



Hawaii Fisheries Management

Non-Commercial Data Issues Update

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Problem Statement

Fisheries management regulations in Hawaii are based on the commercial fishery but the non-commercial fishery may be harvesting just as much fish, or even more for some species. This may be a problem in developing stock assessments and monitoring regulations such as Annual Catch Limits.

Fishermen Meeting

Council vice Chair Ed Watamura and Council staff met with Hawaii fishermen on January 25, 2021 on potential ideas for collecting non-commercial fishery data. The path of least resistance identified included utilizing existing registries to identify the universe of non-commercial fishermen and then provide a minimal survey to get information. Discussion centered on how this would be put into practice. Participants looked at using the BF registry, DOBOR registry, or creating a new registry for pelagic fisheries or Federal MUS. With an approach in mind, the group decided to engage the state of Hawaii and meet with DAR leadership to discuss the idea.

Meeting with DAR

In a meeting with DAR leadership on February 1, 2021, the fishermen and Council representatives looked to get agreement on utilizing a registry paired with a survey to get information. DAR was generally receptive in the idea of using the registry to determine the boat-based fishing universe. The development of a survey could be a pilot project that could be certified by MRIP and added to the toolbox for use by the state under the HMRFS program. Staff agreed to look for the old bottomfish survey to see if it captures the minimal information for stock assessments and work with PIFSC to determine if it can be tailored for this effort. The survey would be done in concert with the state to send to non-CML holders on the registry, with the Council helping to collect and analyze the data.

Meeting with DOBOR

Council Member Ed Watamura and Council staff met with DOBOR on February 22, 2021 and introduced to the idea of utilizing the vessel registry to collect fisheries information and in general, DOBOR wasn't opposed but noted that a written request on what the Council wants would have to be made to DOBOR, who would then send it up the chain to DLNR and the deputy Attorney General for review. A governmental organization would be better suited to make the request.

There are two ways that we could look at this, either as a "pulse survey" of fishermen, such as is the case with the PIFSC Socio-economics program; or as a continual data survey similar to what HMRFS does with the telephone survey. In either case, there would be a need for a government agency to provide a request to DOBOR. In the first case of a pulse survey, NMFS PIFSC may be the better agency to make the request (with the Council). In the continual data survey, NMFS and DAR would be the agencies with the backing of MRIP. It might be that HMRFS could use that as their sampling frame rather than the telephone survey. DAR did use the vessel registry as part of the CARES Act funding to look at CMLs and registered vessels.

A third idea is to develop a registry based on that vessel registry. Send a survey out to those on vessel registry and ask them to voluntarily be a part of the data collection registry. The problem with that, though, is that information is not continually refreshed, losing out on new entrants, and the ultimate problem of not getting the complete universe. When asked if they know how many people "checked the box" that they use the vessel for recreational fishing, they did not know offhand (which might be a request to DOBOR). DOBOR is in the process of migrating to a new online system (estimated completion in May) so at that time they may be able to determine if they can sort and pull those types of data from the vessel registry.

Overall, DOBOR doesn't know if it can or can't provide the information until we have a written request into them so they can go over it with the AG. The Council isn't in a position to have that type of agreement so it would have to be NMFS or DAR to take the lead.

Meeting with Enforcement

Council vice-Chair and staff met with USCG, NOAA OLE and NOAA GCEL on February 25, 2021 to determine any issues with the registry approach. After presenting the idea of utilizing a vessel registry, the staff asked if that is a more practical approach. OLE noted that it depends on how many boats there are fishing. She added that any approach taken should include an education campaign prior to regulations being put in place to get people to buy in. It is important to make it easy for people (and that is not always electronic, but can provide kiosks) and giving citations is the last resort. She offered compliance assistance but asked for information early so things like pulse opps can be added to planning activities and Joint Enforcement Agreements might also be able to provide assistance. When asked if they know of other regulations that require fishers to register or report on fish they catch anywhere, they said they were unaware but would inquire with their colleagues. The enforcement folks will be included in future meetings to make sure they are up to speed.

Potential Pathways

In follow-up discussions with the Council vice-Chair, staff options to keep this initiative moving forward:

- Explore Options for collecting non-commercial data
 - State of Hawaii Vessel Registry – All vessel fishing data option
 - Utilize registry to run a survey
 - Remove CML holder + vessel holder to get NC vessels
 - State of Hawaii Bottomfish Vessel Registry – BF vessel data only
 - Utilize registry to run a survey
 - Remove CML holder + BF vessel holder to get NC vessels
 - State Registry for Pelagic Fishing Vessels under DAR
 - Look at modifying BF Registry to require reporting
 - Review HMRFS for appropriateness in ACLs and stock assessments and revise as needed
- Data collection tool
 - Survey developed by PIFSC, implemented by the state, analyzed by data group
 - Utilize MRIP certification process to qualify it as a replacement for HMRFS boat-based survey
 - Sampling frame will be one of the registry options
 - Need to determine the survey sampling window
- Other examples of reporting requirements
 - Gulf Federal For-Hire Permits for Reef Fish or Coastal Migratory Pelagic Species
 - “Reporting will be required regardless of where fishing occurs, including other regions and state waters”
 - For Federally permitted for-hire vessels
 - NSWAR anadromous species
- Potential Issues
 - Landing Laws-if you catch an MUS you have to report it no matter where its caught
 - Vessel registries are continually updated so people could move/change address, etc; would need to refresh the sampling database regularly
 - Is there room for incentives?
 - Existing legislative efforts for licensing
 - Legal/privacy issues
 - Council ability to develop its own registry (or formalize NSWAR as a requirement for the WPR under the FEPs)

Next Steps

To keep moving on the options in order to get to a decision point where the Council can recommend action, the main ideas were discussed and movement identified:

1. PIFSC-Developing the Survey Tool: Council staff to look at the previous bottomfish survey and meet with Justin Hospital from PIFSC to determine the ability to develop a new survey to be ready to go with DOBOR or DAR registries

2. STATE-Fixing HMRFS: Council staff to meet with HMRFS to discuss the problems and how it can be fixed
3. ENFORCEMENT-Federal Landing Laws: Council staff to check with NOAA GC to see if the idea of registering anyone landing Federal MUS in the WPR wherever it is caught (state/territorial or federal waters).
4. Talk with USCG

Council staff will also work to determine what the management issues are that are immediate and being worked on and gather the appropriate members from NMFS and the State to discuss the issues and determine next steps.