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R 111657Z JUN 11
 FM CCGDTHIRTEEN SEATTLE WA//DRE//
 TO AIG 8961
 INFO CCGDELEVEN ALAMEDA CA//DR/DRE//
 COGARD AIRSTA HUMBOLDT BAY CA
 COGARD AIRSTA SACRAMENTO CA
 COGARD TRATEAM WEST ALAMEDA CA//PRFTG//
 COMCOGARDGRU HUMBOLDT BAY CA
 COMPACAREA COGARD ALAMEDA CA//PAC-3//
 USCGC BARRACUDA
 USCGC DORADO
 COGARD MIFC PAC ALAMEDA CA
 BT
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 SUBJ: ALBACORE TUNA FISHERY OPORDER 01-11
 A. D13 STANDARD OPERATING PROCEDURE
 B. MY 252010Z MAR 11, D13 LMR FORECAST Q3 FY11
 C. TREATY BETWEEN THE GOVERNMENT OF THE USA AND THE GOVERNMENT OF CANADA ON PACIFIC COAST ALBACORE TUNA VESSELS AND PORT PRIVILEGES
 D. MY 101729Z JAN 11, MLEB-LMR 03-11 (WEST COAST GROUND FISH TRAWL RATIONALIZATION PROGRAM IMPLEMENTATION)

1. PURPOSE:
 - A. THIS OPORDER IS AN ADDENDUM TO REFS A-B AND IS DESIGNED TO PROVIDE A MORE DETAILED DESCRIPTION OF THE 2011 FEDERAL ALBACORE TUNA SEASON STRUCTURE, REGULATIONS AND ENFORCEMENT GUIDANCE, INCLUDING FISHERIES UNDER THE U.S./CANADA TUNA TREATY.
 - B. THIS OPORDER WILL REMAIN IN EFFECT THROUGHOUT THE 2011 ALBACORE TUNA SEASON (THE ALBACORE SEASON IS OPEN YEAR ROUND, BUT THE ESTIMATED TIME FRAME OF ACTIVITY IN THE D13 AOR IS FROM MID-JUN TO NOV ANNUALLY, WHEN WATER TEMPS ARE WARM ENOUGH TO SUPPORT THE PRESENCE OF ALBACORE). IAW REF C, THE TREATY REGS APPLY TO U.S. AND CANADIAN COMMERCIAL FISHERS BETWEEN 12-200 NM OFF WASHINGTON, OREGON, AND CALIFORNIA.
 - C. DOMESTIC ALBACORE TUNA REGS ARE IAW 50 CFR 600.525 AND 50 CFR 600.530. THIS MESSAGE SUMMARIZES THOSE REGS AS WELL AS OTHER GENERAL INFO APPLICABLE TO THE FISHERY.
2. SITUATION:
 - A. BACKGROUND:
 - (1) THE U.S./CANADA TUNA TREATY WAS ESTABLISHED IN 1981 TO PERMIT CANADIAN TROLLERS TO FISH FOR ALBACORE TUNA IN THE U.S. EEZ AND U.S. TROLLERS TO FISH FOR ALBACORE TUNA IN THE CANADIAN EEZ. PRIOR TO THE 2004 SEASON, THE TREATY ALLOWED UNRESTRICTED ACCESS FOR VESSELS TARGETING ALBACORE IN THE EEZ OF THE OTHER PARTY.
