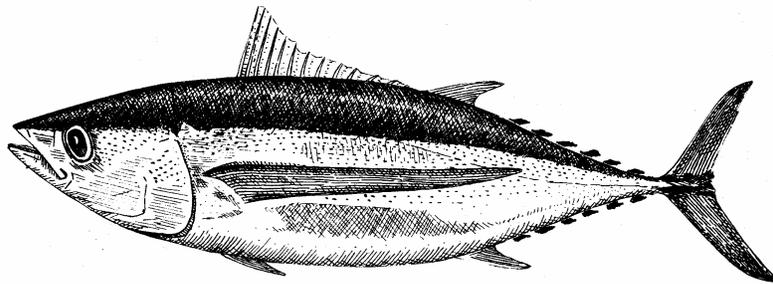


# PACIFIC REGION INTEGRATED FISHERIES MANAGEMENT PLAN

## TUNA

APRIL 1, 2009 TO  
MARCH 31, 2010



Albacore Tuna (*Thunnus alalunga*)



Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

Canada

*This Integrated Fisheries Management Plan is intended for general purposes only. Where there is a discrepancy between the Plan and the regulations, the regulations are the final authority. A description of Areas and Subareas referenced in this Plan can be found in the Pacific Fishery Management Area Regulations.*



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## 2. GLOSSARY

Area	A division of Canadian fisheries waters as described in the <i>Pacific Fishery Management Area Regulations</i> .
Exclusive Economic Zone	The Exclusive Economic Zone (EEZ) is an area beyond and adjacent to the territorial sea that shall not extend beyond 200 nautical miles from the baselines from which the breadth of the territorial sea is measured.
High seas	All parts of the sea that are not included in the exclusive economic zone, in the territorial sea or in the internal waters of a state.
Jig-fishery	Hook and line troll gear using jigs.
Stock assessment	Results of analyses of fisheries and research data used to evaluate the effects of fishing on a stock or population and to predict the reaction of populations to alternative management choices.
Subarea	A division of Canadian fisheries waters as described in the <i>Pacific Fishery Management Area Regulations</i> .
Tonne	Metric tonne, 1000 kg, or 2204.6 lbs.
Tuna Treaty	The treaty between the Government of Canada and the Government of the United States of America on Pacific albacore tuna vessels and port privileges in force July 29, 1981.

## 3. INTRODUCTION

The 2009/2010 Pacific Region Tuna Integrated Fisheries Management Plan (IFMP) is valid for the period of April 1, 2009 to March 31, 2010. The Regional Director General of the Pacific Region approves this plan.

This plan applies to fisheries for tuna species in waters of the Pacific Ocean within the Canadian EEZ, the United States of America (USA) EEZ and offshore (high seas).

## **4. OVERVIEW OF THE FISHERY**

### **4.1. Description of Fishery**

The Pacific Canadian fishery is focused on highly migratory albacore tuna (*Thunnus alalunga*) using troll gear. This is a jig fishery. Net gear is not permitted.

Canadian fish harvesters have been fishing albacore since the mid 1930's in the north Pacific and since the 1980's in the south Pacific (Ware and Yamanaka 1991, Shaw and Argue 2000). The Canadian fishery started in the coastal waters off British Columbia (BC). It has now developed into a fishery with two fleet types, smaller vessels fishing coastal BC and USA waters, and larger vessels fishing on the high seas of the north and south Pacific Ocean. The north Pacific fishery lasts from May through October each year when albacore are abundant offshore and in coastal waters. The south Pacific fishery lasts from December through March (Argue et al. 1999).

The Canadian fleet operates all over the Pacific and roughly 350 unique Canadian vessels have participated in the albacore fishery in at least one year since 1995. Historically, one to five vessels operated in the south Pacific, 5 to 20 vessels in waters outside the Canadian and USA EEZs to as far west as 170°E in the north Pacific, up to 179 vessels in waters of the USA EEZ, and from 20 to 30 vessels in Canadian waters. The 2008 Canadian fleet size was 190 vessels. For 2009 the Canadian fleet is estimated to be 184.

Catches since 1996 by the Canadian fleet in the north Pacific albacore troll fishery have ranged from 2,734 tonnes in 1999 to a high of 7,856 tonnes in 2004, with an average catch of 5,378 tonnes over this period. In 2008 the total estimated catch was 5,401 tonnes, with the catch in BC estimated at 190 tonnes and no reported catch for the south Pacific. In recent years more than 85% of the reported Canadian catch has occurred along the North American coast while the offshore fleet has decreased effort in the Northwest Pacific. On average, between 38 and 400 tonnes of this catch are taken in the south Pacific by Canadian operators. Canadian caught albacore is worth up to \$28 million per year in landed value. Total Pacific-wide albacore catches since the 1950's have ranged from 70,000 to 150,000 tonnes per year, mostly taken by Asian longline as well as pole and line vessels. The USA troll fishery catches since 1996 have ranged from 8,400 to 17,000 tonnes per year.

There is an opportunity for recreational and First Nations harvest of tuna species in Canadian fisheries waters, however there currently are no First Nations fisheries taking place. There is a very small opportunistic recreational fishery that takes place off northwest Vancouver Island when fish are in the area.

### **4.2. Participants**

The coastal fleet operates within the Canadian EEZ and the USA EEZ in accordance with fishing and port access privileges under the Tuna Treaty. Vessels in this fleet, mostly 10.67m to 18.29m in length (35 to 60 feet), concentrate their fishing effort primarily from the southern Oregon coast to the northern tip of Vancouver Island. Fishing activity is dependent on price, ocean and weather conditions, albacore availability, the strength of other fisheries, particularly the salmon fishery, and fuel costs. Effort in the coastal fishery normally peaks in August and September, after the salmon season for trollers has wound down. Catch from the coastal fleet is sold into both the canned and the blast bled frozen tuna markets.

The Canadian high seas fleet is comprised of larger troll vessels, mostly greater than 60 feet in length, with crews typically of two to four fish harvesters. These vessels typically remain at sea for several months each trip. Many of these vessels are equipped with larger freezers and operate primarily from west of the International Dateline to the Canadian EEZ in the north Pacific. Some offshore vessels trans-ship their catch to carrier vessels at sea in order to continue fishing operations on migrating schools of tuna. Offshore fishing in the north Pacific on the Wake Island grounds usually starts in May and, weather and tuna abundance permitting, lasts through late fall as the vessels follow albacore towards the North American coast. Offshore vessel catches are sold primarily into the blast bled frozen sashimi market.

## **5. INTERNATIONAL CONSIDERATIONS**

Canadian fishing vessels fishing for tuna outside the Canadian EEZ may be subject to the requirements of the Canada/United States of America Tuna Treaty, the Inter-American Tropical Tuna Commission (IATTC) and the Western and Central Pacific Fisheries Commission (WCPFC), it is the responsibility of the vessel master to ensure he/she understands these requirements and adheres to them.

### **5.1. Canada/United States of America Albacore Tuna Treaty**

Under the Tuna Treaty, Canadian and USA fish harvesters may fish northern Pacific albacore tuna in the other country's 200 mile EEZ and may land albacore tuna at designated ports in the other country for purposes of sale or transshipment. The Tuna Treaty also provides for the exchange of catch, effort and scientific information in order to inform management decisions and better understand the albacore tuna stocks that migrate off the west coasts of the USA and Canada.

On April 24, 2002 Canada and the USA agreed to amend the Tuna Treaty to establish a three year limitation regime providing for a phased reduction in access by vessels of each country to the EEZ of the other. The amendments entered into force June 1, 2004,

placing limits on the fishing effort by each country in the other's EEZ. This new Annex C of the Tuna Treaty limited the fishing activity of each fleet in the other country's zone to 680 vessel fishing months or 170 vessels for a maximum of four calendar months each for year one (2004), 560 vessel fishing months or 140 vessels for year two (2005) and 500 vessel fishing months or 125 vessels for year three (2006). The Tuna Treaty also calls for both countries to enter into consultations on a new limitation regime, or extension of the existing regime from 2004, to start twelve months prior to its expiration (March 31, 2007). If an agreement could not be reached, access would be limited to 75% of year three levels (94 vessels or 376 vessel fishing months) until a new agreement could be reached and implemented. These provisions were reciprocal.

In 2007, the Government of Canada and the USA did not formally meet to discuss the Tuna Treaty. As a result, the default access level was applied for the 2007/2008 and 2008/2009 fishery. The 2008/2009 fishery was the fifth year that the Tuna Treaty limitations were applied. Canadian fishing effort for the 2008 season was in line with the limits. Discussions between both Governments resumed in 2008

On December 15, 2008, Canadian and American officials met and initialled amendments to the *Canada-U.S. Pacific Albacore Tuna Treaty* with a view to having the new regime in force for the 2009 Fishing Season.

The treaty has been renewed for a period of 3 years with the possible extension of one or more years. Pending approval of the new regime, this will provide at least 3 fishing seasons (2009 to 2011) for Canadian vessels to harvest albacore tuna in the US EEZ as well as US vessels to harvest in the Canadian EEZ. Canadian access has been increased from 94 vessels to 110 vessels and US access will be maintained at historical levels. The additional 16 vessels will be taken from those ranked from 95 to 110, within the existing licence eligibility list of 179. A fixed list of Canadian vessels with a current USA 68 licence, which permits fishing in the US EEZ under the terms of the treaty, will be forwarded to American officials by June 1 of each season.

The terms of the revised treaty include a modification from the previously used vessel month system with vessel month transfers to a defined fishing season of 4.5 months with mid-season transfers prohibited except under extraordinary circumstances. Pursuant to the revised *Treaty*, the tuna fishing season for harvesting albacore in the US EEZ will now start on June 15 and end on October 31.

## **5.2. Other International Agreements**

Widespread and growing concern over the state of the world's commercial fisheries, many of which suffer from resource over-exploitation and fleet over-capacity, has led to

international agreements that will have a substantial impact on the future conduct of albacore tuna fisheries, and on the responsibilities of governments and fishing industries for their management. These agreements include the *United Nations Straddling Fish Stocks and Highly Migratory Fish Stocks Agreement* (otherwise known in Canada as the *UN Fish Stocks Agreement* or *UNFSA*), the *FAO Code of Conduct for Responsible Fisheries*, the *FAO Compliance Agreement*, the *International Plan of Action (IPOA) for the Management of Fishing Capacity*, the *FAO IPOA to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing*, the *IPOA on Reducing Incidental Catch of Seabirds*, and the *IPOA for the Conservation and Management of Sharks*, the *United Nations (UN) Compliance Agreement*, and *UN General Assembly resolutions*. These all require a precautionary approach to fisheries management and flag state control over fishing vessels, wherever they fish.

The most important agreement from Canada's perspective is the UNFSA, which Canada ratified in August 2001. This agreement entered into force on December 11, 2001. Under UNFSA, Canada has an obligation to take measures to ensure that vessels flying its flag that harvest on the high seas comply with the conservation and management measures of relevant Regional Fisheries Management Organizations (RFMOs), and that they do not undermine the effectiveness of such measures. To this end, Canada's obligations are:

- a) To enact regulations that controls its vessels through licences and Conditions of Licence.
- b) To require its vessels to report catch (and incidental catch), effort, landings and transshipments.
- c) To implement appropriate monitoring and surveillance of Canadian vessels and their fishing and related activities.
- d) To ensure Canadian vessels and their gear are marked for identification in accordance with international marking systems.
- e) To provide scientific information for stock assessments on a timely basis.

### **5.3. Regional Fisheries Management Organisations**

The Joint Meeting of Tuna Regional Fisheries Management Organizations in Kobe, Japan, in January 2007 resulted in the Kobe Course of Actions, which sets out the steps to be taken to reform tuna Regional Fisheries Management Organizations (RFMOs).

