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VIA FIRST CLASS MAIL

Attn: Natalie Webster
AMERICAN ALBACORE FISHING ASSOCIATION
4252 Bonita Road, #154
Bonita, CA 91902

Re.: U.S. – Canada Treaty Consultations, May 18-19, 2010 (San Francisco)

Dear Natalie:

I recently traveled to San Francisco in connection with the consultations for the U.S. – Canada albacore treaty. Before the consultations got underway with the Canadians, the members of the U.S. delegation met at 8:00 am for a brief discussion. The agenda was reviewed and accepted with minor revisions.

There was some discussion of the U.S. Coast Guard enforcement activities during the fishing season and it was confirmed that, as part of their inspections of Canadian vessels in U.S. waters, the Coast Guard was verifying that only troll gear was being used, as required by the terms of the treaty. Coast Guard representatives would provide more information in the report at the consultations.

I expressed AAFA's concerns over the accuracy of Canada's catch data and questioned the methods used for compiling data from Canadian vessel logbooks. Apparently, the logbook data is sent to one person, who then produces the catch totals for the government to use. There is no oversight of this individual and no verification of accuracy of the numbers. It's just the word of this one person, who is hired by the fishery and not part of the Canadian Department of Fisheries & Oceans.

While WFOA and AFRF have also questioned the legitimacy of Canadian catch data in past years, they did not express any concerns over the Canadian catch at this year's meetings.

After the meeting of the U.S. delegation, the U.S. and Canadian delegations met jointly for the formal consultations. The meeting was held at the headquarters for the Farallon Islands National Marine Sanctuary.

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Introduction of Attendees:

Attending the meetings for Canada was Sylvie Lapoint, with their Dept. of Fisheries & Oceans, John Holmes from the albacore working group, Gary Miller of DFO, and Greg Helms and Larry Teague for the British Columbia Tuna Fishermen's Association (BCTFA).

The U.S. delegation consisted of David Hogan for the Department of State, Mark Helvey of NMFS, Vicki Nomura for NMFS/NOAA enforcement office, Brian Corrigan of the U.S. Coast Guard, Brad Wiley of NOAA International Fisheries, Chris Fanning of NMFS, Gary Sakagawa from the SW Fisheries Science Center, Rod Moore for the West Coast Seafood Processors, Wayne Heikkila and Peter Flournoy for WFOA/AFRF.

Status of Treaty

David Hogan led off discussions by observing there were two years remaining on the current treaty fishing regime. Sylvie Lapoint replied that Canada would like the parties to begin work earlier, rather than later, in order to ensure timely progress toward renewal of the treaty.

Review of 2009 Season

Mark Helvey reviewed catch and effort data for the U.S. pole & troll fishery in 2009. 94% of the U.S. fleet's catch was made in the U.S. EEZ, 2% in the Canadian EEZ and 4% on the High Seas. In comparison, in 2008, 78% of the U.S. catch was caught in the U.S. EEZ. In 2009, 94% of U.S. effort was in the U.S. EEZ, compared with 86% in 2008.

Overall, 2009 saw fewer U.S. vessels fishing in the Canadian EEZ and on the High Seas. Only 29 U.S. vessels "hailed in" to fish Canadian waters.

In sharp contrast, Canada reported 110 Canadian vessels fished in the U.S. EEZ. NMFS had records for only 89 of these vessels and will follow up as to why there was such a significant difference in the records of the two countries.

Landings by Canadian vessels in U.S. ports decreased to almost half of the previous year.

- In 2008, 46 vessels made 122 landings for 1,359 metric tons at U.S. ports.
- In 2009, 26 vessels made only 51 landings for 650 metric tons at U.S. ports.

Canada cited a large concentration of fish in the border area as an explanation for this significant change.

Canada reported a greater albacore catch in the Canadian EEZ in 2009 (397 mt vs. 201 mt in 2008). There were 133 BC vessels fishing for albacore in 2009. Of those 133 vessels, 110 could fish in U.S. EEZ under the terms of the treaty. All 110 vessels did enter the U.S. EEZ.

Canadian vessel catch in different areas (catch, not landings):

BC waters:	397 mt
WA	2,480 mt
OR	2,719 mt
CA	1 mt

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Regarding the U.S. fishery, the following reports and comparisons were provided:

- In 2008, 469 U.S. vessels made 1,887 landings for 9,736 metric tons at U.S. ports.
- In 2009, 653 U.S. vessels made 2,858 landings for 11,568 metric tons at U.S. ports.
- In 2008, seven U.S. troll vessels unloaded 595 metric tons in Canadian ports.
- In 2009, nine U.S. vessels unloaded 575 metric tons in Canadian ports.

Canada represented that its 2009 albacore fishery data have been reported to the ISC, IATTC, and WCPFC in accordance with international obligations.

