

40 Years of Fishery Management in the Hawai‘i Archipelago

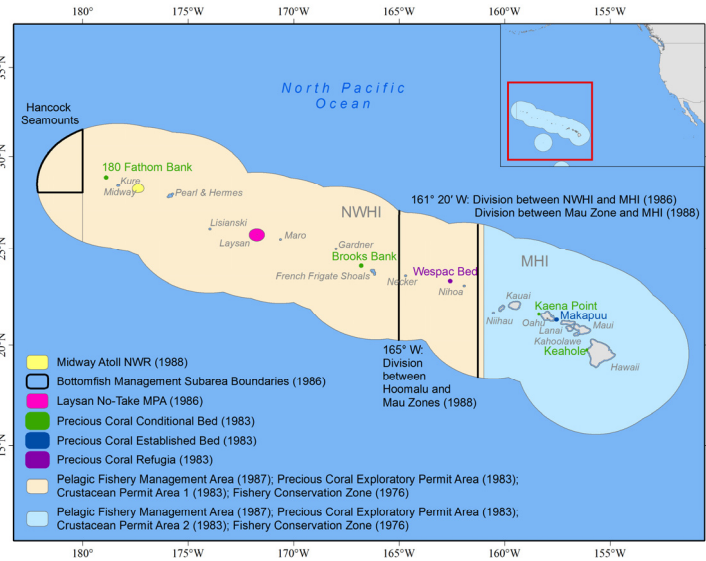


Before 1976 and the FCMA

Fisheries in Hawaii included foreign fleets that fished for a variety of species from seamount groundfish to black corals prior to 1976. Things changed with the introduction of the Fishery Conservation and Management Act (Now Magnuson-Stevens Act or MSA) in 1976. The MSA created 8 Regional Fishery Management Councils and charged them with developing fishery management plans for conservation, management and promotion of the nation’s fisheries.

1976 to 1989

Fishery Management Plans (FMPs) for lobsters, precious corals, bottomfish and seamount groundfish, and pelagic developed.

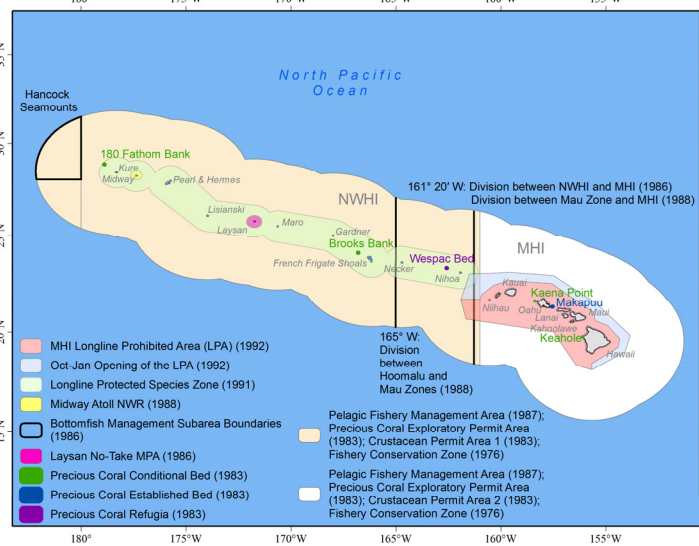


Major management actions:

- **1983-Spiny Lobster FMP Developed**
 - Minimum size limits, no-take of egg-bearing females
 - Permit Areas
 - Mandatory logbook and observers
 - Gear restrictions to minimize monk seal interactions
 - 1985-Change in minimum size from carapace length to tail width
 - 1986-Ban on lobster fishing within 20 nm of Laysan, all NWHI waters shallower than 10 fathoms, and all lagoons
 - 1987-Escape vents required in lobster traps; slipper lobsters regulated with minimum size and requirement to release egg-bearing females; name change to Crustaceans FMP
- **1983-Precious Corals FMP Developed**
 - Management Areas Defined
 - Classified Known Precious Coral Beds
 - 1988-*Corallium* species included in management unit
- **1986-Bottomfish and Seamount Groundfish FMP Developed**
 - Prohibit destructive fishing techniques: explosives, poisons, trawl nets and bottom-set gillnets
 - Moratorium placed on commercial harvest of seamount groundfish at Hancock Seamounts
 - Developed NWHI permitting system
 - 1988-NWHI EEZ split into Mau and Ho‘omalau Zones; Limited access system developed for Ho‘omalau Zone with transferable permits and landing requirements; A protected species workshop is required
- **1987-Pelagics Fisheries FMP Developed**
 - Initial Management Unit Species include billfish, wahoo, mahimahi and oceanic sharks
 - Drift gillnets prohibited and foreign longline fishing prohibited without a permit or in closed areas
 - 1988-Midway Atoll National Wildlife Refuge designated

1990 to 1999

Tunas were included as fish under MSA management and the 1996 Sustainable Fisheries Act amended MSA to include essential fish habitat (EFH), bycatch and communities.

