



Mike Conroy - President
SBN - 165335
Mike@wecofm.com
(562) 761-7176

Please share the following with the AAFA Board and Membership as it recounts items of interest that arose during the month of January and looks forward to certain events occurring in upcoming months.

New Administration's Regulatory Freeze – with certain exceptions (emergency situations or other urgent circumstances relating to health, safety, financial, or national security matters, or otherwise) no administrative agency shall send any regulation to the Office of the Federal Register. <https://www.gpo.gov/fdsys/pkg/FR-2017-01-24/pdf/2017-01766.pdf>

Follow-up on December's upcoming events:

1. On January 31 the PFMC held a webinar which discussed the Highly Migratory Species FMP and amendments which will be proposed and discussed during the March PFMC meeting. During the webinar, we were repeatedly told that the proposed amendments are housekeeping in nature and that no substantive changes will result. I have not yet read through the proposed modification; but will do so before the March Council meeting.

Federal Register Items of Interest:

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

1. January 3 – NMFS published a request for an extension of a current information collection West Coast Region U.S.—Canada Albacore Treaty Reporting System. <https://www.gpo.gov/fdsys/pkg/FR-2017-01-03/pdf/2016-31762.pdf>
2. January 10 – NOAA requests information on foreign commercial fishing operations that export fish and fish products to the United States and the level of incidental and intentional mortality and serious injury of marine mammals in those fisheries. This is related to the recent rule implementing the import provisions of the Marine Mammal Protection Act (MMPA). <https://www.gpo.gov/fdsys/pkg/FR-2017-01-10/pdf/2017-00201.pdf>
3. January 10 – NOAA posted a notice seeking nominations for the Permanent Advisory Committee established under the Western and Central Pacific Fisheries Convention Implementation Act. Nominations must be received by February 24. <https://www.gpo.gov/fdsys/pkg/FR-2017-01-10/pdf/2017-00259.pdf>

4. January 13 – NOAA published a notice to notify the public that NOAA has finalized revisions to the agency’s procedures for implementing the National Environmental Policy Act (NEPA). It expands actions which are categorically excluded from NEPA analysis. The likely impact, a reduction of lawsuits challenging fishery management actions based on NEPA. <https://www.gpo.gov/fdsys/pkg/FR-2017-01-13/pdf/2017-00553.pdf>
5. January 19 – The Department of Health and Human Services updated its “Advice about eating fish”. In it, Tuna-Albacore is listed as a “Good Choice” for pregnant women and children, to be consumed once per week. Fed Reg notice - <https://www.gpo.gov/fdsys/pkg/FR-2017-01-19/pdf/2017-01073.pdf>; Chart listing Best Choice, Good Choice and Choices to Avoid - <http://www.fda.gov/Food/FoodborneIllnessContaminants/Metals/ucm393070.htm>
6. January 19 – NMFS published a final rule regarding that establishes requirements and provides guidance to regional fishery management councils and the Secretary of Commerce regarding the development, documentation, and review of Standardized Bycatch Reporting Methodologies (SBRMs). SBRMs are an established, consistent procedure or procedures used to collect, record, and report bycatch data in a fishery, which may vary from one fishery to another. The Rule is lengthy and available here - <https://www.gpo.gov/fdsys/pkg/FR-2017-01-19/pdf/2017-00405.pdf>
7. January 23 – NMFS noticed an intention to conduct a survey of U.S. West Coast commercial fishing participants. Mailers will be send asking fishermen to answer questions about their motivations for fishing and other factors that affect participation in the suite of West Coast commercial fisheries. See <https://www.gpo.gov/fdsys/pkg/FR-2017-01-23/pdf/2017-01322.pdf>
8. January 23 – USCG published a notice of proposed rulemaking which updates the the monetary property damage threshold amounts for reporting a marine casualty, and for reporting a type of marine casualty called a “serious marine incident” (SMI). Under the proposed rule, you will have to report a casualty if it resulted in property damage in excess of \$72,000 (current value is \$25,000). Additionally, the threshold for determining a “serious marine incident” will be increased to \$200,000 (currently \$100,000). A serious marine incident requires mandatory drug and alcohol testing. <https://www.gpo.gov/fdsys/pkg/FR-2017-01-23/pdf/2017-01323.pdf>
9. 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. *Republican Senators Introduce Bill to Reform Monument Designation Process.* Led by Senator Murkowski, 26 Senators reintroduced the Improved National Monument Designation Process Act, a bill to facilitate greater local input and require state approval before national monuments can be designated on federal lands and waters. See <https://www.murkowski.senate.gov/press/release/26-senators-introduce-bill-to-reform-monument-designation-process>
2. *Lawsuit filed over Seafood Fraud Import Rules.* The National Fisheries Institute, six major seafood companies, and two West Coast Associations sued the Obama Administration over the final US Rule regarding seafood import regulations in federal district court on Friday, Jan 6th. <https://www.undercurrentnews.com/2017/01/10/nfi-seafood-giants-sue-us-govt-over-traceability-rule/>
3. *Next Steps For Offshore Aquaculture In Southern California.* “A joint effort of NOAA, California Sea Grant, and the Aquarium of the Pacific, the report provides recommendations for the growth and expansion of

offshore marine aquaculture in Southern California.” While I don’t envision this having a direct impact on AAFA vessels; it is something that I will keep on my radar in the event it morphs into something that could have an impact. <http://www.thefishsite.com/fishnews/28292/next-steps-for-offshore-aquaculture-in-southern-california/>

4. *China to reduce size of its fishing fleet by 20,000 vessels.* Amid growing international pressure, the Chinese government has pledged to reduce its fleet of medium- and large-sized vessels by 8,300, and its total fishing fleet by 20,000 vessels. <https://www.undercurrentnews.com/2017/01/27/china-pledges-to-shrink-its-fishing-fleet-by-20000-vessels/>

Upcoming items of interest

1. 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.
2. March 7 – 13 – Pacific Fishery Management Council meeting in Vancouver, Wa. There are no Agenda items which are specific to the albacore fishery; but as noted above, there will be discussions on amending the HMS FMP.