

TITLE 50 Wildlife and Fisheries

Chapter IV - Fishery Conservation and
Management, National Oceanic and
Atmospheric Administration
Department of Commerce

Part 611 Foreign Fishing Regulations

Proposed Amendments

AGENCY: National Oceanic and Atmospheric Administration, Commerce

ACTION: Proposed Amendments

SUMMARY: This document sets forth proposed amendments to the Foreign fishing regulations currently in effect for the Gulf of Alaska Trawl Fishery and the Sablefish (Blackcod) Fishery (50 CFR Part 611). The amendments are to implement a Fishery Management Plan for the Gulf of Alaska Groundfish Fishery during 1978 adopted by the North Pacific Fishery Management Council on September 24, 1977 and approved by the Secretary of Commerce on _____, 1977, pursuant to the Fishery Conservation and Management Act of 1976 (16 USC 1801 et seq.).

EFFECTIVE DATE: 12:01 a.m. on _____, 1978 and shall remain in effect for one year. Comments: on or before _____, 1977.

ADDRESS: Comments should be addressed to: Director, National Marine Fisheries Service, Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT: Harry Rietze, Alaska Regional Director, National Marine Fisheries Service, Box 1663, Juneau, Alaska 99802.

SUPPLEMENTARY INFORMATION:

Background

The Fishery Conservation and Management Act of 1976, Pub. L. 94-265, 16 USC 1801 et seq. (hereinafter, the "Act"), authorizes the Secretary of

Commerce (hereinafter, the "Secretary"), to promulgate regulations implementing fishery management plans prepared by the Regional Fishery Management Councils for their areas of jurisdiction within the 3-200 mile Fishery Conservation Zone established by the Act.

Pursuant to Title III of the Act, the North Pacific Fishery Management Council adopted and submitted to the Secretary a fishery management plan (FMP) for selected groundfish of the Gulf of Alaska. A Draft Environmental Impact Statement (DEIS) on the plan was published on July 18, 1977 by the National Marine Fisheries Service (42 FR 36856). The approved plan and Final EIS were published by the Secretary on , 1977.

The FMP for Groundfish of the Gulf of Alaska supersedes the Preliminary Management Plan (PMP) for the Gulf of Alaska Trawl Fishery (42 FR 8782, February 11, 1977) and that portion of the PMP for Sablefish of the Bering Sea and Northeastern Pacific Ocean (42 FR 8534, February 10, 1977) applicable to the Gulf of Alaska. It provides for the foreign taking of pollock, cod, flounder, Pacific ocean perch, other rockfish, sablefish, Atka mackerel, squid and all other stocks of finfish (except salmon, steelhead trout, Pacific halibut, herring and tuna) that are distributed or exploited predominantly in the Gulf of Alaska. The taking of Pacific halibut by U.S. and Canadian vessels is regulated under the auspices of the International Pacific Halibut Commission and is not affected by these regulations. The taking of Pacific halibut by other foreign nations is prohibited by these and other regulations.

Purpose

Four major objectives control the philosophy of management of the groundfish fisheries in the Gulf of Alaska. In priority order they are:

- (A) Rational and optimal use, in both the biological and socio-economic sense, of the region's fishery resources as a whole;
- (B) Protection of the Pacific halibut resource, currently in a state of decline;
- (C) Orderly development by the U.S. of domestic groundfisheries, consistent with (A) and (B) above; and
- (D) Foreign participation in the fishery consistent with (A), (B), and (C) above, to take that portion of the optimum yield not utilized by domestic fishermen.

To achieve these objectives the proposed regulations, set forth immediately below, provide for season, gear, area, and catch restrictions for foreign fisheries within the FCZ. (Corresponding regulations for domestic fisheries within the FCZ under this FMP have been proposed as a new Part 672.)