#### **Inter-American Tropical Tuna Commission**

The Inter-American Tropical Tuna Commission (IATTC) was established in 1950 and was the first international organization dealing with tuna fisheries. It is responsible for

the conservation and management of fisheries for tuna and others species taken by tuna fishing vessels in the eastern Pacific Ocean (EPO).

After five years of negotiations, comprehensive amendments to the Convention text were adopted on June 27, 2003 with a view to bringing the Convention text in line with new fisheries realities. Canada actively participated in these negotiations as an observer. The amended Convention (also known as the Antigua Convention) covers the area between the western coastline of the Americas and 150° W longitude, from latitudes 50° N and 50° S, which includes a part of Canada's EEZ and territorial sea. On December 22, 2004, Canada signed the Antigua Convention but has not ratified it to date. Canadian fish harvesters pursue a significant fishery for northern albacore tuna, a stock covered by the IATTC. Current member countries of the IATTC are: Columbia, Costa Rica, Ecuador, El Salvador, France, Guatemala, Japan, Mexico, Nicaragua, Panama, Peru, Republic of Korea, Spain, the United States, Vanuatu and Venezuela. Canada is aiming to become a member of the IATTC and this is likely to take place prior to the 2009 IATTC Annual Meeting in June.

At an IATTC meeting in 2006, countries adopted a resolution on northern albacore that required no increase of fishing effort for North Pacific albacore tuna in the Eastern Pacific Ocean; each country to take necessary measures to ensure that the level of fishing effort by their vessels fishing for North Pacific albacore tuna not increase; and that each country report all catches of North Pacific albacore tuna by gear type to the IATTC every six months.

The 79<sup>th</sup> IATTC meeting was held November, 2008, in California. There were no new measures relating to Pacific Albacore as a result of this meeting.

More information on the IATTC can be found at: [www.iattc.org](http://www.iattc.org)

### **Western and Central Pacific Fisheries Commission**

The Convention for Conservation and Management of Highly Migratory Species in the Western and Central Pacific Ocean was adopted on September 4, 2000, (i.e. west of 150° W longitude). Canada ratified the Convention on November 1, 2005, becoming the 22<sup>nd</sup> member of the Western and Central Pacific Fisheries Commission (WCPFC). The WCPFC came into force on June 19, 2004. Canada's main fisheries interests in the central and western Pacific are northern albacore tuna stocks and to a lesser degree, southern albacore and other tuna species.

The most recent WCPFC meeting was held in Busan, Korea, from December 8-12, 2008.

At the December 3-7 meeting in Guam, USA, new comprehensive monitoring, control and surveillance (MCS) measures were adopted at the meeting and included the world's first fully UNFSA consistent Boarding and Inspection Regime, agreement on the budget for a Vessel Monitoring System (VMS), with full implementation by late 2008 or early 2009, agreement on the implementation of a Regional Observer Program, discussion on a

transshipment scheme, and technical measures on the mitigation of impacts of fishing gear on seabirds. An interim management objective for the North Pacific albacore stock was agreed to at the Northern Committee meeting, a subsidiary body of the Commission which makes recommendations on North Pacific stocks. This interim objective includes the objective to maintain the Spawning Stock Biomass above the average level of its 10 lowest points, through reductions in fishing mortality as necessary. The Commission adopted this measure, however there was some discussion that it was not substantial enough and that a full management strategy should be developed for this stock for adoptions at next year's annual meeting.

This interim management objective complements the measure in the IATTC, in that Canada's effort not be increased beyond current levels and that countries take the 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, and that countries report all catches of North Pacific albacore to the WCPFC every six months. New conservation and management measures were adopted for sharks and sea turtles, respectively. Given the adoptions in 2007 of measures to conserve seabirds, the WCPFC now has measures to conserve and manage the major species encountered as incidental catch in the tuna fisheries.

More information on the WCPFC can be found at: [www.wcpfc.int](http://www.wcpfc.int).

## **6. GENERAL**

### **6.1. Stock Status**

Albacore tuna are one of six abundant, widely distributed, and economically important tuna species in the Pacific Ocean. There are two stocks of albacore, one in the south Pacific and one in the north Pacific. Mature albacore spawn in subtropical waters of the Pacific around 20° N and 20° S latitude. Immature albacore from each stock are distributed across the Pacific in subtropical and temperate waters where they are the targets of jig and pole and line fisheries. Albacore in the jig catch range in size from 4 kg to 15 kg and three to five years of age.

Albacore are a valuable species with a long history of exploitation in the eastern and western, North Pacific Ocean (NPO). The total catch of albacore in the NPO for all nations combined peaked at a record high of 126,538 metric tonnes (t) in 1976 and then declined to a low of 37,320 t in 1991. In the early 1990s, catches increased again, peaking in 1999 at 125,576 t, and averaging 84,900 t between 2002 and 2006. During the 5 year period (2002-2006), fisheries based in Japan accounted for 65 % of the total harvest, followed by fisheries in the USA (17 %), Chinese Taipei (78 %) and Canada (7.5

%). Other countries targeting the NPO stock contributed 3 % to the catch and included Korea, Mexico, Tonga, Belize, Cook Islands and Ecuador. While various fishing gears have been employed over the years to harvest albacore in the NPO, the main gears used over the period 2001-2005 were pole and line (37 %), long line (36 %) and troll (22 %). Other gears used since the mid-1990s included purse seine, gill net, and recreational fishing gears, which combined accounted for roughly 5 % of the total catch of albacore from the NPO.

The most recent stock assessment was carried out by scientists attending an ISC\* Albacore Working Group (ALBWG) Stock Assessment Workshop in November-December 2006. The ALBWG is a collaborative international scientific body with membership from Canada, Japan, Taiwan, USA, Mexico, Korea, the Inter-American Tropical Tuna Commission (IATTC), and the Secretariat of the Pacific Community (SPC). The albacore stock was assessed with an age-structured VPA-2BOX model using fishery data through 2005. The results indicated that the spawning biomass in 2006 ( $SSB_{2006}$ ) reached a historically high level estimated at 153,000 t. The stock is projected to decline to an equilibrium level of roughly 92,000 t by 2015 assuming current fishing mortality remains unchanged and average annual recruitment of 27.75 million fish. The ALBWG strongly recommended in 2006 that all countries support precautionary-based fishing practices (e.g., limits on current levels of fishing effort) at this time, given the following assessment observations:

- 1) the current level of fishing mortality (i.e., spawning potential ratio of  $F17\%$ ) is high relative to commonly used reference points and often associated with over fishing thresholds in various fisheries world-wide;
- 2) a retrospective analysis indicated a noticeable trend of over-estimation of stock biomass over the last two assessment cycles; and
- 3) the considerable decline in total (North Pacific Ocean-wide) catch over the course of the last two years, particularly in 2005, when the total harvest (roughly 61,600 t) was the lowest recorded since the early 1990's.

The 8th ISC Plenary Meeting was held July 22-27, 2008 in Takamatsu, Japan. No formal update of the stock status has been conducted since the 2006 assessment. However, the ISC reviewed a qualitative update of the North Pacific albacore stock using available fisheries data from 2006 and 2007 to develop conservation advice for the Western and Central Pacific Fisheries Commission and the Inter-American Tropical Tuna Commission. The ISC noted that previous scientific advice, based on the 2004 and 2006 stock assessments remains valid pending the results of a new stock assessment currently scheduled for 2010 and offered the following conservation advice:

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\* International Scientific Committee on Tuna and Tuna-like Species in the North Pacific Ocean

- 1) Based on the 2004 stock assessment, the ISC recommended that the current fishing mortality rate (F) should not be increased because:
  - ( $F_{\text{cur (2002-2004)}} = 0.75 \text{ yr}^{-1}$ ) is high relative to most commonly used F reference points; and
  - although the current estimate of the SSB is the second highest in history, keeping  $F_{\text{cur}}$  ( $0.75 \text{ yr}^{-1}$ ) would gradually reduce the SSB to the long-term average by the mid 2010s;
- 2) it was noted that management objectives for the IATTC and WCPFC are based on maintaining population levels which produce maximum sustainable yield;
- 3) given the projections based on the continued current high F the fishing mortality rate will have to be reduced;
- 4) the degree to which, when and how reductions should occur will depend on which reference points are selected and the desired probability and practicability of success of attaining these reference points in a time frame to be agreed.
- 5) updated projections using the known catch data 2006 and 2007 indicated that:
  - estimated probabilities of the SSB remaining above the SSB reference points calculated in the 2006 stock assessment were modestly underestimated; and
  - that  $F_{2007}$  may have been less than  $F_{\text{cur}}$  ( $0.75 \text{ yr}^{-1}$ ) since the realized catch in 2007 was less than that assumed in the 2006 projections.
- 6) Further guidance on the selection and application of biological reference points (BRPs) and their conditions is requested in order to facilitate response to requests for conservation advice. In particular, clarification of the timeframe (e.g. short-term versus long-term) for projections; and the specific types of reference points to be used (e.g. limit and/or target and the parameters) would be useful.

## 6.2. Fishing Vessel Safety

Owners and masters have a duty to ensure the safety of their crew and vessel. Adherence to safety regulations and good practices by owners, masters and crew of fishing vessels will help save lives, protect the vessel from damage and protect the environment. Appendix 3 outlines vessel safety measures and procedures required and/or recommended by Transport Canada.

## 6.3. Consultative Process

A Tuna Advisory Board (TAB) representative of tuna stakeholders and the various sectors, meets two or three times per year to provide formal advice and make recommendations to the Department on operational decisions related to tuna harvest in the Pacific Region. Commercial industry advisors participating on TAB were selected through an election process and met qualifications outlined in the TAB Terms of Reference. TAB members were elected for a two or four year term dependent on the number of votes that they received in the election. The First Nation Organization representative on TAB is appointed by the Department, a provincial representative is

appointed by the Province of BC, and environmental and recreational sectors were appointed by the Marine Conservation Caucus and the Sport Fish Advisory Board. In 2009, a representative from the Canadian Highly Migratory Species Foundation (CHMSF) was included as a member on TAB as per a consensus recommendation from the board. The TAB Terms of Reference has been revised accordingly.

Stakeholders are encouraged to participate in the advisory process by expressing their interests and views through advisors or attending meetings as observers. Please refer to the list of TAB membership in Appendix 2. Please also refer to the consultation website for information on TAB meetings including meeting minutes, presentations and the TAB Terms of Reference at:

[http://www-comm.pac.dfo-mpo.gc.ca/pages/consultations/default\\_e.htm](http://www-comm.pac.dfo-mpo.gc.ca/pages/consultations/default_e.htm)

The Canadian Highly Migratory Species Foundation (CHMSF) has been formed as a federally registered not for profit society and is supported by the TAB elected representatives and the BC Ministry of Environment with a purpose of promoting, funding and carrying out scientific research and industry development projects that support highly migratory species in the Pacific Ocean.

For more information on the foundation, reference:

<http://chmsf.ca/index.html>

## **7. EVALUATION OF 2008/2009 MANAGEMENT OBJECTIVES**

### **7.1. Conservation and Protection**

**Management Objective:** To ensure conservation and protection of Pacific albacore tuna stocks through the application of scientific management principles applied in a risk averse and precautionary manner based on the best scientific advice available.

**Assessment:** The majority of Canadian vessels actively involved in albacore tuna fishing provided accurate and timely catch, effort, landings and transshipment information by geographic region. This information was collected and monitored through two hail out systems, logbooks, and fish slips. Canada had a high compliance rate with the conditions of licence. All catch, effort, landing and transshipment data was provided to the IATTC and WCPFC to meet reporting requirements. In 2008, the Department piloted an electronic logbook program of which there were 9 volunteers. The goal of this program is to improve data management and to provide more timely and accurate catch reporting data to the Department.

