

## ALBACORE MANAGEMENT

In 1981, the United States and Canada entered into a treaty regarding fishing for albacore in the eastern Pacific. The treaty was amended in 2002 and codified by law in April, 2004. It allows U.S. vessels to fish for albacore in Canadian waters seaward of 12 miles from shore and Canadian vessels to fish for albacore in U.S. waters seaward of 12 miles from shore. The treaty also allows Canadian vessels to use certain U.S. ports to obtain supplies and services and to land fish, and it allows U.S. vessels to use certain Canadian ports for the same purposes. The treaty also calls for exchange of fisheries data between the governments of the two nations. Agenda Item G.2.a, Attachment 1, provides information on current compliance requirements for U.S. fishermen.

The United States and Canada established limits on reciprocal fishing access so that, over a period of 3 years, the number of fishing vessels that will be permitted to fish under the treaty will decrease. The limit can be exercised in terms of either (1) the maximum number of vessels that can fish under the treaty for up to 4 months each in a year or (2) the maximum number of fishing months that vessels can conduct in a year without a limit on the number of vessels that can participate in the year (i.e., vessel fishing months). The United States administers the effort limit in terms of vessel fishing months.

If no agreement is reached with Canada to extend this arrangement or to put another limit regime into effect, then, beginning in 2007, the limit will drop indefinitely to 375 vessel months or 94 vessels per year. In any year that the albacore fishing fleet uses less than their assigned quota, the remainder is added to the next year's vessel month quota. However, the additional quota can not exceed the maximum quota allowed in the previous year.

A meeting between representatives of the governments and albacore industries of the United States and Canada has been scheduled for April 24 - 25, 2006. The agenda has not yet been finalized; however, information will be presented by both countries on catch and effort, performance of the fishing fleets, fishing months used, border crossing requirements, enforcement operations, if any, and plans for the upcoming 2006 fishing season. In addition, the Coast Guard and National Marine Fisheries Service (NMFS) Enforcement may be asked to report on activities during the fishing season, such as boardings of treaty vessels and vessel marking compliance. Discussion of treaty renegotiation could also take place at this meeting.

NMFS is seeking input from the Council as part of the process for formulating a U.S. position in renegotiations of the treaty. The United States could (1) simply continue the treaty through the default contained in the current agreement, (2) decide not to continue its participation in the treaty, or (3) re-negotiate the treaty. Changes to the treaty that might be pursued through a re-negotiation include reducing the fishing effort allowed to participate from both countries as well as increasing reporting and enforcement of treaty provisions.

The Council may also consider adopting positions relative to albacore fishery management in the international forums. The Inter-American Tropical Tuna Commission (IATTC) is scheduled to meet June 25-30, 2006 in Busan, Korea; while there is not a standalone agenda item for North Pacific albacore management, there is a recent IATTC resolution on North Pacific albacore (Agenda Item G.2.a, Attachment 2) and albacore management discussion may develop under the

status of stocks agendum. The Western and Central Pacific Fisheries Commission (WCPFC) adopted a similar resolution for North Pacific albacore (Agenda Item G.2.a, Attachment 3). The next full meeting of the WCPFC is scheduled for December 11–17, 2006, in Apia, Samoa.

**Council Task:**

- 1. Provide Recommendations on the U.S. Position for Renegotiating the U.S.-Canada Albacore Treaty or other International Issues.**
- 2. Provide Guidance to the HMSMT for their Scheduled May 8–9 Meeting.**

**Reference Materials:**

1. Agenda Item G.2.a, Attachment 1, Guide for Complying with the Vessel Fishing Requirements of the U.S. - Canada Albacore Treaty
2. Agenda Item G.2.a, Attachment 2, IATTC Resolution on Northern Albacore Tuna (C-05-02)
3. Agenda Item G.2.a, Attachment 3, WCPFC Draft Resolution on North Pacific Albacore
4. Agenda Item G.2.c, HMSAS Report
5. Agenda Item G.2.d, Public Comment 1, Letter from Western Fishboat Owners Association

**Agenda Order:**

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies
- c. Public Comment
- d. **Council Action:** Provide Recommendations on the U.S. Position for Renegotiating the U.S.-Canada Albacore Treaty

PFMC  
03/17/06



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**GUIDE FOR COMPLYING WITH THE VESSEL  
FISHING REQUIREMENTS OF THE  
U.S. - CANADA ALBACORE TREATY**

**JUNE 2005**

This guide is intended to help owners and operators of West Coast albacore fishing vessels understand what their obligations are if they wish to fish for albacore in Canadian waters, transit through Canadian waters without fishing, or use Canadian ports during the 2005 summer albacore fishing season. This guide has been updated for the 2005 fishing season and is intended to provide practical information and advice; however, any inadvertent difference between this guide and the regulations will be resolved by following the regulatory language found at: <http://swr.nmfs.noaa.gov/news/Rule4-30.pdf>

**Q. What is the U.S.-Canada Albacore Treaty?**

The Treaty is a 1981 agreement between the governments of Canada and the United States, amended in 2002, and codified by law in April, 2004. It allows U.S. vessels to fish for albacore in Canadian waters seaward of 12 miles from shore and Canadian vessels to fish for albacore in U.S. waters seaward of 12 miles from shore. The Treaty also allows Canadian vessels to use certain U.S. ports to obtain supplies and services and to land fish, and it allows U.S. vessels to use certain Canadian ports for the same purposes. The Treaty also calls for exchange of fisheries data between the governments of the two nations.

**Q. In general, what do the regulations require?**

The regulations establish vessel marking, record keeping, and reporting requirements for U.S. albacore tuna fishing vessel operators and for Canadian albacore tuna fishing vessel operators when they are fishing in U.S. waters. In addition, the U.S. and Canada have agreed to establish limits on reciprocal fishing access so that, over a period of 3 years, the number of fishing vessels that will be permitted to fish under the Treaty will decrease.

**Q. How does the fishing access limit work?**

The fishing access limit can be set by each nation as either a maximum number of individual vessels from one nation that can fish in waters of the other nation for up to 4 months in a single year; or a maximum number of vessel months that vessels of one nation can spend in the waters of the other nation in a single year. The U.S. will use vessel months. The National Marine Fisheries Service (NMFS) believes this approach is the easiest to design and allows the most flexibility to U.S. vessels. Using the vessel months approach, when a U.S. flag vessel enters Canadian waters, even if only for a day, it is counted as one vessel month. If a vessel continues to fish for albacore in Canadian waters into another calendar month it is counted as another vessel month. NOAA Fisheries will simply track vessel traffic back and forth across the border, count the number of vessel months, and close further fishing in Canadian waters when the limit is reached.

