



## **Report of the Mariana Archipelago and Pacific Pelagic Advisory Panels Meeting**

Saturday, March 3, 2012  
Fiesta Resort, Saipan, CNMI  
8:30 a.m. – 5:00 p.m.

### **1. Welcome and Introductions**

Jesse Rosario and Cecilio Raiukiulipiy, co-Chairs, opened the meeting at 8:30 a.m.

Advisory Panel (AP) members in attendance also included: Dave Lewis, Peter Perez, Ray Mafnas, Bill Bradford, Pete Gervacio, Tom Camacho, Felix Reyes, Pete Itibus, Richard Farrell, Mike Fleming, Stan Taisacan, Ambrosio Ogumoro, Cliff Kyota, Vic Artero, Julian Flores, Mike Duenas, Steve Meno, Ken Borja, Dale Alvarez, Ian Sanchez, Robbie Cabreza, James Borja, George Moses, Gary Sword and John Gourley.

Also in attendance were Mike Trianni, Sean MacDuff, Andrew Torres, John Calvo, Manny Duenas, Marlowe Sabater, Joshua DeMello, Richard Seman, Steve McKagan, Richard Seman, Michael Tenorio, Neil Kanemoto, Arnold Palacios, Eric Kingma and Kitty Simonds.

Manny Duenas, Council Chair provided a welcome and overview to the AP meeting.

### **2. Status of 2011 Meeting Recommendations**

Joshua DeMello, Council staff, gave the status of the recommendations of the Marianas AP's 2011 meeting.

### **3. Advisory Panel Duties**

#### **A. Advisory Panel Report on Marianas Fishing and Fisheries**

Rosario and Raiukiulipiy asked the AP to provide a report on fishing in the Marianas Archipelago. Rosario kicked off the report by saying that the recent increase in gas prices have been affecting the fishing, and increasing the participation in coastal fishing rather than people traveling to the offshore banks.

Stan Taisacan reported on Rota fishing and said that it has been good, but the shark depredation is pretty bad these days. He said that the mahi season hasn't been as good because the sharks are taking the fish and following the boats.

Richard Farrell provided a report from Tinian and said that they have discovered four nesting sites of turtles in Tinian. After reporting this to the Navy, they were told that there are no records of turtles nesting in Tinian, so they had to show them the nests. He noted that the Tinian nesting sites in military areas will be a concern for Tinian.

Pete Itibus said the military training has been expanding and increasing, particularly around FDM, which is a big fishing ground for the CNMI people. This is a priority concern of the CNMI fishermen. Mike Fleming added that FDM is the most fertile mafute grounds and recommended sharing FDM with the military, where the fishermen would be allowed to fish during the calm season and then military training could happen during rough weather. Felix

Reyes suggested that the military use another island to train, but Ray Mafnas said the CNMI would rather have them stop all together and not offer another island.

Cecilio Raiukiulipiy said that there is a need to have a study of nuclear effects on fishing and fish in CNMI waters.

Mafnas talked about the Marianas Trench Marine National Monument (MTMNM) and the need for community involvement in the management process. John Gourley echoed Mafnas' concerns regarding the monument and the draft vision statement that was developed independent of the CNMI people. He noted that there were concerns about transparency and participation in the monument process and discussion.

Mafnas also noted that the U.S. is supposed to pay for expenses for CNMI/Guam to sit on the Western and Central Pacific Fishery Commission. He said that the Marianas people need to make sure they are involved and participating.

### **B. Communications and the Role of the Advisory Panel**

Joshua DeMello, Council staff explained the Council's Communication Framework developed by an independent contractor to guide the Council's outreach program. He noted the major talking points and objectives and said that it was important for all of the Council's advisors to be on the same page when it came to presenting the Council's message to the public.

DeMello also explained the role of the advisory panel and stressed the importance of their duties. He noted that the AP is the Council's eyes and ears in the community and that they need to be continually working on communicating the concerns of the community to the Council and the Council's message to the community.

### **C. Developing a Calendar of Events and List-serve**

DeMello also solicited information through an informal survey to both update their information and get an idea of the AP's interest and use of new technology such as social media. He presented the Council's AP site/family site and also the Council's facebook page. He also requested that the AP provide events events that the Council can participate in or events that are going on throughout the year where the staff can provide assistance.

The AP liked the site and noted the ease of access to the documents for the meeting and agreed that this way was the best to get information to them.

## **4. Upcoming Council Actions**

### **A. Annual Catch Limits**

Marlowe Sabater, Council staff, presented a brief history and update on the Annual Catch Limit (ACL) mandate. He also presented the Council's final recommendation and published specifications for ACLs in the Marianas Archipelago.