## **7.2. Consultation Process**

**Management Objective:** Conduct open and transparent consultation processes for discussion of harvest management issues in this fishery, and to assist in the annual development of an IFMP.

**Assessment:** The TAB held three meetings for the 2008/2009 fishing season. Items addressed by TAB included a post season review of the previous fishing season, preseason planning, review and development of the annual IFMP (including allocation of vessel fishing months and the monitoring program), developments and consultations with the United States on treaty requirements, and international requirements and resolutions for the Western and Central Pacific Fisheries Commission and Inter-American Tropical Tuna Fisheries Commission. The Terms of Reference for TAB was updated at the post-season. Meeting dates, location, agendas and minutes were posted on the tuna consultation website.

The TAB commercial representative elections were held from January 2008 to February 2008 for six Section 68 USA Sector representatives, two High Seas Sector representatives, and two Canadian Sector representatives. One half of the TAB members were elected for a two year term and the other half were elected for a four year term. The next election will occur in 2010 for one half of the TAB. See Appendix 2 for a list of TAB representatives.

In 2008 a review of TAB and the licence limitation regime was conducted by the Department. Findings from the review were that the Tuna Advisory Board (TAB) operates as intended and the ranking system and criteria used to develop the current tuna licence eligibility list were relevant and appropriate. The review resulted in the Minister continuing to support the limitation regime established in 2005 as well as administrative improvements to TAB. Please see the posted presentation on the Departments' tuna consultation website for January 7 and 8 for a summary of the review:

[http://www-ops2.pac.dfo-mpo.gc.ca/xnet/content/consultations/pelagics/tuna/default\\_e.htm](http://www-ops2.pac.dfo-mpo.gc.ca/xnet/content/consultations/pelagics/tuna/default_e.htm)

## **7.3. Provide Opportunity to Harvest Tuna**

**Management Objective:** Provide opportunity for commercial fish harvesters to harvest tuna in Canadian fisheries waters, USA fisheries waters pursuant to the Tuna Treaty, and on the high seas. Also, provide an opportunity for recreational fish harvesters to retain albacore tuna.

**Assessment:** A 2008 Canadian north Pacific albacore tuna commercial fishery took place with similar distribution of catch as recent years. In total, 190 vessels participated and

caught approximately 5401 metric tonnes. 119 vessels fished in the USA EEZ using 336 vessel fishing months. Not all fishing months were used in 2008 due to poor weather conditions, break downs, tuna market conditions, timing of other fishery openings, and high fuel costs.

Recreational fish harvesters were permitted a daily limit of 20 fish using hook and line gear in Pacific Fisheries Management Areas (PFMA) 1 to 29.

#### **7.4. Work Cooperatively with the United States of America**

Management Objective: Maintain a positive working relationship with the USA government to ensure both parties meet their obligations under the revised Treaty.

Assessment: The 2008 fishery was the fifth year the effort limits under the amended Treaty applied. Canadian and USA authorities monitored their country's effort in each other's jurisdiction through both Canadian Coast Guard and a joint hail system through a third party USA service provider.

An annual bi-lateral meeting was held in April 2008, with US officials to discuss Treaty implementation issues on both sides and co-operatively exchange information on their respective conservation and management measures for albacore tuna to meet international obligations. Information on use of vessel fishing months, a list of Canadian vessels accessing the US EEZ, and possible fishing violations were exchanged with US fishery counterparts. The bilateral process provides an opportunity for both government and industry input into the Tuna Treaty process. Another Canada/USA bilateral meeting will be held in May, 2009.

## **8. SPECIFIC MANAGEMENT OBJECTIVES AND PERFORMANCE MEASURES**

### **8.1. Ensure Conservation and Protection**

To ensure conservation and protection of Pacific albacore tuna stocks through the application of scientific management principles applied in a risk averse and precautionary manner based on the best scientific advice available.

#### **8.1.1. Performance Measure**

- a) Require all vessels to report catch (and by-catch), effort, landings and transhipments by November 1, 2008.
- b) Collect all catch, effort, landings and transhipment information for albacore tuna by geographic location through logbooks and fish slips accurately and in time to fulfil international and regional reporting requirements.
- c) Collect biological samples by geographic location through logbooks in time to fulfil international and regional reporting requirements.

- d) Enact and enforce regulations that control Canadian fishing vessels through licences and Conditions of Licence.
- e) Conduct the second year of an electronic logbook pilot to improve data management by providing more timely and accurate catch data to the Department.

## **8.2. Consultation Process**

Conduct open and transparent consultation processes for discussion of harvest management issues in this fishery, and to assist in the annual development of an IFMP.

### **8.2.1. Performance Measure**

- a) Hold a minimum of two meetings per fishing season with the Tuna Advisory Board (TAB) to allow stakeholder involvement and to seek advice from TAB in the annual development of the IFMP and consensus building on issues related to the fishery.
- b) Review and co-operatively plan monitoring and reporting programs for the tuna fishery including the electronic logbook pilot, the logbook program, hail system, to ensure collection of information on catch and effort and improve compliance levels from the previous season.
- c) Post the minutes and information presented at TAB meetings on the DFO consultation website within 8 weeks of the meeting date.
- d) Evaluate the effectiveness of the TAB based on objectives identified in its Terms of Reference during the post season review process.

## **8.3. Provide Opportunity to Harvest Tuna**

Provide opportunity for commercial fish harvesters to harvest tuna in Canadian fisheries waters, USA fisheries waters pursuant to the Tuna Treaty, and on the high seas. Also, provide an opportunity for recreational fish harvesters to retain albacore tuna.

### **8.3.1. Performance Measure**

A portion of Canadian commercial and recreational fish harvesters provided with an opportunity to harvest albacore tuna in Canadian waters, USA fisheries waters and on the high seas for the 2009/2010 fishing season.

## **8.4. Work Cooperatively with the United States of America**

Maintain a positive working relationship with the USA government to ensure both parties meet their obligations under the revised Treaty.

### **8.4.1. Performance Measure**

- a) Hold an annual bi-lateral meeting with US officials to discuss Treaty implementation issues on both sides and co-operatively exchange information on their respective conservation and management measures for albacore tuna to meet international obligations.

- b) Monthly exchange of information on harvesting activity and possible fishing violations.
- c) Provide a list of Canadian vessels licensed to access the US EEZ under the terms of the Treaty by June 1, 2009.
- d) Complete advocacy activities to demonstrate the benefits of the Treaty to each country.

## **9. CURRENT MANAGEMENT ISSUES**

### **9.1. Non-compliance with Reporting Requirements**

As a Condition of Licence all vessel masters are required to:

- a) Notify Canadian authorities of their fishing activity by hailing out with their intention to start fishing, cancelling of trips and hailing in when fishing activity has ceased.
- b) Complete harvest logbooks at sea to be reported in hard copy and electronically to the Department.
- c) Keep accurate catch records by way of fish slips to be submitted to the Department.

There remains some level of non-compliance with reporting requirements; however the Department is addressing these issues with stakeholders through the advisory process and with vessel owners on an individual basis to address any violations.

Contraventions of the *Fisheries Act*, the *Coastal Fisheries Protection Act* and the regulations may result in seizure and forfeiture of vessel and gear as well as fines up to \$100,000 or imprisonment for a term up to one year of both, for a first offence.

### **9.2. Longer-term Albacore Tuna Treaty Planning**

In early December 2006, Canada and the US met to discuss the 2006 fishing season for Pacific albacore tuna and the continuation of the 1981 Treaty. The US stated they were not in a position to renegotiate the text of the Treaty at that time. Although they recognized the benefits of the Treaty, they wanted to see the results of the stock assessment before committing to a long-term agreement. A stock assessment was conducted in 2007 which indicated that while the biomass was at its second highest level ever, the stock was being overfished and that fishing mortality should be reduced.

Pursuant to the Treaty, the access levels for the 2007 and 2008 fishing season were limited to the default level of 75% of year 3 levels (94 vessels with a limit of four calendar months fishing for each vessel or 376 vessel fishing months). Both countries

acknowledged at the time that the default level was a temporary measure, until an agreement could be reached.

On December 15, 2008, Canadian and American officials met and initialled amendments to the *Canada-U.S. Pacific Albacore Tuna Treaty* with a view to having the new regime in force for the 2009 Fishing Season. On the assumption that the new provisions will be brought into force by both governments, Fisheries & Oceans Canada will be implementing the changes outlined within this IFMP for the 2009 season. The treaty has been renewed for a period of 3 years. This will ensure 3 fishing seasons (2009 to 2011) for Canadian vessels to harvest albacore tuna in the US EEZ as well as US vessels to harvest in the Canadian EEZ. Canadian access has been increased from 94 vessels to 110 vessels and US access will be maintained at historical levels. The additional 16 vessels will be taken from the existing licence eligibility list of 179 vessels to allow access for those ranked between 95 and 110.

The terms of the revised treaty include a modification from the previously used vessel month system with vessel month transfers to a defined fishing season of 4.5 months with mid-season transfers prohibited except under extraordinary circumstances. Pursuant to the revised *Treaty*, the tuna fishing season for harvesters in the US EEZ will now start on June 15 and end on October 31.

### **9.3. Future Requirement for Regional Observer Programs**

New international conservation measures require the implementation of independent and impartial regional observer programs (ROP) to collect verified data, other scientific data, and additional information related to the fishery, and to monitor the implementation of the conservation and management measures. A timeline for troll and poll-and-line vessels used for fishing skipjack or albacore tuna has not been established. However, the Department will be considering the development of a regional observer program for fishing tuna.

### **9.4. Fisher Identification Numbers**

The Department has introduced unique fisher identification numbers (FIN) that will be assigned to all Pacific commercial harvesters at time of licence issuance.

FINs will allow for fast, easy and reliable on grounds identification of fish harvesters for data collection, fisheries management and enforcement purposes. Once a FIN has been assigned to a fish harvester, that individual will need to refer to it when identifying him or herself in all subsequent business dealings with both the department and service contractors. Fish harvesters will no longer have to provide detailed personal identifying information such as gender or date of birth during catch monitoring, hauls and other management and enforcement activities,

Fish harvesters will not need to apply for a FIN as one will be automatically generated for them when their new year's licence is issued. Once the FIN is issued to a fish harvester it will not change from year to year.

More information on FIN may be obtained from a Department fisheries manager, or the Pacific Fisheries Licensing Unit.

#### **9.5. Co-Management**

The Department and the commercial fishing industry have a long history of working together in a co-managed fashion to improve the sustainability and economic viability of Pacific fisheries. Given the success of co-management, the Department's goal is to continue engaging all Pacific commercial fleets in the co-management process.

#### **9.6. Tuna Electronic Logbooks (E-Logs)**

In 2008 Fisheries & Oceans Canada initiated a co-management arrangement with the Tuna Advisory Board to conduct an Electronic Logbook program in the Pacific Region and off of the West Coast of the United States.

The ultimate goal of this initiative is to improve the efficiency and compliance of reporting catch and other harvesting information to Fisheries and Oceans Canada in the most efficient and cost effective manner. The PC based software application has been designed following the current paper version of the logbook for the tuna fleet.

For 2008 a "side-by-side" approach was taken in the pilot. The Pacific Region piloted their tuna e-log concurrently with the Quebec Centre of Expertise's (CoE) pilot of an Australian e-log, called CatchLog. Four fish harvesters volunteered for each software package while one fish harvester volunteered to use both software packages simultaneously. The pilot on both e-logs went reasonably well with catch, effort and other harvesting information being transmitted to the service provider.