**Q. What are the fishing access limits?**

In the first year of implementation (2004), the U.S. was limited to 680 vessel months. In 2005, the limit was scheduled to drop to 560 vessel months, and in 2006 to 500 vessel months. If no agreement is reached with Canada to extend this arrangement or to put another limit regime into effect, then, beginning in 2007, the limit will drop indefinitely to 375 vessel months per year. In any year that the albacore fishing fleet uses less than their assigned quota, the remainder will be added to the next year's vessel month quota. However, the additional quota can not exceed the maximum quota allowed in the previous year.

**Q. What are the vessel month limits for the U.S. and Canada in 2005?**

Including vessel months carried over from 2004, the limit in 2005 for U.S. vessels fishing in the Canadian EEZ is 680 vessel months. The Canadian limit in the U.S. EEZ, including vessel months carried over from 2004, totals 601 vessel months.

**Q. How will the U.S. or Canadian fleet know if the vessel month limit is reached in either EEZ?**

NMFS will use several means to announce a closure. These include Notice to Mariners capability (as used in groundfish fisheries), notices on the Southwest Region (SWR) and Northwest Region (NWR) home pages, notices to port masters, and notices to fishermen's organizations by e-mail and fax. The fleet at sea will also be notified by ShipCom, the contractor selected to receive fishing reports from albacore fishing vessels. The Canadian government will use similar means to notify their flag vessels of a closure, including the Canadian Coast Guard station at Tofino.

**Q. What Canadian ports are U.S. albacore fishing vessels allowed to use?**

The Canadian ports that U.S. vessels fishing under the Treaty may use are Coal Harbour, Port Hardy, Prince Rupert, Victoria, Vancouver, and Ucluelet. Canadian vessels fishing under the treaty in U.S. waters may use the ports of Bellingham and Westport, Washington; Astoria, Coos Bay, and Newport, Oregon; Eureka, California.

**Q. I am not an albacore fishermen but I transit through Canadian waters to fish in Alaska. How do the regulations affect me?**

The Treaty does not affect the rights of U.S. vessels to transit Canadian waters. However, vessels transiting Canadian waters must hail-in to the Canadian Coast Guard at Tofino. In addition, you are required to have your gear stowed in an unfishable condition while you are transiting.

**Q. If I am interested in fishing in Canadian waters, what do I have to do?**

U.S. albacore vessels wishing to fish in Canadian waters must be identified on the U.S. albacore vessel list; mark their vessels with name and registration number; maintain and submit logbooks; and report when they enter and leave Canadian waters (reporting will be accomplished via ShipCom LLC and more information about this process is provided below).

**Q. Is a permit required to participate in the U. S.-Canada Albacore Treaty fishery?**

No permit is required by the Treaty; however, the Pacific Highly Migratory Species Fishery Management Plan requires that all U.S. vessels that fish for albacore in the U.S. EEZ along the Pacific coast or deliver fish to U.S. ports have a valid HMS vessel permit. In addition, all U.S. vessels that fish on the high seas are required to have a valid High Seas Fishing Compliance Act Permit (HSFCA).

**Q. How do I get on the U.S. albacore list?**

If you landed albacore in Washington, Oregon, or California in 2004 you are most likely on the 2005 list that is provided to the Canadian government and ShipCom. However, it is strongly recommended that you confirm that you are on the list by contacting Richard Ranta, Northwest Region, National Marine Fisheries Service at: 7600 Sand Point Way, NE, Seattle, WA 98115-6349, Phone: (206)526-6114, FAX:(206)526-4461, or e-mail: Richard.Ranta@noaa.gov. The following information must be provided: (1) vessel name; (2) home port; (3) vessel registration number (Coast Guard Documentation Number or State vessel registration number); (4) the captain or operator's name if known.

**Q. Can I get on the list after the season has started?**

You may get on the list after the season starts, but you must allow a minimum of 7 days from the time you register to the time you begin fishing. The 7-day delay is necessary to ensure that NMFS has enough time to provide updated information to Canada and to ShipCom, LLC, the contractor who will be taking reports prior to entry to Canadian waters to fish.

**Q. What kind of vessel marking is required?**

Your vessel must be clearly marked with its name and documentation (Coast Guard Registration or State Registration) number. Vessel markings must be clearly visible both from the air and from a surface vessel. In addition, the letter A U@ must be painted or securely affixed to the

vessel and be positioned at the end of each appearance of the vessel's documentation number. The letter should be of the same size and color as the identification numbers used on the vessel.

**Q. What are the logbook requirements?**

Use the logbook you received with your HMS vessel permit to record all your fishing activities in U.S. and Canadian waters. Be sure you have a page for every day you plan to spend in Canadian waters. The logbook must be submitted to the Southwest Fisheries Science Center within 15 days of the end of a trip regardless of whether the trip ends by reentry to U.S. waters, entry into other Canadian waters where fishing is not permitted, or a Canadian port. If you have departed from Canadian waters into the high seas, the logbook must be submitted within 7 days of your next landing. If you **do not** fish in Canadian waters, the logbook must be submitted within 30 days of the end of the trip.

**Q. If I don't have a logbook, how do I get one?**

To obtain a logbook contact Mr. John Childers, Southwest Fisheries Center, 8604 La Jolla Shores Drive, La Jolla, CA, telephone, (858) 546-7192, e-mail: [john.childers@noaa.gov](mailto:john.childers@noaa.gov). You may also download and the copy the logbook from the SWFSC home page at: <http://swfsc.ucsd.edu/frd/HMS/Large%20Pelagics/Albacore/albie01.htm>

**Q. What are the border crossing requirements?**

U.S. albacore fishing vessels must report to ShipCom 24 hours before entering Canadian waters and within 24 hours after leaving Canadian waters. In addition, Canadian regulations require vessels to report to the Canadian Coast Guard at Tofino at least 24 hours prior to entering Canadian waters and 72 hours before leaving Canadian waters.

**Q. What is the reporting procedure?**

You must set up an account with ShipCom, LLC, the company selected to accept hail-in, hail-out messages through WLO Radio. The ShipCom application form is attached to this document or can be downloaded at: <http://www.albacoretreaty.org>. If you are unable to download the form, you can obtain assistance by calling ShipCom at 1-800-633-1312. The registration fee is \$25.00 per year, and the cost of reporting will vary depending upon the method of communications you select. Vessels may be patched directly to the Canadian Coast Guard at the end of filing their report with WLO or KLB radio. This service is provided as a convenience so that the vessel need only make one radio communication. The vessel should simply ask the operator to connect them with the Canadian Coast Guard.

