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COUNCIL

## **Report of the Hawaii Archipelago FEP Advisory Panel Meeting**

Friday, March 12, 2021

9:00 a.m. – 12:00 p.m.

Virtual Meeting

### **1. Welcome and Introductions**

Gil Kualii, Hawaii Advisory Panel (AP) Vice Chair opened the meeting at 9:05 a.m.; AP Members in attendance included : Basil Oshiro, Carrie Johnston, Khang Dang, Clay Tam (AP Chair), Nathan Abe, Michael Lee, Eddie Ebisui. AP member Chad Pacheco was excused due to recent flooding events on Kauai.

Also in attendance was Joshua DeMello, Zachary Yamada, Asuka Ishizaki, Mark Mitsuyasu, Mark Fitchett, Marlowe Sabater and Amy Vandehey (Council Staff); Justin Hospital (NMFS PIFSC); Lynn Rassel (NMFS PIRO); Bryan Ishida (DAR); Cassie Pardee and John Wiley (PFR); Cody Schrader (United Fishing Agency); and Thomas Remington.

### **2. Review of Last AP Meeting and Recommendations**

Council staff reported on the AP's last meeting and reported that the Council is currently working on the recommendation regarding tori lines and seabird mitigation measures. He said that the staff is working with an action team to initiate the development of the amendment to evaluate options for use of tori lines in lieu of blue-dyed bait and removing the offal discard requirement.

### **3. Council Issues**

#### **A. MHI Deep 7 Bottomfish ACL Specification**

Council staff presented on the 2021 MHI ACL Specification. They gave an overview of the stock assessments and the models that were involved with it. The data included in this report came from the CML and HMRFS program.

The Hawaii AP stated that the assumption that there is a 50 50 catch between the commercial and non-commercial catch. They want this issue to be readdressed since this resulted from a study conducted in 2004. Discussion centered on updating this assumed 1:1 catch ratio.

There was a lengthy discussion on the uncertainty of the HMRFS data, especially in regards to including it in the benchmark stock assessments. The AP Chair noted that this uncertainty should be addressed before the next uku assessment. He wondered if they could have a socio-economic scientist do a study to update this ratio.

An AP member brought up his concerns with using the HMRFS data as a raw data source. The survey coverage may have been compromised due to the pandemic restrictions of social distancing, and other mitigation measures. He said that 2020 is an anomaly since there was an influx of fishermen who did not renew their state CML and are now selling their fish on the side

of the road. COVID impacts played a role in the evolution of how fish is sold now. There are other independent data sources that should be a better source than the HMRFS data. Another AP member stated that there a number of fishermen who may have not been reporting their sales to allow them to collect unemployment and the stimulus packages. Council staff responded and stated that AP could weigh in on the results of the stock assessment. The science center is anticipated to conduct a data workshop soon, so the AP could provide their insight and the Science center would change course earlier for the next assessment.

### **B. Regulatory Changes for the Prohibition of Wire Leaders in Hawaii Longline Fisheries**

Council Staff presented on a proposed regulatory change that would follow up on a voluntary measure by HLA in switching from wire to mono leaders for the purpose of increasing the survival of ESA listed species such as the oceanic whitetip shark. She noted that this will be a large transition for the whole fleet but the benefits of the switch allow for increased post-hooking survival of protected species and could increase CPUE for bigeye. The downside is that there would be a need for more repairs and replacement, but mono is cheaper than wire. At the 185th Council meeting, the Council will be looking at a potential initial action on whether or not the wire leader prohibition should be mandatory in the DSLL fishery or region-wide and the AP may help to provide direction to the Council. Additional analysis is being conducted by PIFSC which will be used by the Council in its decision making at a future meeting.

An AP member asked if there was an observed decline in OWT interactions over time. Staff said that there was an observed decline over a 10-20 year time frame, but there has not been much interaction recently. The fleet has not been able to retain them in the past due to international regulations. The data presented are the amount of sharks released that come to the boat; and if there is a bite-off is causing a reduction in numbers, then the scientist could take this data to further analyze its effect.

An AP member asked if the wire leader affects the shark from biting the line. He said that sharks do not typically bite wire, but will bite monofilament. He said that if you were to wrap a tinfoil on the tail of bait, even dolphins will avoid that bait. They asked what would happen if they change to mono and catch more sharks. He explained why fishermen transitioned to wire leader, and the reason for that is a higher catch. Council stated noted that there are a lot of unknowns with this transition to mono leaders. There was a study that directly compared mono vs. wire leaders. Through this study, they observed a few number of sharks on mono but the initial interaction rate is still unknown.

There were concerns about crew safety caused by snap backs during longline retrieval where hooked sharks could bite through the mono leader sending the lead weigh flying back towards the crew.

