

NMFS-SWR REPORT ON RECENT ACTIVITIES RELATED TO HMS

1. U.S.-Canada Albacore Treaty - A technical consultation was held between U.S. and Canadian government representatives in Seattle, Washington, July 24-25, to discuss steps needed to implement the amended treaty in June 2003. A summary of that meeting was distributed to industry advisors, the Council, and others in mid-August. A meeting with U.S. industry is being scheduled for October 10 in the San Francisco area to discuss options and the pros and cons of each for further discussions with Canada in the fall.
2. Inter-American Tropical Tuna Commission (IATTC) - At its annual meeting June 24-28, 2002, in Manzanillo, Mexico, the IATTC adopted three resolutions of special note. First, it agreed to close tuna purse seine fisheries for the month of December 2002 to limit fishing effort and indirectly limit fishing mortality to prevent overfishing in the eastern Pacific. This will be easier to monitor and comply with than the previous system of quotas and incidental catch allowances with free purse seine fishing outside the commission yellowfin regulatory area. Second, the IATTC agreed to extend its "pilot" program for bycatch reduction through 2004. Notices to implement these recommendations, which have been approved by the Department of State, have been issued to industry and will be published in the Federal Register. Third, and perhaps most significant in the long term, the IATTC agreed to a moratorium on new entry into the purse seine fisheries of the eastern Pacific. The purse seine vessels on the IATTC vessel register as of June 29, 2002, will be deemed to be authorized to fish with purse seine gear in the future; vessels not on the register will not be considered as authorized. NMFS will have to promulgate regulations to implement this recommendation, which also has been approved by the Department of State.
3. On July 12, 2002, a transshipment permit was issued under provisions of Section 204(d) of the Magnuson-Stevens Fishery Conservation and Management Act. The transshipment permit allows transfer of purse-seine caught blue fin tuna to the Mexican vessel ORGULLOSO. (Letter from John Dunnigan to Don McIsaac, attached).



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

Dr. Don McIsaac, Executive Director
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384

JUL 22 2002

RECEIVED

JUL 29 2002

Dear Dr. *Don* McIsaac:

REMO

Thank you for your letter of June 25, 2002, reporting the Council's comments and recommendations regarding a foreign fishing application submitted under provisions of Section 204(d) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The permit in question was issued on July 12, 2002. The application requested the issuance of a transshipment permit for the Mexican vessel ORGULLOSO, one of a number of vessels (the others being of U.S. registry) that will tow fish cages.

Permits issued under Section 204 of the Magnuson-Stevens Act govern only foreign fishing. Section 204(d)(6) of the Magnuson-Stevens Act provides that permit conditions and restrictions be "complied with by the owner and operator of the vessel for which the permit is issued." Because certain of the conditions the Council requested be placed on the permit for the ORGULLOSO pertain to U.S. vessels and their owners and operators, they could not be made part of a foreign fishing permit.

We have contacted our Southwest Regional Office with respect to the Council's concerns. The transfer of purse-seine caught bluefin to tow-cage vessels was conducted in 2001 using U.S. vessels exclusively with no apparent problematic results. The Southwest Regional Office was aware of these operations and engaged in the oversight and monitoring of these activities and expect to be able to similarly arrange to monitor activities in 2002 with respect to the owners and operators of U.S. purse seine vessels transferring bluefin tuna to tow-cage vessels (i.e., whether the tow-cage vessels are of U.S. registry or the ORGULLOSO).

Thank you for your assistance with this matter.

Sincerely,

John H. Dunnigan
Director, Office of
Sustainable Fisheries

cc: Svein Fougner
Pat Donley