Public Comment

A distinction must be noted regarding the subject matter for which public comment is being sought at this time. Comments on the plan itself and the DEIS were solicited, received, and responded to at an earlier date. The revised plan and FEIS reflect these comments to every extent consistent with the Act. However, interested parties, Councils and government agencies are now earnestly encouraged to submit written comments, views or data concerning these proposed regulations, which implement the revised plan, to the Director, National Marine Fisheries

Service, Washington, D.C. 20235. All such submissions received
before _____, 1977 will be considered before final action is
taken on these regulations.

Issued _____, 1977.

Director, National Marine Fisheries Service

In consideration of the above, and pursuant to the authority contained in Sections 303(c) and 305(a) of the Act (16 USC 1853 & 1855), the following amendments to 50 CFR Part 611 are proposed: revise Sections 611.92, and 611.94 to read as follows: [NOTE: section 611.94 (sablefish) not included here]

Subpart G - North Pacific Ocean and Bering Sea

611.92 Gulf of Alaska Groundfish Fishery

(a) Purpose.

(1) Regulations in this section implement the Fishery Management Plan (FMP) for the Gulf of Alaska Groundfish Fishery adopted by the North Pacific Fishery Management Council on September 24, 1977, and approved by the Secretary of Commerce on _____, 1977.

(2) Fishing by foreign fishermen for the following stocks in the Gulf of Alaska must be conducted in accordance with these regulations: pollock, cod, flounders, Pacific Ocean perch, other rockfish, sablefish, Atka mackerel, squid and all other stocks of finfish (except salmon, steelhead trout, Pacific halibut, and herring, all of which are prohibited species under these regulations.) Canadian vessels fishing in accordance with a U.S. Canada Reciprocal Fisheries Agreement or the International Pacific Halibut Convention, are exempt from these regulations.

(b) Definitions.

(1) Domestic Annual Harvest (DAH) means expected catch by U.S. fishermen during the calendar year period covered by these regulations.

(2) Gulf of Alaska means that portion of the FCZ in the North Pacific Ocean, exclusive of the Bering Sea, that is adjacent to Alaska and is encompassed by 170⁰ West longitude on the west and 132⁰40' West longitude on the east.

(3) Isobath means an imaginary line or a line on a map or chart that connects all points having the same depth below the water surface.

(4) Longline means a stationary, buoyed and anchored line (setline) or a floating free-drifting line, with lures or baited hooks attached.

(5) Major statistical area means areas seaward of the State of Alaska established under the International North Pacific Fishery Commission for the general purposes of research, reporting and/or regulation.

Statistical areas under jurisdiction of the FMP include:

Shumagin	170-159 ⁰ West Longitude
Chirikof	159-154 ⁰ West Longitude
Kodiak	154-147 ⁰ West Longitude
Yakutat	147-137 ⁰ West Longitude
Southeastern	137-132 ⁰ 40' West Longitude

(6) Net sonde means an echo sounder mounted on or near the trawl which gives information regarding net depth, net opening height, fish distribution in and below the net.

(7) Other rockfish means all rockfish except Pacific Ocean perch.

(8) Other groundfish means all stocks of finfish except salmon, steelhead trout, Pacific halibut, herring, and those individual species listed in section 611.92(c)(1).

- (9) Pelagic trawl means a trawl in which neither the net nor the otter boards operates in contact with the bottom.
- (10) Regional Director means the Regional Director, Alaska Region, National Marine Fisheries Service, Box 1668, Juneau, Alaska 99802.
- (11) Season Dates. All dates are inclusive. Time periods begin on 0801 and end on 0801 of the dates specified, based on Greenwich Mean Time (GMT).
- (12) Species. The following terms shall have the meanings indicated:

Pollock means Theragra chalcogrammus
 Cod means Gadus macrocephalus
 Arrowtooth flounder means Atheresthes stomias
 Other flounder means Pleuronectiformes (order) not specifically mentioned in any part of the regulations or management plan
 Rock sole means Lepidopsetta bilineata
 Flat head sole means Hippoglossoides elassodon
 Pacific ocean perch means Sebastes alutus
 Atka mackerel means Pleurogrammus monopterygius
 Other rockfish means Scorpaenidae (family) not specifically mentioned in the regulations or management plan
 Sablefish means Anoplopoma fimbria
 Salmonids means of the family Salmonidae
 Pacific halibut means Hippoglossus stenolepis
 Herring means Clupea harengus pallasii

(13) Time area unit means a geographic area prescribed by the FMP within which specified time, and sometimes gear, restrictions are imposed.

