WESTERN PACIFIC REGIONAL FISHERY MANAGEMENT COUNCIL

Notes for the Hawaii Archipelago Advisory Panel Meeting

Thursday, March 13, 2025; 1 p.m. – 5 p.m. (HST)

1. Welcome and Introductions

Gil Kualii, Hawaii Advisory Panel (AP) Vice Chair, opened the meeting at 1:01 p.m. Members in attendance included Clay Tam, Khang Dang, Abraham Apilado, Carrie Johnston, Amanda Padilla, Nathan Tsao, and Len Nakano. Eddie Ebisui III was excused.

Others in attendance included Zach Yamada, Mark Mitsuyasu, Asuka Ishizaki, Mark Fitchett, Joshua DeMello (Council staff), Bryan Ishida (DAR), Marlowe Sabater (PIFSC), Nathan Abe, Leia Kualii, David Itano, Alister Hunt, Craig Severance, and Mark Ladao.

2. Review of the Last AP Recommendation and Meeting

Zach Yamada, Council staff, provided a status review of the recommendations from the last AP meeting held on December 6, 2024.

3. Council Fisheries Issues

A. MHI Uku ACL Specification for 2026-2029

Zach Yamada, Council staff, presented the options to specify annual catch limits (ACLs) and accountability measures (AMs) for the MHI uku fishery for fishing years 2026 to 2029. In December 2024, the SSC received a presentation on the 2024 uku stock assessment update that found the fishery was not overfished nor experiencing overfishing. The SSC endorsed the stock assessment update as BSIA and recommended the Council direct staff to develop options to specify ABCs and ACLs. Council staff provided an overview of the options for Council consideration. Under option 1, the Council would not specify ACLs for fishing years 2026 to 2029. This option serves as a NEPA baseline, although it does not comply with National Standard 1 of the MSA and the Hawaii FEP. Under option 2, the Council may specify ACL at 41 percent risk of overfishing (P*) and ACT at P* 36 percent based on the 2020 benchmark assessment utilizing the 2020 P* and SEEM analysis correlated with 295,419 lb and 291,010 lb, respectively. This option would include both in-season and post-season AMs. This option would not comply with National Standard 2 under the MSA, which states that management should be based on BSIA. Under option 3, the Council may specify ACL based on the 2024 assessment at P* at 41 percent and ACT at P* 36 percent based on P* and SEEM analysis correlated with 406,532 lb and 401,020 lb, respectively. This option would include both in-season and post-season AMs. Under option 4, the Council may specify ACLs based on the 2024 stock assessment update and the findings of the 2020 P* and SEEM working groups at an ACL at 36 percent P* correlated with 401,020 lb. Under options 5 and 6, the Council may specify an ACL and/or ACT lower than the ACLs and ACTs outlined in options 3 and 4, respectively.

An AP member said management should consider the impacts of depredation from sharks and other protected species. He said fishing is dying as a livelihood, and incentivizing the fishery would be a good way to get fishers closer to the proposed ACL. Commercial fishers are the primary fishers that provide data that is implemented into the stock assessments. Although the increase in ACL could incentivize the fishery, the current market structure to support this fishery

would be another battle with weighing the balance of protecting sharks and dolphins and keeping the viability of a commercial fishery.

Another AP member said that after hearing anecdotal information from divers and nearshore fishers, they are catching less uku and recommended that the Council explore the utility of slot limiting for larger breeding fish. Hearing from his community, he said it was hard to support an increase in quota. Council staff said the AP could recommend that the Council request PIFSC to provide an overview of available data that could support the implementation of minimum and maximum slot limits.

An AP member said PIFSC has been negligent in examining the recruitment of uku. Another AP member said stock assessments should consider freshwater flow since that plays a key role in stock recruitment. Another AP member asked if there was funding available to investigate the role of fresh water in stock recruitment.

