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

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

1. *May 25 – US-Canada Albacore Treaty Data Working Group call.* Some highlights – Canadian data **still preliminary** which was somewhat shocking. Canadian catch within the U.S. EEZ still being reported as Canadian harvest when that data is shared with the RFMOs (IATTC and WCPFC). In looking at past data on effort, it was determined that the U.S. effort had consistently been over-reported to the same RFMOs. NOAA has modified these values (which resulted in significant drop in reported US effort). Those of us on the call are still unsure as to the reasons why this was needed. We are assuming the meeting minutes will further expand upon this – and if not, we will seek an explanation that makes sense.

**Federal Register Items of Interest:**

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

1. May 2 – NOAA publishes an Agenda for the upcoming (May 15 – 18) Council Coordination Committee Meeting. The following items may impact the albacore fishery: Update on science policy issues: Best Scientific Information Available and the Stock Assessment Improvement Program; Recreational catch monitoring alternatives and issues; and Enforcement activities of the U.S. Coast Guard and NOAA Office of Law Enforcement; National Standard 1 Questions and Clarifications – NS1 requires that conservation and management measures prevent overfishing “while achieving, on a continuing basis, the optimum yield from each fishery.” See – <https://www.gpo.gov/fdsys/pkg/FR-2017-05-02/pdf/2017-08825.pdf>
2. May 3 – Pres Trump issued Executive Order 13795 entitled Implementing an America-First Offshore Energy Strategy. This wide ranging EO which impacts National Marine Sanctuaries, National Marine Monuments, etc. Included within this document is the following Policy, “It shall be the policy of the United States to encourage energy exploration and production, including on the Outer Continental Shelf, in order to maintain the Nation’s position as a global energy leader and foster energy security and resilience for the benefit of the American people, while ensuring that any such activity is safe and environmentally responsible.” How this may impact the current movement to establish a large-scale windfarm off the Central Coast of California is unknown. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-05-03/pdf/2017-09087.pdf>

3. May 3 – The US International Trade Commission issued a notice of an investigation into an allegation that imports of 100- to 150-seat large civil aircraft from Canada are being sold in the United States at less than fair value and alleged to be subsidized by the Government of Canada. While this, clearly, doesn't directly impact AAFA or its vessels, it is another example of cooling relations between the US and Canada. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-05-03/pdf/2017-08894.pdf>. Note – on May 26, the International Trade Administration (Dept of Commerce) made a preliminary finding supporting a further investigation into these claims. This was nothing more than checking a box that there was domestic industry support to initiate an antidumping duty investigation. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-05-26/pdf/2017-10733.pdf>. In a separate notice, published on the same May 26 date, the Agency also noticed an investigation based on the countervailing duty petition, also raised in the May 3<sup>rd</sup> publication. See <https://www.gpo.gov/fdsys/pkg/FR-2017-05-26/pdf/2017-10957.pdf>
4. May 4 – Pres Trump issued Executive Order 13796 entitled Addressing Trade Agreement Violations and Abuses. It contains a policy statement which reads, in part, as follows, “It is also the policy of the United States to renegotiate or terminate any existing trade agreement, investment agreement, or trade relation that, on net, harms the United States economy, United States businesses, United States intellectual property rights and innovation rate, or the American people.” See - <https://www.whitehouse.gov/the-press-office/2017/05/01/presidential-executive-order-addressing-trade-agreement-violations-and>
5. May 11 – The Department of the Interior published a notice seeking public comment to assist in its review of certain National Monuments designated or expanded since 1996 under the Antiquities Act of 1906 in order to implement Executive Order 13792. The following Marine Monuments are being reviewed: Marianas Trench (Pacific), Northeast Canyons and Seamounts (Atlantic), Pacific Remote Islands (Pacific), Papahānaumokuākea (Hawaii), and Rose Atoll (American Samoa). Comments are requested and due by July 10. Question – will the potential opening of some (or all) of these necessarily lead to an increase in supply of Pacific albacore? See - <https://www.gpo.gov/fdsys/pkg/FR-2017-05-11/pdf/2017-09490.pdf>
6. May 11 – NOAA noticed a submission to OMB re collection of information under the US-Canada Albacore Treaty. “Owners of vessels that fish from U.S. West Coast ports for albacore tuna are required to notify the NMFS West Coast Region of their desire to be on the list of vessels provided to Canada each year indicating vessels eligible to fish for albacore tuna in waters under the jurisdiction of Canada. Additionally, vessel operators are required to report in advance their intention to fish in Canadian waters prior to crossing the maritime border, as well as to mark their fishing vessels to facilitate enforcement of the effort limits under the Treaty. Vessel operators are also required to maintain and submit a logbook of all catch and fishing effort. The regulations implementing the reporting and vessel marking requirements under the Treaty are at 50 CFR part 300.172–300.176.” Comments are due on or before June 9. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-05-11/pdf/2017-09568.pdf>
7. May 23 – The Office of the United States Trade Representative published a request for comments and noticed a public meeting regarding negotiating objectives regarding modernization of the North American Free Trade Agreement with Canada and Mexico. Comments are invited on a number of specific topics – none of which are directly linked to fisheries. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-05-23/pdf/2017-10603.pdf>
8. May 30 – NOAA published a final rule regarding Capital Construction Funds (CCFs) which is intended to eliminate provisions that no longer meet the needs of CCF participants, and to simplify and clarify the regulations to better implement the purposes of the underlying statute. These amendments eliminate the minimum cost for reconstruction projects, requirements for minimum annual deposits and the requirement that any vessel acquired with CCF funds must be reconstructed, regardless of vessel condition. The new regulations also prohibit withdrawals of funds under the CCF program (program) for projects that increase harvesting capacity, unless the project is subject to a limited access system in which the fisheries management authority establishes harvesting limits. See <https://www.gpo.gov/fdsys/pkg/FR-2017-05-30/pdf/2017->