**Q. What kind of border crossing information do I have to provide?**

You must provide your vessel name, vessel documentation number, home port, flag state, Captain's name, and the date when you plan to enter or leave Canadian waters. When you contact ShipCom LLC, the marine operator will ask a series of questions to be sure that your report is clear as to dates and area as well as vessel name. At the end of the call, you will receive

a confirmation number that you should keep on your vessel or have available to refer to in the event you are questioned either in Canadian waters or in a Canadian port. The record will demonstrate that you complied with call-in requirements. You have the option of reporting via land line, cell or satellite phone to (800) 654-5497; e-mail to: [albacore@shipcom.com](mailto:albacore@shipcom.com); single side band radio to station KLB (Seattle, WA) ITU channels 417, 805, 1209, 1624 or to station WLO (Mobile, A1) ITU channels 405, 824, 1212, 1641, 1807, 2237.

**Q. What if I don't call in prior to entering Canadian waters?**

If you enter Canadian waters without reporting you will be fishing illegally and may be arrested and prosecuted either by Canada or the U.S.

**Q. What if I don't call in before leaving Canadian waters?**

Keep in mind that fishing in any day of the month counts as fishing for the whole month. If you do not hail-out prior to leaving, you will be assumed to be fishing, and if this time period extends into another month, then that will count against the total monthly limit of the U.S. A month counted against the U.S. by your vessel is then not available to someone who might be able to use it.

**Q. Will vessels from Canada have these same reporting requirements?**

Yes, Canadian vessels will make the same reports prior to entering and leaving U.S. waters.

**Q. Does this reporting procedure replace the current A hail report@ I have made in earlier years to Canadian officials?**

This reporting procedure replaces hail reports only for vessels operating under the requirements associated with fishing for albacore under the Treaty. If you are on a vessel entering Canadian waters from the West Coast to transit to fish off Alaska, then you will have to report to Canadian Tofino Coast Guard by radio as required in the past.

**Q. How will NOAA Fisheries and Canada use these reports?**

Both NOAA Fisheries and the Canadian Department of Fisheries and Oceans will have access to all report information on a real time basis. Because we will all have access to the same data, there should be no disagreements about the number of vessels or amount of fishing done by those vessels in each nation's waters. Obviously, a vessel from one nation found fishing in waters of the other nation without prior reporting is fishing illegally. Maintaining a record of your confirmation number after you've reported is important in the documentation process in the event you are boarded by the Coast Guard and your fishing activities are questioned.

INTER-AMERICAN TROPICAL TUNA COMMISSION  
COMISIÓN INTERAMERICANA DEL ATÚN TROPICAL

**73<sup>RD</sup> MEETING**

LANZAROTE (SPAIN)  
20-24 JUNE 2005

**PROP IATTC-73-C1**

**PROPOSAL BY JAPAN AND THE UNITED STATES**

**RESOLUTION ON NORTHERN ALBACORE TUNA**

*The Inter-American Tropical Tuna Commission (IATTC)*, having responsibility for the scientific study of tunas and tuna-like fishes of the eastern Pacific Ocean, and for the formulation of recommendations to the Contracting Parties, cooperating non-Parties, fishing entities and regional economic integration organizations (CPCs) with regard to the conservation and management of these resources,

*Observing* that the best scientific evidence on North Pacific albacore tuna from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean indicates that the species is either fully exploited, or may be experiencing fishing mortality above levels that are sustainable in the long term, and

*Taking note* that the IATTC staff has said that the stock assessment for Northern Pacific albacore tuna suggests a need for management measures to avoid increases in fishing mortality, and

*Recognizing* the importance of working with the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (WCPFC), as provided for in Article XXIV of the Antigua Convention, in order to manage North Pacific albacore tuna throughout its migratory range, and

*Recalling further* Article 22(4) of the WCPFC Convention that provides for cooperation with the IATTC regarding fish stocks that occur in the convention areas of both organizations;

*The IATTC therefore resolves that:*

1. The total level of fishing effort for North Pacific albacore tuna in the Eastern Pacific Ocean not be increased beyond current levels.
2. The CPCs shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore tuna is not increased;
3. All CPCs shall report all catches of North Pacific albacore tuna by gear type to the IATTC every six months.
4. The Director shall, in coordination with other scientific bodies conducting scientific reviews of this stock, monitor the status of North Pacific albacore tuna and report on the status of the stock at each annual meeting;
5. The CPCs shall consider future actions with respect to North Pacific albacore tuna as may be warranted based on the results of such future analysis.
6. The CPCs call upon the members of the WCPFC to consider, at the earliest opportunity, taking such action as may be necessary to ensure the effective conservation and management of North Pacific albacore tuna throughout its range including, in particular, measures to ensure that fishing effort on the stock in the WCPFC area does not increase and, as necessary, measures to reduce fishing effort to levels commensurate with the long-term sustainability of the resource.
7. The Commission through the Director shall communicate with the WCPFC and request them to take

similar measures.

8. The provisions of paragraph 2 shall not prejudice the rights and obligations under international law of those coastal CPCs in the EPO whose current fishing activity for northern Pacific albacore tuna is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for northern Pacific albacore tuna in the future.



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## DRAFT RESOLUTION ON NORTH PACIFIC ALBACORE

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WCPFC/Comm.2/DP.12  
21<sup>st</sup> November 2005

### Proposal submitted by the United States

*Members and Cooperating Non-Members of the Western and Central Pacific Fisheries Convention (WCPFC):*

*Observing* that the best scientific evidence on the status of North Pacific albacore, as reported by the 19<sup>th</sup> North Pacific Albacore Workshop, held in 2004, and the 5<sup>th</sup> Meeting of the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean, in March 2005, indicates that the current fishing mortality rate appears to be high relative to commonly used reference points, which is a cause for concern regarding the future status of the stock;

*Recognizing* that North Pacific albacore migrate between the WCPF Convention Area and the Antigua Convention Area in the eastern Pacific Ocean and that some WCPF Commission members' fisheries for North Pacific albacore straddle these two areas;

*Further recognizing* that the Inter-American Tropical Tuna Commission (IATTC) resolved at its 73rd meeting, in June 2005, that the total level of fishing effort for North Pacific albacore in the eastern Pacific Ocean not be increased beyond then-current levels;