(14) Trawl net means any large bag net dragged in the sea by a vessel or vessels for the purpose of fishing.

(c) Catch quotas.

(1) Totals. The 1978 initial catch quotas for foreign fishermen in the Gulf of Alaska are as follows:

Species	Catch quota (metric tons)
Pollock	104,000
Pacific ocean perch	16,300

Other rockfish	3,300
Flounders	16,300
Sablefish	3,000
Atka mackerel	17,400
Pacific cod	8,900
Other groundfish (combination)	9,700
Squid	1,500

(2) Optimum Yield Reserve. The quotas set forth in this section were derived by subtracting the domestic annual capacity (DAH) from 70% of the optimum yield (OY), leaving 30% of the OY unallocated in a reserve. This reserve will be apportioned to domestic or foreign fishermen by the Regional Director or his designee, during the year, on the basis of a continuing reappraisal of DAH.

(3) Percentage.

(a) No more than 25% of a foreign nation's total allocation of all species combined may be taken during the periods from January 1 - May 31, 1977 and December 1 - 31, 1977 together.

(b) Should the cumulative (or estimated) catch of any nation's total allocation reach this percentage earlier than May 31, the Director shall, at least 48 hours after notifying the appropriate authority of the foreign country, close that area to all fishing by that nation for all species under this plan until June 1 and from December 1 - 31. Should the percentage be reached between December 1 - 31, the Director shall, at least 48 hours after notifying the appropriate authority of the foreign country, close that area to all fishing by that nation for all species under this plan for the remainder of the calendar year.

(4) APPORTIONMENTS. No more than the following portions of the catch quotas may be taken in each area:

Species	Shumagin/Chirikof/Kodiak/Yakutat/Southeast				
Pollock	35.2	33.5	25.2	7.6	2.5
Pacific Ocean perch	1.8	1.8	3.4	5.2	4.2
Other rockfish	.1	.1	.2	1.5	1.4
Flounders	5.1	1.4	5.7	3.1	1.1
Sablefish	1.0	.8	1.1	.9	0
Atka mackerel	3.1	2.5	11.1	.7	0
Pacific cod	2.4	1.1	3.9	1.1	.4
Other groundfish	2.6	2.1	2.8	1.2	.7
Squid	.3	.3	.3	.3	.3

(metric tons in 1,000's)

(5) Closures. Once a nation's allocation of any species or species group covered by these regulations is reached, that statistical area shall be closed to all fishermen of that nation for the remainder of the calendar year. Provisions of Sec. 611.12 apply.

(d) Prohibited species. Foreign vessels operating in this fishery must reduce to the minimum their incidental catch of, and may not fish for or retain any of, the following species or groups: family salmonidae, Pacific halibut, shrimp, herring, continental shelf fishery resources, and scallops.

(e) Closed Areas. The following areas shall be closed to all foreign fishing year-round:

(1) Cape Edgecumbe-Salisbury Sound: between 56°53'N. altitude and 57°24'N. latitude east of 137°00' W. longitude.

(2) Cross Sound Gully: between $57^{\circ}50'$ N. latitude and $58^{\circ}12'$ N.

latitude east of $137^{\circ}25'$ W. longitude.

(3) Fairweather Gully: the area bounded by rhumb lines connecting the following coordinates in the order listed:

North latitude	West latitude
$58^{\circ}28'$	$140^{\circ}00'$
$58^{\circ}48'$	$138^{\circ}50'$
$58^{\circ}10'$	$139^{\circ}11'$
$58^{\circ}28'$	$140^{\circ}00'$

(4) "Davidson Bank". between $163^{\circ}04'$ and $166^{\circ}00'$ W. north of $53^{\circ}00'$ N.

