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## **Report of the Mariana Archipelago FEP - CNMI Advisory Panel Meeting**

Friday, June 10, 2022, 9:00 a.m. – 11:00 a.m. (ChST)

Held virtually via Webex

### **1. Welcome and Introductions**

Richard Farrell, CNMI Advisory Panel (AP) vice-Chair, opened the meeting at 9:18 a.m. (ChST) and welcomed the members. Members in attendance included: Ray Tebuteb, Lawrence Concepcion, Jun Yamagishi, Cecilio Raiukiulipiy, Mike Fleming, Ray Dela Cruz, Perry Mesngon and Clay Tam (AP Chair).

Others in attendance included: Floyd Masga, Mark Fitchett, Asuka Ishizaki, Maria Carnevale, Zach Yamada, Felix Reyes, Joshua DeMello (Council Staff); Danika Kleiber, Marlowe Sabater, Robert Ahrens (NMFS PIFSC); Mark Fox, Savannah Lewis (NMFS PIRO); Thomas Remington (Lynker);

### **2. Review of Last AP Meeting and Recommendations**

Council staff, reported on the last AP meeting held March 10, 2022 providing an update on the AP's recommendations to the Council.

An AP member noted that a large part of the CNMI fishing community wants to remove the proposal from the nomination list. He also inquired on the status of the MTNM advisory committee and there was no response from ONMS.

### **3. CNMI Fishery Issues and Activities**

#### **A. CNMI Bottomfish Cluster Analysis**

Rob Ahrens, Pacific Island Fishery Science Center (PIFSC), reported on the cluster analysis developed to understand the relationships of species in the various CNMI bottomfish. The analysis was used by the Archipelagic Plan Team (APT) to determine the relationships of the species to revise the bottomfish management unit species (BMUS) complex. He said the analysis looked at the presence and absence of data in the boat and shore-based creel survey. Based on the analysis, BMUS selection criteria were developed including if the stock is caught by the fishery, whether an FMP can improve or maintain the condition of the stock, the extent to which the fishery is already adequately managed, and if there is occurrence of species in both shallow and deep waters. The recommendation made by the APT provided whether a species would remain, be added, or be removed and managed in a territorial fishery management plan (FMP). For the CNMI, the deep species would remain in the FEP along with the giant Ehu and blue-lined Gindai. The territorial FMP would include the jacks and shallow water emperors. This recommendation is being made to the Council for potential changes to the FEP BMUS.

The Vice-Chair asked what kind of protection would be needed? Ahrens said that it would be consistent with the MSA and their goal is to work together and decide on the constraints.

An AP member asked if the data reflects data within the 3 miles or outside 3 miles? Ahrens reported that some are. Also that some may be Guam and CNMI or both. In order to identify the location, they will have to look at them to see which trips are within and outside state and federal waters.

*The AP supported the BMUS cluster analysis for CNMI*

### **B. 2023 US Territorial Bigeye Tuna Catch/Effort Limit & Allocation Specifications**

Council staff presented the 2023 US Territorial Bigeye Tuna specification. Three options are presented 1) No action, 2) Total catch and effort attributions consistent with status quo (3000 mt total attributions), and 3) A combination of attribution possibilities that may exceed 3000 mt. The AP should consider possible tradeoffs under each option and possible sub alternatives. Tradeoffs may include departing from the status quo arrangement of allowing any territory to allocate up to 1500 mt with total allocations not exceeding 3000 mt. For the last several years, only CNMI and American Samoa have been engaged in territorial agreements with

*The AP supported Option 2, the status quo, as everything has been working out fine with the allocations.*

### **C. Review of Draft Bottomfish Biological Opinion**

Council staff provided an overview of the draft bottomfish fishery Biological Opinion (BiOp), which covers the bottomfish fisheries under the American Samoa, Marianas Archipelago, and Hawaii Fishery Ecosystem Plans (FEPs). The consultation was triggered by the 2018 listing of the oceanic whitetip shark (OWT) under the Endangered Species Act (ESA), as well as the listing of giant manta ray and chambered nautilus, and the designation of the Main Hawaiian Island (MHI) insular false killer whale critical habitat. The BiOp concluded that the operation of the MHI, Guam and CNMI bottomfish fisheries are not likely to jeopardize OWTs, and the impacts from the American Samoa bottomfish fishery was determined to be discountable due to no known interactions with the species. The inclusion of an Incidental Take Statement was developed as a check to re-analyze should a particular number of OWT interactions occur within five years. As part of the Incidental Take Statement, reasonable and prudent measures are developed. The reasonable and prudent measure in the BiOp requires that NMFS monitor the take of OWT in Guam, CNMI and MHI bottomfish fisheries. The conservation recommendations are discretionary, and includes actions for NMFS to work with fishers and local agencies to disseminate species identification materials, support consistent reporting of OWT bycatch in the bottomfish fisheries, and to establish methods to improve accuracy and frequency of reporting OWT.

The Vice Chair said that he was concerned the AP did not get the report in time prior to the meeting but noted it was just received last Friday. He asked if the AP will be able to get information on subsistence fishers. Council staff said that any catch that was counted toward the federal ACL would be a part of the BiOp action scope.

