



**WESTERN  
PACIFIC  
REGIONAL  
FISHERY  
MANAGEMENT  
COUNCIL**

## **Report of the Joint Advisory Group Meeting**

March 15-17, 2017

Ala Moana Hotel

Honolulu, Hawaii

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

Judith Guthertz, Overall AP Chair, welcomed the members of the Advisory Panel, Non-Commercial Fisheries Advisory Committee, Fishing Industry Advisory Committee, and Community Demonstration Projects Program Advisory Panel.

### **2. Keynote Speaker: “Make the Advisory Panel Great Again”**

Roy Morioka, fisherman and former Council Chair, provided the keynote address about “making the Advisory Panel great again.” He provided the charge to the advisors to use their passion to get involved in fishery issues. Morioka also noted that advisors are often chosen as the next Council Members so it is important for them to be knowledgeable about what is going on and to interact often with existing Council members.

### **3. National and Regional Fisheries Overview**

#### **A. National Fisheries**

##### **i. NOAA/NMFS Plan**

Michael Tosatto, National Marine Fisheries Service (NMFS) Pacific Islands Regional Office (PIRO) Regional Administrator, provided an overview of the National and Regional initiatives in fisheries. He provided information about national initiatives including National Standard 1 guidance, Annual Catch Limits (ACLs), ecosystem-based management, bycatch reporting, and enhancing the use of electronic technologies (reporting and monitoring). Regionally initiatives discussed included a five-year strategic plan which includes the sustainable uses of ocean resources and balancing that with protecting it, and improving how NMFS PIRO engages advisory type of bodies. Tosatto noted that they are working on any changes needed due to the Administration change (in relation to ongoing fishery management actions and new actions as impacted by any administrative changes), budget impacts, the ACL development process, and Aquaculture. He also said they will be focusing on tuna and international negotiations.

##### **ii. MRIP Strategic Plan**

Council staff provided a briefing on the development of a strategic plan for the Marine Recreational Information Program (MRIP). He explained the process and the features of the plan, noting the Council’s heavy involvement from the beginning. He noted that the plan is in draft form and he welcomed any comments that the advisors may have on the plan. Staff also noted that regionally, the Council will be working with its Federal Data Coordination and Research Committee to develop a Regional Implementation Plan, which is the intersection of where the strategic plan is put into practice in the Western Pacific region

##### **iii. Magnuson Stevens Act Reauthorization and other Legislation**

Council staff discussed the bills that were introduced in the US Congress that may have impacts to fisheries in the region. He noted that there is an MSA reauthorization bill introduced by

Representative Young, as well as a bill to change the billfish conservation act that would prohibit billfish caught in the Western Pacific region to be sold in the US mainland.

An AP member was concerned with the potential cuts to the US Coast Guard (USCG) budget. Participants agreed that a cut in funding to the USCG would potentially affect the level of enforcement in the region as well as risk safety and security at sea.

Another AP member was concerned with the change in administration and those impacts on indigenous rights. She noted that there have been recent challenges to indigenous rights in Guam and that it is still unclear on this Administration's stance on the issues. Participants agreed that it would be good to have a clear understanding of what rights are afforded to indigenous fishermen under Federal law.

## **B. Regional Fisheries**

### **i. National Saltwater Recreational Fisheries Policy Pacific Islands Regional Implementation Plan**

Andrew Torres, NMFS PIRO, provided an overview of the National Saltwater Recreational Fisheries Policy Pacific Islands Regional Implementation Plan. He noted that there are seven goals to the plan and said that the purpose is to advocate for, and advance, the best interests of the recreational and non-commercial fishing communities in the Pacific Islands Region. He also went over the challenges and opportunities for non-commercial fisheries and discussed a potential summit to be held in May 2017 to develop projects to address issues. Torres also went over projects currently being conducted including an access point survey.

### **ii. Marine Conservation Plans**

Council staff provided an overview of the Marine Conservation Plans (MCPs) history and process. He said that the MCPs provide a spending plan for any funds provided to the government for fines resulting from illegal fishing in the Exclusive Economic Zone (EEZ). He also noted that the Guam and CNMI MCPs will be expiring this year and encouraged the participants to provide input on the development of the next MCP due to the Council in June.

### **iii. Pelagic Deepset Longline Draft PEIS**

Council staff explained that a Programmatic Environmental Impact Statement (PEIS) is being developed to take a hard look at the pelagics deepset longline fishery and to provide up to date NEPA coverage. He said that the PEIS is seeking comments on management issues (e.g. changes to permitting programs, BET specifications, etc.) and environmental social and economic issues. He noted the different scoping sessions being held in the region and said that the deadline for scoping comments by email, mail or internet is April 14, 2017.

### **iv. Aquaculture Management in the Western Pacific**

Council staff presented on plans to develop an aquaculture management program in the region. He said that NMFS PIRO is currently working on a PEIS that will provide the appropriate NEPA coverage for the management program. Draft alternatives include siting, permitting, species and gear. Staff noted that Council action to put this program in place will also need to occur and that an options paper will be made available in the near future for the advisors to provide input and recommendations to the Council.

