

**West Coast Fisheries Consultants, LLC**  
**Mike Conroy, President (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 and looks forward to certain events occurring in upcoming months.

Follow-up on November's upcoming events:

1. The Western and Central Pacific Fisheries Commission (WCPFC) met December 3 – 8. As you will recall, AAFA submitted comments to the US delegation surrounding the Management Strategy Evaluation for North Pacific albacore management. A *DRAFT* Summary Report has been released which highlights the following re albacore:
  - a. South Pacific albacore – Recent fishing effort levels and catch appear could result in overfishing. Over the last 5-6 years, catch has been more significant than in years prior. As a result, the WCPFC adopted CMM 2015-02 – Conservation and Management Measure for South Pacific Albacore. See Exhibit 1.
  - b. North Pacific albacore – It is envisioned that management objectives will be finalized during the upcoming workshop in April. The chair of the Northern Committee made clear, “North Pacific albacore tasks were clear: try to establish a Target Reference Point next year if possible, or during the trial of MSE, hopefully by 2017.”

Federal Register Items of Interest:

1. December 28 – NMFS published a proposed rule revising the management regime for the area of overlapping jurisdiction between the IATTC and the WCPFC. The area in question covers a rectangular area bounded by 50° S. latitude, 150° W. longitude, 130° W. longitude, and 4° S. latitude. Under this rule – management measures adopted by the IATTC would no longer apply. It is envisioned that this rule will only impact troll vessels that harvest South Pacific albacore and purse seine vessels that harvest tropical tuna. See 80 CFR 80741
2. December 29 – NMFS published a final rule establishing a small business size standard of \$11M for businesses primarily engaged in commercial fishing. This will apply as it relates to the Regulatory Flexibility Act and the analysis required to determine whether a proposed regulatory action will disproportionately impact small businesses. Prior to this rule, the dollar amount threshold varied depending on the type of fishery a business prosecuted. See 80 CFR 81194.
3. December 29 – NMFS published a proposed rule revising procedures and requirements for filing import, export, and re-export documentation for certain fishery products to meet statutory and obligations resulting from US participation with RFMOs. I don't see this directly impacting AAFA members; but may be something of interest to those on the processing and/or exporting side. See 80 CFR 81251

Other items of interest:

1. The World Trade Organization, during its recently completed meeting, received a statement from 27 of its members (including the US and Canada) asking the WTO to support measures to reduce fishing subsidies so as to contribute to the conservation of fishing resources worldwide. See Exhibit 2.
2. While the impact to AAFA members is likely minimal – the California Fish and Game Commission will be changing again as Commissioners Kellogg and Baylis both resigned. At present, no replacements have been nominated by Governor Brown.

Upcoming items of interest

1. April 2016 – International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean meeting of the Albacore Working Group – to be held in Japan.



Exhibit 1  
CMM 2015-02  
Conservation and Management Measure for South Pacific Albacore

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

*In accordance with the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean:*

*Recalling that* the Scientific Committee has advised the Commission that longline fishing mortality and longline catch be reduced to avoid further decline in the vulnerable biomass so that economically viable catch rates can be maintained;

*Further recalling* the recommendation by the Technical and Compliance Committee that the data requirements of CMM 2010-05 needed to be revised in order to make it more verifiable;

*Noting that*, given the age-specific mortality of the longline fleets, any significant increase in effort would reduce CPUE to low levels with only moderate increases in yields. CPUE reductions may be more severe in areas of locally concentrated fishing effort.

*Further noting* that estimates of MSY are highly uncertain because of the extrapolation of catch and effort well beyond any historical levels. Projections demonstrated that longline exploitable biomass, and hence CPUE, would fall sharply if catch and effort were increased to MSY levels. Therefore, the economic consequences of any such increases should be carefully assessed beforehand.

