



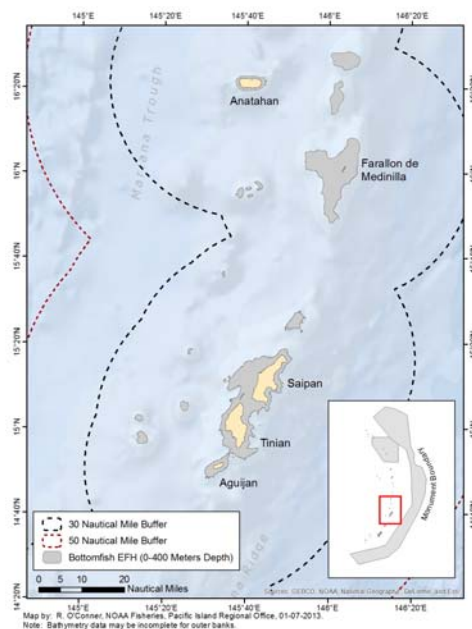
Options to Modify the CNMI Bottomfish Large Vessel Closure

February 21, 2014

Purpose and Need

The purpose of this measure by the Western Pacific Fishery Management Council (Council) is to consider reducing the 50 nautical mile area closure for vessels longer than 40 feet targeting bottomfishing around the southern Islands of the Commonwealth of the Northern Mariana Islands (CNMI). The intent of the action is to reduce economic and social impacts to the local bottomfishing fleet while increasing efficiency and performance of the fishery.

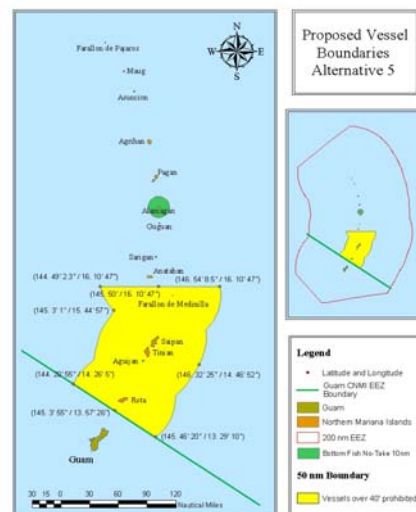
Need for this measure was raised by local CNMI bottomfish fishermen and Council advisors claiming that the initial concern of large vessels, operated by non-residents, entering the Mariana Islands bottomfish fishery did not materialize and, thus, probably would not have impacted the small trailer boat fleet as projected. However, contrary to this perspective, Amendment 10 may have deterred interest from new non-residents fishermen to consider entering the Guam or CNMI bottomfish fisheries.



Background

In 2009, the Council passed and implemented Amendment 10 to the Bottomfish FMP to address concerns raised by the fishing community that large vessels displaced from Guam’s 50 nm closure for vessels longer than 50 feet would be forced to fish in CNMI waters. Concern over potential increased fishing activity and negative impacts, such as catch competition on other conflicts, to CNMI small vessel bottomfish fleet operating primarily in the southern portion of the CNMI archipelago, the Council considered establishing a similar large vessel area closure around the islands of Saipan, Tinian and Rota.

Amendment 10 to the Bottomfish FMP created the 50 nm area closure for vessels longer than 40 feet around the southern islands of CNMI along and a 10 nm closure around the island of Alamagan. Regulations also require these fishermen to obtain a permit from NMFS PIRO and report their catch within 74 hours after the fishing occurs. This action supported the following objectives: 1) to ensure that adequate information is routinely collected on CNMI’s offshore bottomfish fishery; 2) to provide for sustained community participation



in the CNMI bottomfish fishery; and 3) to encourage the consistent availability of locally caught deepwater bottomfish to CNMI markets and consumers.

The closure affected the owners and operators of vessels that commercially fish for and land bottomfish management unit species (BMUS), who were forced to fish farther from land, resulting in increased fuel and supply costs, poorer quality landed fish, and less fish available locally overall. Since the establishment of the federal permitting requirement, a total of 27 permits have been issued. There have been 26 unique permit holders. A total of 10 boats have been permitted for 2 or more years and a total of 3 boats have been permitted for 3 or more years. In 2013, 5 federal bottomfishing permits have been issued and with one vessel being larger than 40ft in length. Guam has no permit or reporting requirements to fish BMUS in their EEZ waters.

