



## **Report of the Main Hawaiian Island Small-Boat Pelagic Fisheries Public Scoping Sessions**

*February 28, 2020*

### **Background/Introduction**

Since its creation in 1976 under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Council has made continuous efforts to monitor and understand the fisheries in the region in order to make sound management decisions. Although some data for Hawai‘i’s fisheries are available, other data (biological, economic, and social) are needed for informed management. The MSA requires management decisions to be based on the best available data. The pelagic small-boat fisheries (i.e., non-longline vessels) in Hawai‘i lack data needed for good management.

The performance of the pelagic small-boat fisheries and their impact on the stock are not clearly understood. Non-commercial vessel owners/fishermen are not required to record and report their catch, which results in a data gap. At the 180<sup>th</sup> Council meeting in October 2019, the Council recommended that staff evaluate the effectiveness of the Council’s management measures for the Hawai‘i’s small-boat pelagic fisheries and to identify information gaps in the existing data collection programs that need to be addressed to support more effective management of these fisheries.

### **Scoping Session Methods**

Public scoping sessions were held on the islands of Hawaii (Hilo and Kona), Maui, Kauai, and Oahu (Honolulu and Kaneohe). The meetings were opened by the Council’s Hawaii Vice Chair, Ed Watamura, and presentations were made by Council staff. Hawaii Advisory Panel (AP) members, including the Hawaii AP Vice Chair and Overall AP Chair, provided assistance in meeting logistics, recruiting participants, and providing background information as needed. These sessions included an informational briefing on the Council’s role in the rule-making process, background on the Hawaii pelagic small-boat fishery, different management scenarios (biological, ecosystem, and human impacts), and data discovery questions. The briefing was followed by a public comment session that allowed for questions. Comments were recorded and are provided in summary by scoping session.

### **Summary of Overall Comments**

Over 135 people from four islands participated in one of six meetings held across Hawaii. Many of the comments focused on understanding the Council process and what was expected. The fishing community wanted to have a better understanding about the benefits and downsides to federalizing the fishery. Many participants commented on the minimum size of yellowfin tuna and the impacts of harvesting at smaller sizes. Much of the comments focused on the market viability for small-boat fishermen to compete with not only longline fish, but foreign imports as well. Participants requested more communication from the Council through these types of meetings and to encourage other fishermen to attend and participate in the process.

Other comments included the need to protect the area, increase food security, and understand what is in the area that needs to be protected.

Specific comments from each public session are provided below.

### ***Honolulu Scoping Session***

The Honolulu scoping session was held at the Washington Middle School cafeteria on Tuesday, February 4, 2016. The meeting began at 6:25 p.m. with 10 participants. Council staff provided the informational briefing and opened the session for comments from participants.

A participant noted that there is a lot of information missing on the economic value of the fishery and how it should be quantified. He followed up asking if the assessment could include the metrics used by the American Sportfishing Association (ASA) to better understand the fishery.

Another participant asked how the Council would like fishers to report their trip under a voluntary reporting system? The participant wanted to know what information was important to collect (i.e. soak time, amount of fish caught, amount of fish released, information on bycatch, amount of effort). Council staff responded that there is currently no system for fishermen to report and managers are still faced with the problem of understanding how large the non-commercial fishing universe actually is.

It was noted that NMFS sends observers on the longline boats to observe their activity, and a participant asked if there are any observers who go to the harbors to get a better gauge on the small-boat fishery. Council staff responded that the Hawaii Marine Recreational Fishing Survey (HMRFS) does those types of intercept surveys at boat ramps and shorelines. There was a suggestion of putting more effort towards improving HMRFS

One participant noted that there is a lot of small *shibis* (juvenile yellowfin tuna) being caught and said climate change may be impacting the fish stock by not being able to sustain itself. She understood that there is an issue with enforcement leading to issues with managing the buyers to ensure that they are also following the rules.

Another issue she brought up was the amount of buoys disappearing, but she noted that they do not want those buoys back. She also said that there was a large amount of shark depredation, losing to a loss of both catch and gear. She noted that when the fish are biting, they are lucky if they are able to secure most of their catch before sharks come and cut one of their lines. The size of the fish and catch has been decreasing and there was a concern that the longline fishery is catching all of their fish.

