

Foreign
Fishery
Regulations

FRIDAY, FEBRUARY 11, 1977

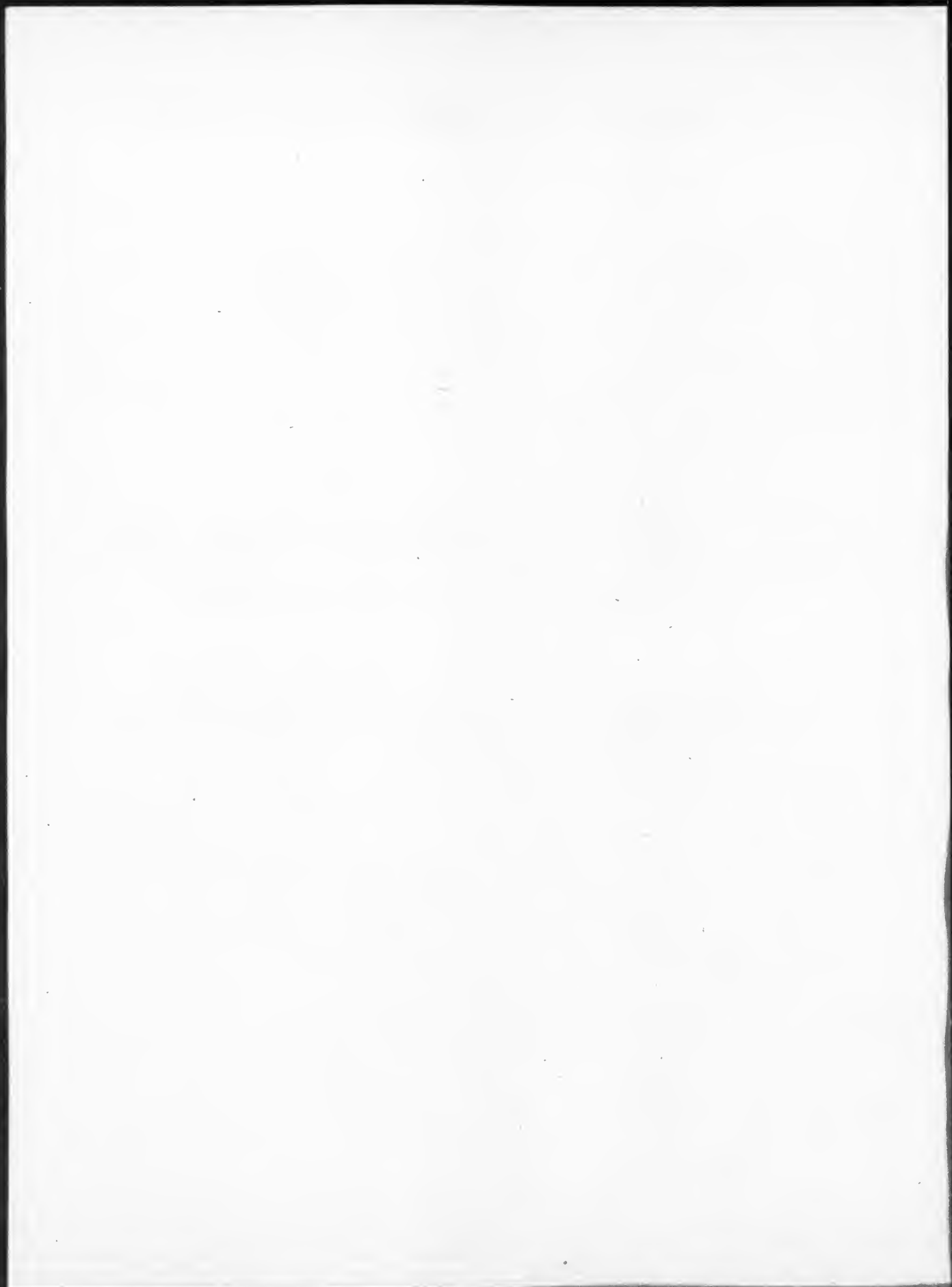
PART IV



DEPARTMENT OF COMMERCE

National Oceanic and
Atmospheric Administration

■
FOREIGN FISHING
REGULATIONS



Title 50—Wildlife and Fisheries

CHAPTER VI—FISHERY CONSERVATION AND MANAGEMENT, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 611—FOREIGN FISHING

On December 23, 1976, the National Marine Fisheries Service published in the FEDERAL REGISTER (41 F.R. 55904) an invitation for public comment on draft foreign fishing regulations. These regulations implement the conditions and restrictions concerning foreign fishing in the areas over which the United States exercises exclusive fishery management authority as described in the preliminary fishery management plans approved by the Secretary. Such plans will be published in the FEDERAL REGISTER as soon as possible.

The public had the opportunity to comment on the notice published on December 23, 1976 until January 23, 1977. Full and careful consideration has been given to all comments received.

Therefore, these regulations are adopted as final and effective on March 1, 1977.

Signed at Washington, D.C. on February 8, 1977.

ROBERT W. SCHONING,
Director, National Marine
Fisheries Service.

50 CFR chapter VI is amended by adding the following Part 611:

Subpart A—General

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- 611.1 Purpose.
- 611.2 Definitions.
- 611.3 Permits for foreign fishing vessels.
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Subpart D—South Atlantic, Caribbean, and Gulf of Mexico

- 611.60 [Reserved]

Subpart E—Northeast Pacific Ocean

- 611.70 Washington, Oregon, California trawl fishery.

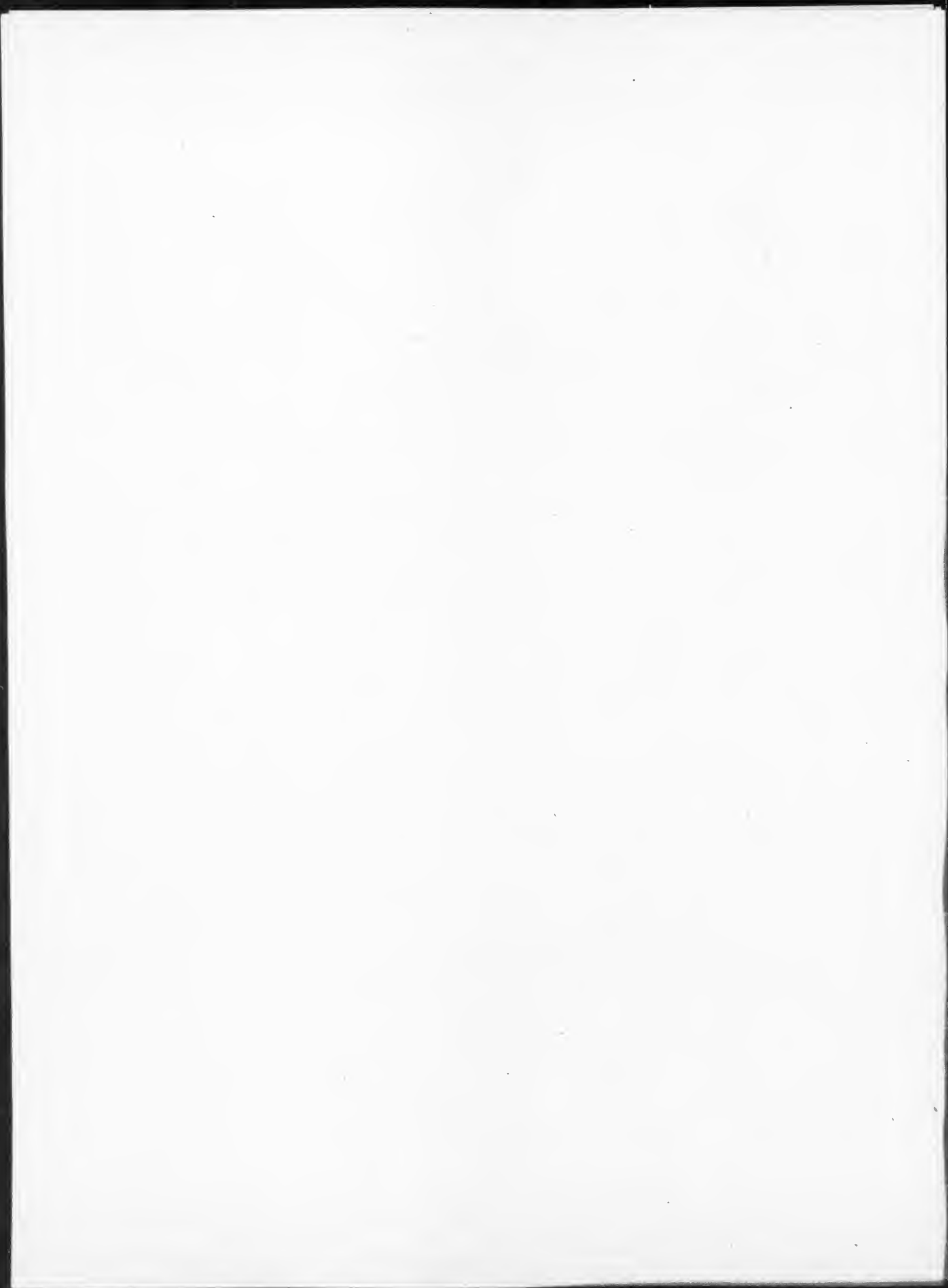
Subpart F—Western Pacific Ocean

- 611.80 Seamount groundfish fishery.

Subpart G—North Pacific Ocean and Bering Sea

- 611.90 Crabs.
- 611.91 Gulf of Alaska trawl fishery.
- 611.92 Bering Sea and Aleutian trawl and herring gillnet fishery.
- 611.93 Sablefish (Blackcod).
- 611.94 Snails.

AUTHORITY: 16 U.S.C. 1801-1882.



Subpart A—General

§ 611.1 Purpose.

The regulations of this part implement the provisions of the Fishery Conservation and Management Act of 1976 which govern foreign fishing for fish over which the United States exercises exclusive fishery management authority. The Secretary has determined that the cognizant Regional Fishery Management Councils will be unable, by March 1, 1977, to prepare and implement fishery management plans for fisheries for which foreign nations have applied for permits to fish. Therefore, under Sections 201(g) and 305(g) of the Act, the Secretary has promulgated these regulations which implement preliminary fishery management plans for those fisheries.

§ 611.2 Definitions.

In addition to definitions contained in the Act, and unless the context otherwise requires, in this part 611, the following definitions apply (some definitions in the Act have been repeated here to aid foreign fishermen in understanding the regulations).

(a) *Act* means the Fishery Conservation and Management Act of 1976, Public Law 94-265 (16 U.S.C. 1801-1882).

(b) *Anadromous species* means species of fish which spawn in fresh or estuarine waters of the United States and which migrate to ocean waters, including but not limited to:

King salmon—*Oncorhynchus tshawytscha*
Pink salmon—*Oncorhynchus gorbuscha*
Chum salmon—*Oncorhynchus keta*
Sockeye salmon—*Oncorhynchus nerka*
Silver salmon—*Oncorhynchus kisutch*
Steelhead trout—*Salmo gairdnerii*
Atlantic salmon—*Salmo salar*

(c) *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 Commandant of the Coast Guard to enforce the provisions of the Act; or

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

(d) *Continental Shelf* means the seabed and subsoil of the submarine areas which appertain to the United States beyond the Territorial Sea, at any place where the depth of the superjacent waters allows exploitation of the natural resources of such areas.

(e) *Continental Shelf fishery resources* means the following:

COLEENTERATA

Bamboo Coral—*Acanella* spp.;
Black Coral—*Antipathes* spp.;
Gold Coral—*Callogorgia* spp.;
Precious Red Coral—*Coralium* spp.;
Bamboo Coral—*Keratoisis* spp.; and
Gold Coral—*Parazoanthus* spp.

CRUSTACEA

Tanner Crab—*Chionoecetes tanneri*;
Tanner Crab—*Chionoecetes opilio*;
Tanner Crab—*Chionoecetes angulatus*;
Tanner Crab—*Chionoecetes bairdi*;
King Crab—*Paralithodes camtschatica*;
King Crab—*Paralithodes platypus*;
King Crab—*Paralithodes brevipes*;
Lobster—*Homarus americanus*;
Dungeness Crab—*Cancer magister*;
California King Crab—*Paralithodes californiensis*;
California King Crab—*Paralithodes rathbuni*;
Golden King Crab—*Lithodes aequispinus*;
Northern Stone Crab—*Lithodes maja*;
Stone Crab—*Menippe mercenaria*; and
Deep-sea Red Crab—*Geryon quinque-dens*.

MOLLUSKS

Red Abalone—*Haliotis refuescens*;
Pink Abalone—*Haliotis corrugata*;
Japanese Abalone—*Haliotis kamtschatkana*;
Queen Conch—*Strombus gigas*;
Surf Clam—*Spisula solidissima*; and
Ocean Quahog—*Arctica islandica*.

SPONGES

Glove Sponge—*Hippispongia canaliculata*;
Sheepswool Sponge—*Hippispongia lachne*;
Grass Sponge—*Spongia graminea*; and
Yellow Sponge—*Spongia barbera*.

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

(g) *Director* means Director, National Marine Fisheries Service, Washington, D.C. or his designee.

(h) *Existing International Fishery Agreement* means any treaty, convention or agreement, to which the United States is a party, which relates to fishing and which was in effect on April 13, 1976, namely:

(1) The International Convention for the High Seas Fisheries of the North Pacific Ocean, with Annex and Protocol of May 9, 1952, as amended;

(2) The Convention for the Preservation of the Halibut Fishery of the North Pacific Ocean and the Bering Sea of March 2, 1953;

(3) The Agreement between the United States and Canada on Reciprocal Fishing Privileges in Certain Areas off their Coasts of June 15, 1973, as amended (remains in force through April 24, 1977);

(4) The Agreement between the United States of America and the Union of Soviet Socialist Republics concerning Certain Fisheries Problems on the High Seas in the Western Areas of the Middle Atlantic Ocean (remains in force through April 30, 1977);

(5) Paragraphs 1(1)(a) and 2(10) of the Agreement between the United States and Japan in regard to Certain Fishery Problems of December 26, 1974 (remain in force through May 31, 1977, and April 30, 1977, respectively).

(i) *Fish* means finfish, mollusks, crustaceans, and all other forms of marine animal and plant life other than marine mammals, birds and highly migratory species.

(j) *Fish over which the United States exercised exclusive fishery management authority* means:

(1) All fish within the fishery conservation zone;

(2) All anadromous species beyond the fishery conservation zone, except when they are within any foreign nation's territorial sea or fishery conservation zone (or equivalent) as recognized by the United States; and

(3) All Continental Shelf fishery resources on the Continental Shelf beyond the fishery conservation zone.

(k) *Fishery* means:

(1) One or more stocks of fish which can be treated as a unit for purposes of conservation and management and which are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics; and

(2) Any fishing for such stocks.

(l) *Fishery conservation zone* means the area adjacent to the United States which, except where modified to accommodate international boundaries, encompasses all waters from the seaward boundary of each of the coastal states to a line on which each point is 200 nautical miles from the baseline from which the Territorial Sea of the United States is measured.

(m) *Fishery resource* means any fishery, any stock of fish, any species of fish, and any habitat of fish.

(n) *Fishing* means:

(1) Any activity other than scientific research which does, which is intended to, or which reasonably can be expected to result in the removal of fish from the sea; or

(2) Any operations at sea other than scientific research, which are in support of, or in preparation for any activity described in subparagraph (1), including, but not limited to:

(i) Scouting or exploring for the presence of fish by visual, acoustic, or other means;

(ii) Processing or refrigerating fish or fish products;

(iii) Transferring or transporting fish or fish products;

(iv) Supplying another fishing vessel with water, fuel, provisions, personnel, fishing equipment, fish processing equipment, or other supplies; or

(v) Repairing another fishing vessel.

(o) *Fishing vessel* means any boat, ship, or other craft which is used for, equipped to be used for, or of a type which is normally used for, fishing, except for a scientific research vessel.

(p) *Foreign fishing* means fishing by a vessel other than a vessel of the United States.

(q) *Foreign fishing vessel* means any fishing vessel other than a vessel of the United States.

(r) *Governing International Fishery Agreement* means a written agreement between the Government of the United States and the government of a foreign nation in which the foreign nation acknowledges the exclusive fishery management authority of the United States, as set forth in the Act, and agrees to take measures to ensure that the owners or operators of any fishing vessels from

such foreign nation comply with all of its provisions.

(s) *Highly migratory species* means species of tuna which in the course of their life cycle spawn and migrate over great distances in the waters of the ocean, including, but not limited to:

- Albacore—*Thunnus alalunga*
- Blackfin Tuna—*Thunnus atlanticus*
- Bigeye Tuna—*Thunnus obesus*
- Bluefin Tuna—*Thunnus thynnus*
- Yellowfin Tuna—*Thunnus albacares*
- Black Skipjack—*Euthynnus lineatus*
- Kawakawa—*Euthynnus affinis*
- Little Tunny—*Euthynnus alletteratus*
- Shipjack Tuna—*Euthynnus pelamis*

(t) *Incidental catch* means the fish of any species, other than the directed fishery species, that are caught during a directed fishery.

(u) *Operator*, with respect to any vessel, means:

- (1) The owner of the vessel; or
- (2) The master or other person in charge of the vessel.

(v) *Permit* means a document issued under section 204 of the Act which authorizes foreign vessels to engage in fishing for fish over which the United States exercises exclusive fishery management authority.

(w) *Secretary* means the Secretary of Commerce or his designee.

(x) *State* means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, and any other commonwealth, territory, or possession of the United States. It does not include the Trust Territory of the Pacific Islands.

(y) *United States*, when used in a geographical context, means all the States thereof.

(z) *Vessel days on the ground* means the day or part of a day spent fishing in a trawl fishery by a single fishing vessel, not including support vessels. The number of vessel days for each foreign country is determined by adding each vessel day of its fishing vessels.

§ 611.3 Permits for foreign fishing vessels.

