



## Draft Report

### **Mariana Archipelago - Guam Advisory Panel Meeting** Saturday, September 7, 2024, 10:07 a.m. – 1:16 p.m. (ChST)

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

Dominick San Gil, Marianas-Guam Advisory Panel (AP) Vice Chair, opened the meeting at 10:07 a.m. and welcomed members. AP members in attendance included Jason Miller, Michael Gawel, Jesse Rosario and Carl Dela Cruz as well as AP Chair Clay Tam. AP members excused: Michael Duenas, James Borja, Dale Alvarez

Others in attendance included Felix Reyes, Asuka Ishizaki, Zack Yamada, Josh DeMello, Mark Mitsuyasu, Mark Fitchett, Devin Otto (Council Staff); Audrey Toves (Non-commercial Fisheries Advisory Committee); Emily Hildreth (BOEM); Kirsten Leong, Mia Iwane, Michel Chan, Adam Ayers (PIFSC SEES), Eric Cruz (PIFSC)

#### **2. Review of the Last AP Recommendation and Meeting**

Felix Reyes, Council staff, noted the AP did not make recommendations at its previous meeting in June and provided an update on Marianas Archipelago recommendations from the 199th Council meeting.

There was no discussion

#### **3. Feedback from the Fleet**

AP members provided their fisher observations from July to August 2024.

A member reported there has observed an increase in fishing pressure in Guam's waters with workers on work visas harvesting snail shells. This fishing pressure is happening but is not being captured, especially inshore.

Another AP member said the water temperatures have been strange. Small mahi mahi popped up over the summer. Dolphins have been coming close to shore. There were a couple of shark sightings so UOG marine lab dives were canceled due to silky sharks coming closer to shore.

A member said a month ago, a video of sharks feeding on tuna were identified as silky sharks and asked if these be included with the shark tagging. Inshore, there seems to be more coral bleaching.

Another member added the water had been great for fishing. Calm waters, less current. Bottomfish fishing had also been great the last couple of weeks. Pelagic fishing had not been as good except for a few large bonitas. There are a lot of tiny marlins at less than 100 pounds. At the Greg Perez fishing derby held in August 17-18, the catch of marlin had been small and was curious as to what was going on.

#### **4. Council Fisheries Issues**

##### **A. Modifying the Guam Rebuilding Plan**

Felix Reyes and Zach Yamada, Council Staff, presented potential modifications to the existing rebuilding plan for the Guam bottomfish fisheries.

At its March Council family meetings, PIFSC provided a report of the final stock assessment updated for the Guam bottomfish fishery that found that the fishery was not overfished nor experiencing overfishing, but not rebuilt. At its 198th meeting, the Council directed staff to explore options to modify the rebuilding plan and requested PIFSC provide catch projections that would rebuild the stock and PIRO to provide a review of the status of the rebuilding plan. Council staff provided a review of the options for the AP's consideration which included continuing the rebuilding plan as is or modifying the rebuilding plan to change the annual catch limit and accountability measures. They provided an analysis of impacts of each of the alternatives to target species, non-target species, physical resources, protected species, socioeconomics, ecosystems and habitat, and management.

1. No Action. Continue the rebuilding plan with a 31,000 lb. catch limit with in-season monitoring and higher performance standard to close the fishery in federal waters if it exceeds the catch limit until NMFS and DAWR agree to coordinated management.

2. Modify the Rebuilding Plan

a. Catch Limit options (0 lb; 31,000 lb; 34,500 lb)

b. Accountability Measures

i. In-season monitoring

ii. Higher Performance Standard

iii. Three-year average postseason overage adjustment

An AP member asked what options there are to entertain a higher ACL other than 34,500. In 2021, there was a spike that exceeded the ACL. Due to COVID, more fishers participated.

Also, regarding the 2028 and 2031 rebuild, 31,000 pounds is not a lot of weight. The member suggested increasing the ACL to 40,000 pounds and to rebuild by 2031 at 50,000 pounds. The credibility of the data is alarming. The current ACL will be exceeded, including the 34,500 pounds in a year.

Staff replied that based on data from Guam and how the Stock Assessment was run, it will be a different scenario if the updated assessment showing the fishery was rebuilt. These are the options for the Council to rebuild the stock. The numbers cannot be changed at this time. PIFSC will not be doing another assessment for another 2-3 years. The Council requested PIFSC noting the stock has not been rebuilt. What are the options to rebuild without exceeding the ACL.

An AP member said when the SSC gets involved regarding creel surveys, the AP input is not involved. The AP members are the ones that go fishing. Often, they are not surveyed. Information collected comes from creel surveys. What about the AP who are fishers? A part of the table should include the AP or the AP vice chair. Others are deciding the ACL when the AP is not involved.

