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COUNCIL

Report of the Guam-Mariana Archipelago FEP Advisory Panel Meeting

Monday, March 3, 2025, 6:30 p.m. – 8:48 p.m. (ChST)

Hilton Guam Resort & Spa Chuchuko Room

1. Welcome and Introductions

Dominick San Gil, Guam Advisory Panel (AP) vice Chair, opened the meeting at 6:30 p.m. ChST. Guam AP members in attendance included Clay Tam (AP Chair), Mike Gawel, Jason Miller, James Borja, Carl Delacruz, Michael Duenas, and Jesse Rosario. Dale Alvarez was absent.

Others in attendance included Mark Mitsuyasu, Felix Reyes, Joshua DeMello, Zach Yamada (Council staff); Frank Perez (Council Member); Audrey Toves (NCFAC); Alex Min (Pacific Island Fisheries Group); Reno Young (Fisherman); Eric Cruz (NMFS PIFSC); Tatiana Talavera (Fisherwoman), Chris Hawkins (Lynker).

2. Review of the Last AP Recommendation and Meeting

Council staff provided a report of the recommendations from the last AP meeting. He provided an update on the status of the recommendations noting that the Council took up the recommendations at its last meeting and is being worked on by staff.

3. Council IRA Project Discussions

Council staff reviewed the Council's Inflation Reduction Act project and plans and noted the AP's input at the Council meeting in March 2024. He said the Council has plans to conduct projects in each of the island areas that include scenario planning, regulatory review, protected species, and community consultation twice per year.

A. Scenario Planning

i. Small-boat fisheries

ii. Planning for scenario planning

The first project is to conduct scenario planning about what might happen to the fisheries in the future. The project will kick off with the longline fishery in Hawaii and American Samoa, followed up with the small boat fishery that will include Guam's fisheries. The Guam fisheries may want to think about all the things that impact the fishery, from climate change to market impacts to political disputes. The idea behind scenario planning is to think about how their fisheries will be impacted and how we may be able to implement regulations or policies now to avoid future impacts.

An AP member asked who are members of the REAC.

Council staff replied most are Government of Guam agency directors, military representatives, United States Coast Guard, National Park Service, Fish and Wildlife Refuge, Council members, and Department of Agriculture DAWR and Conservation divisions. He also noted the Governor of Guam will be joining the meeting.

An AP member asked how much the IRA grant is and for how many years.

Staff replied the IRA grant was awarded on January 1, 2025, and is expected to end at the end of 2026. \$2.7 million was requested but received about \$300,000 less. The grant may have no cost extension.

B. Regulatory Review

i. Updates on Potential New Regulations

The second part of the IRA grant is to conduct a regulatory review by looking at the Council's Mariana Archipelago Fishery Ecosystem Plan to determine any gaps and how it could better address the impacts of climate change. The project will also look at local regulations to determine any conflicts or misaligned priorities. The result of the project is to determine which regulations are missing, not needed, or fixed with amendments to the FEP to be provided to the Council. Council staff is looking for feedback from the community on what kinds of things can be looked at, gaps, and needs with this meeting as the first engagement with the community.

An AP member said the current 50/50 regulations for large vessels have never been an issue. With the military, fishermen's hands are tied. Once the Marine Corps Base Camp Blaz firing ranges go live, there is nothing the fishermen can do.

Council staff said it is a Magnuson-Stevens Act matter.

ii. Fishery Issues and Concerns

An AP member said that between Guam and Rota's fishery, the catch caught by Guam fishermen in Northern Marianas waters is reported in Guam and is a part of Guam's Annual Catch Limit. The Mariana Islands is one FMP but recorded separately.

Council staff said this is a significant issue from a regulatory standpoint. It is all set up wrong. The stock assessment is based on jurisdiction, raising the question of what the range of the stock is. The National Standards 3 requires the Council to manage stock throughout the range. For the most part, they are one stock. But why is the stock subdivided? The scientists decided to separate it for a reason. If there is one stock assessment, the quota will be much higher. The other part and what the PIFSC is looking at is reassessing what species are in the complex and looking at single species. How to deal with how the regulations play out is what is being discussed.

Another AP member said Guam's fishermen are cut short in the north but also to the south with an area ceded to the Federated States of Micronesia. What can be done to get those areas back.

Council staff said that it is an international issue. The state department would have to be involved.

An AP member said the CNMI is talking about mandatory licensing.

Council staff said that the licensing was passed in 2012. How it was implemented was discussed at great length in the Northern Mariana Islands, and how this will align with Guam's information gallery, especially if looking at one stock assessment.

An AP member added that boats from Guam that fish Rota Banks come close to Rota, often at just 3 miles off. They would have to check in with Rota before fishing in their waters. Fishing close to Rota may start being enforced due to the Chinese coming in from the Marianas to Guam.

