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Report of the Guam-Marianas FEP Advisory Panel Meeting

Wednesday, June 10, 2021

Virtual Meeting via WebEx

1. Welcome and Introductions

Ken Borja, Guam Advisory Panel (AP) vice Chair called the meeting to order at 6:36 p.m. and welcomed all in attendance. AP members in attendance included: James Borja, Judith Amesbury, Jason Miller, Myles Driscoll, Jason Biggs, and Matthew Orot.

Others in attendance included: Felix Reyes, Joshua DeMello, Marlowe Sabater, Maria Carnevale (Council staff), Monique Amani (Council Member), Eric Cruz (NMFS PIFSC), Darrin Pangelinan (Council Contractor), and Brett Taylor (UOG).

2. Review of Last AP Meeting and Recommendations

Council staff provided a report of the last AP meeting on March 10, 2021, and provided an update on the recommendations made. At that meeting, the AP discussed the Guam bottomfish rebuilding plan and made recommendations to the Council regarding the plan. Staff noted that the AP would be provided an update on the bottomfish rebuilding plan along with an additional option to consider later in the meeting.

3. Council Issues

a. Guam Bottomfish Update

Council staff provided an update on the status of the Guam bottomfish fishery rebuilding plan. In February 2020, NMFS informed the Council about the change in stock status for the Guam bottomfish management unit species complex from not overfished and not subject to overfishing to being overfished. MSA and National Standard 1 require the Council to develop a rebuilding plan and submit the amendment package within 15 months of notification. Staff reported that the Council has worked with NMFS and Guam to develop a rebuilding plan and an Annual Catch Limit (ACL) of 27,000 pounds was implemented for each of fishing years 2020 to 2022 to prevent overfishing. After receiving the catch data for 2020, the biomass projection was recalculated; the former option 4 has provided an additional option for the Council to consider.

The AP was informed that the Council at its 186th meeting will consider taking final action on the Guam Rebuilding Plan, and would consider the following alternatives: 1) status quo-continue to use an ACL of 27,000 pounds with an in-season accountability measure (AM); 2) Implement an ACL of 27,000 pounds, an in-season AM and a higher performance standard. If the total catch is maintained below this level, the bottomfish stock will be rebuilt in 5 years; 3) implement an ACL of 16,299 pounds, an in-season AM and a higher performance standard. If the total catch is maintained below this level, the bottomfish stock will be rebuilt in 3 years; 4) implement an ACL of 31,000 pounds, an in-season AM and a higher performance standard. If the total catch is maintained below this level, the bottomfish stock will be rebuilt in 8 years; or 5) apply a temporary moratorium on bottomfish fishing in federal waters. If the territory is able to apply a similar moratorium in territorial waters, the bottomfish stock will be rebuilt in 2 years.

An AP member asked if fishermen prefer the shortest rebuilding time so as not to exceed the ACL and whether there is no closure or not. Other AP members said they were torn between the higher catch and the shorter rebuilding time but suggested that both options would be accompanied by a new stock assessment so they leaned towards a higher catch limit. Staff noted that the new assessment would become “best available science” in 2024, and that the current rebuilding plan would not apply, rather would a new plan would have to be developed if the stock is still deemed overfished. He noted that there will be future discussions with the AP and fishermen prior to the next stock assessment including the potential splitting of stock complexes and data issues.

The AP agreed to recommend the Council select alternative 4-an ACL of 31,000 lbs.

b. Territory Bigeye Specifications

Council staff presented on the 2022 territorial bigeye limit and allocation specifications. Amendment 7 to the Council’s Pelagic Fishery Ecosystem Plan established a management framework that provides catch or effort limits applicable to the U.S. Participating Territories that includes the authority of the territories to use, assign, allocate and manage the pelagic management species catch and effort limits agreed to by the WCPFC through specified fishing agreements with U.S. vessels permitted under the Pelagic FEP for the purposes of responsible fisheries development. The AP previously discussed specifications and allocations and recent options included an allocation of up to 1,500 metric tons (mt) of territory but with a cap of 3,000 mt total. For 2019, the Council’s specifications limited each U.S. Participating Territory’s bigeye longline catch to 2,000 mt and its allocation limit with U.S.-flagged vessels to up to 1,000 mt. However, only two agreements were made with U.S.-flagged vessels and the fishery closed before the end of the fishing season on Dec. 28, 2019. For fishing years 2020 and 2021, the Council took action at its 181st and 182nd meeting in March and June 2020 to specify bigeye longline catch and allocation limits up to 2,000 mt for each territory, with total allocations from all U.S. Participating Territories not to exceed 3,000 mt. The 2020 specification let U.S.-flagged vessels remain operational through 2020 and the 2021 specification went to final rule in January 2021.

