



Report of the Guam Mariana FEP Advisory Panel Meeting

Thursday, June 6, 2019

6:00 p.m. – 7:30 p.m.

DAWR Conference Room

Mangilao, Guam

1. Welcome and Introductions

Ken Borja, Guam Advisory Panel (AP) Vice Chair opened the meeting and welcomed all those in attendance. AP members in attendance included: James Borja, Matthew Orot, Jason Miller, Judy Amesbury, Myles Driscoll, Tatiana Talavera. Excused AP member: Al Yanger

Also, in attendance: Michael Dueñas (Council Vice Chair); Felix Reyes and Joshua DeMello (Council Staff); Tino Aguon, Jay Gutierrez and Brent Tibbats (Division of Aquatic and Wildlife Resources (DAWR)); and Eric Cruz (NMFS PIFSC). Community members in attendance included Jude Martinez and Carl Delacruz.

2. Review of the last AP meeting and recommendations

Vice Chair provided a review of the previous AP meeting noting that most of the meeting included work on the AP plans. He noted that the only recommendation from the last meeting was to appoint a new member to the AP due to Reyes being hired by the Council as the Guam Island Coordinator. He welcomed new member Driscoll to the Guam AP.

3. 178th Council Meeting Action Items and Issues

a. US Territory Longline Bigeye Catch/Allocation Limits

Council staff provided a presentation on the 2020 US territory longline bigeye catch and allocation limits. The Western and Central Pacific Fisheries Commission (WCPFC), in 2018 limited the US longline bigeye tuna catch to 3,554 metric tons in 2019 and 2020. The 2019 catch and allocation limits for the US territories are currently being worked on and the Council is looking at what those limits would be for 2020. The current limit is 2,000 mt with 1,000 mt available for allocations to fishing agreements.

In June 2018, the Council removed the requirement for specifying catch limits for territories in order to establish an allocation limit. This means that an allocation limit could be specified without having a catch limit. This can happen because under the WCPFC, the US territories are considered Small-Island Developing States (or SIDS) and are not subject to the WCPFC's catch limits. The June 2018 action also included the allowance of multi-year limit specifications instead of the current specification that needs to be done every year.

Staff noted that the options being looked at by the Council at its 178th meeting in June include: no catch or allocation limits; a 2,000 mt catch and 1,000 mt allocation (status quo); and no catch limit and up to 2,000 mt allocation limit. These options would apply to 2020 and beyond and the Council may look at multiple year specifications. Staff reviewed each option and the AP discussed the pros and cons of each option.

The AP noted that they wanted to ensure that they were able to take advantage of the allocation opportunity and decided that not specifying catch or allocation limits would not achieve this. They also looked at the status quo alternative and said that there wasn't a need to limit their catch or allocation as Guam is considered a SIDS. *The AP agreed that option 3, to not specify a catch limit and to allow up to 2,000 mt allocation, provides them with the greatest flexibility and opportunity. They also agreed that the limit should apply for three years with a review at the end of three years to determine the effectiveness.*

b. Annual SAFE Report Updates

Council staff noted that the Annual SAFE reports have not yet been completed but will be provided to the AP electronically when completed.

4. Guam Reports

Council staff provided a report on the Council's community activities, education and outreach activities, and island and legislative reports that will be heard at the Council's 178th meeting. He noted that the Council continues to support data collection efforts through the Territorial Science Initiative as well as the Marine Recreational Information Program. The data is collected from the seafood vendors (TSI) and spear fishermen (MRIP) in Guam and provided to the Council and NMFS. He also said the Council will also be updated on the High School Summer Course, be provided a report on the fishing derbies, and updated on any meetings and conferences involving fisheries that have happened in Guam since the last Council meeting. The island, legislative, and enforcement reports, he noted, will be given by the Guam Council members and will include updates on the different initiative being undertaken at DAWR.

5. Report on Mariana FEP Advisory Plan

Vice Chair noted that the AP developed an Action Plan with each member tasked with various responsibilities reflective of their interests and expertise. The AP member is to report on their respective set of priorities at the meetings. He noted that while the Plan is long term, many of the projects can be dealt with in between meetings. Vice Chair went through each item on the Plan noting which actions have been worked on by the Guam AP. The following provides an update on some of the Guam Action Plan items that the AP has worked on since its last meeting:

- Island Fisheries
 - *Marianas FEP Bottomfish Fishery*

Vice Chair mentioned that an AP member attended the bottomfish stock assessment meeting in Honolulu. The item in the action plan is to attend the stock assessment review to provide information to the review panel as well as provide information back to the community. More information and discussion on this topic is provided below under the topic island activities and issues.

