

February 10, 1978

Mr. David H. Wallace
Acting Assistant Administrator for Fisheries
NOAA, National Marine Fisheries Service
3300 Whitehaven Street, Page 2
Washington, D.C. 20235

Dear Dave,

The North Pacific Council will not have time to comment on the "Proposed Interim Policy Governing the Purchase of Fish by Foreign Vessels From U.S. Fishing Vessels Within the Fishery Conservation Zone" within the 15 day period after its publication in the Federal Register February 8th. They will meet again February 23rd and 24th and will consider it at that time. I would appreciate your consideration of the Council's comments even though you can expect them several days after the formal closing date. I expect to have them in the mail to you by February 28th.

Sincerely,

Jim H. Branson
Executive Director

COPY

A PROPOSED INTERIM POLICY GOVERNING THE PURCHASE OF 1/
FISH BY FOREIGN VESSELS FROM U. S. FISHING VESSELS
WITHIN THE FISHERY CONSERVATION ZONE*

In order to address pending or expected applications submitted under PMP's effective January 1, 1978, it is recommended that the following interim policy govern the Secretary's consideration of applications for permits to allow foreign vessels to purchase or transfer fish from U.S. vessels within the FCZ during the 1978 fishing season:

The Secretary of Commerce shall encourage the development of all segments of the U. S. fishing industry consistent with the purposes of the Act and other applicable laws. As one means of carrying out this objective, the Secretary may approve applications for foreign fishing vessels permits to allow foreign vessels to purchase or receive fish from U.S. harvesting vessels within the Fishery Conservation Zone on a case-by-case basis. Any such permits granted shall contain appropriate conditions and restrictions. Permits shall be approved only when the Secretary is satisfied that: (1) the optimum yield for the fishery involved will not be exceeded; (2) the capability and intent of the U. S. fishing industry to harvest fish for the sale exceeds the capability and intent of the U. S. industry to process such fish; (3) the relevant foreign vessel has the capability and intent to process such fish. Actions with respect to permits for 1978 shall have no precedential effect on any applications for permits for subsequent years.

In implementing this policy, the Secretary of Commerce may also take into consideration one or more of the following in evaluating a proposal to issue a permit to a foreign vessel to purchase or receive fish from a U. S. harvesting vessel within the Fishery Conservation Zone:

- (1) Potential for displacement of any domestic fishing and associated industries for other stocks or species.

* As revised following the MAFAC meeting.

1/ Annotated as published in the Federal Register February 8, 1978 - corrections by phone from Phil Chitwood.

- (2) Potential for gear conflicts between U.S. vessels involved in harvesting such fish and other stocks or species.
- (3) Employment opportunities or losses for domestic labor.
- (4) Impact on exvessel, wholesale, and retail prices.
- (5) Impact on income of domestic fishermen, processors, and industry workers.
- (6) Impact on the U.S. consumer..
- (7) Impact on the degree of market control by either U.S. or foreign processors.
- (8) Impact on export or import restrictions imposed by foreign nations on United States' products.
- (9) Effect of overall U.S./foreign trade policy guidelines.
- (10) Potential for expansion of U.S. fleets.
- (11) Possible detrimental effects to any segment of the fishing industry.

Published on February 8 for a 15 day review period.