One participant stated that as the protected species populations makes a comeback there will be more interactions with the fishery. As fishers, they need to make sure that they are proactive on these types of issue in the future. Council Staff pointed out that protected species interactions could impact future small-boat fisheries like it did for the longline fishery.

### ***Kona Scoping Session***

The scoping session in Kona was held at the West Hawaii Civic Center on Wednesday, February 5, 2020 and included 25 participants. Following the informational briefing, the participants were provided time to comment and ask questions.

One participant noted that they give all their catch and effort data for Kona Crab, and the science said that the fishery is not overfished but the quota for Kona Crab is still low. He wanted to understand the stock assessment process and understand why the quota was set so low.

One participant asked if a decrease in participation equated with the fishery not being healthy. Council staff responded that this may or may not be representative of the actual fishery because this does not take into account the non-commercial effort, and there could be the assumption that some fishers might not be reporting all of their catch.

There was an interest in the effects of the Billfish Conservation Act in 2018. A participant noted that 80% of the billfish caught are released and he would like to tag them and understand this fishery better. The only reason why they are not being tagged is due to NMFS not issuing tags. This also brings up the issue of understanding the amount of bycatch interaction within this fishery. This could lead to having a tagging system for the billfish being released.

Another participant explained that there are more things to take into account when viewing the fishery as a whole, such as the change in the size of fish caught. He said the data is not representative of the fishery because it is not about weight, but the size of the fish, which has declined. He said that everything is old school and if there is no change in the fishery to update it then it will die. He said the guys that you need to be worried about is the back door guys cause there is a lack of people not reporting. The work needs to be done to enforce the license and maybe increasing the commercial permit costs. This would help to understand who is actually fishing.

There were many comments asking about the Hawaii longline fishery. Participants commented that the longline fishery is killing the prices for the small-boat fishery as well as targeting the larger bigeye and yellowfin tuna, which are their potential catch. Participants asked about limits for longlines and purse seine fisheries and what the trigger point would be to restrict the Hawaii longline fishery. Council staff explained the management of the Hawaii longline fishery, including both US and International management. They noted the pressure from the international fleets, compared to the Hawaii longline fishery, showing a map of fishing vessels in international waters surrounding the islands. Participants asked for more enforcement on the fisheries.

One participant explained that the reporting system should allow for fishers to report the size of each of their fish instead of reporting the total gross weight of the fish because the current data system is wrong and not representative. He explained that he noticed that the abundance and the size of these fish have totally changed over the year. Right now as small-boat fishermen, they have been targeting smaller tuna at 15-30 pounds and the average size of yellowfin caught year around is from 40-60 pounds. He noted that there have been fewer interactions with the larger (150+ pound) tunas, and it would be interesting to know what the average sizes of fish for

different fisheries are across time. He recommended, with the support from most of the participants in the room, that the minimum size for commercially sold yellowfin tuna should be raised to allow the stock to recover. He said there needs to be enforcement on the buyers, restaurants, and dealers to include all of the fishery participants.

Participants discussed the need for science to understand fish spawning, aggregation, etc. One participant said there was a lot of talk about abundance but there isn't the science on the abundance of resources. Another participant said that a big problem is in the markets that sell the fish, both on the roadside and at brokers, who create more pressure and drive the price of the fish down. He wanted to know what can be done to help the market value of the fishery and understand the role of imports.

A participant asked how to get the data to better reflect this fishery. Discussion on what happens to the data and how it will be used in the fishery resulted in questioning what the benefits of federalizing the fishery would be for fishermen. They wanted to know how the Council was going to save Hawaii's fisheries. A participant asked what the Council brings to the table. He wanted to know if the Council could change the fishing report (Commercial Marine License report), or change the boundaries of the Exclusive Economic Zone (EEZ).

In response to these questions, a member of the Advisory Panel explained the history of the Deep 7 Bottomfish Fishery and how reporting better data, getting fishermen to talk to scientists, and being involved in the management process benefitted the fishery. From the low quota in 2007 to the current quota, there have been great strides to get the management of the fishery to where it is today. He explained that the Council worked with the bottomfish fishermen to be represented in the data collection and stock assessments which resulted in those fishermen being ahead of the game rather than playing catch up.

