



Report of the Guam-Marianas FEP Advisory Panel Meeting

Thursday, November 18, 2021

6:30 p.m. - 8:30 p.m. (ChSt)

Virtual Meeting via WebEx

1. Welcome and Introductions

Ken Borja, Guam Advisory Panel (AP) vice Chair called the meeting to order at 6:43 p.m. and welcomed all in attendance. AP members in attendance included: James Borja, Judith Amesbury, Jason Miller, Myles Driscoll, Matthew Orot, and Michael Dueñas. Council staff Felix Reyes, Joshua DeMello, and Diana Kitiona provided support.

Others in attendance included: Manuel Dueñas, Chelsa Muña-Brecht and Monique Amani (Council Members); Javier Cuetos-Bueno (The Nature Conservancy); Brett Taylor (University Of Guam Marine Lab); Jay Gutierrez and Brent Tibbatts (Department of Agriculture Division of Aquatic and Wildlife Resources); and Andres Reyes (U.S. Navy).

2. Review of Last AP Meeting and Recommendations

Council staff provided a review of the last AP meeting held on Thursday, September 9, 2021. He reviewed the recommendations made at that meeting and provided an update on their status.

The vice Chair said that Guam AP's previous recommendation on MSA was that the territory is data poor and any increase in mandates would have an even bigger impact on the territorial fisheries. At the last Council meeting in September, NMFS PIRO said the information provided was the best scientific information available. The vice Chair said that poor, good or bad data is someone's judgement. Guam knows that the data is poor and suggested that the same formula for Hawaii not be used for Guam's fisheries. The data didn't change from the previous bottomfish assessment so the model shouldn't have changed.

3. Guam Fishery Issues and Activities

a. Military Issues and Concerns

The vice Chair reported that the AP received a document from the Navy regarding the Mariana Archipelago military training surface danger zone; however, the reports were specific and included the latitude and longitude and did not include maps. The AP asked for maps showing areas with relevant information that include near real time information, where and what time the training is being held and include training at sea and on land, to make it easier for fishermen to identify areas.

The Navy liaison said one way to get useful and official information from the Navy is by putting in a Freedom of Information Act (FOIA) request through the Commander, Navy Installations Command (CNIC) website at www.cnic.navy.mil which is accessible to the public. If a FOIA request is filed, it has to be very specific such as maps with attached coordinates for closures. The Navy needs to know exactly what information is needed so they can gather the information together. FOIA is the best way to get it done in a timely manner. The request will get to the Guam office for action.

The vice Chair acknowledged the input from the Navy and noted if they were to issue training area coordinates, they should also put in references with a map showing exactly where the training will be now for next week's training. FOIAs always provide past history information and are not the way to go. The training warnings need a graphic representation of the training area next to the text in order to properly inform fishermen that might not know where exactly the coordinates are out in the ocean.

DAWR's Brent Tibbatts advised he may have a detailed map that may be useful for the purpose mentioned by the AP and will share with staff for review and circulation with the AP.

b. Territorial FMP Development
i. Coral Reef FMP

DAWR reported that they are working on developing territorial fishery management plans. The AP will be updated on the coral reef plan and could provide feedback and assistance as necessary. A discussion on the use of mandatory licensing and reporting may also help to facilitate moving forward for the agency and for the fishing community.

The vice Chair said that the FMP is a local development project paid by local funds so it is a local issue. Where this is going is unknown, especially if locals are not interested in executing the project. He saw the FMP as an exercise for the locals to do something they do not want to do.

Jay Gutierrez said DAWR has been working on the Fisheries Management Plan and developed different sub-groups, including Community, Data, Economic, and Habitat sub-groups. Meetings are being held with a community meeting scheduled for Tuesday, November 23, 2021, at 6pm at the DAWR compound. He noted that funding of the FMP is being provided by the Guam Coastal Zone Management Program (CZMP) who will assist in writing the plan for fisheries. DAWR is interested in getting comments from the fishermen and the community on what they would like to see in the plan. DAWR added that this third meeting will be like an industry meeting and invites were sent to Guam Visitors Bureau, the Guam Hotel & Restaurant Association, the Guam Fishermen's Cooperative, Marianas Underwater Fishing Federation fish markets, dive shops, tackle shops, boat shops, and boat companies.

The vice Chair was concerned that the funding source is a group that is dedicated to habitat and writing a plan for fisheries as these two groups don't necessarily see eye to eye. He noted that this is a one-time effort and the implementation and maintenance of the plan may go unfunded so sources for funding need to be provided before the community can agree on the plan.

