



# What **AAFA** Is Doing For You

## Sustainability into 2021

AAFA seeks to ensure responsible fishery management practices and the participation of vital fishing communities. It supports education regarding responsible fishing methods and promotes the health benefits of tuna consumption along with environmental benefits of sustainable fishery practices.



## **Consultant Reporting:** Mike Conroy

**November 2021**

### **THE EXECUTIVE ORDER ON TACKLING THE CLIMATE CRISIS AT HOME AND ABROAD**

On January 27, the President issued the [aforementioned Executive Order](#). Included were two provisions which could have impacts on AAFA operations, one of which saw activity in November: 1. On May 6, the Administration published [Conserving and Restoring American the Beautiful](#) which lays out its vision for implementation of the 30 x 30 initiative. AAFA will remain engaged – at all levels – to ensure the Report's guiding principles and messages are not forgotten. On October 29, NOAA published a Notice and Request for Information on NOAA actions to implement this portion of the Executi-

ve Order- see [2021-23590.pdf \(govinfo.gov\)](#)

### **COVID-19**

The CA DFW spend plan was approved on August 27 – applications to be available soon; and applications were made available on October 4 and can be accessed via - [https://reli-ef.psmfc.org/california-cares-act-information/](#). Please note – the deadline for submitting your application is 11:59PM on November 17. The DFW held a webinar highlighting the spend plan and application. The meeting was recorded and you can view it here - [https://www.youtube.com/watch?v=FGgOmej5C6E&t=1s](#). Or DFW released its draft spend plan for public comments on Aug 10 – the

comment period closed on Aug 22. The Washington "Round 2" spend plan was approved on 11/01/2021 (see - [Microsoft Word - 11.1.21 Final WA CARES Round 2 Spend Plan \(psmfc.org\)](#)). It is anticipated that "Round 2" applications will become available in late November 2021. See - [Washington CARES Act Information - Fisheries Relief \(psmfc.org\)](#) - for additional information

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## Consultant Reporting: Mike Conroy - Continued

### **NORTH PACIFIC ALBACORE - MANAGEMENT STRATEGY EVALUATION ("MSE")**

The 5th Management Strategy Evaluation (MSE) Workshop for Managers Web Meeting for Canada and USA took place March 22 – 25 from 9AM until 12:30PM. A U.S. Stakeholder meeting took place on June 1 to discuss the results from the MSE workshop. NMFS submitted a brief overview of the June 1 meeting to the Pacific Fishery Management Council in June. See - <https://www.pcouncil.org/documents/2021/06/f-2-b-supplemental-nmfs-report-2-nmfs-report-on-international-management-activities.pdf/>

NMFS and ODFW have been working on an app that is intended to help managers and stakeholders understand the North Pacific Albacore Tuna Management Strategy Evaluation (Albacore MSE). Because management of North Pacific Albacore is likely imminent, this tool will let you explore how different management styles may impact the fishery. See - [https://pfmc.shinyapps.io/Albacore\\_MSE/](https://pfmc.shinyapps.io/Albacore_MSE/)

### **US - CANADA PACIFIC ALBACORE TREATY**

As of November 3, there is no update of the status of the proposed MPA off the Canadian West Coast.

### **DOMESTIC MANAGEMENT - PFMC**

The PFMC will be reviewing all advisory subpanels starting in June. It is likely there will be opportunities

for AAFA members to participate in the Council's management processes. Nominations for all of the Council's advisory bodies closed on October 22. Page 5 of this linked document shows applicants for seats on the HMSAS - [NomList\\_2022-24TermNOV2021BB.xlsx \(pcouncil.org\)](#)

The PFMC's November Agenda does not have anything specific to albacore on it. AAFA will attend should anything related to albacore come up.

### **WIND FARMS OFF THE CALIFORNIA COAST**

There are [two proposed pilot projects in California State Waters](#) (just above Pt Arguello). We have already begun engaging with State Lands Commission Staff on this matter. On July 16, the California State Lands Commission released a Draft Preliminary Environmental Assessment for public review on the two pilot projects. On October 21, the State Lands Commission voted to move forward with an environmental review of the Projects. This does not mean the Project(s) are approved, just that further analysis is necessary to fully determine if those projects are in the State's interest.

