



## **Report of the Guam-Mariana Archipelago FEP Advisory Panel Meeting**

Thursday, November 19, 2020

6:30 p.m. – 8:30 p.m.

Virtual Meeting

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

Ken Borja, Guam AP Vice Chair, opened the meeting and welcomed the members. Members in attendance included Judy Amesbury, Matthew Orot, Myles Driscoll, Jason Biggs, James Borja and Jason Miller.

Also in attendance was Felix Reyes, Marlowe Sabater and Joshua DeMello (Council staff); Monique Amani (Council Member); Chelsa Muña-Brecht (DoAg and Council Member); Thomas Flores, Jay Gutierrez, and Brent Tibbatts (DAWR); Kristian Kim (HPU student); and Darrin Pangelinan (Council contractor).

### **2. Review of Last AP Meeting and Recommendations**

Council staff provided a report of the AP meeting held on Saturday, August 29, 2020. He reviewed the recommendations and provided a status, noting both the PRIA MCP and the Offshore Energy Plan were approved by the Council at its 183<sup>rd</sup> Meeting in September and can be found on the Council's website. The Council also provided its response to EO13921 to NMFS in November as the AP endorsed it at its last meeting.

### **3. Council Issues**

#### **A. Development of a Bottomfish Stock Rebuilding Plan for Guam**

Council staff provided a report on options being developed for rebuilding the bottomfish stock in Guam. He reviewed how the bottomfish stock was designated as overfished and what that means for the Council. NMFS PIRO notified the Council in February 2020 that the Guam bottomfish stock assessment resulted in the stock being overfished. As part of the process, the Council is required to address the overfished condition and to rebuild the stock and must not exceed 10 years and parameters defined. The Council must complete a rebuilding plan in two years with a submission to NMFS in May 2021. He reviewed the process and details on what the rebuilding plan needs to include and the options the Council may select in December.

With each option, data will continue to be collected and all other regulations will remain the same. This action is for federal waters only and there is no mechanism in place for Guam to close the fishery in local waters. He reviewed the options and MSA requirements for rebuilding and the impacts of each option.

An AP member noted it is going to take a couple years for this process and asked how it will work if another option is chosen from the recommended ACL. Staff said it would be administratively easier if the option selected is similar to the ACL, but if an ACL is chosen that is more or less than the current ACL then it would supersede the previous ACL recommendation and confirmed it would be retroactive. The next stock assessment will also be done within this

timeframe and if the results are better, then it will be Best Scientific Information Available (BSIA) and replace the current stock assessment and could eliminate the overfished condition.

An AP member wanted to know if it be good to have Option 6 overlay Option 2. Staff noted it is possible it will just be additional measures to see who is fishing in federal waters and applying permitting and reporting with or without bag limits is an option. The advantage of Option 6 is that the Council can define who fishes in federal waters and get data from the offshore banks because it is difficult to filter out the catch data from banks from the existing surveys. With Federal permitting and reporting, catch data the Council would have a direct catch/effort data. However, looking at CNMI Federal permitting for commercial bottomfishing, there are only a couple fishermen that have their permits with no reports coming in. There is an additional administrative burden and enforcement that needs to be addressed.

An AP member said that the Catch-it, Log-It app will be challenging to get bottomfish fishermen participation. People going in and wanting to report is a challenge in itself so to even think that the federal permit and reporting would work. He is leaning towards Option 2 since it is a shorter run until the next stock assessment. To choose Option 6 will be an administrative nightmare due to voluntary reporting. He said fishermen will go out when the weather is good like this year but next year might not due to bad weather. Staff confirmed that if most of the bottomfish fishers are reporting on the app, then there will be an alternative data stream to the creel survey that can help to validate or invalidate the creel survey estimates. The app data will not be used for ACL management or directly for stock assessments until there is enough data and calibration can be conducted. He noted that NMFS PIFSC is working on how to integrate self-reporting with the survey data.

The vice Chair said catch reporting is difficult and time consuming so people are less likely to do it. He said that since the app will not likely replace the surveys in the short-term, there is a need to fine-tune the current creel surveys to make that data collection better until we can get people to report. Another AP member agreed and said that the creel survey data is what we have now so we should be concurrently looking to fix that up as well. Council staff agreed and said that the creel survey design is being looked at for improvements.

The AP discussed the issue with getting fishermen to participate in the data collection process. The point of the app is to get more information to make decisions, but fishermen also see that the information can be used against them to close the fishery. AP members asked what the reward is for fishermen to participate as more data can also mean more restrictions, which makes the app and data collection a hard sell to fishers. On AP member said that without reporting the true data, fishermen will only shoot themselves in the foot and the data should speak for itself. Council staff noted that fishers will face management whether data is provided or not, but accurate reporting will allow the Council to use the correct tool.