Council staff said as part of the process, PIFSC includes data workshops with the AP input included. Looking forward, we are looking at data from the next stock assessment. The recent WPSAR looked at the status of the data and what the data could do and what the assessment will look like. The next steps, there is still a lot of work that needs to be done to afford the AP the opportunities.

An AP member said Guam has an ongoing bottomfish survey with local fishers. We should wait until we have a whole grasp with data collection with bottomfish before decisions are made. Creel surveys have had criticism before. There are not a lot of bottomfish fishers. Those that do know the where, when, how.

Council staff asked if the Guam AP was recommending no action.

An AP member asked if the AP has to decide at this meeting and if there is time to discuss the matter before making a recommendation.

Council staff replied the Council will have to take final action at the 200th Council meeting later in September. This is the time to discuss. The Council will look at this at the 200th Council meeting. It is up to the Guam AP to make a recommendation or not. But the Council will take action. This is the chance to provide a recommendation to the Council.

Another AP member asked if it is possible for the Guam AP to table the matter until the Council meets so they can discuss this further.

Council staff said the AP will be unable to make recommendations outside of the FR AP meeting but the AP can provide input informally to the Council members.

## **B. Review of Military Buildup**

Reyes presented that at its 199th meeting, the Council directed staff to convene a working group to analyze the impacts of the military buildup to fisheries and the Guam Fishing community.

A military buildup working group met on August 8, 2023, facilitated by Council Member Guthertz with other Council family, agency representatives and military representatives. At this meeting, the working group discovered the military has no plans to expand their Sumay Cove Marina to accommodate the expected increase in military members coming to Guam who fish and for some, bring boats. There are also no plans to fund the repair and expansion of the civilian marinas in Agat and Agaña. The only community support the military can do is support the deployment of FADs and only if an official letter was submitted from the Governor. The Marine Corps Base Camp Blaz firing ranges will not install buoys to mark the Surface Danger Zone (SDZ) boundaries. But the military is looking at placing flags on top of the cliff at the ranges as well as below the cliff. They also are looking at placing flags at the marinas as a notice to mariners. Should a boat encroach into the SDZ, all firing will cease. But any delay in the firing will be added at the tail end of the expected 273 days of training annually.

A member reported the Missile Defense Agency (MDA) announced the military plans to fire missiles twice per year starting in December 2024 over 10 years including an intercept offshore. This will be over 10 years.

A member said the military noted they are not considering any seasonal closing of the ranges. The ranges will close every Thursday for maintenance.

## **C. ESA/MMPA Updates**

Asuka Ishizaki, Council staff, provided an overview on the proposed listing of the Giant Clam to the Endangered Species that was published on July 24, 2024, and the associated public hearings that will be held in September 2024. This proposed listing was determined following an independent review of the best available scientific and commercial information. NMFS is soliciting comments on the proposed listings through October 23, 2023. Proposed listing under ESA 10 giant clam species. Threats coming from trade of products, including jewelry, carvings, and shells, may make it difficult to determine which species they come from. Four species proposed under threat. Guam has an active planting program. At the June Council meeting, the Council discussed this at length and asked for engagement. The federal government has been reaching out to local agencies to share what is proposed under the rule. There is a status review

report associated with the report resulting from a petition in 2016. The territory's agency directors wrote a letter requesting an extension to provide a response.

A member said for over 50 years he worked in management, research and development of giant clams in the Micronesian islands, In Guam regarding *tridacna maxima*, and *skuamosa*, the impact of the proposed listing could seriously impact activities such as DEWAR's importation of giant clams to replant in Guam's waters. Handicrafts, food and tourism will be impacted. Sinahi is best made from fossil giant clams. Under this listing, these cannot be transported out of Guam. At the public hearing, speakers will be limited to three minutes. There won't be many written presentations documenting. It'll be mostly oral.

Council staff said at the time of the listing, they need to focus on the science/commercial information. It is important in this instance to provide the information about cultural uses and importances. Any documents and references that talk about those are helpful and should be submitted as part of the comments. Wear your sinahis! At the listening sessions is where it's best to present. They have not been limiting time at the listening session. At the public hearing, they will use the first hour for presentations. Comments can be provided after.

## **5. Updates on Offshore Energy in Guam**

Emily Hildreth, Bureau of Energy Management (BOEM), provided an overview of BOEM update on potential energy offshore energy development in Guam.

