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## WHAT AAFA IS DOING FOR YOU - 2019

This new format, approved by the Board in April, is designed to be more user friendly and more conscious of your time. It will be submitted on a monthly basis and will be a living document in the sense that we will be adding to (or deleting from) it throughout the course of the month. Text which is new for a given month, will be presented in **red** so that you won't be burdened with rereading content previously published.

**This is updated through December 2, 2019.**

### **North Pacific Albacore – Management Strategy Evaluation (“MSE”)**

- Process began in 2015 and AAFA has been participating since then.
- Participated in webinars, calls and meetings about the MSE process
- Dr. Steve Teo, NOAA scientist with the Southwest Fisheries Science Center, will be attending the General Meeting in San Diego to go over MSE.
- Dr. Teo and Dr. Desiree Tommasi gave a lengthy presentation on the results of the first round of the MSE model run. While it was confusing, in parts, the conversation that accompanied the presentation helped clarify.
- Moving forward, these results will be presented to both the Inter-American Tropical Tuna Commission (“IATTC”) and the Northern Committee (“NC”) of the Western and Central Pacific Fisheries Commission’s (“WCPFC”) this summer and fall.
- Based on feedback received the MSE model will be tweaked and the next round of results are expected at the end of 2020 or beginning of 2021.
- Paying attention to the MSE for Pacific Bluefin tuna – which recently started – in order to gain insights to what strategies are proposed/considered for a fishery that is already saddled with severe management restrictions due to a low spawning stock biomass.
- AAFA offered comments on the 1<sup>st</sup> Round results when it was presented at the June PFMC meeting in San Diego. Spoke, at length, to one of the modelers and began laying the groundwork for learning more about the inputs (and assumptions) which are part of the Model. Without understanding these, it will be difficult to properly evaluate the results.
- AAFA participated in the Northern Committee’s presentation on the NPA MSE

### **US – Canada Pacific Albacore Treaty**

- Current regime expires at the end of 2019. Bilateral discussions likely to be scheduled for the Spring of this year.

- Catch reporting from the U.S. is behind schedule.
- The Data Exchange for 2018 season took place on April 17. Representatives from the AAFA Board, PMA, Staff and Consultant were on the call. A number of questions resulted from the Data Exchange, which were further flushed out in a call with WFOA on April 24.
- AAFA and WFOA jointly sent a letter to Dave Hogan (from US State Department) seeking clarification on the questions raised during the Data Exchange. To date, we have received no response.
- The USCG, in its report to the PFMC in June stated the following, ““Two Canadian tuna trollers were boarded while fishing in the U.S. EEZ during 2018 with no violations detected. Additionally, the presence of multiple vessels authorized to harvest albacore in the U.S. EEZ was documented by USCG cutters and patrol aircraft throughout the reciprocal access season. All Canadian vessels observed were determined to be in compliance with applicable Treaty provisions.”
- We learned the Treaty will be an Agenda item during the November PFMC meeting – which will be held in Costa Mesa, Ca. It is scheduled to be on the Council Floor on Monday, November 18.
- AAFA surveyed its members on their views of a possible future regime for the Treaty.
- After learning that Dave Hogan (US State Department) will not be attending the November, PFMC meeting (but will be attending the March meeting - in Rohnert Park). AAFA intends to continue dialogue with Mr. Hogan in order to determine how AAFA can best provide our inputs in advance of any planned bilaterals with the Canadian Government.
- AAFA, along with other industry stakeholders on the Highly Migratory Species Advisory Subpanel, opted against providing any thoughts and comments on specifics of a future regime.
- The PFMC did provide the following recommendations to NMFS:
  - The US Government should:
    - a. Establish a catch attribution system for Canadian North Pacific albacore catch within the U.S. Exclusive Economic Zone (EEZ) and vice versa;
    - b. Work with Canada Department of Fisheries and Oceans to harmonize paperwork requirements for EEZ and port access
    - c. Investigate and provide information on the source of cheap albacore imported into Canada and re-exported to the U.S. under the label “Product of Canada”
    - d. Additionally, and this is not related to the Treaty – “Work through the WCPFC to determine if unreported North Pacific albacore catch is occurring in the Convention Area and to better understand the impact of incidental catch of North Pacific albacore, especially by Small Island Developing State) fleets, not bound by current fishing effort limits.