Council staff said they talked to the Rota mayor about enforcement and if they have the capacity. With the regulatory review process, 1) how are the FEPs and Regulations aligned with the territorial management regime. They should line up when there are overlapping species. Are there any other gaps to think about? With Hawai'i's Deep 7, there is a stock assessment and a quota. The quota is monitored by the state. If the quota is to be hit, the fishery gets closed. The state takes two weeks to close the fishery. The federal agencies take 3 weeks due to a Federal Registry needing to be published. PIFSC has to make a forecast on the catch if the quota is hit. The process is coordinated. There are quotas for Kona Crab and Uku. How the bottomfish fishery is closed via the Bottomfish Restricted Fishing Areas (BRFAs) rule is published to expand the rule for the entire Hawaiian islands. The state still has the authority currently to go via one board meeting. That mechanism does not exist for other species. The legislature gave them for adaptive management. Publishing the ACL is the first step. Congress requires the information, data and stock, and what species to include.

An AP member said Hawai'i has good data or better data than Guam's. Guam may never get to the point where there is closure.

Council staff replied scientists have to look at two different systems and that is why they don't want to have one stock assessment. They are different models. He noted that a contractor will be brought to the Mariana Islands to do all 5 FEPs. One regulation in Guam that needs fixing is the prohibition on harvesting and selling of invertebrates. Squid currently remains illegal to harvest and sell.

C. Community Consultation

The third part of the IRA projects is for protected species but deals mainly with the Hawai'i longline fishery.

The fourth part is to engage underserved communities on the impacts of climate change. To do that, Council staff are planning on going out to the community twice a year over the next 2 years to discuss impacts and inform about governance. The purpose of this part is to determine how to better inform the process of management as to why REAC was formed, which is made up of non-fishery voices. The FEPs were changed from species-based to place-based and the APs also changed similarly at the time. The Council changed the governance to better manage the resources. The goal is to hold two rounds a year and multiple meetings to allow the community to participate. The Council has a contractor to help with these community meetings.

i. 2024 Fisher Observation Results

The AP Chair provided a report on the 2024 fishermen's observations. He noted that the indigenous people's science was done through observations of the environment. They were able to see long-term patterns and changes. These types of data and observations are helpful for things like stock assessments because the scientists are missing this part of the story. The project was started after the COVID-19 pandemic. It was noted that fish were caught and sold directly from

the boats, but where is the data? The market has also changed. Shipping also changed. Fish observation is essential not just for its socio-economic information but also for the science behind it. He shared challenges about marine resources that are no longer readily observed in Hawai'i, including the loss of traditional fishing grounds.

ii. FishMaps

Council staff presented on FishMaps. The objective is if someone comes out to do a project in certain areas, they know who to connect with. BOEM would know who to talk to, including bottomfish fishers, and where best to locate offshore windmills.

An AP member said there is the Marine Resources Education Program (MREP), which is another layer that would help fishermen, both by the fishermen and for the fishermen, and is another way to consult with the community. MREP will meet on April 4-10 in Hawaii.

Council staff said the goal is to find folks to participate in the management and the process. This was done in other regions and was reported to the Council Coordination Committee (CCC).

4. Advisory Panel Strategic Planning for 2025

Council staff reported on the Guam AP plan for 2025. The Council's Executive Director reviewed the priorities and projects to make sure contacts were identified. The main thing at each of the Guam AP meetings is updates from the points of contact listed on the projects in the plan. Some of the projects in the plan include the lunar calendar presentation at the Guam museum, a FAD symposium, and the military expansion in the Marianas.

5. BOEM Call for Information for Guam Offshore Wind Energy

Council staff provided an overview of the Call for Information (COI) on the BOEM initiative for Guam. The public comment period ends April 7, 2025.

An AP member said that in the past, Guam had wind power, but it never was useful. Guam is a low-lying island, so consideration should be given to the terrestrial placement of the wind turbines. He does not see anything placed in the waters off Guam. It would be better if they were located closer to shore, but otherwise, it would be impractical.

The AP Vice Chair added that aesthetics on how it may look from shore is a concern. Clear and clean vistas are what bring visitors to Guam. Installing wind turbines may be impractical off Guam, significantly since waters around the island drop off quickly.

6. Strategic Shift for Bottomfish Independent Survey in Guam

Eric Cruz, NMFS PIFSC, reported that the Guam bottomfish independent survey had paused the use of the MOUSS in the survey. Other parts of NOAA are working on smaller, more efficient cameras, and there could be avenues for the fishermen to develop questions that could be answered with camera work in the future.

An AP member asked what is meant by 'not abundance related. Could it be shark depredation-related?

Cruz said it is based on the occurrence of sharks.

