



**WESTERN
PACIFIC
REGIONAL
FISHERY
MANAGEMENT
COUNCIL**

Report on the Mariana Islands Bottomfish Fishery Scoping Meetings

NMC College Classroom D-1, Saipan

VTC Room 2 – Rota

VTC Room C – Tinian

6:30-8:30 p.m.

November 18, 2013

Guam Hilton, Gallery Room

6:30-8:30 p.m.

November 19, 2013

CNMI Participants: Arnold Palacios, Frank Aldan, Todd Miller, Frank Villagomez, Gary Sword, Lino Olopai, John Gourley, Manny Blas, Mike Fleming, Jerome Aldan, Cindy McCaskey, Leila Sievanen, Richard Farrell, Lawrence Duponcheel, Sabros Muna, Stan Taisacan, Sean MacDuff, Mike Tenorio, Nick Songsong, Sherwin Taisacan, Jennifer Tkel, Anthony Tenorio, Anthony Flores, Leila Sievener, Marlowe Sabater, Jack Ogumoro, Mark Mitsuyasu.

Guam Participants: Michael Duenas, James Borja, Edward Poppe Jr., Marc Artero, Tom Camacho, Peter Gervachio, Ian Sanchez, Charles Cruz, Gerard Perez, Charles Kaaiai, John Calvo, Carl Dela Cruz and Mark Mitsuyasu.

In CNMI, Council Chair Arnold Palacios provided an overview of the scoping meeting purpose and goals. Council Vice-Chair for Guam, Michael Duenas, provided similar opening remarks for the Guam meeting. Mark Mitsuyasu provided a presentation on the status of the bottomfish fishery, past and current management regulations and draft options as proposed and developed from Advisory group comments at prior meetings held in the Marianas.

Current Bottomfish Regulatory Environment

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 larger than 50 feet would be forced to fish in CNMI waters. Concern over potential increased fishing activity and negative impacts to CNMI small vessel bottomfish fleet operating primarily in the southern portion of the CNMI archipelago, the Council considered establishment of 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 larger than 40 feet around the southern island of CNMI along with a 10 nm closure around the island of

Alamagan. The closure affected the owners and operators of vessels that commercially fish for BMUS. Regulations also require these fishermen to get a permit from NMFS and report their catch within 74 hours after the fishing occurs. Since establishment of the permit requirement, a total of 27 permits have been issued. 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.

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

- Number of Unique Permits Issues (Boats) = 27
- Number of Unique Permit Holders – 26
- Boats permitted for 2 or years – 10
- Boats permitted for 3 or more years – 3

Mitsuyasu also reviewed the new annual catch limits (ACL) requirements as mandated by Congress through the re-authorization of the MSRA. ACLs are presented to the Council and the ACL cannot exceed more than 50% risk of overfishing. All the uncertainties should be taken into consideration in establishing ACLs. The following fishery statistics were summarized for consideration.

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%

Potential Policy Changes

Mitsuyasu summarized draft options for bottomfish management changes in CNMI based on prior comments heard from Advisors. Three options include:

- 1) No action – Retain 50 nm closure for vessels larger than 40 feet around southern islands of Rota, Tinian and Saipan. Federal permit and reporting required for commercial harvest of BMUS. VMS required for vessels over 40 feet.

- 2) Reduce dimension from 50 to 30 nm: Closure is reduced from 50 nm to 30 nm around CNMI southern islands.
- 3) Remove the 50 nm area closure; 50 nm closure is completely removed. Permit and reporting and VMS requirement are retained.

Other option presented included change for 10 nm closure around the Island of Alamagan. Two options considered include:

- 1) No action.
- 2) Remove 10 nm closure.

Comments and Discussion in CNMI Meeting:

Frank Aldan – The bottomfish is not being accounted for in the creel survey. There is more bottomfish in the commerce than what is being reported.

Response – The trend may not reflect what is going on in the fishery. But these are the only data we have and must refocus the survey to better capture the information.

Frank Aldan – Currently Saipan has one commercial and one recreational vessel that is larger than 40 feet. This request to change management came from the owners to minimize the cost of fishing.

Northern Islands Mayor's Office Representative – Should look at the habitat in Alamagan and change option to make the closure smaller.

Richard Farrell – if you remove the closure will there be foreign incursions. Foreign fishing vessels are currently not allowed to fish within the EEZ. But this does not disallow US vessels.

