

Monk Seal Management from a State Perspective Threats, Challenges, and Opportunities



Fisheries Interactions: Lay Gill Nets



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Ms. Suzanne Case
Chairperson
Department of Land and Natural Resources
1151 Punchbowl Street
Honolulu, HI 96813

APR 24 2018

Dear Suzanne:

I am writing on behalf of the National Marine Fisheries Service to share our concerns regarding the significant threat to Hawai'i's sea turtles and monk seals posed by unattended lay gill nets. Our respective staff and partners respond to numerous stranded sea turtles and monk seals every year in the main Hawaiian Islands (MHI), and many of these strandings involve entanglement in the type of monofilament netting associated with lay gill nets.

A review of our MHI sea turtle stranding data indicates 96 turtles were found dead in lay gill nets from 1990 through 2016. During that same period, lay gill nets were indicated as a probable or contributing cause of death in dozens more turtle stranding cases. Our MHI monk seal data indicate five seals were found dead in lay gill nets from 1994 through 2017, and entanglement in lay gill net was the suspected cause of death in an additional five monk seal cases during that same period. Of the 10 total seal deaths associated with lay gill nets since 1994, four occurred in just the past two years.

The actual number of MHI seal and turtle deaths caused by unattended lay gill nets is likely higher than indicated by our data because most deaths are unreported or cannot be attributed to a specific cause. Additionally, many more seals and turtles would have likely died entangled in unattended lay gill nets were it not for the rescue efforts of our staff and partners.

We note that about a decade has passed since the Department of Land and Natural Resources (DLNR) revised its administrative rules regulating the use of lay gill nets, in part to address concerns regarding interactions with protected species. However, considering the ongoing impacts to sea turtles and monk seals, we believe additional conservation measures regarding unattended lay gill nets are still needed.

We want to be clear that the concerns referred to in this letter are focused on a specific type of net and method, i.e., monofilament lay gill nets that are set and left unattended. We recognize there are other net fishing methods used in the MHI that do not appear to currently cause significant impacts to seals and turtles when used legally and responsibly.

We highly value our collaboration to date with the DLNR regarding the conservation of several protected marine species in Hawai'i, including sea turtles and monk seals. We also want to acknowledge our growing partnerships with fishermen and fishing organizations across the state, and we want to express how important it is that we do our part to maintain and improve these partnerships. We look forward to working together with the DLNR, Hawai'i's fishermen, and other stakeholders to address the serious conservation issue caused by unattended lay gill nets.

While the focus of this letter is on unattended lay gill nets, I want to mention that we are also concerned about seal and turtle interactions with shore-based hook and line fishing methods, such as slide-bait fishing, that entail setting out baited hooks for extended periods of time. In addition, we are seeing



Fisheries Interactions: Lay Gill Nets

- Unattended lay nets
- Illegal lay netting (night, closed areas)
- Surround net - legal loop-hole
- Bycatch
- Unregistered lay nets



Lay Gill Net Legislation

SB1371 SD2

5/17/19, 8:50 AM

THE SENATE
THIRTIETH LEGISLATURE, 2019
STATE OF HAWAII

S.B. NO. 1371
S.D. 2

A BILL FOR AN ACT

RELATING TO LAY NETS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Chapter 188, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§188- Use of lay nets for fishing; prohibited. (a) It is unlawful to possess or use on, in, or near state waters, a lay net for the purpose of taking aquatic life, except under the terms and conditions of a permit first obtained by the user from the department. The department may issue permits for the possession or use of lay nets consistent with other legal requirements.

(b) For the purposes of this section, "lay net" means a gill net that is deployed in the water in a specific location and retrieved from the same location after a certain time period has passed to allow for the capture of aquatic life.

(c) This section shall not apply to any person exercising native Hawaiian rights, customarily and traditionally exercised for subsistence, cultural, and religious purposes pursuant to article XII, section 7, of the Hawaii State Constitution."

SECTION 2. Section 188-70, Hawaii Revised Statutes, is amended to

Lay Gill Net Legislation

Senate Bill 1371, proposes to prohibit the use of lay nets to take aquatic life, except under a permit obtained by the Department of Land and Natural Resources (Department) and establishes the use of lay nets to take aquatic life as a misdemeanor offense with a mandatory minimum period of imprisonment of one day or, for a first offense, a fine of no less than \$1,000. **The Department supports this bill and offers the following comments.**

- SB 1371:
- Require Annual Lay Net Permit
- Misdemeanor violation
- Statewide lay net education and enforcement program
- Bill was deferred at conference committee
- Could be heard again next year

Fisheries Interactions: Hooks



Fisheries Interactions: Hooks

**Mortality Threat:
Fisheries interactions**



Barbless circle hooks
are safer for wildlife

**Seals & turtles cannot easily self shed
barbed circle hooks**

Barbless Circle Hook Project

Origins

- ▶ 2005: Kurt Kawamoto, NOAA Pacific Islands Fisheries Science Center, starts BHP
- ▶ 2007: Earl Miyamoto, DLNR-DAR, partners with Kurt to expand program

Why?