## **UN Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction – ABNJ**

- Following up U.S. Stakeholder discussions and the UN Conference last September, AAFA remains a participant in the process. AAFA’s current position, which aligns with WFOA, American Tunaboat Association and the Hawaiian Longline Association, is that fisheries should be exempted from any coverage under ABNJ as there are already international bodies responsible for ensuring the sustainability of fishery resources – namely the Regional Fishery Management Organizations (“RFMOs”).

- Participated in U.S. Stakeholder calls leading up to the second session of the Conference (began on March 25).
- The Council Coordination Committee (“CCC”), which gathers representatives from all of the Nation’s Fishery Management Council’s, met in May and were given a presentation on ABNJ. Depending on the outcomes of the CCC meeting, AAFA may be offering comments at the June PFMC meeting.
- The third UN Intergovernmental Conference on ABNJ will take place in August of this year. AAFA will continue to build relationships with the State Dept, PFMC, and other industry groups to ensure our concerns are heard and clearly understood.
- AAFA provided comments at the June PFMC meeting and suggested the Council invite representatives from the US Delegation to the UN to either the September meeting (Boise, Id) or more appropriately, the November meeting (Costa Mesa, Ca).
- The *Draft text of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction* was posted on the UN’s website (<https://undocs.org/en/a/conf.232/2019/6>)
- We participated in the August 7 information session meeting held by the State Dept. This meeting had a greater fishing industry presence than in previous years. AAFA submitted a letter commenting on ABNJ Draft text Agreement, which we have attached to this report.
- Still awaiting a response from the U.S. Government which provides our position on ABNJ.
- We did receive a response from the State Department to the comment letter submitted by AAFA on the ABNJ Draft Text Agreement. It was attached to the August 2019 Report.
- In Sept, we received a document which describes the US position on ABNJ. It is not a final position; but one based on the ABNJ Draft Agreement. It offers some comfort; but also gives rise to some questions.
- AAFA has been invited to participate in a NOAA/State Department fishing industry meeting to discuss ABNJ and its potential impacts on US fishing interests. That meeting is tentatively scheduled for November 7.
- AAFA participated in the November 7 fishing industry stakeholder call on November 7. Also represented was Hawaiian Longline Assn, Blue Water Fisherman’s Association, AFRF, American Tunaboat Assn, WFOA and the Western Pacific Fishery Management Council. Industry was able to express it thoughts and concerns over the ongoing ABNJ negotiations and initial Draft Text of an Agreement.
- **The Intergovernmental Conference published a Revised Draft of an agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction ([https://www.un.org/bbnj/sites/www.un.org.bbnj/files/revised\\_draft\\_text\\_a.conf\\_232.2020.11\\_advance\\_unedited\\_version.pdf](https://www.un.org/bbnj/sites/www.un.org.bbnj/files/revised_draft_text_a.conf_232.2020.11_advance_unedited_version.pdf)). As of this update, we have yet to carefully review.**
- **AAFA will remain involved in the ABNJ process through conversations with both the Departments of State and Commerce. The dates for the next UN Conference have not yet been finalized; but are expected to occur in the first half of 2020.**

### **Domestic Management – PFMC**

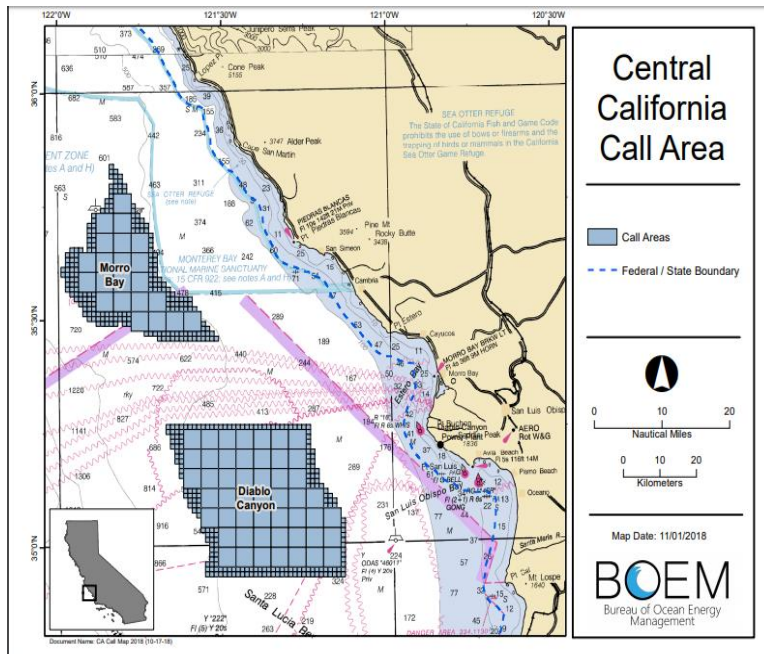
- We have a representative attending each PFMC meeting where North Pacific albacore may be on the Agenda. Although, no AAFA members currently sit on the Highly Migratory Species Advisory Subpanel, AAFA consultant Mike Conroy does.

