



## **Options for Managing the Small-boat Fisheries of Hawai‘i**

*Discussion Draft: June 15, 2020*

### **Introduction and Background**

Since its creation by Congress in 1976 under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Western Pacific Regional Fishery Management Council (Council) has had authority over the management of fisheries in the Western Pacific Region (i.e., Hawai‘i and other US Pacific Islands) seaward of state waters, i.e., beyond 3 miles from shore. The MSA requires management decisions to be based on the best scientific information available and to strive for optimum yield while protecting fishing communities, protected species, habitat and safety at sea.

At the 180<sup>th</sup> Council meeting in October 2019, the Council directed staff to evaluate the effectiveness of the Council’s management measures for the Hawai‘i’s small-boat pelagic fisheries (commercial and noncommercial) and to identify information gaps in the existing data collection programs needed for effective management of these fisheries. The Hawai‘i small-boat fisheries are defined as fishing from a vessel (regardless of size) using troll, handline or other gear for open-ocean management unit species (MUS) listed under the Hawai‘i Archipelago or Pacific Pelagic Fishery Ecosystem Plans (FEPs). These MUS include such species as tuna, billfish, mahimahi, ono (wahoo) and monchong (pomfret).

Public scoping sessions were held around the state in February 2020 to gather feedback from the community on small-boat fisheries. The public focused their comments on the benefits and downsides to being part of the federal management system but recognized the need for good data in order for management and enforcement.

At its 181<sup>st</sup> meeting, the Council heard a report of the scoping sessions and directed staff to explore options for providing mandatory federal permits and reporting requirements for the Hawaii small-boat fishery.

### **Purpose and Need**

The Western Pacific Region requires federal permits for the noncommercial bottomfish fishery and the commercial crustaceans (i.e., lobsters and deep-water shrimp), precious corals, certain coral reef ecosystem species and certain pelagic (i.e., longline) fisheries. Longline vessels are also required to carry vessel monitoring system and observers, to provide daily catch reports, attend protected species workshops, utilize specific gear and refrain from operating in several large protected areas, including 50 miles from shore from both the main and Northwestern Hawaiian Islands.

Federal permits are not required by the small boat commercial and noncommercial pelagic fisheries, which also harvest pelagic MUS under the Hawai‘i Archipelago and Pacific Pelagic FEPs. The ability of the Council to monitor and manage these fisheries is compromised by the lack of available, reliable data.

The Hawai‘i small boat pelagic fisheries may harvest an equal or greater level of some of pelagic MUS in both numbers and/or weight as the Hawai‘i longline fishery. While some of the small-boat catch may be captured in the State of Hawai‘i’s commercial marine license (CML) reporting system, it is believed that the greater harvest is done by the non-commercial sector of the fishery. Based on the CML reports, it appears that a majority of the fishing by the small boat pelagic vessels is occurring in federal rather than state waters.

Data is needed on these fisheries as national and international policies for highly migratory species and protected species may have a direct or indirect impact on them in the not so distant future. A new stock assessment for Eastern Pacific yellowfin tuna may show the stock to be less healthy than in the past. Climate change is expected to impact the location of species and possibly population structures.

### **Action and Discussion**

The options and initial analysis is provided for discussion purposes prior to developing a draft options paper for public and Council consideration. Utilizing the Council’s advisory groups and a working group, the options can be refined and further additional analyses requested prior to finalizing the options paper.

#### *Points for discussion:*

- Availability of DOBOR data for targeting outreach towards vessel owners; getting the numbers of total fishing vessels and non-commercial fishing vessels
- Enforcement: State has civil resource violation system, what do feds have?
- Data quality assurance: Commercial has dealer reports. How do we validate non-commercial data? Trip declarations? VMS?
- Utilizing compliance behavior studies as examples for this effort
- Types of research needed

### **Potential Management Options**

The following options are being considered to meet the purpose and need. In each option, the requirement would be for those intending to fish, or the possession of catch or gear, in the EEZ.

#### ***1. No Action***

The no action option would be the status quo, meaning that the small-boat fishery in Hawaii would continue to not be federally managed.

**2. *Mandatory Permit and Reporting***

This option would require anyone fishing, intending to fish, or in the possession of fish or gear, in the EEZ to have a Federal permit and provide a logbook of its catch to NMFS. Those fisheries that are already required to have federal permits (longline, crustaceans, precious corals, coral reef ecosystem, and non-commercial bottomfish) would be exempt.