Council staff added that under the federal management, issues such as the minimum size could be addressed, as well as any protected species issues or socio-economic issues that the small-boat fishery might have with longline fisheries. The biggest benefit would be to get a better understanding of the fishery and be able to characterize what the problems are and address them through options that are suitable to the fishermen.

### ***Hilo Scoping Session***

On Thursday, February 6, 2020, the Council held a public scoping session at Auntie Sally Kaleohano's Luau Hale in Hilo, Hawaii. Council staff provided the informational briefing to the 25 participants and opened up the session to questions and comments.

A participant commented that there are fishers that do not report and that there is a need for better enforcement for reporting catch as well as following the rules (catching and selling undersized ahi). There is a need for more enforcement officers at the harbor to help enforce these issues.

Another participant commented that giving and sharing catch is a central motivation for fishing, and it provides fresh local fish for the community in ways that economists have a hard time quantifying. The Council must recognize the importance of sustainable fish flow into the fishing

community and how it contributes to food security. This allows for less reliance on imports of less healthy fish that are generally lower quality from the fresh provided.

One participant suggested possibly modeling a Non-resident sport license similar to the one purchased on the mainland. He said that this is an easy revenue system to collect funds that can be used for enforcement. Most participants agreed that if nothing is enforced, then rules or regulations will not be effective.

Another participant commented that there could be more effort towards area-based management to regulate their fishery. His idea was to manage different areas according to what the community that uses it determines is needed. He likened it to the County of Hawaii's game management advisory group where hunters discuss what is needed for management of game species.

A participant noted that there are big boats that go to the Cross Seamount and when those fishers drop their fish, prices go down and make it harder for the small-boat fishery. Discussion centered around the market and how to get the best prices when large loads are dropped on island by the large vessels.

As in Kona, the participants at the Hilo meeting also discussed the potential need for changing the commercial minimum size for yellowfin tuna. Participants commented that any changes in the minimum size would necessitate an understating of when these fish are spawning and reproducing. The Council's Hawaii vice Chair provided a background on yellowfin life history. Participants noted that there should be a bag limit to the amount of smaller ahi that can be caught and the sale size should be increased. They suggested slot limits as a way for management because the viability of large fish is just as important as a small fish to allow the smaller fish to grow. One participant recommended that a maximum size limit would allow help as larger fish have a higher fecundity rate.

One participant recognized that there are a number of research needs: credible data on the noncommercial catch and effort; better data on participation/effort as estimated number of trips by ALL small-boats that fish, non-market post-harvest distribution (how does this contribute to community well-being especially for low-income and elderly), fleet composition and how much effort (handlining) in in state waters, Native Hawaiian participation and attitudes, value of small tuna (less than 10 pounds) and number of meals to low income and elderly, on environmental factors relative to ENSO and climate change, on offshore handliner stationary gear and impact on catch rates and fish movement, on bycatch and post-release mortality (billfish and small tuna) on nearshores pelagics (i.e. akule and opelu), and on differential impacts of different gears on local ahi stocks.

Participants suggested that the Council host more informational meetings on different issues to allow for more input. They appreciated the opportunity for discussion and the ability to provide comments and hoped for more chances to participate in the Council process. Council staff provided other ways to get involved in the process including the AP and other advisory groups. One participant said that social media is good for the younger generation, particularly Instagram, and helps to get the word out. A written comment from the meeting noted that the Council must

balance National Standards 4 (management measures shall be fair and equitable and not discriminate between residents) and 8 (management measures shall take into account the importance of fishery resources to fishing communities), and recognize the importance of sustainable fish flow from and into our fishing communities. The written comment also provided a list of research needs and issues related to potential management. The research needs were for better data on nearshore pelagic stocks and fishing. The issues included updating any Council control dates on the fishery, and limitations due to management tools should recognize the non-commercial effort and motivations of the participants in the small-boat fishery.

### ***Maui Scoping Session***

The public scoping session on Maui was held Monday, February 10, 2020 at the Lihikai Elementary School cafeteria. There were 30 participants in attendance that received the informational briefings and provided time for public comments and questions.

One participant asked for the amount of fish that is caught by the Hawaii longline fleet that stays in Hawaii. He said that he doesn't see locally available Bigeye Tuna in the markets and didn't believe the Council staff's response of 70-80% of the fish stays in Hawaii. He questioned the ability for the market to absorb 70-80% of the total 24 million pounds of bigeye caught last year.

