



Mike Conroy, Esq. - President
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 December of 2017 and looks forward to certain events occurring in upcoming months.

Vacancies on the California Delegation for the Pacific Fishery Management Council.

Buzz Brizendine and David Crabbe are both terming out as Council Members. Over the last three months I have been approached by a number of groups to gauge my interest in serving as a Council member. Early in December, I agreed to allow Diane Pleschner-Steele to nominate me for one of the two vacancies. I subsequently learned that the Alliance of Communities for Sustainable Fisheries also nominated me. Nominations alone don't mean the Governor will recommend me; but it is a start. I will likely be seeking letters of endorsement and/or support in the weeks that follow. Word is our Governor is likely to try and put at least one enviro on the Council. Efforts are already underway in Washington DC to ensure any such recommendations are bypassed in favor of industry related personnel. Updates to follow.

Follow-up on October's upcoming events:

1. December 2 – 7 – Annual meeting of the Western and Central Pacific Fisheries Commission. North Pacific Albacore was not a big topic during the recently completed WCPFC meeting. South Pacific albacore was and one outcome was prioritizing development of Target Reference Points for that stock. Regarding North Pacific albacore, an Interim Harvest Strategy for North Pacific albacore (NC13 Summary Report, Attachment H, Attachment I), was adopted. Note – it modifies and replaces the previously adopted precautionary management framework for North Pacific albacore and is to be recognised as a harvest strategy.” This Interim Harvest Strategy (which was included in our August 2017 report) is included as Attachment 1. Meeting outcomes from the WCPFC are accessible here - <https://www.wcpfc.int/system/files/WCPFC14-2017-outcomes%20Provisional%20WCPFC14%20outcomes%20document-18%20Dec%20final.pdf>
2. December 5 – West Coast Regional Planning Body Annual Meeting. This Body was the result of the 2010 National Ocean Policy initiative. With questions surrounding the future of the National Ocean Policy, there wasn't much substantive content discussed. Slides presented during the meeting (and a recording of the meeting itself) is available on the Body's website - <http://www.westcoastmarineplanning.org/meetings/>. To those of you in San Diego, the Port has entered an Memorandum of Agreement with the State Lands Commission to do a Pilot Project entitled “San Diego Ocean Planning Partnership”. Make no mistake about it – this is California dipping its toe into the realm of Marine Spatial Planning. See - <https://www.sdoceanplanning.org/> for more details. Updates on this will surely follow.

Federal Register Items of Interest:

In past reports we have highlighted actions taken against Canadian importers and industry by the International Trade Administration of the Department of Commerce and The United States International Trade Commission. The intent was to show how there are some tensions between the two Nations on certain trade issues. Rather than take up space delving into each – we will simply list the publication date in the Federal Register, the topic of the publication and provide a link if the reader wishes to learn more about the publication.

Date	Topic	Link
Dec 21	Dept of Commerce postpones preliminary Determination in the LessThan-Fair-Value Investigation for certain uncoated groundwood paper from Canada	https://www.gpo.gov/fdsys/pkg/FR-2017-12-21/pdf/2017-27501.pdf
Dec 27	Dept of Commerce finds countervailable subsidies are being provided to producers and exporters of 100- to 150-seat large civil aircraft (aircraft) from Canada.	https://www.gpo.gov/fdsys/pkg/FR-2017-12-27/pdf/2017-27875.pdf
Dec 27	Dept of Commerce determines that 100- to 150-seat large civil aircraft (aircraft) from Canada are being, or are likely to be, sold in the United States at less than fair value (LTFV).	https://www.gpo.gov/fdsys/pkg/FR-2017-12-27/pdf/2017-27874.pdf
Dec 28	United States International Trade Commission determines, pursuant that an industry in the United States is materially injured by reason of imports of softwood lumber products from Canada	https://www.gpo.gov/fdsys/pkg/FR-2017-12-28/pdf/2017-28074.pdf

1. December 4 – NMFS published a proposed rule which amends the existing VMS Type-Approval regulations by removing the requirement for VMS vendors to periodically renew their EMTU/MTU type-approvals. This will reduce expense to fishermen and the vendors. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-12-05/pdf/2017-26197.pdf>.
2. December 7 – NMFS publishes rule proposing trip limits for Pacific Bluefin Tuna for 2018. The proposal is 1-mt, except for the Drift Gill Net fishery, which will have a 2-mt trip limit. The reduction from the 2017 25-mt trip limit is due to the significant overage seen in 2017. See - <https://www.gpo.gov/fdsys/pkg/FR-2017-12-07/pdf/2017-26146.pdf>

Other items of interest:

1. *National Pollutant Discharge Elimination System (NPDES)*. Fishing vessels and vessels under 79 feet have been exempt from having this Permit. That exemption was set to expire on December 18, 2017. On December 22 S. 2273 (see - <https://www.congress.gov/bill/115th-congress/senate-bill/2273/text>) passed both chambers of Congress. This isn't a permanent fix; but does extend the exemption for a month, to Jan 19, 2018. It is hoped that a permanent exemption will be implemented prior to that time. See - <https://donyoung.house.gov/news/documentsingle.aspx?DocumentID=399082>
2. *Op-ed critical of Monterey Bay National Marine Sanctuary*. Article focuses on promised made by the Sanctuary to not impact fisheries and the reality of the Sanctuaries actions which have negatively impacted fisheries. See - <http://www.santacruzsentinel.com/article/NE/20171221/LOCAL1/171229958>
3. *U.S. Senate Commerce Committee's Subcommittee on Oceans, Atmosphere, Fisheries, and Coast Guard hearing on National Ocean Policy ("NOP")*. Oversight Hearing on the NOP (created in 2010) and the effectiveness of and challenges resulting from it. A recording of the hearing is available at <https://www.youtube.com/watch?v=d9LOLa1pMuk>. Bonnie Brady (Executive Director, Long Island

Commercial Fishing Association) had some very good comments on NOP implementation, and the threats thereof, on the East Coast. Her testimony begins at the 11:50 mark and runs for 7 minutes.