An AP member said PIFG has been monitoring the auction and observed an increase in uku. He asked if the neighboring islands have seen an increase in uku catch being sold. Another AP member said that uku has a large range and is known to be the "bully of the ocean."

Another AP member asked about the status of the uku pilot survey. Depending on the findings of the survey, PIFSC should incorporate the information that is currently being discussed into the assessment, which informs the proposed action. Council staff said the uku pilot survey was just launched in 2025, and depending on the timing of the results, it would not be available until after the scope of the current action.

An AP member said the non-commercial catch estimated by HMRFS is highly uncertain, which would not support in-season monitoring.

The AP discussed which options to support, considering the uncertainties and timing of the pilot survey. The bigger picture of where the catches are coming from and how that affects the ACL needs to be known.

Regarding MHI Uku, the Hawaii AP does not recommend a preferred option at this time for specifying ACLs for MHI uku. The AP requests PIFSC and DAR provide an update on the status of the uku pilot mail survey to understand non-commercial catch better.

Hawaii AP further requests PIFSC to provide an overview of available data to determine the feasibility of minimum and maximum slot limits based on life history information.

B. MHI Deepwater Shrimp and Precious Corals ACL Specifications for 2025-2028

Zach Yamada, Council staff, presented the specification of the main Hawaiian Islands (MHI) deepwater shrimp and precious coral annual catch limits (ACL) for fishing years 2026, 2027, and 2028. The effects analysis showed no significant adverse effects on the physical and biological resources, socio-economic and management setting, and cumulative impacts. The plant 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 asked if shrimp have a season or if they are caught year-round.

Another AP member said there were a few longline boats that regeared and went shrimping since there was high viability for a fishery in Hawaii. After going for a few trips, the boats transitioned back to longline due to the amount of gear loss. Although there was a lot of shrimps around the current gear, the return on investment was not enough to continue. Other AP members agreed and said they remembered similar stories on why fishers stopped targeting shrimp. Based on this discussion, the AP recommended to keep the ACL management framework as is.

Regarding MHI Deepwater Shrimp and Precious Corals ACL specification, the Hawaii AP recommends option 2, status quo, to re-specify the existing ACL for fishing years 2025-2028.

C. Updates on the Hawaii and American Samoa Longline Fisheries Crew Training Requirement

Asuka Ishizaki, Council staff, provided an update on the development of the Hawaii and America Samoa longline fisheries crew training requirement. The Council at the 201st meeting took initial action on the regulatory amendment to implement a crew training requirement and scheduled final action for the June 2025 meeting. Prior to the 201st meeting, the Action Team received advice from NOAA General Counsel that the initial approach for regulatory implementation (i.e., requiring crew training certificate to be on board) would not be consistent with the biological opinion (BiOp) terms and conditions (T&C). Specifically, the T&C included language that required a trained person to be on deck during hauling operations. The Council heard two potential regulatory implementation approaches at the 201st meeting, and the Council directed the Action Team to refine the approach in advance of final action and provide an update at the March meeting. The Council additionally requested NMFS to make the crew training program accessible to fishery participants and work with the Council and Hawaii and American Samoa longline fishery representatives to explore an appointment scheduling system that would facilitate greater participation in the training sessions.

Following the 201st Council meeting, the Action Team met to review the regulatory approach. The Action Team focused on a two-component approach involving 1) crew certification, requiring at least one certified crew member per vessel with the certificate onboard, and 2) a person-on-deck requirement, with a preference for one trained person immediately available to direct/oversee protected species handling. Additionally, following the December 2024 Council meeting, NMFS PIRO revisited the T&C and determined that the language should be refined to achieve the desired outcome for improved protected species handling and reduced post-interaction mortality throughout the longline fleets. The revised T&C would require longline vessels to carry at least two trained persons with approved training, with at least one trained person on deck when an ESA-listed species interaction occurs during gear retrieval.