BOEM is a federal agency within the US Department of Interior responsible for managing the development of US Outer Continental Shelf energy, mineral, and geological resources. In 2022, the Inflation Reduction Act amended definitions of the outer continental shelf to include specified submerged lands adjacent to US territories. The IRA directed the Secretary of the Interior to issue calls for interest in offshore wind leasing off territorial coasts. Offshore wind is more efficient than onshore wind farms due to stronger and more consistent wind out in the ocean to produce large volumes of energy. On April 24, 2024, Secretary Haaland (DOI) announced the new 5-year offshore wind leasing schedule that included future lease sales for the waters offshore U.S. territories that includes Guam. For Guam, BOEM is beginning the process for developing offshore wind and will host the first Guam Intergovernmental Task Force meeting which will be held at the Guam Museum on September 11, 2024, 10:00 a.m. - 3:00 p.m. To access Guam activities related to BOEM, [www.boem.gov/guam](http://www.boem.gov/guam).

A member said if the plan is for 15 offshore windmills to support 15 million homes, Guam is small. Has Guam's climate been considered? Super typhoons up to 150 to 200 mph hit the island. If these are erected, with the dredging, construction and damages to corals, how will this impact everything? EIS will have to be in place to create an assessment. How big are the turbines? What is their height? We need visualization to see how big they are. Has there been a

pilot test? Hawaii has not had one installed yet. If something happens in Hawaii, Guam seems to follow suit. Is a pilot test feasible?

Hildreth said that is something we strive to be transparent about; it is a little complicated because pros and cons are beyond BOEM's purview; Guam gov grid is their responsibility; things like that they can speak to; that's why we have the intergovernmental task force; should offshore wind move fwd in Guam it would be more like the European scale with a handful of turbines; you don't have a huge load but needs for tech and reliability; Hawaii is a much larger project more likely because of large demand without good alternatives; as far as size we are talking floating but the height isn't much difference than fixed; not a lot of changes planned to make so about 330-500 ft; visuals are often a concern but depends on how offshore and depends on height; about 20 miles offshore you stop seeing it very much, plus atmospheric interference; fishing near it will be a tall structure; provided examples of pilot projects . Looking at a decade with Guam expressing interest. A pilot is not expected elsewhere other than Guam. The logistics for a pilot, including cost, is high.

A member said investment is a big concern; building a new powerplant up north; GPA is undertaking at the moment; new wind turbines, someone is going to have to pay for it; it's not free, going to have layers and layers of costs; Will it cost the residents of Guam in the end?

Hildreth said it's a step process. Each step takes time. There are a lot of fundamental questions. It will take steps to figure out if this makes sense. It's very unlikely Guam will move forward with offshore wind if it is redundant with rate payers paying for power generation already from other sources. There are other entities that look at things like wind strength issues.

A member asked how far offshore will these be installed? Has BOEM built these turbines in the past and what is the success rate for staying site? Have they broken free? If close enough to shore and we can fish around it, how close to the turbine can we be?

Hildreth replied that looking at depth maps, the water depth will be the issue. Around 1,000 - 1,300 meters - they've figured out these units can handle them. Any others will need engineering. If depth is not the issue, the length of the cable to transmit power to shore is extremely costly - around 100 KM is the outer edge that seems reasonable.

A member said Guam needs renewable energy. By law, we need to replace responsible fuel generation. Will the program only apply to federal waters? Guam's waters drop off quickly. Will the options be open to foreign investors? Impression offshore wind turbines are too expensive with a lot of risks. 50 years ago we did studies on potential for wind energy on land but our island is so small there might be much difference between onshore and offshore; BOEM should look at those studies; we recognize GU is one of the best for Ocean Thermal energy

conversion; hopefully BOEM can help with this work. Pacific NW National Energy Lab is currently doing research in Guam but not on ocean thermal energy.

Hildreth said only federal waters. Cables enter state waters. On investors, there has to be a US entity and show history of them having done offshore wind or other on-shore. These tend to be big multinational energy companies. Price to build is big. Long haul, it's a stable investment.

BOEM is open to some of those innovative conversations; we've had them here and there, we are talking about light pump storage like a dam. We have supported submarine hydrokinetics? Might be something that makes sense on tidal or wave; with extreme environmental conditions, BOEM does some of the engineering reviews for offshore wind, these are taken into consideration. It is very site specific. Market sources will require insurance, capital, and will have to show viability of the project before they are allowed. Extreme events can include the 500-year storms. Designs that can withstand these is another matter. They will have to be addressed before any process is done. BOEM is sponsoring some of the processes.

<https://www.boem.gov/newsroom/notes-stakeholders/youre-invited-boem-guam-intergovernmental-renewable-energy-task-force-registration-for-online-for-guam-task-force-link>

## **6. Contributions of Small Boat Fisheries in Guam and Marianas Small Boat Fishing Survey**

Hin Ling Chan, NMFS Pacific Islands Fisheries Science Center Social Ecological and Economic Systems (NMFS PIFSC SEES) provided a report on the economic contributions of small boat fisheries. Mia Iwane provided an overview on the Marianas Boat Fishing Survey that will begin in late 2024/early 2025. This survey will be focused on boat fishers who fished in 2024 to hear about their experiences, expenditures and costs, and thoughts on fisheries management. Is this survey something Guam wants to track economic factors and conditions of the charter fishery?