Sub-options could include

- All fisheries. Any fishing in the EEZ would require a permit, both commercial and non-commercial fishing. The State of Hawaii CML is still required for commercial fishing.
- Non-commercial fisheries only. Non-commercial fishing in the EEZ would require a permit. Commercial fishing would not, but is required under the State of Hawaii.
- All Federal MUS-Fishing for any Federal Management Unit Species listed in the FEPs would require a permit. Those species with existing permits would not be included.
- Pelagic MUS only. Fishing for Pelagic Management Unit Species listed in the Pacific Pelagics FEP would require a permit.

**3. *Registry System***

This option would require anyone fishing in the EEZ to be a part of a Hawaii EEZ fishing registry. Similar to the National Saltwater Angler Registry, this option would be for anyone fishing, or intending to fish, in the EEZ for commercial or non-commercial purposes and for any species.

**4. *Pilot Permitting System***

This option would develop a pilot permit and reporting system for one area in Hawaii for those fishing in the EEZ commercially and non-commercially for any species. The pilot system would be reviewed for future expansion to all areas.

**Analysis of the Options**

The following table provides the pros and cons of the above options. Additional analysis will include effects on stocks, habitat/EFH, communities, and ecosystems. The options will include considerations of climate change and socio-economic impacts as well.

<u>Option</u>	<u>Pros</u>	<u>Cons</u>
1. No Action	<ul style="list-style-type: none"> <li>• No direct social or economic impact to fishery participants</li> </ul>	<ul style="list-style-type: none"> <li>• Data gap continues to exist</li> <li>• Potential for impacts due to quotas, international</li> </ul>

		<ul style="list-style-type: none"> <li>management, protected species interactions still exists</li> <li>Regulatory mechanism does not exist for management to potential impacts</li> </ul>
2. Mandatory Permit and Reporting	<ul style="list-style-type: none"> <li>Universe of fishermen is defined</li> <li>Complete data available for stock assessments and other fishery science</li> <li>Regulatory mechanism in place to manage for potential impacts</li> <li>Benefits of federal fishery protection</li> </ul>	<ul style="list-style-type: none"> <li>Burden on fishermen for applying for permits and reporting</li> <li>Potential duplication of effort with the State of Hawaii</li> <li>Potential enforcement issue with jurisdiction</li> <li>Potentially lacks data from nearshore (0-3 miles)</li> </ul>
a. Non-commercial only	<p>Pros from above plus:</p> <ul style="list-style-type: none"> <li>Avoids duplication with the state of Hawaii (until the state decides to include a non-commercial license or permit)</li> </ul>	<ul style="list-style-type: none"> <li>Burden on fishermen for applying for permits and reporting placed only on those that are not used to getting permits or reporting</li> <li>Potential enforcement issue with jurisdiction</li> <li>Potentially lacks data from nearshore (0-3 miles)</li> </ul>
b. All MUS	<ul style="list-style-type: none"> <li>Universe of fishermen is defined</li> <li>Complete data available for stock assessments and other fishery science</li> <li>Regulatory mechanism in place to manage for potential impacts</li> <li>Benefits of federal fishery protection for ALL regulated fish species</li> </ul>	<ul style="list-style-type: none"> <li>Requires permitting of fishermen over a larger range of gear types and methods</li> <li>Increased burden with increased number of species</li> <li>Potentially lacks data from nearshore (0-3 miles) where some MUS species may be fished more</li> </ul>
c. Pelagic MUS only	<ul style="list-style-type: none"> <li>Mostly pelagic fisheries occurring in the EEZ = focus on the</li> </ul>	<ul style="list-style-type: none"> <li>Universe of fishermen is narrowed to only pelagic fishing</li> </ul>