 - (2) IN RESPONSE TO U.S. INDUSTRY CONCERNS REGARDING THE INCREASE IN FISHING EFFORT BY CANADIAN VESSELS IN U.S. WATERS BEGINNING IN 1998, THE U.S. DEPT OF STATE (DOS), SUPPORTED BY NOAA AND INDUSTRY STAKEHOLDERS, INITIATED TECHNICAL CONSULTATIONS WITH CANADIAN AUTHORITIES WHICH LED TO TREATY NEGOTIATIONS AND ULTIMATELY A TREATY AMENDMENT ESTABLISHING CONTROLS ON CROSS BORDER FISHING EFFORT. THE TREATY AMENDMENT PROVIDED FOR A MUTUALLY AGREED UPON EFFORT REDUCTION PLAN AND PROVISIONS TO MONITOR FISHING EFFORT TO ENSURE COMPLIANCE.
 - (3) THE CURRENT EFFORT LIMITATION REGIME WAS IMPLEMENTED DURING THE 2009 SEASON AND WILL REMAIN IN PLACE UNTIL EITHER PARTY REQUESTS A CHANGE VIA A FORMAL AMENDMENT TO THE TREATY. UNDER THE REGIME, THE AMOUNT OF FISHING EFFORT ALLOWED BY VESSELS OF EACH PARTY IN THE EEZ OF THE OTHER PARTY IN 2011 IS AS FOLLOWS:
 - (A) CANADA IS LIMITED TO 110 ALBACORE TUNA TROLLERS IN THE U.S. EEZ THROUGHOUT THE SEASON.
 - (B) U.S. PARTICIPATION IN THE CANADIAN EEZ IS LIMITED TO A NUMBER REFLECTIVE OF HISTORIC LEVELS.
 - (C) VESSELS FROM THE U.S. AND CANADA ARE ONLY ALLOWED TO FISH FOR ALBACORE IN THE EEZ OF THE OTHER COUNTRY BETWEEN 15JUN11 AND 31OCT11.
 - B. PARTICIPATION FORECAST:
 - (1) ALBACORE TUNA ARE ATTRACTED TO WATER TEMPS GREATER THAN 60 DEG FAHRENHEIT, WHICH TYPICALLY OCCURS OFFSHORE, BEYOND COASTAL WATERS (50-100 NM). HISTORICALLY, WARM WATERS ATTRACTIVE TO ALBACORE ARE FOUND IN THE SOUTHERN PORTION OF THE D13 AOR EARLY IN THE ACTIVE FISHING SEASON. AS WATER TEMPS INCREASE THROUGHOUT THE SUMMER, ALBACORE TEND TO MIGRATE FURTHER NORTH AND CLOSER TO SHORE. SINCE ALBACORE FOLLOW WARM WATER TEMP GRADIENTS TUNA FISHING ACTIVITY IS DIFFICULT TO PREDICT.
 - (2) SPECIFIC LOCATIONS AND LEVELS OF FISHING ACTIVITY VARY GREATLY FROM YEAR TO YEAR. REPORTS FROM THE 2010 SEASON INDICATED THAT ALBACORE PRESENCE WAS GREATER OFF CANADA THAN DURING PREVIOUS SEASONS, RESULTING IN GREATER FISHING ACTIVITY OFF CANADA THAN IN RECENT YEARS. HOWEVER, ACTIVITY OFF CANADA THAN IN RECENT YEARS. HOWEVER, HISTORIC TRE