### **B. Federal Regulations for the Marianas Trench Marine National Monument**

Eric Kingma, Council staff, presented options for fishery regulations for MTMNM being considered by the Council. Amongst these options were those for limiting reimbursements for customary exchange as well as bag limits for coral reef, bottomfish, and pelagic species.

The AP was concerned with putting hard limits on the catch and reimbursement. Costs increase for their trips and a set limit would not allow for appropriate reimbursement in the future. They also noted that bag limits would not be feasible because any number set for the catch may not be enough for the community, depending on the reason for fishing. A low bag limit may also limit or eliminate participation in the fishery due to the feasibility and logistics needed to fish there making it uneconomical, or a “waste of time,” for such few fish.

### **C. Cooperative Research Priorities**

Sabater presented on the Council’s current cooperative research priorities and an explanation of funding for these priorities. He also solicited for new priorities for the Council to review at a future meeting this year.

The AP had questions on why there was a need for shark depredation studies in the priorities. They already know it’s a problem. Staff responded that someone needs to quantify the problem and to develop ways to mitigate and bring more fish on the boat.

The AP also had concerns about the NMFS PIRO document “sharks of the Marianas Archipelago.” They didn’t agree with many of the statements made in the document that sharks may be susceptible to depletion. They agreed to recommend the Council request PIRO to revise the document to be more accurate with their statements regarding fishing and the susceptibility to depletion by fishing.

## **5. Marianas Fisheries Status**

### **A. Review of the Current Status of the Mariana Fisheries**

Sabater presented information on historical and current catch from the available data sets being collected in Guam and CNMI. He noted that the data is what we have, but the interpretation needs to be made and the AP should be contributing to the interpretation of trends in the data;

The AP agreed that they need to be included in the interpretation and would like to be included in the review of the annual report prior to the Council providing it to the public.

Sean MacDuff, Council intern, presented on CNMI fisheries and trends. He noted the data collected is from the western side of Saipan but estimated for the whole archipelago. He noted the limitations of the data and that the Council is working with Division of Fish and Wildlife (DFW) to improve the quality of the data.

Rosario asked about double counting of fish in fishery independent surveys. Michael Tenorio, DFW staff, explained the methods used for the survey to compensate for possible biases.

### **B. Update of EFH/HAPC for Territorial MUS**

Steve McKagan, NMFS PIRO, presented on the EFH and HAPC being refined for the territorial Management Unit Species.

The AP noted that they would like to be able to provide comments on the report. Staff noted that they will provide the notice for comments on the AP website as well as by email.

### **C. Stock Assessment for Territorial Bottomfish MUS**

Council staff noted that a stock assessment for the bottomfish of Guam and CNMI was currently being revised and will be provided to the AP when it was completed.

## **6. Reports on Local Projects**

### **A. Marianas Spearfishing Assessment**

John Gourley, Micronesian Environmental Services, presented on a Council sponsored project to characterize the Marianas spearfishing fishery and a NMFS project to collect life history (biosampling) information from the commercial fishery catch in the CNMI. He noted that the spearfishing fishery is different between each of the island areas, particularly the market channels for the spear-caught fish. He also presented all the data he has to date for the biosampling project and noted that they have developed length-weight regressions for many of the species and has thousands of samples from the first year.

The AP discussed options for the project to pay for samples, but Gourley said that them buying samples creates a market that is otherwise not there and would not allow them to utilize the data to characterize the existing fishery.

The AP also recommended that this type of data should be utilized by the Council for revising the ACL specifications in the future.

### **B. Marianas Bottomfish Tagging Project**

James Borja presented on a NMFS PIFSC and Pacific Islands Fisheries Group (PIFG) project to tag and recover bottomfish to determine movement, growth, and connectivity in the Marianas. He noted it was modeled after a similar project in Hawaii and that they have already started the tagging of fish. He encouraged the AP to let the fishing community know that these tags are out there and if they recover one to provide the needed information to the project leads identified on the outreach material provided.

### **C. Marianas Small-boat Socio-Economic Survey**

Borja also presented on a second project sponsored by NMFS PIFSC and in collaboration with PIFG to understand the economic and social characteristics of boat-based fishing in Guam and CNMI. The data being collected and analyzed currently, said Borja, are important for establishing baselines for assessing the economic and social impacts of future management plans, management alternatives and actions. He noted that preliminary results are currently available and published in a brochure developed by NMFS PIFSC, and surveys are still being collected and the data will continue to be analyzed. So far, 260 fishermen have completed the surveys and information on what is done with the catch, the value of fishing, and information on boat fishing trips, catch and gear, and boat profiles have been recorded.

