

Mo'omomi Community-Based Subsistence Fishing Area ●●○○ Frequently Asked Questions (FAQs) ●●○○

1. WHY DO WE NEED A COMMUNITY-BASED SUBSISTENCE FISHING AREA?

Key subsistence species along the north coast of Moloka'i such as moi, uhu, and kole are declining, while kūmū and ula (lobster) populations have almost disappeared. A Moloka'i Subsistence Task Force Report commissioned in 1994 showed that Moloka'i families rely heavily on subsistence fishing and gathering. We need to restock the ice box and protect the subsistence livelihoods of Moloka'i families and others who depend on this area for food. The Mo'omomi Community-Based Subsistence Fishing Area (CBSFA) draft proposed rules and management plan will ensure that Moloka'i's families and future generations will have the resources to continue to thrive through subsistence practices.

2. WHO IS BEHIND MO'OMOMI'S PROPOSAL AND WHAT WAS INVOLVED IN CREATING IT?

The idea for a community-based subsistence area for Mo'omomi's north coast of Moloka'i first came up during the Moloka'i Subsistence Task Force community meetings.

Formed in 1993, Hui Mālama O Mo'omomi (the Hui) is a volunteer community group that represents the kūpuna, subsistence fishers, gatherers, practitioners, and 'ohana of the Pālā'au Ho'olehua Hawaiian Homestead community and Pālā'au Moku residents. These families have a connection to the proposed area that spans multiple generations. The Hui's mission is to perpetuate local resources essential for the subsistence of present and future generations of Ho'olehua Homesteaders; to maintain subsistence as a viable option in Moloka'i's fluctuating economy; and to encourage young Hawaiians to perpetuate traditional Hawaiian fishing practices.

Over the past 20 years, the Hui has worked with Moloka'i community members, marine scientists, land stewards, teachers, students, scholars, community organizations, elected and appointed officials, and others to develop and refine the proposal. Between 2013-2019, the Hui engaged over 35,000 people through their CBSFA outreach efforts.

40 lawai'a, landowner, & public meetings and workshops

470+ letters of support gathered on Moloka'i and across the state

MO'OMOMI OUTREACH EFFORTS (2013 – 2019)

35,000+ people reached through meetings, field trips, lawai'a camps, publications, and other individual and group engagements, many of which prompted dozens of revisions and compromises to the plan

800+ students reached through lawai'a 'ohana camps, classes and curriculum

In 2014, a moku-wide survey facilitated by `Aha Kiole-Pālā'au Moku revealed that the majority of homestead families expressed their support for the proposal. In 2017, after decades of outreach and proposal development, the Hui submitted the proposal to the State Division of Aquatic Resources (DAR), and the State held public scoping meetings on Moloka'i, Maui, and Honolulu to get feedback about the proposed rules and management plan before the Chapter 91 rule-making process began.

Stewardship and landowner partners continue to be involved, and the Hui continues to provide ongoing culturally-based resource care and management programs for the community.

3. WHAT INFORMATION AND SCIENCE INFORMS THESE PROPOSED RULES?

This proposal has been informed by generational and long-term observations, understanding, and wisdom of kūpuna and fishing families of Pālā'au Moku and Hui members. Since 1995, Hui members have monitored the area from Kalaeoka'ilio through Nihoa Flats. Over 20 years of observations in this area has shown a steady decline in size, population, and catch of ula, kūmū, uhu, kole, and moi. In the Main Hawaiian Islands, evidence from both researchers and resource users also shows that marine resources have generally declined over the past 20 years (Friedlander et al., 2008).



4. HOW DOES THIS PROPOSAL PROTECT TRADITIONAL SUBSISTENCE FISHING PRACTICES?

State law protects and reaffirms “fishing practices traditionally and customarily carried out for purposes of Native Hawaiian subsistence, culture and religion” (Haw. Rev. Stat. §188-22.6). This proposal is designed to use our ancestral knowledge, customs, and traditional practices to ensure marine resources are available to Molokaʻi ʻohana for subsistence, while keeping the marine resources healthy and abundant now and for our children and grandchildren. The proposal focuses on caring for five critical species that Molokaʻi subsistence users identified as important to subsistence. Proposed regulations and specific gear restrictions are meant to ensure these nearshore subsistence resources continue to thrive and the koʻa and traditional subsistence fishing areas are protected. Since the area is a critical nursery, protecting these species will benefit outer areas of the boundary. The proposal shows how the simple application of traditional knowledge and practices can keep marine resources healthy and abundant even though they continue to be harvested.

