



Report of the Mariana Archipelago FEP Advisory Panel-Guam Meeting

Saturday, September 24 2016,

1:00 p.m. – 5:00 p.m.

Guam Hilton

Tumon, Guam

1. Welcome and Introductions

Peter Perez, Guam Advisory Panel (AP) Chair, opened the meeting, noting the recent fishing events and congratulating the winners. Members in attendance included: Judith Guthertz (Overall AP Chair), Jesse Rosario, Jason Miller, Ken Borja, Robbie Cabreza, and Matthew Orot.

Also in attendance was Bill Kavanagh and Jenny Flores (US Navy), Michael Duenas (Council Member), Eric Cruz (NMFS PIFSC), Leah Eclavea and Kalani Reyes (NMFS PIFSC Contractors), Judy Amesbury (SSC Member), John Calvo and Carl Delacruz (Council Guam Coordinators), and Marlowe Sabater (Council Staff).

2. Outstanding Council Mariana Recommendations

Delacruz presented the recommendations from the Council from the 166th and 167th Council Meeting. He also provided a status update to the AP recommendations that were taken up by the Council which were discussed under AP Issues later in the meeting.

3. Council Issues

A. 2017 Bigeye Tuna Quota Limits

Duenas provided some background information on the Bigeye tuna quota limits and transfer options from 2015. He noted that there is a history of Guam participating in the quota transfer. He preferred the status quo option for Guam but was interested in what the AP would like to see.

There was concern from the AP that the fleet could negotiate with whichever territory it wanted to first and Guam may not be able to participate. Duenas responded that it could be the case that CNMI works out a deal ahead of Guam. Others asked if the full quota was used on the last agreement. Duenas said that all of CNMI's quota was used but because Guam's agreement came later, not all of the quota was used before the fishing year restarted.

The Guam AP agreed that there needs to be a way to get the government to expedite getting future agreements approved. **They also agreed that the status quo option was best for Guam** as it provides Guam with a history in the fishery and room for growth in case a fishery develops in the near future.

B. Council Coral Reef Projects

Sabater provided a presentation on the Council's coral reef grant proposal that the staff is working on for the current solicitation. He noted that this proposal is for 2017-2019 and that the final proposal is due in December. Sabater categorized the projects according to the solicitation priorities and said that the Council is focusing on capacity building, filling in data gaps, and improving the annual catch limits.

The AP discussed previous studies done to look at spillover from marine protected areas and noted that they haven't seen any changes outside of the current marine preserves in Guam. Sabater noted that there is currently a study included in the proposal to compare observations inside and outside to see if any differences can be detected.

The AP also asked if there was a way to incorporate a sea cucumber study into this proposal? They inquired about Hawaii's sea cucumber harvest and if there are any problems. Sabater noted that Hawaii just went through something similar to what Guam is experience regarding a high-harvest level and the lack of data. The AP also lamented the lack of science in proclaiming marine national monuments and that the US has forgotten the intent of the Exclusive Economic Zone.

The AP endorsed the proposed projects as presented and asked staff to look at adding in a Guam sea cucumber project; A project to look at whether the marine preserves are working, such as a larval drift or genetic study; and developing an integrated modeling framework to determine coral reef fishery.

C. Report on Military Activities and Issues

Kavanagh provided a presentation on the current military activities that may impact fisheries in Guam. Flores followed up his presentation with the upcoming military exercises that will be occurring.

AP members asked about inspection of the cargo. Kavanagh responded that the military and local customs both inspect cargo. The AP was also concerned with updating advisory signs and posting them at the marinas when military exercises are happening. Flores agreed to follow up and see if this is still occurring.

The AP also discussed the military zones, noting that for W517, the overlap was split because the AP shared its concerns. Flores noted that the area was moved based on the concern shared. One AP member noted that fishermen still go into the area and risk being chased out, but also there are areas where communications/radio signals are lost, and that is a safety hazard. They wanted to know if any fishermen were told to leave or escorted out of the area. Flores responded that US Coast Guard does the patrolling, but they are limited, so the scheduling and notices block out areas for mariners. AP members wondered what the repercussions were for going into those areas as fishermen have reported everything from communications lost to being warned they would be fired upon. *The AP asked for a report from the military on whether there were any boats out in the closed areas during exercises. They also requested that the announcements be announced in a loop all day like the weather because currently they are only available in the morning and evening.*

Kavanagh offered to assist the fishing community with coordination, noting that the fishing derby and military exercises sometimes overlap. He said that the AP should work with him in advance to ensure that the schedules do not overlap and that the military has flexibility to reschedule.

Regarding the Ritidian Firing Range North of Guam, AP members noted that part of the project was to create a northern boat ramp, and they asked how will that firing range affect the boat

ramp? Flores said that questions would have to be brought up to the regional community liaison (Dan Guerrero) who meets with many government agencies and they are currently working on an encroachment action plan.

4. Update on Council Projects in the Marianas

A. Coral Reef Projects

Sabater provided an update on the Council's current coral reef projects in Guam. He noted that the coral reef mapping project is continuing and their second workshop was held earlier that day. He explained the future for the project and said that the final workshop will be done by the end of the year with a report due in early 2017.

Sabater also presented on the coral reef regulatory review that will be starting up next year. He said that the AP should participate in the meetings which will look at the adequacy of the Council's current coral reef fishery regulations and this will be the time to make changes to the FEP if needed.