### **OFFSHORE RENEWABLES OFF THE OREGON COAST**

The BOEM-Oregon Intergovernmental Task Force met on October 21. Draft Call Areas were not announced; but they are expected to be announced during the January 2022 BOEM-Oregon Task Force meeting. The meeting lasted all day and covered a few topics: (1) Overview of Oregon Offshore Wind Energy Planning and Engagement Activities; (2) OROWindMap Overview and Data Sets Discussion; (3) Floating Offshore Wind Technology and Oregon Offshore Wind Energy Studies; and (4) Next Steps toward Offshore Wind Energy Leasing. If you are interested in watching any of these webinars or reviewing the presentations – you can do so via the fol-



following link: <https://www.boem.gov/renewable-energy/state-activities/2021-task-force-meeting-nine>. We don't yet know where offshore wind will be proposed off Oregon – we just know that it will.

## US COAST GUARD – PACIFIC PORT ACCESS ROUTE STUDY

Over the summer, the USCG announced it is conducting a Port Access Route Study (PARS) to evaluate safe access routes for the movement of vessel traffic proceeding to or from ports or places along the western seaboard of the United States and to determine whether a Shipping Safety Fairway ("Fairway") and/or routing measures should be established, adjusted or modified. The PARS will evaluate the continued applicability of, and the need for modifications to, current vessel routing measures. The data gathered during this Pacific Coast PARS (PACPARS) may result in the establishment of one or more new vessel routing measures, modification of existing routing measures, or disestablishment of existing routing measures off the Pacific Coast between Washington and California. The public comment period ends on January 25. You can view the Notification of Study and Request for comments here - [2021-15923.pdf \(govinfo.gov\)](https://www.govinfo.gov/2021-15923.pdf)

## OTHER ITEMS WHICH AROSE PREVIOUSLY AND CONTINUED THROUGH NOVEMBER 3, 2021

On October 6 a video was released which showed increasing oceanic dead zones off the Oregon Coast. See - <https://www.newsy.com/stories/oceanic-dead-zones-are-worse-than-ever/>. It's 6+ minutes about ocean hypoxia (oxygen dead zones). One has to wonder if hypoxia is having any impacts on the albacore fishery.

Last month we highlighted a number of articles reporting on port congestion. On October 13, the President met with industry with the goal of using federal action to ease shipping delays before the end-of-year holiday season. [Biden administration addressing port congestion woes \(seafoodsource.com\)](https://www.seafoodsource.com/biden-administration-addressing-port-congestion-woes)

## UPCOMING MEETINGS AS OF 10/5

**NOVEMBER 10**  
PFMC MARINE PLANNING  
COMMITTEE MEETING

**NOVEMBER 15 – 22**  
NOVEMBER PFMC MEETING

**NOVEMBER 19**  
CALIFORNIA AIR RESOURCES  
BOARD MEETING

**NOVEMBER 29 – DECEMBER 7**  
18TH MEETING OF THE WCPFC

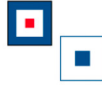
**JANUARY 2022**  
BOEM-OREGON  
INTERGOVERNMENTAL  
TASK FORCE MEETING

- Mike Conroy

## WE NEED YOUR PHOTOS!

We use your photos for social media, these newsletters, the website, and more. If you take any high-resolution photos (or videos) of albacore tuna, you in action, or your boats please send them to us at: [admin@americanalbacore.com](mailto:admin@americanalbacore.com)





## WINDWARD STRATEGIES LLC

### Consultant Reporting: Jay Sterne Windward Strategies Report November 2021

#### Appropriations and Budget

##### 1. Continuing Resolution through 12/3/21

- 9/30/21 Passed Senate
- 9/30/21 Passed House
- 9/30/21 Signed by President
- 12/3/21 Expires at midnight

In what has become an annual ritual, Congress passed a continuing resolution (CR) to keep the government open and running through December 3. Several disaster-related provisions were tucked into the CR, including funding for fisheries disasters.

#### FISHERIES DISASTER ASSISTANCE

*"For an additional amount for "Fisheries Disaster Assistance" for necessary expenses associated with the mitigation of fishery disasters, \$200,000,000, to remain available until expended: Provided, That such funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, including those declared by the Secretary to be a direct result of hurricanes in calendar years 2020 and 2021."*

With respect to the federal debt ceiling, after saying that his caucus would not help Democrats raise the debt ceiling, Senate Minority Leader Mitch McConnell (R-KY) agreed to raise the national debt limit by \$480 billion. It was originally estimated that this amount would fund the Treasury through December 3rd, to coincide with the CR to fund the government. More recent estimates, however, say the funds could last through mid-December to mid-January.

##### 2. Bipartisan Infrastructure Bill (aka "BIF")

\$1.2 trillion includes \$550 billion in new spending.