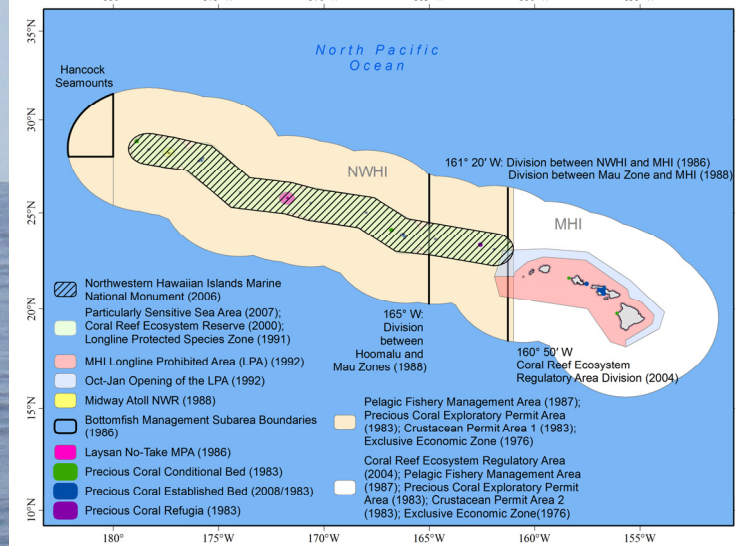


Major management actions:

- **1991**-Overfishing definitions developed for bottomfish, precious corals, crustaceans and pelagic fisheries
- **1996**-MSA amended through the Sustainable Fisheries Act
- **1999**-SFA requires the identification of Essential Fish Habitat, bycatch, and fishing communities in the FMPs
- **Bottomfish and Seamount Groundfish FMP**
 - **1991**-Protected Species Study Zone implemented 50 nm around the NWHI
 - **1992**-Seamount groundfish moratorium at Hancock Seamount extended
 - **1998**-Seamount groundfish moratorium at Hancock Seamount extended; State of Hawaii implements regulations for the MHI (BRFAs, non-commercial bag limits, gear restrictions, vessel registry)
 - **1999**-Mau Zone limited entry program implemented (non-transferrable permits, landing requirements, protected species workshop, max vessel length); Community Development Program implemented for 20% of Mau Zone permits provided for indigenous Hawaiian fishermen;
- **Pelagics FMP**
 - **1991**-Federal permits and logbooks required for longline fishery; 50 nm longline protected species zone around the NWHI implemented; framework for mandatory observer program put in place; mandatory VMS for longline vessels in the EEZ implemented
 - **1992**-Pelagic longline vessel exclusion zone around the MHI (50-75 nm) implemented to prevent gear conflicts (Oct-Jan seasonal reduction to 25 nm on windward shores of all MHI except Oahu); Control date for Hawaii handline fishery at seamount and NOAA weather buoys established; tuna included as a management unit; longline exclusion zone applied to foreign vessels around the MHI
 - **1993**-longline gear markings required
 - **1994**-Mandatory federal observers required on longline vessels; VMS required for all Hawaii-based longline vessels
 - **1999**-Longline fishing closed by court order in area north of NWHI to reduce interactions with sea turtles
- **Crustaceans FMP**
 - **1992**-NWHI limited access program developed (15 permits, minimum landing requirement, and maximum limit on number of traps); annual harvest guideline developed for the fishery; a closed season from January to June was implemented
 - **1994**-NWHI minimum landings eliminated; CPUE target used to managed the fishery adjusted
 - **1996**-Changes made to annual harvest guideline; in-season adjustment procedures eliminated; minimum size limits and prohibition on harvest of egg-bearing females eliminated due to the inability to return these lobsters safely to the bottom without predation
 - **1997**-VMS required for NWHI crustacean fishery
 - **1998**-Bank-specific harvest guidelines implemented for Necker, Gardner Pinnacles, Maro Reef, and all NWHI lobster fishing grounds combined

2000 to 2009

Concerns about protected species regulate the pelagic fishery; MSA is amended again; and fisheries close in the NWHI due to the proclamation of the first marine national monument in 2006.