A member asked what is the target number of surveys? % of catch used for slide...every fishing trip? Asked to include the timeline.

Iwane said based on the SAFE Report and BF fisheries, a rough estimate or % response rate target. The survey is asking for information on the previous year.

A member said that because the Guam Fishermen's Co Op was closed for more than a year, fishers had to find other ways to sell their catch. Regarding the question on how many trips (%) were fished for roadside vendors, it has been more common in Guam than before.

A member added Guam has boats designated for vendors who sell to specific vendors and fish solely for their markets.

Iwane asked if fishers are noting this?

A member said there are currently six active charters in Guam.

Another member said estimating the percentage going to different uses, does this incorporate losses due to sharks?

Iwane said this will be added to the percentage of catch lost to shark depredation.

## **7. Report on 2023 Fisher Observation Meeting**

Adam Ayers, NMFS PIFSC SEES, provided the final report of the 2023 Fisher Observations Meeting held in January 2024.

Documented notable fishing events with observations from 2023. 2023 meeting, 6 Guam fishers, 5 AP and 1 from the fishing community. Findings: Social - FADs, congestions at ramp, SDZ impacting fishing, new boats, training/ws, free diving safety and fishing techniques. Economic: Cost of fishing w/fuel, market conditions. Ecological/Biological: Average atulai year, no mañahak in the north, timing of migration pattes - hope to better understand. Changes to spatial distribution patterns. Depredation. Juvenile and adult recruitment. Ecological: Weather/wind patterns. IT has been very windy. Typhoon Mawar. Management uncertainty: public input, Council (requested Dod rep at Council meetings. Next steps: Review PIFSC Data Report, proposed changes in format: Combine into a single report with all areas. How to promote broader engagement and input from regional fishing communities? Ayers asked if the AP was concerned with representatives' findings? Photos taken for sharing should first remove those not authorized for use by people captured in the images.

A member said regarding the Social findings and the military influx - under conflict with the DOD ranges and new boats and the expected from the military to be coming, Guam also has a lot of military contractors and in Guam for more than 10 years.

Ayers asked if there were a number of folks?

The member said he will get the information of those already in Guam and those coming. Will talk to the Department of Labor for the information.

## **8. Other Business**

Vice chair asked members and staff for any other business.



A member said that two fishing tackle shops have opened in the last few months. One is locally owned but does not know who owns the second store.

A member asked if there was an update regarding MREP.

Council staff said there is a meeting coming up in October invite only. Report back may come back after October based on the findings from this meeting.

#### **A. Market conditions**

AP members provided comments on the condition of the markets in Guam.

A member said Imports of spoiled fish and local shops that undercut local caught fish. Local shops are more inclined to buy imported fish because they are cheaper.

Another member said news came out of spoiled mahi mahi being sold and served in Guam. There was a recall and a health advisory issued to get the fish off the shelves.

A member said he sees more fish at the markets due to fair weather. Reef fish are flooding the markets.

A member said the Guam Fishermen's Co Op is now back in operation out of a temporary store. Process of a new facility is ongoing with the construction of the seawall. Taking time for the temporary store to be recognized. Now at 50% operation. Customers are gradually coming in. New facility is hoped to be up and ready by late 2025.

#### **9. Public Comment**

Vice chair asked for public comments and asked Council staff to provide any names from the Webex.

Audrey Toves commented that the wind turbines will have a major impact for the local fishing industry. Fishers will use it for their fishing. Success rate using heavy duty equipment. Weather conditions had not been normal. With the bottomfish ACL, more accurate data is needed. There are many new fishers and many are fishing more often. Regarding the creel surveys, she charts several days of the week and only half the time is she approached to do the survey. Charters should be included in the small boat survey. When visitors come to Guam, fishing is one they like to do. Her charter has caught a lot of fish but not been well surveyed. She also observed more small marlins are being caught recently.

#### **10. Discussion and Recommendations**

Vice chair asked for recommendations on any of the issues discussed and requested from staff any recommendations captured.

***Regarding the Guam bottomfish rebuilding plan, the Guam AP recommends the Council modify the Rebuilding Plan and select Option 2b, and modify the catch limit to 34,500 lb with a postseason three year average overage adjustment accountability measure. The Guam AP expressed concerns with the uncertainty with the creel survey for the use of in-season monitoring.***

***Regarding the Paseo Fishing Platform, the Guam AP recommends the Council: request the Government of Guam and local agencies find ways to fund and repair the platform. The platform currently is in disrepair and unsafe for users.***