on protocol, but that survey managers stress the need to stay on protocol. Itano also noted that much of the problem with the current estimated numbers has to do with the expansion of the individual catch data and combining it with the effort data from the telephone survey and extrapolate that out to the entire population. There was still some confusion on sampling and estimation that may indicate a need to provide better outreach and communication on surveys and estimated catch.

b. Western Pacific creel surveys

Sabater provided an overview of the creel survey data collection in the Western Pacific region noting the goal is to characterize the fishery and what is going on. Similar to HMRFS, these surveys are finding out what is being caught and how much effort fishermen put into the fishery.

c. Marine Recreational Information Program

DeMello provided a Prezi presentation on the Marine Recreational Information Program (MRIP) available on countmyfish.noaa.gov. He also provided an overview of what MRIP is doing in the Western Pacific Region including the National Saltwater Angler Registry.

d. NMFS Initiatives for non-commercial fishing

Itano provided an update on the Pacific Islands Region Saltwater Recreational Fisheries Action Agenda, a new program for NOAA that concentrates on recreational/non-commercial fisheries for the whole region. He said that these agendas are a menu of projects and mandates for NOAA to work on that stems from a recreational fisheries engagement initiative and goals developed at a recreational summit held in Washington D.C. He reviewed an updated Action Agenda for the Pacific Islands Region (PIR) and provided the projects that NMFS PIR will be working on.

Hawkins described a survey that was conducted earlier this year that utilized the state of Hawaii vessel registry to look at the ability to use this registry as a sampling frame for future catch and effort surveys. He noted that his analysis of the data was nearly complete and report should be available at the end of the year at the earliest. He also described another survey being conducted by a University of Hawaii student. Ellery Tucker Williams, the student conducting the survey, said that the survey will look at local fishers opinions on a recreational license (for example what are the issues with a license, how much they are willing to pay, etc.). There was a strong suggestion by the group that all surveys being conducted be state/region wide and not Oahu centric.

Ramsey noted that his work deals with non-commercial shoreline fishermen, but he also sets up meetings for fishermen with the DLNR Chair. He said that when one fisherman talks it's only one voice, but when it comes from a group, the influence is stronger and your voice is heard and change does happen.

Itano provided information to the group on Waialua Boat Club's project to collect data from non-commercial fishermen. He said that it replicates commercial fishing reporting requirements and is a pilot project where all members are participating. He noted that if other clubs wanted to do something similar, they'd be willing to help out starting up a project with them.

Again, the members reiterated their comments about providing why it's important to participate so that they can convince other fishermen to participate. They also provided other venues to provide information (and collect information) such as fishing supply stores. They said it is important to connect with the fishing stores because you will hit the fishermen where they are. Other members said that incentives work to get information as well and that nice logos make surveys look official. Members also agreed that a code of conduct for fishermen, and in particular boat ramp safety/courtesy, would be helpful.

6. Current issues facing non-commercial fishing in the Western Pacific

a. Pelagic Issues

DeMello presented on international fishery management boundaries, the Billfish Conservation Act (H.R. 2706) and other issues related to tuna, billfish and other pelagic species. Itano noted that striped marlin quota ideas are being floated for all fishermen. DeMello noted that an exemption in the Act for Hawaii and Pacific Insular Area regional fishermen to sell billfish is being scrutinized by large organizations who are opposed to it.

The group discussed the need to be on record of being in the fishery and that if there is no information exhibiting this, the options for meaningful participation in management of the fishery become limited. Participation is important to protecting the interest of the group and to have a voice in regulatory issues.

b. Protected species

Ishizaki presented an overview of issues on protected species. Her main points were that the Endangered Species Act and Marine Mammal Protection Act doesn't afford fishermen and the public a useful opportunity to provide input into the process. There is a need to work together (fishermen, scientists, managers) to get the message out to avoid and reduce interactions if possible, and about recording interactions if they do occur as fishermen won't be penalized for doing so. She explained that fishermen know their fisheries the best so there needs to be a way to ensure that the information they collect is accurate information and that managers and scientists share how the information is used in the decision making process. It was noted that timely and accurate data from the fishermen can help minimize incidents of "over precaution" in the regulatory arena. The example of the increased quota for MHI Deep Seven bottomfish was provided. She noted that she is available to help fishermen navigate the process and explain issues regarding protected species.

