

Billing Code 3510-22

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[50 CFR 611]

Proposed 1979 Fee Schedule for Foreign Fishing

Request for Comment on Proposed Rule-making

AGENCY: National Oceanic and Atmospheric Administration/Commerce.

ACTION: Publication of proposed rule-making and request for comments.

SUMMARY: This document is notice of a proposed fee schedule for the calendar year 1979, for fishing by foreign vessels in fisheries under the exclusive fishery management authority of the United States. This proposed schedule establishes fees which must be paid by the owner or operator of any foreign fishing vessel wishing to fish within the United States Fishery Conservation Zone or beyond it as authorized by the Act, before actually engaging in any fishing activity except as otherwise authorized.

DATE: Comments must be received no later than August 26, 1978.

ADDRESS: Comments may be submitted to the Assistant Administrator for Fisheries, National Oceanic and Atmospheric Administration, Washington, D.C. 20235. Please mark the words "Fee Schedule" on the outside of the envelope.

FOR FURTHER INFORMATION CONTACT: Mr. Richard Schaefer, Chief, Fisheries Management Operations Division, National Marine Fisheries Service, Washington, D.C. 20235 (202-634-7454).

SUPPLEMENTARY INFORMATION: Section 201(d) of the Fishery Conservation and Management Act of 1976, 16 U.S.C. 1801 et. seq. (the Act) provides that foreign fishermen may be allowed to fish for "\* \* \* that portion of the optimum yield of such fishery which will not be harvested by vessels of the United States \* \* \*." Section 204(b)(10) of the Act further provides that reasonable fees shall be paid by the owner or operator of any foreign fishing vessel for which a permit is issued. Fishing vessels are defined by Section 3(11) of the Act to include several types of vessels in addition to those actually engaged in harvesting fish. This includes any vessel "\* \* \* aiding or assisting one or more vessels at sea in the performance of any activity relating to fishing, including, but not limited to, preparation, supply, storage, refrigeration, transportation, or processing \* \* \*." Section 204(b)(10) of the Act further provides, in part: "In determining the level of such fees, the Secretary may take into account the cost of carrying out the provisions of this Act with respect to foreign fishing, including, but not limited to, the cost of fishery conservation and management, fisheries research, administration, and enforcement."

#### CRITERIA FOR ESTABLISHING FEE SCHEDULE

These proposed regulations do not reflect the results of the technical workshop on fees charged to foreign fishing nations held June 22 and 23, 1978 at Washington, D.C. because the results of that workshop translated into policy decisions will not be available during the current year.

Consequently  
/ the following criteria were considered in developing the fee schedule for foreign fishing:

1. Fees will not be used as a management tool to restrict foreign fishing. Foreign fishing effort will be controlled by management plans and associated regulations. ' 1

2. The fees will not be so high as to prevent nations from utilizing the allocated surplus solely because of the fee level. The fees must be reasonable.

3. Fees will recover an appropriate part of the management costs related to foreign fishing.

4. The same rate must apply to all foreign nations and the rate will not change within a given calendar year.

5. Fees will be simple to compute and collect. Fees shall be paid as provided in the Act.

6. Every vessel, by law, must pay a fee and obtain a permit, but the fee may vary with size and function of the vessel.

This proposed amendment does not constitute a major Federal action within the meaning of the National Environmental Policy Act of 1969, as amended. It has been determined that this action does not require the preparation of economic impact analysis.

Signed at Washington, D.C. this 21st day of July, 1978

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Winfred H. Meibohm  
Associate Director  
National Marine Fisheries Service

50 CFR 611.22(b) is hereby proposed to be amended by substituting new values for species of fish based on U.S. commercial landings as published in the "Fisheries of the United States, 1977, Current Fishery Statistics No. 7500, National Marine Fisheries Service, April, 1978", except where noted. For the purpose of comparison, values used in 1978 are set out in parentheses.

Species:	Average ex-vessel value per metric ton	Values used in 1978
Butterfish . . . . .	\$626	(\$622)
Cod, Pacific . . . . .	359	( 282)
Crab, tanner (snow). . . . .	691	( 441)
Flounders, Pacific . . . . .	407	( 387)
Hake, Pacific. . . . .	43	( 32)
Hake, red. . . . .	199	( 185)
Hake, silver (whiting) . . . . .	205	( 184)
Herring, Atlantic. . . . .	98	( 87)
Herring, Pacific . . . . .	<u>1</u> /100	( 100)
Herring, river (alewives). . . . .	100	( 96)
Mackerel, atka . . . . .	<u>2</u> /...	( 138)
Mackerel, Atlantic . . . . .	385	( 259)
Mackerel, jack . . . . .	110	( 110)
Other billfish, Pacific. . . . .	<u>3</u> /638	( 875)
Other finfish, Atlantic. . . . .	<u>4</u> /382	( 334)

Other groundfish, Pacific. . . . .	<u>5/</u> 49	( 48)
Pollock, Alaska. . . . .	176	( 84)
Pacific ocean perch. . . . .	302	( 280)
Rockfish . . . . .	378	( 298)
Sablefish. . . . .	<u>6/</u> 1,477	( 399)
Seamount groundfish. . . . .	<u>2/</u> ...	( 172)
Sharks, Atlantic (except dogfish)	<u>7/</u> 210	( 140)
Sharks, Pacific (except dogfish)	<u>7/</u> 396	( 134)
Snails (meat). . . . .	<u>2/</u> ...	( 600)
Squid, Atlantic (illex). . . . .	<u>8/</u> 472	( 414)
Squid, Atlantic (loligo) . . . . .	<u>8/</u> 938	( 414)
Squid, Pacific . . . . .	<u>9/</u> 938	( 55)
Striped marlin, Pacific. . . . .	<u>10/</u> 1,395	( 1,579)
Swordfish, Pacific . . . . .	<u>10/</u> 6,064	( 4,040)

1/Price for roeless herring, which will constitute the foreign harvest. Price based on unit value of landings in Alaska.

2/Species not landed in the United States. Prices will be based on unit values of landings in foreign countries.

3/Average price from U.S. landings of blue marlin, black marlin, and sailfish. Source: Division of Data Management and Statistics, NMFS.

4/Average price from U.S. Atlantic landings of anglerfish, conger, dogfish, flounders (except yellowtail flounder), sculpins, sea robins, and skates. Source: Division of Data Management and Statistics, NMFS.

5/Used for production of fish meal. Price based on unit value of U.S. landings of anchovy and Pacific hake.

6/ Price for longline caught sablefish, from landings in the State of Washington.

7/ Separate prices for Atlantic and Pacific sharks are based on raw data used to develop the value for sharks in "Fisheries of the United States, 1977." (Division of Data Management and Statistics, NMFS).

8/ Separate prices for illex and loligo squids are based on raw data used to develop the value for Atlantic squids in "Fisheries of the United States, 1977." (Division of Data Management and Statistics, NMFS).

9/ Squids from Gulf of Alaska and Bering Sea/Aleutians, not landed in the United States. Price based on unit value of landings of loligo squid, Atlantic.

10/ Separate prices for striped marlin and swordfish are based on raw data used to develop the value for other marine finfishes, Pacific, in "Fisheries of the United States, 1977." (Division of Data Management and Statistics, NMFS).