



WESTERN
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FISHERY
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COUNCIL

**Report of the Meeting of the Mariana Archipelago Fishery Ecosystem Plan
Guam Regional Ecosystem Advisory Committee**

Thursday, March 23, 2023, 8:30 a.m. to 4:00 p.m. (ChSt)
Caffe Cino-Private Dining Room
Hilton Guam Resort and Spa
202 Hilton Road, Tumon Bay, Guam

1. Welcome and Introductions

Manny Duenas, vice Chair of the Western Pacific Regional Fishery Management Council (Council) and Regional Ecosystem Advisory Committee (REAC) Chair, opened the meeting at 9:10 a.m. He noted the importance of using the right management tools for fisheries in Guam and that the REAC is a part of the process that allows for local input into management. Dr. Judith Guthertz, Guam Council member, welcomed the members. REAC members included:

- Audrey Toves - Charter fisher
- Toni Mizerick - Guam National Wildlife Refuge and Mariana Trench Marine National Monument Superintendent
- Captain Nick Simmons- US Coast Guard
- Lt Brian Maffucci - US Coast Guard
- Mark Cruz - joint region marianas
- Diane Rosenfeld - US Marine Corps (USMC) Base Camp Blaz CommStrat
- Robert Ledyard- USMC Base Camp Blaz
- Olivia Ibanez- Guam Coral Reef Initiative
- Jay Gutierrez -Division of Aquatic and Wildlife Resources (DAWR)
- Brett Taylor - University of Guam (UOG) Marine Lab
- Taylor Pangelinan - Guam Visitors Bureau
- Lola Leon Guerrero - Bureau of Statistics and Plans (BSP)
- Mary Okada - Guam Community College
- Leilani Duenas - Dept of Agriculture
- Roy Gambod-Dept of Agriculture
- Leilani Sablan - UOG Sea Grant
- Peter Houk - UOG Marine Lab
- Eric Cruz - NMFS Pacific Islands Fisheries Science Center (PIFSC)
- Michael Duenas - DAWR
- AJ Reyes - US Navy Representative

Others in attendance included Kitty Simonds (Executive Director), Felix Reyes, Mark Mitsuyasu, Asuka Ishizaki, Mark Fitchett, Zach Yamada, and Joshua DeMello (Council Staff); Judy Amesbury (Guam vice Chair), James Borja and Mike Gawel (Guam Advisory Panel); Marlowe Sabater, Mia Iwane (NMFS PIFSC); Pua Borges, Savannah Lewis, and Lance Smith (NMFS Pacific Islands Regional Office) Logan

Flem (UOG Marine Lab) April Trinidad (BSP); Clarissa Manley (BSP); John Taitano, Cherita Taitano Willhite, James Borja, and Ken Borja (Fishermen);

2. About the Guam Regional Ecosystem Advisory Committee

Mitsuyasu presented an overview of the Guam REAC and the Council’s ecosystem approach to fisheries management. He explained the shift in direction from a single species approach to ecosystem approach with archipelagic-based management plans. The REAC brings together the agencies and groups that are involved in management and the fisheries to discuss issues and come up with solutions.

3. Current Fishery Ecosystem Issues

a. Introduction and Overview of ESA Critical Habitat

Lance Smith, NMFS PIRO, provided an introduction to the Endangered Species Act (ESA) and the designation of critical habitat for those species. The ESA was passed in 1973 and requires critical habitat to be designated for listed species occurring within the US as long as it’s both “prudent and determinable.” Critical Habitat is implemented by two federal agencies, NMFS and US Fish and Wildlife Service, and is specific areas within the geographical area occupied by the species at the time of listing that contain physical or biological features essential to conservation of the species and that may require special management considerations or protection. Common characteristics of critical habitat can include terrestrial, freshwater and marine areas; it is not limited to optimal or ideal habitat; often widespread throughout the range of the species but can include areas outside of the range if historical habitat was lost. Only two listed marine species with critical habitat in the western Pacific region are the Hawaiian monk seal and insular false killer whale. He provided an update of coral critical habitat noting that they are working with the territorial governments and fish and wildlife service to gather and review all records of corals and working on revising a proposed rule for coral critical habitat. He also provided an update for green sea turtle critical habitat noting that a draft proposed rule for critical habitat will be submitted by the end of June 2023.