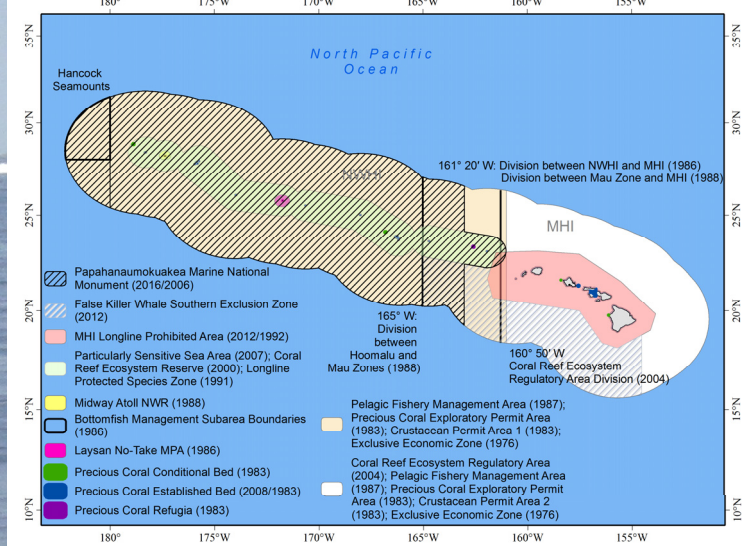


Major management actions:

- **2000**-President Clinton establishes the NWHI Coral Reef Ecosystem Reserve prohibiting commercial and recreational fishing within the Reserve Preservation Areas
- **2001**-Coral Reef Ecosystem FMP developed and transmitted to NMFS
- **2002**-CREFMP partially approved; NWHI regulations rejected as being inconsistent or duplicative with the NWHI CRER
- **2004**-CRE FMP Final rule implemented
- **2002**-Shark Finning Prohibition Act passed by Congress and amends MSA prohibiting the retention or landing of shark fins without their associated carcasses
- **2003**-Hawaii fishing communities amendment approved
- **2006**-NWHI Marine National Monument declared by President Bush; commercial fishing in the NWHI within 50 miles to be phased out in five years. MSA amended requiring Annual Catch Limits (ACLs) and accountability measures
- **Pelagics FMP**
 - **2000**-longline area closures north of the Hawaiian Islands are modified with restrictions on each area; use of light sticks is prohibited; line clippers and dip nets required
 - **2001-2006** Hawaii longline fishing restrictions and protected species mitigation measures put in place including weighted branch lines, blue-dyed bait, strategic offal discards (2002), circle hooks with mackerel bait (2004), set limits and 100% observer coverage in the shallow-set fishery (2004), and side setting (2006)
 - **2007**-electronic logbook option implemented
- **2008**-Pelagic charter fishery control date amended; pelagic squid species added as a management unit
- **2009**-shallow-set longline set limit removed and loggerhead sea turtle hard cap increased
- **Precious Corals FMP**
 - **2002**-Gold coral harvest suspended at Makapuu Bed; Black coral minimum sizes implemented; non-selective fishing gear prohibited; minimum size restrictions put on pink coral; proposed measures for the NWHI not approved because they were determined to be inconsistent with the NWHI CRER
 - **2005**-grandfather clause for black coral minimum size removed
 - **2008**-Auau channel designated as a black coral bed with an associated quota; five-year moratorium placed on the harvest of gold coral
- **Bottomfish and Seamount Groundfish FMP**
 - **2005**-MHI EEZ bottomfish control date issued;
 - **2007**-Bottomfish fishery in the MHI closed to address overfishing while a plan is developed
 - **2008**-A Total Allowable Catch limit is implemented along federal non-commercial permits and bag limits, a closed season for deep-7 bottomfish, and an established fishing year of September 1 to August 31.
- **Crustaceans FMP**
 - **2008**-deepwater shrimp added as a management unit

2010 to 2016

Fisheries operate under increased pressure from more and larger area closures, protected species mitigation measures, ecosystem considerations and climate change concerns.



Major management actions:

- **2010**-Hawaii Fishery Ecosystem Plan approved; Pelagic fishery CDP eligibility requirements implemented; Hawaii FEP CDP eligibility requirements and procedures for reviewing and approving plans implemented; Hancock Seamount Ecosystem Management Area established and moratorium extended
- **2011**-ACLs and Accountability Measures established
- **2012**-ACLs for Bottomfish, Crustaceans, Precious Corals and Coral Reef Fisheries implemented
- **2012**-False killer whale mitigation measures implemented under the Marine Mammal Protection Act, including the Southern Exclusion Zone and “weak” circle hooks
- **2013**-Gold Coral Moratorium extended
- **2016**-Bottomfish EFH revised; NWHI marine national monument expanded to the entire EEZ