There was much discussion from the group regarding the public commenting process. Members asked Ishizaki if the form letters provided count as individual comments. She replied that at the agency level they are taken into consideration as one comment, though the large numbers can be used at the political level. She said it was important to make sure that substantial comments are included to differentiate each comment and necessitate a response. Other concerns on

commenting included how to provide “scientific” comments when fishermen have knowledge but are not considered “scientists”.

The members were concerned about where the petitions come from. Ishizaki noted that many of the petitions come from large groups located outside the region that work at a national and international scale, but some can come from local groups as well. There was also concern that the U.S. fleets are held to higher standards and are not allowed a level playing field. Ishizaki said that it was true that U.S. fleets are held to higher standards as the U.S. looks to provide the standard for other countries.

Local issues regarding sea turtles and monk seals were discussed, including scientists being the ones that harass the species more often than fishermen. They also wanted to know how to find out more information on protected species. Ishizaki said that she can provide information to the group or fishermen can call and inquire with her or the other Council staff at any time. She noted that it is also important for advisory groups, like this one, to provide comments to the Council as recommendations to provide support to the voice of the fishermen. She noted that the Council’s comments can carry a lot of weight and can be supported at many different levels. Fishermen can also use the Council’s comments for themselves or their organizations as well.

c. Definitions

Kaaiwai presented the Council’s proposed definitions for any possible MSA (Magnusson-Stevens Act) changes and while the MSA tried to take a regional approach to management, it is not implemented that way and they still try to manage out of a central authority. He explained that the Western Pacific region is different and that our motivations for fishing are different. He noted that defining the terms is something that can be done to define how WE fish and make others understand.

The group generally supported the idea of the definitions that were developed by the Council on recreational and subsistence fisheries, but was confused about what it is trying to do. Council staff mentioned that there are some folks that sell fish that are not strictly commercial as they may sell one or two if they have extra or to cover expense costs. Some members had difficulty with the language regarding “entering commerce.” They did note that use of the term ‘non-commercial’ would be more useful in restating the position of the region.

Through the discussions, the members agreed to support a simpler definition that defines recreational fishing as fishing for sport, pleasure, subsistence, traditional, cultural and other non-commercial purposes. Members said that fishermen read the definitions as how it applies to them and this definition makes it clear and concise for fishermen to understand what classification they fit in. A simpler, broad definition also allows for regional variances in those non-commercial purposes.

d. Annual Catch Limits

Sabater presented on the process for developing Annual Catch Limits (ACLs) and its importance for preventing overfishing of fish stocks. He noted the lack of data and how innovative methods are being employed by the Council and its SSC to determine stock status and set reasonable

ACLs. It was also noted that the ACLs are based on commercial data as that is the bulk of available information

There was concern by the members that this management tool wasn't appropriate for the fisheries in the region. Sabater explained that it is mandated through the MSA reauthorization in 2006 so the Council is working with the best available data and that it is just one tool that should be considered in management. He noted that in the reef-based fisheries, particularly those subject to the creel surveys, the catch, relative to biomass, is small so there shouldn't be too much of a concern and that this information is being incorporated into models being developed right now to provide a more accurate picture of the fisheries and setting ACLs. He also stressed the need for all fishermen to provide data so that ACLs are set appropriately.

7. Round-table discussion on non-commercial fishing issues

The Non-Commercial Fisheries Advisory Committee Members discussed issues in the non-commercial fisheries and provided a variety of issues.

In American Samoa, there is a need for Fish Aggregation Devices (FADs) to be put out and maintained. The concern from the members is that there is no motivation for them to do their job.