A number of participants explained their concerns with the effects of the Hawaii longline fleet on the small-boat fishery catch. One participant claimed that the longliners are putting a fence around the islands and the longliners are taking fish off of our plate, wanting to reduce the number of longline permits. Council staff provided an overview of longline fishery management both in the US and on an international scale. A participant commented that the Western and Central Pacific Fisheries Commission is obligated to protect tuna, but in fact it doesn't protect tuna it facilitates more fishing. He also said that since the fish don't move, the longliners are affecting the small-boat fishery.

Participants were also concerned with roadside fishermen sales. They noted that brokers are mandated to hold their fish at a certain temperature so besides not getting data from these folks, there may also be a safety concern as well.

One participant asked why was there such a big drop and increase with the non-commercial catch for the small-boat fleet. Council staff explained that there is a lot of uncertainty in the non-commercial catch data since the data presented are estimates which may or may not be representative of the fishery, but is the only data we have available. Another participant noticed that there was a 30% reduction in participation in the fishery. He went on to explain that this is not representative of the fishery and this is a result of fishers not reporting their trips. He said that fishers who are doing cash sales and not reporting all of their catch are only killing themselves. He went on to explain the importance of fishers properly reporting their catch noting that Mama's Fish House tried to assist in catch reporting by sponsoring community FADs that required catch reports, but fishers still didn't report. He said that everyone in the room was guilty of not reporting and hiding their catch and the data is reflective of that non-reporting. He spoke about the history of the Deep 7 bottomfish fishery and the amount of time and effort it took to get this fishery where it is today. He said the CML data is critical for the stock assessment model and to work towards understanding this fishery better. Another participant

suggested a voluntary reporting system because the people who are truly dedicated will give good data because they care.

Participants discussed whether federal management was better than what they have now. Council staff explained the issues that may occur where federal management may be needed, including protected species interactions, data collection, and allocations. Without federal management, the small-boat fishery isn't represented. One participant commented that in order to have representation, there needs to be an effort to get common people who have never filled out a fishing report to report their catch. He said that none of this would matter unless there is proper management of those who are not abiding by the existing rules.

A participant noted that with global warming, the thermocline has dropped thus changing the patterns of the fish. If your thermocline goes deeper, then the tunas can go deeper. He said there clearly needs to be better data to understand how climate change is affecting our fishery, and noted the first question should be "how can we get better data? and not should we do nothing?" if no one wants to give data, then we are poking ourselves in the ass.

One participant questioned the Council's previous efforts to recommend measures for the small-boat fishery. Council staff responded that there were 3 domestic recommended measures as part of Amendment 14 to the Pelagic Fishery Management Plan in 2007: establishment of control dates for most pelagic fisheries, mandatory federal fishing permits and logbooks for all Hawaii-based commercial small-boat pelagic fishermen who fish beyond three miles from shore to improve the data; and improved surveys and voluntary reporting to obtain and improve information on recreational catch. Of these three recommended measures, only the establishment of control dates on most pelagic fisheries was approved. The effort to have mandatory federal fishing permits and logbooks for all Hawaii-based commercial small-boat pelagic fishermen was deemed duplicative of the State of Hawaii's Commercial Marine License, so this recommendation was disapproved. The same participant noted that NMFS recommended a cooperative State-Federal system of permitting and reporting, and if the collaborative effort between State and Federal fail to provide information necessary, then revisiting the issues addressed would be appropriate. He asked the problem is with the State sharing the data. Council staff explained that there is still uncertainty on what the non-commercial fishery actually catches.

A written comment from a participant at the Maui meeting indicated that there was support for a collaborative effort on a mandatory permitting and reporting system for the non-commercial small-boat pelagic fisheries for those who fish beyond 3 miles from shore to get an accurate picture of the non-commercial catch. In addition to non-commercial reporting, there was support for fishermen to report their fishing trips within 5 days similar to the BF requirements. The commenter recognized that there were past initiatives to increase the commercial minimum size of yellowfin ahi and said that if the goal is to market fish as sustainable, then participants could support increasing the minimum size of commercial yellowfin tuna. Other written comments received also supported an increase in the yellowfin tuna minimum size.