- Improved Enforcement of Fishing Regulations

AP members continue to pursue consistent information on enforcement noting that the media has been cooperative with the publication of arrests for rules violations.

- Reducing risk to seafood security in the Marianas

An AP member noted that University of Guam was able to squeeze Guili into the data and sampling collection project which will start in July 2019. This provides an additional area to collect data on

seafood. Another AP member brought up the issue of gassed fish and the rules that surround the method of fish preservation. He said that local fish stores who import these fish label them as 'local' and even salmon is labeled 'local'. A third AP member noted that the Department of Health may not even know what gassing fish is about.

Vice Chair mention there are resources available to gather more information on this Issue so that responsibilities are shared fairly. John Kaneko and Fish 101 is one resource. AP members can reach out to the community, their senators, and others for input and feedback. The AP will look at researching the USDA laws and how to ensure consumers are well advised and protected. Vice Chair noted that public education is necessary as fish from the Republic of the Marshall Islands that are gassed are labeled as such. Vice Chair said he will connect with each AP member to go over their tasks and how he can assist.

- Pelagic Fisheries
 - *Improving the FADs in the Marianas*

DAWR Asst. Chief said the deployment of FADs is waiting the Attorney General's office for final Review. DAWR was required to enter into a Memorandum of Understanding (MOU) with the Department of Public Works on the design of the anchors as required. Previous MOUs were returned because they were not specific enough. Funding is good until the end of the 2019 FY but a local vendor refused to deploy because of the expiration of the purchase orders.

On the buoy that was snagged by a U.S. Navy vessel – no action has been taken yet to contact them on the buoy status and if they can either deploy it themselves to the original location or pay for its deployment.

Member Myles Driscoll said he thinks the U.S. Navy vessels troll the buoys and sometimes would run into them. All the buoys are dented, some with prominent paint Marks. He once observed a Matson ship circling one of the buoys with handlines in the water. And with the strong current now passing by the ships will inevitably get pushed into the buoys.

- *Reduced shark depredation in Marianas fisheries*

AP members noted that they have been working with Council staff on a project but it is on hold until the completion of the Biological Opinion for oceanic white tip sharks.

- Protected Species
 - *Determination of cultural take availability for sea turtles*

An AP member said there are so many things going against the harvesting of sea turtles. One is the designation of distinct population segments that also includes other nations. This means we would have to involve many other nations if we're going to do something about it. In Hawaii it only has a threatened designation while on Guam it is listed as endangered. There is also another agreement that the U.S. signed saying no turtles will be harvested. She noted that there may not be a way to get a cultural take of sea turtle in Guam until the research can be done to better determine the population status.

- Human Dimensions and Communities
 - *Establishing fishing licenses in the Marianas*

AP members noted that there is a larger push to work on establishing fishing licenses and improve reporting in Guam. This issue is discussed under Island Activities and Issues below.

- Education and Outreach
 - *Improved high school summer courses*

Council staff said he has been working to coordinate this summer's program. He said the summer course participant slots are already full at 18 and the program will commence July 29 and end August 9. He noted that this year's course includes new activities and speakers and he will be working with the contractor to solicit assistance from the Guam AP.

- *Lunar Calendar for 2020*

Council staff said this upcoming Calendar will feature Council sponsored and/or supported projects. He is in the process of providing the information for the layout but requested high resolution photos from the AP.

- *Improved fisheries capacity in the Marianas*

Vice Chair mentioned this includes education and training. There are programs and scholarships available to support this task. He said there is a need to expand the outreach to create a broader awareness of what's available.

Council staff noted that Guam has not had any student apply for the US Territorial Capacity Building Scholarship. CNMI just had a young lady who finished her training and is now working in their fisheries office. He said that having your school paid for with a guaranteed job upon completion is a great thing. The AP will work on getting students to apply for the scholarship during the next solicitation.

