



## **REPORT of the Mariana Archipelago FEP – CNMI Advisory Panel Meeting**

September 20, 2017

Hyatt Regency Saipan

Garapan, Saipan, CNMI

### **1. Welcome and Introduction**

Richard Farrell, CNMI Advisory Panel (AP) Chair, called the meeting to order at 6:15 p.m. Members in attendance were Juan Diego Blanco, Lawrence Concepcion, Ray Dela Cruz, Floyd Masga, Perry Mesngon, Manny Ramon, and Lino Tenorio.

Also in attendance was Michael Tenorio (CNMI Division of Fish and Wildlife (DFW)), Dave Calvo (Department of Land and Natural Resources (DLNR) Rota), Gil Borja (DLNR Tinian), and Stan Taisacan (representing the Mayor of Rota). Council staff who also attended the meeting were Joshua DeMello and Charles Kaaiai, as well as Council members John Gourley and Ray Roberto and the Council's CNMI Island Coordinator Jack Ogumoro.

### **2. Report on Council Actions**

Council staff reported on the status of the CNMI AP's recommendations from the 169<sup>th</sup> Council Meeting. He noted that responses to the Council were being drafted. The Council's Island Coordinator provided an update on the actions from previous meetings and discussed the unexploded ordinance response process. The AP agreed to provide photos and locations to the Fire Department who would then contact the military for assistance.

### **3. Council Issues**

#### **a. Ecosystem Component Species Designation**

Council staff presented on the Council's proposed action for designating species as ecosystem components. The objective of the action is to consolidate information for all of the management unit species and filter those species based on National Standard 1 guidelines and criteria to determine if the species is in need of federal conservation and management. He noted the process that would occur to analyze which species are in the fishery which allowed the filtering of which species are under consideration for management. He also presented options including no action, designating ecosystem component species, and removing the species from the fishery ecosystem plan (FEP).

AP discussion centered on the pros and cons of each option and which they preferred. They noted that there are 175 total coral reef species and 56 bottom species. They also discussed the possibility of combining those species that are alike and manage on a family level. *The AP preferred the option of classifying species based on factors described in National standard 1 and designating species that are not in need of federal conservation and management as ecosystem component species.*

#### **b. Aquaculture Management in the Western Pacific Region**

Council staff presented on establishing a regional management program for aquaculture in the Western Pacific. The purpose of the action is to develop a program that ensures environmentally sound and economically sustainable aquaculture in federal waters. He noted that there is a draft

environmental impact statement (EIS) that is being developed and that the options being presented are mirrored in the EIS. He reviewed the history of the action noting that the Council recommended permitting and reporting for aquaculture operations in the region in 2010, but a broader management approach was needed to determine the details of a permitting system. Staff reviewed the alternatives under consideration and noted that alternatives 2 and 3 are very similar but alternative 3 includes much stricter requirements.

The AP discussed the different alternatives and agreed that there are some things in alternative 3 that they liked better than alternative 2 and would like to see a more “a la carte” type of approach to the action. An example would be to be stricter in permitting and application requirements, but be less strict in permit duration. *However, overall, the AP agreed to recommend the Council select a less restrictive alternative, in this case alternative 2.*

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

Council Island Coordinator reported that the number of fishing tournament has dramatically increased in the CNMI. He said in the past most of the tournaments were held annually on Saipan, but now two or three tournaments have also been held on the islands of Tinian and Rota each year. The total tournaments in the CNMI is nine (so far), with four on Saipan, three on Tinian and two on Rota. According to the Island Coordinator, the tournaments are great opportunities for the fishermen to improve their skills and others to become a fisherman.

#### **5. Mariana FEP-CNMI Advisory Panel Issues**

##### **a. Report of the Subpanels**

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

AP members noted that DLNR has been working with the Office of the Attorney General to develop regulations that would require commercial take of fish at a minimum size. They noted that proposed legislation is in the Senate and if there’s no regulation, the bill would most likely become a law. They said if that happens, it would be very difficult for DLNR to make changes. The AP discussed the issue and agreed that it would be better in the form of a regulation than legislation.

The AP discussed additional regulations that are being worked on between the DLNR and the Attorney General. The agency is working to develop the regulations to implement PL 17-89, to establish a mandatory catch recording and reporting system. This law, which was enacted November 25, 2012, applies only to fish being caught for commercial purposes.

AP members noted that there were concerns regarding the need for upkeep at the different harbors and FADs. It was noted on Rota that the commercial activity on the docks were moved in order for the harbor to be fixed. This needed to happen because the docks are funded by sportsfish restoration funding and repairs could not be funded if they were used for commercial activity. On Tinian, the members noted that they are working on developing a fish market which will include an ice machine where fishermen can get trade their fishing data for free ice.

