

U.S.-Canada Pacific Albacore Tuna Treaty
2022 Annual Treaty Consultation Minutes

June 6, 2022
1:00pm to 4:00pm
Chair: United States

List of Participants

United States

Dave Hogan, Head of Delegation
Colleen Baker
Kynan Barrios
Celia Barroso
Greg Busch
Kit Dahl
Lyle Enriquez
Chris Fanning
Chris German
Steven Teo
Ryan Wulff

Canada

Adam Burns, Head of Delegation
Adam Batty
Jose Benchetrit
Felicia Cull
Jason Gibson
Sarah Hawkshaw
Jennifer Shaw
Bryan Rusch
Tana Stratton

Stakeholders

Dan Davis
Patricia DeMille
Douglas Fricke
Lindsay Gardner
Stephen Gluck
Elizabeth Hellmers
Larry Neilson
Carl Nish
Christa Svensson
Justin Turple
Mike Conroy
Wayne Heikkila

NOTES

1. Introductions

David Hogan of the United States opened the session, noting that introductions would be most efficiently made as each person took the floor, rather than all at once. Adam Burns, Canada, agreed. Both parties noted the special relationship between the United States and Canada and appreciation for the opportunity to share information.

2. Review of the 2021 Fishing Season

Canadian vessels in U.S. waters, port access

Sarah Hawkshaw presented for Canada. Total Canadian catch in 2021 was 2399t, representing only a 1% increase from 2020. Canada noted that there has been stability in their catch levels for the past four years. Location of Canadian catch is stable with 2020, with most caught in Canadian waters. There were record low levels of Canadian catch from U.S. waters, but a minor increase from 2021. In the high seas, Canadian catch has decreased relative to 2020. Effort has been decreasing over the last decade, though Canadian effort is increasing in Canadian waters while it remains at a record low level in U.S. waters. Finally, no Canadian vessel landed albacore in U.S. ports in 2021. No questions were raised.

U.S. vessels in Canadian waters, port access

Chris Fanning presented for the United States. Available data was shown that 22 U.S. vessels made hail for entry and one hail for exit, with most entering in late August 2021. 55 U.S. vessels were reported as fishing in the Canadian EEZ. A total of 107 U.S. vessels listed for the 2022 year. However, inconsistencies were noted between data sources. U.S. asks if shared data sheet has not been updated.

Canada clarified that they had recorded 73 hails from U.S. vessels in 2021. Canada speculated that the discrepancy could be due to different types of hails.

Steve Teo stated that the Data Working Group (DWG) discussed this discrepancy in detail during their meeting. There is discrepancy between the hailing data from DFO and the logbook data from NOAA, because of the difference of vessels having the potential to fish vs. vessels actually fishing. In order to address the issue, DWG is looking at ways to find out which vessels did not provide logbooks.

The United States welcomed the effort to find clarity and establish shared definitions and numbers.

3. Review of Outputs from Data Working Group

Steve Teo presented. For 2021, the catch per unit effort for the U.S. fleet was low, though not record low, likely due to fuel cost, vessel owner retirements, and the unexpected movement of stocks during peak fishing season. The number of U.S. vessels landing fish was very low, compared to previous years. Dr. Teo stated his hope that Resolution 2107, which will require CPCs to report landings by foreign vessels, would help improve DFO estimates of U.S. landings in Canadian ports. U.S. effort declined substantially from 2020. 55 vessels fished in Canadian EEZ based on logbooks, representing an increase from the past few years. Dr. Teo speculated that this increase was likely driven by vessels searching for fish during the record slowdown of catch in September.

Canada raised concerns that these statistics underestimated U.S. catch in Canadian waters and reiterated the need for increased logbook returns from U.S. vessels.

The United States agreed that we must ensure the data is representing a full picture of the U.S. side. Dr. Teo explained that legal issues prevent 100% logbook coverage in the U.S., but that it can provide reasonably accurate effort data based on the number of vessels and days at sea.

Canada and the United States worked to clarify the statistical extrapolation process and the origin of different effort measurements. Canada underlined their concern about the validity of estimates based on submitted logbooks, which assumes similar behavior by vessels that do not submit logbooks. The United States shared the concern, pointing out that there appear to be both implementation and regulatory issues at play. The United States promised to consult with U.S. counterparts to find out who could put pressure on the situation and help reconcile the different sets of data.

Dr. Teo moved to the additional data requested by the U.S., put together using a reciprocal exchange of data between Canada and the United States.

The first request shows the catch and effort data broken down by month, for vessels that fish pursuant to the Treaty. The data shows that the Canadian fleet stops fishing in the U.S. EEZ by about September and this fishing season has been consistent for the past 8 years. For the U.S. fleet, the peak fishing season is between July and September, with fishing dropping off by October. Over the years, the Canadian fleet has been generally consistent amount of effort in the U.S. EEZ. The U.S. fleet's effort has also been consistent in Canadian waters, with an increase in the last year likely caused by the increase in U.S. vessels fishing under the treaty.

