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MANAGEMENT  
COUNCIL

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

Friday, March 11, 2022  
9:00 a.m. – 12:00 p.m. (HST)

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

Gil Kualii, Hawaii Advisory Panel (AP) vice-Chairs, opened the meeting at 9:10 a.m. Hawaii AP members in attendance included Basil Oshiro, Carrie Johnson, Eddie Ebisui, Khang Dang, Chad Pacheco, and Clay Tam.

Also in attendance were Zach Yamada, Joshua DeMello, Asuka Ishizaki, Maria Carnevale, Matt Seeley, Mark Fitchett, and Amy Vandehey (Council staff); Bryan Ishida (DAR); Dennis Heinemann (Marine Mammal Commission); Steve Brown (Maui Divers); Jennifer Larsen (Friends of the Mariana Trench); Thomas Remington (Lynker); and Athline Clark (ONMS).

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

Council staff presented the report of the last AP meeting held on November 19, 2021. He reviewed the recommendations made at that meeting and provided an update noting that the Council took up their recommendation regarding seabird mitigation measures in the Hawaii longline fishery. The Council recommended alternative 2 and did not include the brand names as recommended by the AP. The draft amendment is currently under the review and is expected to be transmitted to NMFS this year.

### **3. Council Issues**

#### **A. NWHI Proposed National Marine Sanctuary 304(a)(5) Council Response**

Council staff provided a presentation on the Council's responsibilities under the National Marine Sanctuaries Act 304(a)(5) to provide fishing recommendations for a proposed Northwestern Hawaiian Islands (NWHI) national marine sanctuary. As part of the sanctuary designation process, section 304(a)(5) requires the appropriate fishery management council be given the opportunity to prepare draft regulations for fishing within the EEZ. NOAA has identified that proposed fishing management actions are necessary, and provided the Council a package of materials intended to help the Council decide whether or not to prepare draft fishing regulations and recommendations. He reviewed the background of what is known and unknown as well as the decision points available to the Council. The Council may decide to provide fishing regulations, in which case the Council would need to determine what fishing should be allowed in the proposed sanctuary. He noted that a response is due at the end of March 2022 and that the Council would make a decision at its 190th meeting.

AP members noted that the monument closures in the NWHI also closed the ability for research and comparison with the Main Hawaiian Islands (MHI). One AP member noted that many life history studies were done in the 1970s and those studies should be updated with a sustained research program to better understand the resources.

Another AP member said that the Hawaii longline fishermen fought for the fishery and the NWHI against problems that were not caused by the fishery, including marine debris. When the fleet was in the NWHI, it provided a presence to keep an eye out for foreign incursions and other observations. He said that if there is any activity it should be domestic and that the longline fleet does not impact the area.

An AP member commented that the Council should consider commercial fishing to support Hawaii's economy and reduce the reliance on imports. Another member noted that there needs to be a focus on preserving a conservation/research-minded commercial use of the area that supports the economy so the Hawaii can continue to thrive.

The AP discussed the loss of fisheries in the NWHI Bottomfish, longline and crustaceans' fisheries that were provided for the people in the MHI. The establishment of monuments and sanctuaries creates displaced people and loss of resources in the name of conservation. The AP questioned why Hawaii has to carry the burden of the Nation's conservation goals.

*The AP agreed that fishing should be allowed in the monument and recommended the Council consider maximizing opportunities to fish within and without the monument areas. The AP also stressed the importance of research fishing being allowed to assess the resources in the NWHI.*

## **B. Specification of the MHI deepwater shrimp and precious coral ACLs for fishing year 2022-2025**

Council staff presented the specification of the main Hawaiian Islands (MHI) deepwater shrimp and precious coral annual catch limits (ACL) for fishing years 2022, 2023, 2024, and 2025. The effects analysis showed no significant adverse effects on the physical and biological resources, socio-economic and management setting, and cumulative impacts. The AP was presented with the alternatives of no action (do not specify ACLs) or status quo (re-specifying the existing ACLs) for its consideration.

An AP member said that updated research is needed to better understand fisheries' economic feasibility and fishery dynamics. More data will allow for informed and better decision-making.

Another member said that a few boats were targeting shrimp and unloading at the dock with one deep freezing on board the vessel. Since the shrimp are so deep in the water column, he said that most come up dead, shortening their shelf life.

The AP agreed that providing more focus on improving research and the understanding of the fishery dynamics would improve data collection that allows for more informed decision making. The AP did not make a recommendation on the alternatives.