#### **v. Ecosystem Component Analysis**

Council staff provided an analysis of coral reef fish species that are being considered for an Ecosystem Component category under the Fishery Ecosystem Plans (FEPs). He used data for Guam's coral reef fish because it included over 2,000 species which were then filtered to determine which species should be actively managed versus those that are rarely caught but comprise a part of the fishery ecosystem. He said that he will be providing further analysis to the Advisors in the future to determine if the species that are filtered are the important fishes to actively manage.

#### **4. Advisory Group Breakout Sessions**

##### **A. American Samoa AP**

The American Samoa Advisory Panel met to discuss Council and American Samoa fishery issues. The members discussed issues relating to fisheries in American Samoa and in particular the pelagic fisheries as well as protected species.

Discussions regarding the pelagic fisheries included existing concerns regarding the development of a longline dock in the territory. Advisory Panel members were concerned that funding for the project may be lost if it was not made a priority. Members were also concerned with the impacts of proposed billfish legislation, a decrease in US Coast Guard funding, and fishing restrictions in the Rose Atoll Marine National Monument. There were also concerns that listings of protected species under the Endangered Species Act need to have more thorough community education and outreach.

The group also noted that funding from violations from the Clean Water Protection Act and the Oil Pollution Act were being provided to the National Marine Sanctuary Foundation and thought that funds should be provided to the government to support projects listed in their Marine Conservation Plan. The group also discussed a potential need for establishing minimum landing requirements under the American Samoa longline limited entry program. This would ensure that fishermen are using the permits and that non-fishermen couldn't squat on permits to force a defacto closure of the fishery.

##### **B. Mariana Archipelago AP**

The Mariana Archipelago Advisory Panel (including both Guam and CNMI) discussed Council Issues. Members discussed the FAA approval of the expansion of a closed area around Farallon de Medanilla from 3 nautical miles to 12 nautical miles. Other discussion occurred around marine protected areas and the need to review their effectiveness.

The Chairs noted that the Marine Conservation Plans (MCPs) were due to expire this year and the group needed to work with their agencies to develop the next MCP for each island area. The group discussed projects that they would like to see in the next MCP including: fixing boat ramps in Tinian, fixing boat slips in Rota, and developing boat ramps in both Guam and Saipan.

Military issues continued to be a major discussion point with the Marianas AP. Proposed safety zones in Apra Harbor, prepositioning ships in Saipan, and the notification to fishermen of closed areas were some of the issues. Other continuing issues include shark depredation and the lack of Fish Aggregation Devices (FADs). Newer issues included getting updated on Federal fisheries work in the area, including such projects as the Habitat Blueprint at Manell-Geus, as well as

knowing the potential fallout from Fukushima radiation and its impact on fisheries. The group was also concerned that their voices aren't heard in the different Federal advisory committees because members from their area were not appointed or are not offered funding to participate in face to face meetings.

The group agreed that the meeting of both Guam and CNMI APs provided a great venue to discuss joint problems and come up with solutions. They recommended to work together to develop a plan for annual meetings of the groups.

### **C. Hawaii AP**

Council staff provided an overview of the options for fishing regulations in the NWHI Monument Expanded Area (MEA). Scoping meetings were held in December and summary of comments made during those scoping meetings were provided as well as a timeline for the process and potential regulatory options.

An AP member asked if there is a hard date on the prohibition of the fishing. Council staff explained that the closure date will be determined through the MEA regulations. Another AP member said that the Monument can stay but the commercial fishing prohibition needs to be removed. Another said why not also include the bottomfish in the discussion so that the area can be opened up again. Council staff clarified that the proclamation covered all commercial fishing activity and clarified that the bottomfish regulations that the Council developed are still on the books. Some members expressed the concern about removing commercial prohibitions was off the table. Breakout group members discussed how it is an uphill battle but they can at least ask.

The Hawaii AP Chair brought up previous discussion within the group that the monument designation may be illegal due to the misuse of the Antiquities Act within the EEZ. He also noted that individuals may work on different activities as the Council moves forward with the regulatory process. One member said there needs to be something in place so that this type of monument designation does not happen again and so that people can have more input in the process. Another asked if some regional level recommendation could be put forth so that there is more force from the entire region, not just Hawaii.

Council staff asked if the Hawaii Advisory Panel had any further options for the staff to consider. Members did not provide additional suggestions.

Council staff then provided an overview of the recent coral reef stock assessment that was released by NMFS PIFSC. He said that the SSC reviewed the assessment and had concerns and that PIFSC determined in the assessment that some of the species "may likely be experiencing overfishing."

An AP member asked if this is based on recreational or commercial data. Council staff clarified it was both and noted that the SSC expressed concern about the use of recreational data. Other members expressed concern about this assessment being replicated for the other territories, and questioned the results of the assessment. They also expressed concern that PIFSC did not work with the fishing communities, and now the Council has to react to this – similar to the MHI bottomfish situation before, but worse. Members questioned the species that show up in the data and staff noted that the SSC also expressed the concern that the species that show up in catch

data is not necessary what is out there. A member asked how this can be discredited, to which staff explained that SSC will not be endorsing the assessment wholesale and will be looking at the assessment for each species, but NMFS PIRO wants the Council to recommend ACLs in June based on this assessment. AP members said that NMFS PIFSC needs to work with the fishermen and Council.