2009 will be the second year for the tuna pilot program in the Pacific Region and off of the West Coast of the United States. It is anticipated that 5 to 10 tuna commercial fishing vessels will be testing and utilizing the Pacific Region's E-Log software to transmit catch, effort and harvesting information electronically to the Department while respecting their conditions of licence. Participants in this pilot will still be required to purchase a paper logbook and hail to the appropriate call centre. A list of fish harvesters, vessels, and associated VRNs that will be participating in the E-Log pilot will be announced via Fishery Notice once determined. A further pilot using the CatchLog software is not anticipated.

For more information please contact Carmen McConnell at 250-756-7272 or Ron Goruk at 250-713-1522.

#### **9.7. Oceans Act and Canada's Oceans Strategy**

In 1997, the Government of Canada enacted the Oceans Act. This legislation provides a foundation for an integrated and balanced national oceans policy framework supported by regional management and implementation strategies. The principles behind the legislation are an ecosystem approach, sustainable development, and a precautionary approach. In 2002, Canada's Oceans Strategy was released providing the policy framework and strategic approach for modern oceans management in estuarine, coastal, and marine ecosystems.

As part of the Canada's Oceans Strategy, Fisheries and Oceans Canada is in the initial stages of integrated management planning for the Queen Charlotte Basin through the Pacific North Coast Integrated Management Area (PNCIMA) initiative building on past and present coastal planning efforts by the Province of British Columbia. An Ecosystem Overview and Assessment Report and a human use analysis of the area have been completed. Work still underway includes the identification and engagement of regulators, stakeholders and aboriginal organizations. This planning will guide our identification of areas requiring protection or requiring other conservation measures.

Marine Protected Areas (MPAs) are marine areas that have been designated under the Oceans Act for special protection in order to conserve and protect: fishery resources, endangered or threatened species and their habitats; unique habitats; and areas of high biodiversity or biological productivity. Work to establish a network of Marine Protected Areas on the Pacific Coast is ongoing as part of Canada's commitment under the Convention on Biological Diversity (CBD) to contribute to the establishment of a network of marine protected areas by 2012. In March 2003, the Minister announced the establishment of the first MPA, the Endeavour Hydrothermal Vents Area, off the southwest coast of Vancouver Island, British Columbia. Work to establish other Marine Protected Areas is ongoing. Where feasible, future MPAs will be identified through integrated coastal planning processes.

#### 9.7.1. Bowie Seamount Marine Protected Area

In consultation with interested parties, the Department of Fisheries and Oceans (DFO) established a Marine Protected Area (MPA) at Bowie Seamount in 2008. The Bowie Seamount MPA is located 180 kilometres west of Haida Gwaii (Queen Charlotte Islands) on Canada's Pacific coast and is adjacent to Canada's Exclusive Economic Zone. The MPA comprises the Bowie, Hodgkins and Davidson Seamounts of the Kodiak-Bowie seamount chain and has a total area of approximately 6,131 square kilometers.

The Bowie Seamount MPA has been established to conserve and protect the unique biodiversity and biological productivity of the area's marine ecosystem.

MPA boundaries are detailed in section 13.3.5. A map as well as the Bowie Seamount Marine Protected Area Regulations can be accessed through the following link:

[http://laws.justice.gc.ca/en/showdoc/cr/SOR-2008-124/bo-ga:s\\_5::bo-ga:s\\_7/20080731?command=HOME&caller=SI&fragment=bowie%20seamount&search\\_type=all&day=31&month=7&year=2008&search\\_domain=cr&showall=L&statuteyear=all&lengthannual=50&length=50&page=4](http://laws.justice.gc.ca/en/showdoc/cr/SOR-2008-124/bo-ga:s_5::bo-ga:s_7/20080731?command=HOME&caller=SI&fragment=bowie%20seamount&search_type=all&day=31&month=7&year=2008&search_domain=cr&showall=L&statuteyear=all&lengthannual=50&length=50&page=4)

It is anticipated that DFO will be developing a Management Plan for the Bowie Seamount MPA in the near future, in consultation with First Nations, stakeholders, environmental groups, academia, the Province of BC and other federal government departments and agencies. This Management Plan will elaborate on the regulations to achieve and implement the conservation and management objectives for the MPA and will address matters such as monitoring, enforcement and compliance.

Commercial fishing activities within the MPA will be managed through the Integrated Fisheries Management process. Annual fishing plans will be developed in consultation with stakeholders and specific actions (openings and closures) for the Bowie Seamount Marine Protected Area will be taken under the authority of the *Fisheries Act* and its regulations.

More information on MPAs can be found at:

[www.pac.dfo-mpo.gc.ca/oceans/default\\_e.htm](http://www.pac.dfo-mpo.gc.ca/oceans/default_e.htm)

## **9.8. Species at Risk Act**

The *Species at Risk Act* (SARA) came into force in 2003. The purposes of the *Act* are “to prevent wildlife species from being extirpated or becoming extinct, and to provide for the recovery of a wildlife species that are extirpated, endangered or threatened as a result of human activity and to manage species of special concern to prevent them from becoming endangered or threatened”.

Endangered, threatened, and special concern marine species in Pacific region currently listed under Schedule I of SARA are:

1. Blue whale – Endangered
2. Killer whale southern resident population – Endangered
3. Killer whale northern resident population – Threatened
4. Killer whale transient population – Threatened
5. Leatherback turtle – Endangered

6. North Pacific right whale – Endangered
7. Sei whale – Endangered
8. Northern Abalone – Threatened
9. Fin whale – Threatened
10. Humpback whale – Threatened
11. Sea otter – Threatened\*
12. Green sturgeon – Special Concern
13. Grey whale – Special Concern
14. Harbour porpoise – Special Concern
15. Killer whale offshore population – Special Concern
16. Olympia oyster – Special Concern
17. Steller sea lion – Special Concern

In addition to the existing prohibitions under the *Fisheries Act*, it is illegal to kill, harm, harass, capture, take, possess, collect, buy, sell or trade any listed endangered or threatened animal or any part or derivative of an individual. These prohibitions apply unless a person is authorized, by a permit, licence or other similar document issued in accordance with SARA, to engage in an activity affecting the listed species or the residences of its individuals. Species listed as special concern are not included in these prohibitions.

Committee on the Status of Endangered Wildlife in Canada (COSEWIC) designated marine or anadromous species in Pacific region currently under consideration for listing under Schedule I of SARA are:

1. Basking shark – Endangered
2. Bocaccio – Threatened
3. Canary rockfish - Threatened
4. Northern fur seal – Threatened
5. Okanagan Chinook – Threatened
6. Longspine thornyhead – Special Concern
7. Rougheyeye rockfish types I & II – Special Concern
8. Yelloweye rockfish (inside and outside waters) – Special Concern
9. Sea otter – Special Concern
10. Sixgill shark – Special Concern
11. Soupfin shark (tope) – Special Concern

The formal SARA legal listing process begins when the Minister of Environment issues a response statement, detailing how he intends to proceed with the COSEWIC species

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\* In 2007, COSEWIC re-assessed sea otter as a species of “Special Concern.” It is currently in the listing process, proposed to be re-listed as “Special Concern,” replacing the current “Threatened” listing.

designations. Response statements can be found on the SARA Public Registry website at: [www.sararegistry.gc.ca](http://www.sararegistry.gc.ca).

Listing decisions are likely to take place in Spring 2009 for Northern fur seal, longspine thornyhead, roughey rockfish, sea otter, sixgill shark, and soupfin shark (tope).

#### 9.8.1. COSEWIC Assessments

In November 2009, COSEWIC will be assessing the status of quillback rockfish, yellowmouth rockfish, darkblotched rockfish, and spiny dogfish (Atlantic and Pacific populations). For more information, please visit the COSEWIC website at: <http://www.cosewic.gc.ca>.

#### 9.8.2. Whale and Leatherback Turtle Sightings

The Department welcomes assistance in the reporting of any whale or leatherback turtle sightings or entanglement. Sightings for leatherback turtles and many whale species are infrequent in Pacific Canadian waters, and the collection of sightings data is very useful to scientists in determining population size and distribution. Establishing this information can in turn help in the recovery planning under SARA.

To report a whale sighting contact the BC Cetacean Sighting Network:

Toll free: 1-866-I-SAW-ONE (1-866-472-9663)

Fax: (604) 659-3599

Email: [sightings@vanaqua.org](mailto:sightings@vanaqua.org)

Internet: <http://wildwhales.org/sightings/>

To report a turtle sighting contact the Sea turtle Sighting Network:

Toll free: 1-866-I-SAW-ONE (1-866-472-9663)

Fax (604) 659-3599

Email: [turtles@vanaqua.org](mailto:turtles@vanaqua.org)

<http://www.bcreptiles.ca/reportsightings.htm#1>

More information on SARA, COSEWIC, or wildlife sightings can be found at:

[www.cosewic.gc.ca/index.htm](http://www.cosewic.gc.ca/index.htm)

[www.dfo-mpo.gc.ca/species-especies/home\\_e.asp](http://www.dfo-mpo.gc.ca/species-especies/home_e.asp)

[www.sararegistry.gc.ca/](http://www.sararegistry.gc.ca/)

## **10. FINANCIAL RESPONSIBILITIES**

### **10.1. Commercial Industry and Fisheries and Oceans Canada**

Through licence fees, the commercial sector currently pays approximately \$95,000 to \$100,000 for access to the albacore tuna fishery.

The Department and the CHMSF have cooperatively planned and administered the albacore tuna logbook monitoring program whereby coordination, distribution and submission of logbooks and electronic data entry has been funded by industry.

Historically, the Department has signed a Joint Project Agreement (JPA) with the CHMSF to develop a joint program for cost sharing of the incremental cost of this fishery, to monitor the usage of vessel fishing months allocated pursuant to the Tuna Treaty prior to 2009, and to provide a mechanism for licence holders to reallocate vessel fishing months. The total cash contribution for each year has been \$22,000.00.

Discussions on the 2009/2010 JPA are ongoing.

In-kind costs borne in support of the tuna fishery by the Department have been and will continue to include infrastructure, enforcement, travel, licensing and administration.

## **11. ENFORCEMENT MEASURES**

### **11.1. Overview**

The Conservation and Protection directorate (C&P), within the Department, has as its primary mandate the development and implementation of a Strategic Enforcement Plan directed at the conservation and protection of fish and fish habitat. There are approximately 176 fishery officers stationed in the Pacific Region (which encompasses the province of BC and Yukon Territory). They are designated as “fishery officers” under Section 5 of the *Fisheries Act*. Their powers and responsibilities are outlined in the *Act*, the *Coastal Fisheries Protection Act*, the *Criminal Code of Canada* and the *Constitution Act*.

Marine enforcement officers (MEO) employed by Canadian Coast Guard, also carry “fishery officer” designation, and have the similar powers and responsibilities as fishery officers. They are trained in enforcement duties and are armed.

C&P staff monitors and enforces issues and problems related to the tuna fishery in conjunction with the monitoring and enforcement activities dedicated to the identified priority fisheries in the Pacific Region.

The legislative controls for the tuna fishery are derived from the *Fisheries Act*, *Coastal Fisheries Protection Act*, *Fishery (General) Regulations*, *Pacific Fishery Regulations, 1993*, and Conditions of licence. These controls are designed to conserve and protect tuna stocks as well as ensure Canada meeting its' commitments to the *Canada-USA Albacore Tuna Treaty*, *United Nations Law of the Sea (UNCLOS)* requiring precautionary approaches as well as Canada's commitment to the *United Nations Straddling Fish Stocks and Highly Migratory Fish Stocks Agreement (UNFA)*, and the *WCPFC*.

