



What AAFA Is Doing For You

OFFICE UPDATES

The start of a new year – 2023. We expect the following will be items worthy of attention: offshore wind off all three states, 30 x 30 initiatives federally, in some states and internationally, albacore management, treaty regime, MSC standards and how those may impact fisheries, etc.

In order to keep this document manageable and easier to read, we will plan on doing quarterly updates with frequent topic specific updates as the need arises. We place them in order of immediate importance. Future editions of this may switch up the order!

We want to thank everyone who came to the AAFA general meeting in San Diego this year. Many topics were discussed and we hope it was worthwhile



Consultant Reporting: Mike Conroy | Q1 2023

US-CANADA ALBACORE TREATY

As of May 13, there is no regime under the Treaty.

Late last year, Canada [proposed four changes to the Treaty's Annexes](#). It was envisioned this would begin the negotiation process:

Annex C (the US is generally supportive of these two proposed changes):

- [Flexibility on the overall length of replacement vessels](#). This addresses concerns raised by the Canadian fleet about the loss of overall capacity under the current replacement vessels rules. Presently, a replacement Canadian vessel cannot exceed the length overall of the vessel it is

intending to replace. The US fishing industry is fine with the giving the Canadians flexibility in getting back to the 2013 vessel length total. How they get to that number is up to them; but they cannot exceed that number.

- [Commitment to data sharing](#). The US is supportive of this as well. To the extent this will allow us to get additional and new information (or get clarity on existing datasets), this would be a good thing.

Annex A (the US is opposed to either of these two proposed changes)

- [Increasing the number of Canadian vessels](#) on the USA68 List authorized to fish in the United

States exclusive economic zone and access designated ports to 110.

- [Extending the length of the Canadian fishing season](#) in the US EEZ to October 31, to match the season for American vessels in Canada's exclusive economic zone.

Industry has been supported in its opposition by the PFMC and the State Department.

There have been two in-person bilateral consultations - one in Canada and one in the US. AAFA had representation at both meetings and a number of AAFA members took part virtually. The most recent meeting

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took place April 18 in Seattle. Dave Hogan, US State Department, led the delegation during both meetings and held firm in opposing the two proposed changes to Annex A. There have been no counteroffers/proposals submitted by presented by the US or Canada.

During the May 4, US stakeholder call, the US position was reaffirmed on the proposed changes to Annex A. There are planned informal talks with the Canadians to determine if there has been a change in their position. The Canadians don't seem interested in a bridge regime rolling-over the terms from the recently concluded regime.

There are concerns the Canadian government will not authorize port access for US albacore fishermen absent a regime. We will provide updates as we learn more.

On May 12, AAFA submitted a letter to Dave Hogan (copying NMFS and certain individuals associated with the PFMC) reiterating its position. A copy of that letter is available upon request.

Given that it is already the middle of May, it is looking likely there will be no regime this year.

NORTH PACIFIC ALBACORE – FUTURE MANAGEMENT OF THE FISHERY

Last year both the [IATTC](#) and [WCPFC](#) agreed upon a harvest strategy for NPA. These were functionally identical. The harvest strategies included the following (amongst other things):

Defined the following Reference Points for the stock:

1. **Target Reference Point - TRP (F45)** - which is the fishing intensity (F) level that results in the stock producing 45% of spawning potential ratio (SPR). Said differently – under current conditions, removing 55% of the spawning stock biomass will not negatively impact the stock.
2. **Threshold Reference Point - ThRP (30%SSB_{F=0})** – when the spawning stock biomass is 30% of what it would be in the absence of any fishing. This represents the condition of the stock where some level of

management may be required to stop a downward stock trajectory.

3. **Limit Reference Point - LRP (14%SSB_{F=0})** – when the spawning stock biomass is 14% of what it would be in the absence of any fishing. This represents the condition where the health of the stock is a serious concern and more drastic management measures may be necessary to rebuild the stock.

Identified the following management objectives:

4. Maintain the spawning stock biomass above the Limit Reference Point (LRP)
5. Maintain depletion of the total biomass around 2006-2015 levels
6. Maintain fishing intensity at or below the TRP with > 50% probability
7. To the extent practicable, management changes should be gradual

Committed to the adoption of harvest control rules (HCRs), implementing the harvest strategy, by 2023. The HCRs shall outline the actions that will be taken to manage NPA

This year both RFMOs are supposed to adopt HCRs. The US plans to work with Canada and Japan on drafting a HCR for submission.

- On February 15, NMFS hosted a workshop to discuss a proposed HCR for the NPA fishery. Here interested stakeholders were provided an opportunity to review and provide inputs on the proposed HCR. A summary of that meeting, and an initial draft of a potential HCR, is available here - NPALB Feb 15 2023 Stakeholder Meeting Presentation ([pcouncil.org](#)). The PFMC's HMSAS' included its recommendations in its Report to the Council.
- On May 9, NMFS sent out an updated draft of a proposed HCR. That document is available upon request.
- The most recent version of a draft HCR for NPA includes the following elements:
- Applies to all fisheries harvesting NPA north of the

equator.

