



Mike Conroy, Esq. - President  
[Mike@wecofm.com](mailto:Mike@wecofm.com)  
(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. December 2 – 7 – Western and Central Pacific Fisheries Commission meeting. As highlighted in last month's report, there were a few items which did touch on albacore; and another item related to labor standards for crew on fishing vessels. Regarding the items on albacore: while there were no Conservation and Management Measures directly impacting either North or South Pacific albacore but there were actions taken which impact the management of those stocks:

*South Pacific albacore (SPA):* The WCPFC agreed on an interim target reference point (TRP) for SPA at 56% of spawning stock biomass in the absence of fishing (0.56 SBF=0) with objective of achieving an 8% increase in CPUE for the southern longline fishery as compared to 2013 levels. If future stock assessments indicate this interim TRP will not result in the desired CPUE, the interim TRP will be revised to meet this objective. The TRP to be reviewed every 3 years, consistent with SPA assessment schedule.

*North Pacific albacore (NPA):* Nothing specific to NPA came out of the meeting.

In last month's report, we highlighted the Report submitted on ABNJ – the WCPFC accepted this report.

*Resolution 2018-01*, entitled Resolution on Labour Standards for Crew on Fishing Vessels was adopted by the WCPFC. This is a non-binding resolution and provides guidance for how member nations should approach labor standards for crew. I have attached the text of this Resolution as Attachment 1. Note – this is separate from potential legislation which may impact the ability to use non-citizen crew on US vessels.

**Federal Register Items of Interest:**

No reported actions taken against Canadian importers or industries by the International Trade Administration of the Department of Commerce and The United States International Trade Commission during the month on December.

1. December 21 – NMFS publishes notice of a U.S. Stakeholder Meeting on the North Pacific Albacore Management Strategy Evaluation. Meeting will be held on Feb 6 & 7 at two locations: Long Beach, Ca and San Diego, Ca. The meetings will also be accessible via webinar. The intent is to provide US based stakeholders a preview of the materials which will be presented at the March MSE Workshop in Japan. See - <https://www.govinfo.gov/content/pkg/FR-2018-12-21/pdf/2018-27627.pdf>. This is open to anyone who wants to attend/participate.

2. December 26 – Ecosystem and Highly Migratory Species (HMS) Subcommittees of the Pacific Fishery Management Council’s (Pacific Council’s) Scientific and Statistical Committee (SSC) will hold a meeting, on Jan 7, via webinar to review analyses of drivers of albacore distribution and availability to fisheries in the California Current. See - <https://www.govinfo.gov/content/pkg/FR-2018-12-26/pdf/2018-27806.pdf>
3. December 28 – USCG provides update to minimum random drug testing rate of covered crewmembers at 50% for 2019 (which is an increase from 2018 and based on high incidents of positive test results). See - <https://www.govinfo.gov/content/pkg/FR-2018-12-28/pdf/2018-28231.pdf>.

**Other items of interest:**

1. *Killer Whale Critical Habitat off British Columbia.* The Canadian Govt announced two areas off the British Columbia coast which have been designated as critical habitat for Southern and Northern Resident Killer Whales. It is unknown if (or how) this will impact the albacore fishery this upcoming season. Under Canadian law critical habitat represents areas which are legally protected against destruction that could hinder survival or recovery of the whales. See - <https://markets.businessinsider.com/news/stocks/government-of-canada-protects-two-new-areas-off-british-columbia-s-coast-for-resident-killer-whales-1027822768>. Areas to be protected are depicted below:



2. *China’s power and influence over international fishery management is increasing.* After completion of the recently held WCPFC meeting, Seafood Source published an article highlighting China’s power in the world of international fishing. The article states this is based on China’s economic power, and as it relates to seafood, the scale of its fleet, the ongoing modernization of that fleet, and the insatiable demand for seafood from China’s domestic market. See - <https://www.seafoodsource.com/news/supply-trade/china-increasingly-dominating-fishing-rule-making>
3. *Fisheries of the United States – 2017 Report.* This annual report contains lots of interesting information in a lengthy (169 page) report which highlights commercial and recreational fishing information (catch, economics, etc) for 2017. You can access the Report via the following link - <https://www.fisheries.noaa.gov/resource/document/fisheries-united-states-2017-report>
4. *Fisheries Economics of the United States – 2016 Report.* Another lengthy report (264 pages) which provides a detailed look at the economic performance of commercial and recreational fisheries and other marine-related sectors on a state, regional, and national basis. You can access the Report via the following link -

<https://www.fisheries.noaa.gov/resource/document/fisheries-economics-united-states-report-2016>. Info on the Pacific Coast begins on Page 35 of the Report.