The AP discussed including *Uku* (gray snapper) in the assessment and a related deep-7 assessment schedule. A member mentioned that the uku catch is driven by price and that demand is increasing now because mahimahi imports stopped from certain countries and restaurants are now buying uku in its place.

AP members reviewed the research priorities and agreed to look at suggested revisions at its June meeting.

The AP then discussed community-based fisheries management in Hawaii. They reviewed the issues regarding the Ka'ūpūlehu closure and members asked if a management plan had been developed. The AP discussed asking the Council to request DLNR to revisit Ka'ūpūlehu to monitor that the closure is effective.

AP members asked about Mo'omomi and the Council's support on it. Members said the Council should have come to AP and informed them of what is going on before supporting the Mo'omomi rule. Council staff explained that the Council has always supported community-based management projects, including Mo'omomi and that Mo'omomi asked the Council for support. Several AP members provided information about management concerns with Molokai and suggested that there is more justification for Mo'omomi whereas the other CBFMs have no basis.

AP members discussed the need for some guidelines to be considered by the state when approving any marine conservation areas. The Hawaii AP Chair noted that such guidelines could prevent any future issues like Ka'ūpūlehu (i.e., no basis for closures) and Mo'omomi (i.e., community concern with Council supporting a CBFM).

The Hawaii AP Chair discussed AP membership changes. One member has moved to the mainland and will be resigning. An alternate member was recommended as a replacement and the AP agreed to request the Council do so at its next meeting.

#### **D. Non-Commercial Fishing Advisory Committee (NCFAC)**

The NCFAC discussed the MEA non-commercial fishing regulations and the members noted that there is a potential for a multi-day charter fishery. Members didn't have specific recommendations for options and agreed to provide a review of the formal options paper when available.

Council staff presented an overview of the current Council research priorities. Members noted that sharks are still a priority in the Marianas and that a survey done on shark depredation could be done at the tournaments. One member noted that they wanted a shark tournament and they could use the carcasses to feed pigs or for crab bait. Hawaii members noted the need for

bottomfish behavioral studies (opakapaka daily migration, better understanding of the migration and movement).

NCFAC members were interested in the results of different studies, such as survival rates on bottomfish from barotrauma and marlin tagging studies. They said they know the information is available but tough to find. The group suggested that there should be some place type of central repository for these types of studies so that fishermen can easily access the information.

The group discussed education and outreach issues and one member noted that social media has been good for them to provide information. Members said that the existing periodicals are good as well, but they know that the social media sites like YouTube, discussion forums (i.e. Bloody Decks) and Instagram reach both the old and the young fishermen. They also suggested getting literature out to the fishing stores.

They noted that the key to people understanding is to put the message in terms of how it helps the resources and what fishermen get out of it. It also helps for fishermen and the community to know what researchers are getting out of doing the studies as well. Members again noted that there need to be a better way to get information to fishermen (easier access by species, reproduction age, etc.) and make it digestible for people to use it.

One member noted that there are lots of initiatives being done by fishermen that they don't know that should be recognized. An example was how they learned about the trash category in a Hilo tournament in a previous NCFAC meeting. The member thought it was a good idea and has replicated the category in Saipan. Members also pointed to the marine debris bin at Pier 38 for the longliners and said that something similar on every island would provide an incentive for bringing in derelict nets and other debris.

There was some discussion on electronic data collection reporting and using mobile applications. Members discussed adding fishing regulations to any app to provide an easier way to find the rules as well as tagging project information. The app could provide a platform to show where the fish was tagged and recovered. The group also noted the problems with confidentiality and fishermen giving information and said those types of issues would need to be addressed before any app can be developed to report fishing data.

Council staff reported on the Hawaii non-commercial fishing licenses feasibility study on a Registry, Permit or License system. The group discussed the need for the report but noted that enforcement will always be a problem. Members said that the study should also look at considerations given to other native peoples in other places.

## **5. Sub-Panel/Program Area Breakout Sessions**

### **A. Pelagics and International Fisheries**

Council staff provided an introduction to pelagic fisheries management. He discussed regional fishery management organizations, with a breakdown of the US tuna fisheries. The introduction looked at WCPO tuna catch by gear types as well as by species. He also provided information on catch composition and catch revenue to the breakout group, with trends over the last several years. Staff also gave a detailed amount of information on the American Samoa longline fishery, and spoke about the issues that are impacting the fishery recently, including the economic difficulty of albacore fishing in the last several years.

A member asked why the longline fleet is getting smaller in American Samoa, and if the Monument expansion had anything to do with this impact. Staff cited new regulations, and levels of requirements for safety gears as reasons that many smaller alia boats ceased to do longline fishing. He said the Monument probably wasn't the reason for the decline.

