



National Oceanic and Atmospheric Administration
National Marine Fisheries Service

Southwest Region
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**GUIDE FOR COMPLYING WITH THE VESSEL
FISHING REQUIREMENTS OF THE
U.S. - CANADA ALBACORE TREATY**

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This guide is intended to help owners and operators of West Coast albacore fishing vessels understand what their obligations are if they wish to fish for albacore in Canadian waters, transit through Canadian waters without fishing, or use Canadian ports during the summer albacore fishing season. This guide has been updated to reflect the agreement reached in April of 2013 and is valid only for the 2013 fishing season; however, any inadvertent difference between this guide and the regulations will be resolved by following the regulatory language found at:

<http://swr.nmfs.noaa.gov/albacore/060404.pdf>

Q. What is the U.S.-Canada Albacore Treaty?

The Treaty is a 1981 agreement between the governments of Canada and the United States that allows U.S. vessels to fish for albacore in Canadian waters seaward of 12 miles from shore and Canadian vessels to fish for albacore in U.S. waters seaward of 12 miles from shore. The Treaty also allows Canadian vessels to use certain U.S. ports to obtain supplies and services and to land fish, and it allows U.S. vessels to use certain Canadian ports for the same purposes. The Treaty also calls for exchange of fisheries data between the governments of the two nations.

Q. In general, what do the regulations require?

The regulations establish vessel marking, record keeping, and reporting requirements for U.S. albacore tuna fishing vessel operators and for Canadian albacore tuna fishing vessel operators when they are fishing in U.S. waters.

Q. What are the fishing access limits?

For 2013, there will be no precise limit on the number of U.S. vessels allowed to fish in Canadian waters. However, U.S. vessels fishing under the treaty will only be allowed to fish in the Canadian

EEZ June 15th through October 31st. Canadian troll vessels may access U.S waters from June 15th through September 15th and their total number will be limited to 45. Please note that Canadian vessels may still be transiting U.S. waters after September 15th, but will not be allowed to fish in U.S. waters beyond that date.

Q. What Canadian ports are U.S. albacore fishing vessels allowed to use?

Pursuant to the Treaty, U.S. fishing vessels are authorized to enter, land their catches, sell or transship their catch, obtain fuel, supplies, repairs and equipment only at Coal Harbour, Port Hardy, Prince Rupert, Victoria, Vancouver and Ucluelet ports.

Vessels accessing Canadian ports under the terms of the Treaty are required to hail to the Canadian Coast Guard at Tofino (instructions below), obtain clearance from Canadian Customs and Border Services Agency (CBSA) and obtain an "Authorization for Port Activity and Exclusive Economic Zone Entry by a Foreign Vessel" (EEZ license) from the Department of Fisheries and Oceans prior to entering Canadian ports.

The "EEZ license" application form along with a list of authorized agents necessary for its completion can be found online:

<http://swr.nmfs.noaa.gov/albacore.htm>

Q. I am not an albacore fishermen but I transit through Canadian waters to fish in Alaska. How do the regulations affect me?

The Treaty does not affect the rights of U.S. vessels to transit Canadian waters. However, vessels transiting Canadian waters must hail-in to the Canadian Coast Guard at Tofino. In addition, you are required to have your gear stowed in an unfishable condition while you are transiting.

Q. If I am interested in fishing in Canadian waters, what do I have to do?

U.S. albacore vessels wishing to fish in Canadian waters must be identified on the U.S. albacore vessel list; mark their vessels with name and registration number; maintain and submit logbooks; and report when they enter and leave Canadian waters.

Q. Is a permit required to participate in the U. S.-Canada Albacore Treaty fishery?

No permit is required by the Treaty; however, the Pacific Highly Migratory Species (HMS) Fishery Management Plan requires that all U.S. vessels that fish for HMS including albacore off or land HMS in the States of California, Oregon, and Washington have a valid HMS vessel permit. In addition, all U.S. vessels that fish on the high seas are required to have a valid High Seas Fishing Compliance Act Permit (HSFCA).

Q. How do I get on the U.S. albacore list?

The owner of any albacore fishing vessel who wants that vessel to be on the list of U.S. vessels eligible to fish for albacore tuna in Canadian waters under the Treaty must contact NMFS at: (562)980-4024, FAX: (562) 980-4024, or email (albacore.fish@noaa.gov) at least seven days prior to

the first day on which any fishing in Canadian waters may begin. The owner must provide his or her name, address, and phone number where the owner can be reached, the vessel name, the U.S. Coast Guard documentation number (or state registration if it is not documented) and vessel operator (if different from the owner) and his or her address and phone number. NMFS will then place the vessel on the vessel list. The list is only valid for a single year. For the United States, a provisional list shall be provided to Canada by July 1st and may be revised during the fishing season.

