

Louis (Buzzy) Agard Public Comment

I have fished in the Hawaiian Archipelago since 1946 only to have out fished myself out of an occupation. I have had the privilege to have served on a Fishery Management Council. My present work has been in the area of wholesaling fish in my own company and managing fish sales in the Hawaiian Tuna Packers Cannery and also served as the President of the Ahi Tuna Boat Association for ten years. I support by my experience a strong management regime for the Northwestern Hawaiian Islands Reserve (NWHIR); at least for the next two or three years until better science and data can be produced to show that there has not been a measurable and constant decline in the fishery landings of the NWHI.

Statistics from the BOTTOMFISH FISHERIES OF THE WESTERN PACIFIC REGION OF 1999 a publication, confirms that caution is reasonable. More statistic confirm that while the pelagic fisheries are likely to be operating at an indicated Maximum Sustainable Yield (MSY). This fishery too has some species in a decline. For bottomfish species of the NWHI the decline has been consistent over the past 14 years as indicated by the foregoing publication.

The NWHI ecosystem is nearly in balance and continued harvesting will further unbalance the ecosystem and should be avoided. To the extent that too much stress in the NWHI can negatively affect the adjacent islands of the Hawaiian Archipelato and its thousands of recreational, subsistence and commercial fishermen. Attached herewith are some statistics from the BOTTOMFISH FISHERIES OF THE WESTERN PACIFIC REGION 1999.

From the BOTTOMFISH FISHERIES OF THE WESTERN PACIFIC REGION 1999 ANNUAL REPORT beginning on page 3-3, it is reported that the Bottomfish Managed Unit Species (BMUS) in the Main Hawaiian Islands (MHI) show clear signs of stress with onaga (red Snapper), ehu(pink snapper) and hapuupuu (grouper) having a yellow light condition or show caution. The landings for 1999 have a Catch Per Unit of Effort (CPUE) of only 211 lbs per trip with a Spawning Potential Ratio (SPR) average well below the desirable 50% of the original value. Being at a SPR of only 25 average, is contributing to the stress of the fishery. There was also a large drop in the number of vessels in the MHI in 1999. Over the past 14 years the total landings have been halved, the CPUE has declined by 35%, and the total revenue has decreased by \$2 million, the price per pound had dropped by at least \$1 and the number of vessels had decreased by 126 participants and the SPR has fallen from 35 to 25. All statistics have declined. Due to this condition in the 1999 report where would the recruitment or replacement come from for the MHI fishery is the question.

In the same report on page 3-4 for the Mau Zone the total landings over the past 14 years, has declined from 118,000 to 54,000 or was reduced more than half by 1999. The catch per unit of effort was also declining. And the revenue was less than half in 1999 than in the initial recorded years. And the price per pound has declined from the initial \$3.67 high 14 years ago, to \$3.18 in 1999. The Spawning Potential Ratio (SPR) is at 51 in

1999 and nearing a point of caution. The revenue was only \$172,000 or a small part of the MHI \$1,279,000 or a \$1,100,000 less than the MHI. This indicates the MHI pressure has been transferred to the Mau Zone and will eventually be transferred to the Ho'omaluu Zone without caution and there are only seven (7) vessels operating presently.

In the Ho'omaluu Zone the total catch is less than in the MHI by 100,000 lbs and the CPUE for the Ho'omaluu Zone is twenty eight times more at 5,611 lbs that of the MHI at 211 lbs. Conversely the revenue in Ho'omaluu Zone at \$931,000 is less than that in the MHI at \$1,279,000. There are only six (6) vessels in the Ho'omaluu Zone.

What these statistics indicate is that the catch is consistently going down and so is the SPR from 14 years ago, most severely in the MHI, which begs the question of where is the recruitment coming from? Statistics imply the large 20 lb mature fish of the NWHI are producing the millions of individual roe and larvae that are needed to supply the MHI with its multi-million dollar combined fishery, supporting over 2,800 participants of the archipelago, including subsistence, recreational and commercial fishermen as opposed to only seven (7) in an almost closed NWHI fishery and bordering on a virtual monopoly.

A second indication is that as the fishing proceeds up the island chain that the SPR is steadily going down over the past 14 years. The NWHI ecosystem is almost in balance and should be kept that way to allow recruitment. If the MHI and NWHI fisheries represent a complete ecosystem then the NWHI should remain clear to ensure that the populated MHI can enjoy recruitment to provide food and opportunities to residents of all subsistence, commercial and recreational pursuits or participation. The Executive Order (EO) that created the Reserve Council is a positive way to ensure this outcome. The present number of fishing vessels and allowable catch is a reasonable approach to the NWHI under the existing Reserve System.

If the present Reserve as proposed can sustain fish populations, the process of extraction can be stabilized. That is, the larvae of the large or mature fish that spawn in the NWHI and then have it carried throughout the archipelago can find a suitable habitat to grow out to maturity for harvesting. This condition or eventuality has the added benefit of providing a continued food source coupled with recreation. At the same time sustaining the ecosystem containing endangered species, threatened species and millions of protected species of sea birds.