- Management measures implemented follow the 3-year cycle for Stock Assessments.
- Some minimum level of fishing intensity (F_{min}) will be allowed.
- Fishing intensity managed by effort for troll and pole-and-line gears and catch for other fisheries.
- In relation to the status of the stock (based on the most recent assessment):
 - If there is a >50% probability current biomass > the ThRP, then fishing intensity (F) shall be maintained around the TRP. What this means – so long as biomass is above ThRP – no additional management measures would be required nor expected.
 - If there is a > 50% probability current biomass is < the ThRP and an 80% probability it is > LRP, then fishing intensity (F) will be reduced, across the board. The formula provided results in more drastic cuts in catch/effort the closer biomass is to the LRP. What this means – if the stock begins to show signs of a reduction in biomass, taking early (and not drastic) management actions could keep the stock from falling below the LRP.
 - If there is a > 20% probability current biomass is < the LRP, then fishing intensity shall be set at F_{min} . The IATTC in collaboration with the ISC would adopt measures to rebuild spawning stock biomass to > ThRP (with a 90% probability) within 10 years. What this means – if the stock ever reaches that low a level of biomass, all fisheries that harvest NPA will feel the pain. This creates both implementation and operational questions.

If current biomass is between the LRP and ThRP, the maximum increase/decrease relative to catch and effort levels shall be 20%. This accomplishes the management objective that changes be gradual.

DOMESTIC MANAGEMENT - PFMC

The PFMC remains an important venue for fishery participants to be aware of and engage with. See - Pacific Fishery Management Council - [Pacific Fishery Management Council \(pcouncil.org\)](https://www.pcouncil.org)

Albacore falls under the [Highly Migratory Species Fishery Management Plan](#). At present, AAFA & WFOA are represented on the HMS Advisory Subpanel.

The PFMC, in 2021, established the Ad Hoc Marine Planning Committee. The MPC was established to track and advise the Council on marine planning issues and their



effects on Council managed fisheries, data collection surveys, habitat, and coastal communities. To date, the MPC has been tracking offshore wind and aquaculture activities.

MARINE STEWARDSHIP COUNCIL (MSC)

The recertification of both the NPA and SPA fisheries will happen in May of next year. We are still in conversations with MRAG to determine if we use the new Standard for this recertification, or ease into it via the audits. There is still a lot of uncertainty about how the new standards will be applied to fisheries covered by RFMOs.

As you will recall, we have had a condition on both fisheries related to harvest strategies and harvest control rules. The assumption is that if the HCR being developed by the US is able to be adopted at the international level,

$$F = \frac{(TRP - F_{min})}{SSB_{threshold} - LRP} * (SSB_{current} - LRP) + F_{min}$$

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that would allow us to satisfy that condition. It is possible that a watered-down version could fail to meet the condition. We will surely be tracking this and reporting out as soon as we learn more.

OFFSHORE WIND FARMS – GENERALLY

*** Note – the content under the Offshore Wind (OSW) related headers are high level topics. There are many nuanced process items which could be included; but would extend this many more pages. When appropriate, those items will be more fully described and explained (ie – when an action is imminent and that information is needed to provide additional context)*

OSW is a complicated topic. The federal government and many states blindly believing that OSW will save the world from the impacts of climate change. Most, if not all, of the companies behind OSW are foreign. There is one national group representing the commercial fishing industry - the [Responsible Offshore Development Alliance](#). AAFA and a number of AAFA members are RODA members.

In 2021, the White House established the goal to deploy 30 Gigawatts (GW) of OSW by 2030. Under current technologies, 1 GW requires roughly 115 sq miles of ocean.

Due to the relatively quick drop off along the west coast, the technology to be utilized will be floating turbines. At present, there are no large-scale floating OSW facilities in existence.

In 2022, California established a 5 GW goal for 2030; and 25 GW by 2045. No other west coast states have planning goals for OSW. However, OSW is being planned off both Oregon and Washington.

The Federal Agency charged with leasing lands on the outer continental shelf is the Bureau of Ocean Energy Management (BOEM). NMFS does have a role in OSW

development as a cooperating Agency.

The BOEM process is constantly evolving/changing and it is difficult to accurately estimate timelines associated with different areas. For example, it took 4+ years from identification of Call Areas to holding lease sales off California in December of 2022. It is likely the timeline for Oregon will be less than half of that if leases are auctioned on or before early next year.

According to a member of the PFMC, "Offshore wind is the biggest threat to our west coast fisheries that I have ever seen."