(f) Gear Restriction.

(1) Trawl.

(A) Closed areas. The following areas shall be closed to foreign trawling during the periods specified:

(i) 140° W. - 147° W. longitude from January 1 - February 15, and November 1 - December 31.

(ii) 147° W. - 157° W. longitude from February 16 - May 31.

(iii) Six "Kodiak Gear Areas", bounded respectively by straight lines connecting each of the following coordinates, in the order listed - from January 1 - May 31, 1978 and August 10 - December 31, 1978:

(1) North Latitude

57°15'
56°57'
56°21'
56°26'
57°15'

West Longitude

154°51'
154°34'
155°40'
155°55'
154°51'

(2) North Latitude

56°27'
55°46'
55°40'
55°48'
55°54'
56°03'
56°03'
56°30'
56°30'
56°27'

West Longitude

154°05'
155°27'
155°17'
155°00'
154°55'
154°36'
153°45'
153°45'
153°49'
154°05'

(3) North Latitude

56°30'
56°30'
56°44'
56°57'
56°45'
56°30'

West Longitude

153°43'
153°00'
153°00'
153°15'
153°45'
153°49'

(4) North Latitude

57°05'
56°54'
56°46'
56°46'
57°19'
57°05'

West Longitude

152°52'
152°52'
152°37'
152°20'
152°20'
152°52'

(5) North Latitude

57°35'
57°11'
57°19'
57°48'
57°35'

West Longitude

152°03'
151°14'
150°57'
152°00'
152°00'

(6) North Latitude

58°00'
58°00'
58°12'
58°19'
58°00'

West Longitude

152°00'
150°00'
150°00'
151°29'
152°00'

(iv) Three "Kodiak Halibut areas". In the event that the first fishing period of the 1978 U.S. halibut setline fishing season opens after May 26, 1978, (pursuant to decision of the International Pacific Halibut Commission), the following areas, bounded respectively by straight lines connecting in each of the following groups the coordinates in the order listed, shall be closed from 5 days prior, to 5 days after, the opening of the U.S. halibut setline fishery: (Notification of the opening date of the U.S. halibut setline fishing season shall be given to the appropriate authorities of each foreign nation holding permits under this plan.)

(A) $58^{\circ}30'$ N. to $59^{\circ}30'$ N., between $147^{\circ}40'$ W. and $150^{\circ}20'$ W.

(B) $57^{\circ}40'$ N. to $58^{\circ}05'$ N., between $148^{\circ}50'$ W. and $150^{\circ}30'$ W.

(C) $55^{\circ}30'$ N. to $56^{\circ}25'$ N., between $155^{\circ}45'$ W. and $156^{\circ}30'$ W.

(B) Net Type. During the periods January 1 - May 31, 1978 and December 1 - 31, 1978 only pelagic trawls, with recording net-sonde devices functioning properly during each tow, may be used in the Gulf of Alaska during the time area units not otherwise closed to trawling.

(2) Longline. The following areas shall be closed to foreign longline fishing year-round:

(A) That portion of the Gulf of Alaska east of 141° W. longitude;

(B) The area between 157° W. longitude and 141° W. longitude landward of the 500 meter isobath; and

(C) The area west of 157° W. long. landward of the 500 meter isobath, except for Pacific cod.

(g) Records and reports.

(1) The catch and effort statistics required by Section 611.90(d) shall be reported as follows:

(i) Annual. Each nation whose fishermen operate in the Gulf of Alaska shall report by May 30 of the following year annual catch and effort statistics as follows:

(A) Effort in hours trawled, by vessel class, by gear type, by $\frac{1}{2}^{\circ}$ (lat.) x 1° (long.) statistical area;

(B) Catch in metric tons, by vessel class, by gear type, by $1/2^{\circ}$ (lat.) x 1° (long.) statistical area, by the following species groupings:

Rock sole; Flathead sole; Arrowtooth flounder; Other flounders; Pacific ocean perch; Other rockfish; Pacific cod; Sablefish (blackcod); Walleye (Alaska) pollock; Atka mackerel; squid; any other species taken in excess of 1,000 metric tons; and other fishes.