Guam REAC Chair asked about critical habitat designations for Guam and if there is baseline information. Smith said NMFS proposed critical habitat for corals in Guam and they received comments from the territory regarding the maps developed and NMFS is currently working on refining those maps. The REAC Chair also noted that there needs to be a balance between cultural perpetuation and conservation.

A REAC member asked if there are other species that NMFS is looking at for critical habitat. Smith said NMFS made a decision not to do a critical habitat rule for scalloped hammerhead and is not currently considering critical habitat for any other species.

b. Status of Guam Fisheries Stocks

Council staff presented the status of Guam’s fisheries stocks as monitored by the Council and NMFS through its annual Stock Assessment and Fisheries Evaluation (SAFE) reports. He said that the annual SAFE reports are available on the Council’s website, wpcouncil.org, as well as at the Council’s data portal at wpcouncildata.org. Staff explained how the status of fish stocks are determined and noted that Guam’s bottomfish status was determined to be overfished. He also presented the status and trends of other fisheries, including pelagic species that are managed on an international level.

A REAC member asked if the species of concern are targeted or bycatch. Council staff replied that tropical tuna are primary targets but Silky sharks and Oceanic White Tip sharks are incidental catches with non-retaining measures.

c. Overview of Data Collection System and Efforts

Eric Cruz, NMFS PIFSC, provided the roles and responsibilities of data collection in the Marianas, noting that both territorial and federal agencies collect data. The federal government is the data users and the data belongs to the territory. He showed the REAC how the data flows to and from NMFS PIFSC for use in management and provided information on a review of the territorial creel survey design and the efforts to introduce electronic self-reporting in Guam.

One REAC member said there are a lot of fish that are posted on social media and asked if the creel surveys include that information. Cruz said it is not something that is normally done because the survey is random but we have reached out in the past to get info.

A REAC member noted that she was asking for voluntary info from those folks on social media to collect data for her graduate work that is separate from the creel survey design. The REAC Chair said that there may be information on social media that can be false and posted for bragging rights so he questioned the accuracy of using social media information. The REAC member said there needs to be trust in the community to provide correct information.

Another REAC member questioned the accuracy of the vessel trailer count for fishing because she takes her fishing boat out to do special projects like hydrographic surveys rather than her normal fishing. Cruz said that sometimes they are trying to figure out how to tease out which trailers are actually for vessels that have been going fishing.

The REAC Chair said this is just one way of gathering information and the GFCA developed a voluntary data collection program for fishermen which were successful. There are things that scientists and managers need to know that can be provided through the different collection programs so we need further interaction with the fishing community.

4. Territorial Issues

a. Marine Conservation Plan 2023-2026

Michael Duenas, DAWR, presented on a three-year Marine Conservation Plan (MCP) developed by the Territory of Guam which identifies high priority projects to expend funds that are collected through fines from foreign fishing violations in the US Exclusive Economic Zones. A second method of funding the MCP is through territorial fishing agreements and sustainable fisheries funds. As part of the development process, the Guam Department of Agriculture held meetings in the community to determine what type of projects the community would like to see included in the MCP. Additional solicitations were made to other Guam agencies and will be working to complete a final MCP for review by the Council in June 2023. Some of the projects supported through the MCP included a fishing platform, rabbitfish hatchery and grow out, and harbor infrastructure improvements. He said that due to the lack of funding for the current projects, many of the projects will carry over to the next MCP.

The REAC Chair noted the importance of the funds for Guam’s fisheries and while the projects seem small they play a large role in assisting the community, including capacity for local citizens, tourism, and markets.

b. Developing Fishery Management Plans

Dr. Peter Houk, UOG Marine Lab, presented a project on species assessments to help manage Guam’s coral reef fisheries. DAWR initiated a Guam fishery management planning process and found that there are a lot of species and not all of them are being jeopardized by the level of fishing going on and there is a shift in species through time. To improve the situations on the reefs, there needs to be a look at trends in landings. Overall, the coral fishery shows a decrease in catch, catch success, and a shift in species; knowing stock assessments and life history can assist in determining how the species impacts differ. Utilizing Spawning Potential Ratio, scientists were able to determine a stock status, but observations of those species had decreased on reefs and in landings. Instead of utilizing one data set, UOG is looking at multiple data sets to develop multiple ways to assess the data.