## **7. Recreational Fisheries and NMFS Regional Action Plan**

Andrew presented the NMFS National Saltwater Action Plan and described the development of a regional plan for the Pacific Islands. He noted the goals and objectives of the national plan and how NMFS PIRO is planning on meeting these goals utilizing local projects. The first step for developing projects outside of Hawaii is for PIRO to bring recreational fishermen together in a mini-recreational fishing summit in 2012.

The AP noted that they are not recreational fishermen because they don't play with their fish. They fish for food, so this important distinction needs to be made and would like to participate if they are talking about non-commercial fishing instead of recreational fishing.

## **8. Community Fishery Issues**

### **A. Marianas Trench Marine National Monument Update**

Arnold Palacios, MTMNM Advisory Committee member, reported that the MMAC met for the first time in three years last Friday (February 24), with representatives from NOAA, USFWS, and Monument Advisory Committee (MAC) members. He noted that it wasn't a formal meeting and it was for the groups to get together and know who each other were and to share what each group believes their role is in the MAC (including the roles of the Navy and USCG). He said that the commonwealth believes they should be more than just advisors, but a management partner with co-management responsibilities because they are developing management and research plans and the CNMI wants to have a say on how/who is going to use the monument and how they are going to benefit from it. He also said that they will meet again in June to discuss more issues.

David Lewis asked about the proposed monument visitor's center at the lighthouse. Palacios said that they are undergoing an evaluation of the building and is having a contractor do an assessment on the building to see if there is anything that would prevent the center from going up (because its on the national register of historic places).

Stan Taisacan asked if wildlife issues would be addressed because the 3 northern islands are being planned for eco-tourism. He said this could have a huge impact on the pristine wildlife resources on land (fruit bat, coconut crab, the land itself). He also said that it was important to have visitor's centers on each of the islands, because the people of Rota, Tinian, and Guam may not be able to afford a trip to Saipan to go to the visitor's center.

Mike Fleming asked about the potential for mineral extraction? Palacios said that they are pushing for the CNMI to have a say on whether or not mineral extraction can occur.

The AP also discussed the necessity of federal funding for baseline/characterization studies prior to any of the activities being permitted in the MTMNM so that the community, scientists, and managers know what the current condition of the areas are and can properly assess potential impacts of the activities.

### **B. Military Issues**

The AP provided the following issues and discussion regarding military activities and impacts to the fishing community:

Farallon De Mendanilla (FDM) training exercises

- This is a good fishing area, particularly for mafute, and the training exercises completely close the fishing grounds. The military wants to extend the boundaries of the closed area, but that would encompass all of the available fishing areas. The AP noted that there are not that many opportunities to fish in that area because access is restricted not only by the military exercises, but also the weather. It would best if those days that are good for fishing was made available for fishing and those other days the military could have exclusive use.

Training Area W517 in Guam

- The AP noted that this a training range in the south that is used weekly by the military. The use of the area is noticed to boaters, but because of its frequent use, there aren't

many days available for the use of the area, again because of weather. This training area also includes one of the few fishing banks in the south that is available to the Guam fishermen. The AP suggested that due to the frequency of training at W517, it would be better if the range could be relocated to the east by 30 miles.

#### Guam Firing Ranges

- There are live firing ranges on land that face out to the ocean and require a closure of five miles out to sea (and approximately one mile in between points) on Guam. Fishermen and other boaters need to travel five miles out to the open ocean (and then back in) to go one mile to their fishing grounds in the north.

#### Mariana Islands Testing and Training

- The U.S. military has a testing and training area that extends from Palau to Maug (inclusive of all waters in the EEZ) and can be utilized by the military at any time and without notice to fire weapons for training exercises during travel in this area. The AP had concerns that the fishing fleet in Guam and CNMI, consisting mainly of small boats, may not be (or mistakenly) identified and could be put in danger.

#### **C. Update on Proposed Guam Fisheries Act**

Manny Duenas, Guam Fishermen's Cooperative Association President, presented an update on the proposed Guam Fisheries Act. He presented on plans for providing Guam with a suite of regulations that provide for added protection of both Guam's resources and its fishermen. The act is a proposal by the GFCA and is being reviewed by a few legislators for possible introduction.

The AP had questions about discrimination. Duenas said that it is not discrimination because it is based on a control date not race/ethnicity.