*Aware* that the IATTC resolved that all of its members and cooperating parties should call upon the members of the WCPF Commission to consider, at their earliest opportunity, taking such action as may be necessary to ensure the effective conservation and management of North Pacific albacore in the WCPF Convention Area, including, as necessary, measures to reduce fishing effort to levels commensurate with the long-term sustainability of the resource;

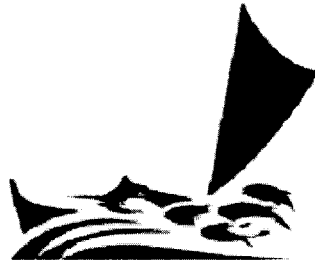
*Recalling* that the IATTC has requested the WCPF Commission to take measures for North Pacific albacore similar to those that the IATTC has taken;

*Acknowledging* the importance of cooperating and consulting with the IATTC in order to achieve a consistent set of conservation and management measures for fish stocks that occur in the convention areas of both organizations and for areas of overlap between the two conventions, as provided for in Article 22(4) of the WCPF Convention and Article XXIV of the Antigua Convention;

*Taking into consideration* the recommendations of the Northern Committee with respect to North Pacific albacore;

*Resolve as follows:*

1. The total level of fishing effort for North Pacific albacore in the WCPF Convention Area not be increased beyond current levels;
2. Members and Cooperating Non-Members shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore in the WCPF Convention Area is not increased beyond current levels;
3. Members and Cooperating Non-Members shall report to the WCPF Commission on a semi-annual basis: (1) all catches of albacore north of the equator and (2) all fishing effort north of the equator in fisheries directed at albacore. The reports for both catch and fishing effort shall be made by gear type and within and outside the WCPF Convention Area. Catches shall be reported in terms of weight. Fishing effort shall be reported in terms of the most relevant measures for a given gear type, including at a minimum for all gear types, the number of vessel-days fished. The reports for the first half of each calendar year shall be submitted no later than the following December 31 and reports for the second half of the year shall be submitted no later than the following June 30;
4. Members and Cooperating Non-Members shall, through the Northern Committee, and in coordination with the WCPF Commission's Scientific Committee and, as appropriate, other international and national scientific bodies conducting scientific reviews of this stock, monitor the status of North Pacific albacore and fisheries that harvest the stock. At the third session of the WCPF Commission, in 2006, the Northern Committee shall report on the status of fisheries for the stock and, as necessary, present any further recommendations for the conservation and management of the stock to the Commission;
5. The Executive Director shall communicate this resolution to the IATTC and request that, in accordance with Article 22 of the WCPF Convention, the two commissions engage in consultations to further develop and, as soon as practicable, adopt consistent conservation and management measures for North Pacific albacore, including any reporting or other measures needed to ensure compliance with such agreed measures.



**Western and  
Central Pacific  
Fisheries  
Commission**

Second Session  
12-16 December 2005

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**CONSERVATION AND MANAGEMENT MEASURE FOR  
NORTH PACIFIC ALBACORE**

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**Conservation and Management Measure-2005-03**

The Western and Central Pacific Fisheries Commission (WCPFC),

*Observing* that the best scientific evidence on North Pacific albacore from the International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean indicates that the species is either fully exploited, or may be experiencing fishing mortality above levels that are sustainable in the long term, and

*Recalling further* Article 22(4) of the WCPFC Convention that provides for cooperation with the IATTC regarding fish stocks that occur in the Convention Areas of both organizations and

*Recognizing* that the Inter-American Tropical Tuna Commission (IATTC) adopted, at its 73<sup>rd</sup> meeting, conservation and management measures on North Pacific albacore;

Adopts, in accordance with the Article 10 of the WCPFC Convention that:

1. The total level of fishing effort for North Pacific albacore in the Convention Area north of the equator shall not be increased beyond current levels.
2. The Members, Cooperating Non-Members and participating Territories (hereinafter referred to as CCMs) shall take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore in the WCPF Convention Area is not increased beyond current levels;
3. All CCMs shall report all catches of North Pacific albacore to the WCPFC every six months, except for small coastal fisheries which shall be reported on an annual basis. Such data shall be reported to the Commission as soon as possible and no later than one year after the end of the period covered.
4. All CCMs shall report annually to the WCPFC Commission all catches of albacore north of the equator and all fishing effort north of the equator in fisheries directed at albacore. The reports for both catch and fishing effort shall be made by gear type. Catches shall be reported in terms of weight. Fishing effort shall be reported in terms of the most relevant measures for a given gear type, including at a minimum for all gear types, the number of vessel-days fished<sup>1</sup>.

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<sup>1</sup> The first such report shall be due on April 30<sup>th</sup>, 2006 and shall cover calendar year 2004. Small Island Developing States will make their best efforts to comply with this first reporting deadline.

5. The Northern Committee shall, in coordination with International Scientific Committee for Tuna and Tuna-like Species in the North Pacific Ocean and other scientific bodies conducting scientific reviews of this stock, including the WCPFC Scientific Committee, monitor the status of North Pacific albacore and report to the Commission on the status of the stock at each annual meeting, and make such recommendations to the Commission as may be necessary for their effective conservation.
6. The Commission shall consider future actions with respect to North Pacific albacore based on recommendations of the Northern Committee.
7. The CCMs shall work to maintain, and as necessary reduce, the level of fishing effort on North Pacific albacore within the Convention Area commensurate with the long-term sustainability of the stock.
8. The WCPFC Executive Director shall communicate this resolution to the IATTC and request that the two Commissions engage in consultations with a view to reaching agreement on a consistent set of conservation and management measures for North Pacific albacore, and specifically, to propose that both Commissions adopt as soon as practicable uniform conservation and management measures and any reporting or other measures needed to ensure compliance with agreed measures.
9. The provisions of paragraph 2 shall not prejudice the legitimate rights and obligations under international law of those small island developing State Members and participating territories in the Convention Area whose current fishing activity for North Pacific albacore is limited, but that have a real interest in, and history of, fishing for the species, that may wish to develop their own fisheries for North Pacific albacore in the future.
10. The provisions of paragraph 9 shall not provide a basis for an increase in fishing effort by fishing vessels owned or operated by interests outside such small island developing State Members or participating territories, unless such fishing is conducted in support of efforts by such Members and territories to develop their own domestic fisheries.

## HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON ALBACORE MANAGEMENT

The Highly Migratory Species Advisory Subpanel (HMSAS) notes that the current U.S.-Canada Albacore treaty generally favors Canadian vessels fishing in U.S. waters in comparison to U.S. vessels fishing in Canadian waters. Nonetheless, there may be some benefits to U.S. processors near the Canadian border because of deliveries to them by Canadian vessels. Recognizing these considerations, the HMSAS recommends that the Council advise the U.S. Department of State and NMFS to proceed with termination of the U.S.-Canada Albacore Treaty under provisions of the treaty. Other reasons discussed for terminating the treaty is that termination may advantage U.S. albacore fisheries in the event that national quotas are implemented for North Pacific albacore, and if eventual caps or limited entry is imposed on U.S. fishermen, Canadian fishermen in the U.S. Exclusive Economic Zone (EEZ) should be restricted first.

Recognizing the adoption of resolutions by the IATTC and the WCPFC calling on members to not increase fishing effort on North Pacific albacore reflecting scientific concerns about the status of the stock, the HMSAS recommends the Council explore several avenues to address this issue. As a first step, the Council should implement a coastwide recreational bag limit for commercial passenger fishing vessels, or alternatively, call on the states to implement such bag limits. The HMSAS supports Council direction to the HMSMT to develop the information and work in cooperation with relevant management bodies to define the “current level of fishing effort” of U.S. fisheries targeting North Pacific albacore, including both recreational and commercial fisheries, as stated in the IATTC and WCPFC resolutions on albacore.

The HMSAS also is requesting clarification on whether the March 9, 2000 control date is still legally viable or should be updated in anticipation of effort controls.

PFMC  
03/17/06



# WESTERN FISHBOAT OWNERS ASSOCIATION<sup>©</sup>

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March 13, 2006

Re: U.S. / Canada Albacore treaty information

Dear Mr. McIssac:

In regards to the U.S. / Canada albacore treaty which is now on the councils agenda, Western Fishboat Owners Association has been involved in the original treaty negotiations in the late 1970's and early 1980's which led to the implementation of the treaty in 1981. Since then the treaty has been modified twice. Once in 1996 added access ports to each side, and again in a full negotiation process from 2000-2003 that resulted in effort caps on each side. Thus, I am writing this letter not with any specific recommendations for the renewal of negotiations beginning in 2006 but as a background of the treaty for yourself and members of the council.

The U.S./Canada treaty was an indirect result of the original Magnuson Act establishing a 200 mile EEZ, in the late 1970's. At the time there was an abundance albacore off British Columbia and U.S. boats did well in the region. There was also a limited Canadian troll effort in the albacore fishery especially in the U.S. zone. The U.S. position at the time was not to recognize the 200-mile Canadian EEZ in regards to highly migratory species since this included albacore that transcended all boundaries with no national claim to the stocks. However, in the late 1970,s 19 U.S. albacore vessels were seized by Canada while fishing with 200 miles of the Canadian shoreline. This action resulted in the establishment of the treaty and unloading privileges in each nations ports.

In 1996 WFOA worked with the Department of State to get two additional ports added to each side. From 1996 to 2000 the Canadian albacore fleet dramatically increased in size probably because of restrictions on their salmon fisheries and other regulatory factors. WFOA began to recognize that with the increasing numbers of Canadians fishing in the U.S. EEZ crowding issues on the fishing grounds became a problem.

Thus, with problems on the fishing grounds WFOA pursued effort caps on both sides. Negotiations lasted almost two and a half years and ratification and implementation took a year longer than anticipated. At early sessions the Canadian government actually proposed increases in numbers to more than 400 vessels which the U.S. rejected. Finally agreement was made on a three-year effort reduction based on the choice of number of vessels or

vessels months. The U.S. generally would only fish in Canadian waters August and September because of water patterns and weather while the Canadians fish in U.S. waters for four months. By using vessel months the U.S. vessels in theory could actually have twice the concentration of vessels in Canadian waters if weather patterns prevail and fish were in the Canadian EEZ. Since the early 1990's little U.S. effort has occurred in Canada. In the first two seasons under this regime the Canadians have nearly used up all their vessel months over the season while the U.S. has barely used any.

Beginning in 2007 if there is no agreement the vessel level will be 94 on each side or 376 vessel months. At this point it looks as if the Canadians will be pared down to that default number as they have established a 94 vessel 'A' permit list and all others on a "B" list of two month permits that are being phased out. The U.S. would most likely remain on a vessel month system since there are no criteria established for issuing permits under a number of vessel regime.

I think it maybe premature to have much council involvement in the treaty as 2006 is yet to play out and there will be no changes made until at least 2007. This is an international treaty very specific to two countries and one gear type. I see the councils efforts should be more directed at the larger picture of getting caught up on issues involving both the WCPFC and the IATTC. To start involvement with micro segments of the albacore catch effort maybe an inefficient use of time and create confusion with some that may not be familiar with the treaty and its' history.

Also, WFOA has yet to establish a position to take to new negotiations later this year. We have segments of the fleet that want the treaty entirely eliminated and segments that want it open. But more and more of our U.S. members agree that we probably cannot have any increases over the default level of 94 vessels. We cannot get the feeling of our membership until our April meeting in Astoria, Oregon. We do expect the Canadian government to push for increasing numbers again. Also looking forward to this coming albacore season crowding on the grounds and market gluts could be magnified by the severe salmon restrictions placed on the U.S. salmon trollers, which will force many of them into fishing for albacore off the west coast.

Thus, we ask the council to tread lightly on this issue and be prepared to support the U.S. fishermen and processors with a uniform position on the future of the treaty.

Sincerely,

Wayne Heikkila  
Executive Director

cc: Mark Helvey, NMFS  
Dave Hogan, U.S. Department of State

attch: U.S./Canada albacore treaty  
Vessel requirements under the treaty (WFOA)

**Treaty between CANADA and the UNITED STATES OF AMERICA**  
**Washington, DC, May 26,1981**

In force July 29,1981

**TREATY BETWEEN THE GOVERNMENT OF CANADA AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA ON PACIFIC COAST ALBACORE TUNA VESSELS AND PORT PRIVILEGES**

The Government of Canada and the Government of the United States of America, Desiring to cooperate in matters concerning the albacore tuna fishery off the Pacific Coast of Canada and the United States, Desiring to benefit the fishing industries involved in that fishery, and Taking into account the deliberations of the Third United Nations Conference on the Law of the Sea in the field of fisheries:

Have agreed as follows:

**ARTICLE 1**

Without prejudice to the respective juridical positions of both Parties regarding highly migratory species of tuna, each Party shall:

- a) ensure that all its vessels engaged in fishing for albacore tuna in waters under the fisheries jurisdiction of the other Party shall do so in accordance with this Treaty;
- b) permit fishing vessels of the other Party to fish for albacore tuna in waters under its fisheries jurisdiction beyond twelve nautical miles of the baselines from which the territorial sea is measured, in accordance with Annex "A" to this Treaty and subject to other applicable laws and regulations.