6. Island Fishery Issues and Activities

a. Update on the Guam Fishery Council

Council staff reported that the Guam Fishery Council, mandated by the Guam legislature, has not been seated, nor has a meeting been called. The issue is that all fishing regulations need to go through the Guam Fishery Council before it becomes law. A recent request by the Department of Agriculture to the Attorney General asked for an opinion on whether or not the Department could promulgate regulations in absence of the Council meeting. The AG opinion responded that this was not possible. The Department Director is looking at a couple of options in response to that opinion including working with the legislature/Governor to dissolve the fishery council. This is important because the Department would like to look at developing a mandatory permitting and reporting system for fishing in Guam.

b. Guam Bottomfish

AP Member James Borja was invited to participate in the Western Pacific Stock Assessment Review (WPSAR) of a NMFS PIFSC territorial bottomfish stock assessment in Honolulu in April. He briefed the AP on the meeting outcome and noted that while it is still a draft stock assessment, it doesn't look good for Guam. He said that the model did what it could with the data it had available but did not include data from independent surveys at Galvez Bank or socio-economic information from recent surveys on Guam. He understood the limitations of the model used in the stock assessment but believed that the results did not reflect reality as there are realistically only about 10 bottomfish fishermen on Guam and only one that fishes year-round for Onaga. He said that one problem he saw was that the stock assessment included both the deep and shallow complex which could be driven by mafuti catch.

The AP discussed potential recommendations to the Council regarding the stock assessment, including asking for the stock assessment to separate out the shallow and deep complex; use the existing independent bottomfish data collected in Guam; and potentially sharing a bottomfish annual catch limit with CNMI. The AP also discussed the need to find a model that can best use the available data until correct/accurate data is collected. In the end, however, they noted that the stock assessment was still draft and that it wouldn't be provided to the Council for its consideration until October at its earliest. The AP instead discussed the need for Guam to provide better data.

The AP noted the Hawaii bottomfish fishermen's experience with stock assessments and all of the work it did through cooperative research, fishery independent surveys, etc. The AP agreed that in order to get to that point, they need to know what kind of data the stock assessment scientists need and where the gaps, improvements need to be made in the current system. *The AP decided to have the Council assist the AP and fishermen in determining the data collection gaps and identify improvements in order to make sure stock assessments accurately reflect fishing on Guam.*

The AP also noted the potential for confusion in stock assessments with the species being lumped together improperly. For example, they talked about how mafuti and onaga could be lumped together as "bottomfish" as they are both snappers, yet they are found in different parts of the water column and using different gears. *The AP decided to ask the Council to request PIFSC recognize these differences and assess the stocks accordingly.*

c. Other Issues

Vice Chair brought up a few issues he wanted the AP to discuss at future meetings. He said the AP should be discussing the following issues closely at future regular AP meetings.

- The Guam's fishermen's contribution to the economy,
- The issue of new cultures fishing on Guam
- Problems with water/marine pollution, and
- Indiscriminate fishing.

Vice Chair also mentioned the community needs education on the importance of data collection, including interactions on marine mammals and other challenges facing Guam's fishing community. Vice Chair said crafting messages that helps the fishermen and where the community can have buy-in using the most effective medium will help.

AP members talked about violence at the Agat Marina, oil/diesel spill as well as boat break-ins at both Agat and Agana Marinas. All of these issues will be looked at more closely by AP members and provided as reports in the future.

7. Public Comments

Eric Cruz staff said the Guam coral reef stock assessment review done last year by the science center is out and offered to share a copy with AP members. The person who did this stock assessment will be on Guam July 22 and will hold a workshop to go over the methods used and how the results were derived.

8. Discussion and Recommendations

The Guam AP made the following recommendations to the Council:

Regarding the US Longline Bigeye Tuna Catch/Allocation Limits:

- **The Guam AP recommended the Council select Option 3 as its preferred alternative and specify no catch limit and up to 2,000 metric tons allocation limit with a three-year agreement.**

Regarding Guam fishery issues:

- **The Guam AP recommended the Council work with both the AP to review the Guam fishery data to identify gaps as well as opportunities in the data collection in order to provide the best data possible for future stock assessments.**
- **The Guam AP recommended the Council request NMFS PIFSC consistently group/subgroup fish stocks in Guam to make sure that they are accurately assessed (i.e. shallow and deepwater bottomfish species are separated)**

9. Other Business

Vice Chair mentioned the Council is soliciting input on a new, updated AP Brochure with new articles, images, contacts, etc. He asked the AP to provide support.