



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

December 2021

COVID-19

Each State will develop its own spend plan.

- California - The CA DFW spend plan was approved on August 27. The deadline for submitting your application was November 17.
- Oregon - it does not appear Oregon has submitted a draft spend plan to NOAA for approval. See - <https://relief.psmfc.org/oregon-cares-act-information/> for additional information
- The Washington "Round 2" spend plan was approved on 11/1/2021 (see - [Microsoft Word - 11.1.21 Final WA CARES Round 2 Spend Plan \(psmfc.org\)](#)). It is anticipated that "Round 2" ap-

plications will become available in mid-late December 2021. See - [Washington CARES Act Information - Fisheries Relief \(psmfc.org\)](#) - for additional information

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.
- A number of AAFA members and representatives participated in the Annual Data Working Group call on April 20.
- U.S. and Canadian industry and government representatives will be virtually meeting on December 14 to begin the U.S.-Canada

Albacore Treaty annual consultation process. This will include a review of the 2019 and 2020 fishing seasons, to the degree possible. AAFA will be represented on the call.

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. During the Council's November meeting, appointments were made to the Highly Migratory Species Advisory Subpanel. AAFA will continue to have representation on the HMSAS.

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Consultant Reporting: Mike Conroy - Continued

WIND FARMS - GENERALLY

On November 22, BOEM published a Request for Information on Offshore Wind Fisheries Mitigation. You can read that here - <https://www.boem.gov/sites/default/files/documents/renewable-energy/BOEM-2021-0083-0001.pdf>. BOEM has also scheduled a number of regional workshops to discuss the RFI. The one for the West Coast is scheduled to occur on December 13 at 10AM. Information on the workshops as well as a link to register for the meeting is available here - <https://www.boem.gov/renewable-energy/request-information-reducing-or-avoiding-impacts-offshore-wind-energy-fisheries>.

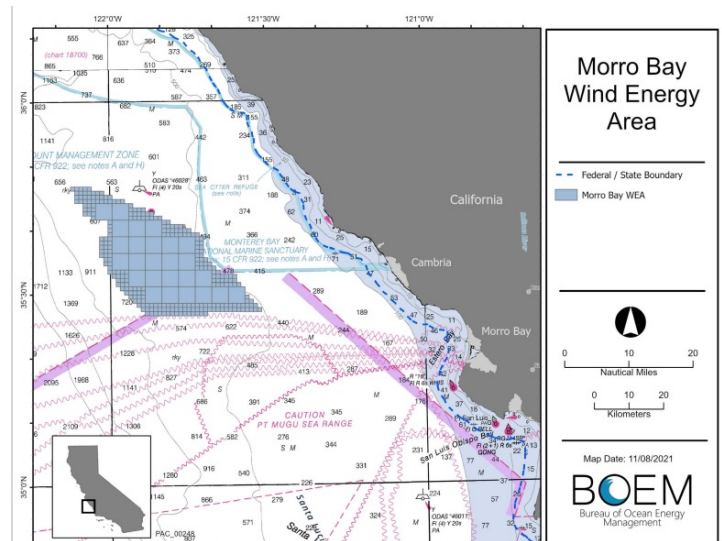
The Small Business Administration Office of Advocacy is hosting a roundtable on this on December 14 to gather specific small entity input and presentations on the request for information. If you wish to attend, you must email Prianka Sharma, Assistant Chief Counsel, Agriculture, Energy, and Natural Resource Policy at prianka.sharma@sba.gov. AAFA will have representation on all of these meetings. The public comment period closes on January 7 and I strongly suggest AAFA consider submitting comments on this; and will hope to get input from AAFA members.

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.

On November 12, BOEM announced it was designating 376 miles off Morro Bay as a Wind Energy Area (WEA).



BOEM will now prepare an Environmental Assessment (EA), to consider potential impacts from site characterization activities (e.g., biological, archeological, geological, and geophysical surveys) and site assessment activities (e.g., installation of meteorological buoys) within the WEA. BOEM's preparation of the EA will initiate a public comment period (which ends on January 11) along with

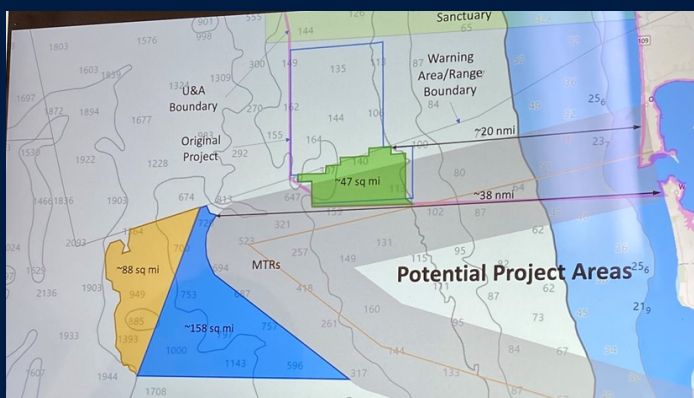
two virtual public meetings: December 1st and January 5th. AAFA has representation on the December 1 meeting and expects to have representation on the January 5th meeting as well.