Contraventions of the *Fisheries Act*, the *Coastal Fisheries Protection Act*, the regulations made there under or the conditions of licence may result in seizure and forfeiture of vessel and gear as well as fines up to \$100,000 or imprisonment for a term up to one year of both, for a first offence.

### **11.2. Main Program Activities**

The Department has the responsibility to enforce the *Fisheries Act*, *Coastal Fisheries Protection Act* and associated regulations, to address conservation, health and safety issues and to maintain proper management and control of the various fisheries.

Users of the resource have a responsibility to report violations. Any suspected or actual fisheries, wildlife or pollution violations can be quickly and discretely reported to the appropriate enforcement officer by using the toll free Observe, Record and Report hotline. This toll free number is available 24 hours a day. Confidentiality is assured. Fishery officers attempt to follow through on the reports as often as time and resources allow.

#### **Observe, Record and Report: 1-800-465-4DFO (4336).**

Enforcement enquiries can also be directed to Enforcement Operations at 604-202-4582 during regular office hours.

### **11.3. Aerial Surveillance**

Air surveillance of the tuna fishery is conducted through the National Air Surveillance program with some assistance from Department of National Defence. The purpose of this program is to monitor all vessels and activities off the West Coast. Aircraft are tasked on a daily basis for specific surveillance duties.

### **11.4. Treaty Enforcement**

Enforcement within the respective EEZ's will be the responsibility of the country of jurisdiction, however the Canada/USA Reciprocal Enforcement Agreement will be implemented as required and requested by the appropriate enforcement authority.

Fish harvesters are advised that non-compliance with the Tuna Treaty, port privilege requirements or other USA laws, may result in the USA government denying vessel authorization to fish in USA waters. USA Code of Federal Regulations (CFR) for

implementing the Treaty includes 50 CFR 300.170 - 300.176 and 50 CFR 660.701 - 660.721. Electronic copies of the CFR's can be found at:

[ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1373193506fd7e47854ab7b2d3cb074b&c=ecfr&tpl=%2Findex.tpl](http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=1373193506fd7e47854ab7b2d3cb074b&c=ecfr&tpl=%2Findex.tpl)

For more information on the US National Marine Fisheries Service "Guide for Complying with the Vessel Fishing Requirements of the U.S. – Canada Albacore Treaty", refer to:

[swr.nmfs.noaa.gov/fmd/compguide.htm](http://swr.nmfs.noaa.gov/fmd/compguide.htm)

## **12. ANNUAL HARVEST PLANS**

### **12.1. 2009/2010 First Nation Harvest Plan**

2009/2010 First Nations access to fish for food, social or ceremonial purposes is managed through communal licences, which can permit the harvest of tuna species. For additional information on communal licences see the Internet at:

[www.dfo-mpo.gc.ca/communic/fish\\_man/afs\\_e.htm](http://www.dfo-mpo.gc.ca/communic/fish_man/afs_e.htm)

### **12.2. 2009/2010 Recreational Harvest Plan**

Contact a local Fisheries and Oceans Canada office or the current British Columbia Tidal Waters Sport Fishing Guide on the Internet at:

[www.pac.dfo-mpo.gc.ca/recfish/default\\_e.htm](http://www.pac.dfo-mpo.gc.ca/recfish/default_e.htm)

## **13. COMMERCIAL FISHING PLAN**

### **13.1. Open Times**

The hook and line tuna fishery for Canadian fisheries waters and waters of the Pacific Ocean high seas is open from April 1, 2009 to March 31, 2010 with the exception of those permanent closures noted below.

The tuna fishery in waters of the USA is open from June 15, 2009 to October 31, 2009.

### **13.2. Close Times**

There are no expected close times for the 2009/2010 tuna fishing season in Canadian waters or waters of the Pacific Ocean high seas.

The tuna fishery in waters of the USA is closed for harvesting before June 1, 2009 and after October 31, 2009.

### **13.3. Permanent Area Closures**

#### 13.3.1. Area 2

Queen Charlottes closed year-round in Subareas 2-1, 2-63 to 2-68 and that portion of Subarea 2-69 between Hunter Point to Fame Point inside the 50-fathom contour line. (CHS Chart 3869). The intent of the closure is to reduce harvesting pressure on localized stocks of fish and to provide improved access to First Nations for food, social and ceremonial purposes.

#### 13.3.2. Areas 12 to 20, 28 and 29

Strait of Georgia/Johnstone/Juan de Fuca and Fraser River.

#### 13.3.3. Area 121

Portions of Subareas 121-1 and 121-2 inside a line connecting the following latitude and longitude co-ordinates: 48°34'N, 125°06'W thence to 48°34'N, 124°54.20'W thence to 48°29.62'N, 124°43.40'W thence following the International Boundary between Canada and the USA to 48°29.30'N, 124°58'W then to the beginning point.

#### 13.3.4. Rockfish Conservation Areas

Effective February 1, 2007 a suite of Rockfish Conservation Areas (RCAs) came into effect. There are 164 RCAs in the current suite, the majority of the new closed areas are located within the Strait of Georgia. Designation of the final closed areas is a result of over three years of consultation with many stakeholders. The descriptions associated with the RCA's can be found at: [http://www.pac.dfo-mpo.gc.ca/recfish/Restricted\\_Areas/Rockfish\\_Maps\\_2004/default\\_e.htm](http://www.pac.dfo-mpo.gc.ca/recfish/Restricted_Areas/Rockfish_Maps_2004/default_e.htm).

#### 13.3.5. Bowie Seamount Marine Protected Area

In consultation with the Tuna Advisory Board and other interested parties, the Department is developing a MPA plan for the Bowie Seamount, including a research and management program. Implementation of Bowie Seamount as a MPA began in 2008.

The Bowie Seamount MPA is closed year-round. The MPA Regulations establish the outer boundary of the MPA as the area of the Pacific Ocean, which includes the Bowie, Hodgkins and Davidson Seamounts — consisting of the seabed, the subsoil and the water column above the seabed — that is bounded by a series of

rhumb lines drawn from a point 53°03'07.6" N, 135°50'25.9" W, to a point 53°16'20.9" N, 134°59'55.4" W, then to a point 53°39'49.2" N, 135°17'04.9" W, then to a point 53°39'18.0" N, 135°53'46.5" W, then to a point 53°52'16.7" N, 136°30'23.1" W, then to a point 53°49'19.6" N, 136°47'33.1" W, then to a point 53°40'02.5" N, 136°57'03.5" W, then to a point 53°13'59.2" N, 136°10'00.0" W, then back to the point of commencement. A map of the boundaries is attached in appendix 5 and can be accessed on the internet at the following address: [http://laws.justice.gc.ca/en/showdoc/cr/SOR-2008-124/bo-ga:s\\_5::bo-ga:s\\_7/20080731?command=HOME&caller=SI&fragment=bowie%20seamount&search\\_type=all&day=31&month=7&year=2008&search\\_domain=cr&showall=L&statuteyear=all&lengthannual=50&length=50&page=4](http://laws.justice.gc.ca/en/showdoc/cr/SOR-2008-124/bo-ga:s_5::bo-ga:s_7/20080731?command=HOME&caller=SI&fragment=bowie%20seamount&search_type=all&day=31&month=7&year=2008&search_domain=cr&showall=L&statuteyear=all&lengthannual=50&length=50&page=4)

#### 13.4. Species

These five species are listed in Part II of Schedule II to the *Pacific Fishery Regulations, 1993*.

Albacore (*Thunnus alalunga*)  
Northern Bluefin (*Thunnus thynnus*)  
Pacific Bonito (*Sarda chiliensis*)  
Skipjack (*Katsuwonus pelamis*)  
Yellowfin (*Thunnus albacares*)

Additional species are permitted as incidental catch under authority of a Section 68 licence for vessels fishing on the high seas and are listed in the Conditions of Licence.

Yellowtail (*Seriola lalandi*) Section 68 (High Seas)  
Bigeye (*Thunnus obesus*) Section 68 (High Seas)

Section 68 licences for USA waters are only permitted to catch albacore tuna species.

#### 13.5. Gear

Hook and line, which includes trolling gear and long-line in Canadian fisheries waters and the high seas. Hook and line gear, excluding long-line gear, is permitted for vessels fishing albacore tuna in United States fisheries waters. As per the amended *Treaty* initialled in December, 2008, only troll fishing is permitted in US waters.

#### 13.6. Licensing

##### 13.6.1. Tuna Licence Categories

A salmon, schedule II species, geoduck, sablefish, halibut, crab, shrimp trawl, groundfish trawl, prawn and shrimp by trap commercial or communal commercial licence or a valid N licence authorizes fishing for five tuna species in Canadian fisheries waters and the high seas (except where fishing privileges for Schedule II Species have been relinquished, as may be the case for some groundfish by trawl or geoduck by dive licence eligibilities) but does not authorize fishing for albacore tuna in the waters of the USA.

Licenses issued pursuant to Section 68 of the *Fishery (General) Regulations* are available for fishing or trans-shipping tuna on the high seas.

A separate limited entry Albacore Tuna USA Section 68 licence is required for all vessels fishing in the waters of the USA.

#### 13.6.2. Licence Application Fees

Licence fees are \$500.

#### 13.6.3. Licence Issuance

##### 13.6.3.1. For High Seas Section 68

Vessel owners must designate a registered Canadian commercial vessel that is not eligible for any of the following vessel based commercial licences i.e. salmon, schedule II species, geoduck, sablefish, halibut, crab, shrimp trawl, groundfish trawl and prawn and shrimp by trap, valid communal commercial or salmon category N licence.

For vessels not currently registered as a Canadian commercial fishing vessel a completed Application for Commercial Vessel Registration must be submitted. The registration requirements are outlined on the reverse of that application. The registration requirement for a marine survey report does not have to be met for vessels designated solely for a high seas licence.

##### 13.6.3.2. For USA Section 68

A licence eligibility criterion was adopted in 2005 taking into account past participation before and after the control date of April 15, 2000, and providing priority access to the most consistently active vessels fishing in USA waters.

Vessels on the eligibility list were commercially licensed as of December 31, 2004 with a recorded albacore tuna catch in USA waters during the period 1995 to 1999 and continued participation during the period 2000 to 2002.

The 179 vessels on the eligibility list were ranked based on an objective formula that assigned 60 percent for years fishing over that period and 40 percent for catch.

Given that the *Canada –U.S Pacific Albacore Tuna Treaty (Treaty)* is subject to re-negotiation, USA Section 68 licences will be issued annually and not attached to other licences issued to the vessel.

As per the revised *Treaty*, that was renewed for three years on December 15, 2008, Canadian access increased from 94 to 110 vessels. The list and associated ranking of the 110 eligible vessels permitted to harvest in the US EEZ for the 2009 season will be available on the internet at the following address by June 15 of each year:

[www.pac.dfo-mpo.gc.ca/ops/fm/Licensing/Default\\_e.htm](http://www.pac.dfo-mpo.gc.ca/ops/fm/Licensing/Default_e.htm)

#### 13.6.4. Allocation of Fishing Months – U.S. of America Section 68 Only

The terms of the revised treaty include a modification from the previously used vessel month system with vessel month transfers to a defined fishing season of 4.5 months with mid-season transfers prohibited except under extraordinary circumstances. Pursuant to the revised *Treaty*, the tuna fishing season for harvesters in the US EEZ will now start on June 15 and end on October 31.