- Continued presence at meetings (domestic and international) where issues which could impact the albacore fishery are planned for discussion.
- While the US-Canada Albacore Treaty is on the November PFMC meeting, AAFA is working with other industry groups in an effort to hold off taking a formal position on potential changes to any future regime until the March 2020 PFMC meeting.
- **During the November PFMC meeting AAFA participated in meetings about HMS management, the critical habitat designation/expansion mentioned in last month's report, and other discussions.**

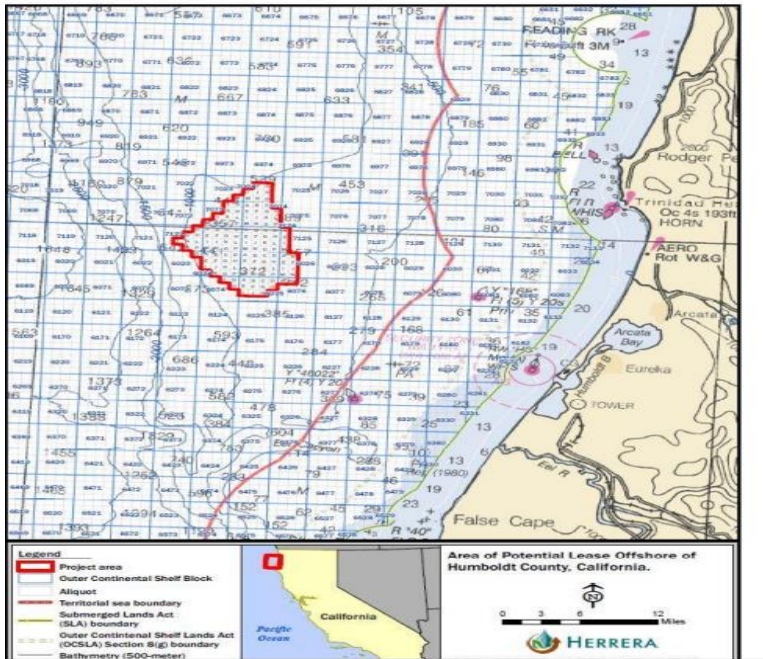
## Wind farms off the California Coast

- In January, Mike submitted a public comment on the Bureau of Ocean Energy Management (“BOEM”) federal register notice seeking input on the three areas off the California Coast which could support offshore wind energy: His comment focused on historic importance of the areas to the albacore fishery.

Two Central California Call Areas:



Northern California Call Area:



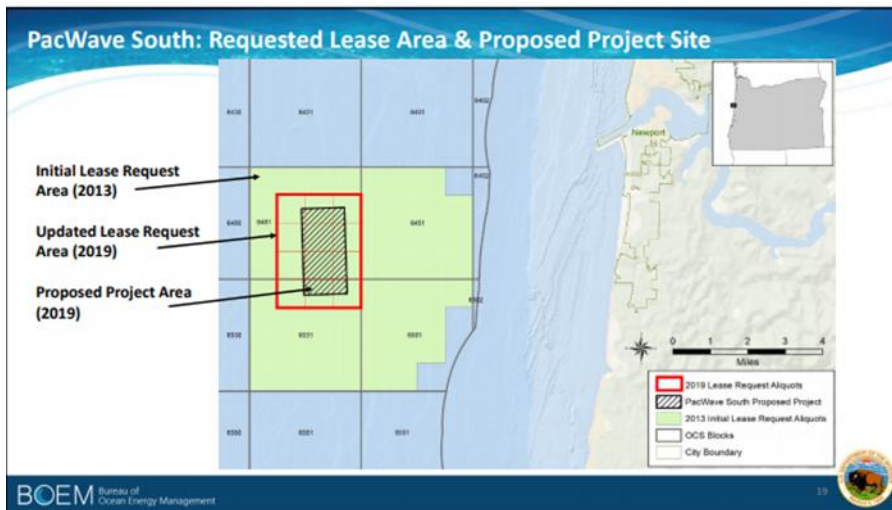
- BOEM has not yet published its response to the comments received.
- On May 3<sup>rd</sup>, the California Legislature’s Joint Committee on Fisheries and Aquaculture held a hearing, in Eureka, entitled *California’s Fisheries and Wildlife: Can they co-exist with Offshore Wind Energy Development?* Panels were made up of: Federal, State and Local govt officials, Wind energy industry representatives, environmental organization representatives, and local fishing industry representatives. While nothing was settled, it is clear that the State wants wind farms, the Federal Govt wants wind farms, and the local Govts in the impacted areas want wind farms. Our job – ensure that the fishing industry’s voice is heard and that adverse impacts to the albacore fishery are minimized to the extent possible.
- The Responsible Offshore Development Alliance (“RODA”) was established to by a broad membership-based coalition of fishing industry associations and fishing companies with an interest in improving the compatibility of new offshore development with their businesses. AAFA is having discussions with RODA about expanding their scope of coverage to the West Coast. They have expressed an interest and are currently considering best path forward.
- There has been a lot of news and activities regarding wind farms off the East Coast; but nothing on proposed wind farms off the West Coast.
- The Executive Director of RODA was in Portland during the NC meeting. We met with her and hope to be instrumental in ensuring an expanded role for RODA on the west coast. This is more imperative given the next item.
- AAFA became a member of RODA. This will allow AAFA to capitalize on RODA’s knowledge and experience in dealing with offshore renewables on the East Coast as we face similar issues off the West Coast.

### Offshore Renewables off the Oregon Coast

- The BOEM Oregon Intergovernmental Renewable Energy Task Force noticed a public meeting for September 27 in Portland, Oregon which will discuss, amongst other things, “to begin

offshore wind planning in southern Oregon where the wind resource is the strongest in the State. If you are from Oregon and available to attend – here is the meeting information (Agenda to be provided later) - <https://www.boem.gov/Task-Force-Meeting-7/>. Note – due to a scheduling conflict, our consultant will be unable to attend.

- An offshore wave-energy pilot project is still planned for off Newport, Ore. Here is an updated map of the proposed location. I note, this area will not likely have direct impacts on the albacore fishery; but it could have serious impacts to D Crab, Salmon and other fisheries.



- Based on information shared during the September 27 Task Force meeting – it appears that potential offshore wind developers will be focusing their efforts to the area near and below Cape Blanco.

Other items which arose previously and continued through **December 2**.

This section will appear monthly and highlights issues, etc that aren't likely recurring items

- **SK Grant Application.** On November 12, AAFA submitted an SK Grant Application for a customized-electronic logbook for AAFA members. This would be a prototype which could eventually be used by all albacore fishermen off the West Coast. We likely won't know whether or not the application was approved until next Spring.
- On September 18 and October 9, two proposed rules were published in the Federal Register which may impact AAFA members – both directly and indirectly. **The expansion or creation of critical habitat for species listed under the Endangered Species Act, in and of itself, will not impact any operations. It does, however, require the Services (NMFS and Fish and Wildlife Service) ensure that any actions they propose do not pose a threat to those listed species.**
  - The September 18 proposed rule would expand critical habitat for Southern Resident Killer Whales. This is very unlikely to have any direct impacts on AAFA operations; but may impact AAFA members who participate in west coast salmon fisheries.
  - The October 9 proposed rule designates critical habitat for 3 distinct population segments of Humpback Whales. AAFA believes, at this time, that the only possible impact to AAFA operations would be to access to anchovies off Central California and Oregon/Washington. AAFA is monitoring the situation in order to determine if this is a realistic fear or not.

AAFA did learn that traditional areas where bait is harvested off Washington is outside the proposed critical habitat for Humpback Whales (it does not include areas such as Willipa Bay or North Bay).

- IMO Numbers
  - If you have a high seas permit and your vessel is at least 12 meters in length overall, you will be required to obtain an IMO number before January 1, 2020 or 30-days after publication of the final rule in the Federal Register, whichever is later. You can apply for an IMO Number via the following link: <https://imonumbers.lrfairplay.com/>

Upcoming meetings:

- AAFA will not have representation at the upcoming WCPFC meeting in Papua New Guinea (Dec 5 – 11)
- AAFA will have representation at the March 2020 Pacific Fishery Management Council meeting in Rohnert Park, Ca (March 3 – 9)