5. *Hidden costs that impacts price consumers are asked to pay for seafood.* Interesting article trying to explain why seafood costs so much at the retail level. Authors point to regulatory impacts on seafood prices. Fishery highlighted in the article is the Canadian longline halibut fishery. See - <https://www.hakaimagazine.com/features/why-does-halibut-cost-so-much/>
6. *Seafood Mislabeling in the US.* Univ of Washington's Sustainable Seafood blog takes another aim at Oceana's methodologies and publications regarding its seafood fraud campaign. Here the focus is on mislabeling as opposed to fraud. See - <https://sustainablefisheries-uw.org/mislabeled-seafood-in-the-us/>
7. *The Modernizing Recreational Fisheries Management Act of 2018 (S.1520).* On December 31, the President signed S.1520 into law. This is **NOT** a reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act. It merely is legislation that was pushed for by various recreational fishing interests. While generally inapplicable to commercial fisheries, there are some provisions related to a "Mixed-Use Fishery" which may impact the albacore fleet. S.1520 defines as mixed-use fishery as a Federal fishery which has 2 or more of the following: (A) Recreational fishing; (B) Charter fishing and (C) Commercial fishing. This was done, primarily, with the Gulf red snapper fishery in mind; but we will need to be mindful if this becomes a model for other Councils to follow when addressing management issues of Mixed-Use fisheries. The text of S.1520 is available here - <https://www.congress.gov/115/bills/s1520/BILLS-115s1520enr.pdf>
8. *Coast Guard Reauthorization Act.* We mentioned that this important piece of legislation passed out of Congress in the November Report. We report here that it was signed into law on December 4. The signed version includes the exemption from the EPA's incidental discharge regulation – and accompanying permits. See - <http://fnonlinenews.blogspot.com/2018/12/coast-guard-reauthorization-signed-into.html>
9. *Windfarms off the California Coast.* A public meeting was held on December 13 in San Luis Obispo to discuss areas that could potentially support windfarms off the California Coast. There is one area off Humboldt (see - <https://www.boem.gov/Humboldt-Call-Area-Map-NOAA-Chart/>) and two additional areas off Morro Bay (see - <https://www.boem.gov/Central-California-Call-Areas-Map-NOAA/>). Just because they can support an offshore wind farm – doesn't mean they will. There is a public comment deadline (1/28) where comments will be taken re "site conditions, resources, and multiple uses in close proximity to, or within, the Call Areas that would be relevant to BOEM's review of the nominations or to any subsequent decision whether to offer all or part of the Call Areas for commercial wind leasing."

*Upcoming Items of interest on next page*

## Upcoming items of interest

*\*\* Note – some of these may be subject to rescheduling depending on status of the current Government Shutdown.*

1. January 7 – PFMC’s Scientific and Statistical Committee’s Ecosystem and Highly Migratory Species Subcommittees to Hold Webinar. Purpose is to “review analyses of drivers of albacore distribution and availability to fisheries in the California Current.” See - <https://www.pcouncil.org/2018/12/56837/scientific-and-statistical-committees-ecosystem-and-highly-migratory-species-subcommittees-to-hold-webinar-january-7-2019/>
2. January 16 - 18 – PFMC’s Highly Migratory Species Management Team meeting in Portland, Ore. One of the agenda items is to discuss and begin preparing reports for North Pacific albacore fishing effort characterization. See - <https://www.pcouncil.org/2018/12/56792/highly-migratory-species-management-team-to-meet-january-16-18-in-portland-or/>
3. February 6 – 7 - NMFS will be hosting a US stakeholder meeting to present and solicit input on the results of the initial North Pacific albacore MSE. See above under Federal Register Items of Interest (No. 1)
4. March 5 – 7 – MSE Workshop in Yokohama, Japan.
5. March 5 – 12 – PFMC meeting in Vancouver, Wa. HMS Items are on the Agenda; but unsure of anything related to albacore will be on the March Agenda. Draft agenda implies there wont be any, unless under the NMFS Report. See - [https://www.pcouncil.org/wp-content/uploads/2018/11/I5\\_Supp\\_Att5\\_Mar\\_QR\\_NOV2018BB.pdf](https://www.pcouncil.org/wp-content/uploads/2018/11/I5_Supp_Att5_Mar_QR_NOV2018BB.pdf)