Council staff presented on pelagic fisheries in the Marianas Islands. He shared data on CNMI's pelagic fishery participation and commercial pelagic catch. He also gave participation and catch information from Guam's troll fishery which focuses on yellowfin and skipjack tuna.

A question was raised about who the main competitor to the US was. Staff said Taiwan, Korea, Japan and China had the highest effort. He also spoke of IATTC membership requiring the sharing of catch data. A member asked where Taiwanese catch goes. Staff said some can do ultra-low refrigeration and that capability dictates where the market is for the fishery. He also talked about Chinese vessels fishing in the Cook Islands and how some of the albacore can end up in European restaurants and even with the MSC efforts in American Samoa, fish can end up in the EU. Some members were concerned about Fukushima radiation reports. Staff had not heard of any dangerous levels for human consumption.

One member asked what commercial fishery there is in CNMI. Staff said troll and it is mainly for skipjack. Another member said there were longline boats but it wasn't economically feasible. Staff said there hasn't been a large scale fleet to coordinate efforts in the Marianas. A member from CNMI said fuel and operating costs were too high, and shark predation created a situation that could not sustain the fishery. Staff added docking fees costs as another factor. He talked about difficulties of offshore aquaculture fish farms as well. An American Samoa AP member shared difficulties in American Samoa for the longline fishery, including the STP closure. Staff added the reduction of days from Kiribati for US boats as another big factor.

The group also discussed local pelagic issues. In American Samoa the American Samoa Longline Limited Entry (ASLLE) program was noted as complex due to its previous history. Staff noted the Council's efforts to streamline the ASLLE, with the size classes being simplified to large and small. Members also presented AS pelagic issues and recommended focusing more on training for fisheries development in island areas. Council staff also provided an update on the American Samoa Longline Vessel Prohibited Area (LVPA).

CNMI noted their need for docking facility repairs as a result of the recent typhoon. Typhoons removed FADs, and need to redo the design to keep them from breaking off so easily. They also noted that they need new slips in the marina and Tinian needs a new boat ramp. Members also mentioned that shark predation/interaction with the troll fishery is a big problem and that the Fukushima debris needs to be cleared out. Members would like the Council to look into the contamination of pelagic fish in CNMI as a result of the Fukushima radiation as well.

In Guam, members were concerned with the total number of vessels displaced by the W517 training area extending to Galvez bank. One member spoke of needing FAD design upgrades and the need to deploy FADs. A Hawaii member mentioned that they need to use bigger gear if they want them to last longer. He said there are other designs for FADs that last longer, but there are designs that last for a very long time. There was discussion on asking the SPC to provide guidance to the Guam fishermen on FAD design.

Hawaii issues related to the impacts from closed areas including the MEA. Members pointed out their disappointment with closing large areas without public input, especially since the fishery is the best managed one in the world. Members from all the areas echoed concerns with the expansion of the monuments.

### **B. Island Fisheries**

Council staff described the importance of putting the regional priorities in the 5 year MSA research priorities, cooperative research, and the recreational fishery policy. He also said that it is the Council's charge to the AP to discuss the issues and rules with the fisheries and whether or not there should be any change in the existing regulations. If there are no issues with regards to the rules, then what is the information needed to manage the fisheries.

Council staff provided an overview of the projects being implemented in the region. He described the funding mechanism that drives the projects. Council staff normally applies for grants to fund the small projects but there are other funding mechanisms such as the Pacific Insular Area Fisheries Agreement and territorial quota agreements that funds the Sustainable Fisheries Fund (SFF) and the Marine Conservation Plans (MCP). He said that it is critical for the AP to be familiar with the plans and provide input.

The group discussed island fisheries issues and priorities for management in each of the island areas. Guam members discussed the Guam Fisheries Act and the need to make sure that the Fisheries Act is consistent with the federal regulations. Members noted that the act is on hold until the constitutionality of several different initiatives are resolved. CNMI noted that there is a regulatory gap since they got territorial waters from the US. All the federal regulations no longer apply in the Territorial waters. They noted that there are potential impacts to fisheries if future regulations are inconsistent. Both Guam and CNMI also discussed issues regarding shark depredation and the military expansion. The fishing community is still experiencing increasing rates of shark depredation forcing fishermen to move to other areas. The increase frequency of military activities and expansion of operational zones are also forcing fishermen farther out in the ocean and away from existing fishing areas.

American Samoa discussed the need to protect their seamounts. They were worried that the commercial fishery for bottomfish on the seamounts will result in local depletion as there are no data on the productivity and recovery rate of the deep seamounts. The members also noted that recovery from the tsunami and the damage to the boats has been slow. They said that the EPA regulations make it hard for the alia fleet to recover because it is too complicated and costly to maintain a computerized engine. Another issue discussed was that black market fish devalues the fresh fish market for the cannery and the local markets. It's a persistent trend where restaurants buy the black market fish and not from the local alia fishermen. Other issues discussed were impacts of monuments and pelagic fisheries on the high-seas.