NDS SHOW THAT SIGNIFICANTLY MORE ALBACORE FISHING ACTIVITY OCCURS OFF THE U.S. WEST COAST AS COMPARED TO THE WEST COAST OF CANADA. DATA SPECIFIC TO THE 2010 SEASON ARE BELOW:

- (A) CANADIAN VESSELS: DURING 2010, 106 OF THE 110 CANADIAN TROLLERS AUTHORIZED TO FISH IN THE U.S. EEZ DID SO. 76 ALBACORE LANDINGS WERE MADE BY 42 CANADIAN VESSELS IN U.S. PORTS DURING 2010, WITH THE REMAINDER OF CANADIAN VESSELS CATCHING ALBACORE IN THE U.S. EEZ RETURNING TO CANADA TO LAND THEIR FISH. 70 PERCENT OF OVERALL

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- CANADIAN VESSEL DAYS IN THE U.S. EEZ WERE OFF OREGON, WITH 29 PERCENT OFF WASHINGTON AND 1 PERCENT OFF CALIFORNIA.
- (B) U.S. VESSELS: IN 2010, 67 U.S. VESSELS FISHED FOR ALBACORE IN THE CANADIAN EEZ, COMPARED TO ONLY 28 DURING 2009. 606 U.S. VESSELS MADE 2602 ALBACORE LANDINGS IN U.S. PORTS DURING 2010. 82 PERCENT OF U.S. WEST COAST ALBACORE FISHING EFFORT OCCURS OFF THE THREE WEST COAST STATES, WITH 3 PERCENT OFF CANADA AND THE REMAINING 15 PERCENT ON THE HIGH SEAS.
- C. PARTICIPATION IN RECREATIONAL ALBACORE TUNA FISHERIES IS SUMMARIZED IN PARAGRAPH 7 BELOW.
3. COMMERCIAL REGULATIONS AND RESTRICTIONS:
- A. DOMESTIC FISHERIES REGULATIONS:
- (1)
- CATCH: THERE ARE NO SIZE OR CATCH LIMITS IN THE COMMERCIAL ALBACORE TUNA FISHERY. U.S. VESSELS RETAINING SPECIES OTHER THAN ALBACORE TUNA MUST COMPLY WITH REGULATIONS APPLICABLE TO THOSE FISHERIES (I.E. U.S. ALBACORE VESSELS MAY ALSO RETAIN SALMON AND GROUND FISH, HOWEVER THEY MUST HAVE APPROPRIATE STATE AND FEDERAL PERMITS AND MUST COMPLY WITH OTHER ASSOCIATED REGULATIONS REGARDING CATCH LIMITS, GEAR, CLOSED AREAS, VMS CARRIAGE REQUIREMENTS, ETC FISHING IF THEY HAVE SALMON ON BOARD.
- (3) DECLARATIONS: IAW REF D, IN ORDER TO PROPERLY ACCOUNT FOR CATCH TAKEN UNDER EACH SPECIFIC FISHING STRATEGY, VESSELS ARE REQUIRED TO MAKE A DECLARATION TO NOAA PRIOR TO FISHING. APPLICABLE DECLARATION CATEGORIES ARE LISTED IN PARAGRAPH 5.C(4) OF REF D. THE APPROPRIATE DECLARATION APPLICABLE TO A VESSEL PARTICIPATING IN THE COMMERCIAL ALBACORE TUNA FISHERY IS OPEN ACCESS LINE GEAR FOR HIGHLY MIGRATORY SPECIES (HMS).
- (4) PERMITS: U.S. VESSELS ARE REQUIRED TO POSSESS A FEDERAL HMS PERMIT ON BOARD WHEN FISHING FOR TUNA IN THE U.S. EEZ.
- (5) CREW CITIZENSHIP: THE IMMIGRATION POLICY CODIFIED IN 46 USC 8103 AND OFTEN REFERRED TO AS THE 75/25 RULE, GENERALLY MEANS AT LEAST 75 PERCENT OF THE UNLICENSED CREW EMPLOYED ON EITHER A U.S. DOCUMENTED VESSEL OR A COMMERCIAL FISHING VESSEL MUST BE U.S. CITIZENS AND NO MORE THAN 25 PERCENT OF THE UNLICENSED CREW MAY BE DOCUMENTED ALIENS. CHAPTER 6 OF THE MLEM ALSO ADDRESSES IMMIGRATION LAW ENFORCEMENT AND APPENDIX C PROVIDES THE STATUTORY REFERENCE. HOWEVER, THERE ARE TWO EXCEPTIONS TO THE CREW CITIZENSHIP REQUIREMENTS FOR U.S. FISHING VESSELS, INCLUDING THOSE VESSELS:
- (A) FISHING OUTSIDE OF THE U.S. EEZ, AND/OR
- (B) FISHING EXCLUSIVELY FOR HMS (INCLUDING ALBACORE TUNA).
- B. U.S. VESSELS FISHING UNDER THE TREATY MUST ALSO COMPLY WITH THE FOLLOWING TREATY REQUIREMENTS:
- (1) FISHING UNDER THE TREATY IS DEFINED AS ENGAGED IN FISHING FOR ALBACORE TUNA IN WATERS UNDER THE FISHERIES JURISDICTION OF CANADA SEAWARD OF 12 NM FROM THE BASELINE.
- (2) VESSELS MUST BE ON THE LIST MAINTAINED BY NOAA FOR AT LEAST SEVEN DAYS PRIOR TO FISHING PURSUANT TO THE TREATY (I.E. IN THE CANADIAN EEZ).
- (3) VESSELS MUST BE MARKED WITH THEIR NAME AND VESSEL IDENTIFICATION NUMBER (I.E. CG DOC NUMBER OR STATE REGISTRATION NUMBER) FOLLOWED BY THE LETTER U - INDICATING A U.S. VESSEL - IN THE SAME HEIGHT AND SIZE AS THE NUMERALS). MARKINGS MUST BE PROMINENTLY DISPLAYED WHERE THEY WILL BE CLEARLY VISIBLE FROM BOTH THE AIR AND FROM A SURFACE VESSEL. ALBACORE TUNA VESSELS MAY ALSO HAVE ADDITIONAL VISIBLE MARKINGS, SUCH AS THEIR INTERNATIONAL RADIO CALL SIGN, WHICH MAY BE REQUIRED TO PARTICIPATE IN OTHER DOMESTIC AND INTERNATIONAL FISHERIES IN DIFFERENT REGIONS.
- (4) VESSELS MUST MAINTAIN A LOGBOOK RECORDING TREATY FISHING EFFORT AND CATCH.
- (5) IAW THE CANADIAN FISHERIES PROTECTION ACT, THE OPERATOR OF A VESSEL INTENDING TO FISH IN THE CANADIAN EEZ UNDER THE TREATY MUST FILE A HAIL-IN REPORT TO CANADA TOPINO CG NLT 24 HRS PRIOR. OPERATORS MUST THEN SUBMIT HAIL-OUT REPORTS NLT 24 HRS PRIOR TO DEPARTING THE CANADIAN EEZ. D13(DRE) WILL NOT HAVE DIRECT ACCESS TO THESE REPORTS, BUT MAY OBTAIN THEM AS NECESSARY UPON REQUEST FROM CANADA.
- C. CANADIAN VESSELS FISHING UNDER THE TREATY ARE REQUIRED TO COMPLY WITH THE FOLLOWING TREATY REQUIREMENTS:
- (1) FISHING UNDER THE TREATY IS DEFINED AS ENGAGED IN FISHING FOR ALBACORE TUNA IN WATERS UNDER THE FISHERIES JURISDICTION OF THE U.S. SEAWARD OF 12 NM FROM THE BASELINE (SEE NOTE 1). CANADIAN VESSELS MAY NOT RETAIN SPECIES OTHER THAN ALBACORE TUNA.
- (2) FOREIGN FISHING VESSELS (FFVS) MUST BE ON THE LIST OF AUTHORIZED VESSELS PROVIDED TO NOAA BY CANADA. 110 CANADIAN VESSELS ARE ON THE LIST PROVIDED TO NOAA ON 1JUN11. THIS LIST WILL REMAIN THE SAME THROUGHOUT THE SEASON, WITH NO ADDITIONS OR CHANGES ALLOWED (OTHER THAN POTENTIAL REMOVALS DUE TO CANADIAN ENFORCEMENT ACTION OR VESSEL CASUALTIES). A COPY OF THE LIST OF CANADIAN VESSELS AUTHORIZED TO FISH IN THE U.S. EEZ WILL BE MAINTAINED BY D13(DRE) AND PROVIDED TO UNITS BY UPON REQUEST (SEE NOTE 1).
- (3) FFVS MAY ONLY LAND IN PORTS AUTHORIZED UNDER THE TREATY AGREEMENT, INCLUDING: BELLINGHAM AND WESTPORT, WA, ASTORIA, NEWPORT, AND COOS BAY, OR, AND EUREKA, CA (SEE

