

	FMA/FRA	CBSFA
Purpose	<ul style="list-style-type: none"> Establish areas to manage, preserve, protect, conserve, or propagate fisheries/ marine life 	<ul style="list-style-type: none"> Create designation to carry out fishery management strategies to protect traditional and customary fishing practices carried out for the purpose of Native Hawaiian subsistence, culture, or religion.
When Appropriate	<ul style="list-style-type: none"> Rules are needed to sustain or restore one or more types of fisheries due to the intensity of fishing or fragility of habitat There are declining populations of target species, low numbers, of large individuals, declining catch per unit effort by fishers, or fishing damage to habitat. Protect areas critical to fish spawning or as nursery areas during vulnerable life stages of aquatic species Reduce impacts to marine species or habitats due to ease of public access, fragility of the environment, and/or types and increases in public use i.e. replenishment area 	<ul style="list-style-type: none"> Human uses of marine waters negatively impact the species and/or habitats important to Native Hawaiian subsistence culture and religion. Human uses of the marine environment impede traditional fishing practices from being carried out Existing regulations fail to sustain marine resources important to Native Hawaiian subsistence, culture and religion.
Benefits of Designation	<ul style="list-style-type: none"> Involves rule making Rules may be proposed by DLNR or any other group or member of the public Manages marine resources to sustain fisheries Mitigates conflict between fishery users Rules designed sustain fisheries 	<ul style="list-style-type: none"> Involves rule making Rules and management plan may be proposed by a community organization Gain formal recognition of community based stewardship responsibilities Results in a collaborative marine resource co-management partnership between community group and the DLNR Rules designed to meet subsistence fishing need

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Obligation of Designation	<ul style="list-style-type: none"> • Proposed rules apply equally to all, no exclusion of outsiders • DLNR retains management authority • No community enforcement powers • Requires public engagement and support for rules • Provide supporting evidence to justify designation/ proposed rules (i.e. monitoring) 	<ul style="list-style-type: none"> • Proposed rules apply equally to all, no exclusion of outsiders • No community enforcement powers • DLNR retains management authority • Requires public engagement and support for rules, especially amongst local traditional subsistence practitioners • Provide supporting evidence to justify designation/ proposed rules • Demonstrated customary nature of fishing practices sought for protection • Proposing community group is an incorporated organization, or is sponsored by an incorporated organization • Conduct education and outreach • Commit to adaptive management- monitoring and evaluation activities, Rule review/ revision schedule • Be able to justify the designation/ proposed rules (i.e. monitoring) • Seek funding and other support necessary to implement CBSFA management plan.
Suggested Resource/ Capacity Needs (seek)	<ul style="list-style-type: none"> • Community organizing/ stakeholder engagement • Meeting planning and facilitation • Monitoring support 	<ul style="list-style-type: none"> • Respected community leadership • Experience in traditional resources management and cultural education • Organizational governance • Community organizing/ stakeholder engagement • Meeting facilitation • Management planning • Monitoring and evaluation support • Outreach and communication skills

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State Supported Management Strategies	<ul style="list-style-type: none"> • Restrict the level of public use i.e. replenishment areas, refuges (provide supporting evidence to demonstrate necessity or benefits of prohibiting activities) • Regulate fishing activities/ harvest (provide supporting evidence to justify fishery management strategy) <ul style="list-style-type: none"> • Open and closed seasons • Regulate gear types • Bag and size limits • Establish fishing reserves/ refuges 	<ul style="list-style-type: none"> • Regulate extractive activities that damage marine resources important to Native Hawaiian subsistence, culture and religion <ul style="list-style-type: none"> • Establish open and closed seasons • Regulate gear types • Bag and size limits • May* prohibit non- extractive activities that disturb, degrade, or alter the marine environment important to Native Hawaiian subsistence culture or religion, or which impede the exercise of traditional and customary fishing practices (*except a high burden of proof linking claimed negative impacts to their alleged cause when seeking this type of regulation under CBSFA authority)