(ii) Monthly. In addition to the annual report in (i) above, each nation shall report by the end of the following month, provisional fishery information for each month as follows:

(A) Effort in vessel days on the grounds by vessel class and gear type;

(B) Catch in metric tons by species for flounders, Pacific ocean perch, other rockfish, Pacific cod, pollock, sablefish (blackcod), squid, Atka mackerel, and others, for each of the major statistical areas.

(2) With regard to fleet disposition, the operator of each foreign vessel shall report by radio, at least 24 hours in advance, the date, time, and position at which fishing activities will begin in the Gulf of Alaska. Similar reports will be made when ceasing fishing activities.

and when vessels shift operations to different statistical areas within the Gulf of Alaska.

(i) Cooperative research requirements. Foreign fishery research involving the use of fishing gear capable of taking commercial quantities of any fishery resource must:

(1) be conducted in cooperation with a Federal or State fishery agency or with an appropriate domestic university; or

(2) be covered by a permit issued by the Secretary for a foreign commercial operation.

Dec. 1977

TITLE 50 Wildlife and Fisheries

Chapter VI - Fishery Conservation and
Management, National Oceanic and
Atmospheric Administration,
Department of Commerce

Part 672 Groundfish of the Gulf of Alaska

Proposed Rules

AGENCY: National Oceanic and Atmospheric Administration, Commerce

ACTION: Proposed Rules

SUMMARY: This document sets forth proposed regulations for domestic fishing to implement a Fishery Management Plan for Groundfish of the Gulf of Alaska. The plan was adopted by the North Pacific Fishery Management Council on September 24, 1977 and approved by the Secretary of Commerce on _____, 1977, pursuant to the Fishery Conservation and Management Act of 1976 (16 USC 1801 et seq.)

EFFECTIVE DATE: 12:01 a.m. on _____, 1978 and shall remain in effect for one year. Comments: on or before _____, 1977.

ADDRESS: Comments should be addressed to: Director, National Marine Fisheries Service, Washington, D.C. 20235.

FOR FURTHER INFORMATION CONTACT: Harry Rietze, Alaska Regional Director, National Marine Fisheries Service, Box 1668, Juneau, Alaska 99802

SUPPLEMENTARY INFORMATION:

Background

The Fishery Conservation and Management Act of 1976, Pub. L. 94-265, 16 USC 1801 et seq. (hereinafter, the "Act"), authorizes the

Secretary of Commerce (hereinafter, the "Secretary") to promulgate regulations implementing fishery management plans prepared by the Regional Fishery Management Councils for their areas of jurisdiction within the 3-200 mile Fishery Conservation Zone established by the Act.

Pursuant to Title III of the Act, the North Pacific Fishery Management Council Adopted and submitted to the Secretary a fishery management plan (FMP) for selected groundfish of the Gulf of Alaska. A Draft Environmental Impact Statement (DEIS) for the plan was published on July 18, 1977 (42 FR 36356) by the National Marine Fisheries Service. The Final EIS and the FMP, in combination, are published herewith.

This FMP supersedes the Preliminary Management Plan (PMP) for the Gulf of Alaska Trawl Fishery (42 FR 3782, February 11, 1977) and that portion of the PMP for Sablefish of the Bering Sea and Northeastern Pacific Ocean (42 FR 8534, February 10, 1977) applicable to the Gulf of Alaska. It covers pollock, cod, flounders, Pacific ocean perch, other rockfish, sablefish, Atka mackerel, squid and all other stocks of finfish (except salmon, steelhead trout, Pacific halibut, herring and tuna) that are distributed or exploited predominantly in the Gulf of Alaska. The taking of Pacific halibut by U.S. and Canadian fishermen is regulated under the auspices of the International Pacific Halibut Commission, not by this FMP or its implementing regulations. The taking of halibut by other foreign nations is prohibited by these and other regulations.

