



Report of Hawaii Archipelago FEP Advisory Panel Meeting

October 15, 2015 at Council Office, Honolulu, HI and by Teleconference/web

1. Welcome and Introductions

Gary Beals, Hawaii Advisory Panel (AP) Chair, opened the meeting at 9:05 a.m. AP Members in attendance included: Dan Roudebush, Basil Oshiro, Lyn McNutt, and Ed Watamura. Other AP members that were excused by the Chair: Clay Tam, Nathan Abe, Layne Nakagawa, and Breland Tam.

Also in attendance was: Joshua DeMello, Charles Kaaiai, Mark Mitsuyasu (Council Staff)

2. Review and Approval of the Agenda

Beals reviewed the agenda and noted the items that the Council was set to discuss at the 164th meeting. There was no objection to the agenda.

DeMello provided an update on the AP's recommendations from its last meeting. The AP's main concern was the Main Hawaiian Islands Bottomfish recommendation requesting a better explanation of the stock assessment. DeMello noted that the NMFS Pacific Islands Fisheries Science Center is working on including fishermen, including the AP, in their meetings and workshops to resolve data issues and will be notified of future opportunities.

3. Issues to be discussed at 164th Council Meeting

A. Upcoming Council Action Items

i. 2016 Territorial Bigeye Tuna Catch Limit Specifications

DeMello presented the options for the territorial Bigeye tuna catch limit specifications action that the Council may take up at its 164th meeting. He noted that this action is pursuant to Amendment 7 of the Pelagic Fishery Ecosystem Plan that includes a limit on the amount of catch that could be transferred under specified fishing arrangements in the plan. He said the options the Council will consider will include: 1) No action (no territory specifications); 2) a 2,000 metric ton catch limit with 1,000 metric tons transferrable per territory; and 3) provide a lower or higher catch limit with lower or higher amounts that are transferrable.

Beals asked if this rule is what we are operating under right now? DeMello replied that this is the current situation for the Hawaii Longline fishery.

McNutt noted that she has seen/received comments objecting to the total quota that the US is allocated and it adversely affects Hawaii because we are forced into trading quota. Oshiro commented that the Council needs to look at the Hawaii longline fishery quota and that they should be pushing for a larger quota at the Western and Central Pacific Fishery Commission.

McNutt added that there are people in the community that are objecting to the size of the quota and there seems to be inequity between the larger vessels that are able to fish in the Eastern Pacific and the smaller vessels that are not able to fish in the Eastern Pacific. She said that fishermen are telling them that the allocation to Hawaii should be increased so that we don't need to borrow from anywhere else.

Watamura commented that the Hawaii fisheries are more like a Small Independent Developing State (SIDS) than a nation, but since the Hawaii longline fishery is the fishery for the US, that is how it is classified. He said that we are considered as the whole US and that is unrealistic and unfair. Within the WCPFC, he noted, the Council has been trying to change that designation but that may not be a possible outcome. He also commented that fishermen are concerned that with the current re-opening of the fishery, the fishing rates will still be as good as they were prior to the closure that the transferred catch limit will be reached before the holiday season arrives.

AP members said that if it's the only option that is on the table, they would like to be able to transfer quota from the territories to the Hawaii longline fishery but would prefer the WCPFC provide a larger initial quota to the fishery so we don't need to transfer anything.

ii. Council review of Hawaii FEP and Proposed Changes

DeMello presented on the Hawaii Fishery Ecosystem Plan (FEP) review that the Council staff has been working on and the options that the Council may take action on at its 164th meeting. He noted that the current efforts by Council staff includes a revision to the FEP outline, and revising the plan to include new FEP goals and objectives, an emphasis on fishery ecosystem elements, making the FEP easier to read, and making changes to better align the FEP with the Council's annual reports and other guidelines and procedures.

Oshiro said it was important to be transparent on how the FEP works and that it should be easier for people to look at. He noted that the FEP should explain how people can get more involved in the process. McNutt would like the FEP to have examples of ecosystem principles and indicators included to show how it works in other places. She also noted that it would be good for Council to go around to the community and get feedback on the plans, for transparency sakes.

AP members supported the proposed modifications to the Hawaii FEP

iii. Report on SSC recommendations

DeMello reported on the recommendations of the 121st Scientific and Statistical Committee (SSC) meeting. The SSC's recommendation on Eastern Pacific Ocean Bigeye Tuna (BET) was of interest to the AP. The AP was concerned with the possibility of combining the EPO catch limit with that of the WCPFC, especially if the fish are not landed in Hawaii. The discussion on the need for Hawaii to be considered different than the other areas was continued under this section.

Roudebush asked if the Purse Seine fishery was more controlled, would the longline fishery be able to catch more BET? Watamura replied that the stock assessment is based on the whole fishery, so if the BET bycatch in the purse seine fishery were to be mitigated, the stock assessment could change and the fishery allocations could also change.

Oshiro stated that if the Hawaii longline fishery is required to reduce bycatch of protected species and seabirds, the purse seine fishery should be required to avoid juvenile BET as well. Watamura replied that Fish Aggregation Devices (FADs) are at the root of the problem, as the FADs attract mixed schools. He noted that the WCPFC has been trying to curb this activity with

limiting the FAD fishing by purse seiners. He also noted that David Itano, in his research on purse seine fisheries, found that there were layers of fish and that different fish were in different layers within the purse seine nets, with BET further down in the column. Oshiro noted that the purse seine should look at different methods for only taking the fish they are targeting. Roudebush added that maybe there are different environmental cues that could be used, including time of day or moon phases.