As of February 2025, the pilot training program had trained 576 individuals from 114 vessels. Still, challenges such as declining new vessel attendance, changes in crew transportation, and reduced funding for translation services necessitate a new training access plan utilizing in-person video-based training with a comprehension quiz. The AP was asked to provide feedback on the revised regulatory approach in preparation for the June final action.

AP members expressed support for the revised regulatory implementation approach as well as the training program, noting that the AP's previous recommendations have been addressed. An AP member noted that the recent changes to Customs and Border Patrol personnel have created additional burdens to the Hawaii longline fleet operations beyond crew training access. The improved flexibility resulting from the video-based training provides greater flexibility for the industry. An AP member sought clarifications on the analysis to be prepared for the final action. Ishizaki explained that the draft regulatory amendment to be presented at the June meeting will include an impact analysis to support the Council's decision-making. The analysis is expected to include preliminary findings of pilot training outcomes based on the observer reports. An AP member suggested also getting feedback from the vessel captains or managers about their perspectives on changes resulting from crew training, noting they may see milestones that would not be seen by observers or other sources.

The Hawaii AP supports the revised regulatory implementation approach as well as the video-based training, noting the increased flexibility and accessibility for complying with the regulatory requirements. The AP acknowledges that the revised approach addresses previously identified concerns and recommendations.

D. Electronic Monitoring Status Update

Mark Fitchett, Council staff, presented on the status of developing a proposal for the Pelagic FEP to implement electronic monitoring (EM) in longline fisheries. The Council took initial action at its December meeting, directing an Action Team to develop an amendment to authorize the use of EM in pelagic longline fisheries for reliable estimation of protected species interactions and to phase it in as an optional program through 2027 until permanent resources are available to implement a mandatory program. The Action Team is in the process of developing a proposed amendment for final action at the Council's June 2025 meeting. NMFS plans for funding systems for an EM program for longline fisheries that could be phased in over three years (2025-2027) and may eventually replace human observer programs. Funding for human observers remains uncertain, given the increased costs, and observer coverage is expected to decline to 5%, which is the current international minimum. Staff discussed components needed for developing an authorized EM program, such as a vessel monitoring plan and changes to the FEP to use EM as a standardized bycatch reporting mechanism. The proposed purpose and need for an EM program is primarily for protected species estimation, addressing a need to account for a declining observer program and prevent non-compliance with statutory requirements that could result in interruptions to the fishery. Draft alternatives for future considerations were presented as a status quo no action, a mandatory program (with three sub-alternatives), and an optional program.

An AP member asked how the international fleets are reacting since the Hawaii longline fishery is the most regulated fishery. Council staff said having EM could replace observer coverage, and this amendment would affect American Samoa more than the Hawaii longline fleet to maintain their marine stewardship council certification.

Another AP member said the Hawaii longline fleet prefers EM over observer coverage. In the US, the fishery is the only sector that the government does not subsidize, and if EM becomes the gold standard, then this could be an overall win with funding for observers

decreasing. The fleet does not consider EM as a burden but asked if the rules for authorizing EM would be an acceptable substitute for onboard coverage. Council staff said EM has shown a proof of concept that it could replace observer coverage. In addition to the electronic reporting through logbooks, the Council may take the first step to authorize EM and decide how NMFS will use the data in upcoming discussions. There are possibilities to integrate EM into the current data streams since there have been technological advancements to improve the system.

An AP member asked what the initial cost for EM was compared to having an observer on board. Council staff said the observer program is $7 million per year, with a high of $8.2 million in the past for 100 percent coverage for the shallow set and 20 percent for the deep-set fishery. For the implementation of cameras on all boats, plus administration and sampling costs for one year, it is $2.4 million, so there are cost savings. Cost is likely to decline over time with technology improvements. Camera replacement costs $10,000 every three years, which is a high end of the estimate. The cost for analyzing the footage would be about $500,000/yr to analyze 20% of EM footage for the entire fleet; the review is done at 8 times the speed.