Hawaii members identified issues in the island fisheries which mainly revolved around the bottomfish fisheries. Council staff noted that the Council is working with the State on the removal of the BRFA's but it is up to the state to change the regulations. Members discussed bottomfish research and noted that results should be made more public to show the botcam video footage, habitat maps, and life history information for the community to be aware of the science

available. They also noted that the standardization in the assessment is an issue because the high liner numbers are averaged out due to the low CPUE of the inexperienced bottomfish fishermen. The members said the fishery independent surveys should address the CPUE bias but it takes time to accumulate. One member said that in Kauai, the bottomfish fishermen participation had gone down as more people are into trolling. A Maui member said that trollers are transitioning to bottomfishing. Members said that if there is increased participation in the bottomfish fishery over time, there will no longer be any unused portion of the quota.

### **C. Ecosystems and Habitat**

Council staff presented the advisory panel's role in protected species issues and gave an update on ongoing Endangered Species Act (ESA) and Marine Mammal Protection Act (MMPA) actions, and the Council's draft comments in response to the proposed listing of the oceanic white tip shark under the ESA.

One member commented on the importance of commenting on the proposed listing species during the status review, as the proposed rule stage is usually too late. Staff responded with the example from the corals listing, in which the listing was dropped from greater than 80 species to fewer than ten. Another member asked where the petitions come from, and staff replied that it is mostly environmental organizations.

There was discussion on the distribution and range of giant clams proposed for listing. There were several questions on the ESA updates. A member commented that the NMFS ESA listings of corals disproportionately affect the territories. There was a motion on the coral listings in the American Samoa breakout group, commenting that the local community was not consulted and the species are not identifiable.

Council staff explained the process for delisting a species, and then reported on the oceanic white tip. She said that catch rates of oceanic white tip are consistently dropping across the globe and size is decreasing. A member commented that the US manages its fisheries well, while other countries do not and the international measures affect the US fisheries disproportionately. The AP had only observed the oceanic white tip rarely in the Marianas.

A member asked about outreach done during the 12-month finding phase. Council staff responded it depends on the rule and how controversial it is. The member echoed other member's concerns that many of these petitions are not coming from the islands or from the people who survive on subsistence.

Council staff then provided a presentation on Essential Fish Habitat (EFH), including MSA requirements and regional agreements. She described the EFH consultation process and the agreement saying that NMFS handles about 300 EFH consultations per year, so the Council decided on the type of consultations to coordinate on. She explained the advisor's role in the EFH consultations and provided examples of consultations in each of the areas.

In response to discussion about sediment runoff from construction site, a member made a comment that there is a distrust of government and their ability to handle those issues.

Council staff also provided an overview of the EFH review procedure and noted that 3 reviews are currently underway. The Advisor's role in the EFH review is to provide comments on EFH reviews. She provided the EFH review schedule and opened it up to questions. There were no questions from the members.

An overview of marine planning issues was presented by Council staff. She said that RPB planning is ongoing in American Samoa and that work in the Marianas will happen in the future. She provided the ocean activity updates to be included in the SAFE report and sought input from the AP members. Council staff asked about the Garapan anchorage (pre-positioned ships) and whether there was any update on the Memorandum of Agreement. CNMI AP members said that they're not aware of any updates and that the anchors are continuing to damage the reef. Mooring buoys have been recommended as an alternative to anchoring but the Department of Defense has pushed back on it. Staff indicated that she can provide information on the Section 902 consultation for Farallon de Medanilla if there is any interest. Council staff ended with the advisor's role on marine planning issues and encouraged members to bring issues up to staff and the Council as needed.

A member commented that local people should be consulted first before federal government consider proposals on listing and other actions, noting that it ends up being a done deal when people attend public hearings. Another member echoed the concern, and explained the example on green turtle public hearing where most people expressed opposition but they were still listed. Council staff responded that the critical stage in NEPA is in scoping. Other members echoed this sentiment.

Council staff also reported on the Council's involvement in climate change, indicators of climate change in the SAFE reports, and the NMFS climate change activities. She was asked if there is a correlation between water temperature and air temperature throughout the year. Staff responded that the pelagic SAFE report will include Sea Surface Temperature (SST) and temperature at depth to find the thermocline. These past couple of months there has been extreme variation (4 or 5 degrees) in temperature. Staff added that they are working on correlating fish catch with different environmental factors, like SST.

One concern coming out of the group is that the communities are not consulted enough for proposed listing of species. Members elaborated that after the species are listed, the agencies should perform outreach. Staff noted that this is a cross cutting issue. Access was another issue that was discussed, particularly at Gun Beach in Guam. The members noted that the access is tied to fishing areas that are being proposed for development.

Other members said that they are having issues that a mass fish killing that happened in the harbor and there is a need to find out what's causing it. They also said that green seaweed showed up in Guam in the last couple years. There was reinforced concern about ocean-borne debris from the Guam AP as well.

Participants discussed developing an interaction process between the APs to learn how common issues were resolved in other jurisdictions.