**ARTICLE 2**

Vessels of the United States of America fishing pursuant to this Treaty shall be authorized to enter the Canadian ports listed in Annex "B" to this Treaty and to use Canadian facilities and services, subject to compliance with applicable customs, navigation, safety, environmental and other laws and regulations pertaining to port privileges, and payment of applicable albacore tuna landing fees provided that such fees do not discriminate according to nationality, for the following purposes:

1. to land their catches of albacore tuna without the payment of duties and
  - a) tran-ship them in bond under customs supervision to any port of the United States of America; or
  - b) sell them for export in bond; or
  - c) sell them locally on payment of the applicable customs duty; and
2. to obtain fuel, supplies, repairs and equipment on the same basis as albacore tuna vessels of the other Party.

**ARTICLE 3**

Canadian vessels fishing pursuant to this Treaty shall be authorized to enter the United States ports listed in Annex "B" to this Treaty and to use United States facilities and services, subject to compliance with applicable customs, navigation, safety, environmental, and other laws and regulations pertaining to port privileges, and payment of applicable albacore tuna landing fees provided that such fees do not discriminate according to nationality, for the following purposes;

1. to land their catches of albacore tuna without the payment of duties and
  - a) tran-ship them in bond under customs supervision to any port of Canada; or
  - b) sell them for export in bond; or

- c) sell them locally on payment of the applicable customs duty; and
2. to obtain fuel, supplies, repairs and equipment on the same basis as albacore tuna vessels of the other Party.

#### ARTICLE 4

Neither Party shall, pursuant to its fisheries legislation, prohibit the importation into its territory of Pacific albacore tuna and products from the other Party as a consequence of a dispute arising in other fisheries.

#### ARTICLE 5

1. Vessels of each Party which are not in compliance with this Treaty are subject to enforcement action by the other Party when engaged in fishing for Pacific albacore tuna in waters under the fisheries jurisdiction of the other Party.
2. Arrested vessels and their crews shall be promptly released, subject to such reasonable bond or other security as may be determined by the court.
3. Enforcement actions under this Treaty shall not include imprisonment.
4. In the case of seizure and arrest of a vessel by the authorities of one Party, notification shall be given promptly through diplomatic or consular channels informing the other Party of the action taken and of any penalties subsequently imposed.

#### ARTICLE 6

1. Either Party may at any time request consultations on the interpretation or application of this Treaty. Such consultations should commence as soon as practicable but in any case not later than sixty days from the date of receipt of the request for consultations, unless otherwise agreed by the Parties.
2. In the event of a dispute arising between the Parties concerning the interpretation or application of this Treaty, the Parties shall consult with a view to resolving the dispute by negotiation.

#### ARTICLE 7

The Annexes may be amended by the Government of Canada and the President of the United States through an Exchange of Notes.

#### ARTICLE 8

This Treaty shall enter into force upon the exchange of instruments of ratification at Ottawa. After two years from the date of entry into force, either Party may give written notice to the other Party to terminate this Treaty. The Treaty shall terminate on December 31 of the calendar year following that in which such notice was received by the other Party.

In WITNESS WHEREOF, the undersigned, being duly authorized by their respective governments, have signed this Treaty.

Done at Washington in duplicate, in the English and French languages, both versions being equally authentic, this Twenty-sixth day of May, 1981.

PETER TOWE  
For the Government of Canada

WILLIAM CLARK  
For the Government of the United States of America

#### ANNEX A

- 1.a) Each Party agrees to provide annually to the other Party a list of its fishing vessels which propose to fish albacore tuna off the coast of the other Party. The list will include;

- (i) vessel name;
  - (ii) home port;
  - (iii) radio call sign;
  - (iv) fishing vessel registration number, and
  - (v) captain or operator's name, if known.
- b) Each Party may provide the other Party with additions or deletions to its list at any time
- c) As soon as possible after receipt, and subject to paragraph I(d) below, the receiving Party shall satisfy itself that the list received meets the criteria of paragraph I (a) and shall inform the other Party in order to enable the albacore fishery to proceed pursuant to this Treaty.
- d) Should, due to serious or repeated fisheries violations or offenses, one Party object to the inclusion of a particular vessel on the list of the other Party, paragraph I (c) with regard to other vessels shall not be delayed. Following the two Parties shall consult. In this event, actions pursuant to consultations, each Party shall notify its vessels which both Parties agree shall not be included on the list referred to in paragraph I (c).
2. If required by either Party, each vessel shall, upon entering and at least 24 hours prior to leaving the fishing zone of such Party, so inform the appropriate authorities and provide the vessel name, radio call sign and captain or operator's name.
  3. When in the fishing zone of the other Party, each vessel shall have its name and radio call sign prominently displayed where they will be clearly visible both from the air and from a surface vessel.
  4. Vessels of both Parties shall keep accurate log records while fishing pursuant to this Treaty.
  5. In order that better information on the stocks of albacore tuna which migrate off the west coasts of the United States and Canada may be obtained, each vessel engaged in fishing pursuant to this Treaty shall provide to its government statistics and other scientific information on its operations in the fishing zone of the other Party. Each Party shall provide to the other Party twice yearly such information and in particular the amount (number and weight) of albacore tuna caught by its vessels in waters under the fisheries jurisdiction of the other Party. Other specific information to be provided, as well as the forms and procedures for providing such information, shall be agreed upon by the two Parties.

#### ANNEX B

1. Fishing vessels of the United States of America shall, pursuant to Article 11, be authorized to enter the following ports located in Canada:
  - Coal Harbour
  - Port Hardy
  - Prince Rupert
  - Victoria
  - Vancouver
  - Ucluelet
2. Canadian fishing vessels shall, pursuant to Article 3, be authorized to enter the following ports located in the United States of America:
  - Astoria
  - Bellingham
  - Coos Bay
  - Eureka
  - Newport
  - Westport

**Requirements for Vessels Fishing under the U.S.-Canada Albacore Treaty**  
June 2004

The final rule to implement the U.S./Canada Treaty was filed with the Federal Register on May 28 and will publish June 4; it was effective June 1, as planned. Diplomatic notes were exchanged, and the Treaty is in effect. The Secretary of State approved the regulations in writing on May 28 and (more importantly) the NSC cleared followed by the White House and the President signed the ratification of this Amendment to the Treaty.

=====

**U.S. Fishermen:** By now you may have received a list of requirements to fish under the new revised treaty. This information is available at: <<http://www.albacoretreaty.org>> or also on a link on the WFOA website. This is a simplified explanation.