- ▶ Although Barbless Circle Hooks do not reduce the take of seals and turtles, they are significant in mitigation when the animals are incidentally hooked

Progress

- ▶ Most major tournaments include barbless hook category



Kauai Island

- ▶ Kauai Marine Mammal Response Program: Partnership between NOAA Fisheries and DAR
- ▶ Monk Seal Volunteer Network - **60 active volunteers**
- ▶ Response
 - ▶ Displacement/“Problem” Seals
 - ▶ Disturbance
 - ▶ Entanglements/Hookings
 - ▶ Pupping Events
- ▶ Outreach and Education
 - ▶ Festivals, classrooms, beach intercepts
- ▶ Sea Turtle Response



Oahu Island

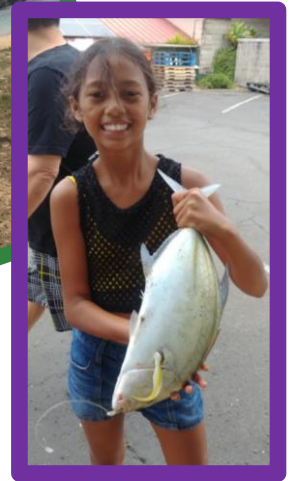
Education/Outreach

- ▶ All Oahu Fishing Tournaments & keiki tournaments
- ▶ Cultural and community events
- ▶ Classroom visits
- ▶ Boy scout programs & Fishing instruction
- ▶ Supply fishing supply stores with outreach material



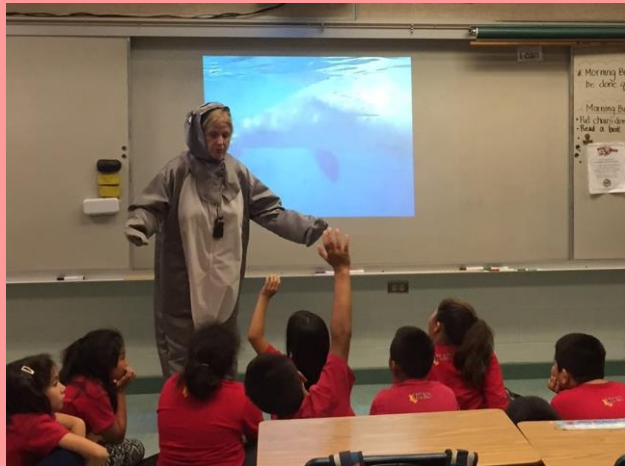
Maui Island

- ▶ Fishing Tournaments
- ▶ Keiki Fishing Tournaments
- ▶ Fishing Supply Stores
- ▶ Community programs
- ▶ Community Events



Hawai'i Island

- ▶ Fishing Tournaments
- ▶ Keiki Fishing Tournaments
- ▶ Fishing Supply Stores
- ▶ Fourth Grade Initiative
- ▶ Community Events
- ▶ Activities



Social Media



Intentional Killing and Harassment



Communications - Press Releases

06/18/18 - DEATHS OF MONK SEALS ON O'AHU PROMPTS ADDITIONAL ADVICE FROM DLNR/DOH

Posted on Jun 18, 2018 in [News Releases](#), [slider](#)

DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

DAVID Y. IGE
GOVERNOR

SUZANNE D. CASE
CHAIRPERSON

For Immediate News Release June 18, 2018



DEATHS OF MONK SEALS ON O'AHU PROMPTS ADDITIONAL ADVICE FROM DLNR/DOH

(Honolulu) – The recent deaths of three critically endangered Hawaiian monk seals on O'ahu due to toxoplasmosis is very sad and could have been entirely preventable, according to a joint statement from the heads of the Hawaii Departments of Health (DOH) & Land and Natural Resources (DLNR).

Cats are the only known reproductive host of the toxoplasmosis parasite. It reproduces in the feline digestive system. Once released into the environment, these eggs can infect

07/10/18 - DON'T FEED THE SEALS SIGNS GO UP AT POPULAR WEST O'AHU FISHING SPOT; ANGLERS ENCOURAGED TO PRACTICE GOOD FISHING TO AVOID MONK SEAL INTERACTIONS

Posted on Jul 10, 2018 in [Aquatic Resources](#), [News Releases](#), [slider](#)

DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

DAVID Y. IGE
GOVERNOR

SUZANNE D. CASE
CHAIRPERSON

For Immediate News Release July 10, 2018



04/17/18 - MONK SEAL PUP SPOTTED PLAYING WITH A DISCARDED KNIFE; PEOPLE REMINDED TO PROPERLY DISPOSE OF DEBRIS

Posted on Apr 17, 2018 in [Aquatic Resources](#), [DOCARE](#), [News Releases](#), [slider](#)

DEPARTMENT OF LAND AND NATURAL RESOURCES News Release

DAVID Y. IGE
GOVERNOR

SUZANNE D. CASE
CHAIRPERSON

For Immediate News Release April 17, 2018



MONK SEAL PUP SPOTTED PLAYING WITH A DISCARDED KNIFE *People Reminded to Properly Dispose of Debris*

(HONOLULU) – Had it been something other than a sharp fishing knife perhaps the video would have been endearing? A Hawaiian monk seal pup named Manu'iwa recently weaned from its mother on a Hawaii Island beach. Staff from Ke Kai Ola, a hospital operated by The Marine Mammal Center at Kailua-Kona and officers from the DLNR Division of Conservation and Resources Enforcement (DOCARE) have been monitoring the pup's health and growth. Back to the knife. Last Sunday the people observing the seal spotted it playing with a bright orange object in its mouth. As they watched the seal dive beneath near-shore rocks and

Next Steps

- ▶ Pursue lay net regulations to reduce fisheries interactions
- ▶ **New Hire:** Marine Protected Species Biologist – Data collection to craft a conservation plan for Monk Seals
- ▶ Work towards an Incidental Take Permit (ITP)
- ▶ HFACT App – Data collection app & protected species reporting
- ▶ Continued Outreach and Education

