

## **Meeting notes for the MTMAC Meeting on 12-21-23 8am ChST; 12-20-23 12pm HST**

Attendees:

MTMAC Members – Richard Salas, Floyd Masga, Maile Norman, Marc Cruz, Frank Rabauliman  
USFWS – Sean Macduff, Jihan Younis, Narrissa Brown, Laura Beauregard  
NMFS – Malia Chow, Kaipo Perez, Ann Barlow, Richard Hall, Jeida Ostrowski  
CNMI – Rosemary Camacho, Sylvan Igisomar (absent)

Welcome:

Sean M. welcoming partners and MTMAC. This is the third term of the MTMAC.

### **Introductions (Sean):**

- Floyd Masga – Special advisor for the CNMI Department of Land and Natural Resources
- Mark Cruz – Regional Environmental Coordinator (REC) for Joint Region Marianas (JRM) alternate serving as the primary
- Frank Rabauliman - Special Assistant for policy for Governor of CNMI
- Maile Norman – USCG D14 based in Honolulu. Manages living marine resources mission and international fisheries.
- Rich Salas - BECQ -Division of Coastal Resources Management Director. I first became involved with the Management Plan in my previous role as a Coastal Resources Planner.

### **Overview of timeline and historical events (Sean):**

- Presidential Proclamation 8335 signed in January 2009 – Creation of MTMNM
- Planning update (1) published in May 2011
- Planning update (2) published in February 2012
  - MTMAC established and held 1<sup>st</sup> in-person meeting in June.
  - Monument management planning public scoping meetings held on Guam, Rota, Tinian, and Saipan. Led to development of vision, goals, objectives, and 12 management action plans.
  - NMFS/USFWS begin to develop MMP in coordination with CNMI/DLNR/BECQ
- Planning update (3) published in March 2013
  - MTMAC bylaws established.
  - Monument fishing regulations published in June.
  - MTMAC term 2 begins in September.
  - Visitor center working group developed.
- 2014
  - DOI transfers mineral rights and submerged lands to CNMI in March. Excluding Islands Unit pending management plan and management MOA.
  - 2-day workshop to address knowledge gaps identified MTMNM ecosystem science plan
  - Visitor center working group hold public listening sessions.
  - Planning update (4) published in September.
- 2015
  - DMMP 1<sup>st</sup> draft completed with MTMAC review.

- Fishing methods for Zealandia and Esmeralda banks (within Volcanic Unit) clarified in September.
- DOC/DOI/CNMI agree to use dMMP, as the required management plan, to move forward with submerged lands transfer.
- 2016
  - EA for the submerged lands transfer was developed and published for the public comment.
  - The lands patent transfer was signed by Secretary Jewell in September and accepted by CNMI Governor Torres in December
  - MTMAC Term 2 ended in September. Replacement nominees received only from DoD and USCG
  - MOA for management coordination of 3 nm around Islands Unit was developed concurrent with lands transfer EA and signed in September.
  - Okeanos explorer deepwater exploration of the Marianas expedition APR thru JUL
- 2017
  - White House issues EO 13792 that directs review of National Monuments, specifically DOC w/ DOI to review MNMs in response to EO 13975 implementing an America-First offshore energy strategy. Federal and local engagement on hold.
  - Formal public review for National Monuments review closed in July. DOI received 2.8 million comments.
  - All federal management plans publications were on administrative hold 2017 thru 2019.
- 2018
  - All federal management plans publications were on administrative hold 2017 thru 2019.
  - DMMP used to guide management – the working plan.
- 2019
  - USFWS and NMFS monument managers met with Lt. Governor Palacios, provided hard copies of dMMP/EA, and discussed reconvening the MTMAC.
  - DMMP used to guide management.
- 2020
  - DMMP reviewed and updated by USFWS/NMFS/CNMI monument managers.
  - MTMAC nominations received from DoD, USCG, and CNMI in December
- 2021
  - Planning update (5) published in February.
  - DMMP open for public review for 150 days.
  - 4 virtual public meetings held for Guam, Rota, Tinian, and Saipan for dMMP overview and Q/A
  - MMP incorporated minor comments from public.
  - MTMAC appointment package stalled with White House Liaison for vetting.
- 2022
  - Feature descriptions in MMP updated to reflect current science/expeditions.
  - MTMAC appointment package ultimately not approved. Awaiting swear-in to request new nominees from Gov-elect Palacios, DoD, and USCG
  - MTMNM ranger onboarded (Younis)