**Canadian Fishermen:** You are required to obtain a licence at which time you will be provided with the management plan, a letter, and instructions on setting up an account with ShipCom to meet the U.S. government reporting requirements. This can be accessed at: <<http://www-ops2.pac.dfo-mpo.gc.ca/xnet/content/MPLANS/MPlans.htm>> For questions contact Lisa Mijacikal at: <[MijacikaL@pac.dfo-mpo.gc.ca](mailto:MijacikaL@pac.dfo-mpo.gc.ca)>

**I want to fish albacore. What do I do now?**

✓ **Paint your documentation number on port, starboard, and top:** The new treaty changes vessel numbers for identification required from the Radio Call Sign to the Documentation Number. Paint these on each side of hull or pilothouse and one visible from the air of reasonable size. Also if you are a U.S. vessel a "U" is required behind the documentation number, and if you are Canadian a "C" is required. These should be in caps and as large as the numerals.

THE 'U' or the 'C' only applies if you fish albacore in the other nations waters under the treaty. If you do not go into the other's waters, you are not required to paint the letter. "Example Below"

**567-876U** U.S. vessels fishing in Canadian waters



**665-987C** Canadian vessels fishing in U.S. waters

✓ **Get on the NMFS list or DFO list ( if Canadian):** No permit is required for U.S. vessels but you must make sure your vessel is on the list of vessels we provide to Canadian fishery officials every year (Canada provides us with a comparable list) before the season starts. **WFOA submits all paid up members to NMFS annually, if you are a WFOA member you are on the list and it will be submitted soon to NMFS!**

To find out whether or not your vessel is on the list, or to get on the list, contact Richard Ranta, Northwest Region, National Marine Fisheries Service at: 7600 Sand Point Way, NE, Seattle, WA 98115-6349, Phone: (206)526-6114, FAX: (206)526-4461, or < [Richard.Ranta@noaa.gov](mailto:Richard.Ranta@noaa.gov)>. The following information must be provided: (1) vessel name; (2) home port; (3) vessel registration number (Coast Guard Documentation Number or State vessel registration number); (4) the captain or operator's name if known. You may get on the list after the season starts, but you must allow a minimum of seven days from the time you register to the time you begin fishing. The 7-day delay is necessary to ensure that NOAA Fisheries has enough time to provide updated information to Canada and to ShipCom, LLC, the contractor who will be taking the calls prior to entry to Canadian waters to fish.

✓ **Obtain Logbook:** Once your vessel is added to the list, you will receive a copy of the U.S. Albacore Logbook . If

you do not receive the logbook, contact: John Childers, SWFSC, (858) 546-7192. You must complete the log for all your fishing activity in Canadian waters, and must be submitted to the Regional Administrator within 15 days of the end of a trip regardless of whether the trip ends by reentry to U.S. waters, entry into Canada's territorial sea, other Canadian waters where fishing is not permitted, or a Canadian port. If you have departed from Canadian waters into the high seas, the logbook must be submitted within seven days of your next landing.

✓ **Report:** You must set up an account with ShipCom, LLC, the company selected to accept hail-in, hail-out messages through WLO Radio. The ShipCom application form can be downloaded at: [www.albacoretreaty.org](http://www.albacoretreaty.org) or call ShipCom at 1-800-633-1312. The fee is \$25.00 per year, and the cost of reporting will vary depending upon the method of communications you select. The vessel should simply ask the operator to connect them with the Canadian Coast Guard. This service is provided as a convenience so that the vessel need only make one radio communication.

You must provide your vessel name, vessel documentation number, home port, flag state, Captain's name, and the date when you plan to enter or leave Canadian waters. When you contact ShipCom LLC, the marine operator will ask a series of questions to be sure that your report is clear as to dates and area as well as vessel name. At the end of the call, you will receive a confirmation number that you should keep on your vessel or have available to refer to in the event you are questioned either in Canadian waters or in a Canadian port. The record will demonstrate that you complied with call-in requirements. You have the option of reporting via land line, cell or satellite phone to (800) 654-5497; FAX, (251) 666-8339; e-mail to [albacore@shipcom.com](mailto:albacore@shipcom.com); single side band radio to station KLB (Seattle, WA) ITU channels 417, 805, 1209, 1624 or to station WLO (Mobile, A1) ITU channels 405, 824, 1212, 1641, 1807, 2237.

#### Summary:

1. Get on the list with NMFS, through them or as a WFOA member
2. Add documentation numbers to both sides of your hull and top of pilot house, with U or C after number
3. Obtain and keep logbook (required under treaty as well as the FMP)
4. Register with Ship Com for check in and check out
5. Go fishing and make sure you check in and check out and turn in your logbook

**Non Albacore Transit etc.:** If you never fish for albacore in Canadian waters, you are not affected. However, Canadian hail-in requirements will continue to apply to transiting vessels, and you will be required to have your gear stowed in an unfishable condition while you are transiting.

**Treaty Ports:** The ports U.S. vessels fishing under the Treaty may use are Coal Harbour, Port Hardy, Prince Rupert, Victoria, Vancouver, and Ucluelet. The ports Canadian vessels fishing under the treaty are allowed to use are Bellingham, Westport, Ilwaco/Astoria, Newport, Coos Bay, and Eureka.

**FMP?:** There is no U.S. permit under the treaty, however, there will be a new permit issued to U.S. vessels under the PFMC FMP this year. This will be free and you will receive an application from NMFS soon.



**IMPORTANT:** There possibly could be new requirements imposed on Canadian and U.S. vessels entering U.S. ports from the Department of Homeland Security. This may treat albacore vessels as "bulk carriers" and require a number of new and higher fees and check in procedures with customs and immigration. Also it is rumored that all areas outside the U.S. EEZ would be treaty as a "Foreign Port" for purposes of loading cargo (fish). We have received no definitive answer on this as of today, but will put any new requirements on the WFOA website and out on email. Many buyers and other organizations have been in contact with congressional reps and senators on this matter. There is a possibility that vessels under 300gt may be exempt but again no definitive answer! Prior to entering check with your buyer for any new details. Also contact your congressional reps and harbor districts to express your concerns about this! WFOA is doing all we can and will update any and all resolutions of this matter ASAP!