Summary of Permits Issues and Number of Vessels over 40 feet in Length

Year	Number of Permits	Number of Vessels over 40 ft
2009	3	1
2010	12	4
2011	9	1
2012	13	0
2013	5	1
Total	41	7

List of Federal Bottomfish Management Unit Species

Species name	Common name	Deep or shallow
<i>Aphareus rutilans</i>	Lehi	Deep
<i>Aprion virescens</i>	Uku	Shallow
<i>Caranx ignobilis</i>	Giant trevally	Shallow
<i>Caranx lugubris</i>	Black trevally	Deep
<i>Epinephelus fasciatus</i>	Blacktip grouper	Shallow
<i>Etelis carbunculus</i>	Ehu	Deep
<i>Etelis coruscans</i>	Onaga	Deep
<i>Lethrinus amboinensis</i>	Ambon emperor	Shallow
<i>Lethrinus rubrioperculatus</i>	Redgill emperor	Shallow
<i>Lutjanus kasmira</i>	Blueline snapper	Shallow
<i>Pristipomoides auricilla</i>	Yellowtail snapper	Deep
<i>Pristipomoides filamentosus</i>	Opakapaka	Deep
<i>Pristipomoides flavipinnis</i>	Yelloweye opakapaka	Deep
<i>Pristipomoides seiboldi</i>	Kalekale	Deep
<i>Pristipomoides zonatus</i>	Gindai	Deep
<i>Seriola dumerili</i>	Amberjack	Shallow
<i>Variola louti</i>	Lunartail	Deep

The development and implementation of annual catch limits (ACL), as mandated by Congress through the 2006 re-authorization of the MSA, is applied in this fishery for 2013 and 2014 based on the NMFS PIFSC Stock Assessment Update of the Status of Bottomfish Resources of American Samoa, the CNMI and Guam, 2012. Report on recent bottomfish catch histories in Guam and CNMI show that landings have been well below the established ACLs in both areas. In CNMI, the fishery recorded 16,665 pounds of BMUS landed which

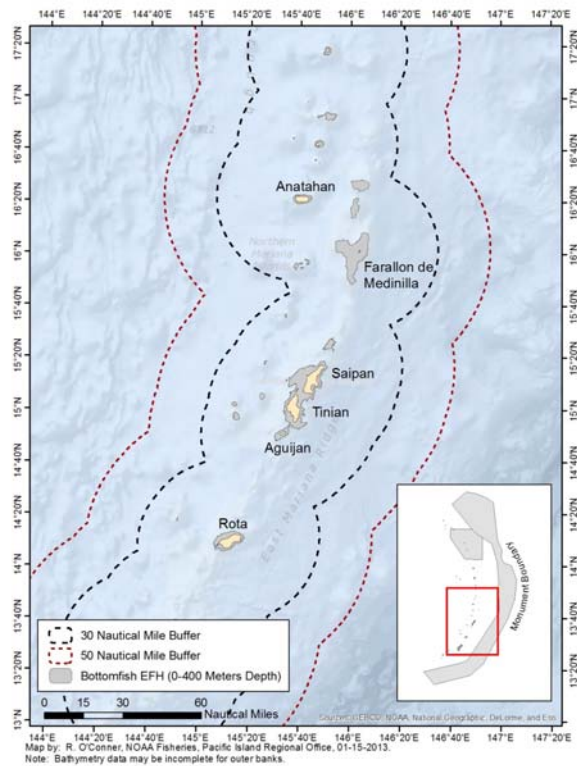
represents only 5.8% of the 288,000 pound ACL. In Guam, a total of 24,108 lbs of bottomfish were reported landed representing 36% of the ACL. Clearly these fisheries are operating well below their maximum threshold set by their respective ACLs.

Assessment Factor	CNMI	GUAM
2012 Recorded Catch	16,665 lbs	24,108 lbs
Annual Catch Limit (ACL)	288,000 lbs	66,800 lbs
2013 P* - Level of risk for overfishing	28%	28%
2014 P* - Level of risk for overfishing	39%	40%

Public and Council Engagement on this Issue

In June 2012 at its 154th meeting in Honolulu, the Council recommended staff to hold formal scoping meetings to consider reducing the size of the large vessel bottomfish fishery closure around the southern islands of CNMI from 50 to 30 nm. From that, staff worked with the NMFS, CNMI DFW and advisors to further vet this issue for development of an options paper. A review was conducted of the entry and exit patterns of bottomfishing vessels in CNMI which are required to maintain federal permits and report catches on per trip basis. Based on this analysis, very few vessels larger than 40 feet were permitted to fish in the CNMI area for bottomfish. At the time, all the vessels whose bottomfish permits expired in 2013 were well under 40 feet, with an average overall length of 19.7 ft. This small boat bottomfish fishery is consistent with the finding of the Mariana Islands Small Boat survey that was recently conducted by NMFS PIFSC. A couple of the vessels over 40 feet have been resident local vessels but are no longer permitted to fish for bottomfish in CNMI. Two of the prior permitted bottomfishing vessels were transfer longline vessels from Honolulu which have since returned to Honolulu to fish pelagic longline.