**Adopts**, in accordance with the Article 10 of the WCPFC Convention that:

1. Commission Members, Cooperating Non-Members, and participating Territories (CCMs) shall not increase the number of their fishing vessels actively fishing for South Pacific albacore in the Convention Area south of 20°S above 2005 levels or recent historical (2000-2004) levels.
2. The provisions of paragraph 1 shall not prejudice the legitimate rights and obligations under international law of small island developing State and Territory CCMs in the Convention Area for whom South Pacific albacore is an important component of the domestic tuna fishery in waters under their national jurisdiction, and who may wish to pursue a responsible level of development of their fisheries for South Pacific albacore.
3. CCMs that actively fish for South Pacific albacore in the Convention Area south of the equator shall cooperate to ensure the long-term sustainability and economic viability of the fishery for South Pacific albacore, including cooperation and collaboration on research to reduce uncertainty with regard to the status of this stock.
4. CCMs shall report annually to the Commission the annual catch levels taken by each of their fishing vessels that has taken South Pacific Albacore as well as the number of vessels actively fishing for South Pacific albacore in the Convention area south of 20°S. Catch by vessel shall be reported according to the following species groups: albacore tuna, bigeye tuna, yellowfin tuna, swordfish, other billfish, and sharks. Initially this information will be provided for the period 2006-2014 and then updated annually. CCMs are encouraged to provide data from periods prior to these dates.
5. This measure will be reviewed annually on the basis of advice from the Scientific Committee on South Pacific albacore.

1 By adoption of this CMM (CMM 2015-02) the Commission rescinds CMM 2010-05 which has been revised and replaced



Exhibit 2  
WTO 10<sup>th</sup> Ministerial Conference

Fisheries Subsidies Ministerial Statement<sup>1</sup> on behalf of Australia,  
Argentina, Brunei Darussalam, Canada, Colombia, Costa Rica, Fiji,  
Iceland, Mexico, New Zealand, Norway, Pakistan, Paraguay, Papua New  
Guinea, Peru, Solomon Islands, Switzerland, United States, Uruguay,  
Vanuatu and OECS Economic Union WTO Members (Antigua and  
Barbuda, Dominica, Grenada, St Kitts and Nevis, St Lucia and St Vincent  
and the Grenadines)

Acknowledging that the future of marine capture fisheries is an urgent resource problem facing the international community, and recognizing the importance of taking measures aimed at the conservation and sustainable management of fisheries, including disciplines on fisheries subsidies;

Recognizing the crucial role of fisheries in ensuring food security, employment and livelihoods in developing countries, in particular LDCs;

Recognizing that fisheries subsidies contribute to economic losses in the fisheries sector and create serious distortions in global fish markets and serious impacts on food security and livelihoods, particularly in developing countries, and that effectively addressing fisheries subsidies will deliver trade, economic, development and environmental benefits;

Concerned that the world's fisheries resources continue to decline and are in certain cases at risk of collapse, with nearly 30% of global stocks classified as being overfished by the FAO in 2014; yet the billions of dollars a year spent by governments on harmful fisheries subsidies have increased and continue to be a major contributing factor to this situation; and that there is also diminishing room for growth in catches through increased fishing effort, with 61% of stocks classified as being fully fished;

Considering that the WTO must play a central role in achieving effective disciplines on fisheries subsidies that contribute to overfishing and overcapacity, and that action is urgently needed to control, reduce and eventually eliminate fisheries subsidies that contribute to overfishing and overcapacity;

We accordingly have reached the following shared understandings:

1. We will seek to reinvigorate work in the WTO aimed at achieving ambitious and effective disciplines on fisheries subsidies, which should include, but not be limited to, prohibitions on subsidies: (a) for fishing that negatively affect overfished fish stocks; and (b) provided to vessels or operators engaged in illegal, unreported and unregulated fishing,  
  
and we commit not to provide any such subsidies.
2. We reaffirm the Rio+20 commitment to refrain from introducing, extending or enhancing subsidies that contribute to overcapacity and overfishing, and reaffirm the commitment in Target 14.6 of the United Nations 2030 Sustainable Development Goals to prohibit certain forms of fisheries subsidies which contribute to overcapacity and overfishing, eliminate subsidies that contribute to illegal, unreported and unregulated fishing and refrain from introducing new such subsidies;
3. We will seek to achieve additional ambitious and effective WTO disciplines beyond those described in paragraph 1 with the goal of eliminating all subsidies that contribute to overfishing and overcapacity and enhancing transparency.

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<sup>1</sup> Adjustments may be made to take into account the outcomes of the WTO Tenth Ministerial Conference.

4. We recognise that special and differential treatment is integral to the work on any new disciplines described in paragraph 3, but must be appropriate and not undermine their effectiveness. Basic disciplines of the type described in paragraph 1 should apply equally to all Members.
5. We will continue to seek appropriate enhanced WTO transparency and reporting to enable the evaluation of the trade and resource effects of fisheries subsidies programmes.

Nairobi, December 2015