Another AP member asked if the stock assessment is going to continue during 2025.

PIFSC staff said it is still up in the air; a lot of things are changing, so there is uncertainty about contracts and the details.

An AP member said March 14 is the coral reef dateline for the federal budget; with all the changes the administration is making, he is concerned about how this will affect the agencies.

An AP member said this is concerning because Guam is at the start of bottomfish research, and if all that gets stopped, where will the research end up? There is hope to improve the project during 2025, and it does not get cut.

Council staff asked PIFSC if there are any updates to the NOAA research cruise's visit to the Mariana Islands.

The PIFSC staff said the research vessel cruises are moving forward as planned but will see after the budget deadline; if it does not happen or gets delayed, he will let everyone know. The cruises include research on NCRMP, coral reef monitoring, and fish life history in the Northern Islands.

7. Guam Military Working Group Update

Council staff shared with the the activities of the Council Military Buildup Working Group. The Council formed the working group during the 198th Council meeting in June 2024 to discuss the ongoing military buildup of the U.S. military in Guam and its expected impact on the fisheries, including congestion at marinas and on the water. The working group has met a few times since it was created. On Wednesday, February 19, Chelsa Muña presented to the Civil-Military Coordination Council (CMCC), with high-ranking military officials and Governor Lourdes Leon Guerrero in attendance. On Friday, February 21, the working group met with Randel Sablan, Joint Region Marianas (JRM) Senior Policy Advisor. They discussed the proper protocol to address fishery concerns, which will be for the Governor of Guam to write to JRM's Admiral Gregory Huffman, include the mitigation list and provide the rationale on how it will benefit the community. The next step is for the working group to be invited to the CMCC and be on the agenda for official discussion.

8. Public Comment

Chris Hawkins, Lynker, reported that NMFS PIFSC contracted Lynker to conduct small-boat economic surveys in the Marianas. Lynker contracted Arc Environmental and Joel Sablan, who will be asking fishers to fill out a survey to provide information on fishing costs, revenue, and more. In order to characterize fishers' contributions to the economy expenses and to track this over time. He requested the participation of AP members and to provide any fishers that would be interested in participating.

A Council member said the AP has a big voice and hopes they are more vocal with opinions and participate with the military buildup working group, especially since much can be done with the marinas. The lighting at the Agana Marina is not good. Solar lights should be considered. Saipan

has been discussing fishing permits. Guam should consider something similar, such as some sort of fees, to raise revenues, and the AP can discuss these matters.

PIFG's Alex Min said there are two things of interest 1. PIFG is currently working on shark impacts and fisher knowledge to reduce shark impacts. 2. Part of the community consultation process involves fishermen with a pilot project to get them to learn different fishing methods and bring some of the knowledge back to their communities. They are also looking for advisors to be a part of the steering committee. The training curriculum is still being drafted but may include safety at sea. The training duration may be 10-12 days, funded and held in Honolulu. All offshore fishing. The budget is being reviewed to determine how many people can be brought to the training. The budget will determine how many will form the steering committee.

Council staff said that when the proposal was put together, funding was not approved, although it supports the Council's requests for captain training, mechanics, and other related training. The project is not to do a training course but to measure who joins and actually goes fishing, they are engaging in the fishery now and more. It is for commercial fishermen, not just a workshop. Six people as a group are being considered for the entire region. The selection scrutiny is really high.

Audrey Toves said that regarding derbies and sea conditions, event organizers will proceed with derbies during high seas and small craft warnings. Who can step in and advise the organizers if the derby is to be postponed due to sea conditions? Overall, it is about safety. Regarding comments about marina lights, she has had to prepare to protect herself from people who may be around when launching early in the morning. At the Agaña Marina, the water spigot has been running constantly. Marina users have little respect. Regarding the charter business during the recent military exercise held in Guam called Cope North, she said business was brisk.

The AP Vice Chair said that with the influx of even more people, imagine what it will be like at the Marinas looking at the effect of just 3 weeks of military action during Cope North. Guam will go through a lot in the military expansion.

An AP member said Guam needs dock space.

Toves said there are no actual public staging docks; if a boater needs one, they use an empty slip if they know the slip owner and the slip is empty. Agat Marina does have some space. Putting a floating dock at the Agat Marina where boats can be parked to alleviate ramp traffic will help.

An AP member said Guam will see the most significant exercise-joint military during July 2025. Guam will see another influx after Cope North.

A Council staff asked what the scale of the increase in fishing charters was before Cope North and during the exercise. And what happens to the fish caught by charters.