An AP member said he is all about the people, and $7.5 million is a lot of money and a lot of jobs. In his opinion, if the money runs dry, then that money should not be burdened on the fishery. If this is an important tool, then back up the people and their jobs. Council staff said there are people on the water, and they do plan to hire observers. One of the arguments is cost allocation since NMFS does not know how much funds they will get.

An AP member asked if there would be a violation if the captains or crew tampered with the camera. Council staff, a non-compliance violation would be issued in that case.

E. U.S. Catch Limits for North Pacific Striped Marlin

Mark Fitchett, Council staff, provided an overview of US catch limits for the North Pacific Striped Marlin. At its 199th meeting, the Council was informed that the Western and Central North Pacific Ocean (WCNPO) striped marlin stock status changed to not overfished while still experiencing overfishing under the Council's FEP. At its 200th meeting, NOAA General Counsel Pacific Islands Section and NMFS Sustainable Fisheries Division informed the Council that the purpose and need for action under MSA Section 304(i) to address international overfishing is no longer applicable. Therefore, NMFS withdrew a proposed rule to set a catch limit of 457 metric tons (mt) with a retention limit of 443 mt for vessels with a Hawaii limited-entry longline permit. The withdrawn rule was a result of a Council recommendation at its 193rd meeting to satisfy MSA 304(i) obligations to end international overfishing. At its 201st meeting, the Council took initial action to set catch limits under MSA Section 303(a)(1)(A) to prevent overfishing and rebuild overfished stocks and to protect, restore, and promote the long-term health and stability of the fishery.

The Western and Central Pacific Fisheries Commission (WCPFC), at its 21st Regular Session in December 2024, adopted a conservation and management measure (CMM) for WCNPO striped marlin (CMM 2024-06) to achieve a rebuilding target for the stock adopted at its 16th Regular Session in 2019. CMM 2024-06 provides catch limits for WCPFC members for 2025-2027. It assigns a catch limit of 228.4 mt plus provisions for an additional 165 mt for the

United States. The Hawaii longline fishery historically harvests more than 97% of the WCNPO striped marlin attributed to the nation. The Council will revisit alternatives to establish a catch limit under MSA Sections 303(a)(1)(A) and 304(e) and consider CMM 2024-06. The Council will consider final action to set a catch limit for WCNPO striped marlin with the following alternatives: Alternative 1: No action or status quo, would not set a retention limit for WCNPO striped marlin; Alternative 2: Set a catch limit of 457 mt and a longline retention limit of 443 mt for 2025-2027, consistent with the Council's previous action at its 193rd meeting and CMM 2010-01, which is no longer in force; Alternative 3 (preliminary preferred): Set a catch limit of 393.4 mt and a longline retention limit of 381.5 mt for 2025–2027, subject to reduction based on the U.S. and total international catch of WCNPO striped marlin, consistent with CMM 2024-06; and Alternative 4: Prohibit retention of WCNPO striped marlin (a retention limit of 0 mt) for 2025–2027.

4. Regulatory Review, Community Consultation, and Planning through IRA

A. Fishery Monitoring and Management Regime

i. Federal Management

a. Hawaii Archipelago FEP Overview

Joshua DeMello, Council staff, provided an overview of the Hawaii Archipelago Fishery Ecosystem Plan (FEP). The Hawaii FEP is a document that provides the framework for how the Council manages fisheries through a "ridge to reef" concept. The objectives of the Hawaii FEP are to prevent overfishing, rebuild overfished stocks, improve and promote compliance, consider spatial management, reduce bycatch, and support fishing communities. The FEP covers the management of fisheries in the US EEZ in addition to fisheries where there is co-management (i.e., Deep 7 bottomfish). Through the IRA priorities, the Council will be conducting a regulatory review of its management regime to explore what needs to be revised and how the Council can improve fisheries management.

An AP member asked if the Council received funding to support the different projects. Council staff said the Councils have received funding and will continue to execute these projects.