- 2023
  - New MTMAC appointment package submitted in May and approved in November.
  - DOI Secretarial Order 3284 added Islands Unit to NWRS
  - New MTMNM Superintendent onboarded (Macduff)
- 2024 (**projected**)
  - *MTMAC term 3 meets in-person.*
  - *MMP finalized.*
  - *Final planning update (6) published.*

#### **Review of MTMAC Charge Documents / Roles and Responsibilities (Malia):**

- Malia presented an overview of the Charge document which outlines the mission of the MT Advisory Committee. This is found in Appendix G of the draft management plan and available as a PDF.
- Comment from Floyd Masga – Emphasized that it’s important that alternates are included in the meetings to avoid having to repeat efforts previously done in meetings.
  - Response from FWS/NMFS – According to the Proclamation, the MTMAC consists of the five members, and while alternates can attend meetings they cannot participate if the primary member is in attendance.
- Suggestion that all alternates be invited to all meetings (Floyd)
  - Sean has said that he will need to confirm if this can occur.
- What is the difference between a subcommittee and working group? (Frank)
  - Subcommittee members can only be made up of those from MTMAC (primary and alternates or other government officials while working groups can include public
- Where will notes from meeting be stored? (Richard)
  - USFWS will create a platform so the MTMAC can view notes and other documents.
- Questions about FACA, public engagement, and FOIA (Frank)
  - Suggestion to provide an overview on these topics at a future meeting.
- Decisions made should be subjected to public scrutiny (Frank)
  - Recordkeeping. Records of the MTMAC, formally and informally established subcommittees, or other subgroups of the committee, shall be documented and reported to the USFWS and NOAA MTMAC representatives. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552

#### **MTMAC Self-Governance and Procedures (MTMAC):**

- The agenda included a session for the MTMAC members to meet in a breakout room to discuss self-governance that may inform their by-laws. Topics the advisory committee members may want to discuss:
  - How to organize
  - Officer selections (Chair, vice-chair and secretary needs to be elected)
  - How to provide recommendations to FWS and NMFS through Sean and Malia
- It was suggested that the MTMAC may need legal advice for bylaws. (Floyd)
  - Proposal from the Advisory Committee was to not to create a separate breakout room and everyone else goes on mute (Floyd)

- Current language in sections of the by-laws may be outdated. The MTMAC will have to review and revise as necessary.
- Titles of the members (especially for FWS and NMFS) will need to be updated as the names listed are from 2013.
- Members need to review and revise duties and rules.
- In lieu of breakout session, Sean provided overview of bylaws.
- Revisions may be necessary to clarify who the members report to.. Also need to revisit the duties and responsibilities of the officers of the MTMAC (Floyd Masga)
- Who calls meetings? (Frank)
  - USFWS will work with chair to organize/coordinate meetings (Sean)
  - NMFS and FWS can offer support for note taking, that will be approved by council, but in the past notes have been taken by the secretary.
  - Frank asks agencies for suggestions on amendments to the bylaws, to be adopted at the next meeting. Malia said NMFS and FWS can provide an assessment in advance of the next meeting on items that may need to be changed based on updated policies.
  - Floyd suggests creating a shared google doc. All Advisory Committee members confirmed that they can access Google docs if one was created and shared with MTMAC members.

