



## **Report of the Joint Mariana FEP Advisory Panel Meeting**

*June 4, 2016*

*Fiesta Resort and Spa  
Garapan, Saipan, CNMI*

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

Richard Farrell, CNMI Advisory Panel Chair (AP), welcomed everyone to Saipan and opened the AP meeting at 8:45 am. In attendance from the AP was: Peter Perez (Guam AP Chair), Judith Guthertz (AP Chair), Stephen Meno, Jason Miller, Tom Camacho, Ray Dela Cruz, Felix Reyes, Jesse Rosario, Cecilio Raiukiulipiy, Ken Borja, James Borja, Michael Fleming, Ray Tebuteb, Perry Mesgnon, Manny Ramon and Lawrence Concepcion.

Also in attendance were Council Staff Joshua DeMello, Mark Mitsuyasu, Paul Dalzell, Sylvia Spalding, Chris Hawkins and Asuka Ishizaki, Council Executive Director, Kitty Simonds, and Council Coordinators Jack Ogumoro and Carl Delacruz. Others in attendance included: Gary Beals (Hawaii AP Chair), Michael Tenorio and Ray Roberto (CNMI Division of Fish and Wildlife).

### **2. Outstanding Council Mariana Recommendations**

DeMello went over the CNMI recommendations from the last meetings and reviewed the status of the AP recommendations. He noted that the Council took up its recommendation at its 165<sup>th</sup> Meeting.

Perez reviewed the Guam recommendations from its last meeting in January and reviewed the status of the AP recommendations. He noted that some of the recommendations were taken up by the Council at its 165<sup>th</sup> Meeting and the Council is still awaiting responses from the

### **3. Council Issues**

#### **A. Regional Research Needs**

DeMello presented on the Council's Magnuson Stevens Act (MSA) Five-year Research Priorities. He noted that these research priorities were mandated by the reauthorized MSA in 2006 and these priorities are communicated to the National Marine Fisheries Service to coordinate research priorities in the region. He noted that the stock assessments are the 2016 priorities and showed the different projects being suggested for stock assessments.

Camacho noted that the Guam AP previously requested the Council work with NMFS to provide training for creel surveys for DAWR or workshop to review new methods and this should be a priority. Rosario added that there are many studies being done in Guam and they need to be captured in one place and wondered how all that information is married into one place. Guthertz also added that they need a public policy solution or legislation that requires independent studies be done to coordinate data together to come up with a single statement that describes the status of the species. She said that they can't have independent reports that don't

coordinate with each other being made as the basis of decisions. Miller concurred that everyone counts fish differently.

***The AP requests the Council work with the new Guam Fishery Council to develop a way to centralize and coordinate fishery data and research collected for the Mariana Archipelago with the goal of establishing a policy by law to require this process.***

Farrell noted that the Department of Defense (DOD) as well as US Fish and Wildlife Service (USFWS) are also doing surveys that need to be considered, but getting them to share their data is going to be an issue. He noted that the DOD is conducting surveys but the people don't know what is going on. The people want to know what the surveys are about and what the data is showing. They also are concerned because of the turtle nesting sites and the counting of fish being done by people on the island.

***Recommend the Council request the DOD expressing concerns regarding recent reports of surveys in Tinian and that there is a lack of communications with the community and local officials on their activities and data collection on the island.***

DeMello presented on the cooperative research priorities and noted that a couple of projects were funded in 2014 to help with the Mariana fisheries. In 2016, the priority projects selected were for Hawaii, but with the new cooperative research priorities competition now regional, we should be able to get additional funding for other areas in the near future.

Camacho said the migrants are getting violent and there have been more and more confrontations occurring. He said something needs to be done before something more serious happens and that the migrants have no respect of local culture and regulations and he is afraid that people are going to take things into their own hands.

Farrell noted that shark depredation is an issue in CNMI as has been increasing lately. Dela Cruz added that they are now bottomfishing for sharks and that trolling for yellowfin tuna fishing is going to be the same very soon.