At its 186nd meeting, the Council will consider taking final action on the specification of the 2022 territory bigeye longline limits for American Samoa (as well as Guam and the CNMI). Staff provided options for the 2022 specifications which included: 1) no action; 2) the status quo- A 2,000 mt catch limit for each territory with allocation limits that do not collectively exceed 3,000 mt for all territories; and 3) A 2,000 mt limit for each territory with allocations limits that do not exceed 2,000 mt for each US territory. He explained that under the current management regime, the US fishery has the smallest allocation amongst all fisheries in the Pacific. This action would allow for the US bigeye tuna fishery to continue remaining operational throughout the fishing year.

An AP member asked if the 1,000 mt for Guam was removed. Staff responded that the AP can still recommend 1,000 mt per territory but the caveat is that total transfers cannot exceed 3,000 mt. Another AP member noted that the Government of Guam does not think that the transfer is a good deal for them which resulted in both the CNMI and American Samoa able to take advantage of the allocations but not Guam.

AP members were hopeful that the Guam Council Members would be able to convince the Governor to take advantage of this opportunity. Staff noted that there were efforts to make an agreement with Guam for 2021 but that fell through.

The AP had concerns about Guam not being able to take advantage of the allocation agreements if the allowable allocation is reached prior to a Guam agreement. *The AP agreed that alternative 2 was the best alternative but would like to see the allocation for each territory be set at 1,000 mt to provide Guam with the opportunity.* The AP also agreed to keep reaching out to the Governor's team to get the Governor to sign an agreement.

4. Guam Reports

Council Staff provided an update on the 186th Council Island and Agency Reports. The Isla Informe, or Guam Island Report, will include the Agaña Marina boat launch railing that had corroded and poses a danger to users and the Guam Fishermen's Cooperative's new facility. He said that there is a legislative resolution to seek federal funding through Congressman Michael San Nicolas to provide the balance of the funds needed to complete the project. Construction is slated to begin around August or September with completion expected around Fall of 2022. The report will also include the unprecedented run of juvenile rabbitfish, or mañahak, seen recently on Guam and a report on the various derbies.

a. 2020 Annual SAFE Report

Council staff provided a report on the 2020 Annual Stock Assessment and Fishery Evaluation (SAFE) report for the Mariana Archipelago. The annual report provides a look at the fishery performance in CNMI and Guam in 2020 including trends in catch and effort. Staff reported that in 2020, there was a nearly 400% increase in Bottomfish catch in CNMI due to a high catch of redgill emperor and an increase in effort. The opposite was true for Guam where they saw a decrease in effort and in catch. This was attributed to the data collection efforts in Guam being hampered by COVID-19 restrictions in Guam but not in CNMI. For pelagic trolling, CNMI had a large increase in troll trips but had zero charter trips due to COVID impacts while Guam troll trips remained relatively consistent but had a decrease in total catch.

The AP noted that the module is available for them to look at and they agreed to take a closer look and provide comments to staff, if any.

b. Fisheries Research and Priorities

The vice Chair provided an opportunity to the AP to provide any fishery research and priorities that the Guam AP would like the Council to focus on.

The AP agreed that the biggest research needs are for the bottomfish fishery, including bottomfish habitat mapping that would identify additional habitat in Federal waters, as well as tagging and genetic work to identify movement.

The AP also identified the need for general baseline information that can be used for stock assessment. That information would also be useful to determine the effects of military training and build up.

c. Shark Depredation Project

Council staff provided a report on the shark depredation project in the Mariana Archipelago that was conducted by Carl Meyer and Derek Kraft of the University of Hawaii-Hawaii Institute of Marine Biology working with fishermen in Guam and CNMI. When fishermen bring in a fish that was bitten by a shark, they would swab the fish and put it in a tube and ship that sample to Hawaii. The researchers then took that swab to isolate the DNA to determine which species of shark was responsible. The researchers hoped to get at least 80 samples but got about half of that which was still robust enough to get information. Results showed that none of the sharks that were taking fish were the Endangered Oceanic Whitetip sharks, which would alleviate Endangered Species Act concerns for fishermen. Most of the depredated fish samples were bottomfish but there were some troll caught fish as well. The species of sharks that were found to be depredating fish were mainly silky, tiger, and silvertip sharks. A final report will be provided this summer and the researchers are willing to provide a more in-depth report on the project to the AP after that. He thanked the AP members for helping get samples and shipping it over, especially in the midst of the pandemic.

One AP member was able to identify one of the samples he provided and said that all they knew was that something really big grabbed the fish as the line was heavy and when they brought up the chum bag it was slimy and they thought that it might have been a tiger shark and were proved correct by this study.

