

American Fishermen's Research Foundation News

Below is a report from Peter Flournoy on the general meeting of the Western and Central Pacific Fisheries Commission (WCPFC) held in Honolulu, HI early in December. Some of the report deals with the setting of target Reference Points and defining Catch Per Unit Effort (CPUE) for the South Pacific. It also gets into some of the fisheries politics involved such as the Chinese approach. And finally there was a discussion and resolution passed concerning labor standards on Highly Migratory Species (HMS) vessels.

Although the SP troll fishery is only about 3% of the entire catch (U.S. and New Zealand) this fishery should not be discarded. WFOA and AFRF helped develop this fishery in the mid 1980's and for many years produced 2,000 - 4,000- tons from 20-50 boats. Given market changes and expenses few boats fish there now but it's an option that we should not lose or take a minuscule quota just because we have not put in much effort lately.

Management through catch or effort control in the South Pacific could be a preview of what could happen in the North Pacific given the control of Western Pacific nations over the process. It will be interesting to watch but we need to stay involved.

AFRF Board Meetings: The AFRF board will be holding a winter online meeting soon and a Spring meeting on March 26th in Astoria, OR at the Holiday Inn Express. Discussion will be most likely on budget items but hope to have some idea of NOAA/NMFS plans for a comprehensive tuna research plan by then. SWFSC still has about 60 tags to use but depending on future direction and how to use data collected those tags may be used in other fisheries.

WESTERN AND CENTRAL PACIFIC FISHERIES COMMISSION (WCPFC) ANNUAL MEETING 2018 - Report by Peter H Flournoy

Background: In the delegation conference call prior to the Commission meeting there was a substantial amount of discussion about the process to determine a Target Reference Point (TRP) for SP albacore. Even though there was supposed to be a virtual internet working group in between annual meetings of the WCPFC lead by New Zealand, one was poorly attended last June and the second was only an abbreviated meeting on the sides of the TCC meeting, which resulted in no "deliverables".

The U.S. government (USG) position on South Pacific albacore prior to the annual meeting is that whatever is decided for a TRP, it should only apply to the longline fishery. Initially, the USG planned to agree to a TRP expressed in terms of CPUE that would support a 17% increase over what the 2013 CPUE had been. There is the obvious difficulty of which CPUE works for which fleets. The Western Pacific Fisheries Management Council reported that the last time the American Samoa long line fishery was profitable the CPUE was three times the proposed increase of 17%, which is what the FFA states are seeking so their fleets can be profitable. It is estimated that a 17% increase of CPUE will require a 32% decrease in catch. All the calculations and papers (about 6 or 7 for this meeting alone) focus on the longline fishery and assume the troll fisheries will stay at current levels. While a 2-page paper was prepared by the Hawaii lab on the PAC questions about a TRP and CPUE, it only discussed the American Samoa longline fleet.

The FFA had submitted a paper which discussed labor standards on commercial fishing vessels, and the USG representatives on the call said that it was not expected to be the subject of any serious discussion at this meeting.

Thus, in the lead up to the Annual WCPFC meeting, the only issue that was being focused on by the USG was a TRP for South Pacific albacore for the American Samoa longline fleet. As it turned out the CPUE discussion came to include the troll fleet, and labor standards became a big issue. The heads of the U.S. delegation were Sam Rauch, and the new fisheries negotiator from Commerce, Drew Lawler (the

publisher of magazines on cattle ranching and sport fishing).

CPUE for South Pacific Albacore: I met with Lawler Sunday evening before the Commission meeting to explain the situation with the US troll fleet in the South Pacific. Everyone in PIRO knows what we want and need in the South Pacific albacore fishery, as do Sam and Drew now that they have been briefed. At the first delegation meeting, I asked Mike Tostado in front of the whole delegation, if the US position was that the US troll fleet should not be subject to management measures because it, and the New Zealand troll fleet, caught less than 3% of the catch. He assured me that was the US position.

However, when the question was asked of the countries in an early session of the Plenary, Mike was not at the microphone, and his stand-in said in a very soft voice that the troll fleets should be excluded. The majority of other countries and groups that spoke at this initial meeting of the Plenary, like the FFA, PNA, China, the EU, etc. said all gear types should be subject to whatever the TRP was that would be decided upon. Later in the day the Plenary was suspended and a number of small working groups including one for discussions of the CPUE were formed. It became clear at the first small working group on the TRP, that China was going to insist on all gear types being included. The US said nothing to rebut this during this working group meeting.