- 8/10/21 Passed Senate (69-30-1)
- 11/5/21 Passed House (228-205)
- 11/15/21 Signed by the President

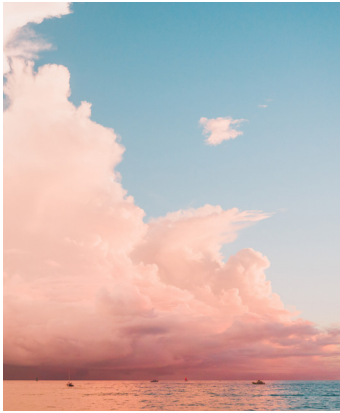
The BIF includes substantial new funding for the National Oceanic and Atmospheric Administration (NOAA), including to address coastal resiliency, climate impacts and marine debris priorities. NOAA is now preparing "spend plans" to utilize these resources.

##### 3. Reconciliation Bill (aka "Build Back Better")

- tbd [Passed Senate]
- tbd [Passed House (CBO score pending, vote possible before Thanksgiving)]
- tbd [Signed by the President]

Negotiations are ongoing for funding levels, currently close to \$.75 trillion. Moderate Democrats in the House forced Speaker Pelosi to pause consideration of the Reconciliation bill until the non-partisan Congressional Budget Office (CBO) completed its scoring of the legislation. CBO may present its scoring Report to the House this week, and it is possible that the Speaker will push forward with a vote if she believes there are sufficient votes to pass it. If successful, the bill would then go to the Senate where it is expected to be substantially amended to address the concerns of Senator Joe Manchin (D-WV) who has balked at the overall spending level and numerous policy provisions. It is unclear when, and whether, the Senate will be able to pass the bill. If it does make it out of the Senate, the next challenge will be in the House, where progressive Democrats are likely to oppose the elimination of their spending and policy priorities.





# CONSULTANT REPORTING (CONTINUED)

Jay Sterne

## 4. FY22 Appropriations

### Senate

The Appropriations Committee has voted on only three of the twelve FY22 funding bills (Ag, Energy & Water, and MilCon), and has 'released' copies of the remaining nine. There are not scheduled Committee votes, and Floor action is uncertain. It is likely that all twelve bills will be included in an end-of-year Omnibus bill.

### House

The House passed seven of twelve FY22 Appropriations bills on 7-29-21 (Labor/HHS, Ag, Energy & Water, Financial Services, Interior, MilCon, and THUD). Three of the remaining five bills were passed by the House on 9-30-21 (CJS, Leg Branch, and State/Foreign Ops). The two remaining bills, Defense and Homeland Security are awaiting floor consideration

## 5. Fisheries Legislation

On Wednesday, October 13, the House Natural Resources Committee held a full committee markup to consider 17 bills. The majority of the bills considered in this markup are expected to pass the House in a non-controversial unanimous consent package. The committee did debate four ocean-related bills, however, that are expected to go to the floor of the House for consideration by the full chamber. Congressman Jared Huffman's bill to expand

the SIMP program and address IUU concerns was the main fisheries bill considered.

H.R.3075, Illegal Fishing and Forced Labor Prevention Act, To address seafood slavery and combat illegal, unreported, or unregulated fishing, and for other purposes. This bill would expand NOAA's National Seafood Import Monitoring Program (SIMP) to cover all imported seafood species.

•Committee Republicans referenced a letter they received from US seafood harvesters and processors that expressed concerns around the burdens a full SIMP expansion would place onto industry.

On Tuesday, November 16, the House Natural Resources Committee held a virtual oversight hearing on MSA reauthorization on November 16. The hearing will cover bills introduced by Congressman Jared Huffman (D-CA), H.R. 4690, the Sustaining America's 5 Fisheries for the Future Act of 2021, Congressman Don Young, H.R. 59, the Strengthening Fishing Communities, and Increasing Flexibility in Fisheries Management Act, and Congressman Debbie Dingell, H.R. 5770, the Forage Fish Conservation Act of 2021.

Witnesses will include NMFS Administrator Janet Coit and Marc Gorelnik, Chair of the Council Coordination Committee. This hearing is viewed as a step toward getting MSA reauthorization moving for 2022.

On Wednesday, November 17, the House Natural Resources Committee is scheduled to mark up a number of bills pending before the Committee. Fisheries bills listed for consideration include:

- H.R. 3128, the American Fisheries Advisory Committee Act (Congressman Young)
- H.R. 404, the Driftnet Modernization and Bycatch Reduction Act (Congressman Lieu)
- S.2923, the Fishery Resource Disasters Improvement Act, (Senator Wicker)

Despite this flurry of activity in the House, the Senate is not gearing up for aggressive MSA legislative action in 2021 or 2022.