## **C. False killer whale hook study implications**

Council staff presented the considerations for the future direction of the False Killer Whale Take Reduction Plan, including implications of a weak hook study conducted in 2021. Council previously developed a position statement in advance of the April 2018 False Killer Whale Take Reduction Team meeting. The 2021 weak hook study suggested that the fishery may have

economic impacts in terms of reduced target catch value. Staff highlighted related considerations, including NMFS' serious injury guidelines, updated abundance estimates, and the Southern Exclusion Zone. In addition, FIAC was asked for their input on whether the weak hook approach should continue to be pursued as a mitigation strategy, whether other approaches should be prioritized, and whether they need additional analyses to inform the future direction.

An AP member said he was reluctant to support anything that continues to burden the fleet and marginalize the catch. He said more research needs to be done and that an increase in interactions may be correlated due to an increase in false killer whale populations. There needs to be more information on economics and what the loss is to the fleet and what that cost is to support these animals. Regulations need to make sense and continue to support the fishery and should wait until an assessment is official prior to reacting and having a final direction.

Another AP member noted that the fleet is in this situation because of bad data and that they should be prudent and wait for better data prior to making any recommendations. The fleet is already using weak hooks and monofilament line. The longline fleet wants any regulations that make sense and where the benefit outweighs the cost.

AP members agreed that the US fleet is already highly regulated and continues to suffer additional regulations. *The AP did not support further restrictions on the Hawaii Longline fleet, considering the latest data and recent transition to monofilament leaders. The AP noted that there is a need to look at the economic impacts of depredation and better assess the impacts of interactions on the populations. Due to the low compliance and information on the international fleet, the AP is confident that the monofilament line will serve its purpose and mitigate interactions.*

#### **D. CCC Working Group on Equity and Environmental Justice**

Council staff provided an update on the Council coordination committee (CCC) working group on equity and environmental justice (EEJ). The Council continues to gather input for WP EEJ planning and the related national planning efforts with the CCC and NMFS. Feedback to date was shared, and the members were offered the opportunity to add additional examples on how the federal government could help make things fairer for our underserved communities. The members discussed concerns on new regulations, the need for a holistic approach to the EEJ term, and better characterizations for our western Pacific communities. A better understanding of resources, the inherent problem with the fishing community needing constant advocacy to “fight for the right to fish” and shoreline privatization inhibits fisher access. The latter may need broader legal remedies for resolution.

An AP member commented that the islanders have continued to do the best they can and are working to fight for their right to fish. He said the fact that they have to do so is absurd and hopefully is a catalyst for EEJ in the region.

#### **4. AP Plan and Working Group Reports**

##### **A. Smart FADs**

The AP vice-Chair provided the report from the Smart FAD working Group. The group has met with Sofar Ocean Technologies, SPC, and the Nature Conservancy Guam, developing their

own network of smart FADs around the Pacific. The group is still looking for potential partnerships and platforms for their Smart FAD moving forward. The Chair and vice-Chair recorded a session on the Mike Buck Show sharing the Smart FAD ideals and the use of current technology to monitor climate and ocean conditions to compare with catch correlations over time.

An AP member noted that the working group is in touch with Guam and their efforts to develop Smart FADs. He said that they had a sounder unit on a FAD and received data but it was recently lost.

## **B. FishMaps**

The AP Chair provided the report from the FishMaps working group. The group is continuing to update the map with new areas as the information is made available. The group has pushed an article in the Hawaii Fishing News, Pacific Island Fishery Newsletter and the Lawaia magazine introducing the project and inviting participants. The Chair and vice-Chair recorded a session on the Mike Buck Show calling for participants to assist the AP with populating the map. The working group will continue to complete this project before the end of the year.

## **5. Hawaii Fishery Issues and Activities**

### **A. Investigating the Relationships Between Imports and Fish Prices**

The Pacific Island Fishery Science Center was not available to present and the AP vice Chair hopes to get a report on this item for the next Hawaii AP Meeting.

### **B. Green Turtle Management Update**

Council staff provided an update on green turtle management. The Council is assisting and providing guidance to the Native Hawaiian Gathering Rights Association in exploring options for requesting a cultural take of green sea turtles. In addition, Hawaii AP emphasized the importance of documenting the historical and traditional uses of green sea turtles in Hawaii, both in terms of Native Hawaiian and other local practices that existed prior to the take prohibition.

AP members noted that Bishop Museum, Kamehameha Schools, and the University of Hawaii may have existing resources and may even be interested in helping to produce video documentation. Another AP member noted some books that documented his grandparents' stories that may have information as well. The AP also agreed that the documentation needs to include the taking of turtle as a traditional community practice. Prior to commercialization and ESA listing of the green sea turtle to avoid the "Disney" view of turtles in Hawaii.

