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North Pacific Survey: The Billie Marie II was chosen to do this survey beginning in SoCal and working north from June 10 -30th, measuring albacore and selecting a sample of albacore for further lipid and other studies by OSU. He has been reporting on SSB frequencies, at 10 AM and 6PM PDT daily. Fish catch and weather information. WFOA will be posting information on at: <http://wfoa-tuna.org/fishreports/>.

Archival Tagging: AFRF in cooperation with NOAA/NMFS and Southwest Fisheries Science Center will resume tagging this July with an early tag trip on the F/V Nightwind. The second tagging trip will take place toward the end of the season. The AFRF vessel selection committee will choose a vessel on June 23rd.

Onboard Sampling: Vessels measured about 700 albacore last season at sea. SWFSC would like to see that number increased to about 1,000. AFRF has 12 measuring troughs in the fleet but many are not being used because boats lack of participation in the albacore fishery in the past two seasons. We request that fishermen with the devices commit to do it in 2008 or turn in the troughs to get them on other vessels. AFRF will contribute a \$200/vessel stipend for measuring in 2008.

59th Annual Tuna Conference, Lake Arrowhead, CA Report - Vidar G. Wespestad, PhD , AFRF Science Consultant

I attended the 59th Annual Tuna Conference at Lake Arrowhead in late May. The Theme of the conference was "Challenges for HMS Management in the 21st Century" and directed toward examining improving data collection and analysis to improve international management and insure stability of resources. The conference covered several topics and I highlight items relative to albacore.

AFRF President, John LaGrange invited to present a paper in a special session along with the following speakers:

Challenges to Management in the 21st Century - *An Industry View of International Fisheries Management*

John LaGrange – Fisherman and President, American Fishermen's Research Foundation - *Challenges to Developing International Consensus*

Guillermo Compeán – Director, Inter-American Tropical Tuna Commission - *Challenges to Tuna Fishery Management in the Twenty-First Century*

John Sibert – Manager, PFRP, University of Hawai'i at Manoa - *Data Collection and Stock Assessment for International Management*

Christofer Boggs – Fishery Biology and Stock Assessment Division Chief, NOAA Pacific Islands Fisheries Science Center

John LaGrange was unable to attend and I presented his paper for him. John's paper raised issues related to the effectiveness of international management. Interestingly, John and the other speakers generally agreed that conflicting interests are causing regional fishery management organizations (RFMO) to be ineffective in controlling effort and harvest, a failure that puts fishery resources in jeopardy. This also leaves industry vulnerable to groups claiming that traditional fisheries

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management is a failure, and that huge areas of the ocean should be made into marine protected areas.

John's summary pointed out that if governance fails then fishing will be regulated by economics where there will be increased effort in fuel efficient fisheries such as FAD purse seining and drift gillnetting, decreased effort in less fuel efficient fisheries like distant water longlining. And more importantly John pointed out that in the absence of a management compact the "law of the Jungle" will prevail and fishers not burdened with regulations will dominate catches.

There were 10 sessions covering a myriad of subjects including tagging studies, genetics, general biology, habitat, ecology and behavior. The full conference program can be found at: <http://www.tunaconference.org/CurrentConference.htm>

A session on Stable Isotopes presented papers on ratios of different isotopes of oxygen, or other elements in otoliths can be used to determine area of origin of fish. One paper by R. J. David Wells, Jay R. Rooker, and David G. Itano regarding progress of location of nursery origin of yellowfin tuna (*Thunnus albacares*) in the Hawaiian Islands may help to determine if different stocks of yellowfin are fished in Hawaii. Follow on conversations with Paul Crone of SWFSC and David Itano of PIFSC suggest that there may be two stocks of albacore, one spawning SW of Hawaii and another of Asian origin. Use of stable isotopes may help to decide if two stocks are possible. If so, this would have significant impacts on management and exploitation patterns.

Another paper examined stable isotopes in bluefin tuna harvested in the U.S. North Atlantic bluefin tuna fishery found that potentially a high percentage of the harvest originated from the Mediterranean. If these findings are confirmed then it may have a significant impact on management and harvest.