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- NOTE 1).
- (4) FFVS MUST CLEARLY DISPLAY THEIR CANADIAN VESSEL REGISTRATION NUMBER FOLLOWED BY THE LETTER C - INDICATING A CANADIAN VESSEL - IN THE SAME HEIGHT AND SIZE AS THE NUMERALS. MARKINGS MUST BE PROMINENTLY DISPLAYED WHERE THEY WILL BE CLEARLY VISIBLE FROM BOTH THE AIR AND FROM A SURFACE VESSEL (SEE NOTE 2). SIMILAR TO U.S. ALBACORE TUNA TROLLERS, CANADIAN PARTICIPANTS MAY HAVE ADDITIONAL MARKINGS REQUIRED FOR OTHER FISHERIES IN WHICH THEY PARTICIPATE.
 - (5) FFVS MUST MAINTAIN A LOGBOOK RECORDING TREATY FISHING EFFORT AND CATCH (SEE NOTE 2)
 - (6) SIMILAR TO PARAGRAPH 3.B(5) ABOVE, THE OPERATOR OF A CANADIAN VESSEL INTENDING TO FISH IN THE U.S. EEZ UNDER THE TREATY MUST MAKE A HAIL-OUT REPORT TO CANADA TOPINO CG NLT 24 HRS PRIOR. OPERATORS MUST THEN SUBMIT HAIL-IN REPORTS NLT 24 HRS PRIOR TO RE-ENTERING THE CANADIAN EEZ. D13(DRE) IS NOT NOTIFIED OF THESE REPORTS, BUT MAY OBTAIN REPORTING INFO AS NECESSARY.
 - (7) USCG UNITS ARE NOT AUTHORIZED TO ENFORCE U.S. DOMESTIC CFIVSA REGS ON CANADIAN VESSELS. THEREFORE, VIOLATIONS OF CFIVSA REGS SHALL ONLY BE DOCUMENTED AND REPORTED TO D13(DRE) VIA OPSUMS. VIOLATION INFO WILL BE FORWARDED TO CANADA DFO FOR ACTION. HOWEVER, IF ONE OR MORE OF THE FOLLOWING ESPECIALLY HAZARDOUS CONDITIONS EXISTS ON A CANADIAN VESSEL OPERATING WITHIN U.S. TERRITORIAL WATERS (WITHIN 12 NM FROM THE BASELINE), WHICH CONSTITUTES A POTENTIAL HAZARD TO THE PORT, CONTACT D13(DRE) ASAP FOR ENFORCEMENT GUIDANCE:
 - (A) INADEQUATE FIREFIGHTING EQUIPMENT ON BOARD
 - (B) EXCESSIVE VOLATILE FUEL (GASOLINE OR SOLVENTS) OR VOLATILE FUEL VAPORS IN BILGES
 - (C) INSTABILITY RESULTING FROM OVERLOADING, IMPROPER LOADING OR LACK OF FREEBOARD
 - (D) INTOXICATION OF THE MASTER OR INDIVIDUAL IN CHARGE OF THE VESSEL. AN INDIVIDUAL IS INTOXICATED WHEN OPERATING A COMMERCIAL FISHING VESSEL WITH A BLOOD ALCOHOL CONCENTRATION OF .04 PERCENT, OR THE INTOXICANT'S EFFECT ON THE PERSON'S MANNER, DISPOSITION, SPEECH, MUSCULAR MOVEMENT, GENERAL APPEARANCE OR BEHAVIOR IS APPARENT BY OBSERVATION
 - (E) A LACK OF ADEQUATE OPERABLE NAVIGATION LIGHTS DURING PERIODS OF REDUCED VISIBILITY
 - (F) WATERTIGHT CLOSURES MISSING OR INOPERABLE, OR
 - (G) FLOODING OR UNCONTROLLED LEAKAGE IN ANY SPACE.
 - (H) CANADIAN TUNA TROLLERS FISHING IN THE U.S. EEZ MUST ALSO COMPLY WITH THE NOAA SAFE BOARDING LADDER REQUIREMENTS, IMPLEMENTED IN 2009 AND APPLICABLE TO ALL VESSELS WITH FREEBOARD OF FOUR FEET OR GREATER.

