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Attachment #33

U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P. O. Box 1668, Juneau, Alaska 99802
Law Enforcement Branch

1 of 4 pages

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Reply to Attn. of:

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Comments on Draft Foreign Fishing Regulations

We have reviewed the draft regulations published in the Federal Register December 23, 1976. The following are revisions which should be made to the subject regulations.

Section 611.2 Definitions - "Vessel days on the grounds." The words "Washington - California" should be substituted by "Pacific and Bering Sea".

Section 611.20 Allowable Level, we presume that the latest revisions to foreign surpluses will be incorporated in this and other appropriate sections prior to final printing.

Section 611.90 (b)(1) - 55°30' N. latitude should be changed to 56°00' N. latitude.

Section 611.90 (b)(2) - The coordinates 55°30' N. latitude, 168°00' W. longitude and 55°30' N. latitude, 165°00' W. longitude should be changed to 56°00' N. latitude, 168°00' W. longitude 56°00' N. latitude and 165°00' W. longitude respectively.

Section 611.91(a) - The first sentence should be changed to read ".....the Gulf of Alaska which includes that portion of the eastern North Pacific Ocean, exclusive of the Bering Sea north of 54°30' N. latitude between 132°40' W. longitude and 157°00' W. longitude and north of 52°00' N. latitude between 157°01' longitude and 170°00' W. longitude over which the United States exercises exclusive fishery management authority."

Section 611.91 (d)(1)(i) - The coordinates 57°15' N. latitude, 154°51' W. longitude, should be added to the end of the paragraph.

Section 611.91 (d)(1)(ii) - The coordinates 56°46' N. latitude, 155°27' W. longitude, should be changed to 55°46' N. latitude, 155°27' W. longitude.



Section 611.91 (d)(3) - Should be changed to read, "163°04' W. longitude to 166° W. longitude closed to foreign fishing March 1, 1977 to December 31, 1977 inclusive."

Section 611.91 (d)(4) - Should be changed to read, "147° W. longitude to 157° W. longitude closed to foreign trawling from March 1, 1977 to May 15, 1977 inclusive."

Section 611.91 (d)(5) - Should be changed to read, "140° W. longitude to 147° W. longitude closed to foreign trawling from December 1, 1977 to December 31, 1977 inclusive."

Section 611.91 (c) - Should be changed to "(c)(1)".

Add new paragraph - "Section 611.91 (c)(2) The open season for foreign fishing, which includes support operations, in the western Gulf of Alaska and beyond 3 miles from the baseline used to measure the Territorial Sea is between 169° W. longitude and 170° W longitude March 1, 1977 to December 31, 1977 inclusive.

Section 611.91 (g)(2) - The words, "except as provided in paragraph 611.91 (c)(2)" should be added to the end of the existing sentence.

Section 611.92 (c)(2) - Should be changed to read, "The open seasons for foreign fishing, which includes support operations, in the Aleutian Islands area beyond 3 miles from the baseline used to measure the Territorial Sea are as follows:

In the waters off the Bering Sea Coast of the Aleutian Islands:

(i) Between 169° and 170° West longitude, dragnet fishing from May 16, 1977 to November 30, 1977 inclusive, and longline fishing from March 1, 1977 to December 31, 1977 inclusive.

(ii) Between 170° and 172° West longitude, dragnet and longline fishing from March 1, 1977 to December 31, 1977 inclusive.

(iii) Between 172° and 176° West longitude, longline fishing from April 1, 1977 to October 31, 1977 inclusive.

(iv) West of 176° West longitude, dragnet fishing from May 1, 1977 to December 31, 1977 inclusive, and longline fishing from March 1, 1977 to December 31, 1977 inclusive.

In the waters off the Pacific Coast of the Aleutian Islands:

(v) Between 170° and 172° West longitude, dragnet and longline fishing from March 1, 1977 to December 31, 1977 inclusive.