***Recommend including a stronger cooperative research priority for a study to look at shark depredation in CNMI as it is occurring at a higher rate***

#### **B. Hawaii Shallow-set Observer Coverage**

DeMello provided a quick overview of the Council action item on adjusting the shallow-set observer coverage. He noted that the fishery includes 100% observer coverage, but with quotas and hard caps on protected species, there may be less of a need for 100% coverage, as the normal observer coverage efficiency levels off with increased coverage at a certain point. Beals added that the longline fishery is well managed and have a multitude of things to consider so the Council is going to have to consider it. Dalzell explained the details of the issue and noted that if you reduce the coverage, you increase the uncertainty, but the deep-set fishery is already managed at lower observer coverage and mechanisms are in place to manage that uncertainty.

Camacho asked if the Mariana longline fishery (if it returns) would have to follow this same type of observer coverage. Dalzell replied that there is no level of coverage for the Mariana longline fishery. Camacho wanted to make sure they didn't want to make a recommendation that would affect them indirectly

*. The Joint AP supports the Hawaii AP's recommendation of the Council work with the NMFS PIFSC to determine the appropriate level of coverage, and if scientifically and economically feasible, reduce observer coverage as appropriate.*

### **C. Options for Revising the Risk Determination and Uncertainty Characterization Process**

DeMello presented on enhancing the ACL process and noted the different options and explained the current processes. He presented the options and noted that the Council may decide to take action on this issue at its 166<sup>th</sup> meeting.

Beals explained the Hawaii AP recommendation and approach to the issue saying that they wanted a sensitivity analysis done on each of the options to provide a better insight into how these options would actually affect the fisheries.

Camacho concurred and said that the Hawaii AP recommendation was good because the AP shouldn't make a unilateral decision on an option. He said that we should get a sample of all the options before we can decide which approach is best. Better to proceed with caution because it might restrict us more in the future.

Farrell noted that what works for Hawaii might not work in the Marianas so we should see what works best.

*The Joint AP agreed with the Hawaii AP and requested the Council take each option presented and conduct a pilot analysis using real fisheries data for each island and present those results to the advisors and the Council for reconsideration of this issue.*

### **4. Mariana Archipelago FEP Community Activities**

Kaaiai presented on the Northern Islands Community Management Plan being developed with the assistance of the Council. He gave a quick overview of the process and what has been done to date as well as next steps. Kaaiai also presented on the Yigo and Malesso community plans being developed with the assistance of the Council. These plans are similar to the Northern Islands community plan but were conducted earlier so are ahead in the process. The Malesso plan was finished and presented to the community and they are working with the Guam agencies to address their issues. Yigo is currently developing their plan and will be completed soon, but Kaaiai reviewed the objectives and the actions for that plan, as well as the objectives for the Northern Islands plan as well.

Farrell asked if the Northern Islands looked at developing a biosecurity plan? Kaaiai said that they didn't bring it up but it could be included if they chose to do so.

AP members were curious on how villages were identified. Kaaiai replied that the process is organic and that the mayors requested the assistance and the Council provided the process to facilitate the development of the plan. The AP also asked about the details of the plans and Kaaiai provided additional details as requested.

**The AP commended Kaaiai and the Council for bringing the grassroots initiatives back to the islands and creating a stronger connection between the islands and the Council.**

Perez presented on FESTPAC 2016 hosted by Guam. He said this was the first time that fishing and hunting was included in the event and noted that the Council provided this booth presenting

the fisheries and community work being done by the Council including the code of conduct, community plans, and ecosystem issues. Perez noted that the lunar calendar and the code of conduct were big hits and that is a testament to the AP and the recommendations they made to develop these outreach tools.

FESTPAC included 27 countries and 5,000+ participants and will not occur again in Guam for another 132 years. Perez noted the symbolism in the arrival of the canoes and that there were many outlets that covered the event, including social media. The AP provided logistical and staffing support for the event over two weeks and Perez thanked the members for all of the volunteer assistance.

## **5. Mariana FEP AP Issues**

### **A. Report of the Subpanels**

#### **i. Island Fisheries Subpanel**

AP subpanel members introduced issues in the CNMI and Guam. The CNMI subpanel discussed a survey on household fishing activities and how the expenses are different between each of the island for each fishery to determine ratios. They explained that the expenses for fishermen differ per fishery and per island.