Staff also worked with NMFS to map the bottomfishing habitat areas (200 fathom contour) within the existing 50 mile closure and proposed 30 mile closure to determine to what extent bottomfish habitat areas would become available to the larger vessels should the area closure be reduced. Results from this analysis showed that practically no new bottomfishing areas would become available to the larger vessels if the closure area was to be reduced to 30 nm. Given the findings, the Council sent the Secretary of CNMI DLNR a letter indicating no further scoping on this issue was warranted at the time. If bottomfish fishery operations or the status of the resource changed, the Council could reconsider further management measures then.



In June 2013, the Marianas Advisory Panel and broader CNMI fishing community re-engaged the Council seeking to remove the 50 nm large vessel closure for bottomfish fishing around CNMI’s southern islands. The Council at its 157th meeting directed staff to re-scope the issue which staff did through its public joint Advisory Panel and Regional Ecosystem Advisory Committee meeting in Saipan in August 2013. Based on further public vetting of the issues and community concerns, the Council at its 158th meeting directed staff develop an options paper considering the removal of the 50 nm bottomfish area closure which would be used for formal scoping.

Formal public scoping meetings were held in the Commonwealth of Northern Marianas Islands (CNMI) and Guam in November 2013 to solicit comments on the management of the bottomfish fishery within their respective Exclusive Economic Zones of the Marianas Archipelago. The scoping meetings reviewed existing federal management rules for BMUS in the Marianas, examined the current performance of the fishery and considered the need for potential rule changes.

Proposed rule changes discussed included removing the 50 mile area closure for vessels larger than 40 feet. Also considered was a closure reduction from 50 miles to 30 miles around the Southern Islands. Finally, the option to retain or remove the 10 mile closure around Alamagan was also discussed during these public meetings.

Options for Addressing Issues with the 50 nm Closed Area

- 1) **Option 1: No Action** – Retain the existing 50 mile closure around the CNMI Southern Islands – Rota, Saipan, Tinian and FDM (Southern Islands) for vessels over 40 feet in length.

Under the No Action Option, the Council would not recommend changing the current federal spatial management scheme for bottomfishing in waters around CNMI’s southern islands. After conducting two rounds of scoping meetings, and reviewing the Amendment 10 and its supporting documentation, the following are relevant for the Council to consider before selecting this course of action:

Potential disadvantages and advantages of selecting the No Action Option.

Potential Disadvantages	Potential Advantages
Would keep in place a management scheme that no longer serves a purpose <ul style="list-style-type: none"> • Current situation in direct conflict with two of the three stated goals of the closure 	Potential conservation benefit to fish stocks inside the closed area from reduced local fishing pressure
Limits the availability of a locally-produced food source	Federal permit and reporting requirements would remain, facilitating continued monitoring of the fishery
Fish that are landed are of lower quality due to trip length <ul style="list-style-type: none"> • Poorer economic return for fish • Less acceptable to consumers 	Less potential for conflict with other types vessels operating in the area
Poor utilization of available fishery resources does not benefit the Nation (only 6% of the ACL is currently being harvested from the CNMI bottomfish resource)	
Safety at sea (National Standard 10) concern, due to vessels having to steam farther to fish	
Limits potential for growth within an important segment of the bottomfish fishery	

<ul style="list-style-type: none"> • Limits employment opportunities with the CNMI fishing community • Limits economic contribution of this fishery to the CNMI fishing community economy 	
A segment of the bottomfish fishery continues to be differentially economically impacted (price of fuel and supplies to fish more than 50 miles out)	
Unnecessarily consumes enforcement and administration resources	
Limits fresh local fish for the tourism market	

2) **Option 2** – Reduce the 50 mile closure to 30 miles for large vessels around the CNMI southern Islands.

The Council requested staff to investigate the implications of reducing the closed area from 50 nm to 30 nm in June 2012. Council members felt that the additional fishing area offered by the 20 nm reduction might reduce the burden on CNMI’s larger bottomfish vessels while at the same time providing many of the benefits that the initial spatial separation sought to confer. After examining the amount of likely bottomfish habitat contained in the area between 30 and 50 nm, the following are relevant for the Council to consider before selecting Option 2:

Potential disadvantages and advantages of selecting Option 2.

