



187th Meeting of the Western Pacific Regional Fishery Management Council

Guam Island Report

Manny Dueñas

1. Freely Associated States (FAS) fishing in Guam

As previously raised in the Agency Report section, this concern too often is raised by Guam's fishing community. The matter must be addressed and resolved.

2. FADs

The FADs deployed are mostly off-line for over three years. These FADs are situated in federal waters and must be redeployed to afford the community fresh locally caught fish especially during seasonal runs.

3. Longline Fishery

The foreign Longline industry is no longer operating out of Guam. The last holdout was the Okinawan fishers with about a dozen vessels. The following factors were detrimental to their survivability in our region:

- a. Federal Laws regarding sharks and fins. The first law required a fin to carcass ratio. The second regulation required fins to be attached. Neither process was able to be complied with. This effort adversely affected the most responsible fishing group; the Taiwanese who have used the entire shark. Shark carcasses were stored in freezers until enough carcass can fill a container.
- b. The other factor should a vessel off-load on Guam the licensing authority country applies a financial penalty. One must understand that unlike Micronesia with a limited airline service we have as at least five per day.

4. Guam's Bio-sampling Program

Over 10 years of data collection was arbitrarily abandoned then modified. The mere fact that a community entity has dedicated to this valuable data collection program and then alienized is unconscionable.

I respectfully submit my Agency report comments as an addendum to my Island Report for additional comments and clarification. (Attached)

5. Guam Fishermen's Cooperative Association New Facility

The permitting process for the placement of the seawall is ongoing and its construction will start as soon as all is in place. The overall project completion remain on track for the fall of 2022.



Monique Amani

Guam Fishing Derbies

1. Pelagic Derbies

On October 21, 1969, Mr. Greg D. Perez caught an 1,153-pound Pacific Blue Marlin. A world record which held for more than 10 years. To celebrate and honor this feat, the son, Greg Perez, Jr., and his sister Carol Perez hosted the inaugural 1st Annual Greg D. Perez International Sportfishing Derby 52 years to the day on Saturday, August 21, 2021. 102 of boats participated in the one-day event which had a \$50,000 prize to the first angler to bring in a marlin heavier than 1,153 pounds. And although no one caught anything close, the winning marlin still weight a 413.0 pounds. The Council supported this event with use of the Council gantry crane, giveaways, banner, and table. Council staff helped as weighmaster for one of the two derby stations. Guam had not seen as many boats participate in pelagic fishing tournaments since 1993 with 126 boats.



Staff with Governor Leon Guerrero I





DAWR staff collecting data 1



Winning 413lb marlin 1

Local charter ShutUp and Fish Guam hosted their third pelagic fishing event for 2021 with a two-day pelagic fishing derby on Saturday, August 27 and Sunday, August 28, 2021.



The Council supported both events with use of the Council's two heavy duty cranes and hoist, along with giveaways and derby station assistance with the staff being the weighmaster for the Agat Derby Station at both tournaments.

2. *Kid's Derbies*

DAWR was scheduled to host a kid's derby for ages 13-16 years old, on Saturday, August 27 2021, at the Asan Park. Due to COVID-19 restrictions, the event restricted participation and support staff to 100 people.



3. *Spearfishing Tournament*

Guam sent three spearfishing teams to the World Freshwater Spearfishing Championships held in Arkansas in July 21-23, 2021. This was the third time Team Guam joined this event where they won in 2017 when it was held in Lake Mead.



A spearfishing competition was held on Saturday, August 7, 2021, hosted by Culturally Living Natives. A local spearfisher caught the first Marlin during a spearfishing competition in Guam.



3. Other Updates

In other news a young local couple that are both water lovers, Will Naden and Leilani Sablan, current Council scholarship recipient, hosted their 4th Merizo Pier clean-up project on Saturday, June 26, 2021. This year they doubled the number of participants from their last one in 2019, despite covid restrictions.



During this past year and a half fishing has been affected dramatically in Guam by COVID-19 and saw an increased number of fishers due to unemployment resulting in lots of free time. Because social distancing was a major part of the protocol, fishing derbies and events took a halt in 2020 and only saw a few in 2021 to date.

Si Yu'us Ma'ase!

Manny Dueñas - Attachment

NMFS:

Create a summary in booklet form a list of all federal fishery regulations promulgated for each fishing sector.

The Sustainable Fisheries Division aid in coordination with Local Agencies and Fishing communities and entities to address the following concerns:

1. Coastal Military Firing Ranges.
 - a. Why the Pati Point existing Firing Range was not considered as an alternative Range Site
 - b. The effects of heavy weapons fire on the seabird and terrestrial wildlife rendering the Park Service Wildlife Refuge an exercise in futility and may be construed as a land grab.
 - c. Mitigation possibilities:
 - i. Placement of FADs approximately 1 mile from the range boundaries. Spaced at 3 miles apart. Extending two miles prior and after the corners of the range boundaries.
 - ii. Allow uninhibited safe passage during Range down time.
 - iii. Placement of alert makers deployed from the two major Marinas (Hagatna and Agat) to alert vessel operators.
 - iv. To conduct semi-annual water and substrate test within ¼ mile sectors of the ocean range complex. Full analysis report must be generated and provided to the public for review within 30 days. In addition, an estimate of the number of metals that may have entered the ocean zone at the same time.
 - v. Rescind the designated use of the Ritidian Refuge.
 1. Return the land back to Guam.
 2. Remove the no fishing zone boundaries.
2. Foster and Facilitate discussion between Military, local Government, and fishing organizations on the objective of the Sikes Act,
3. CARES ACT activation and implementation. Community input not allowed, or recommendation not given discussion. NMFS should have facilitated an open discussion on the matter of grave concern to fisheries.