### **C. Non-Longline Pelagic Data Workshop**

Council staff provided an update on a Council-sponsored project to determine the feasibility of stock assessments for ancillary pelagic species such as mahimahi, ono, monchong and ono. Part of this project utilizes data and information from the Hawaii small boat fishery (DAR Fisher Reporting System and Hawaii Marine Recreational Fishing Survey and will analyze trends, taking into account anecdotal information from fishermen who have contributed data or have observations in the fishery through time.

The AP expressed their concerns with the project and asked for more clarity on the long-term effects of this data workshop. Another member said that the targeted fishermen are not currently involved in management and policy and these fishers need incentives to get involved.

AP members were concerned about putting additional regulations on the already overburdened fishing community. There were concerns that there needs to be an understanding of how the data is used in the long-term, where the data is going and what the scientists will do with it. The AP vice Chair noted that any powerpoint presented to the community needs to be tailored with the community in mind and that the AP requested they should be consulted prior to going to the public. *The AP agreed to continue working with Council staff in the development of the Non-Longline Pelagic Data Workshop.*

## **6. Feedback from the Fleet (Fishermen Observations, Issues, and Concerns)**

AP members have observed a strong mango and avocado bloom which normally correlates with a strong fishing year. For the first quarter of 2022, the small boat fishery has been experiencing a strong ahi bite. The longline catch has been low in this quarter, but the prices have remained at an average of \$5-\$6 a pound. There has been a welcomed influx of swordfish this season that has been absorbed by the local and domestic markets.

Another member reported that Maui fishermen are getting good prices from the fish brokers and have been experiencing a strong *ehu* bite compared to *onaga*. However, the fish aren't being seen in the local markets very often. Fishermen continue to complain about fuel prices being high.

An AP member reported that in Hilo, *moi* have been coming in closer to shore than normal. While this time of the year *ono* is normally expected offshore but has not shown up, rather *ahi* has been showing up.

Another member observed a school of *oama* at the Hawaii Kai Boat ramp that has been traveling east. He also noted that the ahi has been jumping just like the 1980s and noted the strong correlation with the strong avocado bloom. Other members agreed that there a lot of small-medium size ahi around. Another member noted that this year has seen an early mango bloom as well which is traditionally associated with ahi and *otaru* showing up.

AP members reported that the State has been replacing FADs and KK and X buoy have disappeared. Fishing around the FADs has been up and down, and members are concerned about the fishers catching undersized ahi with their damashi. The members have also noted that the soak times of the FADs has begun decreasing as the buoys are not on station as long as they were previous.

An AP member reported a bill in the Hawaii legislation to ban the use of drones for fishing. The fishing community needs to be aware of the effort to regulate fishing in the legislature.

Overall, the AP reported that the increased fuel prices have changed the fishery operations. For example, fishermen off Kaua'i are reacting based on what they hear rather than

always going out and fishing. The AP also reported experiencing increased depredation from sharks, monk seals and turtles.

## **7. Public Comment**

There was no request for public comment.

## **8. Discussion and Recommendations**

The Hawaii Advisory Panel made the following recommendations:

### ***Regarding the NWHI Proposed National Marine Sanctuary Council Response***

- The Hawaii AP recommends the Council maximize fishing opportunities in the proposed NWHI sanctuary. Further, the AP encourages the Council to consider ensuring that research fishing is allowed in the NWHI to provide a consistent evaluation of the areas resources.

### ***Regarding Specification of the MHI deepwater shrimp and precious coral ACLs for fishing year 2022-2025***

- The Hawaii AP recommends providing more focus on improving research and the understanding of the fishery dynamics. Improved data collection will allow for more informed decision making.

### ***Regarding False Killer Whales and the Hawaii Longline Fishery:***

- Hawaii AP does not support further regulations on the Hawaii deep-set longline fishery, considering the impacts from depredation, latest false killer whale abundance estimates, and the fleet's recent transition to monofilament leaders. The Hawaii AP supports research to evaluate economic impacts of depredation on the fleet, and assessment of interaction impacts on false killer whale populations in light of the higher abundance estimates.

## **9. Other Business**

Council staff reported that PIFSC has distributed their preliminary results from the 2021 Hawaii Small Boat survey, and a fact sheet and promotional article on the NOAA Seafood Direct Marketing Project. He noted that he will provide these to the AP for their consideration.

The meeting was adjourned at 12:37 p.m.