Toves said her charter is usually booked four to five days per week, but with the military influx, it has been daily. Sometimes, she has two charters in one day. The fish caught is usually given to the charter passengers. She also cuts, cleans, and prepares sashimi from the fish. Or she will give it to the charter passengers. Fish will be fileted for the passengers, who will either bring it to restaurants to have them prepare it for them or barbecue at the beach. She noted there have been

many military contractors lately from the Air Force, Navy, and Marines working on the engines of the navy vessels or other contract work. Also, trailers are being left at the marinas for a long time, taking up space for active boaters.

Council member Frank Perez said he goes fishing on the weekdays, where parking is usually available. Weekends are another matter. People have also broken into cars parked at the marinas.

Council staff said this is the process with service and support people will have to deal with with the military buildup.

Tatiana Talavera said she was part of a group that recently completed Day 1 of the Guam Fishermen's Cooperative Association (GFCA) mitigation cleanup in the waters near the Agana Marina; 100lbs of glass, four to five trash bags of aluminum cans and 10 tires were recovered. Tomorrow will be another cleanup day all done free diving.

Clay Tam said in Oahu, there are over 900,000 residents but there are only five boat launch ramps. Tourists are pushing local fishers off the docks and from slips. The infrastructure is tough, especially during seasonal runs. Break-ins are common with many homeless people in the area. He asked where the money goes from the collection of user fees.

An AP member said Guam was never given the opportunity to suggest improvements. At the Agat Marina, tour boat guests take up all the parking spaces, denying trailers parking space. The Port Authority of Guam (PAG) does not care about marina users.

Another AP member said regarding charter boats, the last insurance company offering liability for the charters has stopped. Commercial operators have been going off-island to find coverage.

Toves said the most recent feedback she received from a local insurance company was they do not have the volume for small boat coverage. Unless she gets a 50-foot vessel, she may be able to get commercial insurance coverage. She needs to find a broker, jointly with other boaters.

An AP member suggested Toves work with other insurance companies who may be able to provide the coverage she needs. All insurers pulled out of Guam due to major claims and lawsuits due to accidents. He noted his boat policy is more expensive than his home insurance policy.

Council staff added that in Hawai'i, State Farm Insurance Company has stopped offering insurance for trailered vessels. Only for moored vessels.

Council member Perez asked how long boats can be moored at the Agana Marina. Are there any regulations on how long they can part their boat there. He asked what the rental is for the slips.

Toves said has been on the wait list for a slip at the Agana Marina for about seven years.

An AP member said the Agana Marina cost is about \$6-7 per vessel foot to rent a slip in Agana. But slips are more expensive at the Agat Marina. The port said they are aware of what is

happening at the marinas and are trying to put an end to them. Slip owners allow usage of their space for a fee.

An APA member said some of the docks were paid by federal funds.

9. Discussion and Recommendations

Regarding Guam fisheries, the Guam Advisory Panel:

- Recommends the Council inquire with the USCG on whether Marine Event Plans filed with the GPD Marine Boating safety are shared with them and what the protocols are for USCG to advise these events in the case of adverse weather.
- Recommends the Council request the Guam Port Authority to include the fishing community in the development of capital improvement plans and to review issues that the fishing community is experiencing with the marinas including, but not limited to, lighting, maintenance of washdowns, security, allocation of dock space, trailer parking, and other matters of concern.

10. Other Business

An AP member said there is a need to improve fishing derby operations and would like to have resources from the USCG and other agencies, as well as marine rescue personnel such as the department and others, to be a part of the derby planning. This would provide security for fishers during derbies with bad weather conditions. He suggested inviting those agencies into the planning of the derbies.

Another AP member said the USCG has an Auxiliary component that volunteers during events. He suggests derby hosts reach out to them for support.

An AP member said the derby organizers must file an event plan. The key is to look if that is required and make sure those hosting derbies file marine plans that stipulate criteria with weather, presence of enforcement and other levels of safety support. If it is required and they are not doing anything they should be held accountable. Safety lies with the organizers and should be held to a higher standard.

An AP member said Marine Event Plans (MEPs) with the Guam Police Department is required which asks if a boat is required, is it going to be a hindrance to navigable waters, and more. It will be reviewed for approval and shared with the USCG.

An AP member of a canoe paddling organization he is not sure if they file MEPs. When they have canoe paddling derbies and the water conditions turn to be dangerous, organizers would stop the events.

An AP member added the USCG will only give advice but will not stop fishers from going fishing.

Another AP member said during past derby events, the USCG Auxiliary would conduct boat safety checks of participating boaters to ensure they have proper safety gear. He suggested bringing back the event safety check. He will talk to the Auxiliary on this matter.

Clay Tam said that in Hawai'i, the lifeguards will stop folks from entering the water during high surf. USCG must have some kind of policy. Same during tournaments. Fishers know their boat's capacity. If stakes are high, fishers will push to go out no matter the weather. Tournament sponsors, if they carry liability insurance, should step in to lower risk.

The meeting was adjourned at 8:48 p.m.