When we speak of the NWHI we are talking about a unique place and system. Unique as only one of its kind and place. For no other reason it should remain intact, either as a control to measure impacts and results, be they declines or otherwise; and also to continue to be a refuge or Pu'uhoonua (refuge) for those species that have retreated there because of an encroachment into their habitat in the MHI.

Besides being a control to measure impacts and a refuge for many species from human encroachment, the NWHI demonstrates more each day that it is a nursery, not only for endangered seals, threatened turtles and million of protected seabirds, but also many other species found there in the MHI. Even though the visitors only occasionally visit us

here in the MHI due to an obvious lesser amount of prey or food and could suffer hunger. Seals are opportunistic foragers and can and do die of starvation if their food supply is diminished. The Hawaiian Monk Seal has been targeted for harvest in the past for its blubber and skins and now is reduced in numbers to endangered levels.

It is conceivable that a lack of food resources for species now in the NWHI is because there was an insufficient supply in their former habitat in the MHI.

The system in the NWHI is a near complete operating ecosystem and why would we not have strong protection to avoid harm to a long evolving ecosystem? There is a value to the system and what we can learn from it to benefit our futures and lives. We have gone into outer space and in the process spent billions of dollars to satisfy our curiosity. We want to know or find out how the world began with a "big bang". Closer to home and our "inner space" of the ocean, we are not aware of all its secrets and potential. Before any harm is done to the NWHI fauna and flora intentionally or otherwise, let's protect and keep it the way it is now.

The recommendation I wish to make is to proceed with the conditions or parameters under consideration, that is, no more fishing than is presently conducted and allowed. At least until more research has been done to evaluate the impacts anticipated when allowing more extractive activities in an ecosystem that is nearly intact.

Because enforcement or overseeing any more activity will be difficult, the question that begs an answer is why permit more activity in the NWHI that is already difficult to monitor before any other degradation occurs. In other words avoid any risk to the environment until more information can be accumulated in the next five year period while fishing and research takes place to understand the potential and risks involved.

If we are to look at the introduction of foreign species into Hawaii of fish, it can be found that these species travel from island to island and have reached the NWHI to become established there in numbers. Surely, fish do not only swim in one direction or from east to west but west to east also; and can do so like the taape (blue lined snapper) and a grouper called Roi. Not only will larvae of these species drift in the water column awaiting dropping out into a suitable habitat, but mature animals can also swim across channels from island to island. The effect here is the heavily fished MHI offer less recruitment than does the NWHI in helping to sustain the fishery for prized bottom fish species. Add to this that there are thousands of recreational, subsistence and commercial fishermen in the MHI who wish to have better access to bottomfish. And as compared to a few being grandfathered into the NWHI healthy fisheries. This condition should be maintained until more data has been collected to make better management decisions and to sustain the stocks being fished. It seems premature to proceed with any extractive activities prior to better measurements of impacts due to harvesting. Harvesting areas need to be simplified and uniform just as the Coast Guard has advised otherwise enforcement will be compromised.

Discussions on the NWHI are not talking about a large resource, rather a large static resource having been allowed to grow slowly over a period of time in years into a standing stock that suggests much more biomass than it actually is and can be sustained.

Some records show that after the initial heavy harvesting that there follows a steep decline of target species. During the mining of guano on the islands of the NWHI starting in 1856 it too finally proved not sustainable, which would destroy artifacts that are carried away with the guano shipments exported abroad. By the latter 1890's poaching encouraged President Roosevelt to declare the NWHI a refuge because the seabirds there were robbed of their eggs and their wings cut off and dried for export to use in millinery and women's finery with their hats. The region has frequently been a scene of poaching and subject to a lack of monitoring and the site of other extractive activities.

Between the 1930's to the 1950's between 4 to 5 bottomfishing boats plied the waters of the NWHI for fish with some success. In 2002 there are some 5 bottom fishing boats working the waters of the NWHI. Over these years my experiences saw only a sometimes profitable trip. Sustaining catches were only a sometime success and returning to the same area to catch bottomfish was not a success.

During the same period from 1900 and on Russian and Japanese fishing vessels trawled around the NWHI up to the Emperor Seamounts to capture Armorhead and Alfonsin deep water species up to the point of reducing the stocks so much that today that fishery has not recovered to former numbers and that fishery is closed. There were also Japanese pearl fishermen who had planted pearl oysters in the NWHI and not only they but others have harvested most of the pearl oysters planted, and that fishery is also closed. Even the Taiwanese fishermen have "mopped" the slopes of the Emperor Seamounts of precious red coral to the point of having to stop that harvest and it is not active. These incidents are recited to indicate that the environment is fragile and can be impacted readily. The recovery after harvesting is slow and the region is known to have a low rate of upwelling of nutrients to assist moderate recovery.

Further experience has shown that fishing in the NWHI on many of the vessels I operated there were difficult times and conditions to be met to have a successful trip. Some difficulty could be related to a lack of technology which has improved now and likely improve catches.

But one thing is obvious, that fishing off the New England East Coast on the Georges Bank was more successful than in the NWHI. Although after 300 years of fishing the banks even that fishery like many others would collapse and is now closed. The NWHI is too delicate a place to sustain the pressure of the harvesting capacity now available and the technology to assist harvesting. This condition has been demonstrated many times around the country's various fisheries and the closure of fisheries as a result.