The CNMI AP agreed with the BiOp conclusion that the impact is minimal and is consistent with AP knowledge of the fishery.

*The CNMI AP concurs with the draft BiOp's conclusion that the CNMI bottomfish fishery has*

*minimal impacts on the oceanic whitetip sharks.*

#### **D. 2021 Annual Stock Assessment and Fishery Evaluation Reports**

Thomas Remington, Lynker contractor, reported on the SAFE report for 2021 and solicited the AP to provide comments and endorse the 2021 SAFE report. He noted that there was an increase in catch and effort for bottomfish in the Mariana Archipelago with people fishing two to three times more than the average. However, there was a slight decrease in lbs./gear/hour and a small increase in lbs/trip relative to the long-term average. This might be attributed to new fishery participants.

For Ecosystem Component Species (ECS), he noted that orangespine unicornfish and parrotfish were the most harvested in the creel data and commercial data respectively. Overall, the ECS harvest exceeded the historical average. In the troll fishery, there was a decrease in troll trips, mainly due to the inactivity in the charter fishery. However, there was an increase in catch driven by skipjack and yellowfin tuna catch. Fisher observations recorded included a decrease in spawning aggregations, increased shark depredation, and good fishing for mahi-mahi.

He said that in 2021 there was an increase in fuel price which continued throughout the year that will be reflected in 2022 data. There was an increase in fish price and trip cost, mainly due to fuel costs for both bottomfish and pelagic fisheries. Ecosystem observations showed an increase in sea surface temperature in the Marianas and more intense the further north in the archipelago. This has also resulted in a minor coral heat stress event in the second half of 2021 that reached its maximum in late summer. There were weak negative anomalies for indicators like Chlorophyll-a but in line with historical averages. Remington said that the Annual SAFE Report is available online at [wpcouncildata.org](http://wpcouncildata.org) in an easily accessible format for the public to review and 2021 data will be available in July.

The Vice Chair asked with regard to the 74,885 pounds noted in the CNMI fishery performance data, does this include CILI data? Remington said it did not include CILI.

#### **E. Catchit Logit (CILI) Updates**

Council staff reported on the Catchit Logit App updates for the CNMI as of June 10<sup>th</sup>. Under the Catchit Logit Catch Dashboard a total of 16,965 total pounds caught. Staff further broke down the total caught, in which it was reported that 1,571 pounds for bottomfishing, and 15,385.5 pounds for trolling and 8.5 pounds for spearfishing.

Under the Catchit logit Market Dashboard, staff reported that there were 5 Total Reporting Vendors, 879 Total Sales Reported, 16,965 Total Pounds Caught for 2022 and 78,999.01 Total Pounds Purchased to Date.

Staff reported that the Council, NMFS, PIFSC, WPACFIN are working with CNMI Division of Fish & Wildlife to train and transfer the CILI App under the CNMI Division of Fish and Wildlife. Plans are also to expand the program to Rota and Tinian. Fish vendors on Saipan have been very supportive in making updates. However, internet connectivity and use of electronic devices is still an issue.

The Vice-Chair asked if the Sellit Logit was being double recorded the commercial vendor information? Council staff, said that no, the DFW commercial receipt book program is separate from this and is being reported separately. Also under the Catchit Logit App reports, the Catch Dashboard and Market Dash Board differs due to vendor and fisher updates.

#### **4. Equity and Environmental Justice**

##### **A. Report on Council EEJ and Fisheries Management**

Council staff provided a report on the outcomes of the WP EEJ Planning workshop and May 2022 CCC outcomes.

An AP member shared that under slide (4) the topic is very sensitive. Proper words are needed and may not reflect pacific communities. Words such as the word "Olomwaay" are used by the Carolinian people but not all. Encourages the Council, and the Council Coordinating Committee to continue the program.

The Vice-Chair asked if the EEJ training can be offered in the Marianas? Council staff said that it has been talked about. The Vice-Chair, said that having the program held at a community level is very important.

##### **B. NOAA Fisheries Draft Equity and Environmental Justice Strategy**

Danika Kleiber and Mark Fox reported on the agency's Draft EEJ. NMFS is soliciting comments until August 31. They will finalize the strategy in November 2022. They are currently working on implementing the regional EEJ Implementation Plans. They plan to host in person meeting dates and venues for CNMI, MHI, AS and Guam.

An AP member said that there is need for more open dialogue between NMFS and the native fishing communities. The AP member said that another concern is the military training, blocking fishing areas. He also suggested to allow fishers at least to fish during calmer waters.

Another AP member said that during the Marianas Trench National Monument activities to establish a monument, people did not know what was going on. Encourages the EEJ or this group to amplify the objectives. Continue the dialog and outreach.

The Vice Chair said it will be interesting to see what the barriers are. When the workshops come to the CNMI, invite the AP members/community from all the islands.

