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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 December and looks forward to certain events occurring in upcoming months.

Monument Proposal update:

Hopefully, this will be the last time this header appears in these updates. General consensus is that this is dead in the water; but we have to wait until January 20 before we can say for certain. Rumor is that President Obama will name Coastal Monuments on the California coast in lieu of the wide-ranging protections sought by some preservationist groups.

Follow-up on November's upcoming events:

1. There were no events which took place in December which were listed under upcoming events.

Federal Register Items of Interest:

The following appeared in the Federal Register which may have an impact on AAFA vessels.

1. December 9 – NMFS issued final regulations relating to the importation of certain fish and fish products, identified as being at particular risk of illegal, unreported, and unregulated (IUU) fishing or seafood fraud (tunas – including albacore – is one such species). This implements the Magnuson-Stevens Act's prohibition on the import and trade of fish taken, possessed, transported or sold in violation of any foreign law or regulation or in contravention of a treaty or a binding conservation measure of a regional fishery organization to which the United States is a party. This regulation does not duplicate data reporting requirements already in place for products of U.S. domestic fisheries, and instead focuses on accessing the data necessary to establish traceability from point of harvest or production to entry into U.S. commerce for imported fish and fish products. <https://www.gpo.gov/fdsys/pkg/FR-2016-12-09/pdf/2016-29324.pdf>. Note – on Jan 6, the National Fisheries Institute filed suit challenging this rule – see <http://www.seafoodsource.com/news/supply-trade/nfi-sues-noaa-over-new-iuu-rule>
2. December 12 – NOAA issued a proposed information collection which defines pre-trip reporting requirements for U.S. commercial fishing vessels that fish in the West Coast exclusive economic zone and the eastern Pacific Ocean waters of the Inter-American Tropical Tuna Commission (IATTC) Convention Area for highly migratory species (HMS). It requires submission of information about intended and actual fishing activities. <https://www.gpo.gov/fdsys/pkg/FR-2016-12-12/pdf/2016-29688.pdf>

3. December 23 – NOAA posted a notice seeking nominations to the Marine Fisheries Advisory Committee (MAFAC). MAFAC is the only Federal advisory committee with the responsibility to advise the Secretary of Commerce (Secretary) on all matters concerning living marine resources that are the responsibility of the Department of Commerce. Nominations must be received by February 6. <https://www.gpo.gov/fdsys/pkg/FR-2016-12-23/pdf/2016-31040.pdf>

Other items of interest:

1. *Washington State commercial fishing fee increases.* Legislators in Washington State are moving forward with an initiative which will change the commercial fishing fees. We are working with CCF in an effort to exempt the albacore fishery from the crew license requirement.
2. *China suspends imports of California Dungeness Crab.* See – Whether it is political posturing or based on concerns of tainted products, China suspended the importation of live Dungeness crab harvested off California. <https://www.undercurrentnews.com/2016/12/06/china-suspends-imports-of-californian-dungeness-crab-on-domoic-acid-reports/>
3. *MSC certification scheme called into question by WWF.* “A leaked report from the World Wildlife Fund describes ‘troubling, systemic flaws’ within the Marine Stewardship Council certification scheme, casting doubt on the integrity of a program trusted by millions of seafood consumers around the world to identify fisheries that are sustainable and well-managed.” See - <http://www.nationalfisherman.com/news-events/top-news/7491-leaked-wwf-report-levels-harsh-criticism-of-msc>
4. *Wind Farm lawsuit.* The Fisheries Survival Fund filed suit against the Bureau of Ocean Energy Management in an effort to stop an offshore wind farm off the coast of New Jersey and New York claiming “the site picked for the farm is on documented fishing grounds for both commercially important species. It claims the wind turbines would shut fishermen out.” See - <http://www.app.com/story/news/local/land-environment/enviroguy/2016/12/29/fishermen-sue-wind-farm-boem/95483278/>
5. *Is LA's hunger for Poke ruining the environment?* Although the date of this article is November 29, it wasn't circulated until after December 1. I cant really do this article justice in a sentence or two, so I will leave it for you to read. <http://www.laweekly.com/restaurants/is-las-hunger-for-pok-ruining-the-environment-7639267>
6. *Sustainability of US & Canadian catch in the Northeast Pacific.* “83 percent of the total catch from the Northeast Pacific fishing area (including Northern California, Oregon, Washington, British Columbia, Gulf of Alaska and Bering Sea waters) is certified to the Marine Stewardship Council (MSC) sustainable fishing standard.” See <https://www.msc.org/newsroom/news/u.s.-and-canada-fishing-areas-boast-highest-certified-sustainable-catch>
7. *California Permit and License fees.* On December 21st, the 9th Circuit Court of Appeals, in *Marilley v Bonham*, ruled that California's differential fee statutes as applied to nonresident commercial fishermen are Constitutional. This reverses the District Court's holding that the action violated the Privileges and Immunities Clause of the US Constitution. I would be surprised if Plaintiff's did not appeal to the US Supreme Court.
8. *Cook Islands Management Actions.* In early December the Cook Islands became the first Pacific Island nation to adopt a quota management system for its longline fishery to control catches of albacore (South Pacific) and bigeye tuna. “The albacore Total Allowable Catch (TAC) has been set at 9750 metric tonnes, well below the peak catch of 10,680 tonnes caught in 2012. The TAC for bigeye tuna will be 3500 tonnes under the regulations. In addition to license fees, fishing vessels will now pay \$250 per tonne of quota for

albacore and bigeye and each vessel will be assigned a minimum catch quota." See <http://www.scoop.co.nz/stories/WO1612/S00076/cooks-first-to-set-longline-catch-limits.htm>

Upcoming items of interest

1. January 31 – PFMC's Highly Migratory Species Advisory Subpanel webinar 1:30 – 3:30pm. The HMSAS will be briefed on proposed changes to the Fishery Management Plan for U.S. West Coast Fisheries for Highly Migratory Species (HMS FMP). Changes are proposed in Chapters 1, 4, 6, and 8. These changes are not intended to change the management framework described in the FMP or any related policies; rather, edits update descriptive information and improve the readability of the document. See - <http://www.pcouncil.org/2017/01/45616/highly-migratory-species-advisory-subpanel-to-hold-webinar-tuesday-january-31/>
2. February 7 – 10 – IATTC Extraordinary meeting. Resumption of meeting adjourned in October in order to address three proposals for the conservation of tuna in the eastern Pacific Ocean. This appears to be limited to tropical tunas – bigeye and yellowfin.