(a) No foreign vessel shall engage in fishing for fish over which United States exercises exclusive fishery management authority unless it has on board a permit issued to it under this section.

(b) Registration permits for foreign vessels to engage in fishing pursuant to an Existing International Fishery Agreement may be issued annually by the Secretary of State upon application from the foreign country and payment for a fee, if any, established by the Secretary of State.

(c) Permits for foreign vessels to engage in fishing pursuant to a Governing International Fishery Agreement may be issued annually by the Secretary upon:

- (1) His approval of an application from the foreign country;
- (2) The foreign country's acceptance of the applicable terms and conditions; and

(3) The payment of the fees established by the Secretary.

(d) The foreign country shall submit a permit application to the Secretary of State at least 120 days prior to the date on which the foreign vessel desires to commence fishing under the proposed permit.

(e) Permit applications shall be submitted on forms available from: Office of Fisheries Affairs, Department of State (OES/OFA), Washington, DC 20520.

(f) If a foreign fishing vessel with a permit issued under this section has been used in the commission of any act prohibited by § 611.15, the Secretary may:

- (1) Revoke the vessel's permit, with or without prejudice to the right of the vessel's foreign country to obtain a permit for that vessel in subsequent years;
- (2) Suspend the vessel's permit for an appropriate period; or
- (3) Impose additional restrictions on the permits of that vessel and any other vessel with the same foreign country.

(g) If the operator of a foreign fishing vessel with a permit issued under this section has not paid a civil penalty or criminal fine which is final and unappealable, the Secretary shall:

(1) Revoke the vessel's permit, with or without prejudice to the right of the vessel's foreign country to obtain a permit for that vessel in subsequent years;

(2) Suspend the vessel's permit for an appropriate period; or

(3) Impose additional restrictions on the permits of that vessel and any other vessel with the same foreign country.

(h) A permit suspended under paragraph (g) of this section for failure to pay a final and unappealable civil penalty shall be reinstated upon payment of the civil penalty together with interest at the then prevailing rate.

§ 611.4 Vessel reporting.

(a) The operator of each foreign vessel issued a permit shall notify the director of the appropriate National Marine Fisheries Service region and the commander of the appropriate Coast Guard command as indicated in the accompanying Table I of the time and position at which the vessel will begin activities to be conducted under the permit at least 24 hours before beginning any such activity. Similar notice shall be given at least 24 hours prior to completion of the activity or departure from the area:

TABLE I

Area	National Marine Fisheries Service	Coast Guard
Pacific Ocean off Hawaii and other insular possessions.	Southwest region, Terminal Island, Calif.	Pacific area, San Francisco, Calif.
Pacific Ocean off California, Oregon, and Washington.	Northwest region, Seattle, Wash.	Do.
Pacific Ocean and Bering Sea off Alaska.	Alaska region, Juneau, Alaska.	17th district, Juneau, Alaska.
Atlantic Ocean north of Cape Hatteras.	Northeast region, Gloucester, Mass.	Atlantic area, New York, N.Y.
Atlantic Ocean south of Cape Hatteras, the Gulf of Mexico, and the Caribbean Sea.	Southeast region, St. Petersburg, Fla.	Do.

(b) The required notice may be delivered via the vessel's agent or via the closest United States Coast Guard communications station as indicated in the accompanying Table II. Radiotelegraphy will be used if available. Voice reports will be accepted in English only.

TABLE II

Station	Radiotelegraphy		Voice: Duplex high-frequency single-sideband channels guarded GMT ¹
	Call sign	Bands guarded	
Boston.....	NMF	500 KHz; 8, 12 MHz	B (0000-2400).
Portsmouth.....	NMN	500 KHz; 8, 12, 16 MHz	A (0200-1200); B (0000-2400); C (0000-2400); D (1200-0200); E (on request).
Miami.....	NMA	500 KHz	None.
San Juan.....	NMR	500 KHz; 8, 12, 16 MHz	Do.
New Orleans ²	NMG	500 KHz	A (0200-1200); B (0000-2400); C (0000-2400); D (1200-0200); E (on request).
San Francisco ³	NMC	500 KHz; 8, 12, 16 MHz	A (0000-2400); B (0000-2400); C (0000-2400); D & E (on request).
Honolulu ³	NMO	500 KHz; 8, 12, 16 MHz	A (0000-2400); B (0000-2400); C (0000-2400); D & E (on request).
Guam ³	NRV	500 KHz	B (0100-2100); D (2100-0000).
Kodiak ³	NOJ	500 KHz	B (0000-2400); A, C, D & E (on request).
Adak.....	NOX	500 KHz; 8 MHz	None.

¹ Frequencies (kHz) as follows:

Letter	Shore transmit	Ship transmit
A.....	4303.4	4094.8
B.....	6521.8	6307.2
C.....	8760.8	8228.8
D.....	13144.0	12263.0
E.....	17280.0	16495.0

² 2 hr after sunrise until 2 hr before sunset only.
³ Also guards 2,182 kHz voice.

(c) The required notice shall be given in the following format:

From: (Vessel's name, call sign and permit number.)

To: (The appropriate National Marine Fisheries Service regional director as set forth in Table I.) (The appropriate Coast Guard commander as set forth in Table I.)

This Vessel Will (Begin) (Cease) Conducting the Activities Authorized by Its Permit at ----- GMT on ----- in Position (Date)

----- N ----- W (or E).
(Latitude) (Longitude)

(d) Every foreign vessel required to report in paragraph (a) shall guard 500 KHz, if available, or 2182 KHz for a 30 minute period each day from 2000 to 2030 GMT. This requirement becomes effective on the day a vessel first reports into an area and ceases on the day the vessel reports out of the area.

§ 611.5 Vessel identification.

(a) Each foreign fishing vessel for which a permit has been issued shall display its hull number or international radio call sign amidships on the deck house or hull, and on the uppermost weather deck.

(b) The identifying markings shall be permanently affixed to the vessel in contrasting block Roman alphabet letters and Arabic numerals at least one meter in height for vessels over 20 meters in length and at least one-half meter in height for all other vessels.

(c) The operator of each vessel shall:

- (1) Keep the identifying markings clearly legible and in good repair; and
- (2) Insure that no part of the vessel, its rigging or its fishing gear obstructs the view of the markings from an enforcement vessel or aircraft.

(d) Each foreign fishing vessel fishing for fish over which the United States exercises exclusive fishery management authority shall display the lights and shapes prescribed by the International Regulations for Preventing Collisions at Sea for the activity in which the vessels is engaged.

§ 611.6 Facilitation of enforcement.

(a) The operator of any vessel subject to the provisions of the Act shall immediately comply with instructions issued by authorized officers to facilitate boarding and inspection of the vessel for purposes of enforcing the Act and these regulations.

(b) Upon being approached by a Coast Guard cutter or aircraft or other vessel or aircraft authorized to enforce the Act, the foreign vessel shall be alert for signals conveying enforcement instructions. The following signals extracted from the International Code of Signals are among those which may be used:

- (1) "L" meaning "You should stop your vessel instantly;"
- (2) "SQ3" meaning "You should stop or heave to; I am going to board you;" and
- (3) "AA AA AA etc" which is the call for an unknown station, to which the signalled vessel should respond by illuminating the vessel identification required by Section 611.5 of this Part.

(c) A vessel signalled to stop or heave to for boarding shall:

- (1) Stop immediately and lay to or maneuver in such a way as to permit the authorized officer and his party to come aboard;
- (2) Provide a ladder for the authorized officer and his party; and
- (3) When necessary to facilitate the boarding, provide a man rope, safety line and illumination for the ladder; and
- (4) Take such other actions as necessary to ensure the safety of the authorized officer and his party and to facilitate the boarding.

(d) Each foreign fishing vessel with a permit shall have available, by January 1978, at all times a person who can converse in English and who can serve as an interpreter between an authorized officer and the operator.

§ 611.7 Prohibitions.

(a) It is unlawful for any person to:

- (1) Violate any provision of the Act or any regulation or permit issued under the Act;

- (2) Violate any provision of, or regulation under, any Governing International Fishery Agreement or Existing International Fishery Agreement;

- (3) Refuse to permit an Authorized Officer to board a fishing vessel subject to such person's control for purposes of conducting any search or inspection in connection with the enforcement of this Act or any regulation, permit, or agreement referred to in subparagraph (1) or (2) of this paragraph;

- (4) Forcibly assault, resist, oppose, impede, intimidate, or interfere with:

- (i) Any Authorized Officer in the conduct of any search or inspection described in subparagraph (3) of this paragraph; or

- (ii) Any observer placed aboard a vessel under § 611.8;

- (5) Resist a lawful arrest for any act prohibited by this section;

- (6) Ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fish taken or retained in violation of this Act or any regulation, permit, or agreement referred to in subparagraph (1) or (2) of this paragraph; or

- (7) To interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that such other person has committed any act prohibited by this section.

(b) It is unlawful for any foreign vessel and for the owner or operator of any foreign vessel to engage in fishing for fish over which the United States exercised exclusive fishery management authority, unless such fishing is authorized by, and conducted in accordance with the regulations of this part and a valid and applicable permit.

§ 611.8 Observers.

For the purposes of collecting scientific data and carrying out such other management and enforcement activities as he may authorize, the Secretary may assign an observer to any foreign vessel fishing for fish over which the

United States exercises exclusive fishery management authority. The operator of any foreign vessel to which such an observer is assigned shall:

- (a) Provide, at no cost to the observer or the United States, accommodations for the observer aboard the vessel which are equivalent to those provided to the officers of that vessel;

- (b) Be required to reimburse the United States for the total costs of placing observers aboard foreign fishing vessels, including salary, per diem, and transportation of observers, as well as overhead costs. Payment of observer costs will be made upon billing at the end of the calendar year.

- (c) Cause the vessel, whenever possible, in accordance with an agreed operational plan, to proceed to such places and at such times as may be designated by the Director for the purpose of embarking and debarking the observer;

- (d) Allow the observer to use the vessel's communications equipment and personnel as necessary for the transmission and receipt of messages; and

- (e) Provide all other reasonable assistance to enable the observer to carry out his duties.

§ 611.9 Reports and record keeping.

- (a) The operator of each foreign fishing vessel with a permit shall maintain a log of catch and effort information and shall report such information in accordance with the specific requirements of sections C through G.

- (b) Upon each transfer of any fish or fishery product, the operator of both the transferring and receiving vessels shall record in their respective logs (1) the date, time, and position of the transfer;
- (2) the weight or number by species of all fish transferred; and

- (3) the name, nationality, and permit number of the other vessel involved in the transfer.

- (c) The operator of each foreign fishing vessel shall record in a log, the Greenwich Mean Time and content of each notification made under § 611.4.

- (d) In addition, the operator of each foreign fishing vessel holding a permit shall provide to the Director, in such form and at such times as the Director may prescribe, such other information as the Director may request to carry out his duties under the Act.

- (e) The records and logs required to be kept by this section shall be made available for inspection by any authorized officer at any time during the term of the permit.

- (f) The records and logs required to be kept by this Section shall be maintained in a form satisfactory to the Director.

§ 611.10 Fishery support operations.

- (a) Fishery support operations are those activities described in § 611.2(c)(2).

- (b) Fishery support operations by foreign vessels within the fishery conservation zone are allowed only in those areas and during those times in which vessels of the same foreign country are authorized to conduct directed fisheries,

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and in such other areas as may be designated in this part or in an Existing International Fishery Agreement.

§ 611.11 Gear conflicts.

(a) Each fishing vessel shall conduct its operations with due regard for the activities of other fishing vessels. Fishing vessels using mobile fishing gear shall take special care to minimize the possibility of conflict with and damage to fixed fishing gear.

(b) Each foreign fishing vessel shall copy the list of fixed gear locations for the area in which it intends to fish as broadcast by the Coast Guard in accordance with the schedule listed in applicable sections of Subparts C through G of this part.

(c) Each foreign fishing vessel which is involved in a gear conflict shall immediately notify the appropriate Coast Guard commander as indicated in Table I accompanying § 611.4 via the closest Coast Guard communications station as listed in Table II accompanying § 611.4.

§ 611.12 Directed fisheries.

(a) No foreign fishing vessel may conduct a directed fishery for any fish over which the United States exercises exclusive fishery management authority unless such directed fishery is authorized by, and conducted in accordance with this Part and a permit issued under Section 611.3 of this Part.

(b) A foreign fishing vessel's authorization to conduct a directed fishery shall be cancelled when the Director finds that:

(1) the overall catch quota for the directed fishery species has been reached;

(2) the overall vessel days on grounds authorized for the directed fishery species or area has been expended;

(3) the overall catch quota for the incidental catch of a regulated species taken during the directed fishery has been reached;

(4) the foreign country's allocation for the directed fishery species has been reached;

(5) the foreign country's allocation for the incidental catch of a regulated species taken during the directed fishery has been reached;

(6) the foreign country's authorized vessel days on grounds for the directed fishery species or area has been expended.

(c) The Director will notify the competent authority of the foreign country, of each affected foreign fishing vessel at least 48 hours prior to closing a directed fishery under Paragraph (b) of this section.

§ 611.13 Incidental catch.

Incidental catches are regulated according to which of the following categories the incidental catch falls into:

(a) *Prohibited Species.* (1) All Continental Shelf fishery resources and all other species of fish which foreign fishing vessels are not specifically authorized to retain in Subparts C through G of this part are prohibited species. No specimen or part thereof of these species shall be taken, retained or possessed (except for the time necessary to dispose of them in accordance with this section) by any foreign fishing vessel within the fishery conservation zone regardless its source or condition.

(2) Each foreign fishing vessel shall minimize its incidental catch of prohibited species.

(3) Each foreign fishing vessel shall sort its catch at the first opportunity after retrieval of its gear and shall return the incidental catch of prohibited species to the sea immediately with a

minimum of injury regardless of its condition.

(b) *Regulated Species.* (1) All other species of incidental catch are regulated species. No foreign fishing vessel may retain any incidental catch of a regulated species unless such retention is authorized by, and in accordance with this Part and a permit issued under § 611.3

(2) Each foreign fishing vessel which is not authorized to retain its incidental catch of a species under Paragraph (b) (1) of this section shall treat such incidental catch in the manner prescribed by Paragraph (c) of this section. That for any species which a foreign fishing vessel is not specifically authorized to retain is a prohibited species for that vessel.

§ 611.14 Disposal of fishing gear and other articles.

(a) Except in cases of force majeure, no fishing vessel may discharge or otherwise put into the waters within the fishery conservation zone, any article which may interfere with fishing or obstruct fishing gear or fishing vessels or cause damage to any fishery resource or marine mammals.

(b) All fishing gear not physically attached to a fishing vessel shall be conspicuously marked with the international radio call sign of the vessel to which it belongs.

(c) All fishing gear which is set or otherwise deployed in a manner in which it may entrap or otherwise catch fish shall be attended as necessary to insure that its catch remains suitable for the normal use of the expected catch for that type gear.

(d) No fishing gear shall be abandoned within the fishery conservation zone in a place, manner or condition in which it may become a hazard to navigation.

Subpart B—Surpluses

§ 611.20 Allowable level.

(a) The total allowable level of foreign fishing (TALFF), if any, with respect to any fishery subject to the exclusive fishery management authority of the United States, shall be that portion of the optimum yield of such fishery which will not be harvested by vessels of the United States.

(b) The surpluses for foreign fishing for 1977 by ocean area are as follows:

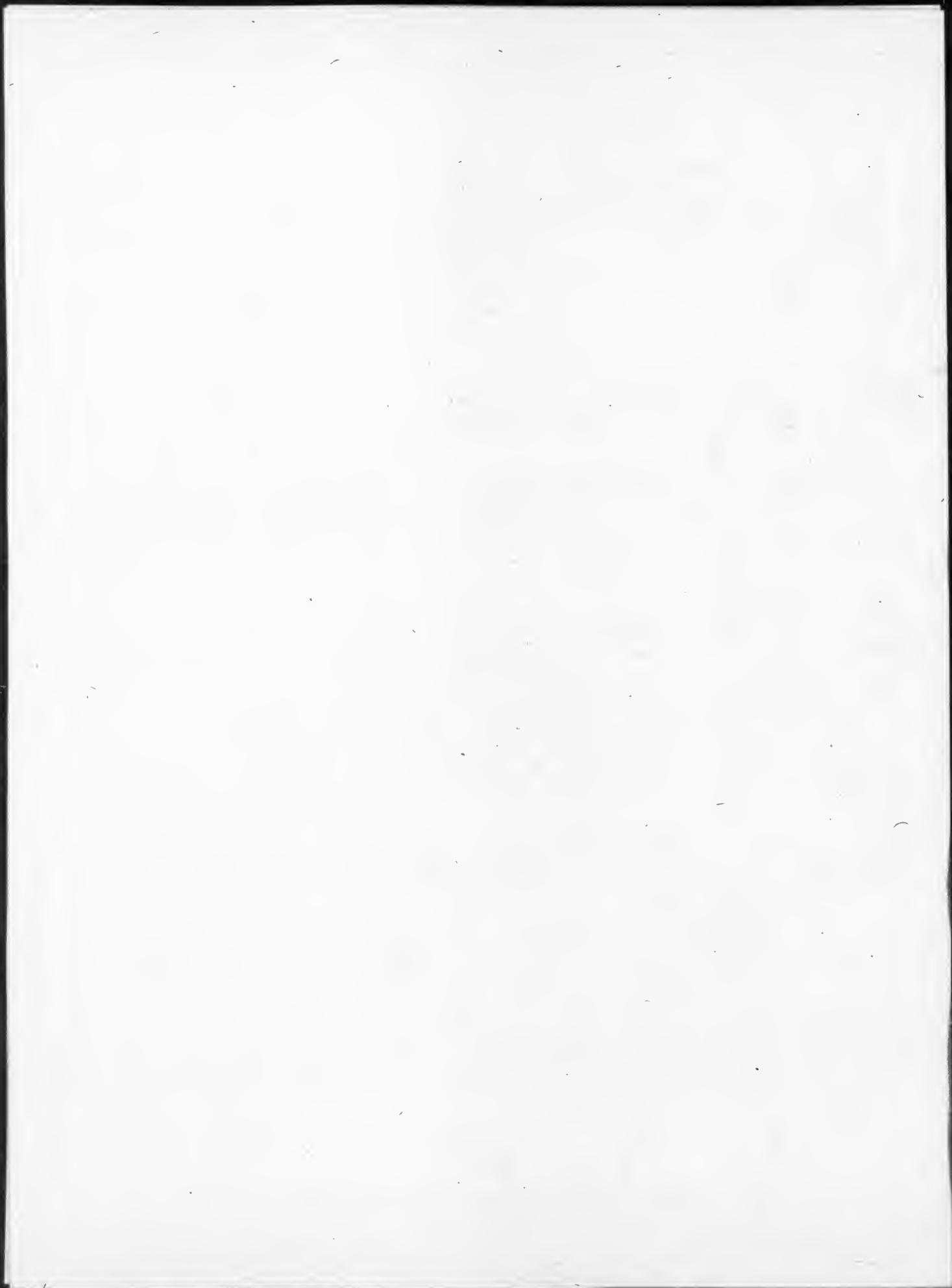
Fishery	Ocean area	Quantity metric tons
Silver hake	Atlantic	85,500
Atlantic herring	do.	22,000
Atlantic mackerel	do.	60,000
Short-finned squid ¹	do.	23,500
Long-finned squid ¹	do.	19,000
Red hake	do.	34,000
Butterfish	do.	5,500
All other finfish	do.	60,000
River herring	do.	500
Rockfish	Pacific	54,500
Sablefish ²	do.	26,900
Flounders (except halibut)	do.	231,500
Pacific cod	do.	60,500
Alaska pollock	do.	1,175,000
Atka mackerel	do.	22,000
Pacific hake	do.	123,200
Jack mackerel	Pacific (Washington to California)	4,000
Squid	Pacific (Bering Sea)	10,000
Other groundfish	Pacific	109,800
Herring	do.	20,000
Snails (meats)	do.	3,000
Tanner crab	do.	12,500
Seamount groundfish	do.	2,000

¹ The TALFF for short-finned and long-finned squid will be reevaluated if it is determined by the Secretary by June 1, 1977, that the U.S. fleet will not take its estimated harvest.