Q. Can I get on the list after the season has started?

You may get on the list after the season starts, but you must allow a minimum of seven days from the time you register to the time you begin fishing. The seven day delay is necessary to ensure that NMFS has enough time to provide updated information to Canada.

Q. What kind of vessel marking is required?

Your vessel must be clearly marked with its name and documentation (International Radio Call Sign, Coast Guard Registration or State Registration) number. Vessel markings must be clearly visible both from the air and from a surface vessel. In addition, the letter 'U' must be painted or securely affixed to the vessel and be positioned at the end of each appearance of the vessel's documentation number. The letter should be of the same size and color as the identification numbers used on the vessel.

Q. What are the logbook requirements?

Use the logbook you received with your HMS vessel permit to record all your fishing activities in U.S. (and Canadian waters if landing to a U.S. port). You are also encouraged to record all your fishing activities in Canadian waters and landings to Canadian ports. Be sure you have a page for every day you plan to spend in Canadian waters. The logbook must be submitted to the Southwest Fisheries Science Center within 15 days of the end of a trip regardless of whether the trip ends by reentry to U.S. waters, entry into other Canadian waters where fishing is not permitted, or a Canadian port. If you have departed from Canadian waters into the high seas, the logbook must be submitted within seven days of your next landing. If you **do not** fish in Canadian waters, the logbook must be submitted within 30 days of the end of the trip.

Q. If I don't have a logbook, how do I get one?

To obtain a logbook contact Craig D'Angelo, NMFS Southwest Region, 501 W. Ocean Blvd. #4200, Long Beach, CA 90802 Craig.Dangelo@noaa.gov-(562) 980-4024. You may also download a copy of the logbook at <http://swr.nmfs.noaa.gov/logbooks.htm>.

Q. What are the border crossing requirements?

Canadian regulations require all foreign vessels (including U.S. albacore vessels) to file a hail-in report to the Canadian Coast Guard at Tofino at least 24 hours prior to entering Canadian waters and 72 hours before leaving Canadian waters.

Q. What is the reporting procedure?

Ways to contact Canadian Coast Guard at Tofino:

VHF channel 26 (within a 60 mile range);
MF channel 2054 (within a 200 mile range);
HF channel 4125 (within a 400 mile range);
Using a satellite phone or cellular phone and dialling 250-726-7716.

Q. What kind of border crossing information do I have to provide?

You must provide your vessel name, vessel documentation number, home port, flag state, Captain's name, and the date when you plan to enter or leave Canadian waters. At the end of the call, you will receive a confirmation number that you should keep on your vessel or have available to refer to in the event you are questioned either in Canadian waters or in a Canadian port. The record will demonstrate that you complied with call-in requirements.

Q. What if I don't call in prior to entering Canadian waters?

If you enter Canadian waters without reporting you will be there illegally and may be arrested and prosecuted either by Canada and/or the United States.

Q. What if I don't call in before leaving Canadian waters?

If you leave Canadian waters without reporting you will be in violation of Canadian and U.S. regulations and you may be arrested and prosecuted either by Canada and/or the United States.

Q. Will vessels from Canada have these same reporting requirements?

Yes, Canadian vessels will have to hail-in and out prior to entering and leaving U.S. waters.

Q. Does this reporting procedure replace the current hail report I have made in earlier years to Canadian officials?

This reporting procedure has been in place for the past few years for vessels operating under the Treaty requirements. If you are on a vessel entering Canadian waters from the West Coast to transit to fish off Alaska, you still have to report to Canadian Tofino Coast Guard by radio as required in the past.

Q. How will NOAA Fisheries and Canada use these reports?

Both NOAA Fisheries and the Canadian Department of Fisheries and Oceans will have access to all report information. Because we will all have access to the same data, there should be no disagreements about the number of vessels or amount of fishing done by those vessels in each nation's waters. Obviously, a vessel from one nation found fishing or accessing ports in waters of the other nation without having hailed properly will be in non-compliance with the requirements. Maintaining a record of your confirmation number after you've hailed in is important in the documentation process in the event you are boarded by the Coast Guard and your fishing activities are questioned.

Q. Am I allowed to transport live bait and use live bait in Canadian waters?

US vessels are allowed to transport northern anchovy for use as bait into Canadian waters. Vessels

wishing to transport live bait must contact the Canadian Customs and Border Services Agency in order to obtain authorization for transportation of bait prior to entering Canadian waters. US vessels operating under the Treaty are also permitted to fish for albacore tuna using live northern anchovy as bait in Canadian waters.