#### **D. Fishing and Indigenous Communities**

Council staff provided a presentation on section 305 of the MSA. He reviewed the Community Demonstration Project Program (CDPP), Community Development Program (CDP) and the Marine Education and Training (MET) program and provided examples. Staff noted that this program was put in place to provide indigenous communities to participate in Federal fisheries where they might otherwise not qualify to do so. When reviewing the MET priorities, the members discussed the need for building capacity within each of the islands. They noted that distance learning is now easier to do while others were concerned that there are some opportunities but it is too expensive. Members agreed that distance learning should be looked at to determine how it can be used to meet the MET mandates. They noted that the MET is an MSA mandate and that funding should be provided to meet this mandate. Other members noted that CDP and CDPP are also mandated by the MSA so those should be funded as well.

The group discussed different issues revolving around the indigenous fishing communities. There were issues regarding recognizing the indigenous people in Guam and challenges to existing rights. One member pointed out that there are inconsistencies in Federal actions so there is a need to protect any rights from the challenges. Guam members noted that there are many issues including the impacts of marine preserves, military issues (no-fishing/safety zone expansions, military buildup, etc.), shark depredation and FAD research and design. Hawaii members said that they would like to see more education, enforcement and development of the Aha Moku and code of conduct. American Samoa members noted that the locals are not getting the information on Federal issues in time to provide comments. They also said that there needs to be consideration of the Deeds of Cession and noted that there were two deeds, one for Tutuila and one for Manu'a that should be considered. CNMI members expounded on the military issues faced by Guam and noted that expansion of closures and the timing of military activities are impacting the indigenous communities. They also agreed that enforcement and education are important.

The group also discussed the impacts of the marine national monuments and sanctuaries designated in the region. CNMI noted that there is a proposal to overlay a sanctuary on the Marianas Trench Marine National Monument. Members disagreed with the need for the sanctuary.

Members noted that there needed to be adequate communication and consultation with the community in order to have successful engagement. They said that this started with adequate representation on Federal committees and noted the lack of appointments made for representatives not from Hawaii. They noted that there needed to be representatives that adequately represent their islands and be provided the opportunity and funding to travel to in-person meetings. The members also were concerned with any possible regulatory changes due to the change in administration.

## **6. Overview of Education and Outreach Program Area**

Council staff presented the Council's Education and Outreach Program Area providing information on the program and activities as well as the types of educational materials available for the advisors to provide to their communities.

## **7. Advisory Group Training**

The advisors were provided with training on grants, communications, and the Council process.

Penny Larin, NMFS PIRO, provided participants an overview of the NOAA grant programs in the Pacific as well as some basic trips, tricks, best practices for applying for a grant. Doug Harper, Consultant, provided tips and tools for providing communication to the Council and to the community in their role as liaison on fishery issues, including the messages from the Council. Council staff provided a refresher on the Council process and its programs and activities.

## **8. Review of Advisory Panel Performance**

Each of the island areas provided examples of the successes and challenges they have faced in their duties as advisors to the Council. In American Samoa, the noted success has been the Fishers Forum held that provided vessel tours and a venue for people to learn about the Council, the fisheries and the issues. They noted that their monthly meetings are successful and that they have support of their Council members and have good public attendance. The challenges that American Samoa faces is that it needs to do a better job with outreach as there are more islands than Tutuila and it's been hard to inform the Manu'a and Aunu'u islands. They noted that there needs to be an avenue for those folks to participate in the AP meetings. They also noted that it's hard to get traction on AP recommendations from the local government as its relationship with the government has been bad in the past.

The Hawaii AP said that communicating on a monthly basis by conference call has been very helpful and that it is buoyed by the relationships and contacts the AP members have with the community. They did explain that there are lots of problems in Hawaii that are political and need to be dealt with in that fashion that is beyond the scope of the AP.

CNMI said that their community outreach with the Council message has been very good with it being broadcasted weekly on the radio. They also attributed their successes to a supportive island coordinator. Their main issue has been the distance between all the members to meet face-to-face regularly as there are members from all of the islands. They also need to work on getting members involved with helping to follow-up on recommendations. The CNMI AP Chair noted that there are people who are misinformed or get bad information that gives the AP trouble in the CNMI.

In Guam, the AP noted that they are utilizing social media to coordinate and discuss issues regularly. One thing that they implemented has been to develop vice chairs that rotate throughout the year and provide assignments by subpanels. They also request guest presentations and have a member be responsible for a library of Guam fisheries information and keep a Marianas fishing activities calendar. The Guam AP also meets together outside of meetings to socialize and have fun as well. However, they noted that the members are volunteers so there is a difficulty in balancing that passion with their personal life, and sometimes the negative public comments can have an effect on members. They said the area they need to work on is having better political relationships.

Participants provided additional challenges that they face as Council advisors and noted that meeting in-person (or utilizing technology) with other advisors and staff was useful to share ideas and discover solutions to problems that others may have had. An example of sharing was provided by a CNMI participant where he was inspired by a Hawaii participant at a previous meeting who has a category for marine debris in his fishing tournament. The CNMI participant

added it to his own fishing tournament and it has become a great outreach tool. Many of the other participants noted that it was hard to get fishermen to speak or attend meetings because they don't want to provide information, are too busy, but the participants were grateful for the communications training and were willing to try out some of the tips provided.