#### **Monument Management Plan Overview (Laura):**

- Draft MP prepared by NMFS, FWS, CNMI DLNR, and BECQ. Previously, the MTMAC reviewed and provided input by chapter.
- Plan layout designed to meet several NMFS-FWS mandates and policies as well as CNMI NISL requirements.
- Boundaries and geographic extent of the Monument addresses special considerations (one being possible mining east of Trench).
- Monument Goals – address issues of protection, conservation, education and outreach, and local cultural connections.
- Plan contains 11 action plans with a description of that plan, and objectives, strategies and activities that are meant to address that action plan.
- Appendices are reference sources for contents in the plan.
- The vision was translated into Chamorro, however, there are three national languages of CNMI (English, Chamorro, and Refaluwasch) [Frank]
  - Laura asked if Frank could provide Refaluwasch translation so that it can be included in the draft MP.
- Question by Frank Rabauliman – Does the MTMAC have input on the contents of the State of the Monument Report? The CNMI administration needs to have the opportunity to review and provide input on the report as they come out.
  - Response by FWS-NMFS – Yes, the MTMAC can provide input as the MTMAC review and feedback is important to NMFS and FWS. The CNMI Monument manager (Sylvan) will also have input.
  - Suggestion to include this in the by-laws.
- Question by Frank Rabauliman – Will the agencies be promulgating regulations for the Monument?

- Response by NMFS-FWS – NMFS promulgated fishing regulations for the Monument in 2013. The Monument is covered under NWRS regulations for FWS. NMFS and FWS chose not to promulgate any new regulations specific to the Monument at this time. The issuance of permits will be based on the agency with the primary mandate to manage activity being proposed.,  
Question by Richard Salas – When can we expect the chance for a review and a CZMA determination?
  - Response by NMFS-FWS – That process will come later in the plan review process.

FWS-NMFS are asking for MTMAC review and comments on the draft MP. The expectation is that all comments will be provided at the in-person meeting, if not sooner.

**Management and Agency Updates (All):**

- USFWS
  - Visitor Center
    - Worked with contractor to develop concept plan for contact station.
  - Research
    - Studies on molten sulfur lakes at Daikoku and geophysical sampling south of Guam
  - Permitting
    - FWS recently issued a permit for a fiber-optic cable to pass through the Monument. Installation in Jan 2024.
  - Mud Volcano Naming Contest
    - Winning names provided by local high school students. FWS has recognized two of the three students who provided the names, the third will be recognized on 12/22/2023.
    - October 17, 2023, at 290<sup>th</sup> meeting the Board of Geographic Names confirmed the naming of three mud volcanoes.
  - Development of Ocean literacy Education Plan
- NMFS
  - Marianas Trench posters were created by NMFS to raise awareness of MTMNM. Posters were used to provide outreach and education.
- CNMI
  - NMFS will have an upcoming public meeting to discuss the newly revised Coral Critical Habitat proposed in the Marianas.

**Discuss Agenda / Action Items and Timing for In-person Meeting (Sean/Malia):**

- Timing of the meeting will depend on how much time the MTMAC members need to review the management plan and get their questions organized.
  - FWS-NMFS would like to have a final draft plan by the end of 2024.
  - One of the primary objectives of the meeting will be to receive comments from the Advisory Committee members and allow for discussion on any concerns on the plan.

- CNMI MTMAC members need to update the CNMI Administration on the current meeting, state of the plan, and other issues related to the MTMAC responsibilities.
  - Shared document will facilitate the review process, but there may be an access issue with some agencies.
- FWS suggest providing a Doodle poll to finalize meeting dates after the holidays likely in a Feb/March timeframe.
- Venue of the meeting is TBD but past meetings have been in a hotel to allow for space for the public and media. FWS-NMFS will coordinate that.
- Maile suggest USCG would need about 30 days to ensure various USCG offices have opportunity to provide any comments to me. For USCG, requested a review time until the end of Jan. CNMI gov requested 45 days for review.
- Google docs is difficult for USCG and USFWS, but they may be able to make it work.
- DoD would like to see a digital copy of the MMP.
- Can the MMP be shared?
  - 2017 published version can be shared as it has already been shared with the public but the revised version that was provided to the MTMAC is pre-decisional so cannot be shared at this time. It can only be shared with the MTMAC and their respective agencies.