There are increasing concerns being expressed about OSW's impacts on marine mammals, ecosystem function, and fisheries/fishing communities.

Off the west coast, there are likely going to be two fisheries directly impacted (by loss of fishing grounds) - the groundfish fishery and HMS fisheries. To date - the HMS fisheries have not been active participants in conversations surrounding OSW. This needs to change!

There are more and more conversations taking place about compensating the commercial fishing industry for impacts. There are different approaches being used in different parts of the Country. I suspect there will be federal legislative efforts to address this.

WIND FARMS OFF THE CALIFORNIA COAST

In December of 2022, [BOEM auctioned 5 leases off the California Coast](#). 3 off Morro Bay and 2 off Humboldt. A total of \$757M was raised. By comparison, 6 similarly sized leases were auctioned in the New York Bight in February of 2022 raising a total of \$4.37B.

In terms of those leases – here is what to expect next:

- For them to be effective in June or July
- This starts a 120-day clock for the developers to come up with a required fisheries communications plan, which must be developed in conjunction with the fishing industry.
- The forming and convening of a State required Working Group which includes members of the fishing industry.
- If a winning bidder plans to take advantage of the 5% bid credit for establishing a community benefit agreement with a group or association whose use of the area covered by the lease – they will need to do that sooner than later.
- Requests to NOAA for Incidental Harassment Authorizations to allow them to disturb marine mammals during site assessment and site characterization activities.

In 2021, Governor Newsom signed AB 525 into law. This legislation requires the California Energy Commission (CEC) to submit a strategic plan on OSW in mid-2023. There are five chapters which are required to be included in the Strategic Plan:

- Identification of sea space to meet the State's planning goals;
- Economic and workforce development and identification of port space and infrastructure;
- Transmission planning;
- Permitting; and
- Potential impacts on coastal resources, fisheries, Native American and Indigenous peoples, and national defense, and strategies for addressing those potential impacts.

The first and last bullets are the ones we are likely most interested in; and the ones which have not received much attention from the CEC nor its staff. That is changing and a number of workshops are being planned over the next month to discuss those two chapters. As a reminder, another 20GW would require almost 2,500 sq miles.

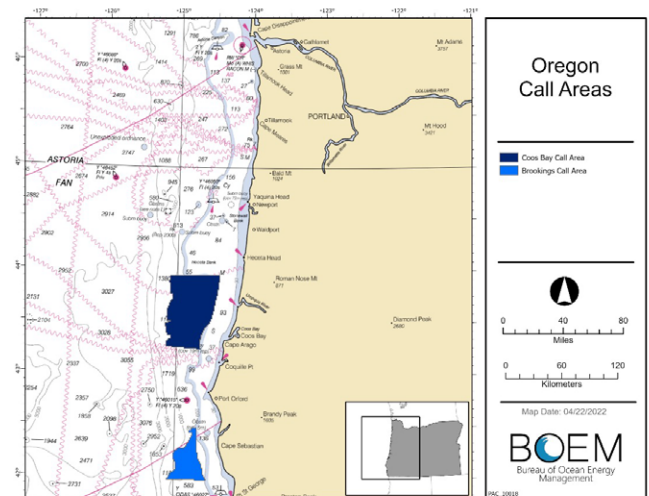
Even though the State's long term planning goal is for 2045, there is a belief that BOEM may be ready to identify additional Call Areas off the California coast within the next year – primarily in areas between Fort Bragg and the California/Oregon Border.

There are 6 pieces of legislation working through the California legislature which address offshore renewable energy. Two of which we are following:

- [SB 286](#) (McGuire) – which addresses compensatory mitigation to impacted fishermen, etc; and
- [AB 80](#) (Addis) – which addresses scientific uncertainty associated with OSW

OFFSHORE RENEWABLES OFF THE OREGON COAST

On April 28 of last year, BEOM published the Call Areas off Oregon – covering roughly 1,200 square miles. By comparison, the five lease sites off California encompass 582 sq miles. The map of the two Call Areas off Oregon follows:



- BOEM will be utilizing a spatial suitability model developed by NOAA's National Center for Coastal Ocean Sciences (NCCOS Model) to assess areas within the Call Areas which are the least conflicted. These will then be published as Draft Wind Energy Areas (WEAs).
- In March of this year, NMFS and ODFW presented fishery datasets to be incorporated into the NCCOS Model – see [Characterizing Fisheries Footprints for Offshore Wind Energy Planning: \(pcouncil.org\)](#). Due to conflicts shown in those datasets, the PFMC approved sending a letter to BOEM and the Governor for the State of Oregon asking the Call Areas be rescinded and to then utilize the NCCOS Model across the entirety of the EEZ off the Oregon Coast. It is likely BOEM will not accept the PFMC's suggestion.
- We are expecting BOEM and NCCOS to attend and present at the [June 6 Marine Planning Committee meeting](#). **Strongly encourage folks to attend.**
- If BOEM announces the Draft Wind Energy Areas in early June, it is possible that lease sales will take place off Oregon in the first quarter of 2024.