AP members noted that the longline fishery has developed their own mitigation methods for curbing bycatch and purse seine fisheries should do so as well, or be penalized. Some members noted that without the enforcement or penalties, it won't work because the current compliance with catch limits isn't very good. Oshiro added that there should be a BET catch limit for purse seine fisheries as well. McNutt said that the Council should be careful to ensure that if a BET catch limit for purse seine fisheries is established, the Hawaii longline fishery doesn't lose any of their existing catch limit.

AP recommended the Council request WCPFC and the Purse Seine fishery look at methods to mitigate the BET bycatch in Purse Seine fisheries. Further, the Council should request WCPFC establish catch limits for BET in Purse Seine fisheries with strict enforcement and penalties.

B. Hawaii FEP Community Activities

DeMello presented on the Council's involvement with the "Promise to Pae 'āina" commitments as part of the Worldwide Voyage of the Hōkūle'a sailing vessel. He explained what the commitments were and how the Council is involved to help keep fishing sustainable and provide assistance in such things as data collection and capacity building. He noted that the group plans to present an update at the IUCN World Conservation Congress in 2016 being held in Honolulu.

4. Hawaii Archipelago FEP Issues

Beals reported that he looked into the issue that was raised by an AP member regarding the Monk Seal and the DLNR closing off areas around the seal. He found that the seals do go into Honokohau Harbor and in some cases, haul out on the boat ramp. He said that most of the 'landings' on the Hilo side of the island are along the shoreline, not the small boat harbor. Beals said that this is a concern for the boaters, fishermen and shoreline folks as a boat ramp or even a portion of the harbor might be closed off when a monk seal is reported. He was also concerned that the enforcement of rules regarding monk seals was not being applied equally around the state and said that NMFS should be putting out the same type of information in all areas so that everyone is on the same page. McNutt added that NMFS needs to make sure that the behavior of the seals is not being modified with by keeping them off limits or closing down different areas.

The Hawaii AP recommended the Council request NMFS PRD and OLE to clarify its position on regulations regarding monk seal haul outs and its activities to protect the animal from the public.

Oshiro reported that there is some discontent in the fishing community with the Maui bag and size limit regulations. He said that in some of the more isolated places from Keanae to Kahikinui, the subsistence fishermen are suffering due to the bag limits. While he noted the

regulations could be good, a lack of enforcement is concerning and a measurement of its impact on the subsistence and indigenous fishermen needs to be determined.

The Hawaii AP recommended the Council request the State of Hawaii determine impacts of Maui bag and size limit regulations on the subsistence fishermen and provide for identification of subsistence fishing.

McNutt reported that there are still concerns from fishermen regarding the establishment of a community-based subsistence fishing area on Kauai. The fishermen are concerned that the fishing pressure will increase in other areas and there is a need to look at these impacts.

She also noted that there are a couple of bills in the House of Representatives that are worth keeping an eye on, including HR 330, 331, and 332. These resolutions may have an impact in Hawaii as one includes a prohibition of aquaculture in the EEZ (HR 331), the designation of marine national monuments (HR 330), and the designation of sanctuaries needing the approval of congress and the states affected (HR 332). She said that HR 332 is important as it provides additional community input and transparency into the sanctuary designation process. The AP saw the importance of monitoring this legislation to see the need for communities to be involved. *The AP requested the Council support the community being involved in sanctuary and monument designations.*

A. Other Issues

i. SK Solicitation and Grant Training

DeMello noted the deadline for the Saltonstall-Kennedy grants is November 2, 2015. He added that if any group is interested to please submit a proposal and send to the Council for a letter of support.

5. Public Comment

There was no public comment.

6. Discussion and Recommendations

The Hawaii FEP Advisory Panel made the following recommendations:

Regarding 2016 Territorial BET Specifications:

- **The Hawaii AP recommended the Council request the WCPFC provide a larger quota to the Hawaii longline fishery to avoid the need to transfer quota from the territories. In the event that this is not possible, the AP supports the existing or larger total BET catch limits and transferrable limits.**
- **The Hawaii AP recommended the Council continue to request the WCPFC change the classification of Hawaii under WCPFC.**
- **The Hawaii AP recommended the Council request WCPFC and the Purse Seine fishery look at methods to mitigate the BET bycatch in Purse Seine fisheries. Further, the Council should request WCPFC establish catch limits for BET in Purse Seine fisheries with strict enforcement and penalties.**

Regarding Hawaii FEP Modifications:

- **The Hawaii AP supported the proposed modifications to the Hawaii FEP**

Regarding Protected Species:

- **The Hawaii AP recommended the Council request NMFS PRD and OLE to clarify its position on regulations regarding monk seal haul outs and its activities to protect the animal from the public.**

Regarding Hawaii Fisheries:

- **The Hawaii AP recommended the Council request the State of Hawaii determine impacts of Maui bag and size limit regulations on the subsistence fishermen and provide for identification of subsistence fishing.**
- **The AP requested the Council support the community being involved in sanctuary and monument designations.**

7. Other Business

DeMello noted that there are vacancies on the Hawaii AP with the resignation of a couple of members, so the Council, at its 164th Meeting, may take action to fill these positions with the current alternate members and direct the staff to open up applications for alternate members of the Hawaii AP.