² The TALFF for sablefish will be reevaluated if it is determined by the Secretary by Nov. 1, 1977, that the U.S. fleet will not take its estimated harvest.

(c) The Secretary of State, in cooperation with the Secretary, shall determine the allocation among foreign nations of the surpluses identified in paragraph (b).

(d) The foreign nation and the owners or operators of all of the fishing vessels of such nation shall not, in any year, exceed such nation's allocation of the total allowable level of foreign fishing.



Subpart C—Atlantic Ocean

§ 611.50 Hakes.

(a) *Purpose.* Regulations of this section shall apply to silver hake (*Merluccius bilinearis*) and red hake (*Urophycis chuss*), taken by foreign fishing vessels with a valid permit during the period March 1, 1977 to December 31, 1977 within the Atlantic Ocean area over which the United States exercises exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this subpart will have the meanings ascribed to them in subpart A of these regulations.

(b) *Catch quota*—Catch quotas for silver hake and red hake allocated for 1977 only are as follows:

(i) No more than 30,500 metric tons of silver hake shall be taken from Area A, as described in paragraph (c).

(ii) No more than 55,000 metric tons of silver hake shall be taken from Area B, as described in paragraph (c).

(2) Red hake.

(i) No more than 20,400 metric tons of red hake shall be taken from Area A, as described in paragraph (c).

(ii) No more than 14,500 metric tons of red hake shall be taken from Area B, as described in paragraph (c).

(c) *Open season and areas.* The open season for directed fishing for silver hake and red hake by foreign fishing vessels shall begin 0801 GMT on March 1, 1977, and extend through March 31, 1977 in the area west of 70° W. longitude (designated Area A) and begin on March 1, 1977, and extend through June 30, 1977 in the area east of 70° W. longitude (designated Area B). Specific coordinates of the authorized hake fishing areas are as follows:

Area A: 39°34' N. lat., 72°30' W. long.; 39°56' N. lat., 72°00' W. long.; 40°20' N. lat., 70°30' W. long.; 40°13' N. lat., 70°00' W. long.; 39°50' N. lat., 70°00' W. long.; 39°50' N. lat., 71°05' W. long.; 39°20' N. lat., 72°30' W. long.

Area B: 40°13' N. lat., 70°00' W. long.; 40°07' N. lat., 69°30' W. long.; 40°50' N. lat., 67°00' W. long.; 40°30' N. lat., 67°00' W. long.; 39°50' N. lat., 69°25' W. long.; 39°50' N. lat., 70°00' W. long.

(d) *Closed season and areas.* National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for species under this section. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of silver hake and red hake, notification of such determination shall be made to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for silver or red hake in the authorized area, but may continue to take and possess only those amounts of silver or red hake in accordance with the incidental catch provision of paragraph (g).

(e) *Gear restrictions.* (1) It shall be unlawful for any foreign vessel fishing for red hake and/or silver hake, under this section, to use any trawl nets having in any part of the net meshes of dimensions less than 60 mm (2½ inches) as measured by the gauge specified below. These mesh sizes relate to manilla twine netting when measured wet after use or the equivalent thereof when

measured dry before use. The Secretary may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than manilla are used or when seine nets are used.

(1) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the lacings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

(2) It shall be unlawful for any foreign vessel fishing for red hake and/or silver hake to use any means or device which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the meshes of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device, on the basis of scientific evidence, must not obstruct the meshes or reduce significantly the selectivity of the codend.

(f) *Reporting.* Each foreign country is responsible for the fishing data collection and the statistical reporting requirements identified in the following subparagraphs, for each of its fishing vessels authorized under § 611.3, and shall submit the required reports to:

Regional Director, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts 01940.

(1) Operators of all fishing vessels permitted under a Governing International Fisheries Agreement to fish in the Fishery Conservation Zone (FCZ) of the United States in the Atlantic Ocean, North of Cape Hatteras shall record their catches during the permit period on a daily basis according to position, amount, date, type of gear, amount of effort, i.e., number of sets (or hooks) × time gear on the bottom (otter trawl) or fishing (mid-water trawl, lines, other gear), discards, catch composition, and disposition of catch. Such vessels shall also record on a daily basis the estimated cumulative catch, including discards, by individual species, of all fish taken in the FCZ. The record shall include the disposition of the catch, while not subtracting any fish off-loaded while the vessel is operating in the Fishery Conservation Zone and shall be retained aboard the vessel for the duration of the permit period. A form for such report is attached to these regulations as Appendix I. The necessary code numbers for completion of this form are listed in Appendix III to these regulations.

(2) A biweekly report will be submitted by each country's designated official showing effort and yield, Sunday through Saturday of the 2 (two) week period, and cumulative effort and yield for the calendar year, for each species being harvested by all of its authorized vessels. This report should arrive at the address specified in (f) no later than

Thursday of the week following the two (2) week period of the report.

(3) Three months after the close of each quarter, catch and effort statistics for biweekly time periods for 0°30' square areas shall be reported by vessel for the previous quarter by the country's designated agent. These will be reported using 0°30' square Statland 21B Forms or magnetic tape, computer cards, or print-outs for all species and gear types.

(4) Each foreign country's designated official shall for each of its vessels authorized under § 611.3, submit in writing:

(i) A report within 24 hours of any change in directed fishing by a vessel.

(ii) A report 24 hours after the vessel transferred fishing operations from one authorized area to another.

(iii) A report 24 hours after a vessel has ceased fishing operations with intent to depart the FCZ.

These reports will include vessel identification, reporting circumstances, effort (if applicable), yield (if applicable), and amount and composition of fishmeal (if applicable). A form for such report is attached to these regulations as Appendix II. The necessary code numbers for completion of the form are listed in Appendix III to these regulations.

(5) The owner or operator of any foreign fishing vessel shall be required to obtain scientific samples of fish catches in accordance with established procedures agreed to under the Governing International Fisheries Agreements (GIFAS).

(6) The Secretary may require from time to time additional information concerning fishing operations of fishing vessels of a foreign country. Such information shall be provided in accordance with the procedures provided to the vessels or country.

(g) *Incidental catch.* The taking of herring or mackerel is permitted as an incidental catch in the directed silver hake or red hake fishery. The quantity of herring or mackerel shall not exceed the incidental catch allocation provided to the foreign country. When the allocation of herring or mackerel has been reached prior to reaching the allocation of silver or red hake, fishing for silver hake or red hake shall cease. Upon determination that a foreign country has caught its assigned quota of silver or red hake, the directed fishing by that country will be closed for those species as provided in paragraph (d). Subsequently incidental catch of that species shall be limited to no more than 1 percent of the total weight of the catch on board any vessel for which the fishery has been closed.

(h) *Other By-Catch limitation.* Foreign vessels may have on board vessels at any time the species listed below in an amount not to exceed 2,500 kg or one percent of all other fish on board individually or (7½%) seven and one half percent or 12,000 kg (whichever is greater) collectively: bluefish (*Pomatomus saltatrix*), tautog (*Tautoga onitis*), scup (*Stenotomus chrysops*), weakfish (*Cynoscion*

RULES AND REGULATIONS

regalis), river herring (*Alosa pseudoharengus*), croaker (*Micropogon undulatus*), spot (*Leiostomus xanthurus*), and American shad (*Alosa sapidissima*).

(i) *Restrictions.* (1) Except as expressly provided for by a permit, no foreign fishing vessel shall

(i) conduct a directed fishery for striped bass (*Morone saxatilis*) and any Continental Shelf Fishery resource, as such term is defined in the Fishery Conservation and Management Act of 1976 section 3(4), appertaining to the United States;

(ii) retain any striped bass and any such Continental Shelf fishery resource appertaining to the United States taken incidentally from the Continental Shelf; or

(iii) fail to return promptly to the sea with a minimum of injury any striped bass and any such Continental Shelf fishery resource.

(2) No operator of any foreign fishing vessel shall conduct any fishing within 12 nautical miles of the baseline used to measure the Territorial Sea of the United States unless expressly authorized.

(j) *Fixed gear avoidance.* (1) All foreign fishing vessels are prohibited from fishing between the 100-200 fathom

depths on the Continental Shelf in the Atlantic north of Cape Hatteras within authorized fishing zones.

(2) Fishing is prohibited in areas of reported fixed gear outside of the 100-200 fathom lines. The operator of each foreign vessel operating in an authorized fishing zone shall exercise caution when fishing within 2 nautical miles of such reported gear areas. Locations of fixed gear in geographic coordinates (latitude and longitude) are broadcast on the first day of each month by Coast Guard Communications Station Boston (NMS) on 472 KHZ at 1350 GMT in radiotelegraphy. These summary lists are updated each day at 1350 GMT, with a broadcast on the same frequency listing changes in fixed fishing gear locations reported by fishermen. Additionally, voice broadcasts in English are made each day by NMF on 2670 KHZ at 1405 GMT and by Coast Guard Communication Station Portsmouth (NMN) on 2670 KHZ at 1350 GMT and by the Boston Marine Operator Radio, and Norfolk Marine Operator after their scheduled Marine Information broadcasts. The voice broadcasts list the locations of the fixed gear in LORAN A Coordinates. Both the radiotelegraphy and voice broadcasts are numbered sequen-

tially by month, day, and year. A printed monthly summary of fixed gear information is available by contacting: COMMANDER (Aol), U.S. Coast Guard, Atlantic Area, Governors Island, New York, NY, 10004; Telephone: (212) 264-0644 or (212) 264-0645. All operators on foreign fishing vessels shall copy such daily fixed gear broadcasts and shall maintain on the bridge of such vessel a chart showing the current location of fixed gear in areas where it will be fishing.

(k) *Loading zones.* Foreign fishing vessel may conduct loading operations from March 1, 1977 to December 31, 1977 in the waters of the Fishery Conservation Zone of the United States of America in the areas bounded by straight lines connecting the following coordinates:

- 40°40'55" N. lat., 72°40'00" W. long.; 40°42'02" N. lat., 72°36'16" W. long.; 40°35'34" N. lat., 72°36'16" W. long.; 40°34'31" N. lat., 72°40'00" W. long.; 39°09'00" N. lat., 74°32'00" W. long.; 39°11'30" N. lat., 74°30'00" W. long.; 39°08'00" N. lat., 74°24'00" W. long.; 39°05'30" N. lat., 74°26'00" W. long.; 37°26'30" N. lat., 75°32'00" W. long.; 37°29'30" N. lat., 75°30'30" W. long.; 37°27'30" N. lat., 75°23'30" W. long.; 37°24'30" N. lat., 75°25'00" W. long.

APPENDIX I

Record of Cumulative Catch

(in metric tons round weight)

Vessel Name/Number (01) _____

PERMIT NO. _____

Date			Species (name & code no.)			Species (name & code no.)			Species (name & code no.)		
Day	Month	Year	Permit area			Permit area			Permit area		
			Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total

NOTE: Cumulative listings are not to subtract any fish off-loaded while vessel is operating in regulated species. Disposition (all categories to be included in cumulative total): C (22) = human consumption; A (22) = fishmeal; D (22) = discards.

APPENDIX II

REPORT ON FISHING VESSEL EFFORT/ YIELD

Vessel Identification

Name _____ Hull No. _____

Natl. _____ Type _____ Permit No. _____

Reporting Circumstances:

Date _____ Position _____ Type _____

Effort:

Bgn. Date _____ End Date _____ Spt. _____ Wx. _____ Fish _____

Yield:

Species	Tons	Proc.	Species	Tons	Proc.
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Comments:

APPENDIX III COUNTRY CODE

Bulgaria	BU
Canada	CA
Cuba	CU
Denmark	DA
France	FR
German Democratic Republic	GC
Federal Republic of Germany	GE
Greece	GR
Ireland	EI
Italy	IT
Japan	JA
Korea	KS
Poland	PL
Romania	RO
Spain	SP
United Kingdom	UK
U.S.S.R.	UR

VESSEL-TYPE CODE

Base ship	BA
Clam dredge	CD
Enforcement	EF
Longliner	LL
Multirig	MR
Pot vessel	PB
Research	RE
Sport boat	SP
Stern trawler	ST
Side trawler	SI
Scalloper	SC
Tanker	TK
Tug	TG
Transport	TP
Other	OT

REPORTING CIRCUMSTANCE CODE TYPE

Change in fishery	XF
Change in area window	XW
Enter fishery conservation zone	XE
Leave fishery conservation zone	XL
Required weekly report	XP
Other	OT

PROCESSING CODE

Preserved:		
Brine	.....	B
Discarded	.....	D
Fresh	.....	R
Frozen	.....	F
Ice	.....	I
Salted	.....	S
Other	.....	O
Processed:		
Fillet	.....	F
Gutted	.....	G
Headed	.....	H
Headed and gutted	.....	B
Meal (reduced to)	.....	M
Shelled/shucked	.....	S
Whole	.....	W
Other	.....	O

SPECIES CODE

Scientific name	Code	Common English name
<i>Alosa aestivalis</i>	334	Blueback herring.
<i>Alosa mediocris</i>	360	Fluke/shad.
<i>Alosa pseudoharengus</i>	302	Alewife.
<i>Alosa sapidissima</i>	310	Shad.
<i>Anodyta americana</i>	172	Latinee.
<i>Anarhichas lupus</i>	188	Wolfish.
<i>Anchoa mitchilli</i>	224	Anchovy.
<i>Anguilla rostrata</i>	308	Common eel.
<i>Archosargus probatocephalus</i>	412	Sheepshead.
<i>Arctia islandica</i>	516	Ocean quahog.
<i>Argentina silus</i>	312	Argentine.
<i>Brevoortia tyrannus</i>	216	Menhaden.
<i>Brosme brosme</i>	144	Cusk.
<i>Cancer borealis</i>	608	Jonah crab.
<i>Cancer irroratus</i>	602	Rock crab.
<i>Centropristis striatus</i>	332	Black sea bass.
<i>Chionoectes opilio</i>	610	Spider crab.
<i>Chupea harengus</i>	202	Herring.
<i>Conger oceanicus</i>	306	Conger eel.
Cottidae	174	Sculpins/ searavens.

