



REPORT

Fishing Industry Advisory Committee Meeting

Thursday, March 11, 2021

2:00 p.m. – 5:00 p.m.

Via Webconference

1. Welcome and Introductions

Michael Goto, FIAC Chair, opened the meeting at 2 pm. Members present were Stuart Chikami, Jonathan Hurd, John Kaneko, Sean Martin, Baron Miho, Joshua Schade, Michael Goto, Kerry Umamoto, Eric Kingma, Kenton Geer, Manny Duenas, Vince Haleck, and Lino Tenorio. Mike Yonemura was excused. Council staff present were Kitty Simonds, Mark Mitsuyasu, Asuka Ishizaki, Joshua DeMello, Marlowe Sabater, Mark Fitchett, Zach Yamada, Floyd Masga, Felix Reyes. Public participants included Brian Ishida, HDAR, and Justin Hospital, PIFSC.

Public in attendance: Bryan Ishida (DAR); Justin Hospital (PIFSC)

2. Status Report on October 2020 FIAC Recommendations

The Committee reviewed the status of the October 2020 FIAC recommendations and progress made to date. Letters were sent to the USCG and State Division of Harbors regarding allowing vessels less than 200 gross tons to harbor in place during extreme weather events. A response from Harbors was recently received explaining the importance of protecting the port to ensure the overall viability for the State of Hawaii during extreme events. Limited space could be available for longline vessels during hurricanes, but other would need to put out to sea. Harbors suggested the Council work with them to develop an emergency response plan for the industry. The letter was sent to members as it was just received.

The committee discussed the status of the Hawaii FAD program and delayed approval due to NEPA, EFH and ESA consultations. Staff reported the US FWS, agency that provides Sports Fish Restoration Funds to support the FAD program, that the EFH consultation was completed but they were still working through the ESA consultation which needed to address oceanic white tip sharks and other listed species. Members inquired how many FADs are out deployed around Hawaii which staff later reported that are 57 statewide.

3. Council Actions for 185th Meeting

a. Wire Leader Regulatory Amendment in Hawaii Longline Fisheries

Council staff presented on the wire leader regulatory amendment, which stems from the Hawaii Longline Association's proposal to voluntarily transition from wire to monofilament nylon leaders by July 1, 2020. The Council is considering initial action to implement the prohibition of wire leaders through regulations at the March meeting. FIAC members expressed concerns about the disproportionate burden placed on the Hawaii longline fishery despite the small relative impact of around 3% on oceanic whitetip sharks. FIAC members asked for clarification on the basis for mortality estimates, and whether soak time may also affect interactions. Council staff

responded that the mortality estimates are based on post-release mortality estimates from tagging studies conducted by PIFSC in the Hawaii longline fishery, and that longer soak time may generally cause more stress on sharks but oceanic whitetip sharks are known to be hardy.

HLA representative explained that elimination of wire leaders is a rare example that is supported both by the industry and environmental groups, and that the measure is intended to address the fishery's impacts to satisfy both the ongoing ESA consultation and the stock status under MSA 304(i). HLA prefers not to have more regulations on an already heavily-regulated fishery, but does not have enforcement power over its member vessels.

FIAC members noted eliminating wire leaders would also provide leverage to the US when working to adopt similar measures at RFMOs. Removal of trailing gear in achieving the anticipated conservation benefit from the leader material transition was also noted as an important aspect to this action.

b. US Catch Limits for North Pacific Striped Marlin

Council staff presented alternatives under Council consideration to address north Pacific striped marlin overfishing and overfished determinations. FIAC members discussed observed trends in the fishery and markets noting an overall drop in the size of striped marlin and associated higher the mortality when brought to the boat. Members noted overall support of retention to reduce discarded dead striped marlin. FIAC members also discussed ongoing issues with the stock assessment (SA) and need for improved science to better understand movement, growth and stock structure. Given questions being raised by the international science community on SA, staff noted there may be a push for a new stock assessment. FIAC members also noted the need to consider the cumulative regulatory impacts on the fishery.

HLA member noted their concern that the impact is being overestimated and suggested that the council not specify a number for the catch limit and rather support a framework associated with their relative impacts. Industry would support a phased reduction rather than Alt 3 as presented given there is no obligation to identify a specific catch limit, but only a measure that would address the impact.

c. American Samoa Options for Bottomfish Stock Management

Council staff reported on the management options being considered to address the American Samoa bottomfish fishery that has been declared overfished with overfishing occurring. In addition to the federal action to rebuild the fishery, DMWR is developing a territorial plan to monitor and manage the fishery. A Community Development Plan is also being developed to request an exemption to the federal catch limit. FIAC members reiterated the history of the small scale fishery and continued lack of current participation. The fishery is subject to a data poor situation and the use questionable data to develop and establish an ACL that leads to an overfished and overfishing determination is inappropriate. The deep bottomfish fishery is a cultural fishery that uses red fish for ceremonial purposes. Aluminum hulled Alia vessels lucky enough to have motors and have no fish finding, GPS or electric reel technology as used in Hawaii, Guam and CNMI fisheries. Shipping bottomfish off island has been unsuccessfully tried

before. FIAC members also noted that large area closures have been set aside through the Sanctuary and Monument that still impacts the fishing community and needs to be accounted for in the assessment.