#### **D. CNMI Fisheries Regulation Review and Improvements**

Richard Seman, DFW, presented on the regulation review and improvements being planned by the CNMI government. He noted that this improvement is looking at allowing DFW to promulgate regulations to require commercial fishermen and commercial fishing vendors to report their catch and sales. They are also looking at reviving act 251, the CNMI Fisheries Act, and that due to ACLs, it is time for the CNMI to ensure that they are getting their fair share.

#### **E. CNMI Aquaculture**

Gary Sword, Guihan Pasifiku, presented on plans for aquaculture and offshore aquaculture in the CNMI. His group, Guihan Pasifiku, is busy writing proposals for funding projects on feed, potential sites, and potential species. They have plans to start with rabbitfish culture and grow-out with eventual commercial production. They have many partners in this project, including partners at Sea Grant, NOAA, and the NMC CREES, and are looking for funds to pay for contractors to develop proposals.

The AP asked if there were any potential investors? Sword said a bank offered funding but they wanted it speeded up by 18 months, so they declined. No other investors yet because this is the first time they are talking about this in public.

The AP asked if they had any idea of where they would like to put the project? Sword answered that they have some potential sites, based on preliminary investigations of the bathymetry of the islands, and are looking at both Tinian and Saipan, but Rota is probably off the table because it doesn't look like the conditions there are suitable for offshore aquaculture. However, they are awaiting potential grant funds to actually look at these potential areas and create a list of areas, that will be made available to the public, where aquaculture should have a high chance of success.

The AP was also concerned that the typhoons that pass through may cause a large amount of problems with this project and inquired how they would work around that? Sword noted that the technology is available, such as submersible cages, which can be used that have been tested in this type of weather.

The AP also noted that fishermen might find it competition or a restriction to their areas. Sword noted that they are willing to work with the fishermen to address their concerns and that projects in Hawaii have been beneficial to fishermen by providing additional fishing opportunities.

#### **F. Fisheries Development: Community FAD Projects in Hawaii**

Kingma presented on the Council's Community FAD opportunity and provided some of the results from the current FADs deployed in waters off Hawaii. He noted that these FADs are available to any community that fills out the questionnaire on the Council's website and the Council will consider providing funding for the FAD depending on the priorities for research and area placement that the Council has developed. He also reported that the this project has been successful in each of the areas the FADs have been deployed.

#### **G. Other Issues Listed by AP**

Rosario and Raiukiulipiy asked for further issues from the AP. There were no further issues.

Rosario proposed wanted to know the interest of the AP to work together to apply for MET funding-for signage/billboards for weather notices (with a code system aligned with marine safety folks)-warn fishing folks before they go out. He suggested that funding for the AP could also be used to do outreach on fishing regulations/scoping meetings. He stressed the AP needs to take advantage of the opportunity to fund their potential ideas as well as the community's ideas.

#### **9. Modern Fishing Methods Presentation and Demonstrations**

Neil Kanemoto, PIFG, provided demonstrations on the types of modern fishing methods that were low-fuel consumption (i.e. jigging) that the Marianas fishermen may want to test to help with the fuel cost problems. He also provided an introduction to methods/gear that will help increase strike/catch opportunities (red-eyes, green stick, good hooks, glitter wings, etc) if they do use high-fuel consumption activities (i.e. trolling).

#### **10. Other Business**

Due to the following public comment, the AP entertained discussion regarding the existing bottomfish fishery regulations for the CNMI. There were some members requesting the removal of the vessel size limit to allow the vessels to fish closer to shore. Other AP members noted that the discussion and justification for the regulations was a long process that included everyone and before the regulations are just changed, they need to go back to the public to determine its necessity.

Council staff pointed out that this issue was raised a few years ago and the Council went through the process and decided not to revise its regulations at that time. They also noted that the Council may be willing to look at this issue again, particularly if there are other options that the AP may want to look at. The AP agreed to recommend the Council look at options like grandfathering-in existing vessels to the regulations or developing control dates.

### **11. Public Comment**

Russ Schow, CNMI fisherman, commented that the Council's bottomfish regulations should be revised to allow larger vessels to fish closer to shore due to the rising fuel costs.