Scientific name	Code	Common English name
<i>Cynoscion nebulosus</i>	416	Spotted weakfish.
<i>Cynoscion regalis</i>	418	Weakfish.
<i>Euthynnus aletteratus</i>	276	Flake albacora.
<i>Gadus morhua</i>	101	Cod.
<i>Geryon quinqueclens</i>	612	Deep sea red crab.
<i>Glyptocephalus cynoglossus</i>	114	Grey sole flounder.
<i>Hippoglossus hippoglossus</i>	120	Halibut.
<i>Hippoglossus platessoides</i>	112	American dab.
<i>Homarus americanus</i>	622	Northern lobster.
<i>Illex illecebrosus</i>	504	Short-finned squid.
<i>Katsuwonus pelamis</i>	282	Skipjack.
<i>Leiostomus xanthurus</i>	414	Spot.
<i>Limanda ferruginea</i>	116	Yellowtail flounder.
<i>Limulus polyphemus</i>	672	Horseshoe crab.
<i>Liopsetta putnami</i>	129	Smooth flounder.
<i>Lithodes maia</i>	619	Northern stone crab.
<i>Loligo peali</i>	502	Long-finned squid.
<i>Lophius americanus</i>	132	Anglerfish.
<i>Lopholatilus chamaeleonticeps</i>	182	Tilefish.
<i>Macrozoarces americanus</i>	164	Ocean pout.
<i>Melanogrammus aeglefinus</i>	102	Haddock.
<i>Menidia menidia</i>	320	Silversides.
<i>Menticirrhus saxatilis</i>	158	King whiting.
<i>Merluccius bilinearis</i>	104	Silver hake.
<i>Microgadus tomcod</i>	138	Tomcod.
<i>Microgogon undulatus</i>	314	Croaker.
<i>Morone americana</i>	440	White perch.
<i>Morone saxatilis</i>	420	Striped bass.
<i>Mugil cephalus</i>	370	Mullet.
<i>Mustelus canis</i>	459	Smooth dogfish.
<i>Osmerus mordax</i>	400	Smelt.
<i>Panulirus argus</i>	649	Spiny lobster.
<i>Paralichthys dentatus</i>	124	Summer flounder.
<i>Paralichthys oblongus</i>	129	Four-spot flounder.
<i>Peprilus alepidotus</i>	380	Harvestfish.
<i>Peprilus triacanthus</i>	212	Butterfish.
Peristediidae	136	Searobins.
<i>Placopecten magellanicus</i>	536	Sea scallop.
<i>Pleuronectes furcatus</i>	129	Flatfish (NS).
<i>Poosias cromis</i>	330	Black drum.
<i>Pollachius virens</i>	106	Pollock.
<i>Pomatomus saltatrix</i>	228	Bluefish.
<i>Pseudopleuronectes americanus</i>	122	Winter flounder.
<i>Rachycentron canadus</i>	344	Cobia.
Rajidae	479	Skates (NS).
<i>Rhinichthys hippoglossoides</i>	118	Greenland halibut.
<i>Salmo salar</i>	318	Salmon.
<i>Sarda sarda</i>	274	Atlantic bonito.
<i>Sciaenops ocellatus</i>	402	Red drum.
<i>Scomber scombrus</i>	204	Mackerel.
<i>Scomberoxa saurus</i>	220	Saury.
<i>Scomberomorus cavalla</i>	240	Cavalla.
<i>Scomberomorus maculatus</i>	244	Spanish mackerel.
<i>Sebastes marinus</i>	103	Ocean perch
<i>Selachii</i>	469	Sharks (NS).
<i>Sphaeroides maculatus</i>	160	Swellfish.
<i>Spisula solidissima</i>	520	Surf clam.
<i>Squalus acanthias</i>	452	Spiny lobster.
<i>Stenotomus chrysops</i>	176	Scup.
<i>Tautoga onitis</i>	180	Tautog.
<i>Tautoglabrus adspersus</i>	142	Cunner.
<i>Thunnus albacares</i>	284	Yellowfin tuna.
<i>Thunnus obesus</i>	278	Bigeye tuna.
<i>Thunnus thynnus</i>	280	Atlantic bluefin tuna.
Triglidae	136	Searobins (NS).
<i>Urophycis chuss</i>	105	Red hake.
<i>Urophycis tenuis</i>	186	White hake.
<i>Xiphias gladius</i>	264	Swordfish.

GENERAL CLASSIFICATIONS FOR SPECIES NOT LISTED

Flatfishes (NS)	129
Groundfish (NS)	199
Pelagic fish (NS)	289
Finfishes (NS)	499
Squids (NS)	509
Clams (NS)	529
Marine mollusks (NS)	580
Marine crabs (NS)	619
Marine crustaceans (NS)	649

§ 611.51 Squids.

(a) Purpose. Regulations of this section shall apply to short-finned squid (*Illex illecebrosus*) and long-finned squid (*Loligo peali*), taken by foreign fishing vessels with a valid permit during the period March 1, 1977 to December 31, 1977 within the Atlantic Ocean area over

which the United States exercises exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this subpart will have the meanings ascribed to them in Subpart A of these regulations.

(b) *Catch quota.* Catch quotas for short-finned squid and long-finned squid allocated for 1977 only are:

(1) Short-finned squid—23,500 metric tons.

(2) Long-finned squid—19,000 metric tons.

(c) *Open season and areas.* The open seasons for directed fisheries for short-finned and long-finned squid by foreign fishing vessels shall pertain to the five specified fishing areas (numbered 1 through 5) and each bounded by straight lines connecting the following coordinates:

AREA 1—November 1 through December 31: 37°00' N. lat., 74°40' W. long.; 37°00' N. lat., 74°10' W. long.; 35°30' N. lat., 74°30' W. long.; 35°30' N. lat., 75°00' W. long.

AREA 2—March, June 15 through September 15, November 1 through December 31: 37°00' N. lat., 74°30' W. long.; 38°00' N. lat., 73°53' W. long.; 39°20' N. lat., 72°30' W. long.; 40°00' N. lat., 71°05' W. long.; 40°00' N. lat., 70°00' W. long.; 39°40' N. lat., 70°00' W. long.; 39°40' N. lat., 71°20' W. long.; 38°00' N. lat., 73°20' W. long.; 37°00' N. lat., 74°10' W. long.

AREA 3—March, November, through December 31: 37°00' N. lat., 74°40' W. long.; 38°00' N. lat., 74°10' W. long.; 39°34' N. lat., 72°30' W. long.; 39°20' N. lat., 72°30' W. long.; 38°00' N. lat., 73°53' W. long.; 37°00' N. lat., 74°30' W. long.

AREA 4—March 1, 1977 through March 31, 1977. 39°34' N. lat., 72°30' W. long.; 39°56' N. lat., 72°00' W. long.; 40°20' N. lat., 70°30' W. long.; 40°13' N. lat., 70°00' W. long.; 40°00' N. lat., 70°00' W. long.; 40°00' N. lat., 71°05' W. long.; 39°20' N. lat., 72°30' W. long.

AREA 5—March, July 1 through August 15; 40°13' N. lat., 70°00' W. long.; 40°07' N. lat., 69°30' W. long.; 40°50' N. lat., 67°00' W. long.; 40°20' N. lat., 67°00' W. long.; 39°40' N. lat., 69°00' W. long.; 39°40' N. lat., 70°00' W. long.

(d) *Closed season and areas.* The National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for species under this section. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of short-finned squid and long-finned squid, notification of such determination shall be made to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for short-finned or long-finned squid in the authorized area, and may continue to take and possess only those amounts of short-finned or long-finned squid in accordance with the incidental catch provision of paragraph (g).

(e) *Gear restrictions.* (1) It shall be unlawful for any foreign vessel fishing for short- and/or long-finned squid, under this section, to use any trawl nets having in any part of the net meshes of dimensions less than 60 mm (2½ inches) as measured by the gauge specified

below. Provided, however that solely for calendar year 1977, vessels fishing for squid that have traditionally used nets with a mesh size of less than 60 mm (2½ inches) may continue to use such nets. Provided further that prior to use of such nets the Regional Director, Northeast Region is notified of the intent to use such nets and he be allowed to inspect such nets. These mesh sizes relate to manila twine netting when measured wet after use or the equivalent thereof when measured dry before use. The Secretary may, on the basis of scientific advice as to selectivity equivalents, determine the appropriate mesh sizes when trawl nets made of materials other than manila are used or when seine nets are used.

(1) Mesh sizes are measured by a flat wedge-shaped gauge having a taper of 2 centimeters in 8 centimeters and a thickness of 2.3 millimeters, inserted into meshes under a pressure or pull of 5 kilograms. The mesh size of a net shall be taken to be the average of the measurements of any series of twenty consecutive meshes, at least ten meshes from the lacings, and when measured in the codend of the net beginning at the after end and running parallel to the long axis.

(ii) It shall be unlawful for any foreign vessel fishing for short- and/or long-finned squid to use any means or device which would obstruct the meshes of the nets or which would otherwise, in effect, diminish the size of the meshes of the nets, provided that devices may be attached to the upper side of the codend in such a manner that they will not obstruct the meshes of the codend. Any such device, on the basis of scientific evidence, must not obstruct the meshes or reduce significantly the selectivity of the codend.

(f) *Reporting.* Each foreign country is responsible for the fishing data collection and the statistical reporting requirements identified in the following subparagraphs, for each of its fishing vessels authorized under § 611.3, and shall submit the required reports to:

Regional Director, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts, 01930.

(1) Operators of all fishing vessels permitted under a Governing International Fisheries Agreement to fish in the Fishery Conservation Zone (FCZ) of the United States in the Atlantic Ocean, North of Cape Hatteras shall record their catches during the permit period on a daily basis according to position, amount, date, type of gear, amount of effort, i.e., number of sets (or hooks) \times time gear on the bottom (otter trawl) or fishing (midwater trawl, lines, other gear), discards, catch composition, and disposition of catch. Such vessels shall also record on a daily basis the estimated cumulative catch, including discards, by individual species, of all fish taken in the FCZ. The record shall include the disposition of the catch, while not subtracting any fish offloaded while the vessel is operating in the Fishery Conservation Zone and shall be retained aboard

the vessel for the duration of the permit period. A form for such report is attached to these regulations as Appendix I. The necessary code numbers for completion of this form are listed in Appendix III to these regulations.

(2) A biweekly report will be submitted by each country's designated official showing effort and yield, Sunday through Saturday of the 2 (two) week period, and cumulative effort and yield for the calendar year, for each species being harvested by all of its authorized vessels. This report should arrive at the address specified in (f) no later than Thursday of the week following the two (2) week period of the report.

(3) Three months after the close of each quarter, catch and effort statistics for biweekly time periods for 0°30' square areas shall be reported by vessel for the previous quarter by the country's designated official. These will be reported using 0°30' square Statlant 21B Forms or magnetic tape, computer cards, or printouts for all species and gear types.

(4) Each foreign country's designated official shall for each of its vessels authorized under Section 611.3, submit in writing:

(i) A report within 24 hours of any change in directed fishing by a vessel.

(ii) A report 24 hours after the vessel transferred fishing operations from one authorized area to another.

(iii) A report 24 hours after a vessel has ceased fishing operations with intent to depart the FCZ. These reports will include vessel identification, reporting circumstances, effort (if applicable), yield (if applicable), and amount and composition of fishmeal (if applicable). A form for such report is attached to these Regulations as Appendix II. The necessary code numbers for completion of the form are listed in Appendix III to these Regulations.

(5) The owner or operator of any foreign fishing vessel shall be required to obtain scientific samples of fish catches in accordance with established procedures agreed to under the Governing International Fisheries Agreements (GIFAS).

(6) The Secretary may require from time to time additional information concerning fishing operations of fishing vessels of a foreign country. Such information shall be provided in accordance with the procedures provided to the vessels or country.

(g) *Incidental catch.* The taking of herring, mackerel or butterfish is permitted as an incidental catch in the directed short-finned squid or long-finned squid fishery. The quantity of herring, mackerel or butterfish shall not exceed the incidental catch allocation provided to the foreign country. When the allocation of herring, mackerel or butterfish has been reached prior to reaching the allocation of short-finned or long-finned squid, fishing for short-finned or long-finned squid shall cease. Upon determination that a foreign country has caught its assigned quota of short-finned or long-finned squid, the directed fishing by that country will be closed as provided in paragraph (d). Subsequently incidental

catch of that species shall be limited to no more than 1 percent of the total weight of the catch on board any vessel for which the fishery has been closed.

(h) *Other by-catch limitation.* Foreign vessels may have on board vessels at any time the species listed below in an amount not to exceed 2,500 kg or one percent of all other fish on board individually or (7½%) seven and one-half percent or 12,000 kg (whichever is greater) collectively: bluefish (*Pomatomus saltatrix*), tautog (*Tautoga onitis*), scup (*Stenotomus shrypsops*), weakfish (*Cynoscion regalis*), river herring (*Alosa pseudoharengus*), croaker (*Micropogon undulatus*), spot (*Leiostomus xanthurus*), and American shad (*Alosa sapidissima*).

(i) *Restrictions.* (1) Except as expressly provided for by a permit, no foreign fishing vessel shall

(1) Conduct a directed fishery for striped bass (*Morone saxatulus*) and any Continental Shelf Fishery resource, as such term is defined in the Fishery Conservation and Management Act of 1976 section 3(4), appertaining to the United States;

(ii) Retain any striped bass and any such Continental Shelf fishery resource appertaining to the United States taken incidentally from the Continental Shelf; or

(iii) Fail to return promptly to the sea with a minimum of injury and striped bass and any such Continental Shelf fishery resource.

(2) No operator of any foreign fishing vessel shall conduct any fishing within 12 nautical miles of the baseline used to measure the Territorial Sea of the United States unless expressly authorized.

(j) *Fixed gear avoidance.* (1) All foreign fishing vessels are prohibited from fishing between the 100-200 fathom depths on the Continental Shelf in the Atlantic north of Cape Hatteras within authorized fishing zones.

(2) Fishing is prohibited in areas of reported fixed gear outside of the 100-200 fathom lines. The operator of each foreign vessel operating in an authorized fishing zone shall exercise caution when fishing within 2 nautical miles of such reported gear areas. Locations of fixed gear in geographic coordinates (latitude and longitude) are broadcast on the first day of each month by Coast Guard Communications Station Boston (NMS) on 472 KHZ at 1350 GMT. Operation in areas of fixed gear locations shall be at the risk of the operator of the foreign vessel for liability purposes resulting from damage to fixed gear. Locations of fixed gear in geographic coordinates (latitude and longitude) are broadcast on the first day of each month by Coast Guard Communications Station Boston (NMF) on 472 MHZ at 1350 GMT in radiotelegraphy. These summary lists are updated each day at 1350 GMT, with a broadcast on the same frequency listing changes in fixed fishing gear locations reported by fishermen. Additionally, voice broadcasts in English are made each day by NMF on 2670 KHZ at 1405 GMT and by Coast

Guard Communications Station Portsmouth (NMN) on 2670 KHZ at 1350 GMT and by the Boston Marine Operator, and Norfolk Marine Operator after their scheduled Marine Information broadcasts. The voice broadcasts list the locations of the fixed gear in LORAN A Coordinates. Both the radiotelegraphy and voice broadcasts are numbered sequentially by month, day, and year. A printed monthly summary of fixed gear information is available by contacting: COMMANDER (Ao1), U.S. Coast Guard, Atlantic Area, Governors Island, New York, NY, 10004; Telephone: (212) 264-0644 or (212) 264-0645. All operators of foreign fishing vessels shall copy such daily fixed gear broadcasts and shall maintain on the bridge of such vessel a chart showing the current location of fixed gear in areas where it will be fishing.

(k) *Loading zones.* Foreign fishing vessel may conduct loading operations from March 1, 1977 to December 31, 1977 in the waters of the Fishery Conservation Zone of the United States of America in the areas bounded by straight lines connecting the following coordinates:

40°40'55" N. lat., 72°40'00" W. long.;
40°42'02" N. lat., 72°36'16" W. long.; 40°35'34" N. lat., 72°36'16" W. long.; 40°34'31" N. lat., 72°40'00" W. long.; 39°09'00" N. lat., 74°32'00" W. long.; 39°11'30" N. lat., 74°30'00" W. long.; 39°08'00" N. lat. 74°24'00" W. long.; 39°05'30" N. lat., 74°26'00" W. long.; 37°26'30" N. lat., 75°32'00" W. long.; 37°29'30" N. lat., 75°30'30" W. long.; 37°27'30" N. lat., 75°28'30" W. long.; 37°24'30" N. lat., 75°25'00" W. long.

APPENDIX I

Record of Cumulative Catch

(in metric tons round weight)

Vessel Name/Number (01) _____

PERMIT NO. _____

Date			Species (name & code no.)			Species (name & code no.)			Species (name & code no.)		
Day	Month	Year	Permit area			Permit area			Permit area		
			Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total

NOTE: Cumulative listings are not to subtract any fish off-loaded while vessel is operating in regulated species. Disposition (all categories to be included in cumulative total): C (consumption); M (fishmeal); D (discards).

APPENDIX II

REPORT ON FISHING VESSEL EFFORT/ YIELD

Vessel Identification

Name _____ Hull No. _____

Natl. _____ Type _____ Permit No. _____

Reporting Circumstances:

Date _____ Position _____ Type _____

Effort:

Bgn. Date _____ End Date _____ Spt. _____ Wx. _____ Fish _____

Yield:

Species	Tons	Proc.	Species	Tons	Proc.

