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Report of the CNMI-Mariana Archipelago FEP Advisory Panel Meeting

Wednesday, February 26, 2025, 6:39 p.m. – 9 p.m. (ChST)

1. Welcome and Introductions

Clay Tam, Advisory Panel (AP) Chair, opened the meeting at 6:41 p.m. (ChST). CNMI AP members in attendance included Ray Tebuteb, Lawrence Concepcion, Michael Fleming and Lino Tenorio. AP members Richard Farrell (vice Chair), Perry Mesgnon and Cecilio Raiukiulipiy were excused.

Others in attendance include Joshua DeMello, Mark Mitsuyasu, Zach Yamada, Mark Fitchett, Felix Reyes (Council Staff), Pedro Itibus and Gene Weaver (Council Members), Mark Cruz (Joint Region Marianas), Ed Camacho (CNMI Governor's Special Assistant for Military Affairs), John Gourley (Micronesian Environmental Services), Max Garcia and Shirley Deleon Guerrero (Lynker), Frank Villagomez (NMFS PIFSC), Herman Tudela, Richard and Liana Hofschneider, Jesse Taitano and Alex Min (Pacific Island Fisheries Group)

2. Review of the Last AP Recommendation and Meeting

Council staff provided a status review of the recommendations from the last AP meeting held on December 5, 2024.

Mark Cruz, Joint Region Marianas, provided an overview of the memorandum of understanding (MOU) on the mooring sites in response to the AP's recommendation. In 2017, the MOU focused on discussion on fees and if there is an issue with the current mooring sites, then the Governor of CNMI should raise this issues with the Navy. Pending this discussion, the Navy is prepared to stand by and have those discussions with the Governor.

An AP member asked if the CNMI benefits from the prepositioning ships being based locally. Each of the mooring sites has 90ft of chain at 15 fathoms. Fishers are not allow to fish around the prepositioning ships and request that a survey be conducted to see what damage has been done to the reef since that habitat is not expected to recover.

Cruz said there is a report on the economic analysis generated 10 years ago focused on prepositioning ships for Saipan. The MOU provides services to keep ships offshore and the agreement for ships to are perpetual. Regarding surveys on habitat impacts, DFW has conducted surveys in the past and if there is a request for new studies, then they could review the request and bring it up to command on the formal request.

An AP member said that the CNMI is composed of tiny little island in the middle of the ocean and even if it's a tiny little impact, the impacts significant to the fishing community. If there is a revision to the MOU between the US Native and CNMI government, then there should be an opportunity for the community to provide input. If there is a new analysis on the impacts of

prepositioning ships, then the analysis should take into consideration the overall impacts to the current and future fishing community.

Another AP member said the preposition ships displaced atule fishermen and has made it difficult for access when the weather is bad. Due to the prepositioning ships, the atule fishery was lost in that area and asked if the US Navy could provide compensation to those affected fishers.

3. Council Fisheries Issues

A. Status of Fisheries Development

Mark Fitchett, Council staff, provided a status update on fisheries development in the Marianas. The CNMI enjoys privileges as a small island developing state and participating territory on the Western and Central Pacific Fisheries Commission (WCPFC). Currently, CNMI does not have an established commercial pelagic fishery; however, CNMI wishes to develop a commercial pelagic fishery there may be opportunities due to its location and target species that are not overfished nor experiencing overfishing. Historically, there were five US flagged vessels that were based in the CNMI and interest with foreign countries (Japan, Korea and China) to enter agreements through the Pacific insular area fishing agreements (PIAFA) to fish in CNMI waters. If there are charter agreements or joint ventures, then these foreign countries would fish in compliance with the Magnuson-Stevens Act.

4. Council Inflation Reduction Act (IRA) Project Discussions

Mark Mitsuyasu, Council staff, provided background and detailed information on the IRA projects. The Council is supporting four priority areas: scenario planning for longline (LL) and small-boat fisheries; a regulatory review of the Fishery Ecosystem Plans (FEPs); the impact of climate change on protected species; and community consultation, which includes the ongoing activities in the Marianas this week.