Dr. Brett Taylor, UOG Marine Lab, provided a presentation on life history of Guam’s fish species. Life history is the cornerstone of population dynamics and dictates the nature of responses to exploitation. The work done by UOG, NMFS, and fishermen has contributed to having the largest amount of data on reef fish species in the world. Guam has 45 species with life history information. Taylor provided data on fishing trends and life history to explore vulnerability and management options.

c. Community-based Management Plans Update

Council staff presented that In 2012, the Council worked with the Mayor’s Council of Guam (MCOG) who directed the Council to work with the Malesso Mayor’s Office to start work on a Community-based Resources Management Plan. The Council worked with the village of Malesso for two years on a plan to look at the needs of the community, issues affecting resources, and develop potential solutions. A plan was developed and the village is currently awaiting the amendment of the Resource Use Management Plan in order to affect change from the plan. The Council also worked with the village of Yigo in Guam and the Northern Islands Village in the CNMI, but COVID prevented follow-up on those efforts. Continued outreach with the MCOG has been met with continued interest, particularly for the villages of Inarajan and Umatac.

5. Federal Issues

a. Military Issues

Mark Cruz, Navy Joint Region Marianas, presented on military issues in Guam including the use of “open burn”, planned military exercises at Whiskey 517, detonation pits, and firing ranges. He explained that the Department of Defense is a large agency and Joint Region Marianas includes the military bases in Guam. Open burn is a targeted destruction of explosive material and not burn pits that are used to remove trash and other waste. The Guam legislature passed a law which prohibited open burning but repealed a ban on open detonation and is looking at new laws to modify EPA regulations. There are also Sea Turtle management activities that occur at Andersen Air Force Base that include nest monitoring and mitigation. Military activities at sea as well as on Guam, Rota, and Tinian and within the Mariana Islands Range Complex that require environmental review and compliance.

A REAC member was concerned with military exercises at W517 and no baseline study on the seamount in the area so unsure of the impacts to the area. They don't want the areas to be destroyed to the point where the people can't use the area anymore. He requested a better notification system when W517 is being utilized for training. Cruz said that he can be the advocate for the community to address issues to PacFleet and will work with him to get the specific concerns to bring it up so they don't wear out their welcome.

Another REAC member said that it always takes extra effort to bring the issues to light and the military only goes halfway to acknowledge the issue. When it comes to issues that involve costs to mitigate the harm done to the people, it doesn't get compensated.

A REAC member asked how many federal jobs will be created that can employ people from Guam like students from the University of Guam or Guam Community College. She wanted to ensure that they hire locally rather than paying relocation costs for importing employees. The military should focus on keeping local students and supporting them to stay in Guam. Cruz said that they are continuing to work on local capacity but sometimes they do need out of state people with particular skills. They continue to prioritize local hires because there is better job retention.

Another REAC member noted that she fishes in the range areas five to seven days a week and if the military is closing the area for 273 days a year, there are not many opportunities left for her to fish. She suggested that the military take into account that sea conditions are usually rough so those days that have bad weather may be the only days left for her to fish, which is a safety concern. She also noted that not everyone uses social media or the internet or even has a cell phone but everyone has a radio and the military should provide notifications through all methods and put flags up at the harbor or use buoy markings.

There was a discussion by REAC members on mitigation for impacts to the community from military activities such as training and firing ranges. REAC members suggested providing Fish Aggregation Devices and boat ramps to compensate for the fishing community's loss of fishing opportunities. Cruz said there have been ideas presented but it needs to be elevated because government leaders tend to get the attention of the Admiral. He said it is good to get public comments but real traction comes from formal input from leadership. There is a Guam civilian council (CMCC) where the fishermen's concerns could be presented.

Robert Ledyard presented a brief on the Marine Corps Base Camp Blaz range and training area. He showed a map of the range complex and noted that the areas will get warnings if boats come into the firing range area. Notifications are asking vessels to travel quickly through that area but some of the smaller vessels may not be seen. He would like to sit down with the fishing community to determine when they want to go fishing because he has 273 days max to do training so he can meet the needs of the community and the military. He also noted that they will have a red flag up on the point to show that the firing range is being used.