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Albacore Treaty Reporting System  
Requirements

Attention All Vessels -  
New Requirements for the 2005 Season Click Here

CFO/NOAA has released a new "Users Guide" for Albacore Fishermen  
it contains updated information for the 2005 season.  
To download the guide, click one of the links below:

- \* Download in Word .doc format
- \* Download in Adobe .pdf format
- \* Download in html format

Vessels participating in the Albacore Treaty Reporting System must register and  
establish an account with ShipCom, LLC. Payment must be made via Visa,  
MasterCard, American Express, or Discover credit or debit cards.

To establish an account, go to [www.albacoretreaty.org](http://www.albacoretreaty.org) and print the appropriate form  
(i.e., Canadian or U.S.). Complete this form and either FAX it to (251) 666-8339 or  
MAIL it to:

ShipCom/Albacore  
7700 Rinla Avenue  
Mobile, AL 36619

You may also call 1-800-633-1312 and request the form via fax.

There is a start up registration fee of \$25.00 for U.S. vessels and \$45.00 for Canadian  
vessels to cover cost of program development. The following year both countries'  
vessels will pay a \$25.00 registration fee.

Registered vessels will receive a substantial discount on High Seas Ship to Shore  
radiotelephone calls from ShipCom. We have established a special rate of  
\$1.99/minute (3 minute minimum) for non albacore related calls from vessels registered  
under this program. In addition crewmembers may place collect calls at the same rate.  
(\$1.25 collect call fee applies)

Vessels should assure that their radios are programmed for the following ITU channels:  
For station KLB (Seattle, WA) ITU channels 417, 805, 1209, 1624  
For station WLO (Mobile, Al) ITU channels 405, 824, 1212, 1641, 1807, 2237

A radio test should be conducted by vessels with either WLO or KLB radio prior to  
departure. The frequencies for these stations are also available at [www.shipcom.com](http://www.shipcom.com).

Operators are on duty 24 hours per day 7 days per week to assist with radio checks  
and to answer any questions you may have regarding frequencies or procedures.

The preferred method for Hail In or Hail Out reports is via HF SSB voice by calling KLB

## TREATYREQUIREMNST.txt

or WLO on any of our listed channels. Reports may also be filed via email to [albacore@shipcom.com](mailto:albacore@shipcom.com) or by telephoning 1-800-654-5497.

Upon filing a hail report, the vessel will receive a transaction confirmation code. This code is the vessel's receipt, which can be used to verify the transaction if any question should arise at a later date. It is important to note this code in your Logbook.

Reports must include the following information, unless already collected:

- 1) Vessel name
- 2) Vessel Registration or Documentation number
- 3) Home Port
- 4) Flag State
- 5) Captain's name
- 6) Type of report (Start Fishing, Stop Fishing, Transiting, Change of Intent, or Cancellation)

If a report is for start fishing or stop fishing the date of starting or stopping. If a report is for vessel transiting, the report must include the entry date. Vessels are required by US regulation to file a report at least 24 hours prior to beginning fishing and 24 hours prior to or upon exit from United States fisheries waters after stopping fishing.

Vessels are also required by Canadian regulation to contact the Canadian Tofino Coast Guard radio. Vessels may be patched directly to the Canadian Coast Guard at the end of filing their report with WLO or KLB radio. This service is provided as a convenience so that the vessel need only make one radio communication. The vessel should simply ask the operator to connect them with the Canadian Coast Guard.

If you should have any questions regarding this system, please contact the ShipCom operator.

### New Requirements for 2005 Vessels

Please Read Carefully

6. Information reports required to be made by the vessel master to USA authorities and Canadian authorities:

When reports are required:

- (1) At least 24 hours prior to entering U.S.A. fisheries waters to
  - (a) start fishing in U.S.A. fisheries waters, or
  - (b) to transit U.S.A. fisheries waters.

## TREATYREQUIREMNST.txt

(Hail Out Report)

(2) No later than 24 hours after stopping fishing in U.S.A. fisheries waters.

(Hail In Report)

(3) When changing

(a) plans to start fishing as previously notified in a Hail Out Report, or

(b) destination zone as previously notified in a Hail Out Report.

(Changing Intent Report)

How reports are to be made to USA authorities:

Communications must be made to ShipCom via:

(a) Station KLB (Seattle, WA) ITU channels 417, 805, 1209, 1624;

(b) Station WLO (Mobile, AL) ITU channels 405, 824, 1212, 1641, 1807, 2237;

(c) by using a satellite phone or cellular phone and dialing 1-800-654-5497

How reports are to be made to Canadian authorities:

Communications must be made to Tofino Coast Guard Radio via:

(a) VHF channel 26 (within a 60 mile range);

(b) MF channel 2054 (within a 200 mile range);

(c) HF channel 4125 (within a 400 mile range); or

(d) by using a satellite phone or cellular phone and dialing 250-726-7716.

What must be reported:

(1) Hail Out Report: The following information must be reported to ShipCom and Tofino Coast Guard for a vessel starting to fish, making subsequent trips after a Hail In Report or transiting U.S.A. fisheries waters:

(a) vessel name;

(b) flag state;

(c) vessel master name;

TREATYREQUIREMNST.txt

- (d) vessel registration number;
- (e) home port;
- (f) destination zone; and
- (g) if fishing, anticipated start date; or
- (h) if transiting, anticipated date of entry into and exit from U.S.A. fisheries waters.

Note: A vessel that has filed a Hail Out Report to enter U.S.A. fisheries waters solely for the purpose of transit must have its gear stowed in unfishable condition and leave U.S.A. fisheries waters and file a second Hail Out report prior to re-entering U.S.A. fisheries waters to start fishing.

(2) Hail In Report: The following information must be reported to ShipCom and Tofino Coast Guard when a vessel stops fishing in U.S.A. fisheries waters:

- (a) vessel name;
- (b) verification number;
- (c) flag state;
- (d) vessel master name;
- (e) vessel registration number;
- (f) home port; and
- (g) date fishing ceased.

Note: A vessel that has filed a Hail Out Report will be presumed to still be fishing until a Hail In Report is filed. Vessels entering and exiting USA fisheries waters to access port are not required to file Hail In reports unless there is intent to not continue fishing into the following calendar month or the vessels season is complete. A second Hail Out report can be filed if the intent is to commence fishing.

(3) Change of Intent Report:

The following information must be reported if the vessel master changes plans to start fishing, changes the destination zone or cancels a fishing trip, after making a Hail Out

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Report:

- (a) vessel name;
- (b) verification number;
- (c) new destination zone; and
- (d) cancellation date or intent to start fishing date.

Note: A vessel must file a Change of Intent Report if changing destination zones to fish in Canada after filing a Hail Out report. Additional Hail Out reports can be filed to provide a start date for subsequent trips for fishing in U.S.A. fisheries waters.