B. Data Collection Projects

Sabater presented on a new project that the Council is initiating under the Marine Recreational Information Program. He told the AP that the intent is to create a registry of non-commercial spearfishermen that voluntarily provide data on their catch and effort so that this information can be used to supplement the current creel survey. He noted that the creel survey has not been sufficient to capture spearfishing data and this would provide better data for Annual Catch Limits.

Delacruz and Sabater updated the AP on the Territorial Science Initiative Projects in Guam. They explained the project and said that they are continuing to collect data from seven vendors in Guam and encouraging new vendors to join the program. They are also conducting education and outreach and developing incentive programs in hopes of improving the commercial receipt logbook participation and data.

C. Community-based Projects

Delacruz provided an update on the community-based management plans that the Council has helped the villages of Malessos and Yigo develop. He noted that Malessos's plan is completed and that currently the village Peskadot Committee is creating a village Code of Conduct. Miller reported that the group is also waiting on the Parks Department to meet with them regarding the Recreational Use Management Plan changes.

Delacruz noted that Council staff is continuing to draft the Yigo management plan and that they hope to have it available for the village to provide comments on later this year.

5. Mariana Archipelago FEP-Guam Community Activities

Delacruz noted that the Guam community activities included the community-based projects and the current data collection projects. He also noted the fishing events that occurred in the past month.

6. Mariana FEP-Guam AP Issues

A. Report of the Guam Subpanels

i. Island Fisheries Subpanel

Rosario noted that he was appointed to the Guam Fishery Council for a four-year term, but doesn't know what position it is, but at least its moving forward. Other AP members noted the same and that they hoped that the Guam Fishery Council will meet soon.

The AP discussed its concerns regarding sea cucumbers and an increase in harvest and illegal sale. Previously, the AP recommended that the Guam Government put a moratorium on harvest and look into developing regulations. Delacruz reported that the Department of Agriculture is looking at reducing the harvest limit through its normal process. The AP wanted to know if an assessment is taking place? Duenas noted that Council staff is looking into the Secretariat for the Pacific Community or NOAA doing a stock assessment but there is currently no timeline for that assessment. Sabater noted that there may not be enough data to do an assessment.

Guthertz noted that she drafted a letter to the Governor regarding the fishermen's concern that could be signed. Cabreza noted that if the AP is recommending that regulations be science-based, they should be careful what they ask the Governor to do if the science isn't available to provide the basis for a recommendation like a moratorium or stricter regulations.

The AP discussed a couple of other recommendations made at the last meeting regarding island fisheries. They noted that a draft of the video they recommended was completed and sent to Council staff for review. They also heard that the Bureau of Statistics and Plans has funding for replacing the preserve markers and signs and are going through the clearance process now.

ii. Pelagic Fisheries Subpanel

Sabater reported that the Section 7 consultation for the sportfish restoration grant is still not complete, but they are hoping to get it submitted to the protected species divisions soon. However, he did say that the Fish and Wildlife Service is responsible for completion at this point.

iii. Ecosystems and Habitat Subpanel

The AP continued to discuss options for their tree planting activity that they planned to work on this year. They noted that Arbor Day was coming up and that would be a good time to have the activity. Delacruz noted that the AP wanted to assist the Malessos community in reducing sedimentation by helping to plant trees upstream.

Regarding the Guam Museum Exhibit that the AP recommended in the last meeting, Calvo reported that the legislature assigned the "Galaide Group" and Monica Guzman to the museum. The AP noted that they will continue to discuss the fishing exhibit with this group and Ms. Guzman.

iv. Indigenous Fishing Rights Subpanel

Calvo reviewed the Council's 40-year report with the AP and discussed indigenous issues and the process for providing input. The AP agreed to work with Calvo to provide any necessary updates.

The AP also discussed the Indigenous Fishing Rights Bill and the current movement of any activity. Reyes reported that she attended the last meeting and noted that the group was going to submit rules and regulations to Senator Won Pat for potential public hearings.

B. Other Issues

Perez reported on the resignation of Guam AP member Alan Ainbinder who accepted a job in Honolulu and noted that the AP needed to recommend to the Council his replacement. The AP agreed to fill the vacancy with alternate member Tom Camacho.

Calvo thanked the AP for their assistance at the Festival of Pacific Arts. He also reported on the lunar calendar activities that are being planned for next year's calendar and requested the AP's assistance as needed.

Amesbury reported that the NOAA MPA Federal Advisory Committee is looking for new members. Duenas noted that the Guam Fishermen's Cooperative nominated Judy Amesbury and that both the GFCA and the Marianas Underwater Fishing Federation provided letters of support.

6. Public Comment

There was no public comment

7. Discussion and Recommendations

The Guam Advisory Panel made the following recommendations:

Regarding Bigeye Tuna Quota Limits:

1. The Guam AP recommends the Council select the status quo option.

Regarding Council Coral Reef Projects:

2. The Guam AP endorses the coral reef projects as proposed and encourages staff to include projects on Guam sea cucumber survey and marine preserve effectiveness where applicable.

Regarding Administrative Matters:

3. The Guam AP recommends replacing member Alan Ainbinder on the AP with alternate member Tom Camacho, due to Alan's resignation.

8. "At the End of the Day" – Other Business

Perez noted that he will have the AP work with the military representatives (Kavanagh and Flores) to provide more information to them as well as work on some of the coordination and follow-up to some of the concerns at this meeting.