AP members considered how to make the creel survey more accurate and suggested surveyors notify the public of when they will be surveying. This would increase the possibility of fishermen being surveyed and if there is collaboration with fishermen on the need for the data, there may be greater participation. DAWR staff noted that they interview everyone that is willing and was unsure about announcing their presence as it may create bias in the survey. Council staff

added that more interviews will make the data better because the estimates will be more precise. An AP member said the problem with the stock assessment is that people felt their catch wasn't counted in the creel survey.

The AP agreed that option 2, a 27,000 lb ACL with four years of rebuilding, was the best option, but they also agreed that more outreach needed to be done on the importance of data collection.

#### **4. Guam Reports**

Council staff reported on what will be presented at the 184<sup>th</sup> CM; Island Reports presented by the Council Members, including a report by Monique Amani on home porting of USCG fast boats, and Michael Dueñas' report on his experience to PUA and how it relates to fishermen; Chelsea to present on agency report for DAWR/DOAg, including CARES Act and enforcement; He will present on COFA and the negotiations that are ongoing because of the compact impact issues as well as an update on Catch-It-Log-It App summary.

The Catch-It-Log-It contractor reported on the latest activity and said there were 57 registered fishers to date, 2 registered vendors, and 25 reports from 12 fishers. He said that he hopes to get 60-70 fishers trained by the end of the month, and 100 by the end of the year. The contractor said he went to Agaña and Agat marinas and also to Malesso to meet with fishers and will be doing so regularly going forward. He said he has been using social media, including emails and Instagram to find fishermen and get them to sign up and use the app.

AP members expressed appreciation for what the contractor is doing and said that there may be a real generational issue with older fishers not ready to use smart devices. They said that data collection should be looking at what people can and are willing to do.

#### **5. Report on Guam-Mariana Archipelago FEP AP Plan Activities**

The vice Chair said the AP has plans for the different program areas, FADs, seafood, etc. and that most of those items are still there but a lot of the activities were suspended due to COVID-19. He said there is a need to revamp for the new normal such as what kind of recommendations should be discussed and presented for the Council to review, or what kind of work needs to be done. The Vice Chair asked AP for assistance on these matters and suggested focusing more on the bottomfish rebuilding plan and some of the tasks in front of them right now such as the Catch-It- Log-it App.

#### **6. Fishery Issues and Activities**

Council staff reported on the Community FAD and said work is being done procure the anchor and if that can get done then it will move forward. A project budget was put together to summarize costs to deploy the FAD and much of the supplies have already been secured.

Council staff reported that the shark depredation project in Guam continues to move forward. He said there were 57 vials of shark DNA samples collected from AP members, DAWR staff and fishermen and shipped to UH Manoa for the shark depredation project. Analysis will begin soon and he hoped that the researchers would have data to present when they come out to Guam in the new year.

## 7. Public Comment

Chelsa Muña-Brecht, Director of Guam Department of Agriculture, reported 811 fisher registrations were received that are verifiable and they will work to figure out what the sample size is needed to see what level of accuracy is required.

## 8. Discussion and Recommendations

The Guam Advisory Panel made the following recommendations:

### *Regarding the Guam Bottomfish Rebuilding Plan,*

- **The Guam AP recommended Option 2, which would implement a 27,000 lb ACL and a rebuilding timeframe of 4 years. This would be similar to what was already recommended and provide for a shorter rebuilding time for the fishery.**
- **The Guam AP recommends the Council direct outreach efforts in Guam towards the importance of fishery data in order to get buy-in from the fishing community.**

## 9. Other Business

Council staff reported that 138<sup>th</sup> SSC will happen Dec 1-2 and the 184<sup>th</sup> CM will be Dec 3-5 Guam time and requested all visit the Council website at [www.wpcouncil.org](http://www.wpcouncil.org) for more information about these meetings. He also reported that the NMFS Pacific Islands Region Sustainable Recreational and non-Commercial Fishing Program and the Marine Education and Training (MET) grant opportunities are open and available and challenged the AP members to look at those opportunities to draft proposals.

AP members noted that written comment period for the proposed expansion of the Ritidian live-fire complex shooting range expires November 30, 2020. The proposed rulemaking will affect boaters fishing within 2 miles out facing north; although it says there is no significant impact to the fishing community but it will displace fishermen as they traverse the danger zone. As discussed at the last AP Inetnon, the AP, as individual local fishers drafted a letter addressed to the Governor of Guam requesting she reach out to the military and request mitigation to the displacement of fishermen by the shooting range with community outreach, including placing FADs, fixing piers, and other matters to support local fishermen. Comments are also being accepted on the proposed Naftan Mañaina-ta shrine for the reinterment of ancestral remains found from archaeological digs around Guam and to be located at Ypao Point with comments to be addressed to the Guam Historic Preservation Office.