The second request shows the number of vessels fishing under the treaty and their catch, broken down by vessel class size. For the Canadian fleet, the majority of vessels are between 47 and 70 feet in length and that same class catches the majority of fish. For the U.S. fleet, there has been more variation by year, but most vessels are in the 47 to 70 foot class and the 70 to 110 foot class. The majority of U.S. catch comes from those two class sizes as well.

The third request shows the effort of vessels in each EEZ. For Canadian vessels fishing under the Treaty, the number of vessels has remained consistent and most vessels that fish in the U.S. EEZ also fish in the Canadian EEZ. Number of fishing days corresponded to that same effort result. For the last two years, the majority of Canadian fishing has been in the Canadian EEZ. For the U.S. fleet, generally vessels that fish in Canadian waters also fish in U.S. waters. The number of fishing days for the U.S. fleet is higher in the U.S. EEZ.

Dr. Teo closed his presentation of this new data by explaining that the DWG did not proceed with the extra data request as part of regular review, but offered to conduct another such review if either country requested.

Canada commented on how well these new data informed our ability to effectively discuss management and expressed support for looking at this data and how it evolves over time.

The United States concurred, expressing support for more data as long as it is produced together as that was key to this data's success.

Canada raised that they had further licensing and hail data to provide, followed by enforcement information. Bryan Rusch presented licensing and hail data, noting that the numbers overlapped with Dr. Teo's presentation. Mr. Rusch explained that the shared spreadsheet with this information was out of date and would be updated as soon as possible.

Jason Gibson presented on compliance concerns and trends from 2020 and 2021 for Canada. He noted instances of vessels failing to obtain the Canadian EEZ license for port entry. While fishing licenses have had high rate of compliance, there were three instances where U.S. vessels arrived to port without the correct EEZ license for port entry. Mr. Gibson speculated that there might be bureaucratic causes or a lack of clear information. Additionally, Mr. Gibson noted there were vessels failing to hail in, especially to port. Given their ability to monitor the water, it is an open question if there is a similar problem for fishing hails. Vessels also had issues with proper documentation being onboard with them, which is typically due to companies not providing their full licensing documents to skippers. Fisheries officers need to be able to access full copies if they board a vessel so they can cross-reference the conditions of the license. There have also been issues with vessels fishing for squid in Canadian waters, while their licenses only provide for albacore. Mr. Gibson stated that they have issued notices on these issues and sent a letter to all clients outlining the concerns. He expressed hope that communication in advance would ensure a good, clean fishing season.

The United States also expressed hope that these compliance numbers trended in the right direction soon. To the degree we do not see that trend, the United States welcomed the opportunity to work with Canada on how we can better increase our cooperation.

Chris German, USCG, stated that the United States had boarded about a half dozen Canadian vessels and did not find any compliance issues. Greg Busch, NOAA OLE, confirmed that the NOAA Office of Law Enforcement had also seen no compliance issues with Canadian vessels. He explained that their office was working with the Office of Highly Migratory Species on logbook and permit issues. They have been issuing citations as well as providing compliance assistance and written warnings to vessels that seem to be in violation.

4. Update on the Status of the Treaty (Discussion of Annex amendments)

The United States opened discussion of the current treaty, underlining that this is the third and final year of the current regime. The United States stated that while we have made do during the pandemic with virtual discussions, it might be useful to hold an in-person conversation as we discuss what the future of this treaty looks like.

Canada agreed and offered to host an in-person negotiation, proposing the end of October 2022 or the beginning of November.

The United States summarized the conversation and restated its intention to have conversations on the U.S. side on how to improve. The United States emphasized the success of U.S.-Canada enforcement cooperation.

5. Other Business (if any)

Wayne Heikkila raised question on the status of the Port Access Committee. The United States explained there had been no change in status or official formation of the group, but would be happy to work with DFO on collecting representative participants on their side.

Canada stated they were also beginning to hear questions from stakeholders about new wind energy areas and possible impacts on albacore fishing activity. The United States promised to collect further detail on these areas. Mike Conroy stated that the areas will be 18-25 miles offshore and floating turbines, so it is not envisioned that they will impact surface fisheries.

The United States also raised the possibility of collaborating with Canada on the new MSE from IATTC for North Pacific Albacore.

Mike Conroy raised a question about the possibility of the new MPA. Canada stated they have tried to make clear the low impact of the tuna fishery on the MPA area, especially the sea floor. Because the species is migratory, the fishery also does not pose major ecosystems risk. They are optimistic, but still awaiting a formal decision.