The Longline representative said that he appreciated the scrutiny on this top, but he noted that wire leaders have been hot internationally for a long time. They understand that the proposed rules and regulations will force them, so they would rather have an industry-led approach rather than policy-led, then the industry can take credit for something viable. The industry understands that the stricter rules are rolling out if they like them or not, so they would rather counteract that

by coming up with something themselves than others making rules for them. For this reason, this is why the industry supports this measure.

One fisherman said that he tried different things to deter sharks. He said that they are able to sense the electrical field; with a wired mono, they will bite it right away. He tried different types of metals in the water with a hook; these sharks can sense it regardless of its length. He observed this with lobsters and Kona crabs as well. He suggested using different metals on the line to see how much interaction they would get with different metals.

### **C. US Catch Limits for North Pacific Striped Marlin**

Council staff presented the US catch limits for North Pacific Marlin that the Council may take final action on at its next meeting, developing catch limits for striped marlin. He explained that the Council is obligated to end overfishing and rebuilding the stock of striped marlin and there are international measures and plans that are guiding these efforts. The alternatives were presented that provided a limit on catch along with an analysis.

An AP member asked for the striped marlin mortality rate on the line. Staff stated that 40-60% live and varies by size of fish and seasonally; upward of half are alive according to observer coverage; 85% survival rate according to a study by Musyl in 2015.

Based on the effects of COVID last year and the Billfish Conservation, the industry only has a short time period of landing and they do not expect the market to bounce back that quickly. If it wasn't for the CARES act, captains and owners were discarding stripe marline since they were not worth that amount. Based on the fleet only taking 6% of the total fleet's catch, and only our fleet is catching swordfish and *he would support the Council taking no action*. There were huge impacts to the fishing efforts, this year is going to be a struggle, but prices are currently optimum now. Striped marlin has been filling the void of mahimahi and ono. It is concerning when our fleet makes a small effect compared to the rest of the fleet.

### **D. Seabird Mitigation Measures in the Hawaii Longline Fisheries**

Council staff reported at the AP's last meeting, the AP supported the measures for tori lines and removing blue-dyed bait and that action will be completed later this year. Additional research is being conducted regarding this action. As the Council waits for the results, the Council wanted to take a look at the shallow set fishery regarding seabird measures that could be done at the same time as the deepset to avoid piecemeal regulations; looking right now at modifications that can be made with or without research. The SSLL fishery is required to use bird mitigation measures which is similar to DSLL but also requires night setting. She reviewed the effectiveness of existing measures. This may lead to needing another EFP to look into the different options.

An AP member asked if these studies were conducted with wire or mono leaders. Staff stated that this was done with wire leaders and they did not ask the boats to use one or another. If they want to change to mono then they would have to pay for that transition. He responded and voiced his concerns about the sink rate of mono versus wire. When using oily bait, they are more neutrally buoyant. He asked if this would have a bigger impact on birds if the sink rate is different.

With the wire to mono, this would not change the sink rate. The wire will add to the sink rate, but if the weight is compensated for then we should be fine. The longline industry representative stated that the Shallow Set boats use 75 g weights on their lines, if they are choosing to experiment with Tori Lines, then we should give the flexibility to give the captains more wiggle room. If they come across a lot of birds and killing a bunch, then they will adopt anything, but they need to find the right combination for the fishermen and the measures. Swordfish is important to Hawaii where most of the catch goes to the US mainland and helps to bring money back to Hawaii. It's been a tough few years because of such restrictive turtle measures; not sure if there is a ton of data without boats going out; swordfish is important to fishery and most of the fish go to the US mainland and take pressure off the tuna; brings money back to Hawaii.

#### **E. Status of Fishery Biological Opinions**

Council Staff updated the AP on the status of the Hawaii Longline DSLI fishery and Hawaii Bottomfish fishery biological opinions (BiOp) in development. The Council did hope to receive drafts prior to the 185th Council meeting, but both are still incomplete. These BiOp are being developed due to the Oceanic White Tip shark (OWT); under statutory requirements, NMFS is required to complete a BiOp in 135 days. They made note that the DSLI BiOp started in October 2018, and the Hawaii Bottomfish started in February 2019. Both BiOps are long overdue and are expected to be completed prior to the 186 Council Meeting in June 2021. When we receive the two BiOp, we will review and present the BiOp to the AP for discussion. Be aware they are ongoing and updates will come.

#### **4. Report on the Hawaii Reef Fish Life History Research**

Cassie Pardee and John Wiley reported on their biosampling project that started in 2018. Their project sought out to fill in the gaps for the 2017 Coral Reef Fish Stock Assessment. The goals of their project were to find out what are the average capture lengths of coral reef fish, how old do they get, and better understand their reproductive cycles. They were able to collect fish from fish markets and from local fishing tournaments. They reported on their findings on surgeonfish and what they are currently working on. They are currently collecting samples on nenu and umaumalei, and analyzing the age and reproduction on Mu and Aawa.