Minutes of Treaty Consultations

Requests were made by both U.S. (AAFA) and Canadian (BCTFA) fishery stakeholders for copies of the minutes from the consultations. Apparently, minutes are prepared and occasionally referred to but have not been provided (or available) to stakeholders. U.S. representatives indicated they would look into this and inquire about the possibility of changing this practice.

Treaty Enforcement

Brian Corrigan reported on U.S. Coast Guard enforcement activity. The USCG boarded and inspected seven BC vessels, checking compliance with gear, catch, logs, etc. No problems were found. He also reported on a collision between a U.S. vessel (F/V Czarina) and a BC vessel (F/V Persistent). The collision appeared to be a glancing blow as a result of inattention by the U.S. vessel. The U.S. vessel operator was cited for not maintaining a bridge watch.

Vicki Nomura, Office of Law Enforcement (NMFS) – looked into 8 vessels that may have been fishing without being on the “list” of approved vessels. One vessel was on the list. The other 7 were warned of possible penalties. Her office is still looking into a few U.S. vessels that may not have properly hailed into Tofino but did hail out. She reported that logbook compliance has very much-improved in recent years. This is appreciated. Outreach programs and warnings have been very effective.

Canada had no compliance or enforcement activity to report.

IUU Fishing

The USCG will conduct patrols with available aircraft and patrol vessels in 2010 in order to address the threats presented by high seas drift gill net fishing. Coast Guard high endurance cutters will continue to patrol the U.S. EEZ and in the N. Pacific Anadromous Fish Commission Convention area as scheduling and resource demands allow. Pacific Area Command will dedicate 125 aircraft hours in the high threat area and a minimum of 90 cutter days in support of the IUU mission in 2010.

Regulations

Effective January 1, 2009, all fishing vessels with a freeboard of four feet and greater (including Canadian vessels) are required to provide a USCG-approved pilot ladder as a safe

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and enforceable means for authorized personnel to board fishing vessels in carrying out their duties.

Automatic Identification System (AIS) requirements are undergoing final rulemaking and could possibly go into effect during the 2010 season. This requirement will apply to all U.S. and Canadian vessels greater than or equal to 65' only if they visit a U.S. port (transiting U.S. waters does not trigger the requirement). The status for 2010 is unchanged from 2009, so fishing vessels 65' and greater will be required at some point to have AIS, but the date is still to be determined.

Stock Assessment

The Albacore Working Group has expressed concern over a possible jump in pole and line catch by the Japanese coastal surface fishery. It appears the fishery's catch jumped significantly in 2009, and had a similar jump in 2007. Some concern exists for the high level of fishery-wide harvest. Even though catch levels are generally remaining stable, scientists are concerned for coming years. There was general acknowledgement of difficulty in getting Japanese data and evaluating the quality of that data.

Vessel List Exchange

The U.S. reported that its vessel list is being collected and generated. The Canadians reported that their list is on schedule to be ready on June 1st.

Cooperative Efforts

There was discussion of efforts to increase U.S.-Canada cooperation on IUU patrols and reporting. U.S. and Canada will be increasing joint efforts. More aircraft hours will be allowed and there's a new program being implemented using radar-sat imaging. This is an important issue to both countries and essential to progress with the IATTC and WCPFC.

International Developments (IATTC, WCPFC, Kobe II):

U.S. and Canada representatives discussed jointly reaching out to Japan to address the countries concerns about albacore stock and management. Recognized our mutual interest in seeking to ensure the stock remains stable and does not start spiraling down.

There was a broad discussion of measures that could/should be taken (internationally, Pacific-wide). Reference points need to be determined. Better biological data is needed to calculate more accurate reference points.

The Forum Fisheries Agency (FFA) (small Pacific islands) may present a challenge to achieving progress at the Northern Committee (NC) as the FFA members generally do not like the idea of the Northern Committee and the way it asserts authority over their fisheries.

Canada's Sylvie Lapoint expressed Canada's dislike of the way Japan dominates the NC and preference that albacore was not under NC jurisdiction. Apparently, Australia and New Zealand have similar views. Canada suggested the U.S. work with Canada to increase

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participation and cooperation with Australia and New Zealand in order to improve efforts with the Northern Committee.

Canada expressed a desire to have a bullet-point list or time-line of activities to measure progress on these international outreach activities. Sylvie Lapoint sought WFOA/AFRF's confirmation that progress on international management efforts was required by the MSC. The Canadians stated they would prepare a draft "*plan of action*" for U.S. consideration and approval.

Canada proposed holding the next treaty consultations in Vancouver. The U.S. did not object. More details on scheduling of the next treaty consultations will be provided when available. With that, the consultations were concluded.

If you have any questions or would like to have further discussions on these matters, please do not hesitate to contact me. Thank you.

Yours truly,

Chip Bissell