



## Pacific Fishery Management Council

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Dan Wolford, Chairman | Donald O. McIsaac, Executive Director

March 13, 2012

Mr. Sam Rauch, III, Acting Assistant Administrator  
NOAA Fisheries, National Marine Fisheries Service  
1315 East-West Hwy, Room 1532  
Silver Spring, MD 20910

Dear Mr. Rauch:

The Pacific Fishery Management Council (hereafter, the Council) met on March 2, 2012, and made the following recommendations on the future status of the U.S.-Canada Albacore Treaty.

The Council supports continuation of the U.S.-Canada Albacore Treaty. However, any future negotiation on a replacement for the Fishery Regime that expired on December 31, 2011, should not be implemented for the 2012 fishing season. Suspension of reciprocal access in 2012, or longer if necessary, will allow stakeholders and managers to better assess the information and data needed to address the long-term reciprocal privileges under the treaty.

The Council notes that the composition of the Canadian fleet, Canada's marketing efforts, and the fleet's fishing methods have changed dramatically over the past 10 years. Such changes have resulted in an increase in Canadian fishing effort in U.S. waters, increased catch per vessel, and crowding on fishing grounds in U.S. waters. The ability of Canadian permit holders to lease their permits to other vessel owners also favors higher catch and catch per unit of effort by the Canadian fleet. These conditions have led to confrontations between U.S. and Canadian vessels on U.S. fishing grounds, an unhealthy situation.

The Council looks forward to completion of an economic study that, among other things, would compare Canadian catch in the U.S. Exclusive Economic Zone (EEZ) in the mid 1990s to catch in recent years. The Council believes that Canadian catch has increased substantially and much more of the Canadian catch is delivered back to Canadian ports instead of U.S. ports. This suggests that Canada is gaining a disproportionate benefit from the Treaty compared to the U.S. But more information is needed to substantiate this view.

To reiterate, the Council is fully aware that termination of the Treaty and suspension of the Fishing Regime are separate issues. The Council's position is to keep the Treaty in place while suspending the Fishing Regime.

When a new agreement is negotiated, the terms specified in the Exchange of Notes at the conclusion of the last agreement should be included. The Exchange of Notes states in part:

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In the event that an international fisheries management organization such as the Inter-American Tropical Tuna Commission (IATTC) adopts measures for international management of North Pacific albacore using a national catch allocation system, the Parties agree that the portion of any national allocation received by Canada and the United States attributable to the catch taken in the EEZ of the other country shall be reallocated by each country to the country in whose EEZ that catch was taken, or shall otherwise implement the national allocations in a manner that ensures respective future fishing opportunities under international management reflect total catches in each country's EEZ.

Please keep us informed about plans for the next bilateral meeting, scheduled for April 11-12, 2012, in Portland, Oregon.

Sincerely,

A handwritten signature in black ink, appearing to read "D. O. McIsaac", written in a cursive style.

D. O. McIsaac, Ph.D.  
Executive Director

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c: Council Members  
Mr. Mark Helvey, NMFS SWR  
Mr. David Hogan, Deputy Director, U.S. Department of State  
Mr. Felix Young, Senator Dianne Feinstein's Office  
Highly Migratory Species Advisory Subpanel  
Highly Migratory Species Management Team