Council staff noted that there are companies that work on shark repellent and now that the species of shark causing the problems have been identified, specific deterrents could be identified to help fishermen.

Another AP member noted that the sharks don't take the bait and only take the fish that is caught on the line.

The AP said that when fishing closer to the surface, fishermen are more likely to encounter silky and tiger sharks. If they fish deeper, the sharks that are interacted with are usually silvertip. One AP member also noted that the big sharks are deeper and once encountered a bonnose shark.

5. Report on Mariana Archipelago FEP AP Plan Activities

The vice Chair provided a briefing on plans and activities for 2021 for the AP. The plan included bottomfish data outreach but the AP was awaiting the rebuilding plan and working on getting greater participation for CILI. The AP is still hopeful that they will be able to put on a bottomfish tournament in September 2021 but that tournament, as with all opportunities for outreach at tournaments, is on hold due to COVID-19. The AP is watching to see when things will open up to allow tournaments opportunities.

Council staff noted they had talked with the Department of Education about getting the Council into the schools and utilizing the talents of the Council Family to provide outreach to students and to build local capacity in fisheries.

6. Fishery Issues and Activities

A couple of AP members are working on a "History of Pelagic Fishing in Guam" video which includes other Council advisors that show what the Council is working on in the Marianas. They noted that the ancient Chamorro fished for pelagic species historically but pelagic fishing was stopped by the Spanish colonizers from 1750 until 1950. After 1950, residents were able to afford to buy boats and motors that could go out to the open ocean.

An AP member noted the problem with the "mosquito fleet" cutting inside of the channel markers at high speeds, unmarked, with no lights, and often in front of other boats entering or exiting the harbor. Fishermen have tried notifying agencies but nothing has been done. Staff suggested bringing up this issue at an upcoming Regional Ecosystem Advisory Committee meeting.

Another AP member noted that poaching is occurring in the Achang Reef Flat Marine Preserve but the problem with enforcement is that they can't get anyone down there fast enough to catch the poachers.

7. Public Comment

There was no public comment

8. Discussion and Recommendations

The Guam Advisory Panel made the following recommendations:

Regarding Bottomfish:

- The Guam AP recommended the Council select Alternative 4, 31,000 lb ACL, to provide the fishery with less of a chance of exceeding the ACL while still providing the ability to rebuild the stock.

Regarding Territory Bigeye Specifications:

- The Guam AP recommended the Council select Alternative 2 but with an allocation limit for each territory of 1,000 mt to allow Guam a chance to participate in the agreements.

Regarding Guam Fishery Issues:

- The Guam AP recommended the Council to communicate to NMFS PIFSC the fishery research priorities for Guam should include bottomfish biomass and habitat research to include mapping habitat, movement, and genetic structure, as well as baseline fish biomass and habitat information.

9. Other Business

The vice Chair asked about federalizing permit and reporting and if that guarantees funding for stock assessments. Staff said that ever since bottomfish problems started, they have worked with NMFS PIFSC to prioritize strategies to collect the data, streamline the process, and provide support with funding. A proposal was put in for the president's budget which is supposed to bring funding to the region to improve data collection. There is also a need for more research on the offshore banks to map what is out there and this could be under cooperative research funding.

Staff can help develop those proposals. Staff said they just finished the CR proposals for this year and are starting to plan for next year.

The vice Chair said a NOAA ship came through the Marianas recently. This is an issue that is affecting fisheries so NOAA could have spent at least one day on Guam to help the fisheries in some way. He added he is not sure how much dolphins and whales pay in tax money, but the bottomfish affects people that do pay the taxes so they could have done something. It is disheartening that they couldn't make that effort. Staff said the vessel came through on a cetacean research trip. NMFS PIFSC had explained in the past that there are strict rules and protocols from the involved university and NOAA in regards to bringing people on the boat. They did not have the opportunity to invite local scientists or get off the boat and do outreach.

Council staff briefed the AP on the tropical tuna workshop held in late April. The idea is to renegotiate the conservation and management measures for bigeye tuna, yellowfin tuna, and skipjack tuna. A second workshop will be in September and will engage the territories. There is a desire for Guam to be vocal to work together and approach the U.S. to develop better measures with aspirations for Guam in the future as the tuna stocks are healthy and there are high regional biomass levels that are unexploited around CNMI and Guam and in between to Japan. Staff noted he hopes to present the outcome of that meeting to the AP at its next meeting

Council staff also provided an update on the CARES Act II. Local Guam agencies will finalize the spending plan in the next week or so and information on the process it will be disseminated to the AP and fishers as soon as it is approved.

The meeting adjourned at 8:25 pm