A REAC member asked if all of the ranges would be hot at the same time and if the 273 is max for all ranges. Ledyard said 273 days is for the entire complex and there are certain ranges that will be used

more often than others. They will start testing in June and July and then the ranges will go into full use after that.

Another REAC member asked if the USMC can put buoys out for a visual for fishermen on the water. Ledyard said that they were told they couldn't do it because it is too deep, but he would look into the rationale for why they could not.

A REAC member asked if the USMC has had discussions about using green ammunition to decrease costs of clean up and environmental impacts. Ledyard said there was talk of using tungsten a long time ago but hasn't seen anything lately.

b. Status of Guam National Wildlife Refuge

Toni Mizerick, Guam National Wildlife Refuge (NWR) Superintendent, provided an update on the status of relocating Guam NWR facilities due to the firing ranges. She said they are currently working with the Department of Defense (DOD) on where the new refuge facilities will be located but it will be driven by when the ranges are active and timing of the movement. All of the public facilities at the refuge are within the area and will need to move generally to the West and still in negotiations with DOD on natural and cultural surveys that will be needed and any mitigation that will be required.

A REAC member asked how historical areas will be preserved. Mizerick said that the nature center will be relocated out of the jurisdiction and will need to coordinate visits to areas such as the Latte Village. There were concerns by fishers on when people can be in the water and access on other days. DOD is leading the effort and there is a lot of work going into protecting resources because of the move.

c. Biodiversity Beyond National Jurisdictions

Council staff provided an overview of the recently convened UN Intergovernmental Conference on Marine Biodiversity on Areas Beyond National Jurisdiction (BBNJ) which concluded a final meeting of its fifth session earlier this month. Text for a new BBNJ agreement was passed and will go to the UN General Assembly for ratification. While it does not supersede RFMOs on authority to regulate fishing, it does provide the first framework to establish marine protected areas on the high seas, with RFMOs to make the decision to implement them. Major concerns also include protecting areas on the high seas from IUU fishing and risks posed by seabed mining. The Council will coordinate with the State Department on next steps or potential issues that affect our fisheries – if they may exist at this point.

6. Updates on the Equity and Environmental Justice Strategy

a. NOAA

Mia Iwane, NMFS PIFSC presented on NMFS efforts to develop a national strategy to address Equity and Environmental Justice (EEJ). NMFS conducted meetings last summer and incorporated public feedback into the national strategy. The next step is to develop an engagement plan which will be released later this year. She provided feedback from last summer's public meetings in CNMI, Guam, American Samoa, and Hawaii. There was strong support for the strategy overall but NMFS took the opportunity to initiate discussions with the community in preparation for implementation. The CNMI meetings were held to solicit in-person feedback on the draft national strategy but also to initiate discussions with the community in preparation for the development of a regional implementation plan. NMFS met with over 30 people Guam including members from the fishing community, markets,

tournament organizers, etc. She noted that meeting with other Micronesian groups is a place they can improve on in the future. Feedback included support for autonomy of territorial agencies; Take a bottom-up approach to research and management; support our fishing communities, improve communication and engagement; and other feedback. The next step is to develop a regional implementation plan and Iwane said they will form a working group, then create an engagement plan to engage partners and communities, resulting in a regional EEJ implementation plan.

b. Council

Council Staff provided an update on the Council's activities on how to deal with EEJ and fisheries. The Council is working with the larger Council Coordination Committee to develop a workshop and develop strategies and report back to the REAC and other advisory groups upon completion of the workshop and report.

7. Public Comments

There was no public comment.

8. Discussion and Recommendations

The Guam Regional Advisory Committee made the following recommendations to the Council:

- Communicate to Joint Region Marianas the importance of hiring local graduates instead of importing personnel and request a report on how many local people have been hired over the last five years to support the military expansion;
- Request Governor to include fishing community issues and mitigation solutions on the CMCC agenda

9. Other Business

Guthertz provided the information on the upcoming 194th Council Meeting being held in CNMI and Guam and invited members to attend the meetings.

Meeting ended at: 4:10 p.m.