### ***Kauai Scoping Session***

The scoping meeting on Kauai was held at was held Tuesday, February 11, 2020 at the Chiefess Kamakahelei Middle School cafeteria. The 38 participants heard an informational briefing and were provided an opportunity to ask questions and provide public comment.

Again, there were comments regarding the longline fishery and the participants were provided information on the fishery. One participant commented that amount of quota allowed for the Hawaii Longline Fishery is totally underestimated, since most of the fish are caught here outside our EEZ. There was also discussion on the quota that other countries have in relation to Hawaii.

A participant brought up the fact that the amount of fishermen are declining and asked why the Council is trying to get more documentation on the small boat fishery when there is a whole bunch of stuff actually happening internationally (i.e. longline fishery). He questioned why the Council would look at the people with the least impact as compared to looking at the people with bigger catch. He commented that allocation can drive the small guys out of the fishery and thus shutting them down since most of the focus is on the commercial fishermen. He asked how the Council can make sure that the small-boat fishery has access to any quotas.

Council staff spoke on the uncertainty in the existing data and how it pertains to potential assessments of pelagic fish stocks that are important to the Hawaii small-boat fishery. While it is still unknown what impacts there would be, the sooner we get better catch history and data, hopefully the less impacts there will be. There was some discussion on addressing the lack of data through mandatory reporting for the non-commercial small-boat pelagic fisheries. Participants agreed that with whatever management scheme implemented, there needs to be clear communication and data should be shared between State and Federal management agencies.

The participants were interested in their own local yellowfin tuna and had questions regarding seasonality and migration. A tuna researcher at the meeting explained how they have been working on different studies to better understand the local yellowfin caught in Hawaii. Currently, they have been tagging yellowfin to understand their migratory paths, and they have been working to further understand their productivity. She said they understand that they cannot do this alone and they offered the community an opportunity to come and work alongside them to allow them to better understand and know what is going on with our fishery.

One participant commented that the hardest part of the small boat fishery, is the other requirements that come with owning a boat as the cost to own a boat is continuing to increase. He said that this fishery supports local fish markets, boat repair shops, and providing food for the community rather than for commercial export off-island.

There was one suggestion that Hawaii should be managed based on its own regional fishery, statistics and sampling. There should be more efforts with fish tagging to understand the migratory paths of the local fish. That participant suggested that fishers have to compete with foreign fish imported from Asia, rather than local fishermen supplying fish for local restaurants and hotels.



Another participant asked if the Council thought that people are not fishing in the (Papahānaumokuākea) monument area and suggested that there was illegal fishing happening in the monument. Other participants were interested in how enforcement of mandatory permitting and reporting for the pelagic small-boat fisheries (commercial and non-commercial) will happen because that seemed to be lacking.

Other concerns from participant included possible offshore leasing for wind and water turbines as well as other conflicting uses of the ocean. There was a recommendation for more interaction and planning with PacIOOS and others to assist with different projects around the islands that may be happening in the ocean and affect fisheries.

A written comment noted that everyone is talking about overfishing, but no one is talking about the environment. She said climate change has been changing the environment causing the fish to adapt and move to more desirable areas (i.e. tunas will migrate poleward toward cooler waters). There should be less emphasis on the effects of fishing on the stock and more focus and studies of large area climate impacts and its connection to Hawaii. For example, studies on human impacts similar to the one in Bristol Bay, and on the Great Pacific Garbage Patch also known as the Pacific trash vortex. There are two different patches (Western and Eastern Garbage Patch) that are located near Japan and between Hawaii and California.

### ***Kaneohe Scoping Session***

The public scoping session on Oahu was held at the Reverend Benjamin Parker Elementary School cafeteria on Thursday, February 13, 2020 in Kaneohe, Oahu. The 20 participants in attendance were provided an informational briefing followed by an opportunity for questions and public comment.

A participant asked why there was a need to collect more data because there are not too many fishers out there that catch five mahimahi and will not report them. Whoever is catching the significant and meaningful amount should be managed more and you shouldn't manage the anomaly. Another participant asked if we are not in a state of overfishing, could we be exempted since we aren't catching a large amount compared to others. Council staff responded that there is still an unknown amount of non-commercial catch and effort. There are non-commercial guys that are going out, they take home but they don't report. Staff added that not reporting makes you vulnerable, but reporting doesn't mean you're catching too much, stock assessments look at catch rates so that needs to be known and having a voice helps in that keeping it from being punitive.