5. DO THESE DRAFT PROPOSED RULES EXCLUDE PEOPLE FROM FISHING?

No. The proposed rules will apply to everyone equally – no one is excluded from fishing. Unlike Marine Life Conservation Districts (MLCDs) and other Fish Replenishment Areas or no-take areas, the proposed CBSFA rules do not restrict all types of fishing. Subsistence and recreational fishing activities will continue, but they will be guided by traditional and customary fishery management practices.

6. WHAT TYPE OF FISHING/COMMERCIAL ACTIVITIES ARE ALLOWED?

Subsistence and recreational catch of pelagic species is allowed within the proposed boundary. Ulua species and papio (juveniles) are the only nearshore/coastal pelagic species typically found within the one-mile boundary. The proposed rules should not have a large impact on commercial catch of pelagic species, which are typically caught in deeper waters outside of one nautical mile. Commercial harvest of akule and taʻape are allowed within the boundary with the exception of Kawaʻaloa Bay, which is a critical nursery area.

7. WHY THE ONE NAUTICAL MILE BOUNDARY?

State waters extend 3 nautical miles from the shoreline. Traditionally, ahupuaʻa boundaries and fishing grounds extended “from the reefs, and where there happen to be no reefs, from the distance of one geographical mile seaward to the beach at the low water mark.” This one-mile boundary is a fundamental feature of traditional customary management of nearshore fisheries by Native Hawaiians and consistent with current state law (King. Haw. Civ. Code § 384-396 (1859); Haw. Rev. Stat. § 187A-23(a)). In Moʻomomi, the one-mile boundary ensures protection of most of the koʻa and traditional fishing areas. A narrower boundary would not protect the broad range of subsistence fishing practices that occur in this area. An outer boundary based on depth would also be difficult to manage/enforce because the underwater landscape varies greatly along this stretch of coastline.

8. WILL ACCESS TO THE COASTLINE/OCEAN BE AFFECTED?

No, access to the coastline/ocean will continue under the guidelines provided by each landowner and access to the Moʻomomi Pavilion will not be affected. The traditional fishing trails will also remain open to everyone and will continue to be maintained by the Hui.

9. WHAT ABOUT ENFORCEMENT?

This effort will restore traditional values and the ethic of respect that has sustained our fisheries before written law. The Hui will continue to share and educate the community on pono fishing practices. DLNR’s Division of Conservation and Resource Enforcement (DOCARE) is also committed to provide training to community volunteers and anyone interested in how to appropriately observe, document, and report violations.

10. WHEN ARE PUBLIC HEARINGS? There are 3 ways to submit testimony:

ONLINE: Present live video/oral testimony online on **August 19, 2020 from 5:30-9:30pm**. To sign up, please email CBSFA@hawaii.gov at least 48 hours in advance. Please include: email, full name, phone number. Confirmation will be sent with instructions, the meeting link, and call-in number.

WRITTEN: Submit written testimony by **August 26, 2020**. Mail to: Division of Aquatic Resources (DAR), 1151 Punchbowl Street, Room 330, Honolulu, HI 96813 or email: CBSFA@hawaii.gov or DLNR.Aquatics@hawaii.gov

IN PERSON: Testify in person on **August 19, 2020 from 5:30-8:30pm** at Kualapuʻu Charter School Cafeteria, 260 Farrington Ave, Kualapuʻu, Molokaʻi. To register, call (808) 347-0317 or email CBSFA@hawaii.gov at least 48 hours in advance. Masks and social distancing will be required and only 1 person will be allowed in the hearing room at a time.

To view the public hearing online (Aug19): <https://bit.ly/watch-the-moomomi-hearing>. A pre-recorded presentation on the proposed rules will be available one week prior to hearings: <https://dlnr.hawaii.gov/dar>.

For more info or details on neighbor island hearings see: <https://bit.ly/moomomi-hearings>.