#### 13.6.5. Vessel Replacement

**Permanent Replacement:** Limited entry USA Section 68 licences are eligible for permanent replacement to an alternate vessel prior to a control date of May 1 for the 2009 season. Owners of vessels ranked from 1 to 110 on the eligibility list may make applications to the PFLU for vessel replacement to vessels of any overall length prior to May 1. Vessel owners are advised that this is a permanent replacement and the originating vessel will be replaced on the list of eligible vessels with the new vessel in the associated ranking order.

Fish harvesters are advised that any implementation of private arrangements pertaining to licences is the responsibility of fish harvesters.

Completed applications for a permanent vessel replacement must be received by a PFLU by 16:00 hrs on May 1, 2009 to be included on the eligibility list of USA 68 licensed vessels permitted to harvest in US waters for the 2009 season.

**Temporary Replacement:** An application to temporarily replace a vessel in-season may only be made under extenuating circumstances: if the vessel has been declared a total loss, or the vessel is out of service due to an accident or unforeseen damage. Pursuant to the revised *Treaty*, in the case of an extenuating circumstance only, a Party may request replacement of a vessel within a season. The basis for the finding and the information regarding the replacement vessel must be sent to an ad-hoc review panel convened by the Government of Canada for review. If the finding is positive, the replacement vessel details must be transmitted to the Government of the United States for approval, prior to the vessel entering US waters. Any replacement vessel shall not exceed the length of the original vessel it is replacing more than 10 feet. Please contact a PLFU for

more details and to request a vessel replacement form for USA 68 licensed vessels.

#### 13.6.6. General

Completed applications for licences issued pursuant to Section 68, for either the waters of the USA or the high seas, must be submitted together with the required fee in person or by mail to a PFLU.

The vessel owner or authorised representative must sign the application form. Where the vessel owner is a company, the PFLU must have on record a copy of either a Confirmation of Signing Authorities or an Amendment to Confirmation of Signing Authorities form listing the signing authority.

Prior to licence issuance, applicants must:

- a) Provide a letter to confirm that arrangements have been made for logbook and related keypunching/data transmission services.
- b) Identify a registered Canadian commercial fishing vessel. For vessels not currently registered as a Canadian commercial fishing vessel a completed Application for Commercial Vessel Registration must be submitted. The registration requirements are outlined on the reverse of that application. The registration requirement for a marine survey report does not have to be met for vessels designated solely for a high seas licence.

#### 13.6.7. Licence Documents

Licences issued pursuant to Section 68 for tuna are valid from June 15 to October 31 of each calendar year.

Replacements for lost or destroyed licence documents may be obtained by completing a Declaration Concerning Licence Documents form. Please contact a PFLU for further details. For further information on management requirements, contact Cynthia Johnston, Pelagics Resource Manager at (604) 666-2188.

## 14. FISHING ACTIVITY AND CATCH REPORTING

### 14.1. Hail Requirements

Vessel masters intending to fish for albacore tuna in the three destination zones (**Canada, USA EEZ or high seas**) during the 2009/2010 season are required to notify Canadian authorities of their intentions before commencing fishing, provide notice of changing intent and advising when fishing activity has ceased. The hail system is imperative for the Department to collect in-season information for monitoring effort and for proper

management of the fishery in the USA EEZ to meet Treaty provisions. Vessel masters will no longer be required to notify USA authorities through ShipCom of their fishing activity in USA fisheries waters. As of 2009, Fisheries & Oceans Canada will coordinate with fishery management and enforcement counterparts in the US on fishing activity in both the US and Canadian EEZ. Vessel masters will continue to be required to Hail to Tofino Coast Guard.

Vessel masters are advised to reference their Conditions of Licence for the information reports required to be made while fishing for tuna. Vessel masters who do not make information reports may be subject to enforcement action.

Contraventions of the *Fisheries Act*, the *Coastal Fisheries Protection Act*, the regulations made thereunder or the conditions of licence may result in seizure and forfeiture of vessel and gear as well as fines up to \$100,000 or imprisonment for a term up to one year or both, for a first offence.

Communications to Canadian authorities 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).
- d) Using a satellite phone or cellular phone and dialling 250-726-7716.

There are three different types of reports that must be made:

- a) Hail-out report to start fishing or transiting (Canada, USA or high seas).
- b) Hail-in report to stop fishing (Canada, USA or high seas).
- c) Change of intent report to cancel a trip or change destination zones (Canada, USA or high seas).

Upon the first report to fish or transit, the vessel master will receive a verification number. This verification number must be quoted at all additional notification reports. It is the vessel masters responsibility to ensure that the hail/verification number provided at the time of communication with Tofino Coast Guard, be recorded in the Pacific Albacore Tuna Logbook and/or into their ships log for future reference and as proof of communication as per their Licence Conditions.

#### **14.2. Hail-out Report (Start Fishing or Transiting Report)**

The following information must be reported for a Hail-out report:

- a) Vessel name.
- b) Flag state.
- c) Vessel master name.

- d) Vessel registration number (VRN).
- e) Home port.
- f) Destination zone.
- g) If fishing, anticipated start date.
- h) If transiting, anticipated date of entry into and exit from USA fisheries waters.

A Hail-out report is required at least 24 hours prior to starting to fish, making subsequent trips after a Hail-in report or transiting USA fisheries waters.

A vessel that has filed a hail-out report to enter USA fisheries waters solely for the purpose of transit must have its gear stowed in such a manner as to make it unusable for fishing. If such a vessel intends to commence fishing, it must leave USA fisheries waters and file a second Hail-out report prior to re-entering USA fisheries waters to start fishing.

### **14.3. Specific to the United States of America Zone**

If fishing in the USA fisheries waters, the date starting to fish is the date the vessel enters the USA waters for the purpose of fishing.

Vessels transiting through the USA fisheries waters to fish on the high seas must file a transiting report. A vessel that has declared its intent to transit USA waters must:

- a) have all fishing gear on the vessel stored below deck or in an area where it is not normally used, and not readily available, for fishing; or
- b) have all fishing gear stored, secured and covered so as to render it unusable for fishing.

Gear stowed in an unfishable condition means that the terminal gear has been removed and stowed away from the place where it is normally used for fishing. Terminal gear includes jigs (hoochies) and hooks.

Vessel masters may be asked to provide their method of communication (phone number/radio) so that follow up contact may be made to verify information provided in a report.

Upon the first report to fish or transit, the vessel master will receive a verification number. This verification number must be quoted at all additional notification reports.

### **14.4. Hail-in Report (Stop Fishing Report)**

The following information must be reported for a Hail-in report:

- a) Vessel name.
- b) Verification number.
- c) Flag state.
- d) Vessel master name.
- e) Vessel registration number.
- f) Home port.

- g) Date fishing ceased.

A hail-in report is required no later than 24 hours after stopping fishing in USA fisheries waters, Canadian fisheries waters or the high seas.

A vessel that has filed a hail-out report will be presumed to 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.

#### **14.5. Change of Intent Report (Changing Zone or Cancelling Report)**

The following information must be reported for a change of intent:

- a) Vessel name.
- b) Verification number.
- c) New destination zone.
- d) Cancellation date or intent to start fishing date.

A Change of Intent report is required if plans to start fishing as previously notified in a hail-out report change, or the destination zone as previously notified in a hail-out report changes. This is very important for monitoring purposes.

A vessel that has filed a hail-out report to fish in the USA fisheries waters and cancels a trip due to mechanical problems for example will still be considered fishing unless a change of intent (cancellation) report is filed.

#### **14.6. Vessel Monitoring System Reporting Requirements**

Tuna harvesters are required to install and maintain a vessel monitoring system to fish for tuna in the Pacific Ocean as required by the WCPFC and the IATTC. To minimize the impact on harvesters, the Department has developed general technological requirements that allow harvesters to obtain one system to satisfy both the WCPFC and IATTC resolutions. Vessel owners should reference Conditions of Licence for specific requirements.

##### **14.6.1. Inter-American Tropical Tuna Commission Convention (East of 150° Longitude)**

While in the IATTC convention zone (east of 150° east Longitude), vessel greater than 24 meters in length will be required to install and maintain a vessel monitoring system.

##### **14.6.2. Western and Central Pacific Fisheries Commission (West of 150° Longitude)**

While in the WCPFC convention zone (west of 150° west longitude), all vessels, regardless of vessel length are required to install and maintain a vessel monitoring system.

##### **14.6.3. Vessel Monitoring System Requirements**

Vessel monitoring system shall satisfy the below reporting requirements:

- a) Report the following data every hour:
  - i. Positional data (latitude and longitude);
  - ii. Vessel registration number (VRN) and ALC static unique identifier if fishing west of 150° west longitude; and
  - iii. Data and time (Universal Time Constant).
- b) Positional data provided shall be accurate to at least:
  - i. Less than 500 meters with a confidence level of 99 %; and
  - ii. Less than 100 meters squared with a confidence level of 98 %.
- c) Reporting data shall be provided to:
  - i. Canada only if fishing the eastern Pacific Ocean, east of 150° east longitude; and
  - ii. Canada and the Director of the Western and Central Pacific Fisheries Commission if fishing west of 150° west longitude.
- d) Vessel monitoring equipment shall be fully automatic, tamper proof, able to transmit regardless of environmental condition, and capable of manual transmission.

#### **14.7. Fishing in the United States of America Exclusive Economic Zone**

Under the Canada/USA Albacore Tuna Treaty each country is required to submit a list of its tuna vessels licensed to harvest in one another's EEZ. Canada will provide a fixed list of the 110 eligible USA 68 licensed vessels to the US by June 1, however applications for vessel replacements must be received by a PLFU by the control date of May 1. It is the responsibility of vessel owners to ensure that they are included on the eligibility list of USA 68 licensed vessels permitted to harvest in US waters. After May 1, this list can only be changed under extenuating circumstances as outlined in section 13.6.5.

The fishing effort in the USA zone of those vessels on the list will be monitored through hail and harvest reports. Vessels not on this list may be prosecuted by USA authorities. It is the Canadian fish harvester's responsibility to ensure their vessel has been issued a valid USA Section 68 licence for the 2009 season and is on the 2009 list of Canadian vessels to be submitted to USA authorities prior to entry to fish for albacore tuna in USA waters, and/or to enter the ports indicated below to offload their catch.

#### **14.8. Vessel Marking Requirements**

##### **14.8.1. United States of America Fishing Zone**

While in the USA fishing zone, Canadian vessels must display, in contrasting colours at least 12 inches high, both the vessel name and VRN so that they are clearly visible to both aircraft and surface vessels.

Vessel owners are notified that the revised Tuna Treaty requires further “vessel identification marking” of vessels licensed to fish in USA fisheries waters. A letter “C” must be painted or otherwise securely affixed to the vessel and be positioned at the end of each appearance on the vessel of its VRN numbers. Each letter “C” should be of the same height and dimension as each of the numerals which comprise the VRN number.

#### 14.8.2. High Seas Waters West of 150° Longitude

The WCPFC is responsible for the long-term conservation and sustainable use of high migratory fish stocks in the western and central Pacific Ocean (west of 150° longitude). As such, the WCPFC has passed a resolution that all vessels fishing within the western and central Pacific Ocean must mark their vessel with either their International Telecommunication Union Radio Call Sign (IRCS) or the International Telecommunication Union (ITU) characters (316).

Refer to the Conditions of Licence for specific marking requirements (e.g. size, location).

### 14.9. Landing Locations

All fish must be landed at a fish buying station licensed under the *Fisheries Act* (Province of BC), except:

- a) Fish sold directly to the public under authority of a fish harvester’s vending licence issued under the *Fisheries Act* (Province of BC).
- b) Fish landed in the USA.
- c) Fish offloaded on the High Seas to another vessel.