Jerome Aldan – How does the federal fishing regulations impact on the Marianas range complex following the closures? The proposed military closures overlay with the fishing closures. MITT EA was out and FDM is one of the richest fishing grounds that will be closed due to military activities.

Arnold Palacios – Opening the current closed area will free up some fishing grounds closer to the islands and alleviate the closures brought about by the military activities. The Council does not have any control over the military closures. The fishing grounds are slowly getting smaller due to the military regulations and the monument. Resource status is not an issue and the issue is more on the socio-economic.

John Gourley – If the option chosen is elimination of the 50nm closures, what will happen to the logbook requirement? Is it a separate issue? There is no reason to continue the logbooks because no one is doing it.

Lawerence – (Tinian) - there is concern regarding the military buildup. It will have danger zones and area closures that will impact fishing.

Arnold Palacios – Do not do away with monitoring and permitting because close monitoring will allow us to manage the fisheries better.

Frank Aldan – 80's and 90's had a healthy tourism and the demand for fish was greater. There were a lot of commercial boats that supplied the demand. Even with the high effort the stocks remains healthy. There is no sense to fish further out when the banks closer to Saipan are untouched.

Arnold Palacios – Cannot develop the fisheries because the fishing grounds are not available due to the closure. Some of the bustling markets and businesses before had closed due to some regulation affecting the economic viability of the fishery. This decision is for the community.

Jerome Aldan – Why was the closure only for the southern islands? Because the small vessel fleet primarily operate around the southern islands. At the time, there were a few large vessels fishing in the northern islands.

Gary Sword – Look at the economic impacts of the closure; open Alamagan because there is no community there anymore.

Mitsuyasu asked the Northern Islands Mayor's Office representative if there's a long term plan for fisheries around Alamagan? The 10 nm closure around Alamagan was to provide support or protection for the fishery development program being pursued at the time. Mayor's office representative said there is no plan to develop Alamagan, however there are plans to develop fisheries around Pagan as it has the infrastructure to support such activities.

Several participants asked for copies of the power point. Jack Ogumoro is to email the presentation to whoever wants the copies.

Comments and Discussion from Guam Meeting:

Comments and questions were asked about power point presentation.

Edward Poppe (veteran) asked questions and commented on several issues, including how the Guam 50 nm closure for vessels over 50 feet came into place. It was explained that at that time, there were a couple large vessels looking at supporting smaller catcher boats to target bottomfish and sharks around the island of Guam and at Guam's southern banks area. The closure implemented for Guam was to include the southern banks within the closed area and to prohibit the larger vessels from competing directly with the existing small boat fleet. He expressed interest on how process for rule making under the Council takes place. He also noted concerns about military expansion issues on Guam and the Marianas in general and its potential impacts on the Guam fishing community.

Marc Artero (commercial bottom fisherman) voiced his concerns on commercial selling of fish and the price cap and tiered price structure established through the Guam Fishermen's Cooperative Association (GFCA) when selling larger volume of fish through the GFCA. It was explained that the pricing structure administered through the GFCA was independent of the Council's regulatory authority. With regard to the status of the resource, recent Guam landing of BMUS was well below the established ACL for this fishery.

Several AP members raised issues about the approved fishing methods when fishing for atulai (big eye scad) under the Dept. of AG permit system. Confusion about fishing for atuli within Tumon continued between meeting participants.

Questions were raised regarding regulating Micronesian fishermen fishing in Guam waters using boats that were built in foreign locations. Michael Duneas explained that this issue has been raised by the Council to NOAA General Counsel and they are hoping to hear a response or get a legal opinion on this issue early next year.

Michael Duenas noted that the original closure put in place for CNMI was to protect the traditional small boat fleet fishing around the southern islands. If the closure is removed, the small boat would fish alongside any larger vessel that enters the fishery. Fishermen need to be aware of the potential conflict that could arise if large vessels do enter the fishery. Mitsuyasu conveyed comments heard in the CNMI meeting regarding the closure also prohibiting existing fishermen from upgrading their vessel for safety reasons. The closure not only prevents new boats from entering, it also prevents small boats from upgrading. Guam fishermen noted that it would be difficult for fishermen to abandon their traditional fishing spots when upgrading their boats.

The Guam meeting closed at 8:20 p.m.