Comments:

APPENDIX III

COUNTRY CODE

Bulgaria	.....	BU
Canada	.....	CA
Cuba	.....	CU
Denmark	.....	DA
France	.....	FR
German Democratic Republic	.....	GC
Federal Republic of Germany	.....	GE
Greece	.....	GR
Ireland	.....	IR
Italy	.....	IT
Japan	.....	JA
Korea	.....	KS
Poland	.....	PL
Romania	.....	RO
Spain	.....	SP
United Kingdom	.....	UK
U.S.S.R.	.....	UR

VESSEL-TYPE CODE

Base ship	.....	BA
Clam dredge	.....	CD
Enforcement	.....	EF
Longliner	.....	LL
Multitrig	.....	MR
Pot vessel	.....	PB
Research	.....	RE
Sport boat	.....	SP
Stern trawler	.....	ST
Slide trawler	.....	SI
Scalloper	.....	SC
Tanker	.....	TK
Tug	.....	TG
Transport	.....	TP
Other	.....	OT

REPORTING CIRCUMSTANCE CODE TYPE

Change in fishery	.....	XF
Change in area window	.....	XW
Enter fishery conservation zone	.....	XE
Leave fishery conservation zone	.....	XL
Required weekly report	.....	XP
Other	.....	OT

PROCESSING CODE

Preserved:	.....	B
Brine	.....	B
Discarded	.....	D
Fresh	.....	F
Frozen	.....	F
iced	.....	I
Salted	.....	S
Other	.....	O
Processed:	.....	O
Fillet	.....	F
Gutted	.....	G
Headed and gutted	.....	H
Headed	.....	H
Meat (reduced to)	.....	M
Shelled/shucked	.....	S
Whole	.....	W
Other	.....	O

SPECIES CODE

Scientific name	Code	Common English name
<i>Aloa aestivalis</i>	234	Blueback herring
<i>Aloa mediocris</i>	300	Hickory shad
<i>Aloa pseudoharengus</i>	302	Alewife
<i>Aloa sapidissima</i>	310	Shad
<i>Amodytes americanus</i>	172	Leannoe
<i>Anarhichas lupus</i>	185	Wolfish
<i>Anchoa mitchilli</i>	224	Anchovy
<i>Anguilla rostrata</i>	306	Common eel
<i>Archosargus probatocephalus</i>	412	Sheepshead
<i>Arctia islandica</i>	516	Ocean quahog
<i>Argentina silus</i>	312	Argentine
<i>Brachyotus tyrannus</i>	216	Menhaden
<i>Brama brama</i>	144	Cusk
<i>Cancer borealis</i>	606	Jonah crab
<i>Cancer irroratus</i>	602	Rock crab
<i>Centropristes striatus</i>	332	Black sea bass
<i>Chionoectes opilio</i>	610	Spider crab
<i>Chupea harengus</i>	202	Herring
<i>Comper oceanicus</i>	306	Conger eel
Cottidae	174	Sculpin/scarvona

Scientific name	Code	Common English name
<i>Cynoscion nebulosus</i>	416	Spotted weakfish
<i>Cynoscion regalis</i>	418	Weakfish
<i>Echymus alietarius</i>	276	False albacore
<i>Gadus morhua</i>	101	Cod
<i>Geryon quinquedens</i>	612	Deep sea red crab
<i>Glyptocephalus cynoglossus</i>	114	Grey sole flounder
<i>Hippoglossus hippoglossus</i>	120	Halibut
<i>Hippoglossus platessoides</i>	112	American dab
<i>Homarus americanus</i>	622	Northern lobster
<i>Illex illecebrosus</i>	504	Short-finned squid
<i>Kalotomus pelamis</i>	282	Skipjack
<i>Leiodonotus xanthurus</i>	414	Spot
<i>Limanda ferruginea</i>	116	Yellowtail flounder
<i>Limulus polyphemus</i>	672	Horseshoe crab
<i>Lipsetta putnami</i>	129	Smooth flounder
<i>Lithodes maia</i>	619	Northern stone crab
<i>Loligo pealei</i>	502	Long-finned squid
<i>Lophius americanus</i>	182	Anglerfish
<i>Lopholatilus chamaeleonticeps</i>	182	Tilefish
<i>Macrobrachium americanum</i>	164	Ocean pout
<i>Melanogrammus aeglefinus</i>	102	Haddock
<i>Menidia menidia</i>	320	Silversides
<i>Menticirrhus saxatilis</i>	158	King whiting
<i>Merluccius bilinearis</i>	104	Silver hake
<i>Microgadus tomcod</i>	138	Tomcod
<i>Micropogon undulatus</i>	314	Croaker
<i>Morone americana</i>	440	White perch
<i>Morone saxatilis</i>	420	Striped bass
<i>Mugil cephalus</i>	370	Mullet
<i>Mustelus canis</i>	459	Smooth dogfish
<i>Omerus mordax</i>	400	Smelt
<i>Penaeus argus</i>	649	Spiny lobster
<i>Paralichthys dentatus</i>	124	Summer flounder
<i>Paralichthys oblongus</i>	129	Four-spot flounder
<i>Pepilius aepidotus</i>	380	Harvestfish
<i>Pepilius triacanthus</i>	212	Butterfish
Peristediidae	136	Searobins
<i>Placopecten magellanicus</i>	536	Sea scallop
Pleuronectiformes	129	Flatfishes (NS)
<i>Pogonias cromis</i>	330	Black drum
<i>Pollachius virens</i>	106	Pellock
<i>Pomatomus saltatrix</i>	228	Bluefish
<i>Pseudopleuronectes americanus</i>	122	Winter flounder
<i>Rachycentron canadus</i>	344	Cobia
Rajidae	479	Skates (NS)
<i>Rheingardius hippoglossoides</i>	118	Greenland halibut
<i>Salmo salar</i>	318	Salmon
<i>Sarda sarda</i>	274	Atlantic bonito
<i>Sciaenops ocellata</i>	402	Red drum
<i>Scomber scombrus</i>	204	Mackerel
<i>Scomberomorus saxurus</i>	220	Saury
<i>Scomberomorus cavalla</i>	240	Cavalla

§ 611.52 Atlantic mackerel.

(a) Purpose. Regulations of this section shall apply to Atlantic mackerel (*Scomber scombrus*) taken by foreign fishing vessels with a valid permit during the period March 1, 1977 to December 31, 1977 within the Atlantic Ocean area over which the United States exercises exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this subpart will have the meanings ascribed to them in subpart A of these regulations.

(b) Catch quota. The 1977 catch quota for Atlantic mackerel shall not exceed 69,000 metric tons.

(c) Open season and areas. The open season for the directed fishery for Atlantic mackerel by foreign fishing vessels shall be from 0801 GMT on October 1, 1977 to December 31, 1977 in the area along the Continental Shelf bounded by the following coordinates as follows:

39°30' N. lat., 71°20' W. long.; 40°20' N. lat., 67°00' W. long.; 40°50' N. lat., 67°00' W. long.; 40°30' N. lat., 69°00' W. long.; 40°30' N. lat., 71°20' W. long.

(d) Closed season and areas. National Marine Fisheries Service shall maintain

records of vessel days and catch of foreign vessels fishing for Atlantic mackerel under this section. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of Atlantic mackerel, notification of such determination shall be made to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for Atlantic mackerel in the authorized area, and may continue to take and possess only those amounts of Atlantic herring in accordance with the incidental catch provisions of paragraph (g).

(e) *Gear restrictions.* (1) It shall be unlawful for any foreign vessel fishing for Atlantic mackerel, to use any other gear than pelagic gear (purse seines or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom).

(2) It shall be unlawful for any foreign fishing vessel fishing for Atlantic mackerel to attach any protective device to pelagic gear or to employ any means that for demersal species in the authorized area described in paragraph (c).

(3) It shall be unlawful for any foreign vessel fishing for mackerel to take mackerel that are less than ten (10) inches (25 cm) in total length.

(f) *Reporting.* Each foreign country is responsible for the fishing data collection and the statistical reporting requirements identified in the following subparagraphs, for each of its fishing vessels authorized under § 611.3, and shall submit the required reports to:

Regional Director, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts 01930.

(1) Operators of all fishing vessels permitted under a Governing International Fisheries Agreement to fish in the Fishery Conservation Zone (FCZ) of the United States in the Atlantic Ocean, North of Cape Hatteras shall record their catches during the permit period on a daily basis according to position, amount, date, type of gear, amount of effort, i.e., number of sets (or hooks) x time gear on the bottom (otter trawl) or fishing (midwater trawl, lines, other gear), discards, catch composition, and disposition of catch. Such vessels shall also record on a daily basis the estimated cumulative catch, including discards, by individual species, of all fish taken in the FCZ. The record shall include the disposition of the catch, while not subtracting any fish off-loaded while the vessel is operating in the Fishery Conservation Zone and shall be retained aboard the vessel for the duration of the permit period. A form for such report is attached to these regulations as Appendix I. The necessary code numbers for completion of this form are listed in Appendix III to these regulations.

(2) A biweekly report will be submitted by each country's designated official showing effort and yield, Sunday through

Saturday of the 2 (two) week period, and cumulative effort and yield for the calendar year, for each species being harvested by all of its authorized vessels. This report should arrive at the address specified in (f) no later than Thursday of the week following the two (2) week period of the report.

(3) Three months after the close of each quarter, catch and effort statistics for biweekly time periods for 0°30' square areas shall be reported by vessel for the previous quarter by the country's designated official. These will be reported using 0°30' square Stabiant 21B Forms or magnetic tape, computer cards, or print-outs for all species and gear types.

(4) Each foreign country's designated official shall for each of its vessels authorized under Section 611.3, submit in writing:

(i) A report within 24 hours of any change in directed fishing by a vessel;

(ii) A report 24 hours after the vessel transferred fishing operations from one authorized area to another;

(iii) A report 24 hours after a vessel has ceased fishing operations with intent to depart the FCZ.

These reports will include vessel identification, reporting circumstances, effort (if applicable), yield (if applicable), and amount and composition of fishmeal (if applicable). A form for such report is attached to these regulations as Appendix II. The necessary code numbers for completion of the form are listed in Appendix III to these regulations.

(5) The owner or operator of any foreign fishing vessel shall be required to obtain scientific samples of fish catches in accordance with established procedures agreed to under the Governing International Fisheries Agreements (GIFAS).

(6) The Secretary may require from time to time additional information concerning fishing operations of fishing vessels of a foreign country. Such information shall be provided in accordance with the procedures provided to the vessels or country.

(g) *Incidental catch.* The taking of other allocated species is permitted as an incidental catch in the directed Atlantic mackerel fishery. The quantity of any allocated species shall not exceed the allocation provided to the foreign country. When the allocation of any of the other species has been reached prior to reaching the allocation of Atlantic mackerel, fishing for Atlantic mackerel shall cease. Upon determination that a foreign country has caught its assigned quota of Atlantic mackerel, the directed fishing by that country will be closed as provided in paragraph (d). Subsequently, incidental catch of that species shall be limited to no more than 3 percent of the total weight of the catch on board any vessel for which the fishery has been closed.

(h) *Other by-catch limitation.* Foreign vessels may have on board vessels at any time the species listed below in an amount not to exceed 2,500 kg or one percent of all other fish on board individually or (7½%) seven and one-half percent or 12,000 kg (whichever is greater) col-

lectively: bluefish (*Pomatomus saltatrix*), tautog (*Tautoga onitis*), scup (*Stenotomus chrysops*), weakfish (*Cynoscion regalis*), river herring (*Alosa pseudoharengus*), croaker (*Micropogon undulatus*), spot (*Leiostomus xanthurus*), and American shad (*Alosa sapidissima*).

(i) *Restrictions.* (1) Except as expressly provided for by a permit, no foreign fishing vessel shall:

(i) Conduct a directed fishery for striped bass (*Morone saxatilis*) and any Continental Shelf Fishery resource, as such term is defined in the Fishery Conservation and Management Act of 1976 section 3(4), appertaining to the United States;

(ii) Retain any striped bass and any such Continental Shelf fishery resource appertaining to the United States taken incidentally from the Continental Shelf; or

(iii) Fail to return promptly to the sea with a minimum of injury any striped bass and any such Continental Shelf fishery resource.

(2) No operator of any foreign fishing vessel shall conduct any fishing within 12 nautical miles of the baseline used to measure the Territorial Sea of the United States unless expressly authorized by a permit.

(j) *Fixed gear avoidance.* (1) All foreign fishing vessels are prohibited from fishing between the 100-200 fathom depths on the Continental Shelf in the Atlantic north of Cape Hatteras within authorized fishing zones.

(2) Fishing is prohibited in areas of reported fixed gear outside of the 100-200 fathom lines. The operator of each foreign vessel operating in an authorized fishing zone shall exercise caution when fishing within 2 nautical miles of such reported gear areas. Locations of fixed gear in geographic coordinates (latitude and longitude) are broadcast on the first day of each month by Coast Guard Communications Station Boston (NMS) on 472 KHZ at 1350 GMT in radiotelegraphy. These summary lists are updated each day at 1350 GMT, with a broadcast on the same frequency listing changes in fixed fishing gear locations reported by fishermen. Additionally, voice broadcasts in English are made each day by NMF on 2670 KHZ at 1405 GMT by Coast Guard Communications Station Portsmouth (NMN) on 2670 KHZ at 1350 GMT and by the Boston Marine Operator, and Norfolk Marine Operator after their scheduled Marine Information broadcasts. The voice broadcasts list the locations of the fixed gear in LORAN A Coordinates. Both the radiotelegraphy and voice broadcasts are numbered sequentially by month, and year. A printed monthly summary of fixed gear information is available by contacting: COMMANDER (A01), U.S. Coast Guard, Atlantic Area, Governors Island, New York, NY, 10004; Telephone: (212) 264-0644 or (212) 264-0645. All operators of foreign fishing vessels shall copy such daily fixed gear broadcasts and shall maintain on

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the bridge of such vessel a chart showing the current location of fixed gear in areas where it will be fishing.

(k) *Loading zones.* Foreign fishing vessel may conduct loading operations from March 1, 1977 to December 31, 1977 in the waters of the Fishery Conservation

Zone of the United States of America in the areas bounded by straight lines connecting the following coordinates:

40°40'55" N. lat., 72°40'00" W. long.; 40°42'02" N. lat., 72°36'16" W. long.; 40°35'34" N. lat., 72°36'16" W. long.; 40°34'31" N. lat., 72°40'00" W. long.; 39°09'00" N. lat., 74°32'

00" W. long.; 39°11'30" N. lat., 74°30'00" W. long.; 39°08'00" N. lat., 74°24'00" W. long.; 39°05'30" N. lat., 74°26'00" W. long.; 37°26'30" N. lat., 75°32'00" W. long.; 37°29'30" N. lat., 75°30'30" W. long.; 37°27'30" N. lat., 75°23'30" W. long.; 37°24'30" N. lat., 75°25'00" W. long.

APPENDIX I

Record of Cumulative Catch

(in metric tons round weight)

Vessel Name/Number (01) _____

PERMIT NO. _____

Date			Species (name & code no.)			Species (name & code no.)			Species (name & code no.)		
Day	Month	Year	Permit area			Permit area			Permit area		
			Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total

NOTE: Cumulative listings are not to subtract any fish off-loaded while vessel is operating in regulated species. Disposition (all categories to be included in cumulative total): C (C) = human consumption; M (M) = fishmeal; D (D) = discards.

APPENDIX II

REPORT ON FISHING VESSEL EFFORT/ YIELD

Vessel Identification

Name _____ Hull No. _____

Natl. _____ Type _____ Permit No. _____

Reporting Circumstances:

Date _____ Position _____ Type _____

Effort:

Bgn.Date _____ End Date _____ Spt. _____ Wx. _____ Fish _____

Yield:

Species	Tons	Proc.	Species	Tons	Proc.
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Comments:

APPENDIX III

COUNTRY CODE	
Bulgaria	BU
Canada	CA
Cuba	CU
Denmark	DA
France	FR
German Democratic Republic	GC
Federal Republic of Germany	GE
Greece	GR
Ireland	IE
Italy	IT
Japan	JA
Korea	KE
Poland	PL
Romania	RO
Spain	SP
United Kingdom	UK
U.S.S.R.	UR

VESSEL-TYPE CODE

Base ship	BA
Clam dredge	CD
Enforcement	EF
Longliner	LL
Multirig	MR
Pot vessel	PB
Research	RE
Sport boat	SP
Stern trawler	ST
Side trawler	SL
Scallop	SC
Tanker	TK
Tug	TG
Transport	TP
Other	OT

REPORTING CIRCUMSTANCE CODE TYPE

Change in fishery	XF
Change in area window	XW
Enter fishery conservation zone	XE
Leave fishery conservation zone	XL
Required weekly report	XP
Other	OT

PROCESSING CODE

Brine	B
Discarded	D
Fresh	R
Frozen	F
iced	I
Salted	S
Other	O
Processed:	
Fillet	F
Gutted	G
Headed and gutted	B
Headed	H
Meal (reduced to)	M
Shelled/shucked	S
Whole	W
Other	O

SPECIES CODE

Scientific name	Code	Common English name
<i>Alosa aestivalis</i>	234	Blueback herring.
<i>Alosa mediocris</i>	360	Hickory shad.
<i>Alosa pseudoharengus</i>	302	Alewife.
<i>Alosa sappidissima</i>	310	Shad.
<i>Amodytes americanus</i>	172	Launce.
<i>Anarhichas lupus</i>	188	Wolfish.
<i>Anchoa mitchilli</i>	224	Anchovy.
<i>Anguilla rostrata</i>	308	Common eel.
<i>Archosargus probatocephalus</i>	412	Sheepshead.
<i>Ardica islandica</i>	516	Ocean quahog.
<i>Argentina silus</i>	312	Argentine.
<i>Erecoortia tyrannus</i>	216	Menhaden.
<i>Brachme bromne</i>	144	Crusk.
<i>Cancer borealis</i>	608	Jonah crab.
<i>Cancer irroratus</i>	602	Rock crab.
<i>Centropistes striatus</i>	332	Black sea bass.
<i>Chionoectes opilio</i>	610	Spider crab.
<i>Clupea harengus</i>	202	Herring.
<i>Conger oceanicus</i>	306	Conger eel.
Cottidae	174	Sculpins/ sea ravens.