Staff reported that the Council explored exemptions and alternative approaches (flexibility provision under NS1) but the MSA requires the fishery must still be assessed based on biomass and managed through catch limits. The only solution is to revise MSA to exempt data-limited stocks from ACLs.

d. Guam Options for Bottomfish Stock Rebuilding Plan

Council staff presented the options that will be considered by the Council to address the overfished status of the Guam bottomfish fishery. The situation is similar to the American Samoa fishery, but without the overfishing occurring. FIAC members raised questions regarding the validity of the data being used for the assessment, consistent with those raised for the American Samoa fishery. The GFCA member explained the history Guam's bottomfish fishery and data collection (vendor reports and bio-sampling) through the Cooperative. Also explained were the ongoing issues with the Department of Agriculture intercept survey and overall data collection program. Consistent with the American Samoa situation, exemptions to the NS1 will need to be addressed through revisions to MSA to exempt data-limited stocks.

e. Hawaii update to the Deep 7 Bottomfish Annual Catch Limits

Council staff reported on the updated MHI deep-7 bottomfish stock assessment and WPSAR review highlighting results and changes between the 2018 benchmark and 2021 update assessments. Bottom line is that the assessment and resulting ACL increased slightly.

Members discussed how the stock assessment has improved over the years due input from the fishing community. Many workshops were held to help the stock assessment scientists understand the fishery and calibrate catch and effort. Improvements in life history information and an independent assessment also added to the assessment.

FIAC members discussed the shift in compliance and enforcement of landing and sales of fish in their respective areas. On Kauai, the cost of CML licensees increased which lead to less fishing and sales being reported. During COVID, fishermen turned to all cash sales directly to restaurant and the community. Wholesalers were not buying fish to supply their markets and larger hotel restaurants that were closed. There has been increased selling of fish on the side of the road without much enforcement. However unlike Kauai, Big Island road side fish sales have experienced close monitoring and enforcement.

4. Status of the green sea turtle population in the Marianas and the work being done to recover the species

Council staff reviewed the written report provided by the PIRO Protected Species Division. FIAC members discussed the listing and lack of green sea turtle recovery efforts in the context of lost practices, traditional preparation skills and Guam culture. It was noted that the Council must adhere to a strict 10-year timeline for rebuilding overfished fish stocks, while NMFS has not

made progress on recovery of the Mariana green turtles since it was originally listed as threatened over 40 years ago. The green sea turtle population including the Mariana Islands (Central West Pacific distinct population segment) was uplisted from threatened to endangered when the species was reviewed in response to a petition to delist the Hawaii green turtles, so there is currently no opportunity for cultural take in Guam. FIAC members discussed working with the current administration to address the loss of indigenous culture through the new EO that calls for a review of regulatory impacts on indigenous communities.

5. Legislative and Administrative Initiatives (MSA, Young Fishermen, 30x30)

Council staff reported on national legislation and administrative initiatives including MSA reauthorization, Young Fishermen Development Act, EO 14008, and 30x30. Information was also provided on local legislation.

FIAC members discussed the status of the Young Fishermen Development Act that establishes a national grant program to support initiatives to educate, train, and mentor young and beginning fishermen. Members suggested the Council send a letter expressing the importance of training young fishermen in Hawaii and for NMFS to implement, as soon as possible, the provisions to of the Act.

FIAC members discussed potential approaches and impacts related to the 30x30 initiative noting the importance of including existing large area closures and the need to focus on resiliency of the fishery to maintain future options. Members also strongly noted that US waters in the Pacific Islands already exceed the 30% and any additional closures should be applied in other regions that have not contributed to the goal. Large area closures reduce resiliency by restricting the fishery from adapting to climate change. If the high seas are closed, fishermen will need the opportunity to return to domestic waters. It was noted that the current administration may support the international effort to close the high seas to fishing. The previous administration would leave it to the commissions. The Council hosted an international workshop last year addressing area based management for the high seas which was co-chaired with the FAO. The report and recommendations from this workshop will be shared with the commissions for adoption. FIAC members discussed seeking the administration's support for lifting fishing prohibitions in the PRIA monuments.