**Attachment 1 – RESOLUTION ON LABOUR STANDARDS FOR CREW ON FISHING VESSELS**  
**Resolution 2018-01**

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

**Recalling** Articles 6 and 8 of the 1995 FAO Code of Conduct for Responsible Fisheries which set out international standards, including labour standards for the responsible conduct of fishing operations to ensure fair work and living conditions;

**Noting** the Commission has to consider adopting generally accepted international minimum labour standards for the responsible conduct of fishing operations;

**Noting** the increasing global attention to instances of poor labour conditions and mistreatment of crews including forced labour and child labour on board fishing vessels;

**Acknowledging** the important role played by crew members in assisting the conduct of fishing vessel operations in compliance with WCPFC Conservation and Management Measures, and the central role that crew members play in contributing to effective fishing operations;

**Recalling** efforts that WCPFC Members have made in recent years in improving the conditions and welfare of observers on board fishing vessels, and acknowledging the equal importance of the welfare of crew members;

**Reaffirming** the importance of the responsibilities of flag States under international law regarding fishing vessels flying their flag, including with respect to safety at sea and labour conditions on fishing vessels;

**Mindful** that WCPFC Member Small Island Developing States and Participating Territories have a legitimate interest in increasing the participation of their labour force in the crewing of vessels that catch highly migratory fish stocks in their waters, and that CCMs are interested in promoting safe and decent employment for their nationals;

**Resolves that:**

1. CCMs are encouraged to make every effort to ensure that their relevant national legislation fully extends to all crew working on fishing vessels flying their flag in the WCPF Convention Area and, where appropriate and applicable, CCMs are encouraged to adopt measures into their national legislation to establish minimum standards regulating crew labour conditions. CCMs are further encouraged to ensure the adequate enforcement of all relevant legislation, including by identifying and prosecuting breaches of relevant national laws relating to the treatment of crew by vessel operators landing fish in their ports or operating in their waters.
2. CCMs are encouraged to implement measures, consistent with generally accepted international minimum standards for crew on fishing vessels, where applicable, to ensure fair working conditions on board for all crew working on fishing vessels flying their flag and operating within the WCPF Convention area, including, inter alia:
  - a) A safe and secure working environment with minimum risk to health and wellbeing;

- b) Fair terms of employment, that are enshrined in a written contract or in equivalent measures, which are made available to the employee, in a form and language that facilitates the employee's understanding of the terms and is agreed by the employee;
  - c) Decent working and living conditions on board vessels, including access to sufficient fresh water and food, operational safety protection and medical care, and that facilitate acceptable standards of sanitary hygiene;
  - d) Decent and regular remuneration as well as appropriate insurance for the crew; and e) Providing crew members with the opportunity to disembark, and seek repatriation if so entitled.
3. CCMs are encouraged to work with any entities involved in recruitment of crew to implement the provisions of this Resolution.
  4. CCMs are encouraged to apply and, where appropriate, strengthen effective jurisdiction and control over vessels flying their flag and to exercise due diligence to improve and enforce requirements regarding labour conditions on board fishing vessels.
  5. All CCMs are encouraged to share progress on implementation of this Resolution annually to the Commission.
  6. To implement this Resolution, developed CCMs are encouraged to make concerted efforts and consider innovative options to assist developing CCMs – both flag CCMs and coastal CCMs – in the development and strengthening of relevant domestic legislation and in the enforcement of that legislation, including working with local industries (which includes labour agents) to help them meet the minimum standards in this Resolution.