Purpose

Four major objectives control the philosophy of management of the groundfish fisheries in the Gulf of Alaska. In priority order they are:

- (A) Rational and optimal use, in both the biological and

socioeconomic sense, of the region's fishery resources as a whole;

(B) Protection of the Pacific halibut resource, currently in a state of decline;

(C) Orderly development by the U.S. of domestic groundfisheries, consistent with (A) and (B) above; and

(D) Foreign participation in the fishery consistent with (A), (B), and (C) above, to take that portion of the optimum yield not utilized by domestic fishermen.

To achieve these objectives the proposed regulations, set forth immediately below, provide for season, gear, area, and catch restrictions for domestic fisheries. (Corresponding regulations for foreign fisheries within the FCZ under this FMP have been proposed in the form of amendments to Part 611, Foreign Fishing Regulations.)

Public Comment

A distinction must be noted regarding the subject matter for which public comment is being sought at this time. Comments to the plan itself and the DEIS were solicited, received and responded to at an earlier date. The plan and FEIS, as currently published herewith, reflect these comments to every extent consistent with the Act. However, interested parties, Councils and government agencies are now earnestly encouraged to submit written comments, views or data concerning these proposed regulations, which implement the revised plan, to the Director, National Marine Fisheries Service, Washington, D.C. 20235. All such submissions received before _____, 1977 will be considered before final

action is taken on these regulations.

Issued , 1977

Director, National Marine Fisheries Service

Part 672 Groundfish of the Gulf of Alaska

Sec.

- 672.1 Purpose
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- 672.9 Reporting Requirements
- 672.10 Permit Requirements
- 672.11 Penalties

AUTHORITY: 16 USC 1801-1832

672.1 Purpose.

(a) Regulations in this Part implement the Fishery Management Plan (FMP) for the Gulf of Alaska Groundfish Fishery adopted by the North Pacific Fishery Management Council on September 24, 1977, and approved by the Secretary of Commerce on _____, 1977.

(b) Fishing by domestic fishermen for the following stocks, distributed or exploited predominantly in the Gulf of Alaska, must be conducted in accordance with these regulations: pollock, cod,

flounders, Pacific ocean perch, other rockfish, sablefish, Atka mackerel, squid, and all other stocks of finfish (except Salmon, steelhead trout, Pacific halibut, herring and tuna).

672.2 Definitions. The terms used in these regulations shall have the meanings that are prescribed in Sec. 3 of the Act unless otherwise indicated. In addition, the following definitions apply:

(a) Authorized officer means:

(1) Any commissioned, warrant, or petty officer of the Coast Guard;

(2) Any enforcement agent of the National Marine Fisheries Service;

(3) Any officer designated by the head of any Federal or State agency which has entered into an agreement with the Secretary or the Secretary of the Department in which the Coast Guard is operating to enforce the provisions of the act; and

(4) Any Coast Guard personnel accompanying and acting under the direction of any person described in subparagraph (1) of this paragraph.

(b) Department means the Alaska Department of Fish and Game.

(c) Directed fishery means a fishery conducted for the purpose of catching one or more designated species.

(d) Director means the Director, National Marine Fisheries Service or his designee.

(e) Domestic Annual Harvest (DAH) means expected catch by U.S. fishermen during the calendar year period covered by these regulations.

(f) Fishery Conservation Zone (FCZ) means the zone contiguous to the territorial sea of the United States, the inner boundary of which

is a line coterminous with the seaward boundary of each of the coastal states, and the outer boundary of which is a line drawn in such a manner that each point on it is 200 nautical miles from the baseline from which the territorial sea is measured.