The next morning at the delegation meeting with Sam Rauch, Drew Lawler, Tostado, etc. I told the full delegation that if China insisted on all gear types being included that it really meant only the US fleet would be impacted because New Zealand would claim the measure didn't apply to their fleet since it only fished in the New Zealand EEZ, not on the high seas. That elicited no comment, except that Tosatto came over to me afterward and once again assured me that only long line fisheries were going to be focused on. There were several more sessions of the small working group in which China expressed confusion over the change in the TRP language from a percentage of the SSB to CPUE. This resulted in the SPC scientists expressing what the FFA wanted in terms of both ways of expressing the TRP. Then China argued the next point that last year the FFA had been seeking a TRP of 45% SSB, and this year it had escalated to a 60%SSB.

Toward the end of the Commission meeting it became clear that everyone, including the US, so desperately wanted China to live up to its agreement last year to reach a TRP this year, that the delegates were willing to give up on getting a measure that would be aimed at increasing the 2013 CPUE by 17%. Some countries began pushing for national allocations as a way to reign in the Chinese longline fleet. I got across to Tosatto (even though he assured me it won't happen) that at the very least, if there were any caps put on in the interim (the suggested 56% of the unfished SSB would result in about a 15% reduction in catch), the US fleet needed at least 1,000 mt, (which is much higher than what we have caught in the last 10 years).

When the resolution was finally passed it had become so watered down, calling for reaching the TRP over a period of 20 years, that it became almost worthless. One bright spot was it appears the assessments used to measure the impact of the resolution will include the entire range of South Pacific albacore not just the stock within the Treaty Area. The American Samoa fleet came away very disappointed by this resolution and by the inability to get an extension on the resolution passed last year to allow more high seas fishing by the US purse seine fleet to permit an increase in landings in American Samoa to help the cannery there survive. The US longline fleet came away from the meeting very disappointed not to get an increased limit for their big eye tuna catch.

Labor Standards for Crew: Not only did the USG greatly miscalculate the pushback they were going to receive on any of their proposals, but it also underestimated the importance the proposed resolution on crew labor standards would take on during the meeting. While the US was successful in keeping any legally binding language out of the resolution, it was not successful in paring down the breadth of the measure. Probably little attention was paid to this measure initially since it was assumed it was aimed at the Asian fleets and that all US flag vessels could meet any of the requirements, even had the measure been passed as legally binding. However, a previously unknown initiative from Washington D.C.

changed the importance of this resolution.

None of the US fishing representatives had been informed by the USG, NOAA/NMFS, and PIRO people before the Commission meeting that there had been a “listening session” held in November of NGOs, where the suggestion was given to the Task Force (its origin is described below) that the exemption in the US shipping statutes which allows US flag vessels fishing for HMS to have more than 25% foreign crew be removed. This is the exception that permits the troll fleet to hire 100% foreign crew.

In Senate Report 115-139 (dated June 2017) which was done during the process of passing the Consolidated Appropriations Act, 2018 (P.L. 115-141), the Senate Appropriations Committee instructed the Justice Department to set up and lead a multi-agency task force consisting of experts from federal agencies that handle law enforcement, labor law and international issues to study and issue within one year a report on human trafficking to harvest fish in international waters. An organizational meeting was held on October 12, 2018 among, NOAA; DoD; Pacific Area Command, Navy; DHS, Office of Strategy and Policy, US Coast Guard, Customs and Border Patrol, ICE, USCIS; several units of the Justice Department; Departments of Labor, State (OES), and Treasury; US Trade Rep; and USAID.

The task force is to examine legal and jurisdictional issues concerning crew conditions on: (1) US fishing vessels operating in international waters; (2) US fishing vessels operating in international waters and based in Hawaii; (3) foreign fishing vessels whose catch enters US markets; and foreign vessels whose catch does not enter US markets. You will be happy to know that sex trafficking has not been included. Clearly the AP articles on the Hawaiian longline fleet have resulted in Hawaiian vessels being targeted, however, should the exemption go away albacore vessels will be adversely impacted also. So too will US purse seine vessels, which ever since the beginning of the South Pacific Tuna Treaty have been under continuing pressure to hire more and more foreign island crew.

There was a meeting of representatives of ATA and HLA. One idea which came out of that meeting was to take the position that there was no need for the task force since the WCPFC, set up under an international Treaty was dealing with whatever the perceived problem is, i.e. the proposed FFA proposal on crew WCPFC15-2018-DP13, Nov. 13, 2018. Whatever is decided in the WCPFC will subsequently need to be put into NOAA/NMFS regulations. Since this will be done pursuant to an international treaty it will supersede any US domestic law regulations. At a subsequent conference call with the Task Force made the next day ATA, HLA, and WFOA all presented a united view that the existing exemption for vessels fishing for HMS was critical to the existence of all the US fleets in the Pacific.

