



Report of the Guam-Mariana Archipelago FEP Advisory Panel Meeting

Saturday, August 29, 2020

Via Webex

1. Welcome and Introductions

The Guam Advisory Panel meeting was called to order at 9:12 a.m. AP members in attendance included Ken Borja (Guam AP Vice Chair), Jason Biggs, Jason Miller, James Borja, Judy Amesbury, and Tatiana Talavera.

Also in attendance was Council staff (Mark Mitsuyasu, Josh DeMello, Zach Yamada, Felix Reyes) and Council member Monique Amani.

Members of the public included: Mia Iwani (NMFS PIFSC), T. Todd Jones (NMFS PISFC), Mike Gawel (National Park Service), Katie Schwind (Progressive Energy)

2. Review of Last AP Meeting and Recommendations

Council staff reviewed the May 30, 2020 meeting notes and recommendations. He noted the AP recommended the Council approve the the Guam Marine Conservation Plan (MCP). The MCP was approved and the Guam Governor sent it to NMFS for approval and publication. The MCP is currently with NMFS and in final review. The other recommendation was regarding the bigeye tuna Quota transfer with Hawaii Longline Association (HLA). He said that the Guam Council members met with the Governor to help move the negotiations along. The Governor expressed an interest in increasing the deal to \$350,000, with the additional \$100,000 coming in-kind, including training Guam's fishermen by HLA on longline fishing, longline gear, a vessel, greenstick gear and training, or some other form of In-kind support. To date there has been no updates received from HLA on the counteroffer.

3. Council Issues

A. Development of an Offshore Energy Policy for the Western Pacific

At the 182nd Council Meeting, the council directed staff to draft a Council offshore wind policy that considers:

- The potential area closure around the offshore wind areas will take away fishing grounds;
- That wind turbines will act as fish aggregating devices that will affect the annual migration patterns of yellowfin tuna;
- Schools of juvenile fish around these turbines that would attract seabirds and may interact with these protected species; and
- The undersea cables from these offshore wind farms will impact the bottom substrate further compromising the benthic habitats.

Staff articulated the definition of offshore energy, purpose of the policy, best management practices, and the Council's objective of encouraging potential offshore energy operations to align with the MSA's guidelines.

An AP member asked if the Council will develop the windfarms and if the policy had already been communicated with Guam's fishermen for feedback. Staff noted the policy is being introduced as guidelines. While current interest in offshore energy is a topic in Hawaii, Guam may have the same issues and considerations, including understanding the movement of migratory fish.

An AP member added that if there is interest in offshore energy around Guam, the fishermen need to be engaged to have a say on its location. He said that if done properly, these projects can serve a dual purpose of producing energy and as FADs. He said we need to look at who will maintain the projects.

The Guam AP agreed with the draft policy.

B. Modification of PRIA Objectives and Activities for the PRIA MCP

Council staff presented on the PRIA MCP. He noted the AP looked at this in the past couple of meetings as well as at the last council meeting. He said that upon revision of the MCP a lot of projects that were included were not for the region's fisheries or aligned with the Council's research plan so the Council will relook at it again at its 183rd Council Meeting. One change in the proposed new document is the elimination of purse seine FAD projects and the inclusion of other pelagic projects that align with the Pelagic Fisheries Research Plan. Because the council had already recommended to transmit the MCP coming out of the last Council meeting, staff will go back to the council during their September meeting to request the changes be incorporated into the MCP prior to transmittal to NMFS for approval.

The AP had no objections to the changes.

C. Bottomfish Outreach and Data Collection

Council staff provided an update to the Catch-It-Log-It App training and outreach efforts. He reported the staff developed messaging in outreach posters and flyers and started distributing them to local fish stores and tackle shops. He also noted training on the Catch-It-Log-It App has started, with the AP completing their training and the DAWR staff scheduled for September 3. The general fishers and vendors' training is scheduled for September 12 at the Hilton Main Ballroom and only if social gathering is again allowed. Staff noted the need for the support and assistance of the AP during the general fishers and vendors training and requested continual practice on the app to improve familiarity.

An AP member said that with restaurants closing down due to Covid-19, it will be a struggle for them to start using the app. He wondered how interested everyone is on the mandatory licensing and reporting initiative.

Another AP member suggested staff look at getting more participation. The Vice Chair added that the hardest thing right now is there are no requirements for anyone to participate and it will be a tough sell to vendors and fishers.

D. Council Response to Executive Orders on Promoting Seafood Competitiveness

(EO 13921) and Regulatory Relief (EO 13924)

Council staff reported that the May 7, 2020, President Donald J. Trump signed Executive Order 13921-Promoting American Seafood Competitiveness and Economic Growth and requested each fishery management council to submit a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries and consistent with the requirements of the MSA. The purpose of the EO is to revise or remove regulations identified as unnecessary or ineffective to the relevant fisheries under Council jurisdictions. NOAA's Deputy Administrator Chris Oliver sent a letter requesting the Council submit a list of priorities. Staff noted this is a big opportunity for Councils because they have never been asked by the President directly for input. He also noted that on May 19, 2020, the President signed Executive Order 13924, which states the U.S. should combat the economic consequences of Covid-19. In response, the Council came up with list of 16 priorities for the council member's review and if they agree then the list will be submitted to NOAA. The staff shared the items on the list, including recommendations on protected species and protection of habitat. Staff noted the list of priorities will be presented to the Council during their 183rd meeting in September with a target submission of October 2020.

An AP member said China has been giving money to support Pacific island groups and asked if the Council staff is working on these issues. Council staff replied that the U.S. continues to give the island groups financial support as well.