(g) Gulf of Alaska means that portion of the FCZ in the North Pacific Ocean, exclusive of the Bering Sea, that is adjacent to Alaska and is encompassed by the 170° West longitude on the west and the 132°40' West longitude on the east.

(h) Incidental catch means any catch of fish that is not a primary species in a directed fishery, irrespective of the amount actually caught.

(i) Longline means a stationary, buoyed and anchored line (setline) or a floating free-drifting line, with lures or baited hooks attached.

(j) Major statistical area means areas seaward of the State of Alaska, previously established under the International North Pacific Fisheries Commission, for the general purposes of research, reporting and/or regulation. Statistical areas under jurisdiction of this FMP include:

Shumagin	170-159° West Longitude
Chirikof	159-154° West Longitude
Kodiak	154-147° West Longitude
Yakutat	147-137° West Longitude
Southeastern	137-132°40' West Longitude

(k) Off-bottom trawl means a trawl in which the otter boards may be in contact with the bottom but the ground rope of the net always remains above the bottom.

(l) Pelagic trawl means a trawl in which neither the net nor the otter boards operate in contact with the bottom.

(m) Regional Director means the Regional Director, Alaska Region, National Marine Fisheries Service, Box 1668, Juneau, Alaska 99802.

(n) Season dates. All season dates are inclusive. Time periods begin at 12:01 a.m. and end at 11:59 p.m. of the dates specified, based on local time.

(o) Species. The following terms shall have the meanings indicated:

Pollock means Theragra chalcogrammus
 Cod means Gadus macrocephalus
 Arrowtooth flounder means Atheresthes stomias
 Other flounder means Pleuronectiformes (order) not specifically mentioned in any part of the regulations or management plan
 Rock sole means Lepidopsetta bilineata
 Flat head sole means Hippoglossoides elassodon
 Pacific ocean perch means Sebastes alutus
 Atka mackerel means Pleurogrammus monopterygius
 Other rockfish means Scorpaenidae (family) not specifically mentioned in the regulations or management plan
 Sablefish means Anoplopoma fimbria
 Salmonids means of the family Salmonidae
 Pacific halibut means Hippoglossus stenolepis
 Herring means Clupea harengus pallasii

(p) Trawl net means any large bag net dragged in the sea by a vessel or vessels for the purpose of fishing.

672.3 Harvest Level. (a) The 1978 maximum harvest levels (DAH) in the Gulf of Alaska for all species will be apportioned to individual major statistical areas, as shown below (1,000 mt's):

<u>Species</u>	<u>DAH Total</u>	<u>Shumagin/Chirikof/Kodiak/Yakutat/Southeast</u>				
Pollock	14.2	4.8	4.6	3.4	1.1	.3
Cod	15.5	4.3	1.8	6.8	1.9	.7
Flounder	7.2	2.2	.6	2.6	1.4	.4
Pacific ocean perch (POP)	1.1	.1	.1	.2	.4	.3
Rockfish other than POP	2.0	.1	Trace	.2	.9	.8

Sablefish	4.0	.1	Trace	.1	1.0	2.8
Atka Mackerel	0	0	0	0	0	0
Squid	0	0	0	0	0	0
Others*	.5	.1	.1	.2	.1	Trace

* All stocks of finfish (excluding those listed above) except salmon, steelhead trout, Pacific halibut, herring and tuna.

(b) Optimum Yield Reserve. The harvest levels indicated in sub-section (a) of this section have been subtracted from 70% of the optimum yield to determine the foreign allowable catch (see 611.92), leaving 30% of the OY set aside in a reserve. This reserve will be apportioned to domestic or foreign fishermen by the Regional Director or his designee, during the year, on the basis of a continuing reappraisal of DAH.

672.4 Closures (a) During the periods from January 1 to May 31, 1977 and from December 1 to 31, 1977, when the estimated total incidental trawl catch of halibut in any statistical area exceeds that amount listed below, that statistical area shall be closed to domestic trawling for the remainder of this period.