Paul Crone presented on the transition the NP albacore stock assessment to a new analytical program with different mathematical properties. Paul provided an overview of the results to date with improvements and items that need further work and data enhancement.

One of the problems with North Pacific albacore is an absence of data on important biological parameters, a deficiency that leads to increased uncertainty in population abundance indices. Interesting, a paper on South Pacific albacore reported preliminary investigations of age, growth, and spawning of albacore tuna in a newly managed Australian eastern tuna and billfish fishery reported the collection and analysis of this data for management measures. This paper indicates that a similar effort among North Pacific fishing nations could help to improve yield estimation of albacore in this region.

As always the Tuna Conference provides an opportunity for exchange of information and discussions on research to improve stock knowledge and research activities.

Pacific Fisheries Management Council Science Regarding Albacore -*Vidar G. Wespestad*

Last fall I was appointed to the Pacific Fisheries Management Council Scientific and Statistical Committee (SSC). The SSC reviews the management of albacore relative to the quality of science. At the June Council meeting in Foster City, CA the SSC reviewed management data needs for the PFMC HMS plan. The SSC found that albacore data were a priority for HMS management, urging the PFMC to seek increased funding for albacore research. Hopefully, this recognition of the importance of additional albacore biological information may be brought to the attention of funding agencies.

Management and Legislative Developments: - Peter H. Flournoy

H.R. 2830: Picking up where I left off in the last newsletter, a reminder to those who have been following this issue, EPA is under a California Federal District Court order (on appeal by EPA to the Ninth Circuit Court of Appeals, but as yet undecided) to require Clean Water Act discharge permits for EVERY small vessel to cover deck washwater, crab and RSW tank replacement water, greywater and stick water from showers, and other normal discharges. Don Young's bill introduced in the House to exempt commercial fishing vessels of 125 feet and under has gone nowhere. Two bills have been introduced in the Senate to exempt vessels: one (Nelson / Boxer) exempts only recreation and sport vessels; one (Stevens) exempts both commercial and sport vessels under 79 feet. Although there was an excellent hearing in one of the Senate sub-committees last week, setting forth why compliance with such a requirement for small commercial fishing vessels would be a disaster, only the bill which would require the NPDES permits (part of the Coast Guard reauthorization bill) has seen any movement.

A Federal Register Notice published on Tuesday June 17th, states that EPA, in anticipation that it will have to comply with the court order by September 30, 2008, is proposing a NPDES Vessel General Permit to cover the discharges incidental to the normal operation of commercial and recreational vessels greater than or equal to 79 feet in length. It is not immediately clear which discharges will be covered (although it looks like about 28 different ones) and the cost or effort involved to get a Vessel General Permit has not yet been analyzed. I did notice that charter boat operations where fish are caught by hook and line are considered to be recreational vessels and therefore will not need these permits. The proposed Vessel General Permit is a document that runs about 100 pages which is in the process of being reviewed.

If you haven't yet contacted your Senator about this issue, now is the time. If you need background information, see: http://www.pcouncil.org/bb/2008/0408/C2a_ATT10_SUP.pdf

H.R.21: On 4/23, the House subcommittee on Fisheries, Wildlife and Oceans voted in favor of "Oceans-21" (H.R. 21), which would establish a national oceans policy, including the creation of a presidential oceans adviser. The bill, was more recently voted out of the full Natural Resources Committee, and is on the House floor. It would also authorize \$1.3 billion for an Ocean Trust Fund.

HR 2133: This bill MAY provide some relief in the from of tax credits for high fuel costs...for details see: <http://thomas.loc.gov/cgi-bin/thomas,-> As far as we know it had not moved in the House and we have seen no other legislation which would ameliorate any of the impacts of what is now \$5.00 per gallon diesel fuel. This despite the fact that reports are coming in from all over the world and throughout the U.S. that fleets are tying up because they cannot afford the fuel costs. E.U. and Asian fleets seem to be getting some relief in the form of subsidies either to pay for the increased cost of fuel or to rebuild their vessels with more efficient engines. This puts the U.S. fishing industry, as contrasted to the truckers, farmers, housewives, etc., in an uneven playing field since it appears only the foreign fishing vessels are getting relief, not the other sectors.