The AP applauded their work and asked them to share their published work to share with their fishing communities.

#### **5. Hawaii Reports**

Council staff reported on the State of Hawaii's 30x30. They also reported on bills in the Legislature and made note when the crossover deadline will happen. He noted that the AP should be aware of the crustacean bill that would allow DAR to amend their rules in regards to Kona Crab. There is a CML vessel bill that crossed over and it should be of interest to the AP. There is a bill that would add seafood to the State's agriculture plan. The lay net bill introduced has crossed over. He stated that there are other things that the Council is working on which includes Aha Moku issues and traditional honu takes.

#### **6. Report on Hawaii Archipelago FEP AP Plan Activities**

The HI AP Vice-chair reported that a log of things have happened since the last AP meeting where the AP focused on data collection and outreach. They established subcommittees to work on the planned activities. The plan activities included doing community outreach, develop videos to provide the AP's vision; work on providing information for a Uku virtual tournament; work on the next lunar calendar; develop a smart FAD; tournament outreach dependent on COVID; working with HFN, and identifying traditional fishing spots; do an HFN article on what the AP's focus and vision is for the upcoming years.

The Smart FAD subcommittee met and decided to work with PacIOOS to look at the direction they need to go. An AP member brought up that there is robotics from Liquid Robotics that may be useful for instruments on this FAD.

The AP is working with Carrie to push out their quarterly articles. Gil stated that first article will be on what the AP is and what is its mission.

The fishing observation summit coordinated by the AP Chair Clay Tam and facilitated by Roy Morioka with the goal of incorporating traditional knowledge into the Annual SAFE Report. This summit had over 2 dozen people in total who gave great insight.

AP members participated in the State's 30x30 focus group meetings on herbivore management. One member noted that the Kona meeting will be conducted again due to one person taking over the monologue of the whole meeting.

## **7. Fishery Issues and Activities**

There has been an increased observance of tourists on Hawaii Island and they noticed that there are more charter boats doing tours more often. The Wee Guys Tournament is scheduled to happen later this year as well.

On the island of O'ahu, the Maunalua Boat Dock has been completed. One AP member stated there is a shark bill in the Hawaii Legislature that has passed through two committees. The intent of this bill would prohibit anyone from knowingly catching a shark.

From the wholesale side, they are starting to see an uptake in business from the mainland side.

## **8. Public Comment**

No public comment.

## **9. Discussion and Recommendations**

*In regards to the MHI Deep 7 Bottomfish ACL Specification:*

- **The Hawaii AP recommends the Council request PIFSC provide an explanation on how HMRFS is appropriate to be used for assessments; Further, the AP recommends the Council request PIFSC conduct an update of the bottomfish commercial/non-commercial ratio to provide an alternative to HMRFS data for the next benchmark assessment.**

*In regards to the regulatory changes for the probation of wire leaders in Hawaii longline fisheries:*

- **The Hawaii AP supports the wire leader measure as it provides an industry-led effort to resolve the shark tissue but was concerned about the potential unknown impacts of costs and catch rates. The AP also noted that the effects of different metals on a wire leader may allow for a continued use of wire leaders and might be looked at should costs and catch be impacted negatively.**

*In regards to US Catch Limits for North Pacific Striped Marlin,*

- **The Hawaii AP recommends the Council select the no action alternative.**

*In regards to the seabird mitigation measures in the Hawaii longline fisheries:*

- **The Hawaii AP recommends the Council prioritize research under an Experimental Fishing Permit to evaluate effectiveness and practicality of seabird mitigation measure combinations for the SSL that would provide greater operational flexibility (e.g., two measures out of tori lines, blue-dyed bait, offal discards, weighted branchlines).**

## **10. Other Business**

Justin Hospital (PIFSC) presented on the 2021 Hawaii economic small boat survey. He presented this to the AP at its last meeting in December, but provided an update on the survey. He said that over 900 fishermen were eligible to complete the survey, and they have received 100 surveys back to date. Fishermen who do not have the opportunity to get the online survey will receive a booklet by late May. The 2021 Hawaii Longline survey was postponed to 2022 for health and safety considerations. 2020 was an anomaly, so he noted that it would not be representative of the fishery and hopes that 2021 will be close to normal.

An AP member stated that it was difficult for him to answer the questions on the multi-gear/species/methods portion of the survey. It is harder for him to put a numerical value to the types of gear he uses since he switches quite often. Justin made note for fishers to fill the survey out as best as possible. The AP member stated that this survey would have better results if it was conducted in person.