

State of Hawaii  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Aquatic Resources  
Honolulu, Hawaii 96813

March 14, 2014

Board of Land  
and Natural Resources  
Honolulu, Hawaii

**SUBJECT:** Request for Approval to Add Funding (\$330,000 Federal, \$20,000 Commercial Fisheries Special Fund) and Extend through FY15 the Department of Land and Natural Resources (DLNR)/University of Hawaii (UH) Contract No. 60379 (Supplemental Contract No. 3) for the Project Titled "Collaborative Administration of the Hawaii Fish Aggregating Device System."

Submitted herewith for your consideration is a request to amend and extend Contract No. 60379 between DLNR and the UH. Supplemental Contract No. 3 will provide \$350,000 in additional funding and allow continuation of the on-going fisheries project titled "Collaborative Administration of the Hawaii Fish Aggregating Device System." Supplemental Contract No. 3 extends the project from July 1, 2014 through June 30, 2015, and provides \$330,000 in Federal funds from a U.S. Fish and Wildlife Service Wildlife and Sport Fish Restoration grant and \$20,000 in LNR 153 Commercial Fisheries Special Fund. The State Special Fund provides a portion of the total required State match (\$110,000) with the UH providing the remaining match. The Fish Aggregating Device (FAD) project is under the direction of Dr. Kim Holland of the UH's Hawaii Institute of Marine Biology.

The FAD project maintains and improves the popular statewide FAD system and makes it more cost-effective. The scope of the project remains the same as FY14, with FAD fabrication and deployment continued, as well as the maintenance of the FAD public information system. Ongoing FAD-related research will continue regarding the impact of FADs on Hawaii's pelagic fish resources, especially the influence of FADs on movements and distributions of tuna and marlin in Hawaiian waters. The overall efficacy of the FAD system will continue to be examined and improved by modifying mooring strategies based on analysis of previous deployment results.

Supplemental Contract No. 3 to Contract No. 60379 is currently being reviewed by the UH, and thereafter, will be submitted to the State's Department of the Attorney General for final approval as to form.

Chapter 343 – Compliance with Environmental Law:

Contract No. 60379 involves the use of state lands (submerged lands zoned in the Conservation District, Resource subzone) and use of state funds. The Department prepared a programmatic

environmental assessment (PEA) for the Fish Aggregating Device System in May 2012. The Department was the authorizing agency for purposes of compliance with Chapter 343, HRS, and determined a finding of no significant impact (FONSI) for this project. Because the PEA was approved, no exemption is being claimed or provided.

RECOMMENDATION:

Based on the attached proposed declaration of exemption prepared by the department after consultation with and advice of those having jurisdiction and expertise for the proposed actions under the contract:

1. That the Board declare that the actions which are anticipated to be undertaken under this contract will have little or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Upon the finding of the department's analysis by the Board, that the Board note a PEA was approved, so no exemption is being claimed for purposes of recordkeeping requirements of Chapter 343, HRS, and Chapter 11-200, HAR.
3. That the Board authorize the Chairperson to negotiate and, subject to necessary approvals, amend and extend Contract No. 60379 (Supplemental Contract No. 3) with the University of Hawaii for the project titled "Collaborative Administration of the Hawaii Fish Aggregating Device System."

Respectfully submitted,



FRAZER MCGILVRAY  
Administrator

APPROVED FOR SUBMITTAL:



WILLIAM J. AILA, JR.  
Chairperson

Attachment

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF AQUATIC RESOURCES  
1151 PUNCHBOWL STREET, ROOM 330  
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WILLIAM J. AILA, JR.  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ESTER KIA'AINA  
FIRST DEPUTY

WILLIAM M. TAM  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

March 14, 2014

TO: Division of Aquatic Resources File

FROM: Frazer McGilvray, Administrator

SUBJECT: Notice of Determination of Compliance with Chapter 343, HRS and Chapter 11-200 HAR, for Collaborative Administration of the Hawaii Fish Aggregating Device System.

Project Title:

Request for Approval to Add Funding (\$330,000 Federal, \$20,000 Commercial Fisheries Special Fund) and Extend through FY15 the Department of Land and Natural Resources (DLNR)/University of Hawaii (UH) Contract No. 60379 (Supplemental Contract No. 3) for the Project Titled "Collaborative Administration of the Hawaii Fish Aggregating Device System."

Project Description:

The Fish Aggregating Device (FAD) project maintains and improves the popular statewide FAD system and makes it more cost-effective. The scope of the project remains the same as FY14, with FAD fabrication and deployment being continued, as well as the maintenance of the FAD public information system. Ongoing FAD-related research will continue regarding the impact of FADs on Hawaii's pelagic fish resources, especially the influence of FADs on movements and distributions of tuna and marlin in Hawaiian waters. The overall efficacy of the FAD system will continue to be examined and improved by modifying mooring strategies based on analysis of previous deployment results.

Finding:

The Department prepared a programmatic environmental assessment (PEA) for the Fish Aggregating Device System in May 2012. The Department was the authorizing agency for purposes of compliance with Chapter 343, HRS, and determined a finding of no significant impact (FONSI) for this project. Because the PEA was approved, no exemption is being claimed or provided.