### **12. Discussion and Recommendations**

The Marianas FEP and Pelagic FEP Advisory Panels made the following recommendations to the Council:

#### **Marianas Archipelago FEP**

##### *Regarding Sharks in the Marianas*

1. **The Marianas FEP AP reviewed the NMFS PIRO document "Sharks of the Mariana Archipelago" and recommended the Council forward the following concerns to NMFS for immediate revisions:**
  - **The AP cautions that the document provides information on sharks based on false/limited and dated scientific information;**
  - **The document implies that there "could be" or "may be" a problem. It also implies that the fishing community could be guilty of these problems, even though there is no shark fishery in the Marianas. The document also states that there is no data available but is susceptible to overfishing. Revisions to the document should be made to remove these types of statements in the document.**

##### *Regarding Marianas Marine National Monument (MTMNM):*

2. **The Marianas FEP AP recommended the Council adopt alternatives:**
  - **Trip Cost Reimbursement Limits-A.2(g), no trip cost reimbursement limits**  
Trip cost limits can not be fixed due to the fluctuating costs (i.e. fuel).
  - **Bag Limits-B.2.1(g) no bag limits for non-commercial fishing of coral reef species; B.2.2(h) no bag limits for non-commercial fishing of bottomfish; B.2.3(k) no bag limits for non-commercial fishing of pelagic species;**  
Bag limits may limit potential participation from the outset.
3. **The Marianas FEP AP recommended the Council support CNMI's effort to gain co-management responsibilities of the MTMNM and further recommends the Council strongly insist with NMFS and USFWS that Guam be a participant in this process.**
4. **The Marianas FEP AP recommended the Council request the Federal partners of the MTMNM (NMFS/USFWS) develop a MTMNM information/visitor centers and or offices on each of the populated islands of the Mariana Archipelago to provide education and outreach on the monument, particularly to those communities that will not be able to afford a trip to the planned visitor's center in Saipan.**



5. The Marianas FEP AP recommended that the Council request the Federal partners of the MTMNM (NMFS/USFWS) provide funding for a baseline characterization of the MTMNM be done prior to the permitting of any activities in any of the monument units.
6. The Marianas FEP AP recommended the Council request the Federal partners of the MTMNM (NMFS/USFWS) collaborate with the CNMI government on any scientific research in the MTMNM and provide all scientific information available to date to the governments of the Mariana islands AND the public regarding past and present research in the MTMNM.

*Regarding Military Issues:*

7. The Marianas FEP AP recommended the Council forward its concerns to the military regarding:
  - Military training at Farllon De Mendanilla (FDM)-The AP would like to be allowed to fish during the calm weather periods of the year, with the military utilizing FDM during the periods of the year when weather is too bad for fishing; The AP also recommended against expanding the training zone around FDM beyond its current limits because all of the fishing grounds would be incorporated with the proposed extension.
  - Guam training area W517-The AP would like the US military to move its boundaries for training at W517 30 miles to the east to avoid conflicts with fishermen at the southern fishing banks.
  - Guam Firing Ranges-The AP is concerned with the firing ranges on Guam that point out to sea as it causes long and costly detours to avoid the closed firing range areas just to get out to the fishing grounds.
  - Mariana Islands Training and testing areas-The AP is concerned with any potential live fire training in open waters in the training area from Palau to Maug as the military is traveling in the area. The AP would like to be notified of any possible training to avoid any conflicts that may occur during unannounced training and live fire exercises.

*Regarding Marianas Fishing Data:*

8. The Marianas FEP AP recommended circulating the Marianas Annual Report for comments on interpretations to the AP prior to the Council finalizing the document for public dissemination.

*Regarding Coral Reef Fishery Issues:*

9. The Marianas FEP AP recommended the Council communicate with NMFS PIRO and the Governments of Guam and CNMI regarding the appropriate use and limitations of L50 as a management tool as being promoted in the Marianas.
10. The Marianas FEP AP recommended the Council request NMFS to produce published/peer-reviewed reports utilizing the data being collected by the NMFS bio-sampling program that can be used for both stock assessments and the revision of the ACLs.

*Regarding Existing CNMI BF Regulations:*

- 11. The Marianas FEP AP recommended the Council explore options for removing the restrictions on the vessel size limits in the existing NMI BF regulations for existing vessels, including the potential for grandfathering-in existing large vessels that have historically participated in the fishery.**

**Program Planning**

*Regarding Cooperative Research:*

- 12. The Marianas FEP AP recommends the Council continue to prioritize, and pursue funding for, the shark depredation and Nearshore FAD studies under the Council's cooperative research priorities.**

*Regarding Annual Catch Limits:*

- 13. The Marianas FEP AP recommended the Council continue to revise, and incorporate other data streams, the ACLs for the Marianas for a better specification next year. The AP further recommends the Council request NMFS to provide funding for data collection programs, and public outreach that are used for ACLs.**

The meeting adjourned at 4:35 p.m.