In Hawaii, some were concerned regarding the development of fish farms and their possible effects on non-commercial fishing. It was noted that some non-commercial fishermen were happy as they acted as a giant FAD, but the concern of being restricted from traditional fishing areas remains. Other members noted that fish farms can be good if they are allowed to replenish stocks. Still, other members cited the need to maintain and catch wild stocks because aquaculture is not yet feeding the masses and seen more as a luxury item. To do this, fishermen need to fish as clean (i.e. no waste or bycatch) as they can and make the most of everything they get. They also noted that bait fish and forage fish may need to be looked at for possible restrictions.

Also in Hawaii, there is a growing concern regarding tour boats (particularly dolphin tours) running through fishing grounds, "hogging" the limited dock-side infrastructure, harassing dolphins. These tours are increasing in areas that haven't seen this type of activity.

Non-commercial fishing licenses are going to be a hard sell because it will need to address the issue of bringing people along on fishing trips (visitors or friends) that may not have a license. There was also concern that fishermen are being blamed for everything and that there is a need to improve the image of fishermen. They said many people, particularly those with no traditions of fishing, think fishermen are greedy and want to kill everything, but that is not the case as fishermen are providing food for the community. Members noted that surveys are valuable if it's kept simple instead of looking like a test, and that comments are just as valuable as answers to questions.

There is also a need, notes members, to provide a way to give back to the fishermen. The government and others always take information from the fishermen but do not give anything back. This is why fishermen don't want to give out information, as they don't want anything

more taken away from them (particularly the older generation of fishermen). The members noted that they have data from tournaments and fishing clubs, but the lack of communication about the need to utilize this data means the data sits with each group. They also explained that the government is using resources to protect endangered species and teaching children about preservation, but not enough resources are targeted to protect fishermen.

A very large part of the discussion centered on the lack of infrastructure for fishing. The boat ramps and facilities are in dire shape (or lacking) across the islands. There is no ability to pinpoint whose responsibility it is for maintenance, enforcement, construction, etc, as everyone says its someone else's job. The same issue was brought up regarding enforcement as fishing (and other activities) functions outside of the normal 8 to 5 worker's shift.

8. Non-Commercial Fisheries Program and Priorities

Mitsuyasu provided an overview of the Council's funding sources and noted that it comes from an appropriation of congress and the Council operates on five-year grants. The Council's next five-year grant needs to be prepared by next June so the staff is developing the plan for the next five years. He explained that the Council is soliciting input from this group to provide ideas on what the Council should address in the short, medium, and long-range time period.

Members noted that the Council's program, while separate from NOAA's Action Agenda, should include similar type of activities. Mitsuyasu agreed that those themes could be included to help with collaboration. Itano noted that summit outcomes included protected species issues, infrastructure, loss of fishing opportunities, data collection, and conflicts with new /immigrant fishing communities.

9. Developing a Non-Commercial Fisheries Program Plan

DeMello described the process for analyzing the issues and challenges for developing a non-commercial fishery program plan for the Council. He solicited the information from the group on the opportunities for, and threats to, non-commercial fishing in the region.

The group looked at the opportunities and threats to non-commercial fishermen and was concerned with the lack of information in the community. They noted that it is difficult to convince other fishermen on why it is worth spending their time fighting the misinformation. They would like to be provided with information that would help support their arguments with data and science. They were also concerned that this misinformation is feeding into a "brainwashing" of the children to think in a way that will eliminate fishing.

Members noted that there are opportunities for providing better communication and support to fishermen to speak knowledgeably and be able to explain why certain regulations are needed (or not needed). There is also a need to promote the idea that the Council is the voice of the fishermen and a venue to provide feedback on rules. Much of the conversation focused on infrastructure, communication, size limits and enforcement. Additionally, the group did note that fishermen are the first ones to see marine debris, so there is an opportunity and a real need for engagement and communication with fishermen on the Japan tsunami debris.

Mitsuyasu explained that this advisory committee doesn't need to figure out how to solve the problems but provide an idea of where non-commercial fishermen want to be (i.e. an ideal situation).