Science Center:

Bio-sampling Project

Program administrative changes without consultation. Range of Species data reduced from over 150 to 12. Fish sample prices are artificial and inflated resulting in higher consumer prices to as much as 30%. The ACL applies to this non-free market strategy while the fish may be counted to the ACL.

Recommend:

- Dual programs with accountability measurers.
- Reverting to the pre-existing Program with the GFCA.
- Expanding the range of species to include the full gamut of species. Reef, bottom, and pelagic fish.

ACL / DATA Collection scheme and progress

What progress has been made since the Guam meeting 2 years ago. Hope for better trained data collectors. It has been two years in a forty-year exercise. The Data set from a forty-year range of a “Best Available Science source (GFCA) has been totally ignored. The bio-sampling data demonstrating size and weight and in some growth has been ignored. Placement of theoretical thoughts to ignore facts is not the best science. One must ascertain the biological life history of a species to ascertain a real time need for management measures,

Recommend:

- Science Center fully involves itself in this exercise. In addition, a Social Science aspect must be incorporated to ensure communities themselves are engaged for conciseness and clarity. All available data sets must be reviewed analyzed and incorporated into a strategic model. Comparison analysis of each data set to each other. i.e., compare the GFCA numbers with the CREEL survey. Once data sets have been included then the Bio-sampling life history can be used to determine the growth rate of each specie and possibility the survivability in a structured management regime. I predict the level of extinction highly unlikely. During the Annual visit of the NOAA research vessel the following should occur during transit beginning from the Marshall Islands:

Surface Trawls.

First, Microscopic to gather samples of Plankton size species.

Second, larger sizes species to include species of concern especially in the juvenile stated.

Lastly, test the water for possible toxins or chemicals. Much is said about radiation fall-out, yet no reports have been issued. The Runit (Marshall Islands) leakage is a matter of grave concern. Recognize that prevailing winds and ocean currents travel east to west. The Marianas being the only surface and subsurface body that has over 1500 miles double coverage that extends from the north to the south. Only Hawaii and the Marianas have similar geographic characteristics.

Office of General Counsel:

The Issue of FAS Migration to Guam.

According to reports it has been determined that migrant fishers are allowed under the Compact to fish in Guam’s waters under the allowed gainful employment clause. I humbly request for information or data to sanction such determination. Vessels and individuals were imported into Guam to enter Guam’s fishery of concern.

Recommend:

- First: The Annual financial compensation of 70,000,000.00 be shared along with the four Island areas. A fair and equitable percentage should not be less than one percent foreach Island entity. The SPTT funding should and could be used to compensate for the loss of fishing opportunities and/or possibilities.
- Second: The Western Pacific Fishery Management Council be included in the Compact talks as pertaining to fishing by FAS citizens in U.S. waters. It is disheartening that US citizens are too often held hostage by impacts generated by migrant individuals. The format used in the ongoing WCPFC should be the standard for all fishery issues.
- Third: The issue of the US EEZ and benefits of the resources must be clarified once and for all. While recognizing that the U.S. is not a signatory to this Law of the Sea edict it remains stout in its objective. The U.S. has closed its 200-mile EEZ to fishing by U.S.

Fishers, yet it allows for non-US fishers to share the limited open areas while the same migrants assess a fee for U.S. vessels to fish in their home waters. We hold that the US EEZ should be held in trust by the U.S. government for U.S. citizens. Therefore, the harvesting of these resources is limited to the following: U.S. citizens; Green Card Holders and for hire entities.

Inconclusion. While some may argue this action may be considered contrary to the “*laissez-faire*” concept but must be immediately addressed. There are many existing examples supporting such requirement: Firearms, U.S. Coast Guard Licenses, Fishing vessels manning requirements (in the case of America Samoa the US citizenship requirement was amended to state “Samoan Nationals”) to name a few US citizenship mandates.

Stewardship is an American concept that we are extremely proud of however it is foreign to other entities. We should stand proud for being the most highly regulated fishery in the and often detrimental to our people yet continue as U.S. citizens. Therefore, the concept of US citizen fishing requirement should be actively pursued and advocated.

U.S. Coast Guard

Recommend sharing with NOAA and the Council the assets readily available to assist in fishery related issues. i.e., whale stranding.

Expanded enforcement coverage of the Marianas EEZ or is the strategy still somewhat coastal.

Office of Law Enforcement

Hiring for a New OLE agent for the Marianas.

State Department

Would the State Department consider including the Council and NOAA fisheries in the Compact discussions pertaining to Fisheries?

U.S. Fish and Wildlife Service

Request that the no fishing zone from 0 to 150 contour depth be removed to afford the fishing community alternative fishing areas due to the greater area confiscated by the Military Firing Range.

Kindly exercise the thought of closing the Ritidian Refuge and returning the area back to the people of Guam.

In closing I would like to share the comment made by U.S. Senator George F. Hoar (by the way qualified to have served by virtue of being as U.S. Citizen) during the Treaty of Paris ratification hearing over 100 years ago. He stated; “This treaty will make us vulgar, common place empire, controlling subject races and vassal states, in which one class must forever rule and other classes forever obey.” The latitude that the MSA provides is that communities are an integral part of the Management issues and rendered much more weight and credence currently afforded. Si’ Yu’us Ma’ase.