A. Scenario Planning

i. Small-boat fisheries

Shirley Ann Deleon Guerrero and Max Garcia, Lynker, provided an overview of the 2025 Marianas Small Boat Economic Survey to be implemented in Guam and the CNMI. To understand the current economy and behavior of small boats. Surveys were done in 2022 and again in 2018. Lynker will be conducting surveys and have a goal to complete at least 75 surveys for the CNMI. The survey will take on average 45 minutes to complete, and Lynker will provide incentives for participants who complete the survey.

An AP member asked Guerrero and Garcia if he caught fish if he went out trolling. Council staff clarified that the survey would focus on fishing activity and the associated expenses. Fishing effort would continue to be monitored through the creel surveys.

ii. Planning for scenario planning

Mark Mitsuyasu, Council staff, provided an overview for the IRA scenario planning priority. Scenario planning will be conducted for the longline fishery and the small boat fishery in two initiatives to address how that fishery would change as the climate changes and how the Council should react. For example, across the region each of the jurisdiction caught an influx of

marlin and albacore and if this is an indication of climate change, how should management be adaptive to scenarios that happened in 2024.

B. Regulatory Review

i. Updates on Potential New Regulations

Joshua DeMello, Council staff, provided an overview of the Mariana Archipelago fishery ecosystem plan (FEP). In 2009, the Council transitioned from fishery management plans to FEPs to look at the ecosystem dimensions and how that can be applied to communities to focus on management as an ecosystem compared to a species based system. An example in the CNMI, bottomfish requirements and seeing if there is inconsistent. The Trump Administration has a 10 for one EO and there might be regulation that can be taken under consideration during the public meetings in the Marianas. Looking at the fires in California, what are the things that we should anticipate and are there steps that can be taken before hand and trying to be proactive rather than being reactive.

Mitsuyasu shared that courtesy calls were made with the mayor, and one issue that arose was whether the Marine Protected Area (MPA) is still necessary. He emphasized that management should be adaptive and that evaluations should be considered. Another topic raised was the Northern Islands bottomfish fleet. The Department of Land and Natural Resources (DLNR) had a permit system to track the fleet, but today, fishermen still operate there. The question remains on how their catch is accounted for. The Pacific Islands Fisheries Science Center (PIFSC) is conducting a stock assessment, and MM questioned whether management should be adjusted to reflect these developments. He also mentioned that permanent reporting is in place and subject to Vessel Monitoring Systems (VMS), adding that it is important to consider how many permits are issued for fishing outside of the three-mile limit. This is something to consider moving forward.

Tebuteb addressed new regulatory measures, such as mandatory commercial reporting, noting that it is still unclear how effective these regulations are. He emphasized that fishers themselves are valuable sources of knowledge and that gathering information from those with firsthand experience is essential.

ii. Fishery Issues and Concerns

AP discussion on fishery issues and concerns were included under i. Updates on Potential New Regulations.

C. Community Consultation

i. 2024 Fisher Observations Results

Tam presented on the discussions he has had with fishers over the past years, reporting on various changes observed in the fishery. These discussions covered shifts in fish populations, tidal patterns, ocean currents, water temperatures, seasonal fishing trends, gas prices and cost of fishing equipment as well.

Mitsuyasu explained that the PIFSC utilizes the reports generated from fishers' observations because traditional stock assessments often fail to capture real-time changes occurring in the ocean. Clarifying that this is not due to flaws in data collection but rather a limitation in how the system is designed. Certain environmental and ecological shifts happening

on the water may or may not be reflected in the collected data, making it necessary to provide context for a more accurate interpretation. The observational reports serve as a valuable tool in helping to explain trends and anomalies found within the data.

ii. FishMaps

Clay Tam, AP Chair, provided an overview of FishMaps. The Hawaii AP started this initiative in light of offshore wind development and monument expansions to provide fishers a seat at the table to ensure that their traditional fishing grounds were available to the fishing community for future generations. Tam emphasized the importance of direct communication with fishers, noting that they possess firsthand knowledge of what is happening in the fishery and can explain why the data appears as it does. Initially, this approach was considered primarily for Hawaii, but it became evident that similar patterns exist across other islands. He pointed out that many traditional fishing practices, such as rotating fishing areas to prevent depletion—similar to how cattle are moved to new grazing areas—often go unrecorded. Fishers, he noted, practice responsible fishing yet rarely receive recognition for their efforts. The process of collecting observational data began with the bottomfish fishery and was later expanded after it became clear that such information played a meaningful role in shaping fisheries management discussions.