An AP member thanked the Council for continuing to include the Northwest Hawaiian Islands (NWHI) as part of the Hawaii FEP, as commercial fishers are still interested in going into that area. Council staff said under the Trump Administration, there is an executive order known as the 10 for 1, and the set of regulations that the agency is targeting for removal is the management framework for limited entry for bottomfish in the NWHI. If the AP would like to keep these regulations, then this is something for the fishing community to consider.

An AP member asked if there were funds to consider infrastructure and the impacts of sea level rise. There are increased pressures for national security, as the South Pacific has been dealing with foreign interests and deep sea mining. Council staff said this topic should be considered under the scenario planning priority under the Council IRA projects.

ii. State of Hawaii Management Initiatives to Address Climate Impacts

Bryan Ishida, DAR, provided an overview of resource management in a changing climate for the State of Hawaii. DAR was reliant on reactive management and looking to the future, becoming proactive and not waiting for something to become a problem and also taking a restorative action. Challenges from persistent and growing threats other than fishing, like coastal

development and overuse, will continue, and they are trying to be more proactive in addressing these challenges through their Holomua initiative. Holomua is working on island-based management, and the criticism of the state rule is that it is based on the worst-case scenario, and they are working to tailor each island to their regulations. Other actions include coral nursery, water quality monitoring, invasive species monitoring, and response. They are updating their management tools to be more adaptive and emergency management, community-informed and driven management, and improved monitoring.

Regarding infrastructure, IRA funds are currently not used for harbor projects, except for one project under a US Fish and Wildlife Sportfish Restoration Grant. Currently, 23 design contracts are ongoing, including five for Hawaii Island, five for Maui, five for Kauai, and five for Oahu. Regarding current harbor projects, there is one on Hawaii Island, two on Maui, one on Kauai, and two on Oahu.

An AP member asked if the state of Hawaii had heard of any interest in maintaining the big game scale in the abandoned Honokohau harbor. Ishida said there has been interest from a state agency, but not sure of any plan to fund any improvements.

An AP member said it is key for DAR to promote good productivity for fishers and asked if DAR is looking for productive commercial fisheries. Ishida said that catch per unit effort in the non-commercial fishery is highly uncertain, and tracking productivity is not a priority for the State of Hawaii. Their main goal is to ensure the resources are abundant, and they may not be tracking it through fisher success.

An AP member said that Holomua and bag limits will not increase productivity, and DAR needs to protect the stock during their respective spawning periods. DAR has deployed artificial reefs that hold taape, which is an invasive species. Taape productivity is not a restorative action, and looking at pono practices, you need to monitor juveniles. The landscape has changed with no aholehole runs and limu restoration with increased turtles. The landscape continues to change, the habitat is gone, and the development on the ridge has taken away the spring water and drainage. We need to understand the history of the place to manage it better.

The AP Chair invited a public member to provide a comment. Nathan Abe, a commercial fisherman, praised the new rule for Kona crab and thanked the enforcement officers for being present at the harbor to enforce the rules.

Ishida said prior to the DOCARE academy, incoming officers had to have an enforcement background, and now, the availability of trained people has increased. They are close to doubling their numbers, and none of the rules mean anything without enforcement. The recruits have a vested interest, and it is a positive change.

An AP member asked if the charter boat captains would receive a violation for customers who do not get their non-resident recreational fishing permit. Ishida said that the charter captain and crew have no obligation to enforce the new permit.

B. Climate Impacts on Fisheries and Communities

i. FISHMAPs

Zach Yamada, Council staff, provided an overview of FishMaps. FishMaps is a project that the Hawaii AP launched to characterize the bottomfish, pelagic, coral reef, crustacean, and precious coral fisheries to bridge the gap between traditional fishing knowledge and historical fishing data. The goal of this project is to ensure fishing communities can continue to fish with potential spatial management actions, provide the fishing community a seat at the decision table with managers or developers, and identify specific communities that should be consulted.

An AP member said this project has so much potential and asked if you would like to add to the map to track traditional information.