The AP discussed the issues in their island fisheries and agreed that the harbors are a major concern on islands and *would like to hear a report from the CNMI DFW on the plans to repair and update the facilities.*

## **ii. Pelagic Fisheries**

The subpanel members for pelagic fisheries were not in attendance, but the AP members in attendance discussed the troll fishery in CNMI. They noted that the bottomfish fishermen are required to have federal permits so why not the troll fishery? AP members said that with the impending commercial license for CNMI from PL 17-89, the commercial trollers would be required to have a permit/license. The AP then discussed the need for a federal commercial bottomfish permit if PL 17-89 would cover those fishermen as well. They noted the possibility for duplication of information and redundancy and suggested that the bottomfish permit may no longer be needed. *The AP agreed that the Council should look into eliminating the bottomfish permitting regulations in the CNMI if/when the local regulations for commercial licensing is implemented.*

## **iii. Ecosystems and Habitat**

The AP was provided reports on several issues, starting with the prepositioning ships. The DLNR is working on renewing the expired MOU between the CNMI Government and the Navy and the new MOU will definitely include benefits to CNMI and DLNR. These benefits would most likely be in terms of in-kind or financial assistance. AP members also further discussed the unexploded ordinance issues and members indicated they are working with the Department of Public Safety and now the Fire Department regarding this matter. An AP member mentioned that Council staff has developed a folder on the internet for all to upload pictures of these unexploded ammunitions to the Fire Department. Once these ammunitions have been identified with their locations, the Fire Department would then contact the military to do what needs to be done to remove them.

## **iv. Indigenous Fishing Rights and Fishing Communities**

The AP received a report that DLNR is working with the Department of Public Works to develop the request for proposals to be published in the local paper. Once a vendor has been identified and selected and a preliminary sketch has been developed, the AP and other stakeholders will be invited to take part in designing the area as far as where things are going to be located, how big it will be, etc. It was also reported that DFW has agreed to do outreach to inform the fishermen about the local fishery regulations, especially now that there's a gap created by the transfer of submerged lands around some of the islands back to CNMI. He also discussed this issue with NMFS PIRO staff who will discuss this issue with their superiors and hopefully the request can be performed early next year, if not earlier.

## **b. Other Issues**

Council staff provided information to the AP on the Saltonstall-Kennedy grant program and encouraged the members to apply. He indicated the preliminary proposal is only two pages long and is due on October 10. He further indicated the FY18 solicitation seeks proposals that fall into the following categories: Marine Aquaculture; Adapting to Environmental Changes; Promotion, Development, and Marketing; and Territorial Science. Council staff offered assistance to anyone who is interested in applying for the program.

Council staff also noted that the report by Secretary of the Department of Interior, Ryan Zinke, regarding the monument review was leaked and the Marianas Trench National Marine

Monument was not included in the list of monuments to be reviewed. He said the leaked report indicated that Zinke would not be recommending any of the 27 monuments be eliminated but there will be some changes to some of them.

## **6. Public Comment**

Stan Taisacan reported that Mayor Atalig from Rota is very much interested in community activities, especially those that would encourage and promote indigenous cultures and traditions. He said the Mayor wants to see programs that also emphasize the respect of the local practices, be it fishing or farming.

## **7. Discussion and Recommendations**

The CNMI Advisory Panel made the following recommendations:

### ***Regarding Ecosystem Component Species Designation:***

1. The CNMI AP recommends the Council select Option 2 with a sub-option of designating species not in need of federal conservation and management as ecosystem species.

### ***Regarding Aquaculture Management:***

2. The CNMI AP recommends the Council select Alternative 2, as it is less restrictive to develop an aquaculture industry in the region.

### ***Regarding CNMI bottomfish:***

3. The CNMI AP recommends the Council consider removing the federal bottomfish permit if/when the commercial license is implemented by CNMI to avoid possible redundancy.

### ***Regarding Data Collection:***

4. The CNMI AP recommends the Council request NMFS Pacific Islands Fisheries Science Center to publish reports on the bio-sampling data collected in the CNMI to allow the CNMI DFW to use it for management purposes.

### ***Regarding CNMI Fisheries:***

5. The CNMI AP recommends the Council request the CNMI DFW to provide reports on the current status and future plans of the Smiling Cove Marina, Tinian Marina and the Rota West Marina to the Advisory Panel.

## **8. Other Business**

Council staff talked about the remainder of the AP term, and encouraged the members to continue working on the issues they have identified as priorities. He also indicated that staff is working with the AP Chair to determine the needs and availability of resources to assist the AP in their work.

The meeting ended at 7:00 p.m.