NOTE 1: IF CANADIAN VESSELS ARE FISHING WITHIN 12 NM OF THE BASELINE, OR WITHIN THE U.S. EEZ BUT THEY ARE NOT ON THE LIST OF VESSELS AUTHORIZED TO FISH PURSUANT TO THE TREATY, OR THEY ATTEMPT TO LAND CATCH IN PORTS OTHER THAN THOSE LISTED IN PARAGRAPH 3.C(3) ABOVE, THEY ARE FISHING IN VIOLATION OF U.S. AND CANADIAN LAW. UNITS SHALL DIRECT SUCH VESSELS TO CEASE THE ACTIVITY IMMEDIATELY UNTIL THE ISSUE CAN BE RESOLVED. UNITS SHOULD NOT TAKE ANY FURTHER ACTION UNTIL RECEIVING CONCURRENCE FROM D13(DRE), WHICH WILL PROMPTLY CONSULT WITH NOAA AND POSSIBLY CANADA DFO REGARDING ENFORCEMENT ACTION.

NOTE 2: CANADIAN VESSELS NOT IN COMPLIANCE WITH MARKING REQUIREMENTS IN PARAGRAPH 3.C(4) ABOVE OR WITHOUT A LOGBOOK ON BOARD SHALL BE REPORTED TO D13(DRE). D13(DRE) WILL FORWARD ALL INFO TO CANADA DFO FOR FOLLOW UP. NO ADDITIONAL USCG ENFORCEMENT ACTION SHALL BE TAKEN.

4. ENFORCEMENT CONCERNS/THREAT:

- A. MANY VESSELS INVOLVED IN THIS FISHERY TRAVEL WORLDWIDE, SO IT IS NOT UNCOMMON FOR THEM TO HAVE FOREIGN CREWMEMBERS. AS DESCRIBED IN PARAGRAPH 3.A(5) ABOVE, U.S. VESSELS PARTICIPATING EXCLUSIVELY IN THE ALBACORE TUNA FISHERY ARE EXEMPT FROM GENERAL DOMESTIC CREW CITIZENSHIP REQUIREMENTS. HOWEVER, UNLICENSED CREW ARE STILL REQUIRED TO BE DOCUMENTED ALIENS AND THE MASTER AND ANY LICENSED CREWMEMBERS MUST BE U.S. CITIZENS. INDUSTRY MEMBERS HAVE INDICATED TO D13(DRE) STAFF THAT IT IS BECOMING MORE DIFFICULT FOR VESSEL OWNERS TO FIND ENOUGH QUALIFIED U.S. OPERATORS/MASTERS. THEREFORE, THE POTENTIAL FOR U.S. VESSELS TO ILLEGALLY HAVE NON-U.S. CITIZENS AS MASTERS IS INCREASED AND SHALL BE MONITORED ON ALL BOARDINGS OF ALBACORE TUNA VESSELS.
- B. WIDE-RANGING TRANSITS OF MANY VESSELS INVOLVED IN THIS FISHERY PROVIDES AN OPPORTUNITY TO SUPPLEMENT INCOME VIA DRUG TRAFFICKING OR BECOME INVOLVED IN OTHER MHLS THREATS. FINANCIAL HARDSHIP RESULTING FROM REDUCED OPPORTUNITIES IN ALL WEST COAST FISHERIES MAY PROVIDE INCENTIVE FOR VESSEL OPERATORS TO PURSUE INNOVATIVE PROFIT STRATEGIES, POTENTIALLY INCLUDING SMUGGLING. ACTIONABLE INTEL WILL BE PASSEP AS IT BECOMES AVAILABLE.
- C. ORIG DOES NOT ANTICIPATE USCG UNITS WILL ENFORCE TREATY REGS ON U.S. VESSELS FISHING IN THE CANADIAN EEZ PURSUANT TO THE TREATY. HOWEVER, UNITS OPERATING IN THE D13 AOR SHALL BE FAMILIAR WITH THE TREATY REGS SUMMARIZED IN PARAGRAPH 3 IN THE EVENT THEY ARE TASKED TO RESPOND TO SUSPECTED TREATY VIOLATIONS.
- D. THREE U.S. ALBACORE VESSELS HAD VOYAGES TERMINATED FOR ESPECIALLY HAZARDOUS CONDITIONS DURING 2009, INDICATING A POTENTIALLY HIGH RATE OF NON-COMPLIANCE WITH CFIVSA REGS BY