DeMello provided an overview of a 2016 project that logged down similar information focused on nearshore areas and asked the AP if the community would be interested in participating to catalogue traditional fishing areas in offshore areas in federal waters.

5. Advisory Panel Strategic Planning for 2025

A. Fishers Proclamation Event Updates

Mitsuyasu mentioned that the mayor was aware of the AP's interest in issuing a proclamation for Fishing Month.

6. Other Business

There was no other business discussed.

7. Public Comment

Ed Camacho, CNMI Special Assistant for Military Affairs, asked for clarification on how CNMI does not have a pelagic fishery. He further asked about the effectiveness of enforcement. While there are benefits derived from the use of vessels, further examination of the matter is needed. In the past, security companies were solicited, but none were able to provide armed security for the vessels. As a result, boating safety personnel and police officers from the Department of Public Safety (DPS) were utilized, as they were the only ones authorized to carry firearms. The vessels covered the costs of boats, personnel, time, and fuel, often for 12-hour shifts. It was noted that the payments were sufficient to offset these expenses, though they did not necessarily constitute an economic benefit. Efforts are being made to track these activities, as understanding the benefits is part of their responsibility. In previous years, such details were not officially reported. The U.S. Navy (USN) relied on DPS to provide security services, compensating for the use of boats, personnel time, and related fatigue costs. However, while the funding covered expenses, it was not necessarily considered a financial gain.

Mark Fitchett, Council staff, said that CNMI does not have developed, established major pelagic fisheries, and there is no purse seine, longline, or pole and line fishery on an industrial level. He explained that the MMPA is not enforced as it should be, despite being intended for enforcement. The Strategic Investment and Monitoring Plan (SIMP) serves as a monitoring tool, but prosecutions are not pursued, and information is passed along to customs.

Herman Tudela, CNMI fisher, said the current ecosystem is not in balance. There has been the introduction of invasive species. The local agency and the Council should take the initiative to address this issue to encourage fishers to eradicate this species from CNMI waters. Regarding his fisher observations, he noticed that there has been an increase of atulai since they are present all around the island of Saipan. Regarding the definition of recreational fishing, the CNMI legislature should revise the language emphasizing that subsistence fishing is distinct from recreational fishing. If there is a permit for recreational fishing, he would not hold a permit for this reason.

Council staff acknowledged that invasive species present a significant challenge, citing Hawaii as an example where both invasive fish and algae have become an issue. While regulations exist, they are not necessarily linked to the fishing industry. There are efforts in various Pacific states and territories to educate communities about invasive species. Conservation International, for instance, has been promoting the consumption of *ta'ape* as a way to help control its population.

Lorraine Hofshneider, CNMI resident, said the contractors that are conducting the Mariana small boat economic survey should explore non-traditional methods to reach potential survey participants. With good intentions, she mentioned that outreach efforts could include engaging with churches, utilizing less popular radio stations, and scheduling outreach activities on Saturdays to maximize participation.

Gene Weaver, CNMI fisher, noted that during a meeting last month, discussions led to the decision to hold the event during the first week of June, possibly in connection with Ocean's Month. A resolution had already been drafted, though it remained under discussion. He also outlined upcoming fishing events, stating that activities in Saipan would begin in the first week of March, followed by the Mahi Derby. The Saipan Fishermen's Association (SFA) planned to host three events, while both the Tasi To Table (TTT) and I Sanhalom Laguna Anglers (ISLA) tournaments would also hold three and one events, respectively. Additionally, a Veteran Derby was scheduled to take place later this year.

8. Discussion and Recommendations

Regarding CNMI Military Issues,

The CNMI AP recommends the Council suggest the Governor of CNMI re-engage the DOD to update the analyses on the economic impacts of the pre-positioning ships, conduct updated surveys on the impacts of those ships on the reefs, and to provide mitigation for lost fishing opportunities.

Regarding CNMI IRA Projects,

The CNMI AP requests the Council consider the impacts of introduced species in the regulatory review as well as conduct engagement with the communities after the fishing tournament season.