Another AP member said it could be a historical tool and data resource to protect fishing grounds and defend against shoreline development. Regarding OTECH and the pipelines that need to be redeveloped, if fishermen are using the area, it could be justification for maintaining it down rather than floating it.

ii. Future Scenarios for Hawaii small-boat fisheries

Mark Fitchett provided an overview of scenario planning and the intent to anticipate different futures. The big boat scenario planning will start in May, and this will look at climate scenarios and if business stays or changes, then what can be done to anticipate this. The Council could also look at potential futures for increased or decreased fishing productivity.

An AP member said that fishermen are the eyes and ears, and it is not hard to predict when you listen to fishermen. The biggest problem is shark depredation, and letting one thing grow when it is a problem only makes it worse.

An AP member said we should consider our islands' carrying capacity. Council staff acknowledged his comment and said that Hawaii could also be dealing with climate refugees in the future.

Another AP member asked if there had been a discussion of scenarios regarding market chains. Council staff said that in this scenario, the Council will rely on the industry, and if we foresee an improvement or loss, we need to be more proactive than reactive.

C. Community Fisheries

i. Fishery Development/Training Opportunities

Mark Mitsuyasu, Council staff, provided an overview of the IRA pilot project to train and develop commercial fishermen. Over the years, the Council has discussed the difficulty of the current landscape of labor and the need for more workers to support the fishing industry. This project is focused on training interested fishers across the region to have the skill set to work in fisheries, whether it is for motor mechanics, deckhands, or fabricators, and implement them into the fishing industry. This could also include a focus on developing a fishery for underutilized stocks such as sharks, monchong or deepwater shrimp.

An AP member said that the fact that people made fish cakes out of sharks shows that there is potential. He said that just the nene goose, which is a protected species, knows it has protection and does not flee from interactions similar to pigeons on the side of the road.

5. Hawaii AP Action Plan Planning for 2025

This agenda item was deferred. The AP vice Chair will provide a status update at its next meeting in May/June.

6. Public Comment

Craig Severance just graduated from the SSC and worked with Gil on the East Hawaii Fishers Group. And it is an honor to watch the AP, and it is not only for the Council. Sometimes, the Council listens to the AP more than the SSC since you are the fishermen. He urged the members not to be humble and not to be shy about questioning the data, talking to the scientist, and keeping themselves up to date. You are doing it for children and grandchildren for the future. There are risks for single species, and the real issue is that one species can close the whole fishery.

Nathan Abe, the quota increased, but it is so inaccurate and has so many holes. If the quota is 409,000 lb and the rec fishers can continue to fish, why allow this if we hit the quota already? Recreational fishers being able to continue fishing is unfair. There is one Onaga fisher that can catch the uku quota. Since it is a small fishery, how does the model work, and not sure how the data is used. Options need to be more detailed.

7. Discussion and Recommendations

The Hawaii Advisory Panel made the following recommendations:

Regarding MHI Uku ACL specifications,

- The Hawaii AP does not have a preferred alternative. The AP recommends the Council request NMFS PIFSC to provide a timeline for the implementation and expected outcomes of the uku pilot survey to better understand non-commercial catch.

- Further, the Hawaii AP recommends the Council request NMFS PIFSC to provide an overview of available data to determine the feasibility of minimum and maximum slot limits based on life history information.

Regarding MHI Deepwater Shrimp and Precious Corals ACL specification:

- The Hawaii AP recommends option 2, status quo to re-specify the existing ACL for fishing years 2025-2028.

Regarding the Updates on the Hawaii and American Samoa Longline Fisheries Crew Training Requirement:

- The Hawaii AP supports the revised regulatory implementation approach as well as the video-based training, noting the increased flexibility and accessibility for complying with the regulatory requirements. The AP acknowledges that the revised approach addresses previously identified concerns and recommendations.

8. Other Business

The next informal AP meeting will be on Friday, April 18.

Meeting was adjourned at 5:15 p.m.