DAWR noted that the funding was for the development of the plan and the implementation and monitoring in the plan will be covered by existing funding and staff. The FMP will be a living document that includes researchers, enforcement, and other agency staff workload. The idea is to impart stewardship which involves the community and not just one agency.

Council staff noted the FMP is an opportunity for the Department of Agriculture to involve the fishermen and the community in the development of the FMP and provide comments before it is

finalized. Work continues on ecosystem-based fishery management in the Council and there are continued efforts to add other elements such as forage fish and climate change. The input from the Council and its advisors to the plan is important because the Council's FEPs include coral reef and other nearshore species as ecosystem components.

The vice Chair agreed the Council is part of the process but noted that this is a low priority. NOAA cruises should prioritize bottomfish sampling and that funding and research should focus on that before coral reef management in local jurisdictions.

ii. Mandatory License and Reporting Discussion

Gutierrez reported that at the last AP meeting, the AP was going to discuss this item and that there were mixed feelings about the initiative. The vice Chair said he supports the process as long as it is at no cost to everyone and the priority should be to get buy-in first.

An AP member asked if any licensing and reporting reports could be shared. DAWR responded that a report was shared in 2019 but that was prior to recent knowledge about the Guam Fisheries Council and the pandemic. She does not want the community to be misled until the process is understood by all involved.

The vice Chair requested updates on this issue in the future to share with everyone often in order to alleviate people's fears.

c. Territory FAD issues and Solutions

Council staff reported that the Council directed staff to work with the Advisory Panels on determining and addressing FAD issues in the Mariana Archipelago. A copy of the summary report drafted by staff was circulated with the AP.

DAWR said that there are two buoys scheduled for deployment next week Tuesday, November 23, 2021. The DAWR FAD Coordinator Jaime Bass is trying to get recommendations from the fishing community which sites are preferred. FAD components have also been ordered but delivery is delayed due to COVID-19. Ten anchors have already been fabricated and are now located at the DAWR compound. Once the rest of the components are received they will bid out for more deployments.

An AP member said Bass reached out to fishermen and said there is a 1,000 fathom and a 500 fathom set for deployment. The AP member recommended the deployment of the buoy to match the depth of the site and to have one buoy be deployed at Number 1, which is a 50 fathom site and the other at the Old NOAA Buoy site, which is a 1,000 fathom site. At the last FAD deployments, Ledge Buoy was deployed and two months later a boat ran over the buoy and cut the line taking the line back to the marina and the buoy floated away. During a fishing derby, Number 4 FAD had its lines floating. Videos of the scene were taken and the issue reported but no action was done. A Navy ship ran over the floating line and dragged the FAD into Apra Harbor. The buoy was never recovered and he was unaware if the Navy was asked about the issue but no one knows where the buoy went. Years prior, a similar thing happened with the Cocos FAD where two boats ran over and cut the line. He asked for consideration when ordering systems to match the rope length to the depth of each site.

The vice Chair said DAWR should identify primary, secondary and tertiary FADs and prioritize the deployment based on the list.

d. Council Coral Reef Program

Council staff presented on an upcoming grant proposal being developed to assist in the Council's coral reef program. Currently, the staff is working on developing a project that would look at the habitat of the shallow-water, coral reef-associated species in order to refine Essential Fish Habitat as well as life history of coral reef species with potential collaboration from the University of Guam Marine Lab. He then solicited the AP for any additional ideas for coral reef ecosystem-associated projects to potentially include in the proposal. He also noted that he would like to speak with DAWR staff as well to determine if there are any data gaps in the proposed coral reef FMP that could be addressed.

e. Guam AP Outreach and Education

Council staff reported on the 2022 Lunar Calendar and noted that it is almost complete with hard copies hopefully ready to be distributed before the end of the year. The Pacific Islands Fisheries News winter edition has also been distributed. Electronic versions were shared with the Council family and extra hard copies are still available. Staff also participated in the Earth Day event hosted by the Department of Agriculture on Saturday, November 13, 2021. More than 100 visitors enjoyed the event held at Sasa Bay MPA. The Council had an outreach table with fishery information. Staff interacted with fishermen and even signed up visitors to the CILI App. Staff sent an email to the AP asking them to look at what events and activities they will be involved in during 2022 so a calendar of events can be drafted.