4. Guam Reports

Council staff shared the draft Guam Community Report for the 183rd Council Meeting which highlighted the Agaña Marina's still unusable trailer washdown vending machine and the Fishermen's Code of Conduct sign replacement. He added that he is working with the new marina manager from the port to address these issues. He noted the sign at the Agat Marina is still in good condition. He also reported that a Prickly Shark, never before seen in the Mariana Islands, was caught from 1,200 feet depth by a kayaker. A kayaker also caught a rare Snake Mackerel off Umatac. The 25th Guam Marianas International Fishing Tournament was not scheduled this year and the Shut Up and Fish Guam's Endless Summer One Day Derby scheduled for Saturday, August 29 was postponed to a future date, both changes were due to the new COVID-19 restrictions.

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

Council staff reported on the recent AP Vice Chairs' meeting. Some items discussed included FEP AP Plan updates such as the CFAD and the Catch-It-Log-It projects, both are realistic and can be completed this year. All other AP Plan goals were put on hold until the pandemic has subsided or maybe even pushed to next year. The AP Vice Chairs also discussed the CARES Act to which Guam's spending plan has not yet been received by the Pacific States Marine Fisheries Commission.

The Vice Chair said he gave away all his catch from his August 22 fishing trip because restaurants are not buying or closed down. He also said the atulai (bigeye scad) wars have started again between netters and shore casters. Netters were setting their nets in the Agaña channel where it is illegal. Regarding the community FAD project, the AP still needs to paint the buoy and install a satellite beacon, as well as make arrangements for deployment. He

noted that the U.S. Navy included in their plans to relocate and build a new National Wildlife Refuge building with a new access road south of the range danger zone. The AP Vice Chair said it is too late to officially receive some sort of official agreement with the military but there is a need to re-engage the U.S. Navy to encourage a goodwill gesture agreement to assist the Guam fishing community for the loss of access to prime wahoo and bottom fishing locations impacted by the surface danger zones.

An AP member noted that it is difficult to see the range flags from the water when they are raised. He said he was able to get a copy of the Orote firing range schedule and it shows there is activity daily except for Sundays. Recently, he and his team from the UOG Marine Lab were using drones around Ritidian area to map cold water outflow from aquifers and were advised by the military the use of drones are no longer allowed in the area, even if it is off base.

An AP member added the company who made the offer to help deploy FAD works for a company contracted by the primary military contractor DZSP and had thought the offer was for deployment only and does not include pick up from the Coop. Staff noted that the AP should still pursue the offer and find ways to get deployments at no cost.

6. Island Fishery Issues and Activities

An AP member reported that a contract was announced late last year to remove the thousands of tires that were purposely placed in the Cocos Lagoon. The tires were to act as an artificial reef but failed with only a few tires having coral on them. Staff reported that he attended the meeting between the USCG, GEPA, and the Malessa community several months ago where this issue was brought up and noted the same contract was also to include the removal of PCB laden USCG machinery and equipment dumped into the lagoon in the 1980's and is the source of the ongoing PCB public health prohibition from eating fish caught in the lagoon. There was supposed to be a contract let out earlier in the year but the COVID-19 pandemic interrupted the process and the current status is unknown.

An AP member asked what the status is of the Sports Fish Restoration Grant that funds FADs that may be lost if the FADs are not deployed and if DAWR is still working on the process. Another AP member responded that the money is there but the paperwork still needs to be worked on and does not know where things are at right now. At one time there was discussion to engage UOG as an alternative organization to deploy FADs because they can circumvent the GSA procurement process. Staff added the last time he checked with DAWR, the anchors' fabrication still need to be procured with design work needing DPW review and approval.

7. Public Comment

Mia Iwane, JIMAR Social Research Specialist, NOAA IRC NMFS/PIFSC/ESD/OSHD, briefed the AP on Guam's bottom fishery and stock assessment. She thanked the AP for their help with previous work she had done on Guam. She added she is working with Felipe Carvalho at PIFSC with a new project which will engage the AP. The biggest priority for the

project is how it is shaped, structured, executed and accessible to all. Due to CV-19, she is able to invest more time and effort on the front work to assess local priorities and get a sense on the type of commitment and interest then draft a plan that will build something that is satisfactory for all. She noted the goal is to get something done this year and will connect with the AP in the next month or so.

Regarding a recent spearfisherman's drowning, Council member Monique Amani mentioned the passing of Jose Sanchez who drowned while free diving at Facpi FAD. She recommends having some kind of free diving safety class for young divers. There are experienced spear fishers who may be able to do the teaching. She noted that it is still in the discussion stage but a plan needs to be drawn up. In Tahiti, classes are held and participants charged but on Guam the fishing community can do the training on a volunteer basis. The Council member also added sharks and mammals come through Guam's waters like orcas but won't stay because the water temperature is too hot for them. It happens all the time. She said someone told her a Mako shark was recently seen in Apra Harbor and wanted to confirm the sighting.

An AP member suggested additional discussion on this spearfishermen training with the community. Another AP recommended the plan be coordinated with the village mayors to help with developing spearfishing safety training programs.

Mike Gawel commented that back in the 1970's and 1980's, the technology was worked out with the US Coast Guard (USCG) who was very supportive in the deployment of FADs. He highly recommended the AP work with the USCG, especially since they are getting new vessels homeported on Guam and it might be a good time. The Guam AP agreed to engage the USCG on FAD deployment.

8. Discussion and Recommendations

The Guam Advisory Panel made the following recommendations:

Regarding the Draft Offshore Energy Policy:

- **The Guam AP agreed with the policy and recommended the Council approve the policy.**

Regarding the PRIA MCP:

- **The Guam AP had no objections to the changes and recommended the Council approve the MCP.**

9. Other Business

Council staff noted that the Council's 183rd Meeting was being held virtually by Webex on September 15-17, 2020 and invited everyone to join the meeting.