Shumagin	-	29 metric tons (mt)
Chirikof	-	18 mt
Kodiak	-	34 mt
Yakutat	-	17 mt
Southeast	-	14 mt

(b) The Regional Director shall notify the Department at least 48 hours prior to closing, and shall terminate domestic trawling within the statistical area for the appropriate period. Closure of the fishery in a statistical area shall become effective upon issuance of a field order authorized by the Regional Director and issued by local representatives

of the Department designated as authorized Federal officials for such purpose. Field orders shall be posted at least 48 hours prior to closing and shall be otherwise made available to the public in accordance with procedures followed by the Department.

(c) There are no scheduled closures between June 1 and November 30.

672.5 Gear Restrictions. (a) Trawl. During the period from January 1 to May 31, 1977 and from December 1 to 31, 1977:

(1) Only off-bottom trawls may be used in the Gulf of Alaska during times and in areas not otherwise closed to trawling; and

(2) Duration of individual tows shall not exceed one hour.

(b) Longline. There are no gear restrictions on fishing by longline method.

672.6 Notification and observers. (a) All groundfish trawlers must, when so requested, take aboard an authorized observer.

(b) During the periods from January 1 to May 31, and from December 1 to 31, at least seven days prior to leaving port on a groundfish trip the master of any groundfish trawler must notify in writing, in person, or by telephone, an enforcement agent of the National Marine Fisheries Service or a local representative of the Department designated as an authorized Federal official for such purpose, of his expected area of operation and target species. This notification requirement provides for scheduling of observers. [NOTE: this sub-section may be deleted depending upon Council action at December meeting.]

672.7 In-season Adjustments Of Seasons and Areas. (a) The Regional Director or his designee may, following consultation with the Department, adjust season opening and closing dates specified in section 672.4 based upon the following considerations:

- (1) the effect of overall fishing effort within a statistical area;
- (2) catch per unit of effort and rate of harvest;
- (3) relative abundance of groundfish species within the area in comparison with pre-season predictions;
- (4) general information on the condition of groundfish within the area; or
- (5) any other factors relevant to the conservation and management of the groundfish resource.

(b) a decision made by the Regional Director or his designee pursuant to subsection (a) shall become effective upon issuance of a field order, authorized by the Regional Director and issued to the public by local representatives of the Department who have been designated authorized Federal officials for such purpose. Field orders shall be posted and otherwise made available to the public in accordance with procedures followed by the Department.

672.8 Emergency Regulations.

The Secretary may issue emergency regulations, if and when needed, under section 305(e) of the Act, announced by publication of a notice in the Federal Register.

672.9 Reporting Requirements.

All persons, individuals, firms or corporations, at any port or place within the United States or the FCZ, that bring from any vessel of the United States or from a carrier licensed as a common carrier engaged in either interstate or intrastate commerce any species of fish covered

by these regulations taken by any vessel, shall submit a completed Alaskan fish ticket. The fish ticket shall be submitted within 72 hours after buying or receiving such fish, to an official of the National Marine Fisheries Service or a local representative of the Department designated as an authorized Federal official for such purpose.

672.10 Permit Requirement.

(a) Any person or vessel desiring to engage in fishing in the groundfish fishery in the Gulf of Alaska must obtain a license for that purpose.

(b) The owner or operator of a vessel may obtain the appropriate license by submitting a completed State of Alaska commercial fishing license application to the Regional Director or to a local representative of the Department, designated an authorized Federal official for such purpose, who shall issue the requested license, without fee, for an indefinite term, such term to include the calendar year in which the license is issued.

(c) A license issued pursuant to this section shall be carried at all times on board the vessel for which it is issued, and such license, the vessel, its gear and equipment and catch shall be subject to inspection by authorized officers.

(d) Licenses issued pursuant to this section may be revoked by the Regional Director for violation of these regulations.

672.11 Penalties. Any person or vessel found to be in violation of these regulations will be subject to the civil and criminal penalty provisions prescribed in the Act.