6. 2021 Hawaii Small Boat Survey

Justin Hospital, PIFSC, provided a presentation on the rollout of the 2021 Hawaii Small Boat Survey. The survey is estimated to take 30 minutes to complete. The electronic version of the survey was made available to Hawaii CML holders on February 22, 2021. This will be followed up with reminder and hard copies will be sent to those who have not replied. As of the FIAC meeting date, Hospital reported he received over 700 responses. The survey includes questions that allow fishermen to highlight the effects of COVID.

Hospital reported that Chris Hawkins, Lynker, will be conducting the American Samoa Small Boat Survey. The project will collect information that will allow them to better understand and document the important economic contributions of US Purse Seine Fishery.

Kerry Umamoto of Hilo Fish offered to host and share survey information through his statewide distribution network.

7. Brief Overview of Pelagic and International Management

Mark Fitchett

Council staff reviewed the pelagic and international landscape and provided a conceptual frame of a proposed workshop for bigeye tuna management in WCPO longline fisheries. The workshop has two proposed themes: 1) area/zone-based management versus flag based and 2) management objectives and evaluation of US longline fisheries. The overarching goal is to develop recommendations to update WCPFC CMM-2018-01, specifically management measures for WCPFC longline fisheries targeting tropical tunas, taking into account contemporaneous economic cost-benefit analyses and best available science.

8. Workshop on Bigeye Tuna Management in WCPO Longline Fisheries

Mark Fitchett

See #7 above as staff presented information on both agenda items.

9. Other Issues

Manny Duenas, GFCA, reported on continued local fishery impact issues related to the Micronesian Compact of Free Association. The US government spends millions of dollars allowing US purse seine vessels to access and fish in former trust territory waters. However, former trust territory people are allowed free access to Guam creating ongoing fishery related issues. These problems have been raised before without resolution.

a. ESA Consultation for American Samoa Longline

Stuart Chikami reported that the release of the American Samoa Longline (ASLL) BiOp is expected soon. ASLL has been in decline for several years and 2020 was the worst year on record. Competing Chinese vessels continue to operate under government subsidies further making it difficult for US fishermen to compete. Members discussed the need for the Council to recommend that the ASLL industry representatives be provided a comment opportunity prior to the release of the BiOp to ensure impacts to the fishery are minimized.

10. Public Comment

No public comments were heard.

11. Discussion and Recommendations

1. Regarding wire leaders, the FIAC supports regulatory implementation of a wire leader prohibition to follow the industry's voluntary transition. FIAC additionally recommends the Council consider a regulatory requirement to remove trailing gear from oceanic whitetip sharks as part of the regulatory amendment.

2. Regarding WCNPO striped marlin, the FIAC recommends the Council defer selecting an alternative that specifies a catch limit based on current information, but rather endorse a framework to adjust catch limits that account for the US relative impact on the resource as better scientific information is presented.
3. Regarding the territorial bottomfish fishery, the FIAC expressed concerns regarding the veracity of the data used in the development of the stock assessments and fishery management measures. The FIAC recommends NMFS find a viable solution to provide flexibility in the management of data limited stocks. Further, the FIAC recommends NMFS engage the fishing communities in Guam and American Samoa for to explain how the data from the territory data collection program is generated, summarized and used in the stock assessment. In addition, the FIAC recommends NMFS review the socio-cultural-economic information for American Samoa to provide an alternative perspective from the results of the assessment.
4. Regarding green turtles in the Marianas, FIAC recommends that the Council request PIRO to provide an anticipated timeline of down-listing and recovery based on the current population status. The FIAC further recommends the Council work with the Administration to ensure conservation actions for ESA listed species are carried out in a manner that respect the cultures and values of local indigenous communities and consistent with EO 13985 calling to advance racial equity and support underserved communities through the federal government.
5. Regarding PRIA monuments, the FIAC recommends the Council request the Administration remove commercial fishing prohibitions allowing fishery resources to be managed under the authority of the MSA.
6. Regarding the Young Fishermen's Development Act, the FIAC recommends the Council request NMFS to provide plans (including funds) on implementing the Act in the region and nationwide, and to involve stakeholders in the process.
7. Regarding nuclear testing impacts, the FIAC recommends the Council request NMFS PIFSC or other appropriate federal agencies conduct research to determine any possible impacts from the nuclear testing areas in the Marshall Islands to Guam waters and fisheries.
8. Regarding ESA consultations, FIAC recommends the Council request NMFS to provide an opportunity to American Samoa longline fishery representatives to review and provide comments on the draft Biological Opinion and to work with the representatives to develop any Reasonable and Prudent Measures/Alternatives to ensure such measures do not negatively impact a declining U.S. fishery.
9. Regarding international fisheries management, the FIAC recommends that the Council request a stronger negotiation system to ensure fisheries in the WPR are protected.
10. Regarding the FSM Compact, the FIAC recommends the Council request NMFS to investigate the ability for fisheries to be compensated for compact issues in Guam.