4. *Winter edition of the Pacific Council News.* A brief overview of the recent MSE workshop is provided on Page 10. See - <https://www.pcouncil.org/wp-content/uploads/2017/12/Newsletter-Winter-2017-FINAL-small.pdf>.
5. *Ishihara Marine Products albacore and skipjack pole and line fishery enters MSC assessment.* Intended completion date is November 2018. This fishery is deemed to overlap with the AAFA/WFOA North Pacific Albacore fishery amongst others. Progress of this fishery through the MSC process can be tracked here - <https://fisheries.msc.org/en/fisheries/ishihara-marine-products-albacore-and-skipjack-pole-and-line-fishery/@@view>
6. *China to build 7 new longline tuna vessels.* China claims these will be replacement vessels so as to not exceed capacity goals for “distant water fishing vessels.” Of bigger concern, is that this goes against recent World Trade Organization actions to try and limit fisheries subsidies. See - <https://www.undercurrentnews.com/2017/12/22/after-wto-overfishing-cop-out-chinese-firm-commissions-seven-new-tuna-vessels/>
7. *Japan looking to stricter enforcement mechanisms.* Japan to start implementing fines and potential prison sentences for its fishery for Pacific Bluefin Tuna. Fishermen will be required to submit details on fishing activity. Will this increased government oversight push effort away from bluefin, towards albacore? Will this oversight be extended to non-seine fisheries or artisanal fisheries? See - <https://www.japantimes.co.jp/news/2017/12/30/national/japan-enforce-penalties-bluefin-catch-quota-violations-starting-next-month/#.Wk1ZPd-nHIV>

Upcoming items of interest

1. January 17 – 19. 6th National Scientific Coordination Committee of the Council Coordination Committee will meet in San Diego. The theme of the Sixth National SCS is "The Use of Management Strategy Evaluation to Inform Management Decisions Made by the Regional Fishery Management Councils". Given the ongoing efforts to perform an MSE on North Pacific albacore – and that this meeting will be live-streamed, it makes sense to pay attention to this. See - <http://www.fisherycouncils.org/ssc-workshops/sixth-national-ssc-workshop-2018>.
2. March 8 – 15. Pacific Fishery Management Council meeting in Rohnert Park, Ca. Highly Migratory Species have ½ of one day at this meeting with topics including: NMFS Rpt. (1 hr); EFPs – Initial Review/Final Approval (1 hr); Deep Set Buoy Gear Authorization, ROA/PPA (3 hr). I haven't been given any indication that Albacore will be a part of the Agenda, but I will keep an eye out.

Attachment 1

The Commission for the Conservation and Management of
Highly Migratory Fish Stocks in the Western and Central Pacific Ocean

Northern Committee
Thirteenth Regular Session

August 28 – September 1, 2017
Busan, Korea

Interim Harvest Strategy for North Pacific Albacore Fishery

Harvest Strategy 2017-XX

This Interim Harvest Strategy replaces the “precautionary management framework for north pacific albacore” adopted at the 11th regular session of the Commission, which is based on the recommendation of the Northern Committee at its 10th regular session.

1. Interim management objective

The management objective for the North Pacific albacore fishery is to maintain the biomass, with reasonable variability, around its current level in order to allow recent exploitation levels to continue and with a low risk of breaching the limit reference point.

2. Biological reference points

Based on ISC’s stock assessment advice and following the hierarchical approach adopted by the Commission, North Pacific albacore is to be treated as a Level 2 stock. The following is based on an average recruitment scenario:

- The limit reference point (LRP) for this stock is established at $20\%SSB_{current_{F=0}}$.

This LRP is consistent with the Annex II of the UN Fish Stocks Agreement (UNFSA) and recent WCPFC decisions on LRPs for the three tropical tuna species and South Pacific albacore, where $20\%SSB_{current_{F=0}}$ was adopted. If this point is breached, management actions will be taken to return the stock to a predetermined level as outlined in the subsequent section on Decision Rules.

- The target reference point (TRP) for this stock will be determined following a comprehensive analysis under a management strategy evaluation (MSE) approach as outlined in section 4 on “Future Work”. Historical fishing activity, anticipated fishing activity, and the source of increased fishing mortality will also be considered when evaluating a suitable TRP. Socioeconomic factors, as per UNFSA Article 6.3.c., will be further considered. The existing conservation and management measure (CMM) for the stock (WCPFC 2005-03) establishes through limits on current effort an overall management regime for the stock.

3. Decision rules

NC recommends a management strategy for the stock that ensures that the risk of the biomass decreasing below the LRP is low.

LRP rule: In the event that, based on information from ISC, the spawning stock size decreases below the LRP at any time, NC will, at its next regular session or intersessionally if warranted, adopt a reasonable timeline, but no longer than 10 years, for rebuilding the spawning stock to at least the LRP

and recommend a CMM that can be expected to achieve such rebuilding within that timeline. NC will take into account historical fishing activity and the source of increased fishing mortality when developing management strategies to rebuild the stock, including in establishing effort reductions. NC will further consider socioeconomic factors, as per UNFSA Article 6.3.c., as well as which NC members, if any, contributed to exceeding the LRP.

4. Future work

This framework may be periodically reviewed and revised. To support such revisions, NC endorses the ongoing development and implementation of an MSE for the stock and fishery, which would yield new information that would enhance the robustness of this framework.