### **9. Advisory Group Planning**

The group was charged to meet by island area and plan how to address their recommendations to resolve the issues locally. Each island area met and reviewed past and current recommendations to determine the best approach for their group. Many of the group's past recommendations were looked at to develop follow-up plans to assist the Council.

Participants from American Samoa planned to engage the local government agencies by inviting them to the next AP meeting with hopes of a report on the various issues by June. Hawaii participants reviewed issues regarding areas closed to fishing and agreed to work on reviewing management objectives for its next meeting to determine how best to approach the situation. Guam and CNMI provided their issues and agreed that some of the issues were better approached jointly, such as the marine preserves and military issues that affect fishing.

### **10. Closing Remarks: "Fish Forever"**

Mark Mitsuyasu, Council Program Officer, provided the closing remarks to the participants. He reviewed the charge of the AP and noted that some good work has been done, but the term is only half-way over and encouraged them to continue to strive towards being the Council's liaison with the community.

### **11. Public Comment**

Public comment periods were provided throughout the agenda. There was no public comment at any of the times provided.

### **12. Wrap-up Discussion and Recommendations**

The Joint Advisory Group provided the following recommendations to the Council:

#### ***Regarding Program Planning, the Joint Advisory Group recommends the Council:***

1. Explore distance learning opportunities to fulfill marine education and training priorities.
2. Include in its "Fishermen Resources" portion of its website, key information on important fishery science information such as reproduction at size/age; etc.
3. Work with partners to provide Marine debris bins on each island in the region, like the one located on Pier 38 at Honolulu Harbor.

#### ***Regarding Administration, the Joint Advisory Group recommends the Council:***

1. At the request of the Hawaii AP, remove Dan Roudebush from the Hawaii AP and replacing him with alternate member Kelvin Char. The Joint Advisory Group further recommends the Council open the solicitation process to fill the alternate positions on all of the APs.
2. Re-solicit members for the CDPP AP and increase its role to advise the Council on all community fishery issues.

3. Continue to request NMFS to provide funding for the MSA-mandated CDPP and Marine Education and Training Programs.
4. Communicate its concerns to the appropriate entities regarding the potential impacts to fisheries in the Western Pacific Region due to cuts in the budget of the US Coast Guard and requesting the USCG has sufficient funds to provide adequate enforcement and support, including safety and security at sea, for the US Pacific Territories. The advisors were concerned that the loss of billions of dollars in funding for the USCG will cause the agency to decrease its presence and monitoring for fisheries and the potential for illegal fishing vessels entering the US EEZ.
5. Continue to express its concerns to the new Administration regarding the impacts to fisheries from the marine national monument designations and expansion, such as the Rose Atoll Marine National Monument, Papahānaumokuākea Marine National Monument, Pacific Remote Islands Marine National Monument and Mariana Trench Marine National Monument. The Joint Advisory Group also supports the removal of the fishing provisions of the Marine Monuments so as to allow commercial fishing because the designation, which was done with a stroke of pen, negatively affects the culture, practices and economics of the Pacific Islands. The Joint Advisory Group further recommends the Council continue to advocate for fishing opportunities in expanded or designated Marine National Monuments, National Marine Sanctuaries, military area closures, or other marine protected areas in the Western Pacific.
6. Send a letter to NOAA to ensure appropriate “subject matter” representatives are considered and appointed from the U.S. Pacific Islands on Federal advisory bodies (e.g. MPA Federal Advisory Committee), as appointment of members from a single island area (or from other regions) are not able to provide adequate representation for the entire region. The Federal advisory bodies should also provide the opportunity for travel to the meetings for those members in the Pacific Islands to equally participate in the meetings.
7. Consider a resolution expressing hope for the new President of the US and his administration and requesting his support for programs that are intended to assist and enhance fishery management in the US.

***Regarding Marianas Fisheries, the Joint Advisory Group recommends the Council:***

1. Support annual meetings of the Marianas Archipelago AP and for one of those meetings to be held on the island of Tinian or Rota.
2. Based on the MSA and other applicable Federal laws, request NMFS General Counsel provide a legal opinion on the rights/cultural practices of indigenous fishers of American Samoa, Guam, CNMI and Hawaii that are recognized by Federal law.
3. Request the CNMI government to evaluate the impacts to trolling and atulai fishing operations due to the anchoring of prepositioning ship off the island of Saipan, and if appropriate, seek compensation from the Federal government for the loss of access and damages to benthic habitat.

