

**West Coast Fisheries Consultants, LLC**  
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Please share the following with the AAFA Board and Membership as it recounts items of interest that arose during the month of July and looks forward to certain events occurring in upcoming months.

**Monument Proposal update:**

On August 16 Natalie and I attended a discussion at Scripps of the Farr Bill (see last month's report) and the proposed monument. I had arranged for us to meet with a staffer from Congresswoman Hahn's office – who is opposed to the Monument designation. We had a good conversation and she has remained in contact after the discussion. Towards the end of the month, President Obama used the Antiquities Act to expand the Monument off of Hawaii. The Pacific Fishery Management Council authored a letter to President Obama requesting that he leave fishery management decisions with the Councils. You can access the letter here - <https://westcoastfisheriesconsultants.wordpress.com/2016/09/01/pacific-council-on-proposed-marine-monument/>.

**Follow-up on July's upcoming events:**

1. August 10 – California Legislature Joint Committee on Fisheries and Aquaculture held a hearing on lessons learned from last year's Domoic Acid event and impacts on the State's crab fisheries. We prepared a report on the hearing and shared with AAFA. In short, the Department of Public Health is proposing to change their response to future DA events. These changes would likely destroy the lobster fishery should lobster in the Southern California Bight show elevated levels of DA. The lobster fishery proposed a different response which is currently being considered.
2. August 29 – Sept 2 – 12<sup>th</sup> Northern Committee meeting. As expected, the primary focus of this meeting appears to be Pacific bluefin tuna. AAFA and WFOA submitted a joint letter – attached as Attachment 1 – reminding the US delegation of items previously raised. As of the date of this writing; the only documentation available on the NC12 website related to albacore is a powerpoint presentation given by the Chair of the Albacore Working Group. See - [https://www.wcpfc.int/system/files/04%20ISC\\_MSE\\_Activity%20Report\\_NC12\\_Aug-Sept2016.pdf](https://www.wcpfc.int/system/files/04%20ISC_MSE_Activity%20Report_NC12_Aug-Sept2016.pdf). It appears that the MSE is taking a back seat until the Stock Assessment is completed (scheduled for April, 2017).

**Federal Register Items of Interest:**

It was a busy month.

1. Aug 3 – NOAA issued a final rule revising procedures and requirements for filing import, export, and re-export documentation for certain fishery products to meet requirements for the SAFE Port Act of 2006, the Magnuson-Stevens Fishery Conservation and Management Act (MSA), other applicable statutes, and obligations that arise from U.S. participation in regional fishery management organizations (RFMOs). <https://www.gpo.gov/fdsys/pkg/FR-2016-08-03/pdf/2016-18401.pdf>
2. Aug 15 – NOAA extended the public comment period for a previously published proposed rule. In the June report, we highlighted a notice in the Federal Register which proposed regulations to align its commercial fishing industry vessel regulations with the mandatory provisions of 2010 and 2012 legislation passed by Congress that took effect upon enactment. Based on numerous requests, the USCG has extended the public comment period through December 18. <https://www.regulations.gov/document?D=USCG-2012-0025-0011>
3. Aug 15 – NOAA issued a final rule implementing the import provisions of the Marine Mammal Protection Act (MMPA). Personally, I think this could have a profound impact on the market for fish and fish products in the US. In short, in order to be allowed to export fish or fish products to the US a foreign nation must show that it has rules and regulations in place for a specific fishery or fisheries that are comparable to the US in terms of ensuring minimal mortalities and serious injuries to marine mammals. These rules, effective now, provide a five-year window for foreign nations to get in compliance. See - <https://www.gpo.gov/fdsys/pkg/FR-2016-08-15/pdf/2016-19158.pdf>

4. Aug 15 – NOAA published proposed List of Fisheries for 2017. This is required by the MMPA and categorizes every US fishery based on interactions with Marine Mammals. Once again, the WA/OR/CA albacore surface hook and line/troll fishery is Category III with no documented interactions. Interestingly, all South Pacific albacore fisheries (long-line and troll) are Category II (which means occasional incidental mortality and serious injury of marine mammals). Read in concert with the Rule mentioned above (under 3) those fisheries would not be allowed to export to the US unless they clean up their act. See - <https://www.gpo.gov/fdsys/pkg/FR-2016-08-15/pdf/2016-19346.pdf>
5. Aug 18 – the Bureau of Ocean Energy Management finally issued a notice for public comment on the wind farm proposed off the Calif Coast. See - <https://www.gpo.gov/fdsys/pkg/FR-2016-08-18/pdf/2016-19349.pdf>. Public comments are due September 19; and I plan on recommending AAFA submit comments – perhaps with WFOA.
6. Aug 25 – while inapplicable to AAFA members, a notice was issued by NOAA which announced that the purse seine fishery in the Effort Limit Area for Purse Seine, or ELAPS, will close as a result of reaching the 2016 limit on purse seine fishing effort in the ELAPS. This will show to potential downfall of management measures which focus on effort as opposed to catch. See - <https://www.gpo.gov/fdsys/pkg/FR-2016-08-25/pdf/2016-20420.pdf>

**Other items of interest:**

1. *Port of San Diego Redevelopment.* The first meeting of the San Diego Commercial Fisheries Stakeholder Steering Committee was held on August 24. I attended on behalf of AAFA and both Natalie and myself have been placed on the Committee. I provided previously provided an overview of that meeting. The next meeting is scheduled for September 7.
2. *Improper Use of Materials.* Bay Harbor Fish Company (located in Mira Loma, Ca) has the following image on their website:



AAFA is concerned because this imagery implies their MSC certified product is harvested off the US West Coast. The vessels are AAFA vessels and the port is Garibaldi. In reality, the product they sell is harvested by Chinese long-line vessels. AAFA reached out to the Marine Stewardship Council (MSC) in an attempt to address this as it could cause confusion to potential buyers of canned tuna products. MSC responded by stating, “MSC licensing has reached out to Blue Harbor and stated the use of the website picture does not correlate to where the product is sourced. MSC has requested that the website image be changed out with a new image that more correlates with product origin. Blue Harbor has agreed to change the image and the change should happen in the near future.”

## Upcoming items of interest

1. September 12 – 20 – PFMC meeting to be held in Boise, Id. Highly Migratory Species (which includes Albacore) is on the Agenda; but it is currently unclear if Albacore will be discussed. There is a catch-all “International Issues” item which will likely cover results from the June/July IATTC meeting and could provide an overview of the recently completed NC meeting. My guess – much of this topic will be spent on pacific bluefin tuna as the IATTC meeting ended without an agreement on management measures for 2017 & 18. The IATTC will reconvene in October to address bluefin tuna conservation measures.
2. September 14 – the Permanent Advisory Committee (PAC) to advise the U.S. Commissioners to the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC) is holding a public meeting via conference call. The purpose of the call is to discuss outcomes of the 2016 regular session of the WCPFC Scientific Committee (SC12) and to begin soliciting comments on the recently distributed Chair’s paper on Harvest Strategy Management Objectives and a Consultative Draft of a Bridging CMM on Tropical Tunas to succeed CMM 2015–01. See - <https://www.gpo.gov/fdsys/pkg/FR-2016-08-25/pdf/2016-20405.pdf>
3. The Permanent Advisory Committee (PAC) to advise the U.S. Commissioners to the Western and Central Pacific Fisheries Commission (WCPFC) is meeting October 6 and 7 in Hawaii.