*The AP recommended when the EEJ workshops come to the CNMI, to invite the AP members and communities from all the islands to the island hosting the event to participate in the discussion.*

#### **5. 2022 Marine Fishery Advisory Committee Report**

Clay Tam provided a report on the outcomes of the 2022 May Marine Fisheries Advisory Committee (MAFAC) meeting held in San Juan, Puerto Rico. Tam was appointed as a member to the MAFAC in April 2022. Items included aquaculture, seafood resilience, recreational summit, and budgets, among others.

An AP member was concerned with ocean zoning. Tam agreed and said this is why he brings a word of caution. In our region, we're all fishermen. It is different in the mainland. There is a sense of conquer and divide. That is wrong. It is a major concern in terms of recreational fishing.

## **6. 2022 AP Activities Plan**

### **A. AP Outreach and Education**

Staff reported on activities completed by the CNMI AP were the following: April 30, 2022 -Tinian San Jose Fiesta Fishing Derby: 44 vessels participated, promotion of the CILI was conducted, Tinian Junior Senior High Students and Tasi To Table (TTT) also assisted in the event. Also students participated in data collection and weighing and measurement, May 14, 2022 18th Annual Mahi-Mahi Derby: 44 participants, promotion of CILI and Council Outreach was conducted, April 2nd. 2022 - Luta Local Friendly Fishing Derby, 9 participants. AP worked with TTT volunteers to weigh and record catches. Students also entered the tournament.

Council staff further reported that some AP members provided public comments as private citizens during the proposed ONMS Public Comment held March 31<sup>st</sup>. 2022 for the Proposed 5 yr. Nomination for Marianas Trench National Monument Sanctuary.

Staff lastly reported on pending outreach and education events for the CNMI AP. TTT Kids Derby 6.11.2022 (For Tinian and Rota Students) and the 38<sup>th</sup>. Saipan International Fishing Tournament scheduled for July 16 and 17, 2022. A one-day tournament due fuel prices.

The Vice-chair thanked the TTT organization for all their hard work in getting the community and students together.

## **7. Feedback from the Fleet**

### **A. CNMI Fishermen Observations**

An AP member said that some fishers say there are plenty of sharks and the water has been warm making it difficult to fish. Gas is now on Tinian at \$8.50 per gallon.

Another AP member agreed that sharks are plentiful and even hitting the vessels. Also they have lost a lot of fishing aggregating devices (FADs).

An AP member said he has only saw one FAD west of Tinian, FF buoy. He further said that seabirds are attacking lures instead of fish. Had some birds attacking squid and Mahi-Mahi lures. He also shared that he's never seen it this bad.

Another AP said that Talaya Fishers (Through Net) on Saipan are catching ti'ao (Juvenile Goatfish). In Mañagaha he saw small groups, as in Tinian. Also saw Mañahak (Juvenile Rabbitfish). Southeast of Rota they saw another foreign purse seiner.

The Vice-Chair reported that fuel prices on the rise. \$9.00 to 10.00 per gallon for diesel on Tinian. He further said that military activities are increasing and the divert airfield on Tinian is being worked on. Main issue in the CNMI is the fuel prices.

Another AP member said that fuel prices are going up and fish prices remain the same. This is a problem.

An AP member said that the Saipan needs another boat launching ramp for fishermen. Fishing base on weekends is always full or has activity during weekends. Such as community events on Saturdays, discouraging fishermen to launch.

The Vice Chair said regarding the floating marina on Tinian, they are still waiting.

An AP member said that on Tinian, they are waiting on the Public Assistance Office. He further said that today is the groundbreaking ceremony for the Tinian Marina which will be paved.

## **B. Advisory Panel Issues**

No comments

## **8. Public Comment**

There were no public comments

## **9. Discussion and Recommendations**

The CNMI Advisory Panel made the following recommendations:

### ***Regarding the CNMI BMUS Cluster Analysis***

- The CNMI AP supported the cluster analysis as presented and recommended the Council revise the CNMI BMUS accordingly.

### ***Regarding the 2023 Bigeye Tuna Specs***

- The CNMI AP recommended the Council select Option 2 to retain the status quo regarding the quota transfer arrangement of up to 1,500 mt per territory with total transfers not to exceed 3,000 mt.

### ***Regarding the Bottomfish Biological Opinion***

- The CNMI AP concurs with the draft BiOp's conclusion that the CNMI bottomfish fishery has minimal impacts on the oceanic whitetip sharks.

### ***Regarding Equity and Environmental Justice Strategy***

- The AP recommended that when the EEJ workshops come to the CNMI, to invite the AP members and communities from all the islands to the island hosting the event to participate in the discussion.

AP members supported all recommendations.

## **10. Other Business**

An AP member shared concerns with regard to the fisheries stimulus (CARES Act 2) application process, he said a lot of fishers did not get applications. Concerned if it was for all or just for fishers. The Vice-Chair said that it would be the CNMI Grants Office to decide on who is qualified.

Another AP member said that according to the grant office, a photo of the gear is needed with the application when submitting.

An AP member said that on Rota, no CARES Act 2 applications left.

The AP discussed the need for all meeting documents to be provided 10 working days prior in order for the members to review, ask questions and provide comments. Staff noted that they will work to get the briefing folders to them earlier but documents can only be added as they are available but staff will do its best to accommodate the request.

The meeting was adjourned at 12:00 noon.