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 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.

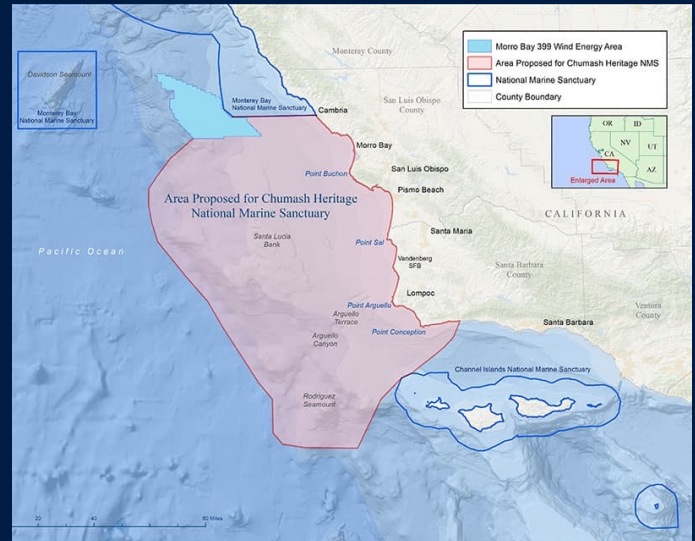
OFFSHORE RENEWABLES OFF THE WASHINGTON COAST

The project proponents are now considering new locations off the State of Washington. The following was shared with us and begs the question will this impact albacore operations? Note – the green area appears to be in a Military Training Area (light grey) so that is not likely going to be considered.



OTHER ITEMS WHICH AROSE PREVIOUSLY AND CONTINUED THROUGH DECEMBER 3, 2021

On November 10, NOAA published a [Notice of Intent To Conduct Scoping and To Prepare a Draft Environmental Impact Statement for the Proposed Chumash Heritage National Marine Sanctuary](#). This implies the Sanctuary will be designated. A map of the newly revised boundaries is replicated below:



Of note, you will notice the Morro Bay Wind Energy Area has been carved out of the Sanctuary Boundary. We have been engaging with the local fishing associations for how to best approach this item in terms of commenting. The public comment period is currently scheduled to close on January 10; but a number of groups have requested an extension on this deadline.

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

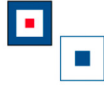
UPCOMING MEETINGS AS OF 12/3

DATE	AGENCY	TOPIC	LINK FOR INFO
11/29-12/7	WCPFC	18th Regular Session of the Commission	18th Regular Session of the Commission WCPFC Meetings
12/13	BOEM	10 - Noon. Request for Information on Reducing or Avoiding Impacts of Offshore Wind Energy on Fisheries - West Coast	Request for Information on Reducing or Avoiding Impacts of Offshore Wind Energy on Fisheries Bureau of Ocean Energy Management (boem.gov)
12/13	NOAA	Chumash 1 - 4PM. To gather input on the scope and significance of issues to be addressed in the environmental impact statement that are related to designating this area as a national marine sanctuary. NOAA requests input on specific topics (see Federal Register Notice) including the sanctuary name, boundary alternatives, and analyses relevant to the proposed action. The results of the scoping process will assist NOAA with the designation process, including preparation and release of draft designation documents, and in formulating alternatives for the draft environmental impact statement.	attendee.gotowebinar.com/register/1642653198337341710
12/14	STATE DEPT	10A - 1PM. U.S. and Canadian government folks will be virtually meeting to begin to get our U.S.-Canada Albacore Treaty annual consultation process back on track, including reviewing the 2019 and 2020 fishing seasons, to the degree possible	
12/14	SBA	11-12:30. Roundtable to discuss BOEM's Request for Comments on Mitigation of Impacts of Offshore Wind Development on Fisheries	Email prianka.sharma@sba.gov to RSVP
12/28	NOAA	Public comment deadline - Advance the Goals and Recommendations in the Report on Conserving and Restoring America The Beautiful, Including Conserving At Least 30 Percent of U.S. Lands and Waters By 2030	Federal Register :: Request for Information on NOAA Actions To Advance the Goals and Recommendations in the Report on Conserving and Restoring America The Beautiful, Including Conserving At Least 30 Percent of U.S. Lands and Waters By 2030
1/5	BOEM	Scoping meeting re Morro Bay Wind Energy Area	https://kearnswest.zoom.us/webinar/register/WN_xo3n6qsiSFqRYDh-MXF3Z9g