[11083.pdf](#). If AAFA members feel there would be a benefit to a more indepth analysis of this final rule, I will happily provide a more detailed description of the impacts of the final rule.

#### **Other items of interest:**

1. *Offshore windfarms*. On May 6 the following article appeared in the Daily Caller. It is entitled, Offshore Wind Power Will ‘Absolutely Cost Jobs’ of US Fishermen. See <http://dailycaller.com/2017/05/06/offshore-wind-power-will-absolutely-cost-jobs-of-us-fishermen/>
2. *Chris Oliver*. In early May, Chris Oliver (Exec Dir of the North Pacific Fishery Management Council) was offered, and accepted, the job of Assistant Administrator of National Marine Fisheries Service. His tentative start date is June 19 – as he needs to be officially appointed by the White House. Thanks to everyone who signed and sent letters backing the nomination of Chris.
3. *Legislation pending in the Philippines*. Proposed legislation is making the rounds in the Philippines which would be applicable to Filipino seafarers engaged, employed, or working on board on board Philippines registered ships and foreign-registered ships. The Bill is designed to ensure working and living conditions that are consistent with Philippine law and international maritime conventions. See - <http://www.maritime-executive.com/article/new-protections-planned-for-filipino-seafarers>
4. *Tuna Price Fixing Lawsuits*. On May 16, the following article appeared on SeafoodSource.com. “A lawsuit claiming a price-fixing conspiracy between the so-called “big three” U.S. canned tuna companies – Bumble Bee Foods, StarKist and Tri-Union Seafoods, which owns Chicken of the Sea – has been amended to widen the scope and timeline of when the alleged illegal activity occurred. - See - <https://www.seafoodsource.com/news/supply-trade/tuna-price-fixing-lawsuit-allegations-expand>
5. *Emissions information*. On May 19, an article appeared on SeafoodSource.com comparing carbon emissions from commercial fishing activities and those of land-based protein farming (beef, poultry, etc). See - <https://www.seafoodsource.com/commentary/gear-type-stock-abundance-key-to-more-efficient-fishing>
6. *Canadian MPA off Vancouver Island?* On May 24, an article was published which highlighted, “The Government of Canada is moving forward on its plan to reach its domestic and international targets of protecting 5% of Canada's marine and coastal areas by 2017 and 10% by 2020 to ensure a healthy environment and economy for current and future generations.” One Area of Interest – the Offshore Pacific Area, is one that could have a profound impact on the Canadian Albacore Fishery – and the viability of the US-Canada Treaty. For article, see here - <http://www.newswire.ca/news-releases/government-of-canada-identifies-large-ocean-area-off-the-coast-of-british-columbia-for-protection-624113904.html>. For graphical representation of the Area of Interest, see - <http://www.dfo-mpo.gc.ca/oceans/aoi-si/offshore-hauturiere-eng.html>. (Note – area bounded in yellow is the Area of Interest.

#### **Upcoming items of interest**

1. June 6 – US-Canada Treaty Bilaterals (via phone). During this call, “the U.S. and Canadian governments review the previous year’s fishery, examine and discuss the output of the DWG, and talk about any other pertinent issues. This year we will be seeking to add agenda items addressing the strengthening of data reporting and streamlining of port access.”
2. June 7-14 – Pacific Fishery Management Council meeting in Spokane, Wa. There are HMS items on the Agenda; but none focused on albacore fishery.