*The Joint AP recommended the Council request NMFS PIFSC to conduct an economic survey in the CNMI to determine the expense and expenditure differences in fisheries between Saipan, Tinian, Rota and Guam to determine the differences between the islands as well as between the fishery sectors.*

AP members continued to express concerns regarding the multitude of surveys and research projects being conducted in the Mariana Archipelago and collecting data. They reiterated their concern with the different metrics being used and the data not seemingly being coordinated.

The CNMI AP brought up the increased harvest of sea urchins and with the increase in Asian tourists, there may be even more harvest. The AP would like to see a stock assessment done to determine what the available harvest should be before it becomes a problem in the CNMI. They also said that there are concerns with eels that may be feeding populations in Japan.

#### **ii. Pelagic Fisheries Subpanel**

CNMI AP members noted that the pelagic catch normally comes to the market in the afternoon and evenings while the coral reef fish catch comes in early in the morning. It may be something to consider when doing surveys in the Mariana markets for fish.

The AP members continue to be concerned about FAD deployment. They said that the FADs are very productive, particularly for bait or for certain species and it is convenient. Guam AP members noted their problems with deployments. They noted that the last deployment of FADs was in September 2014 and that DAWR has FADs in their lot waiting to be deployed but their problems in not deploying them include USFWS Section 7 consultations as well as the government purchasing process.

CNMI AP noted that four of fifteen FADs are currently deployed and they face similar problems to Guam. Tenorio noted that the FADs are rigged and waiting deployment but they are awaiting clearance from the USFWS Section 7 consultations.

*The Joint AP recommended working on a resolution on the FAD issues in Guam and CNMI to be presented to the Council at its 165<sup>th</sup> Meeting for consideration and action.* The resolution should include points on the history and the issues and what the resolution of the issue.

*The Joint AP recommended the Council request from USFWS the status of the FAD section 7 consultations and urges them to expedite the completion to provide the approval for local agencies to deploy the FADs.*

Simonds announced that the Council is working with NMFS PIFSC and potential fishermen to work on shark depredation issues. She said that they are currently negotiating to find a vessel and fishermen to do the fishing and research. Dalzell noted that the project will look at the disparity of what fishermen are seeing and noted that the project will need to involve the fishermen to provide where and how fishermen fish.

*The Joint AP supported the Council's push to develop a shark depredation project in the Marianas and request the Council to ensure the project include CNMI as well.*

### **iii. Ecosystems and Habitat Subpanel**

The Guam AP brought up issues with the culvert project in Guam that will reroute the storm-water into Tumon Bay. The concern is that this will affect the ecosystem in the bay and beyond. The Guam AP also announced the signing of a Guam Bill that instituted a "Guam Fishery Council" consisting of stakeholder groups that will provide advice on fishery issues in Guam, and the first meeting will meet before the end of the fiscal year.

The CNMI AP is still concerned with the pre-positioning ships and the anchoring that may be damaging the coral reefs. They noted that the Memorandum of Understanding is expired so that needs to be updated. DeMello noted that the AP made the recommendation previously that discovered the out of date MOU and the AP agreed to keep pushing the issue with the CNMI government and the staff will follow up with AP members.

The CNMI AP is also concerned with military vessels arriving in the CNMI from foreign countries with foreign ballast water. They would like to have a biosecurity plan in place to prevent an ecosystem disaster.

### **iv. Indigenous Fishing Rights Subpanel**

The Guam AP noted that the Indigenous Fishing Rights bill will be inherited by the Guam Fishery Council. Guthertz noted that she authored the bill and got it passed, but it was misrepresented and mishandled by the implementing agencies. She said that the intent was to provide a mechanism to recognize indigenous fishing rights and hopes the new council will keep to this intent.

Guthertz also noted that the success of FESTPAC is the perfect opportunity to take advantage of the traditional and cultural pride by creating educational videos on the fisheries. Spalding noted that we worked with CNMI on a chenchulu fishing that was never completed. Farrell volunteered to follow up with the video with the folks on Tinian.

## **B. Other Issues**

The CNMI AP was concerned with the increasing competition for selling fish in the CNMI. Currently local fishermen are having to compete with foreign workers (who are brought in for other work but also get "hired" to fish for vendors) causing large fluctuations in pricing.