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- PARTICIPANTS IN THIS FISHERY. ALSO, ALTHOUGH GENERAL DOMESTIC CFIVSA REGS CANNOT BE ENFORCED ON CANADIAN VESSELS, ALL INDICATIONS OF SIGNIFICANT SAFETY DISCREPANCIES SHALL BE REPORTED ASAP TO D13(DRE) FOR FORWARDING TO CANADA DFO, AS WELL AS POSSIBLE ACTION FROM THE COTP IF THE SITUATION DICTATES.
- E. NOAA RECEIVED REPORTS FROM U.S. ALBACORE INDUSTRY REPS DURING THE 2010 SEASON REGARDING POTENTIAL ILLEGAL RETENTION OF SPECIES OTHER THAN ALBACORE BY CANADIAN VESSELS. THESE ALLEGATIONS ARE UNSUBSTANTIATED, HOWEVER, RETENTION OF SPECIES OTHER THAN ALBACORE BY CANADIAN VESSELS IN THE U.S. EEZ IS A VIOLATION OF INTERNATIONAL TREATY REGULATIONS AND SHALL BE MONITORED.
5. TASKING/MISSION PERFORMANCE EXPECTATIONS:
- A. CUTTERS:
- (1) PATROL IAW REFS A AND B, PUBLISHED CUTTER SKEDS, AND PATROL ORDERS.
 - (2) CONDUCT BOARDINGS OF BOTH U.S. AND CANADIAN VESSELS PARTICIPATING IN THE FISHERY IAW THE PRIORITIES ESTABLISHED IN REFS A AND B AND THIS OPORDER. BOARDINGS OF CANADIAN VESSELS ARE NOT A HIGHER OR LOWER PRIORITY THAN BOARDING U.S. VESSELS PARTICIPATING IN THIS FISHERY.
- B. AIR STATIONS:
- (1) CONDUCT SURVEILLANCE AND SUPPORT OF SURFACE ASSETS. DEMONSTRATE A STRONG, OVERT OFFSHORE ENFORCEMENT PRESENCE, ESPECIALLY IVO CANADIAN VESSELS, THROUGH REPEATED OVERFLIGHTS AND THOROUGH RADIO QUERIES.
 - (2) ENSURE NO CANADIAN TUNA TROLLERS ARE FISHING WITHIN 12NM OF THE BASELINE.
 - (3) COMPARE SIGHTINGS OF CANADIAN VESSELS FISHING IN THE U.S. EEZ TO THE LIST OF AUTHORIZED VESSELS AND ENSURE COMPLIANCE WITH VESSEL MARKING REQUIREMENTS.
- C. GROUP/SECTORS/STATIONS: CONDUCT BOARDINGS OF PARTICIPATING VESSELS, BOTH US AND CANADIAN COMMERCIAL VESSELS, AS THEY RETURN TO PORT. ALSO MONITOR RECREATIONAL TUNA ACTIVITY IAW PARAGRAPH 7 BELOW.
6. GENERAL INTEL:
- A. THE MAJORITY OF THE U.S. VESSELS AND SOME OF THE CANADIAN FFVS PARTICIPATING IN THIS FISHERY BELONG TO THE WESTERN FISHBOAT OWNERS ASSOCIATION (WFOA) AND/OR THE AMERICAN ALBACORE FISHERIES ASSOCIATION (AAFA). IN ADDITION TO PARTICIPATING IN U.S./CANADA ALBACORE TREATY FISHERIES, MANY WFOA AND AAFA MEMBERS ALSO ENGAGE IN HIGH SEAS TUNA FISHERIES WORLDWIDE. WFOA AND AAFA MEMBERS ARE OFTEN THE ONLY VESSELS IN THE POSITION TO OBSERVE POTENTIALLY ILLEGAL HIGH SEAS DRIFTNET (HSDN) ACTIVITY. THE WFOA AND AAFA HAVE CONVEYED SEVERAL REPORTS TO THE USCG IN RECENT YEARS REGARDING ILLEGAL HSDN ACTIVITY. IF, DURING BOARDINGS OF THESE VESSELS, INFO IS PASSED REGARDING HSDN ACTIVITY, FORWARD INFO TO D13(DRE) VIA OPSUM OR FIR, AS APPROPRIATE, FOR FURTHER INVESTIGATION. SUCH A REPORT WAS RECEIVED BY D13(DRE) DURING THE 2010 SEASON. D13(DRE) COORDINATED WITH PACAREA AND D17 TO RESPOND WITH A C-130 SORTIE. ALTHOUGH NO VESSEL WAS INTERDICTED IN THAT INCIDENT, PERTINENT HSDN INTEL SHALL BE REPORTED ASAP TO BE FORWARDED TO PACAREA.