The group discussed the activity and provided the following ideas for the Council's priorities to focus on in its next programmatic activity cycle:

- Fishery infrastructure, including boating facilities and access (safe and accessible ramps);
- Improvement in data collection for non-commercial fisheries;
- Depredation of non-commercial fishery catch by protected species and sharks;
- Developing formal communication plans for communicating information and providing feedback in both directions (to and from the Council);and
- The importance of billfish fisheries, including cultural use and commercial sale.

Some of the challenges that the group discussed included:

- Fishermen are unaware of what is happening;
- Fishermen are unaware of the Council and what they do;
- The media doesn't provide information about fishing and fishermen accurately;
- People are unaware about the rules;

10. Next steps

DeMello provided the group an overview of the process of moving recommendations from the group to the Council. He reported that a draft report will be circulated and finalized for the Council to consider at its next meeting.

Mitsuyasu explained that the information provided for the Non-Commercial Fisheries Program will be used to develop a program plan and the draft program plan will be circulated to the group for comments. The program plan will help set the priorities for the Council and its funding mechanisms for the next five years. By June next year the Council wants to have a program plan updated and reviewed by the Council at its meetings.

11. Other Business

It was agreed by Council staff to provide contact information to the group regarding participants and staff contact information.

12. Public Comment

Rhoda Libre from Kauai asked about the inclusion of indigenous non-commercial fishermen. She noted that on Kauai they have groups for shoreline fishing and gathering and wanted to know if they could be included. In short, the answer to the question provided by Council staff is that this committee is focused on boat-based fishing and the issues facing indigenous fishermen can be provided through the advisory panel. They also noted that the Council is engaging the Hawaiian community through the established Aha Moku system.

A member of the public offered comment but didn't sign in so we could identify him here. He is a lawyer who lives part time in Hawaii and mainland. He asked that regulatory language be better stated so that all can understand. He stated the he as well as other lawyers and fisherman who have looked at Magnuson-Stevens and resulting rules have a difficult time understanding

what is right from wrong in applying it to recreational fishing. The NCFAC agreed and thanked him for his observation.

13. Discussion and Recommendations

The Non-commercial Fisheries Advisory Committee:

- 1. Recommended the Council provide more, and better, communication on non-commercial fisheries, particularly with regards to:**
 - **How the different laws and government agencies control, support and affect non-commercial fisheries;**
 - **Information advisors can use to explain regulations or issues (i.e. why people should care);**
 - **The extent and timing of the Japan tsunami marine debris, including a form of communication (web links to maps and information)and action plan for fishermen (what to do if they find something at sea);**

- 2. Recommended the Council’s future priorities and plans incorporate the following regarding non-commercial fishing:**
 - **Fishery infrastructure, including boating facilities and access (safe and accessible ramps);**
 - **Improvement in data collection for non-commercial fisheries;**
 - **Depredation of non-commercial fishery catch by protected species and sharks;**
 - **Developing formal communication plans for communicating information and providing feedback in both directions (to and from the Council);and**
 - **The importance of billfish fisheries, including cultural use and commercial sale.**

- 3. Supported the intent of the Council’s revised definition for recreational fishing, but recommends the MSA definition of “recreational fishing” be expanded to include “fishing undertaken for sport, pleasure, subsistence, traditional, cultural and other non-commercial purposes.” This approach would clarify the definition and allow for it to be culturally acceptable.**

- 4. Recommended the Council appoint Norman Swift as the Chair of the Non-commercial Fisheries Advisory Committee.**

Participant List & Email Contact Information

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George Poysky
Bill Shontell
Norman Swift
Rodney Villanueva
Chad Pacheco
Gil Kualii
Patrick Conley

Fishing Club

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Saipan Fishermen's Association
Pago Pago Game Fishing Association
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Title

Council Staff-non-commercial fisheries
Council Staff-bottomfish, program officer
Council Staff-indigenous rights
Council Staff-fishery science, ACLs
Council Staff-protected species
NMFS PIRO-regional recreational coordinator
NMFS PIRO-social scientist
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