

UPDATE ON AND RECOMMENDATIONS FOR INTERNATIONAL MANAGEMENT ACTIVITIES

Under this agenda item the Council has three issues to consider in relation to the international management of highly migratory species managed under the Council Fishery Management Plan, as outlined below. Additional information or issues may come up under this agenda item.

Developing a management framework for North Pacific albacore tuna

At the November 2011 meeting the Council was briefed on the Western and Central Pacific Fisheries Commission (WCPFC) Northern Committee's decision to develop a management framework for North Pacific albacore tuna, which would include identification of target and limit reference points, and predetermined management responses if a limit reference point was likely to be exceeded. The Council had previously recognized the need to develop a framework so the Council would be in a better position to react to future stock assessment results and management responses at the international level, which might require domestic action. In June 2011 the Council tasked the Highly Migratory Species Management Team (HMSMT) and HMS Advisory Subpanel (HMSAS) with beginning development of a proactive management framework for North Pacific albacore, towards a purpose of being proposed at the international level through U.S. delegations.

The HMSMT met January 10-12, 2012, to gather information for a report for the Council on this topic. Their report is attached as Agenda Item B.2.b, HMSMT Report.

Negotiations between the U.S. and Canada with respect to the Albacore Treaty

The U.S. and Canada met November 30-December 1, 2011, to discuss the Fishing Regime authorizing reciprocal access to each country's Exclusive Economic Zones by vessels from the other. The Fishing Regime is pursuant to the U.S.-Canada Albacore Treaty, as detailed in Appendix C (see Attachment 1). The 3-year regime described in Appendix C is set to expire at the end of 2011, unless extended by mutual consent. At the November 2-7, 2011, Council meeting, the Council provided general direction to Buzz Brizendine to represent the Council perspective at the negotiation session. Specifically, they advised he promote stability by not advocating termination of the treaty. Recognizing fluid issues emerging at the negotiation, such as fishing regime specifics, they asked that he contribute to the delegation in a manner consistent with the Council discussion at the time regarding improved equity for U.S. fishery participants and processors.

On November 21, 2011, Mr. David Hogan, Deputy Director of the Office of Marine Conservation, Department of State, received a joint letter from the Western Fishboat Owners Association (WFOA) and the American Albacore Fishing Association (AAFA) (Attachment 2) stating "In light of this treaty's history, WFOA and AAFA Boards of Directors are in full agreement that *fishing rights* under the Treaty should be terminated." The letter goes on to say "If discussions toward reestablishing reciprocal fishing access in the future receive broad stakeholder support, such discussions should proceed only after thorough study and consideration of the U.S. fishery, both during the Treaty's reciprocal fishing period and for an amount of time thereafter adequate to assess and address its impacts."

The U.S. delegation presented this position to the Canadian negotiators, who were not prepared with a response that would address U.S. concerns. The meeting ended without agreement on renewal of the Fishing Regime and no subsequent proposal was received from the Canadian representatives by December 31, 2011; therefore, there are no reciprocal access rights in place for 2012. The U.S. and Canada are discussing a second negotiating meeting but no date has been confirmed as of the briefing book deadline. Unless further negotiations result in an agreement before the beginning of the next actual fishing season (under the previous fishing regime reciprocal access began June 15), reciprocal access rights will remain suspended in 2012 and future years.

Mr. Buzz Brizendine has submitted a brief report based on his participation in the U.S. delegation to the negotiations, (Attachment 3) and is available to answer questions.

Council recommendations to the WCPFC and IATTC delegations

At the November 2011 meeting, the Council adopted recommendations to the U.S. delegation to the Eighth Regular Session of the WCPFC (WCPFC8) scheduled for December 5-9, 2011, in Koror, Palau. However, the meeting was subsequently delayed to March 26-30, 2012. The Council therefore has the option of revisiting and revising their recommendations (see Attachment 4) if desired.

The Inter-American Tropical Tuna Commission (IATTC) will hold its Annual Meeting June 18-29, 2012, which overlaps with the June Council meeting. In addition, their Scientific Committee meets May 15-18. It is at this meeting that new stock assessments are presented and reviewed and staff conservation recommendations discussed. The timing of these meetings does not fit very well with the Council schedule. The Council should decide what to do about developing recommendations for the U.S. delegation to the IATTC Annual Meeting.

Council Action:

- 1. Consider Recommendations for the Development of a Management Framework for Albacore Tuna by the Northern Committee and any Related Domestic Actions**
- 2. Adopt Recommendations Relative to any Further Negotiations between the U.S. and Canada on the Fishing Regime Under the Albacore Treaty**
- 3. Consider Any Additional Recommendations for the U.S. Delegation to WCPFC8 and the Development of Recommendations for the IATTC Annual Meeting**

Reference Materials:

1. Agenda Item B.2.a, Attachment 1: United States of America and Canada, Treaty on Pacific Coast albacore tuna vessels and port privileges (with annexes). Signed at Washington on 26 May 1981 and Annexes as Amended.
2. Agenda Item B.2.a, Attachment 2: Joint Letter to Mr. David Hogan on U.S. - Canada Albacore Treaty – Joint Position of WFOA & AAFA.
3. Agenda Item B.2.a, Attachment 3: Report on Negotiations between the U.S. and Canada on the Albacore Treaty, Buzz Brizendine.
4. Agenda Item B.2.a, Attachment 4: Letter to Russell Smith from Donald McIsaac with Council Recommendations to the U.S. Delegation to WCPFC8.
5. Agenda Item B.2.b, NMFS Report on International HMS Activities.
6. Agenda Item B.2.b, HMSMT Report.

7. Agenda Item B.2.c, Public Comment: U.S.-Canada Albacore Treaty.

Agenda Order:

- a. Agenda Item Overview Kit Dahl
- b. Reports and Comments of Advisory Bodies and Management Entities
- c. Public Comment
- d. **Council Action:** Consider and Adopt Recommendations on International Management Activities Concerning a Management Framework for Albacore Tuna and the U.S.-Canada Treaty

PFMC
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