4. Request from the National Marine Sanctuary Program the geographic, management and conservation measure details associated with the overlaying a National Marine Sanctuary over the Marianas Trench MNM. The Joint Advisory Group further recommends the Council Express the fishing community's concerns opposing a potential national marine sanctuary designation.
5. Request CNMI DLNR to work with the Advisory Panel and broader fishing community in the development and formulation of the local rules and regulations that will apply to the territorial waters that are now under CNMI authority.
6. Supports the placement of FADs on the West side of Rota, marina repairs on Rota, and improvements to the boat ramps in Saipan, Rota and Tinian (including the addition of a boat ramp on the East side of Saipan) and strongly encourages it be identified as a high priority in the CNMI MCP.
7. Supports the repair of the Inarajan boat ramp be identified as a priority in the Guam MCP.
8. Express its dissatisfaction with the FAA approval of the 12 nautical mile restricted airspace surrounding FDM and recommended that the Department of Defense:
  - a. Complete an assessment of unexploded ordnance and military dump sites throughout the CNMI and clean up the sites, including Chiget Point and Suicide Cliff on Tinian, the West side of Agiguan Island near Naftan Rock, and nearshore areas around Saipan ; and
  - b. Engage with the fishing community to determine appropriate compensation and mitigation for impacts to fisheries resulting from the additional restrictions at FDM.
9. Requests NMFS conduct education and outreach in the CNMI on federal fishing regulations given the transfer of submerged lands.
10. Request NMFS provide an update and inform the local community on mitigation and planning activities in the Manell-Geus Habitat Blueprint Focus Area.
11. Request Department of Agriculture review and prepare a report on the efficacy of the Guam Marine Preserves to determine if they have met their management objectives and provide a presentation to the Guam fishing community.

***Regarding Hawaii Fisheries, the Joint Advisory Group recommends the Council:***

1. Request the State of Hawaii, to consider as a requirement of closing an area to fishing, develop a plan that includes regular monitoring of the management area and a periodic assessment to determine if management objectives have been met.
2. Request the State of Hawaii develop guidelines for the establishment of marine conservation area(s) and consider the following:
  - a. Stock assessment using science based analysis.
  - b. Evaluation of all factors that may affect stocks, including over-fishing, impact of land based development.
  - c. Conduct community meetings with the stakeholders;

- d. Prepare environmental, social, cultural, and economic assessments;
- e. Provide plans that include specific performance metrics to evaluate the effectiveness of the measures through goal-appropriate regular monitoring;
- f. Include provisions for such program or management regimes to be modified or removed based on the review of the performance metrics.
- g. Development of a realistic and achievable enforcement plan

***Regarding American Samoa Fisheries, the Joint Advisory Group recommends the Council:***

1. Evaluate catch statistics of commercial and non-commercial fishing operations that occur on the American Samoa off-shore banks. There is a concern that commercial-export fisheries, if developed, could impact local stocks occurring on the small off-shore banks which have limited productivity.
2. Request the American Samoa Government re-prioritize funding to support fisherman training and loan programs rather than building a super alia or any redundant infrastructure (e.g. new fish market next door to existing market).
3. Direct staff to draft a letter to the Governor of American Samoa inquiring if the longline dock project remains a priority for ASG. The Advisors identified its completion as a priority. If this project is no longer a priority for ASG and is unable to contribute its portion of the dock evaluation project by July 1 2017, the Joint Advisory Group recommends the Council evaluate options to reprogram the funds provided to Port Administration. Further, the Advisors recommend expanding the dock project's scope to include components that may be utilized by other fisheries, enhancing the economic benefits and functionality of the project, thus making it more attractive to the local government.
4. Request NOAA Legislative Affairs work with Congress to authorize the American Samoa government to receive criminal fines from violations of the Clean Water Act and the Oil Pollution Act in support of projects listed in the American Samoa MCP.

***Regarding Pelagic and International Fisheries, the Joint Advisory Group recommends the Council:***

1. Oppose proposed Federal legislation that would prohibit the sale of Western Pacific Billfish to the US mainland. The advisors agreed that this bill would unjustly interfere with interstate commerce and be in consistent with the sustainable fishery management program in the Western Pacific region.
2. Request each of the region's agencies responsible for FAD deployment evaluate its current FAD design to reduce and/or mitigate FAD loss.
3. Request NOAA provide information to the Council on levels of radiation within the pelagic ecosystem from the Fukushima spill study.
4. Explore options for establishing minimum landing requirements under the American Samoa Longline Limited Entry Permit Program. This will require permit holders to land the minimum required amount of 5,000 lbs. for vessels over 50 feet and 500 lbs. for vessels 50 feet and under at least once every three years in American Samoa.

***Regarding Protected Species, the Joint Advisory Group recommends the Council:***

1. Request the NMFS provide more advanced notice (i.e. 30 days) and appropriate methods (e.g. radio, newspapers, language, translators at hearing/translation of notices, etc.) for an opportunity for the community to provide input, and provide education and outreach on the issue, for any current or future on proposed rules ESA. The advisors were concerned that there wasn't enough notice or opportunities in the islands for the turtle and coral listings as there was short notice for meetings, and the community didn't understand what was being asked of them.

**13. Other Business**

The Guam and CNMI Advisory Panel Insular Fisheries Sub-Panel shall engage the BSP and DLNR, respectively, to provide input on the Marine Conservation Plan. This will include input on the priorities and increasing the ranking for the shark depredation issues.

The Insular Fisheries Sub-Panel shall review the research priorities (MSRA Council Research Priorities and Cooperative Research) and provide recommendations to their respective APs on changes to the priorities

The Guam AP will meet with interested legislators, Dept. of Ag (DAWR) and the Mayor's Council to communicate the Advisory Panel's mission and vision.