They are also concerned that some fishermen are near the islands when FDM is being bombed and that the DOD should have a way to clear the area prior to the immediate conducting of activities. The blasts on the island or in the water also create large waves that could impact fishermen besides the actual blasts itself. Regular radio provides announcements of when the activities are occurring, but the marine radio should be broadcasting in real time. Staff and AP will work with CNMI AP to be included in the DOD advisories of military activities in the CNMI.

## **6. AP Training and Needs**

The CNMI AP continues to be concerned with the CNMI Bottomfish regulations that are not being followed and requested a workshop on regulations as the regulations will be amended again.

*The Joint AP recommended the Council request NMFS PIRO to provide outreach workshop for stakeholders and agencies on CNMI Bottomfish regulations with the new regulations as amended.*

The Joint AP would like to have a MSA training session to learn more about how MSA and other laws that affect fishing. This training could occur over a couple of days with the whole AP.

*The Joint AP requested the Council provide an MSA (and other applicable law) training to be conducted with the AP.*

Guthertz noted the success of FESTPAC and highlighting the fishing traditions and practices of the indigenous people of the Mariana Islands. She said that there should be a permanent display in Guam's new museum.

*The Joint AP requested the Council to assist the AP in facilitating the development of a permanent display/section of the new Guam museum to highlight the indigenous fishing practices of the Mariana Islands.*

## **7. Public Comment**

There was no public comment.

## **8. Discussion and Recommendations**

The Joint Mariana AP made the following recommendations:

Regarding Program Planning:

- **Requests the Council work with the new Guam Fishery Council to develop a way to centralize and coordinate fishery data and research collected for the Mariana Archipelago with the goal of establishing a policy by law to require this process.**
- **Supports the Council's push to develop a shark depredation project in the Marianas and recommends including a stronger cooperative research priority for a study to look at shark depredation in CNMI as it is occurring at a higher rate**
- **Agreed with the Hawaii AP and requested the Council take each option presented and conduct a pilot analysis using real fisheries data for each island and present those results to the advisors and the Council for reconsideration of this issue.**

Regarding Mariana Archipelago Fisheries:

- **Recommends the Council express the fishermen concerns regarding recent reports of surveys in Tinian to the Department of Defense that there is a lack of communications with the community and local officials on their activities and data collection on the island.**
- **Recommends the Council request NMFS PIFSC to conduct an economic survey in the CNMI to determine the expense and expenditure differences in fisheries between Saipan, Tinian, Rota and Guam to determine the differences between the islands as well as between the fishery sectors.**
- **Recommends the Council request NMFS PIRO to provide outreach workshop for stakeholders and agencies on CNMI Bottomfish regulations with the new regulations as amended.**
- **Requests the Council assist the AP in facilitating the development of a permanent display/section of the new Guam museum to highlight the indigenous fishing practices of the Mariana Islands.**
- **Recommends the Council request NMFS PIFSC to design and implement a socio-economic survey to determine the fisheries opportunities and impacts of increased recent development in the CNMI, given the new hotels and casinos in Saipan.**

Regarding Pelagics:

- **Supports the Hawaii AP's recommendation of the Council work with the NMFS PIFSC to determine the appropriate level of coverage, and if scientifically and economically feasible, reduce observer coverage as appropriate.**
- **Recommends working on a resolution on the FAD issues in Guam and CNMI to be presented to the Council at its 165<sup>th</sup> Meeting for consideration and action. Further, the Joint AP recommended the Council request from USFWS the status of the FAD section 7 consultations and urges them to expedite the completion to provide the approval for local agencies to deploy the FADs.**

Regarding Administrative Matters:

- **Requests the Council provide a joint AP MSA (and other applicable law) training to the members.**

## **9. Other Business**

Perez went over the AP's joint fishing event calendar and noted that he is working to provide a calendar on all of the Mariana fishing events for the AP to be able to participate.

Walker announced the Fishers Forum events in Guam and CNMI and provided the agenda for each of those and invited the AP to participate and get the word out on the events.

The meeting adjourned at 3:00 p.m.