Potential Disadvantages	Potential Advantages
Modifies the closed area to one that is smaller, but still not necessary given the current fishing situation	Potential conservation benefit to fish stocks inside the closed area from reduced local fishing pressure
The modified closed area is not likely to encompass bottomfishing grounds <ul style="list-style-type: none"> Vessels must still steam to at least the 50 nm line before fishing 	Federal permit and reporting requirements would remain, facilitating continued monitoring of the fishery
Limits the availability of a locally-produced food source	Limits potential for conflict with other types vessels operating in the area
Fish that are landed are of lower quality due to trip length <ul style="list-style-type: none"> Poorer economic return for fish Less acceptable to consumers 	If any fishable areas were missed in Council/NMFS bottomfish habitat mapping efforts, these would be accessible
Poor utilization of available fishery resources does not benefit the Nation	
Safety at sea (National Standard 10) concern, due to vessels having to steam farther to fish	
Limits potential for growth within an important segment of the bottomfish fishery <ul style="list-style-type: none"> Limits employment opportunities with the CNMI fishing community Limits economic contribution of this fishery to the CNMI fishing community economy 	
A segment of the bottomfish fishery continues to be differentially economically impacted (price of fuel and supplies to fish more than 50 miles out)	
Unnecessarily consumes enforcement and administration resources	

Option 3 – Remove the 50 mile large vessel closure around the CNMI southern islands.

In June 2013, the Council at its 157th meeting directed staff to re-scope the issue based on additional input from the Marianas Advisory Panel and the broader CNMI fishing community. Based on further public vetting of the issues and community concerns, the Council at its 158th meeting directed staff develop an Options Paper that considers the removal of the 50 nm bottomfish area closure. The following are relevant for the Council to consider before selecting Option 3:

Potential disadvantages and advantages of selecting Option 3.

Potential Disadvantages	Potential Advantages
Potential conservation benefit to fish stocks inside the closed area from reduced local fishing pressure would be lost	Would remove a management scheme that no longer serves a purpose <ul style="list-style-type: none"> Current situation in direct conflict with two of the three stated goals of the closure

Potential for conflict with other types vessels operating in the area, especially traditional small vessel fleet	Increases the availability of a locally-produced food source <ul style="list-style-type: none"> • Faster turn-a-round on trips
	Fish that are landed should be higher quality due to trip length <ul style="list-style-type: none"> • Better economic return for fish • More acceptable to consumers
	Poor utilization of available fishery resources does not benefit the Nation
	Reduces safety at sea concerns, since vessels will not have travel as far to fish
	May facilitate growth within an important segment of the bottomfish fishery <ul style="list-style-type: none"> • Provides employment opportunities with the CNMI fishing community • Economic contribution of this fishery to the CNMI fishing community economy
	A segment of the bottomfish fishery will no longer be unnecessarily economically impacted (price of fuel and supplies to fish more than 50 miles out)
	Encourages economic mobility of fishermen in the small boat fishery who may upgrade vessels

Options for Alamagan

In scoping bottomfish issues in the CNMI, Council staff also heard from those who were interested in opening up the 10 nm bottomfishing closed area surrounding Alamagan. After examining the issue, the following are relevant for the Council to consider before deciding whether to keep or eliminate the 10 nm closure around Alamagan.

- 1) **Option 1: No Action** – Maintain the 10 mile closure for vessels over 40 feet around Alamagan

Potential disadvantages and advantages of selecting the No Action Option.

Potential Disadvantages	Potential Advantages
Potential loss of some fishery production from larger vessels, which could bring the fish to market in more populated areas	The 10 nm closure area benefits the small boat fleet, which is an important component of Alamagan community development efforts
	Bottomfish habitat near Alamagan is limited, as the depth drops off quickly <ul style="list-style-type: none"> • May result in overfishing in the area

- 2) **Option 2** – Remove the 10 mile closure for vessels over 40 feet around Alamagan

Potential disadvantages and advantages of selecting the No Action Option.

Potential Disadvantages	Potential Advantages
The 10 nm closure area benefits the small boat fleet, which is an important component of Alamagan community development efforts	Potential loss of some fishery production from larger vessels, which could bring the fish to market in more populated areas

Bottomfish habitat near Alamagan is limited, as the depth drops off quickly	
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- May result in overfishing in the area

In addition to these potential advantages and disadvantages, two more pieces of information are relevant to this decision: 1) Northern Mayor's Council is not seeking to undertake local fishery development because of lack of landing areas and shoreline inaccessibility, and 2) if areas around the southern islands are opened to larger vessels (i.e., the 50 nm closed area is eliminated), there will likely be less interest in fishing nearer to Alamagan.

For more information regarding bottomfishing rules and regulations in CNMI or Guam, please visit www.wpcouncil.org or call the Western Pacific Fishery Management Council Office at (808) 522-8220. On CNMI contact Jack Ogumoro at 670-287-9482 or on Guam contact Carl Dela Cruz at 671-988-8256.