<i>Cynoscion nebulosus</i>	418	Spotted weakfish.
<i>Cynoscion regalis</i>	418	Weakfish.
<i>Eubrychius alletteratus</i>	276	Fake albacore.
<i>Gadus morhua</i>	101	Cod.
<i>Geryon quinquevatus</i>	612	Deep sea red crab.
<i>Glyptocephalus cynoglossus</i>	114	Grey sole flounder.
<i>Hippoglossus hippoglossus</i>	120	Halibut.
<i>Hippoglossus platessoides</i>	112	American dab.
<i>Homarus americanus</i>	622	Northern lobster.
<i>Illex illecebrosus</i>	504	Short-finned squid.
<i>Katsuwonus pelamis</i>	282	Skipjack.
<i>Leiostomus xanthurus</i>	414	Spot.
<i>Limanda ferruginea</i>	116	Yellowtail flounder.
<i>Limulus polyphemus</i>	672	Horseshoe crab.
<i>Liopsetta putnami</i>	129	Smooth flounder.
<i>Lithodes maja</i>	619	Northern stone crab.
<i>Loligo pealei</i>	502	Long-finned squid.
<i>Lophius americanus</i>	132	Anglerfish.
<i>Lopholatilus chamaeleonticeps</i>	182	Tilefish.
<i>Macracoarces americanus</i>	164	Ocean pout.
<i>Melanogrammus aeglefinus</i>	102	Haddock.
<i>Meridia meridia</i>	820	Silversides.
<i>Menticirrhus saxatilis</i>	158	King whiting.
<i>Merluccius bilinearis</i>	104	Silver hake.
<i>Microgadus tomcod</i>	138	Tomcod.
<i>Microgobius undulatus</i>	314	Croaker.
<i>Morone americana</i>	440	White perch.
<i>Morone saxatilis</i>	420	Striped bass.
<i>Mugil cephalus</i>	370	Mullet.
<i>Mustelus canis</i>	459	Smooth dogfish.
<i>Osmerus mordax</i>	400	Smelt.
<i>Panulirus argus</i>	649	Spiny lobster.
<i>Paralichthys dentatus</i>	124	Summer flounder.
<i>Paralichthys oblongus</i>	129	Four-spot flounder.
<i>Peprilus alepidotus</i>	380	Harvestfish.
<i>Peprilus triacanthus</i>	212	Butterfish.
Peristedidae	136	Searobins.
<i>Placoepecten magellanicus</i>	536	Sea scallop.
Pleuronectiformes	129	Flatfishes (NS).
<i>Pogonias cromis</i>	330	Black drum.
<i>Pollachius virens</i>	106	Pollock.
<i>Pomatomus saltatrix</i>	228	Bluefish.
<i>Pseudopleuronectes americanus</i>	122	Winter flounder.
<i>Rachycentron canadus</i>	344	Cobia.
Rajidae	479	Skates (NS).
<i>Rhethinarditus hippoglossoides</i>	118	Greenland halibut.
<i>Salmo salar</i>	318	Salmon.
<i>Sarda sarda</i>	274	Atlantic bonito.
<i>Sciaenops ocellatus</i>	402	Red drum.
<i>Scomber scombrus</i>	204	Mackerel.
<i>Scomberesox saurus</i>	220	Saury.
<i>Scomberomorus caralla</i>	240	Cavalla.
<i>Scomberomorus maculatus</i>	244	Spanish mackerel.
<i>Sebastes marinus</i>	103	Ocean perch.
<i>Seiichilii</i>	469	Sharks (NS).
<i>Sphareroidea maculatus</i>	100	Swallowfish.
<i>Spirula solidissima</i>	520	Surf clam.
<i>Squalus acanthias</i>	452	Spiny lobster.
<i>Stenotomus chrysops</i>	176	Scup.
<i>Tautoga onitis</i>	180	Tautog.
<i>Tautopolabrus adspersus</i>	142	Cunner.
<i>Thunnus albacares</i>	284	Yellowfin tuna.
<i>Thunnus obesus</i>	278	Bigeye tuna.
<i>Thunnus thynnus</i>	280	Atlantic bluefin tuna.
Triglidae	136	Searobins (NS).
<i>Urophycis chuss</i>	106	Red hake.
<i>Urophycis tenuis</i>	186	White hake.
<i>Xiphias gladius</i>	264	Swordfish.

GENERAL CLASSIFICATIONS FOR SPECIES NOT LISTED

Flatfishes (NS)	129
Groundfish (NS)	199
Pelagic fish (NS)	299
Finfishes (NS)	469
Squids (NS)	509
Clams (NS)	529
Marine mollusks (NS)	589
Marine crabs (NS)	619
Marine crustaceans (NS)	649

§ 611.53 Atlantic herring.

(a) Purpose. Regulations of this section shall apply to Atlantic herring (*Clupea harengus*) taken by foreign fishing vessels with a valid permit during the period March 1, 1977, to December 31, 1977, within the Atlantic Ocean area over which the United States exercises exclusive fishery management authority. Un-

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less otherwise defined herein, all other terms used in this subpart will have the meanings ascribed to them in subpart A of these regulations.

(b) *Catch quota.* The 1977 catch quota for Atlantic herring shall not exceed 22,000 metric tons. Of this 22,000 metric-ton total, 21,000 is available during the open season and areas described in paragraph (c) below.

(c) *Open season and areas.* The open season for the directed fishery for Atlantic herring by foreign fishing vessels shall be from August 15, 1977, to September 30, 1977, in Division 5Z of Subarea 5 of the ICNAF convention area, in adjacent waters to the west and south within Statistical Area 6, and in an area bounded by straight lines joining the following coordinates: 42°10' N—69°00' W, 42°10' N—68°35' W, 41°30' N—68°35' W, 41°10' N—69°00' W.

(d) *Closed season and areas.* National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for Atlantic herring under this section. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of Atlantic herring, such determination shall be made to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for Atlantic herring in the authorized area, but may continue to take and possess only those amounts of Atlantic herring in accordance with the incidental catch provision of paragraph (g).

(e) *Gear restrictions.* (1) It shall be unlawful for any foreign vessel fishing for Atlantic herring to use any other gear than pelagic gear (purse seines or true midwater trawls, using midwater trawl doors incapable of being fished on the bottom).

(2) It shall be unlawful for any foreign fishing vessel fishing for Atlantic herring to attach any protective device to pelagic gear or to employ any means that would, in effect, make it possible to fish for demersal species in the authorized area described in paragraph (c).

(3) It shall be unlawful for any foreign vessel fishing for Atlantic herring to take Atlantic herring which are less than nine (9) inches (22.7 cm) in total length.

(f) *Reporting.* Each foreign country is responsible for the fishing data collection and the statistical reporting requirements identified in the following subparagraphs, for each of its fishing vessels authorized under § 611.3, and shall submit the required reports to:

Regional Director, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts, 01930.

(1) Operators of all fishing vessels permitted under a Governing International Fisheries Agreement to fish in the Fishery Conservation Zone (FCZ) of the United States in the Atlantic Ocean, North of Cape Hatteras shall record their catches during the permit period on a daily basis according to position,

amount, date, type of gear, amount of effort, i.e., number of sets (or hooks) x time gear on the bottom (otter trawl) or fishing (midwater trawl, lines, other gear), discards, catch composition, and disposition of catch. Such vessels shall also record on a daily basis the estimated cumulative catch, including discards, by individual species, of all fish taken in the FCZ. The record shall include the disposition of the catch, while not subtracting any fish offloaded while the vessel is operating in the Fishery Conservation Zone and shall be retained aboard the vessel for the duration of the permit period. A form for such report is attached to these regulations as Appendix I. The necessary code numbers for completion of this form are listed in Appendix III to these regulations.

(2) A biweekly report will be submitted by each country's designated official showing effort and yield, Sunday through Saturday of the 2 (two) week period, and cumulative effort and yield for the calendar year, for each species being harvested by all of its authorized vessels. This report should arrive at the address specified in (f) no later than Thursday of the week following the two (2) week period of the report.

(3) Three months after the close of each quarter, catch and effort statistics for biweekly time periods for 0°30' square areas shall be reported by vessel for the previous quarter by the country's designated official. These will be reported using 0°30' square Statlant 21B Forms or magnetic tape, computer cards, or printouts for all species and gear types.

(4) Each foreign country's designated official shall for each of its vessels authorized under § 611.3, submit in writing:

(i) a report within 24 hours of any change in directed fishing by a vessel.

(ii) a report 24 hours after the vessel transferred fishing operations from one authorized area to another.

(iii) a report 24 hours after a vessel has ceased fishing operations with intent to depart the FCZ.

These reports will include vessel identification, reporting circumstances, effort (if applicable), yield (if applicable), and amount and composition of fishmeal (if applicable). A form for such report is attached to these Regulations as Appendix II. The necessary code numbers for completion of the form are listed in Appendix III to these Regulations.

(5) The owner or operator of any foreign fishing vessel shall be required to obtain scientific samples of fish catches in accordance with established procedures agreed to under the Governing International Fisheries Agreements (GIFAS).

(6) The Secretary may require from time to time additional information concerning fishing operations of fishing vessels of a foreign country. Such information shall be provided in accordance with the procedures provided to the vessels or country.

(g) *Incidental catch.* The taking of other allocated species is permitted as an

incidental catch in the directed Atlantic herring fishery. The quantity of any allocated species shall not exceed the incidental catch allocation provided to the foreign country. When the allocation of any of the other species has been reached prior to reaching the allocation of Atlantic herring, fishing for Atlantic herring shall cease. Upon determination that a foreign country has caught its assigned quota of Atlantic herring, the directed fishing by that country will be closed as provided in paragraph (d). Subsequently incidental catch of that species shall be limited to no more than 5 percent of the total weight of the catch on board any vessel for which the fishery has been closed.

(h) *Other by-catch limitation.* Foreign vessels may have on board vessels at any time the species listed below in an amount not to exceed 2,500 kg or one percent of all other fish on board individually, or (7½%) seven and one-half percent, or 12,000 kg (whichever is greater) collectively: bluefish (*Pomatomus saltatrix*), tautog (*Tautoga onitis*), scup (*Stenotomus chrysops*), weakfish (*Cynoscion regalis*), river herring (*Alosa pseudoharengus*), croaker (*Micropogon undulatus*), spot (*Leiostomus xanthurus*), and American shad (*Alosa sapidissima*).

(i) *Restrictions.* (1) Except as expressly provided for by a permit, no foreign fishing vessel shall:

(i) conduct a directed fishery for striped bass (*Morone saxatilis*) and any Continental Shelf fishery resource, as such term is defined in the Fishery Conservation and Management Act of 1976, section 3(4), appertaining to the United States;

(ii) retain any striped bass and any such Continental Shelf fishery resource appertaining to the United States taken incidentally from the Continental Shelf; or

(iii) fail to return promptly to the sea with a minimum of injury any striped bass and any such Continental Shelf fishery resource.

(2) No operator of any foreign fishing vessel shall conduct any fishing within 12 nautical miles of the baseline used to measure the Territorial Sea of the United States unless expressly authorized.

(j) *Fixed gear avoidance.* (1) All foreign fishing vessels are prohibited from fishing between the 100-200 fathom depths on the Continental Shelf in the Atlantic north of Cape Hatteras within authorized fishing zones.

(2) Fishing is prohibited in areas of reported fixed gear outside of the 100-200 fathom lines. The operator of each foreign vessel operating in an authorized fishing zone shall exercise caution when fishing within 2 nautical miles of such reported gear areas.

(3) Locations of fixed gear in geographic coordinates (latitude and longitude) are broadcast on the first day of each month by Coast Guard Communications Station Boston (NMS) on 472 KHz at 1350 GMT in radioteleg-

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raphy. These summary lists are updated each day at 1350 GMT, with a broadcast on the same frequency listing changes in fixed fishing gear locations reported by fishermen. Additionally, voice broadcasts in English are made each day by NMF on 2670 KHZ at 1405 GMT by Coast Guard Communications Station Portsmouth (NMN) on 2670 KHZ at 1350 GMT and by the Boston Marine Operator and Norfolk Marine Operator after scheduled Marine Information broadcasts. The voice broadcasts list locations of the fixed gear in LORAN A Coordinates. Both the radiotelegraphy and voice broadcasts

are numbered sequentially by month, day, and year. A printed monthly summary of fixed gear information is available by contacting: COMMANDER (A01), U.S. Coast Guard, Atlantic Area, Governors Island, New York, NY, 10004; Telephone: (212) 264-0644 or (212) 264-0645. All operators of foreign fishing vessels shall copy such daily fixed gear broadcasts and shall maintain on the bridge of such vessel a chart showing the current location of fixed gear in areas where it will be fishing.

(k) *Loading zones.* Foreign fishing vessels may conduct loading operations from March 1, 1977 to December 31, 1977

in the waters of the Fishery Conservation Zone of the United States of America in the areas bounded by straight lines connecting the following coordinates:

40°40'55" N. lat., 72°40'00" W. long.; 40°42'-02" N. lat., 72°36'16" W. long.; 40°35'34" N. lat., 72°36'16" W. long.; 40°34'31" N. lat., 72°40'00" W. long.; 39°09'00" N. lat., 74°40'00" W. long.; 39°09'00" N. lat., 74°32'00" W. long.; 39°11'30" N. lat., 74°30'00" W. long.; 39°08'00" N. lat., 74°24'00" W. long.; 39°05'30" N. lat., 74°26'00" W. long.; 37°26'30" N. lat., 75°32'00" W. long.; 37°29'30" N. lat., 75°30'30" W. long.; 37°27'30" N. lat., 75°23'30" W. long.; 37°24'30" N. lat., 75°25'00" W. long.

APPENDIX I

Record of Cumulative Catch

(in metric tons round weight)

Vessel Name/Number (01) _____

PERMIT NO. _____

Date			Species (name & code no.)			Species (name & code no.)			Species (name & code no.)		
Day	Month	Year	Permit area			Permit area			Permit area		
			Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total

NOTE: Cumulative listings are not to subtract any fish off-loaded while vessel is operating in regulated species. Disposition (all categories to be included in cumulative total): C (fish) = human consumption; M (fish) = fishmeal; D (fish) = discards.

APPENDIX II

REPORT ON FISHING VESSEL EFFORT/ YIELD

Vessel Identification

Name _____ Hull No. _____

Natl. _____ Type _____ Permt No. _____

Reporting Circumstances:

Date _____ Position _____ Type _____

Effort:

Bgn. Date _____ End Date _____ Spl. _____ Wx. _____ Fish _____

Yield:

Species	Tons	Proc.	Species	Tons	Proc.
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Comments:

COUNTRY CODE		PROCESSING CODE	
Bulgaria.....	BU	Preserved.....	
Canada.....	CA	Brine.....	B
Cuba.....	CU	Discarded.....	D
Denmark.....	DA	Fresh.....	R
France.....	FR	Frozen.....	F
German Democratic Republic.....	GC	Ice.....	I
Federal Republic of Germany.....	GE	Salted.....	S
Greece.....	GR	Other.....	O
Ireland.....	EI	Processed:	
Italy.....	IT	Fillet.....	F
Japan.....	JA	Gutted.....	G
Korea.....	KS	Headed and gutted.....	B
Poland.....	PL	Headed.....	H
Romania.....	RO	Meal (reduced to).....	M
Spain.....	SP	Shelled/shucked.....	S
United Kingdom.....	UK	Whole.....	W
U.S.S.R.....	UR	Other.....	O

VESSEL-TYPE CODE		SPECIES CODE	
Base ship.....	BA	Scientific name	Code
Clam dredge.....	CD	Common English name	
Enforcement.....	EF		
Longliner.....	LL		
Multiring.....	MR		
Pot vessel.....	PB		
Research.....	RE		
Sport boat.....	SP		
Stern trawler.....	ST		
Side trawler.....	ST		
Scalloper.....	SC		
Tank or.....	TK		
Tug.....	TG		
Transport.....	TP		
Other.....	OT		

REPORTING CIRCUMSTANCE CODE TYPE	
Change in fishery.....	XF
Change in area window.....	XW
Enter fishery conservation zone.....	XE
Leave fishery conservation zone.....	XL
Required weekly report.....	XP
Other.....	OT

<i>Alosa aestivalis</i>	334	Blueback herring.
<i>Alosa mediocris</i>	360	Hickory shad.
<i>Alosa pseudoharengus</i>	302	Alewife.
<i>Alosa sappidissima</i>	310	Shad.
<i>Amodytes americanus</i>	172	Lanuce.
<i>Anarhichas lupus</i>	188	Wolfish.
<i>Anchoa mitchilli</i>	224	Anchovy.
<i>Anguilla rostrata</i>	306	Common eel.
<i>Archosargus probatocephalus</i>	412	Sheepshead.
<i>Arctia islandica</i>	516	Ocean quahog.
<i>Argentino silus</i>	312	Argentine.
<i>Brevoortia tyrannus</i>	216	Menhaden.
<i>Brome brome</i>	144	Cusk.
<i>Cancer borealis</i>	606	Jonah crab.
<i>Cancer irroratus</i>	602	Rock crab.
<i>Centropristis striatus</i>	332	Black sea bass.
<i>Chionoecetes opilio</i>	610	Spider crab.

Scientific name	Code	Common English name
<i>Clupea harengus</i>	202	Herring.
<i>Conger oceanicus</i>	306	Conger eel.
Cottidae.....	174	Sculpins/
		searavens.
<i>Cynoscion nebulosus</i>	416	Spotted weakfish.
<i>Cynoscion regalis</i>	418	Weakfish.
<i>Euthynnus alletteratus</i>	276	False albacore.
<i>Gadus morhua</i>	101	Cod.
<i>Geryon quinqueiensis</i>	612	Deep sea red crab.
<i>Glyptocephalus cynoglossus</i>	114	Grey sole flounder.
<i>Hippoglossus hippoglossus</i>	120	Halibut.
<i>Hippoglossus platessoides</i>	112	American dab.
<i>Homarus americanus</i>	622	Northern lobster.
<i>Ilex illecebrosus</i>	504	Short-finned squid.
<i>Kalanusonus pelamis</i>	282	Skipjack.
<i>Leostomus xanthurus</i>	414	Spot.
<i>Limnada ferruginea</i>	116	Yellowtail flounder.
<i>Limulus polyphemus</i>	672	Horseshoe crab.
<i>Liopsetta pulnami</i>	129	Smooth flounder.
<i>Lithodes maia</i>	619	Northern stone crab.
<i>Loligo pealei</i>	502	Long-finned squid.
<i>Lophius americanus</i>	132	Anglerfish.
<i>Lopholatilus chamaeleonticeps</i>	182	Tilefish.
<i>Macrocaracus americanus</i>	164	Ocean pout.
<i>Melanogrammus aeglefinus</i>	102	Haddock.
<i>Menidia menidia</i>	320	Silversides.
<i>Menticirrhus saxatilis</i>	158	King whiting.
<i>Merluccius bilinearis</i>	104	Silver hake.
<i>Microgadus tomcod</i>	138	Tomcod.
<i>Micropogon undulatus</i>	314	Croaker.
<i>Morone americana</i>	440	White perch.
<i>Morone saxatilis</i>	420	Striped bass.
<i>Mugil cephalus</i>	370	Mullet.
<i>Mustelus canis</i>	459	Smooth dogfish.
<i>Osmerus mordax</i>	400	Smelt.
<i>Panulirus argus</i>	649	Spiny lobster.
<i>Paralichthys dentatus</i>	124	Summer flounder.
<i>Paralichthys oblongus</i>	129	Four-spot flounder.
<i>Peprius alepidotus</i>	380	Harvestfish.
<i>Peprius triacanthus</i>	212	Butterfish.
Peristediidae.....	136	Searobins.
<i>Placcopecten magellanicus</i>	536	Sea scallop.
Pleuronectiformes.....	129	Flatfishes (NS).
<i>Pogonias cromis</i>	330	Black drum.
<i>Pollachius virens</i>	106	Pollock.
<i>Pomatomus saltatrix</i>	228	Bluefish.
<i>Pseudopleuronectes americanus</i>	122	Winter flounder.
<i>Rachycentron canadus</i>	344	Cobia.
Rajidae.....	479	Skates (NS).
<i>Rheinhardius hippoglossoides</i>	118	Greenland halibut.
<i>Salmo salar</i>	318	Salmon.
<i>Sarda sarda</i>	274	Atlantic bonito.
<i>Sciaenops ocellata</i>	402	Red drum.
<i>Scomber scombrus</i>	204	Mackerel.
<i>Scomberesox saurus</i>	220	Saury.
<i>Scomberomorus cavalla</i>	240	Cavalla.
<i>Scomberomorus maculatus</i>	244	Spanish mackerel.
<i>Sebastes marinus</i>	105	Ocean perch.
Selachii.....	469	Sharks (NS).
<i>Sphaeroides maculatus</i>	160	Swellfish.
<i>Spisula solidissima</i>	520	Surf clam.
<i>Squalus acanthias</i>	452	Spiny lobster.
<i>Stenotomus chrysops</i>	176	Scup.
<i>Tautoga onitis</i>	180	Tautog.
<i>Tautoglabrus adspersus</i>	142	Cunner.
<i>Thunnus albacares</i>	284	Yellowfin tuna.
<i>Thunnus obesus</i>	278	Bigeye tuna.
<i>Thunnus thynnus</i>	280	Atlantic bluefin tuna.
Triglidae.....	136	Searobins (NS).
<i>Urophycis chuss</i>	105	Red hake.
<i>Urophycis tenuis</i>	186	White hake.
<i>Xiphias gladius</i>	264	Swordfish.