One participant asked if there is going to be a quota that the feds are going to tell us what we can catch. Council staff explained that allocation schemes that come up in international fisheries management are one of the possible concerns for why good data is important. The same participant commented that purse seine vessels take the most so why should the small boats be managed. Council staff explained the process for having a seat at the international level, and emphasized what that meant under the MSA. The Council does not manage the purse seine fishery. The take home is that international management organizations can decide what the US quota is going to be, and then it is up to the US/Council to determine how that quota is allocated. Right now it is important for the small-boat fishermen to get a seat at the table since longline and

purse seine are the main players. Added discussion by participants centered on whether that scenario would play out soon for any species.

One participant asked if the Hawaii commercial database is the best data. Council staff clarified that it is one of the longest data series, and it's also a data collection system that started in the 40s, meaning it's the best we have. The explained that he knows why some of the non-commercial data may be variable, it's because their budget was cut at a certain point and provided background on some of the HMRFS data.

A participant explained that there is a need for people to trust the Council to manage their fishery and the data reported. Council staff explained the Deep 7 bottomfish experience of working with the Council and getting better management through better data. A participant noted that the more data the small boat fishery can provide to the Council, the more of that allocation the small boat fishery could get. He said that most of us know this, the expert fishermen will not tell you what their whole catch was but the bad guys will tell you exactly what they caught. He asked how the Council will get everyone to report their catch. Council staff responded that there was a lot of work that was put into the restructuring of the BF fishery by both the Council and fishermen. They said it was important to establish a history of the fishery, a "track record" and they solicited for ideas on how to do that in a way that fishermen would be willing to provide the information.

A participant commented that they have fresh fish available and it gets bought by the buyers, but the supermarkets are selling imports and they are getting more for those imports. He said that if you look at the economics, this penalizes the fishermen and drives prices down and fishermen feel hurt because there is no reward for providing a local product. One participant knew a few fishermen who went bankrupt since they couldn't survive due to having to compete with imports and not having proper representation in the markets to get the right prices. A participant suggested that the Council could work on truth in labeling, with labels that show where the import fish being sold in the markets is coming from.

Council staff noted that a more immediate issue of concern will be uku since there are different types of fishers who are targeting uku. Participants noted that there is a large community who targets uku which includes shorecasters, spearfishermen, bottomfish fishermen, kayak fishermen and jet-ski fishermen. One participant explained that if managers have an idea of the universe of fishermen, they can have a more accurate idea of what the pelagic fishery is, then this will help to get a better idea of what the actually fishery is and how it may or may not need management.

One participant talked about when the state wanted to register everyone in the house for a CML, but explained that this is bothersome since some of them may only fish once a year. He thinks fishing trip reports should be reported by the boat and not individuals.

Another participant suggested putting up cameras at boat harbors to monitor the amount of boats that come in and out. To address the issue of lack of data, it was also suggested that a dropbox at the pier be used to report your catch voluntarily.

Participants were also concerned about the minimum size for yellowfin tuna but acknowledged the demand by the community for that size fish. They explained that if this were to be taken off

the market, then certain buyers would no longer be able to afford yellowfin tuna since they no longer can afford it. Participant concerns regarding yellowfin were about what we know and don't know about the catch (where it happens, a potential local stock, catch between the small-boat and longline fisheries, etc.). Council staff provided some data sources for yellowfin tuna but noted that much of it does not include the small-boat fishery catch data. Another participant noted that there is tagging work going on with the small-boat fishery to know the range of yellowfin and that adult fish that have been tagged show that they have a very large range, even beyond the Hawaii longline fishery's range. He said that once the ahi run is done, they're gone, so the question is where do they go? Some work is also being done on striped marlin as well, and he noted that a PSAT-tagged marlin in Hawaii was recovered in Australia after a one year deployment. This data and information could have a role in management of this stock in the future.

Participants recognized the lack of education about what data is and how it can affect fisheries. One participant said that he had a couple of friends that didn't want to come because they did not think they would actually benefit from this meeting, but he will be telling them about the meeting and that they should have come. He said what will help is to educate more people about the Council. This is the hardest part, the outreach and education. Since there are two entities, federal and state agencies that "manage" the fisheries, a participant suggested having a joint effort with the state to give a "face" to the agency.