The vice Chair said AP members had said it is a challenge due to COVID-19. Events are being delayed up to six months. The 2022 Micronesian Games to be held in Majuro is coming up and he had to postpone participation. He said getting members to participate in events is going to be a challenge as long as the pandemic restrictions are in place. Virtual events such as tournaments should be pushed using an honor system.

f. Guam Fishing Observations

The Advisory Panels have been recording its observations while fishing, including observations on weather, oceanographic conditions, catchability, and anything out of the ordinary. These events will be provided to the overall AP Chair at a meeting in early 2022 as fishermen observations to be included in the Council's Annual SAFE Reports as potential explanations for trends in fishing data. The vice Chair solicited fishermen observations since the last meeting.

The vice Chair noted the wahoo run started a week or two ago with boat traffic outside Tumon heavy. Mahimahi fishing has been slower than normal as areas east or west of Guam usually experiences higher catches at this time. He said warmer than normal water temperature could be playing a role in the fish movement. His wife's uncle, a deep bottomfish fisher and a handliner, told him that when volcanoes in the northern islands were erupting, they were catching fish at a higher level from the bottom. Right now the bottomfish are still biting so maybe the water temperature at the surface could also play a factor. Something similar occurred in Maug where

fish were being caught higher off the bottom by handliners. He said in Guam it has been tough to fish with bad weather around.

g. Advisory Panel Issues

The vice Chair asked the AP members to provide any issues in the CNMI fisheries and to report on any efforts and activities in their areas.

An AP member noted that military issues still exist as the increase in military vessels disturbs the little fishing grounds that Guam has. The vice Chair agreed to look at the formation of a working group to discuss issues with the military liaison then report back to the AP. He added that the military should talk directly with fishermen.

Another AP member brought up the Lidar idea that Jason Biggs is working on and recommended getting the process rolling for some of the safety and fishing aspects so the Council can make a determination to see where this idea is and how to expedite it.

4. Annual Report of Guam AP Activities

a. 2021 Plan and Activities

The vice Chair presented on the AP's plan and the activities accomplished in 2021 and noted that the projects were disrupted by the continuing pandemic. The AP did participate in fishermen observations with the overall Advisory Panel Chair and provided assistance on outreach and education. The AP had informed the lunar calendars as well as provided outreach at tournaments for the Council, including on the CatchIt, LogIt data collection efforts.

Council staff requested the AP share any planned AP activities and events they participated in during 2021 to complete the summary of the annual AP report.

b. Planning for 2022/End of Term

The vice Chair explained that the AP term ends on December 31, 2022. He noted that he wanted to finish the term strong and the AP will be reviewing and planning for the last year of the AP in January 2022.

5. Public Comment

Manuel Dueñas, President of the Guam Fishermen's Cooperative Association, provided comments on the coral reef program and said a survey should be done of the southern banks. He also provided fishery observations saying that fishing in Guam has not been good, with mahimahi and wahoo catches being particularly bad. He said a lot of companies are selling frozen fileted mahimahi and wahoo to restaurants. He cautioned the AP about the proposed FMP noting an effort to stop fishing that started with the Micronesia Challenge, the SCUBA spearfishing ban, and now fishing licenses. He said that Guam should maintain the freedom to fish and questioned the enforcement. He added that the AP should be cautious with activities by the agencies.

Muña-Brecht reported that community meetings held in the South, Central and North were used to identify projects for the MCP in previous years. She also said that funding for the FMP is for a contractor to write up the findings from meetings. Licensing for fishers addresses commercial

fishing only and looking for ways to get additional buy-in, including a free license. She also provided additional information on comments and activities that the Department of Agriculture is working including comments to the US Navy on training areas and potential agreements for tuna quotas.

The Navy liaison said his goal with the AP is to listen to their concerns and report back to his supervisors. Much of what the AP is talking about is the reason why the Navy assigned him as a liaison. He was born and educated on Guam and is also as a fisherman and a student. His position is an opportunity for the AP to link with the Navy and see how they can work at the community level with fishers to find solutions. He said he is open to sharing information about what he does at future meetings.

6. Discussion and Recommendations

The Guam Advisory Panel did not make recommendations to the Council but made the following request:

- The Guam AP requests staff to research all past AP recommendations from the Marianas, how many were accomplished, how many have not been done and why.

The vice Chair additionally requested guidance on what will work and will not work so the AP can focus its recommendations. The pressure seems to be on the AP when it should be on the Council members to listen to the AP.

7. Other Business

Council staff also reminded the AP the last Council meeting of 2021 is scheduled for December 8 - 10, 2021 (ChSt), and encouraged the AP to join via the Council website link and join the proceedings, especially the section on the Mariana Archipelago.

The vice Chair advised the AP there will be no Inetnon during December and the next gathering will be in January 2022.

The meeting adjourned at: 8:29 p.m.