GENERAL CLASSIFICATIONS FOR SPECIES NOT LISTED

Flatfishes (NS).....	129
Groundfish (NS).....	199
Pelagic fish (NS).....	299
Finfishes (NS).....	499
Squids (NS).....	509
Clams (NS).....	529
Marine mollusks (NS).....	589
Marine crabs (NS).....	619
Marine crustaceans (NS).....	649

§ 611.54 Other finfish.

(a) Purpose. Regulations of this section shall apply to all species except cod (*Gadus morhua*), haddock (*Melano-*

grammus aeglefinus), redfish (*Sebastes marinus*), silver hake (*Merluccius bilinearis*), red hake (*Urophycis chuss*), pollock (*Pollachius virens*), Atlantic herring (*Clupea harengus*), mackerel (*Scomber scombrus*), yellowtail flounder (*Limanda ferruginea*) swordfish (*Xiphias gladius*), sharks except dogfish, billfish, and menhaden taken by foreign fishing vessels with a valid permit during the period March 1, 1977 to December 31, 1977 within the Atlantic Ocean area over which the United States exercises exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this subpart will have the meanings ascribed to them in subpart A of these regulations.

(b) *Catch quota.* The 1977 catch quota for other finfish which is expected to be taken only as incidental catch under provision of paragraphs (c) and (g) by foreign fishing vessels shall not exceed 66,000 metric tons. Within the total allocation of 66,000 metric tons, a specific limitation of 5,500 metric tons is provided for butterfish and 500 metric tons for river herring.

(c) *Open season and areas.* The taking of other finfish is only authorized, as indicated by catch, during fishing for hakes, squids, mackerel or Atlantic herring in the areas and during the periods prescribed in §§ 611.50, 611.51, 611.52, and 611.53.

(d) *Closed season and areas.* National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels taking other finfish species under provisions of paragraph (c). Upon determination by the Director that foreign fishing vessels of a country have taken its assigned allocation of other finfish, such determination shall be made to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease fishing as provided for under paragraph (2) of this section for other finfish in the authorized area, but may continue to take and possess only those amounts of other finfish in accordance with the incidental catch provision paragraph (g).

(e) *Gear restrictions.* The restrictions established for each of the directed fisheries (§§ 611.50, 51, 52 and 53) shall apply.

(f) *Reporting.* Each foreign country is responsible for the fishing data collection and the statistical reporting requirements identified in the following subparagraphs, for each of its fishing vessels authorized under § 611.3, and shall submit the required reports to:

Regional Director, National Marine Fisheries Service, 14 Elm Street, Gloucester, Massachusetts, 01930.

(1) Operators of all fishing vessels permitted under a Governing International Fisheries Agreement to fish in the Fishery Conservation Zone (FCZ) of the United States in the Atlantic Ocean, North of Cape Hatteras shall record their catches during the permit period on a daily basis according to position, amount,

date, type of gear, amount of effort, i.e., number of sets (or hooks) x time gear on the bottom (otter trawl) or fishing (midwater trawl, lines, other gear), discards, catch composition, and disposition of catch. Such vessels shall also record on a daily basis the estimated cumulative catch, including discards, by individual species, of all fish taken in the FCZ. The record shall include the disposition of the catch, while not subtracting any fish offloaded while the vessel is operating in the Fishery Conservation Zone and shall be retained aboard the vessel for the duration of the permit period. A form for such report is attached to these regulations as Appendix I. The necessary code numbers for completion of this form are listed in Appendix III to these regulations.

(2) A biweekly report will be submitted by each country's designated official showing effort and yield, Sunday through Saturday of the 2 (two) week period, and cumulative effort and yield for the calendar year, for each species being harvested by all of its authorized vessels. This report should arrive at the address specified in (f) no later than Thursday of the week following the two (2) week period of the report.

(3) Three months after the close of each quarter, catch and effort statistics for biweekly time periods for 0°30' square areas shall be reported by vessel for the previous quarter by the country's designated official. These will be reported using 0°30' square Statlant 21B Forms or magnetic tape, computer cards, or printouts for all species and gear types.

(4) Each foreign country's designated official shall for each of its vessels authorized under § 611.3, submit in writing:

(i) a report within 24 hours of any change in directed fishing by a vessel.

(ii) a report 24 hours after the vessel transferred fishing operations from one authorized area to another.

(iii) a report 24 hours after a vessel has ceased fishing operations with intent to depart the FCZ.

These reports will include vessel identification, reporting circumstances, effort (if applicable), yield (if applicable), and amount and composition of fishmeal (if applicable). A form for such report is attached to these regulations as Appendix II. The necessary code numbers for completion of the form are listed in Appendix III to these regulations.

(5) The owner or operator of any foreign fishing vessel shall be required to obtain scientific samples of fish catches in accordance with established procedures agreed to under the Governing International Fisheries Agreements (GIFAS).

(6) The Secretary may require from time to time additional information concerning fishing operations of fishing vessels of a foreign country. Such information shall be provided in accordance with the procedures provided to the vessels or country.

(g) *Incidental Catch.* The taking of other allocated species is permitted as an

incidental catch in other directed fisheries. The total quantity of other finfish species shall not exceed the allocation provided to the foreign country. When the allocation of the other finfish has been reached prior to reaching the allocation of any directed fishery, fishing for the directed fishery shall cease.

(h) *Other By-Catch limitation.* Foreign vessels may have on board vessels at any time the species listed below in an amount not to exceed 2,500 kg or one percent of all other fish on board individually or (7½%) seven and one half percent or 12,000 kg (whichever is greater) collectively: bluefish (*Pomatomus saltatrix*), tautog (*Tautoga onitis*), scup (*Stenotomus chrysops*), weakfish (*Cynoscion regalis*), river herring (*Alosa pseudoharengus*), croaker (*Micropogon undulatus*) spot (*Leiostomus xanthurus*), and American shad (*Alosa sapidissima*).

(i) *Restriction.* (1) Except as expressly provided for by a permit, no foreign fishing vessel shall

(i) conduct a directed fishery for striped bass (*Morone saxatilis*) and any Continental Shelf Fishery resource, as such term is defined in the Fishery Conservation and Management Act of 1976 section 3(4), appertaining to the United States;

(ii) retain any striped bass and any such Continental Shelf fishery resource appertaining to the United States taken incidentally from the Continental Shelf; or

(iii) fail to return promptly to the sea with a minimum of injury any striped bass and any such Continental Shelf fishery source.

(2) No operator of any foreign fishing vessel shall conduct any fishing within 12 nautical miles of the baseline used to measure the Territorial Sea of the United States unless expressly authorized.

(j) *Fixed gear avoidance.* (1) All foreign fishing vessels are prohibited from fishing between the 100-200 fathom depths on the Continental Shelf in the Atlantic north of Cape Hatteras within authorized fishing zones.

(2) Fishing is prohibited in areas of reported fixed gear outside of the 100-200 fathom lines. The operator of each foreign vessel operating in an authorized fishing zone shall exercise caution when fishing within 2 nautical miles of such reported gear areas. Locations of fixed gear in geographic coordinates (latitude and longitude) are broadcast on the first day of each month by Coast Guard Communications Station Boston (NMS) on 472 KHZ at 1350 GMT in radiotelegraphy. These summary lists are updated each day at 1350 GMT, with a broadcast on the same frequency listing changes in fixed fishing gear locations reported by fishermen. Additionally, voice broadcasts in English are made each day by NMF on 2670 KHZ at 1405 GMT by Coast Guard Communications Station Portsmouth (NMN) on 2670 KHZ at 1350 GMT and by the Boston Marine Operator and Norfolk

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Marine Operator after scheduled Marine Information broadcasts. The voice broadcasts list locations of the fixed gear in LORAN A Coordinates. Both the radiotelegraphy and voice broadcasts are numbered sequentially by month,

day, and year. A printed monthly summary of fixed gear information is available by contacting: COMMANDER (A01), U.S. Coast Guard, Atlantic Area, Governors Island, New York, NY, 10004; Telephone: (212) 264-0644 or (212)

264-0645. All operators of foreign fishing vessels shall copy such daily fixed gear broadcasts and shall maintain on the bridge of such vessel a chart showing the current location of fixed gear in areas where it will be fishing.

APPENDIX I

Record of Cumulative Catch

(in metric tons round weight)

Vessel Name/Number (01) _____

PERMIT NO. _____

Date			Species (name & code no.)			Species (name & code no.)			Species (name & code no.)		
Day	Month	Year	Permit area			Permit area			Permit area		
			Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total	Daily Total mt	Disposition C M D	Cumulative total

NOTE: Cumulative listings are not to subtract any fish off-loaded while vessel is operating in regulated species. Disposition (all categories to be included in cumulative total): C (22) = human consumption; F (23) = fishmeal; D (24) = discards.

APPENDIX II

REPORT ON FISHING VESSEL EFFORT/YIELD

Vessel Identification

Name _____ Hull No. _____

Natl. _____ Type _____ Permt No. _____

Reporting Circumstances:

Date _____ Position _____ Type _____

Effort:

Bgn.Date _____ End Date _____ Spl. _____ Wx. _____ Fish _____

Yield:

Species	Tons	Proc.	Species	Tons	Proc.

Comments:

APPENDIX III	
COUNTRY CODE	
Bulgaria	BU
Canada	CA
Cuba	CU
Denmark	DA
France	FR
German Democratic Republic	GC
Federal Republic of Germany	GE
Greece	GR
Ireland	IR
Italy	IT
Japan	JA
Korea	KS
Poland	PL
Romania	RO
Spain	SP
United Kingdom	UK
U.S.S.R.	UR

VESSEL-TYPE CODE	
Base ship	BA
Clam dredge	CD
Enforcement	EF
Longliner	LL
Multirig	MR
Pot vessel	PB
Research	RE
Sport boat	SP
Stern trawler	ST
Side trawler	SI
Scallop	SC
Tanker	TK
Tug	TG
Transport	TP
Other	OT

REPORTING CIRCUMSTANCE CODE TYPE	
Change in fishery	XF
Change in area window	XW
Enter fishery conservation zone	XE
Leave fishery conservation zone	XL
Required weekly report	XP
Other	OT

PRESERVED:	
Drine	B
Discarded	D
Fresh	R
Frozen	F
Iced	I
Salted	S
Other	O

PROCESSED:	
Fillet	F
Gutted	G
Headed and gutted	B
Headed	H
Meal (reduced to)	M
Shelled/shucked	S
Whole	W
Other	O

SPECIES CODE	
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Scientific name	Code	Common English name
<i>Alosa aestivalis</i>	334	Blueback herring.
<i>Alosa mediocris</i>	360	Hickory shad.
<i>Alosa pseudoharengus</i>	302	Alewife.
<i>Alosa sapidissima</i>	310	Shad.
<i>Amodites americanus</i>	172	Launce.
<i>Anarhichas lupus</i>	188	Wolffish.
<i>Anchoa mitchilli</i>	224	Anchovy.
<i>Anguilla rostrata</i>	308	Common eel.
<i>Archosargus probatocephalus</i>	412	Sheepshead.
<i>Arctica islandica</i>	516	Ocean quahog.
<i>Argentina silus</i>	312	Argentine.
<i>Brevoortia tyrannus</i>	216	Menhaden.
	144	Cusk.
<i>Brosme brosme</i>	608	Jonah crab.
<i>Cancer borealis</i>	602	Rock crab.
<i>Cancer irroratus</i>	332	Black sea bass.
<i>Centropristes striatus</i>	610	Spider crab.
<i>Chionoectes opilio</i>	202	Herring.
<i>Clupea harengus</i>		

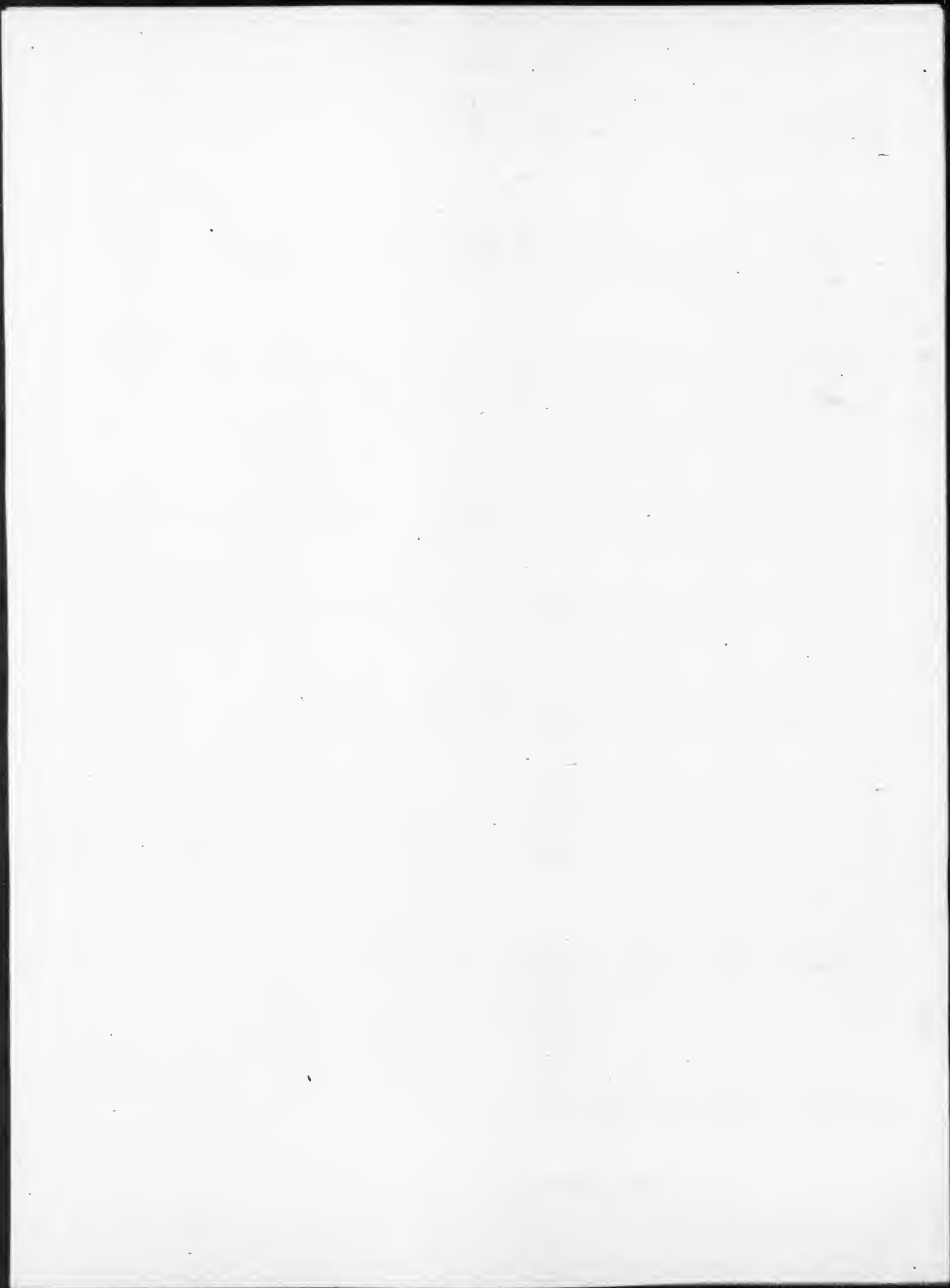
Scientific name	Code	Common English name
<i>Conger oceanicus</i>	306	Conger eel.
Cottidae	174	Sculpin/
		searavens.
<i>Cynoscion nebulosus</i>	416	Spotted weakfish.
<i>Cynoscion regalis</i>	418	Weakfish.
<i>Eubrynus alletteratus</i>	276	False albacore.
<i>Gadus morhua</i>	101	Cod.
<i>Geryon quinqueclens</i>	612	Deep sea red crab.
<i>Glyptocephalus cynoglossus</i>	114	Grey sole flounder.
<i>Hippoglossus hippoglossus</i>	120	Halibut.
<i>Hippoglossus platessoides</i>	112	American dab.
<i>Homarus americanus</i>	622	Northern lobster.
<i>Illex illecebrosus</i>	504	Short-limmed squid.
<i>Kalexomus pelamis</i>	282	Skipjack.
<i>Leiostomus xanthurus</i>	414	Spot.
<i>Limanda ferruginea</i>	116	Yellowtail flounder.
<i>Limulus polyphemus</i>	672	Horseshoe crab.
<i>Liopelta putnami</i>	129	Smooth flounder.
<i>Lithodes maia</i>	619	Northern stone crab.
<i>Loligo pealei</i>	502	Long-tinned squid.
<i>Lophius americanus</i>	132	Anglerfish.
<i>Lopholatilus chamaeleonticeps</i>	182	Tilefish.
<i>Macroraes americanus</i>	164	Ocean pout.
<i>Melanogrammus aeglefinus</i>	102	Haddock.
<i>Menidia menidia</i>	330	Silversides.
<i>Menticirrhus saxatilis</i>	158	King whiting.
<i>Merluccius bilinearis</i>	104	Silver hake.
<i>Microgadus tomcod</i>	138	Tomcod.
<i>Micropogon undulatus</i>	214	Croaker.
<i>Morone americana</i>	440	White perch.
<i>Morone saxatilis</i>	420	Striped bass.
<i>Mugil cephalus</i>	370	Mullet.
<i>Mustelus canis</i>	459	Smooth dogfish.
<i>Osmerus mordax</i>	400	Smelt.
<i>Panulirus argus</i>	649	Spiny lobster.
<i>Paralichthys dentatus</i>	124	Summer flounder.
<i>Paralichthys oblongus</i>	129	Four-spot flounder.
<i>Peprilus alepidotus</i>	380	Harvestfish.
<i>Peprilus triacanthus</i>	212	Butterfish.
Peristediidae	136	Searobins.
<i>Placopecten magellanicus</i>	536	Sea scallop.
Pleuronectiformes	129	Flatfishes (NS).
<i>Pogonias cromis</i>	330	Black drum.
<i>Pollachius virens</i>	106	Pollock.
<i>Pomatomus saltatrix</i>	228	Bluefish.
<i>Pseudopleuronectes americanus</i>	122	Winter flounder.
<i>Rachycentron canadus</i>	344	Cobia.
Rajidae	479	Skates (NS).
<i>Rheinhartius hippoglossoides</i>	118	Greenland halibut.
<i>Salmo salar</i>	318	Salmon.
<i>Sarda sarda</i>	274	Atlantic bonito.
<i>Sciaenops ocellata</i>	402	Red drum.
<i>Scomber scombrus</i>	204	Mackerel.
<i>Scomberesox saurus</i>	220	Saury.
<i>Scomberomorus caralla</i>	240	Cavalla.
<i>Scomberomorus maculatus</i>	244	Spanish mackerel.
<i>Sebastes marinus</i>	103	Ocean perch.
Selachii	469	Sharks (NS).
<i>Sphaeroides maculatus</i>	160	Swallowtail.
<i>Spietula solidissima</i>	520	Surf clam.
<i>Squalus acanthias</i>	452	Spiny lobster.
<i>Stenotomus chrysops</i>	176	Scup.
<i>Tautoga onitis</i>	180	Tautog.
<i>Tautoglabrus adspersus</i>	142	Cunner.
<i>Thunnus albacares</i>	284	Yellowfin tuna.
<i>Thunnus obesus</i>	278	Bigeye tuna.
<i>Thunnus thynnus</i>	280	Atlantic bluefin tuna.
Triglidae	136	Searobins (NS).
<i>Urophycis chuss</i>	105	Red hake.
<i>Urophycis tenuis</i>	186	White hake.
<i>Xiphias gladius</i>	264	Swordfish.