(vi) Between 172° and 176° West longitude, longline fishing from April 1, 1977 to October 31, 1977 inclusive.



(vii) Between 176° and 178°30' West longitude, longline fishing from April 1, 1977 to October 31, 1977 inclusive, and dragnet fishing from July 1, 1977 to October 31, 1977 inclusive.

(viii) West of 178°30' West longitude, dragnet fishing from May 1, 1977 to December 31, 1977 inclusive, and longline fishing from March 1, 1977 to December 31, 1977 inclusive.

Section 611.92 (d)(3) - The word "traveling" should be changed to "trawling", the name of the regulatory body should be changed to "International Pacific Halibut Commission" and the abbreviation "(IPFC)" should be changed to "(IPHC)".

Section 611.92 (d)(4) - Should be changed to, ".....coordinates in the order listed. 56°18' N. latitude, 170°24' W. longitude, 56°20' N. latitude, 169°03' W. longitude, 56°12' N. latitude, 168°46' W. longitude, 55°56' N. latitude, 169°10' W. longitude, 55°56' N. latitude, 170°24' W. longitude, 56°18' N. latitude, and 170°24' W. longitude."

Section 611.92 (g)(3) - Add as new paragraph the following: "There shall be no fishing for herring by foreign fishing vessels north of 58°00' N. latitude and east of 168°00' W. longitude."

Section 611.93 (b)(1) - Should be changed to "Bering Sea north of 54°30' North latitude and west of 164° West longitude -- The 1977 annual catch quota for foreign vessels is limited to 5,000 metric tons of sablefish."

Section 611.93 (b)(2) - Should be changed to, "Gulf of Alaska, exclusive of the Bering Sea, north of 54°30' North latitude between 132°40' and 157°00' West longitude and north of 52°00' North latitude between 157°01' and 170°00' West longitude -- The 1977 annual catch quota for foreign vessels is limited to 19,500 metric tons of sablefish".

Section 611.93 (b)(2)(ii) - "13,500 metric tons" should be changed to "15,500 metric tons".

Section 611.93 (b)(2)(iii) - Add new paragraph as follows: "Of the total quota, 3,750 metric tons may be taken in the INPFC Southeastern area north of 54°30' North latitude and east of 137°00' West longitude".

Section 611.93 (b)(3) - The second sentence should be deleted.

Section 611.93 (c)(2) - through section 611.93 (c)(2)(viii) should be changed as proposed for section 611.92 (c)(2) through section 611.92 (c)(2)(viii).

Section 611.93 (d)(2) - Should be changed to read, ".....to fish for sablefish at anytime with longline or trap gear shoreward of the 500 meter (273.3 fathoms) depth contours in the Gulf of Alaska".



Section 611.93 (f) - Should be changed to 611.93 (g) and a new Section 611.93 (f) be added to read, "General Restrictions - (1) There shall be no fishing for or retention of salmon, halibut, Continental Shelf resources, shrimp or scallops. (2) There shall be no fishing within 12 miles of the baseline used to measure the Territorial Sea." except in the Aleutian Islands as described in paragraph (c) of this section and the western Gulf of Alaska as described in section 611.91 (c)(2)."

Section 611.94 (a) We suggest that the scientific names for the species or genera, or, perhaps, family be cited in this section to designate those animals considered as snails.

Section 611.94 (c) - "0001 hours local time" should be changed to "0801 GMT hours".

Section 611.94 (d) - The existing paragraph should be designated as paragraph (1) and the following paragraph added: "(2) It shall be unlawful for any foreign fishing vessel to fish for snails east of 164° West longitude or within 12 miles of the baseline used to measure the Territorial Sea."

Section 611.94 (f) - Should be changed to section 611.94 (g) and a new paragraph (f) added as follows: "There shall be no retention of halibut or crab, if these species are taken incidental to snail fishing, they must be promptly returned to the sea with minimum injury".

cc:
Simon
Branson