OFFSHORE RENEWABLES OFF THE WASHINGTON COAST

At the time of this update, we are aware of the two following unsolicited lease requests (ULR) submitted offshore Washington.

- [Olympic Wind](#) – 292 sq miles (See page 10 of the ULR for a map of the area)
- [Cascadia Wind](#) – 403 sq miles (See page 13 of the ULR for a map of the area)

BOEM is still reviewing the ULRs for completeness and to determine competitive interest.

Consultant Reporting: Mike Conroy - Continued

UN INTERGOVERNMENTAL CONFERENCE ON MARINE BIODIVERSITY OF AREAS BEYOND NATIONAL JURISDICTION – ABNJ/BBNJ

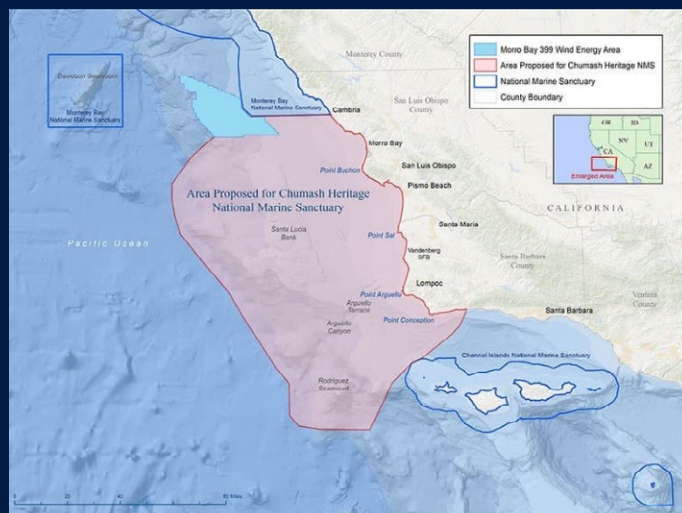
In March of this year, the UN announced an [agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction](#). Much remains unclear about how this will be implemented; but we do point out the following language, “This Agreement shall be interpreted and applied in a manner that does not undermine relevant legal instruments and frameworks and relevant global, regional, subregional and sectoral bodies.” To the extent this protects the roles and responsibilities of the RFMOs, this is a good thing. It is expected that the PFMC will be receiving an update on the BBNJ agreement during its June meeting.

30 X 30

This is related to efforts being pushed to conserve the world's biodiversity. To accomplish this goal, proponents are pushing the narrative that we must set aside 30 % of lands, waterways and oceans. There are a growing number of governments that are adopting the 30x30 initiative. One of the primary issues surrounds the definition of the word “conserved”. There are some voices claiming this means “fully protected”.

FEDERAL

In January of 2021, President Biden signed an [Executive Order on Tackling the Climate Crisis at Home and Abroad](#). Section 216 of that document establishes the goal of conserving at least 30 percent of our lands and waters by 2030.



In recent months, the President directed the Secretary of the Interior to consider initiating a new national marine sanctuary designation within the next 30 days around the Pacific Remote Islands. See - [Biden To Create New Marine Sanctuary In Pacific - Honolulu Civil Beat](#)

The Administration also continues to move forward with the Chumash Heritage National Marine Sanctuary off the central California coast.

The designation of the Sanctuary would not necessarily impact fishing within its boundaries. The PFMC has been asked to identify any additional fishery management actions that could help further the purpose of the Sanctuary; but has declined to offer any <https://www.pcouncil.org/documents/2022/12/december-2022-letter-to-william-douros-on-chumash-nms.pdf/>

STATE - CALIFORNIA

In October of 2020, Governor Newsom signed an [executive order](#) establishing the goal of the state to conserve 30% of state lands and coastal waters by 2030. As with the Federal Executive Order, “conserve” is not defined. According to some, only state coastal waters that are within MPAs qualify. Currently, 16.3% of state coastal waters are within MPAs. It bears noting the State does not currently consider National Marine Sanctuaries “conserved” for purposes of 30x30.

UPCOMING MEETINGS AS OF 5/13

DATE	AGENCY	LINKS & MORE INFO
5/11-19	IATTC	Science Advisory Committee meeting
5/18	PFMC	Marine Planning Committee Meeting
6/1	CEC	Workshop on Assembly Bill 525: Identifying Additional Suitable Sea Space and Assessing Impacts and Mitigations for Offshore Wind Energy Development
6/6	PFMC	Marine Planning Committee Meeting
6/15	IATTC	SAS & GAC meeting
6/20-27	PFMC	June meeting
7/6 & 7	NC	Joint IATTC-WCPFC Northern Committee



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