Canadian fishing vessels that are licensed to fish albacore tuna in waters of the USA are authorized pursuant to Article III of the Tuna Treaty to enter, land their catches, sell or tranship their catch, obtain fuel, supplies, repairs and equipment at the following ports.

<b>Port</b>	<b>U.S. Customs Service Contact</b>
Bellingham, Washington	Port of Bellingham (360) 734-5463
Westport, Washington	Serviced out of Aberdeen, Washington (360) 532-2030 - Westport (360) 580-2146 - Aberdeen
Astoria, Oregon	1402 Marine Drive Astoria, Oregon 97103 (503) 325-5541 08:00 to 16:30 Weekdays
Newport, Oregon	1430 SE Bay Blvd. Newport, Oregon 97365 (541) 265-6456 08:00 to 16:00 Weekdays
Coos Bay, Oregon	324 N. Front Street Coos Bay, Oregon 97420 (541) 267-6312 10:00 to 13:00 Monday to Thursday 08:00 to 16:00 Friday
Eureka, California	514 H Street, Room 201 Eureka, California 95502 (707) 442-4822 08:00 to 12:00 Weekdays

Vessels wishing to enter port are required to clear with USA Customs and Border Protection and are reminded of the requirement that sanitary facilities must be closed off prior to entry to any USA Port.

For USA custom requirements or for additional information reference [www.customs.gov](http://www.customs.gov) or [www.us-immigration.com](http://www.us-immigration.com) or phone the National Customer Service Centre (800) 375-5283.

#### **14.10. United States of America Vessels Fishing in Canadian Waters**

Pursuant to the Tuna Treaty, USA fishing vessels are authorized to enter, land their catches, sell or tranship their catch, obtain fuel, supplies, repairs and equipment at the following Canadian ports:

- a) Coal Harbour
- b) Port Hardy
- c) Prince Rupert
- d) Victoria
- e) Vancouver
- f) Ucluelet

USA vessels entering Canadian fisheries waters for the purposes of transiting or fishing for albacore tuna pursuant to the Tuna Treaty are required to report (hail-in) to the

Department 24 hours prior to entry into Canadian fisheries waters and (hail-out) 72 hours prior to estimated time of departure. Vessel masters will communicate with Tofino Canadian Coast Guard Radio to provide the vessels position of entry and position of exit, their Canadian Coast Guard documentation number and if not available provide their State registration number, and all other relevant information. USA tuna fishing vessels are no longer required to file hail-in and hail-out reports with ShipCom.

Please see section 14 for hail requirements.

USA tuna fishing vessels entering one of the approved ports will be required to clear Canadian Customs prior to any person or cargo being allowed to disembark the vessel.

## **14.11. Catch and Fishery Data**

### 14.11.1. Logbooks

The vessel master must maintain an accurate record of daily harvest operations in the Canadian Pacific Albacore Tuna Logbook when fishing for tuna. This includes harvest information on fishing for all species of tuna in Canadian fisheries waters, on the high seas and in the waters of the USA. The logbook must be made available for inspection on demand by officials of either country.

Conditions of Licence require all tuna fish harvesters to record all catch information and fishing location information, and to provide that information to the Department in hard copy or electronic copy. The tuna industry has coordinated and funded the logbook program through the CHMSF. The CHMSF has made arrangements to print an adequate number of logbooks and for Howard Stiff of Gabriola Island to verify, edit and keypunch logbook data from hard copies submitted and provide that data in the required format to the Department. Vessel owners are required to present a letter to the PFLU to show that arrangements have been made to obtain the logbook and related keypunching/data transmission services prior to license issuance.

In the event that a vessel does not fish the current fishing season, the vessel owner is responsible for submitting a nil report. One page from the harvest log identifying the vessel, licence tab number and the year with 'nil' entered in the body of the log and signed by the licence holder constitutes a nil report.

Starting from the 2009 season, an additional line in the log books has been included to gather length frequency data. Harvesters are requested to sample 10 fish at the start of each successful day.

A sample of the logbook format for the 2009 season is included in Appendix 1.

It is a Condition of Licence that the hard copy of all harvest activity and fishing location information up to 23:59 October 31, 2009 must be submitted by November 12, 2009 and information on any subsequent harvest activity within

seven days of the final landing. For further information on logbook requirements, reference Conditions of Licence.

Contraventions of the *Fisheries Act*, the *Coastal Fisheries Protection Act*, the regulations made thereunder or the conditions of licence may result in seizure and forfeiture of vessel and gear as well as fines up to \$100,000 or imprisonment for a term up to one year of both, for a first offence.

#### 14.11.2. Fish Slips

The vessel master must provide records of all fish caught and retained under authority of a licence. A report must be made even if the fish caught are used for bait, personal consumption or disposed of otherwise and shall include all fish landed at both Canadian and USA ports or transhipped at sea.

Fish slips record vessel name, VRN, vessel master name and tally man, landed weight (lbs) of each species, method of dressing the catch, days fished by area, date landed, name of buying station/processor and price per pound on a fish slip for each landing. Fish slips are submitted by vessel masters and processors to the Fisheries and Oceans Canada Regional Data Unit, Suite 200 - 401 Burrard Street, Vancouver BC, V6C 3S4.

It is a Condition of Licence completed fish slips must be submitted within seven days of the offloading.

#### 14.11.3. National Oceanic and Atmospheric Administration Fisheries Southwest Science Center Tagging Project

The Southwest Fisheries Science Center (SWFSC) is working with The American Fishermen's Research Foundation (AFRF) on an albacore tagging project. The objective of the project is to better understand the movements of North Pacific albacore. Tags can be identified by the presence of a green dart tag behind the dorsal fin and a plastic coated stalk protruding from the rear portion of the belly. The SWFSC is offering a \$500 (U.S. dollars) reward for the return of a tagged fish with the archival tag in place along with the date, latitude and longitude of where the tagged fish was caught and the gear used to catch the fish. The reward can be obtained by returning the tagged fish and capture information to:

National Marine Fisheries Service  
Southwest Fisheries Science Center  
8604 La Jolla Shores Dr.  
La Jolla, CA 92037

More information on the tagging program can be found at:

[swfsc.noaa.gov/textblock.aspx?Division=FRD&id=1194](http://swfsc.noaa.gov/textblock.aspx?Division=FRD&id=1194)

#### 14.12. Long-line Gear Requirements for Seabird Mitigation

In accordance with the International Plan of Action for reducing incidental catches of seabirds in long-line fisheries (IPOA-Seabirds) and the resolution passed by the Western and Central Pacific Fisheries Commission on seabird mitigation, all Canadian tuna long-line harvesters shall implement at least two of the mitigation measures in the below table, including at least one for Column A in areas South of 30 degrees South and North of 23 degrees North and one from Column B. Guidelines for measures described in Column A and B are provided in Appendix 4.

Column A	Column B
Side setting with a bird curtain and weighted branch lines	Tori line
Night setting with minimum deck lighting	Weighted branch lines
Tori line	Blue-dyed bait
Weighted branch lines	Deep setting line shooter
	Underwater setting chute
	Management of offal discharge

If tori line is selected from both Column A and Column B this equates to simultaneously using two (i.e. paired tori lines). If using side setting with a bird curtain and weighted branch lines from Column A is selected, this will be counted as two migration measures; however, this measure is only applicable for areas north of 23 degrees north until research establishes the utility of this measure in waters south of 30 degrees south.

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## **16. ATTACHMENTS**

Appendix 1: Sample Canadian Pacific Albacore Tuna Logbook

Appendix 2: Tuna Advisory Board

Appendix 3: Fishing Vessel Safety

Appendix 4: Longline Seabird Mitigation Measures

## 2009 CANADIAN PACIFIC ALBACORE TUNA LOG BOOK

VESSEL NAME:						CAPTAIN:				Submission Deadline
Date (mm-dd)	Time (hh:mm)	Latitude (xx yy)	Longitude (xxx yy)		Water Temp (F)	Species (see cover)	Number of Fish	Avg Wt per Fish (lbs)	By-Catch Released (Y or blank=N)	<b>November 12, 2009</b>
	START					ALB				FIN:
		N S	E W							VRN:
	STOP									HAIL #
Length (cm)										
	START					ALB				TRIP:
		N S	E W							GEAR:
	STOP									JIGS:
Length (cm)										DAYS FISHED:
	START					ALB				
		N S	E W							OFF LOAD
	STOP									PORT:
Length (cm)										BUYER:
	START					ALB				DATE:
		N S	E W							FISH (PCS):
	STOP									WEIGHT (LBS):
Length (cm)										SALES SLIP:
	START					ALB				DOCK SALES - PERSONAL USE
		N S	E W							(PCS):
	STOP									
Length (cm)										PAGE OF FOR TRIP
DATE:										
DATE:		COMMENT -INTERACTIONS:								
DATE:		COMMENT -INTERACTIONS:								

Appendix 2: Tuna Advisory Board, 2008 – 2010/2012

<b>Advisor's Name</b>	<b>Representation</b>	<b>Contact number</b>	<b>Term (years)</b>
Larry Teague	USA Zone	(250) 743-5002	2008-2012
Gregg Holm	USA Zone	(250) 544-2030	2008-2012
Ian Bryce	USA Zone	(250) 468-5241	2008-2012
Gord Cranton	USA Zone	(250) 642-7328	2008-2010
David Chambers	USA Zone	(250) 743-2397	2008-2010
Bruce Wight	USA Zone	(250) 479-6213	2008-2010
Korey Sundstrum	High Seas	(250) 724-1262	2008-2012
Bob McIntosh	High Seas	(250) 721-0790	2008-2010
Tom Lindberg	Canadian Zone	(250) 213-6020	2008-2012
Bud Schuler	Canadian Zone	(250) 756-2807	2008-2010
Lorne Clayton	Canadian Highly Migratory Species Foundation	(250)	
Sandy Argue	Ministry of Environment	(250) 472-0475	
Masa Haraguchi	Processing	(604) 255-9992	
Jeremy Maynard	Sport Fish Advisory Board	jmaynard@island.net	
TBD	First Nations		
Ernie Cooper	Conservation Rep.	ecooper@wwfcanada.org	
Cynthia Johnston	DFO, FAM	(604) 666-2188	
Robert Martinolich	DFO, C & P	(604) 666-0589	
John Holmes	DFO, Science	(250) 756-7303	

Alternates may sit for TAB members as specified by the advisory. Interested individuals are welcome to attend meetings of TAB as observers and are encouraged to participate in the process by presenting their views to an advisor or to Cynthia Johnston, Pelagics Resource Manager.

### **Appendix 3: Fishing Vessel Safety** ["this appendix is subject to change without notice"](#).

Vessel owners and masters have a duty to ensure the safety of their crew and vessel. Adherence to safety regulations and good practices by owners, masters and crew of fishing vessels will help save lives, prevent vessel damage and protect the environment. All fishing vessels must be in a seaworthy condition and maintained as required by Transport Canada (TC), WorkSafeBC, and other applicable agencies. Vessels subject to inspection should ensure that the certificate of inspection is valid for the area of intended operation.

In the federal government, responsibility for shipping, navigation, and vessel safety regulations and inspections lies with Transport Canada (TC); emergency response with the Canadian Coast Guard (CCG) and DFO has responsibility for management of the fisheries resources. In B.C., WorkSafeBC also regulates health and safety issues in commercial fishing. This includes requirements to ensure the health and safety of the crew and safe operation of the vessel. DFO (Fisheries and Aquaculture Management (FAM) and CCG) and TC through an MOU have formalized cooperation to establish, maintain and promote a safety culture within the fishing industry.