- B. ALTHOUGH THE U.S. AND CANADA HAVE REACHED AN AGREEMENT REGARDING THE CURRENT ALBACORE TREATY LIMITATION REGIME DURING THE PAST YEAR, THE TREATY AND THE PRESENCE OF CANADIAN VESSELS IN THE U.S. EEZ REMAINS A CONTENTIOUS ISSUE WITH MANY U.S. FISHERS. A COLLISION ALSO OCCURRED BETWEEN A U.S. TUNA TROLLER AND A CANADIAN TUNA TROLLER DURING 2009, POTENTIALLY HEIGHTENING TENSION AMONG THE FLEETS. IF, DURING BOARDINGS, INFO IS PASSED REGARDING ADVERSE ENCOUNTERS BETWEEN U.S. AND CANADIAN FISHERS, FORWARD INFO TO D13(DRE) VIA OPSUM OR FIR, AS APPROPRIATE.
7. RECREATIONAL ALBACORE TUNA FISHERIES:
- A. PRIVATE AND CHARTER VESSELS PARTICIPATE IN THE RECREATIONAL ALBACORE FISHERY IN THE CGD13 AOR. THE LEVEL OF ACTIVITY IS SPORADIC, DEPENDENT ON THE PRESENCE OF ALBACORE, WEATHER AND OTHER FISHING OPPORTUNITIES.
- B. THERE ARE CURRENTLY NO FEDERAL REGULATIONS SPECIFICALLY APPLICABLE TO THE RECREATIONAL ALBACORE TUNA FISHERY. STATE REGULATIONS STIPULATE A 25 FISH POSSESSION AND LANDING LIMIT FOR ALBACORE OFF OREGON AND NO LIMIT OFF WASHINGTON.
- C. THE PRIMARY CONCERN WITH RECREATIONAL ALBACORE PARTICIPANTS IS BOATING SAFETY DUE TO THE POTENTIAL FOR THEM TO TRAVEL FAR OFFSHORE TO WHERE ALBACORE ARE TYPICALLY MORE ABUNDANT. COMMERCIAL VESSEL AND CHARTER VESSEL OPERATORS HAVE CITED A CONCERN REGARDING PRIVATE VESSELS OFTEN FISHING NEAR THE COMMERCIAL OR CHARTER FLEETS SO THEY CAN RELY ON THEM IF THEY ENCOUNTER SAFETY CONCERNS FAR OFFSHORE. UNITS OPERATING IN THE AOR SHOULD REPORT ANY INDICATIONS OF THIS ACTIVITY.
8. RECORD KEEPING AND REPORTING: ENSURE PROPER AND COMPLETE MISLE ENTRIES ARE MADE IN ACCORDANCE WITH D13 SOP AND CURRENT GUIDANCE. MISLE ENTRIES ARE THE SOLE METHOD OF DOCUMENTING LMR ENFORCEMENT INFORMATION. COMMON ERRORS INCLUDE INCORRECT SELECTION OF THE MAJOR FISHERY OR SELECTING A MAJOR FISHERY WHEN FEDERAL REGULATIONS WERE NOT INSPECTED. FOR U.S. VESSELS PARTICIPATING IN THE ALBACORE TUNA FISHERY, THE CORRECT MAJOR FISHERY IS (PACIFIC COAST) HIGHLY MIGRATORY SPECIES (TUNA). FOR BOARDINGS OF CANADIAN VESSELS, THE CORRECT MISLE CATEGORY IS OTHER LAW ENFORCEMENT - FOREIGN FISHING VESSEL (EEZ ENFORCEMENT). THE CORRECT AOPS/ALMIS EMPLOYMENT CATEGORY IS ELT- FISH DOM (7) FOR OPERATIONS TARGETING US VESSELS. FOR CANADIAN VESSELS, THE CATEGORY SHOULD BE RECORDED AS ELT FISHFOR HS/IUU (ALMIS CODE 84) DETAILED BOARDING INFO SHOULD BE PROVIDED IN

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THE NARRATIVE SECTION OF MISLE, TO INCLUDE VESSEL DECLARATION STATUS
IAW PARAGRAPH 3.A(3) ABOVE. FOR FURTHER CLARIFICATION, CONTACT
D13(DRE) LMR STAFF LISTED BELOW.

9. D13 (DRE) POCS:

A. LMR PROGRAM MANAGER: LCDR BRIAN CHAMBERS/PH. 206-220-7305

B. LMR SPECIALIST: MR. BRIAN CORRIGAN/PH. 206-220-7309

C. COMMAND CENTER/LEDO/PH. 206-220-7001/2/3/4

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