S. 2630: Health Plans for Fishermen A potentially helpful bill is that introduced by Senators Kennedy, Stevens, Kerry, and Murkowski, which would amend the Public Health Service Act to establish a Federal grant program to provide "increased health care coverage to and access for uninsured and under-insured workers and families in the commercial fishing industry". While this bill has received widespread support and many petitions in favor of it from different fishing organizations, it seems to have stalled, perhaps due in part to Senator Kennedy's health problems, which one might think would actually be a reason to speed up its passage.

H.R. 3223: The House Subcommittee on Fisheries, Wildlife, and Oceans during the first week of June approved the **Keep Our Working Waterfronts Act**, as part of H.R. 5451, the Coastal Zone Reauthorization Act of 2008. H.R. 3223, would allow coastal states to invest in the protection, preservation, and expansion of working waterfronts through the Coastal Zone Management Act by creating a grant program to preserve access to coastal waters for commercial fishing operations and other water-dependent, coastal-related businesses, including recreational boating access. H.R. 3223 does this by amending the Coastal Zone Management Act of 1972 to establish a competitive matching-grant program administered through the Department of Commerce. The legislation now heads to the House Natural Resources Committee for consideration. However, as we have seen recently in California by the California Coastal Commission's scuttling of a PFMC's and NMFS' approved EFP, the Coastal Zone Management Act also has a harmful and cutting edge.

California Resolutions: Recently there have been joint resolutions in both the California Senate and Assembly concerning longlining and the conservation of bluefin tuna. These resolutions, while not having the force of law when and if they are passed, contain so many factual errors that NMFS, with the Council's blessing has become pro-active in trying to politely educate California law makers, even though the California Department of Fish & Game apparently does not have much interest in doing the same thing.

Bluefin Transshipping: Finally, while only indirectly having the possibly of affecting the albacore troll fishery, NMFS recently came up with a very harmful (to U.S. fishermen) interpretation of the IATTC resolutions having to do with transshipping, which lead them to deny a permit for Mexican vessels to tow pens of live bluefin tuna, which had never been taken out of the water, from the U.S. EEZ to Ensenada for fattening for eventual sale to Japan. Although the bluefin tuna purse seine fishery is only opportunistic, now that there are no U.S. canneries on the West Coast, there is no good market for bluefin tuna, except to be sold to Mexican bluefin tuna ranching enterprises. NMFS took the position that regulations they had passed (pursuant to the IATTC resolutions) outlawed any transshipping by tuna purse seine vessels in the Treaty area, including the U.S. EEZ. They maintained this position even though there has never been an IATTC resolution dealing with Bluefin tuna, or with the transfer from one net to a pen of live fish. Unfortunately, it appears that the decision was made without seriously consulting with the all of the U.S. Commissioners nor with those NMFS and State Department representatives who had attended the meetings where the resolutions were passed. Again, WFOA has no direct interest in the Bluefin tuna fishery, however, this should serve as a cautionary note when dealing with NMFS on their interpretation of international resolutions.

IATTC: The annual meeting of the IATTC is being held in Panama from June 13-27, 2008. AFRF, as a qualified observer ENGO, will be attending. It is expected that discussions of transshipment, gathering information on the North Pacific albacore fishery from all nations participating, and further work on the definition of both "current" and "effort" as used in the IATTC resolution will be discussed, even though the primary focus of the IATTC has to be the conservation of big eye, and perhaps yellowfin, tuna.

AFRF Contracted Buyers: Arrowac Fisheries, Bluewater Fisheries, Bornstein Seafoods Inc., Bumble Bee Seafoods, Carvalho Fisheries, Chicken of the Sea International, Driscoll's Wharf, Interocean Fisheries, Island Trollers Inc., Jessie's Ilwaco Fish Company, Ilwaco Landing LLC, Mary-Lu Seafoods, New Day Fisheries, Pacific Seafood Group, Papa George Gourmet Albacore, Pelican Packers Inc., Seafood Producers Co-op, Shamrock Fisheries, Star Kist Seafoods, Starvin Marvin Seafoods, Trident Seafoods, Tri-Marine International, Whole Foods Select Fish, Wild Planet Inc

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