DATE	AGENCY	TOPIC	LINK FOR INFO
1/6	NOAA	Chumash 4 - 7PM. To gather input on the scope and significance of issues to be addressed in the environmental impact statement that are related to designating this area as a national marine sanctuary. NOAA requests input on specific topics (see Federal Register Notice) including the sanctuary name, boundary alternatives, and analyses relevant to the proposed action. The results of the scoping process will assist NOAA with the designation process, including preparation and release of draft designation documents, and in formulating alternatives for the draft environmental impact statement.	Registration (gotowebinar.com)
1/7	BOEM	Public comment deadline re Guidance for Mitigating Impacts to Commercial and Recreational Fisheries from Offshore Wind Energy Development November 22, 2021	Regulations.gov
1/10	NOAA	Public comment deadline - Notice of Intent to conduct scoping on the prospect of designating waters off the coast of central California as a national marine sanctuary	Federal Register :: Notice of Intent To Conduct Scoping and To Prepare a Draft Environmental Impact Statement for the Proposed Chumash Heritage National Marine Sanctuary
1/11	BOEM	Public comment deadline - on Morro Bay WEA Designation	BOEM Designates Wind Energy Area off Central California Bureau of Ocean Energy Management
1/25	USCG	Public comment deadline - Pacific Port Access Route Study	Federal Register :: Port Access Route Study: The Pacific Coast From Washington to California

- Mike Conroy





WINDWARD STRATEGIES LLC

Consultant Reporting: Jay Sterne Windward Strategies Report November 2021

Appropriations and Budget

1. Continuing Resolution through 2/18/22

- 12/2/21 Passed Senate
- 12/2/21 Passed House
- 12/3/21 Signed by President
- 2/18/22 Expires at midnight

Congress punted again, this time until early in the new year, on the annual appropriations bills and passed a continuing resolution (CR) to keep the government open and running through February 18, 2022. There were no fisheries related provisions included in this CR.

House and Senate Democrats have orchestrated the votes and a process to navigate Senate Rules to allow the nation's debt ceiling to be increased to \$2.5 trillion to avoid disruption of the federal government and head off damage to the country's international reputation.

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 ad-

dress coastal resiliency, climate impacts and marine debris priorities. NOAA and other agencies are continuing to prepare "spend plans" to allocate these resources within specific federal programs.

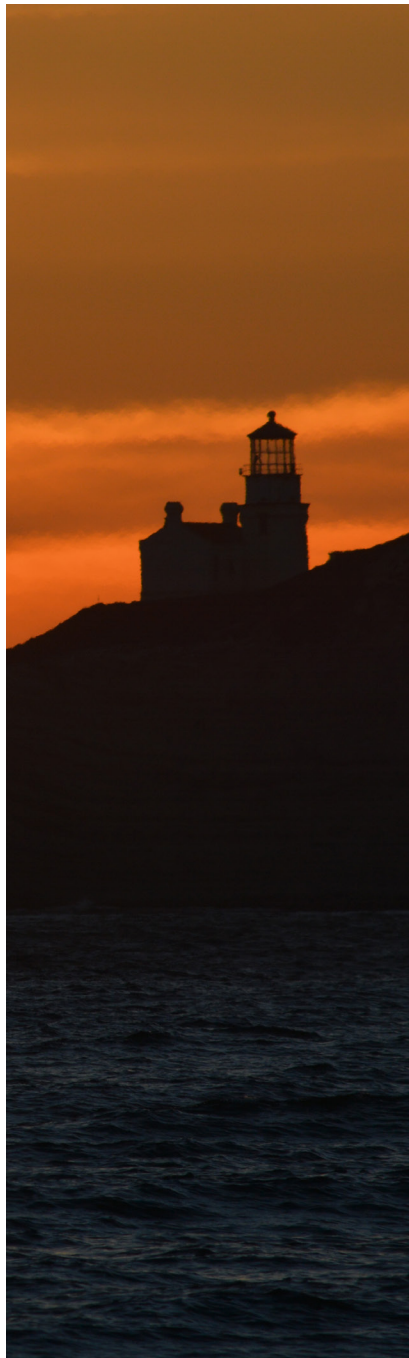
3. Reconciliation Bill (aka "Build Back Better")

- tbd [Passed Senate]
- 11/19/21 Passed House
- tbd [Signed by the President]

With the House passing the Build Back Better bill on November 19, all attention has turned to the Senate. The main focus continues to be on Senator Joe Manchin (D-WV) who has stated publicly his concerns about the overall cost of the legislation, its potential effect on the economy, and the longer-term impact on the national debt. Without his vote, the bill will not move. When and 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.

4. FY22 Appropriations

With the CR extending to mid-February next year, no public action has occurred on the FY22 Appropriations bills. Senate and House Appropriators are cautiously optimistic that the additional time will allow them to assemble an omnibus package that will cover all twelve bills and pass it before the CR expires on February 18.





CONSULTANT REPORTING (CONTINUED)

Jay Sterne

5. Fisheries Legislation

On November 17, the House Natural Resources Committee marked up and passed several fisheries bills including:

- 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)

The next stop for these bills will be the House floor, although timing remains uncertain. Despite this flurry of activity in the House and continued oversight legislative hearing, the Senate is not gearing up for aggressive MSA legislative action in 2021 or 2022.

On December 8 the House passed H.R. 4996, the Ocean Shipping Reform Act. This bill would provide additional authorities to the Federal Maritime Commission to investigate and address problems associated with shipping abuses experienced during COVID, such as unjust and unreasonable demurrage and detention fees, and ocean common carrier fees. The bill now moves to the Senate for consideration.