	majority of fishing catch and effort	<p>methods, meaning the entire universe of fishermen not accounted for</p> <ul style="list-style-type: none"> <li>• Would still lack data for some Federal MUS</li> <li>• Potential enforcement and data problems in mixed-gear fisheries</li> </ul>
3. Registry System	<ul style="list-style-type: none"> <li>• Provides for the known universe of fishermen</li> <li>• Could be made voluntary</li> <li>• Allows for targeted data collection that may be less of a burden</li> <li>• Could use electronic app for voluntary reporting</li> </ul>	<ul style="list-style-type: none"> <li>• Would still require some type of data collection system</li> <li>• Potential duplication with NSWAR</li> <li>• Would require a different Federal system</li> </ul>
4. Pilot Program	<ul style="list-style-type: none"> <li>• Provides for a phased-in approach making it less of a burden for all fishermen</li> <li>• Allows for an opportunity to fine-tune the program</li> </ul>	<ul style="list-style-type: none"> <li>• Doesn't allow for data gaps to be filled immediately</li> <li>• A more lengthy process that would require identifying which area would be the pilot and a process for phasing in other areas</li> <li>• Fishermen may fish in multiple areas resulting in potential enforcement issues</li> </ul>

### Timeline

Early May 2020	Discuss options with working group and get agreement on options to be analyzed.
May-July 2020	Analyze options and develop draft options paper
August 2020	Provide public commenting opportunities at meetings across the State of Hawaii

September 2020

Finalize options paper, incorporating public comments  
Present options to the Council at its 183<sup>rd</sup> Meeting for initial action

Updated April 20, 2020

**EDUCATION AND OUTREACH PLAN**  
**HAWAII SMALL-BOAT FISHERIES MANAGEMENT**

*Public scoping/hearing on options for small-boat fisheries management in Hawaii. Tentative schedule for these meetings are in August 2020.*

**GOAL:** To get participation at the public meetings and provide adequate noticing of the meetings; Secondary goal is to provide outreach on who the Council is and what we do.

***Getting Participation***

**POSTERS/FLYERS:** Public Meeting Announcement Flyers

**Who (Staff Lead):** JD w/ZY (and LB)

**When (Deadline):** June 1, 2020

**What (Messaging):** We're back, this time we're serious. Save the Date. Dates/Times/Locations

**How (Getting it Done):** Develop in MS Office; Create PDF/JPG for distribution; Print and mail to tackleshops, harbors, AP members, past participants, etc. after CM.

**SOCIAL MEDIA CAMPAIGN:** Public Meeting Announcement Posts

**Who (Staff Lead):** JD w/LB

**When (Deadline):** July 1, 2020

**What (Messaging):** Announcing the dates/locations/times

**How (Getting it Done):** Use FB, Twitter, website, etc. and post two weeks out and then a week out and then the day before/of the meetings. Multiple postings (or bumping) will allow for reminders.

**DIRECT INVITATION:** Invitation to the public meetings

**Who (Staff Lead):** JD, ZY, MF

**When (Deadline):** July 1, 2020

**What (Messaging):** Come out to the meetings, bring your friends, pass it on! Tell us which option you prefer, what are we missing.

**How (Getting it Done):** Direct emails to past participants, Council Family, other contacts; Utilize the AP and their contacts to get the word out through email, social media, phone, etc.

***Getting the Word Out***

**ADs:** Provide notice of meetings

**Who (Staff Lead):** ZY w/AV (and JD)

**When (Deadline):** (various) July 10 - end of July 2020

**What (Messaging):** Announcement of Meetings

**How (Getting it Done):** FR notice (JD) due in late July, HFN ad (AV) due July 10 for August issue; Newspaper ads (ZY w/AV) in the neighbor island papers (printed at least 5 days before meeting)

*Updated April 20, 2020*

**PSAs:** Provide a little more background to what is on the flyers and ads

**Who (Staff Lead):** MF (w/JD and ZY)

**When (Deadline):** Early August 2020

**What (Messaging):** Small-boat management is here, come participate

**How (Getting it Done):** Do a spot in early August on Go Fish (Mike Buck show) and go through everything from scoping to what we are planning on doing.

### ***At the Event***

**ACTIVITIES:** This may be more of an open-house with a speaking time for review of options so no activities needed per se. State of Hawaii, Enforcement, NMFS, and Council booths to provide information on what each group does and will be discussed with the Working Group.

**MESSAGING:** General Council messaging on getting involved and participating

**OUTREACH MATERIALS:** Council 101 handouts, Council process booklet, Why are good fishery data important? handout and pullup display, data flow infographic

**STAFF:** JD, ZY, MF, AV; AP and CM?

**LOGISTICS (Tent, table, chairs, contact, etc.):** Most provided by venues; may need to bring a microphone to some places as well as projector

### **MEASUREMENT OF SUCCESS**

- # of people at meetings are greater than previous scoping session in that area