Before leaving on a voyage the owner, master or operator must ensure that the fishing vessel is capable of safely making the passage. Critical factors for a safe voyage include the seaworthiness of the vessel, vessel stability, having the required safety equipment in good working order, crew training, and knowledge of current and forecasted weather conditions.

Useful publications include Transport Canada Publication TP 10038 '*Small Fishing Vessel Safety Manual*' which can be obtained from TC or printed from their website:

[www.tc.gc.ca/MarineSafety/Tp/Tp10038/tp10038e.htm](http://www.tc.gc.ca/MarineSafety/Tp/Tp10038/tp10038e.htm).

There are several issues that are important for fishing vessel safety, including three priority areas: vessel stability, emergency drills, and cold water immersion.

#### **1.1. Fishing Vessel Stability**

Vessel stability is paramount for safety. Care must be given to the stowage and securing of all cargo, skiffs, equipment, fuel containers and supplies, and also to correct ballasting. Fishers must be familiar with their vessel's centre of gravity, the effect of liquid free surfaces on stability, loose water or fish on deck, loading and unloading operations and the vessel's freeboard. Know the limitations of your vessel; if you are unsure contact a reputable naval architect, marine surveyor or the local Transport Canada Marine Safety Office.

Fishing vessel owners are required to develop detailed instructions addressing the limits of stability for each of their vessels. The instructions need to be based on a formal assessment of the vessel by a qualified naval architect and include detailed safe operation documentation kept on board the vessel. Examples of detailed documentation include engine room procedures, maintenance schedules to ensure watertight integrity, and instructions for regular practice of emergency drills.

## 2. FISH SAFE

Vessel masters and crew are encouraged to become more knowledgeable regarding vessel stability. FishSafe BC developed the Fish Safe Stability Education Course, which is available to all fishermen who want to improve their understanding of stability and find practical application to their vessel's operation.

Fish Safe is coordinated by Gina Johansen and directed by the Fish Safe Advisory Committee (membership is open to all interested in improving safety on board). The advisory committee meets quarterly to discuss safety issues and give direction to Fish Safe in the development of education and tools for fishermen.

Fish Safe also works closely with WorkSafeBC to improve the fishing claims process.

Gina Johansen, Safety Coordinator  
Fish Safe  
1100-1200 West 73rd Avenue  
Vancouver, BC V6P 6G5  
Phone: 604-261-9700  
Fax: 604-267-3015  
[www.fishsafebc.com](http://www.fishsafebc.com)

### 2.1. Emergency Drill Requirements

The master must establish procedures and assign responsibilities to each crew member for emergencies such as crew member overboard, fire, flooding, abandoning ship and calling for help.

The Crewing Regulation under the Canada Shipping Act (CSA) states that as of July 30th 2002 all seafarers, including fishermen, must have a Basic Safety Certificate (MED A1 or A3 depending upon vessel and operating waters) within 6 months of becoming a crewmember, regardless of time at sea. The MED A1 is a three day course, and must be taken by all crew regardless of duty station.

MED provides a basic understanding of the hazards associated with the marine environment; the prevention of shipboard incidents; raising and reacting to alarms; fire and abandonment situations; and the skills necessary for survival and rescue.

### 2.2. Cold Water Immersion

Drowning is the number one cause of death in B.C.'s fishing industry. Cold water is defined as water below 25 degrees Celsius, but the greatest effects occur below 15 degrees. BC waters are usually below 15 degrees. The effects of cold water on the body occur in four stages: cold shock, swimming failure, hypothermia and post-rescue collapse. Know what to do to prevent you or your crew from falling into the water and what to do if that occurs. More information is available in the WorkSafe Bulletin *Cold Water Immersion* (available from the WorkSafe BC website).

## 2.3. Other Issues

### 2.3.1. Weather

Vessel owners and masters are reminded of the importance of paying close attention to current weather trends and forecasts during the voyage. Marine weather information and forecasts can be obtained on VHF channels 21B, Wx1, Wx2, Wx3, or Wx4. Weather information is also available from Environment Canada website at:

[www.weatheroffice.ec.gc.ca/marine/region\\_03\\_e.html](http://www.weatheroffice.ec.gc.ca/marine/region_03_e.html)

### 2.3.2. Emergency Radio Procedures

Vessel owners and masters should ensure that all crew are able to activate the Search and Rescue (SAR) system early rather than later by contacting the Canadian Coast Guard (CCG). It is strongly recommended that all fishers carry a registered 406 MHz Emergency Position Indicating Radio Beacon (EPIRB). These beacons should be registered with the National Search and Rescue secretariat. When activated, an EPIRB transmits a distress call that is picked up or relayed by satellites and transmitted via land earth stations to the Joint Rescue Co-ordination Centre (JRCC), which will task and co-ordinate rescue resources.

Fishers should monitor VHF channel 16 or MF 2182 KHz and make themselves and their crews familiar with other radio frequencies. All crew should know how to make a distress call and should obtain their restricted operator certificate from Industry Canada. However, whenever possible, masters should contact the nearest Canadian Coast Guard (CCG) Marine Communications and Traffic Services (MCTS) station (on VHF channel 16 or MF 2182 kHz) prior to a distress situation developing. Correct radio procedures are important for communications in an emergency. Incorrect or misunderstood communications may hinder a rescue response.

Since August 1, 2003 all commercial vessels greater than 20 metres in length are required to carry a Class D VHF Digital Selective Calling (DSC) radio. A registered DSC VHF radio has the capability to alert other DSC equipped vessels in your immediate area and MCTS that your vessel is in distress. Masters should be aware that they should register their DSC radios with Industry Canada to obtain a Marine Mobile Services Identity (MMSI) number or the automatic distress calling feature of the radio may not work.

A DSC radio that is connected to a GPS unit will also automatically include your vessel's current position in the distress message. More detailed information on MCTS and DSC can be obtained by contacting a local Coast Guard MCTS centre (located in Vancouver, Victoria, Prince Rupert, Comox and Tofino) or from the Coast Guard website:

[www.pacific.ccg-gcc.gc.ca](http://www.pacific.ccg-gcc.gc.ca)

### 2.3.3. Collision Regulations

Fishers must be knowledgeable of the *Collision Regulations* and the responsibilities between vessels where risk of collision exists. Navigation lights must be kept in good working order and must be displayed from sunset to sunrise and during all times of restricted visibility. To help reduce the potential for collision or close quarters situations which may also result in the loss of fishing gear, fishers are encouraged to monitor the appropriate local Vessel Traffic Services

(VTS) VHF channel, when travelling or fishing near shipping lanes or other areas frequented by large commercial vessels. Vessels required to participate in VTS include:

- a) every ship twenty metres or more in length,
- b) every ship engaged in towing or pushing any vessel or object, other than fishing gear,
- c) where the combined length of the ship and any vessel or object towed or pushed by the ship is forty five metres or more in length; or
- d) where the length of the vessel or object being towed or pushed by the ship is twenty metres or more in length.

Exceptions include:

- a) a ship towing or pushing inside a log booming ground,
- b) a pleasure yacht *less than* 30 metres in length, and
- c) a fishing vessel that is *less than* 24 metres in length and not *more than* 150 tons gross.

More detailed information on VTS can be obtained by calling (604) 775-8862 or from Coast Guard website:

[www.pacific.ccg-gcc.gc.ca/mcts-sctm/index\\_e.htm](http://www.pacific.ccg-gcc.gc.ca/mcts-sctm/index_e.htm).

#### 2.3.4. Buddy System

Fisher harvesters are encouraged to use the buddy system when transiting, and fishing as this allows for the ability to provide mutual aid. An important trip consideration is the use of a sail plan which includes the particulars of the vessel, crew and voyage. The sail plan should be left with a responsible person on shore or filed with the local MCTS. After leaving port the fisher should contact the holder of the sail plan daily or as per another schedule. The sail plan should ensure notification to JRCC when communication is not maintained which might indicate your vessel is in distress. Be sure to cancel the sail plan upon completion of the voyage.

### 3. WORKSAFE BC

Commercial fishing is legislated by the requirements for diving, fishing and other marine operations found in Part 24 of the Occupational Health and Safety Regulation (OHSR). Many general hazard sections of the OHSR also apply. For example, Part 8: Personal Protective Clothing and Equipment addresses issues related to safety headgear, safety foot wear and personal floatation devices. Part 15 addresses issues on rigging, Part 5 addresses issues of exposure to chemical and biological substances, and Part 3 addresses training of young and new workers, first aid, and accident investigation issues. Part 3 of the Workers Compensation Act (WCA) defines the roles and responsibilities of owners, employers, supervisors and workers. The OHSR and the WCA are available from the Provincial Crown Printers or by visiting the WorkSafeBC website:

[www.worksafebc.com](http://www.worksafebc.com)

For further information, contact an Occupational Safety Officer (Shane Neifer, Terrace, (250) 615-6640), Pat Olsen, Richmond (604) 244-6477 or Mark Lunny, Courtney (250) 334-8732 or the Focus Sector Manager for fishing Bruce Clarke, Prince George, (250) 612-3708).

For information on projects related to commercial fishing contact Ellen Hanson (604) 233-4008 or Toll Free 1-888 621-7233 ext. 4008 or by email: [Ellen.Hanson@worksafebc.com](mailto:Ellen.Hanson@worksafebc.com).

## Appendix 4: Longline Seabird Mitigation Measures

### Guidelines for Column A Mitigation Measures:

#### 1. Side Setting With Bird Curtain and Weighted Branch Lines

- Mainline deployed from port or starboard side as for from the stern as practicable (at least 1 meter), and if mainline shooter is used, must be mounted at least 1 meter forward of the stern.
- When seabirds are present the gear must ensure mainline is deployed slack so that baited hooks remain submerged.
- Bird curtain must be employed:
  - Pole aft of line shooter at least 3 meters long,
  - Minimum of 3 main streamers attached to upper 2 meter pole,
  - Main streamer diameter minimum 20 millimetres,
  - Branch streamers attached to end of each main streamer long enough to drag on water (no wind) – minimum diameter 10 millimetres.

#### 2. Night Setting

- No setting between local sunrise and one hour after local sunset; and
- Deck lighting to be kept to a minimum, noting requirements for safety and navigation.

#### 3. Tori Lines

- Minimum length: 100m
- Minimum aerial coverage: 90m
- Must be attached so that the aerial extent is maintained over the sinking baited hooks.
- Streamers must be less than 5 meters apart and be using swivels.
- Streamers must be long enough so that they are as close to the water as possible.
- If the tori line is less than 150 meters in length, must have a drogue attached to the end that will create enough drag to meet the 90 meter coverage requirement.

#### 4. Weighted Branch Lines

- Weights attached to all branch lines:
  - Minimum of 45 grams weight attached to branch lines,
  - Less than 60 grams weight must be within 1 meter of the hook,
  - Greater than 60 grams and less than 98 grams must be within 3.5 meters of the hooks, and
  - Greater than 98 grams must be within 4 meters of the hook.

## Guidelines for Column B Mitigation Measures:

1. Tori Line
  - See description in Guidelines for Column A.
  - If tori line is selected from both Column A and Column B this equates to simultaneously using two (i.e. paired) tori lines.
  
2. Weighted Branch Lines
  - See description in Guidelines for Column A.
  
3. Blue Dyed Bait
  - Western and Central Pacific Fisheries Commission Secretariat shall distribute a standardized colour placard which all bait must be dyed to the shade as shown.
  
4. Deep Setting Line Shooter
  
5. Underwater Setting Chute
  
6. Management of Offal Discharge
  - Either:
    - No offal discharge during setting or hauling, or
    - Strategic offal discharge from the opposite side of the boat to setting/hauling to actively encourage birds away from baited hooks.