The resolution did pass eventually, and we were able to get language in it to add “shares” as a method of payment in addition to “hourly” minimum wages. Unbelievably at the last-minute China insisted on putting in language relating to health insurance. Nevertheless, since the resolution language is non-binding there is no need to be concerned with it until the next Commission meeting.

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The 70th Tuna Conference will take place at the University of California Conference Center at Lake Arrowhead during May 20-23, 2019. The theme will be “Data collection: emerging tools that address fundamental challenges in the research and management of large pelagic species”.

Fisheries science and management hinge ultimately on the quality of the available data. More and more, fisheries science depends on analyses enriched by data collected using innovative procedures and techniques. For example, electronic monitoring systems are being increasingly used to collect effort, catch, and bycatch data, thus maximizing coverage of fishing activities while minimizing costly human observer programs, and satellite data now allow scientists to not only follow the movements of fish-aggregating devices (FADs) formerly estimated through simulation models, but also to remotely estimate the biomasses aggregated and gain insights on residence times of large pelagics around FADs.

It is essential for fisheries scientists to be up-to-date with all these advances in data collection, and so, for the 2019 Tuna Conference, we are calling on researchers to share their experiences and opinions in this respect, and to illustrate the use of contemporary, novel, and promising data-collection tools in the assessment of large pelagic species.

Management Strategy Evaluation (MSE): The NOAA Fisheries West Coast Region and Southwest Fisheries Science Center will be hosting a stakeholder meeting to present preliminary results of the North Pacific albacore management strategy evaluation (MSE). This meeting will be held February 6-7, 2019, which is in advance of the 4th North Pacific albacore MSE Workshop hosted by the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC). NMFS representatives attending the ISC's MSE Workshop will have the opportunity to convey information gathered at the stakeholder meeting at the ISC's MSE Workshop.

The meeting will be held concurrently in two locations (Long Beach, CA, and La Jolla, CA) and by webinar. Please notify Celia Barroso at Celia.Barroso@noaa.gov or 562-432-1850 by January 30, 2019, if you plan to attend and whether you will be attending in person (please indicate whether in Long Beach or La Jolla) or remotely by webinar. Instructions and background materials will be emailed to meeting participants.

SUPPLEMENTARY INFORMATION: The International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean (ISC) is hosting the 4th North Pacific Albacore MSE Workshop on March 5-7, 2019, in Yokohama, Japan. MSE is a simulation that allows stakeholders (e.g., industry, managers, scientists) to assess how well different management strategies, such as harvest control rules, meet the objectives of a fishery. The ISC will present the results of the initial North Pacific albacore MSE at the upcoming Workshop. NMFS is hosting a meeting in advance of the Workshop to present the preliminary results of the MSE to U.S. stakeholders. Because ISC meetings are often held abroad, NMFS seeks to engage in discussions on the MSE results with more stakeholders than could possibly travel to the ISC Workshop. NMFS is soliciting participants' input on the preliminary results of the MSE and NMFS representatives attending the ISC workshop can then convey information gathered at the U.S. stakeholder meeting to participants at the ISC Workshop. The manner of public comment during the NMFS-hosted meeting will be at the discretion of the presenters and NMFS staff.

North Pacific Albacore U.S. Stakeholder Meeting Topics The North Pacific albacore MSE topics will include, but are not limited to, the following:

- (1) An overview of the North Pacific albacore MSE; and
- (2) Discussion of the results of testing the initial management strategies.

FOR FURTHER INFORMATION CONTACT: Celia Barroso, West Coast Region, NMFS, at Celia.Barroso@noaa.gov, or at (562) 432-1850.

AFRF Fees for 2018 North Pacific albacore deliveries are due and payable on or before December 31, 2018. We appreciate companies, as well as individuals who have already paid for 2018.

Also, buyers who purchased albacore from the South Pacific last winter those fees should also have been paid. Fees were raised in the spring of 2018 to \$30/st.

AFRF Contracted Buyers: Bornstein Seafoods Inc., Bumble Bee Seafoods, C2C Premium Seafood, Chicken of the Sea International, Da Yang Seafood, Driscoll's Wharf, Garibaldi Landing Fishermen, Hag Fish LLC, High Seas Tuna Inc., Interocean Fisheries, Island Trollers Inc., Albers / Jessie's Ilwaco Fish Company, JK Fisheries, J. DeLuca Fish Co., Ilwaco Landing Fishermen, Manabe & Co LLC, Oregon Seafoods, Pacific Seafood Group, Papa George Gourmet Albacore, Pelican Packers Inc., Seafood Producers Co-op, Star Kist Foods, Trident Seafoods, Tri-Marine Fish Company, Westport Seafood Inc, Wild Planet Foods