GENERAL CLASSIFICATIONS FOR SPECIES NOT LISTED

Flatfishes (NS)	129
Groundfish (NS)	199
Pelagic fish (NS)	269
Finfishes (NS)	499
Squids (NS)	506
Clams (NS)	529
Marine mollusks (NS)	589
Marine crabs (NS)	619
Marine crustaceans (NS)	649

Subpart D—South Atlantic, Caribbean and Gulf of Mexico

§ 611.60 [Reserved]



Subpart E—Northeast Pacific

§ 611.70 Washington, Oregon, California, trawl fishery.

(a) Purpose. Regulations of this section shall apply to all species of fish taken in trawl gear as specified below. Unless otherwise defined herein, all other terms used in this subpart will have the meanings ascribed to them in subpart A of these regulations.

(1) The regulatory area for taking of fish is the area seaward of the States of Washington, Oregon, and California over which the United States exercises exclusive fishery management authority.

(b) Catch quota. (1) The 1977 maximum catch quotas for foreign fishermen in the Washington, Oregon, and California area are as follows:

Species	Catch quota in metric tons (t)
Pacific Hake---	143,200.
Pacific Ocean perch and other rockfish.	Incidental catch only, not to exceed 1.3 percent of hake catch.
Flounders -----	Incidental catch only, not to exceed 0.1 percent of hake catch.
Sablefish -----	Incidental catch only, not to exceed 0.2 percent of hake catch.
Jack mackerel--	4,000—from north of 39° N. only.
Others -----	Incidental catch only, not to exceed 0.5 percent of hake catch.

(2) Total foreign effort limitations in vessel days on the grounds are as follows:

(i) Landward of 125°40' W. long., and north of 39°00' N.—

Soviet: hake quota ÷ 14 MT/day = vessel days
Others: hake quota ÷ 46 MT/day = vessel days

(ii) Seward of 125°40' W. long.—none at this time.

(3) When the national allocation of any species authorized in the Washington, Oregon, California trawl fishery has been exceeded, trawling by fishermen of that nation in that fishery shall cease for the remainder of the calendar year.

(c) Open season. The open season for each country's directed fishing for Pacific hake shall begin at 0801 GMT on June 1, 1977, and terminate at 2400 GMT on October 31, 1977, or until that country's allocation of any species listed in paragraph (b) (1) or the vessel-day limitation listed in paragraph (b) (2) is reached. The open season for each country's directed fishing for jack mackerel, west of 125°40' W. long., shall begin at 0801 GMT on March 1, 1977, and terminate when that country's catch allocation is reached.

(d) Closed seasons and areas. (1) The National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for species under this section. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of Pacific hake or jack mackerel, or have exceeded the allowed incidental catch of other species or have achieved their assigned effort limitation, notification of such determination shall be given to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for Pacific hake or jack mackerel as of the specified closure date.

(2) Fishing by foreign vessels is prohibited at all times in the following areas:

(i) East of 125°40' W. long., except during those times and in those areas designated for taking Pacific hake.

(ii) 47°30' N. latitude northward to the line connected by the following coordinates:

- 48°29'37.19" N. lat., 124°43'33.19" W. long.
- 48°30'11" N. lat., 124°47'13" W. long.
- 48°30'22" N. lat., 124°50'21" W. long.
- 48°30'14" N. lat., 124°54'52" W. long.
- 48°29'57" N. lat., 124°59'14" W. long.
- 48°29'44" N. lat., 125°00'06" W. long.
- 48°28'09" N. lat., 125°05'47" W. long.
- 48°27'10" N. lat., 125°08'25" W. long.
- 48°26'47" N. lat., 125°09'12" W. long.
- 48°20'16" N. lat., 125°22'48" W. long.
- 48°18'22" N. lat., 125°29'58" W. long.
- 48°11'05" N. lat., 125°53'48" W. long.
- 47°49'15" N. lat., 126°40'57" W. long.
- 47°36'47" N. lat., 127°11'58" W. long.
- 47°22'00" N. lat., 127°41'23" W. long.
- 46°42'05" N. lat., 128°51'56" W. long.
- 46°31'47" N. lat., 129°07'39" W. long.

(iii) 39°00' N. lat. southward to the line connected by the following coordinates:

- 32°35'22.11" N. lat., 117°27'49.42" W. long.
- 32°37'37.00" N. lat., 117°49'31.00" W. long.
- 32°37'37.00" N. lat., 117°49'31.00" W. long.
- 31°07'58.00" N. lat., 118°36'18.00" W. long.
- 31°07'58.00" N. lat., 118°6'18.00" W. long.
- 30°32'31.20" N. lat., 121°51'58.37" W. long.

(iv) "Columbia River Recreational Fishery Sanctuary" is that area bounded by lines projected between, and to the shore from the following coordinates:

- 47°00' N. lat., 125°20' W. long.; 46°20' N. lat., 124°40' W. long.; 46°00' N. lat., 124°55' W. long.

(v) Klamath River Pot Sanctuary is that area bounded by the following coordinates:

- 41°37' N. lat., 124°34' W. long.; 41°37' N. lat., 124°30' W. long.; 41°20' N. lat., 124°28' W. long.; 41°20' N. lat., 124°32' W. long.; 41°37' N. lat., 124°34' W. long.

(e) Gear restrictions. (1) No foreign vessel fishing for Pacific hake or jack mackerel, shall use any gear other than a pelagic trawl with a minimum mesh size of 4.33 inches (110 mm) stretched measure. No liners will be permitted in the codend of the trawl.

(2) It shall be unlawful for any foreign fishing vessel to attach any protective device to pelagic fishing gear or to employ any means that would, in effect, make it possible to fish for demersal species or any device or method which would, or otherwise, have the effect of diminishing the size of the meshes.

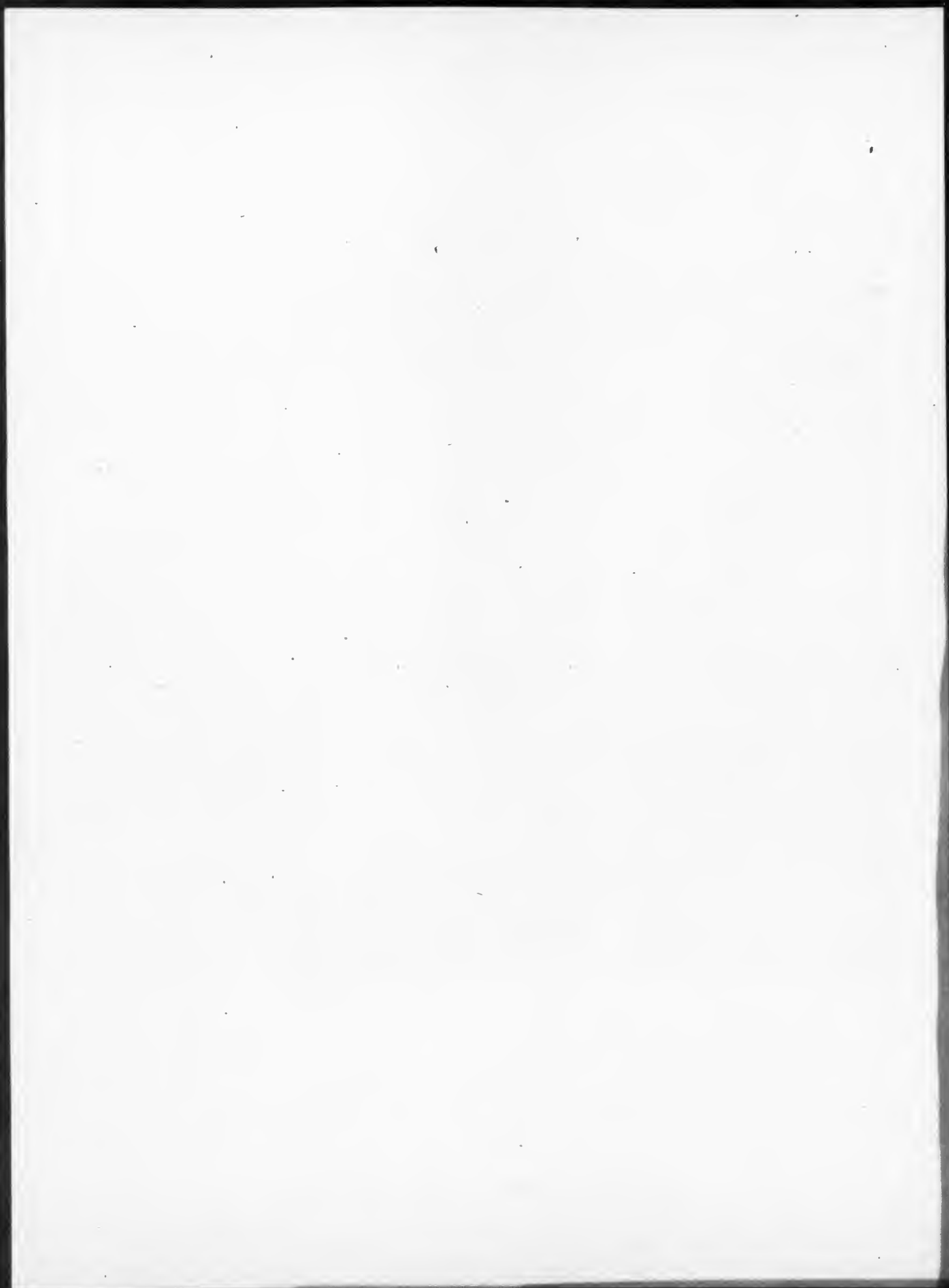
(f) Statistical reporting. The owner or operator of any foreign fishing vessel shall maintain catch and effort statistics and shall report the information, through its government, to the Director, Northwest Region, National Marine Fisheries Service, Seattle, Washington, U.S.A. 98109.

(1) Annual. Each country whose fishing vessels operate in the area shall report by May 30 of the following year, annual catch and effort statistics, as follows: Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area; Catch in metric tons, by vessel class by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following species groupings: Pacific hake, jack mackerel, Pacific ocean perch, other rockfishes, sablefish, dover sole, other flounders, anchovies, herring, any other species taken in excess of 1,000 m.t., other fishes.

(2) Monthly. In addition to the annual statistical report in (1) above, each country shall report by the end of the following month, provisional monthly fishery information as follows: Effort in vessel days on the grounds (by vessel class and gear type); and Catch in metric tons of Pacific hake, jack mackerel, rockfishes, flounders, and others for each of the following areas: Point Conception, Monterey, Eureka, Columbia, and Vancouver (including that portion off Canada).

(g) Restrictions. (1) There shall be no fishing for shrimp or scallops or fishing for or retention of salmon, steelhead, halibut, or Continental Shelf Fishery resources.

(2) There shall be no foreign fishing within 12 miles of the baseline used to measure the Territorial Sea unless authorized.



Subpart F—Western Pacific Ocean

§ 611.80 Seamount groundfish fishery.

(a) *Purpose.* Regulations of this section shall apply to pelagic armorheads (*Pentaceros richardsoni*) and Alfonsins (*Beryx splendens*) and other groundfish resources, and shall also apply to the following species of precious corals taken incidentally to the direct fishing for pelagic armorheads: red or pink corals (*Corallium* spp.), goal corals (*Parazoanthus* spp.), bamboo corals (*Acanella* spp.) and bamboo corals (*Keratiopsis* spp.), during the period March 1, 1977, to December 31, 1977, in that portion of the Pacific Ocean over which the United States exercises exclusive fishery management authority.

(b) *Catch and effort limitation.* (1) The 1977 catch quota for seamount groundfish in the Hancock Seamount area and associated guyots west of 180° meridian shall not exceed 2,000 metric tons (t) of either species or an aggregate of the combined species.

(2) The 1977 vessel day limit for foreign fishing vessels fishing for seamount groundfish shall not exceed 50 vessel days each of trawling and bottom longlining.

(3) It shall be unlawful for any foreign fishing vessel to intentionally harvest or attempt to harvest precious corals designated in (a) within the U.S. Fishery Conservation Zone in the Central, and Eastern Pacific and in the Western Pacific Ocean.

(c) *Open season and areas.* The open season for the seamount groundfish fishery by foreign fishing vessels in the Hancock Seamount area and associated guyots west of the 180° meridian shall begin at 0801 GMT on March 1, 1977, and terminate at a time and date to be announced under paragraph (d).

(d) *Closed season and areas.* (1) The National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for seamount groundfish in the Hancock Seamount area and associated guyots west of 180° meridian and north of 28° latitude. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of seamount groundfish, or have used their allocation of vessel days, notification of such determination shall be given to the

appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for seamount groundfish as of the specified closure date.

(2) It shall be unlawful for foreign fishing vessels to fish for seamount groundfish in the Fishery Conservation Zone in the Central and Eastern Pacific east of the 180° meridian.

(e) *Gear Restrictions.* No gear other than trawl or bottom longlining gear shall be used.

(f) *Statistical reporting.* (1) The master or operator of every foreign vessel fishing for seamount groundfish in the U.S. Fishery Conservation Zone in the Eastern Pacific shall maintain an accurate logbook of fishing operations. All logbook data shall be submitted to the Regional Director, Southwest Region, National Marine Fisheries Service, 300 South Ferry Street, Terminal Island, California 90731, or the National Marine Fisheries Service observer on board the vessel upon request, unless otherwise provided in this section.

(2) The logbook for trawling operations shall contain data for each haul as follows:

(i) Catch, by individual species, to the nearest one-tenth (0.1) t;

(ii) The approximate weight (kilograms), by genus, of the incidental catch of the precious corals designated in (a);

(iii) The time at the beginning of the haul and the total duration of the haul to the nearest five (5) minutes;

(iv) The location at the midpoint of each haul to the nearest one-tenth (0.1) minute of latitude and longitude;

(v) The average depth of the seabottom to the nearest meter;

(vi) The average fishing depth of the footrope to the nearest meter;

(vii) The average fishing speed of the vessel (towing speed) to the nearest one-tenth (0.1) knot;

(viii) The date;

(ix) The vessel permit number;

(x) The codend mesh size to the nearest millimeter;

(xi) The length of the footrope to the nearest one-tenth (0.1) meter and average distance between footrope and headrope to the nearest one-tenth (0.1) meter.

(3) The logbook for bottom longlining operations shall contain the following data for each fishing day:

(i) Midday location of fishing, to the nearest one-tenth (0.1) minute of latitude and longitude;

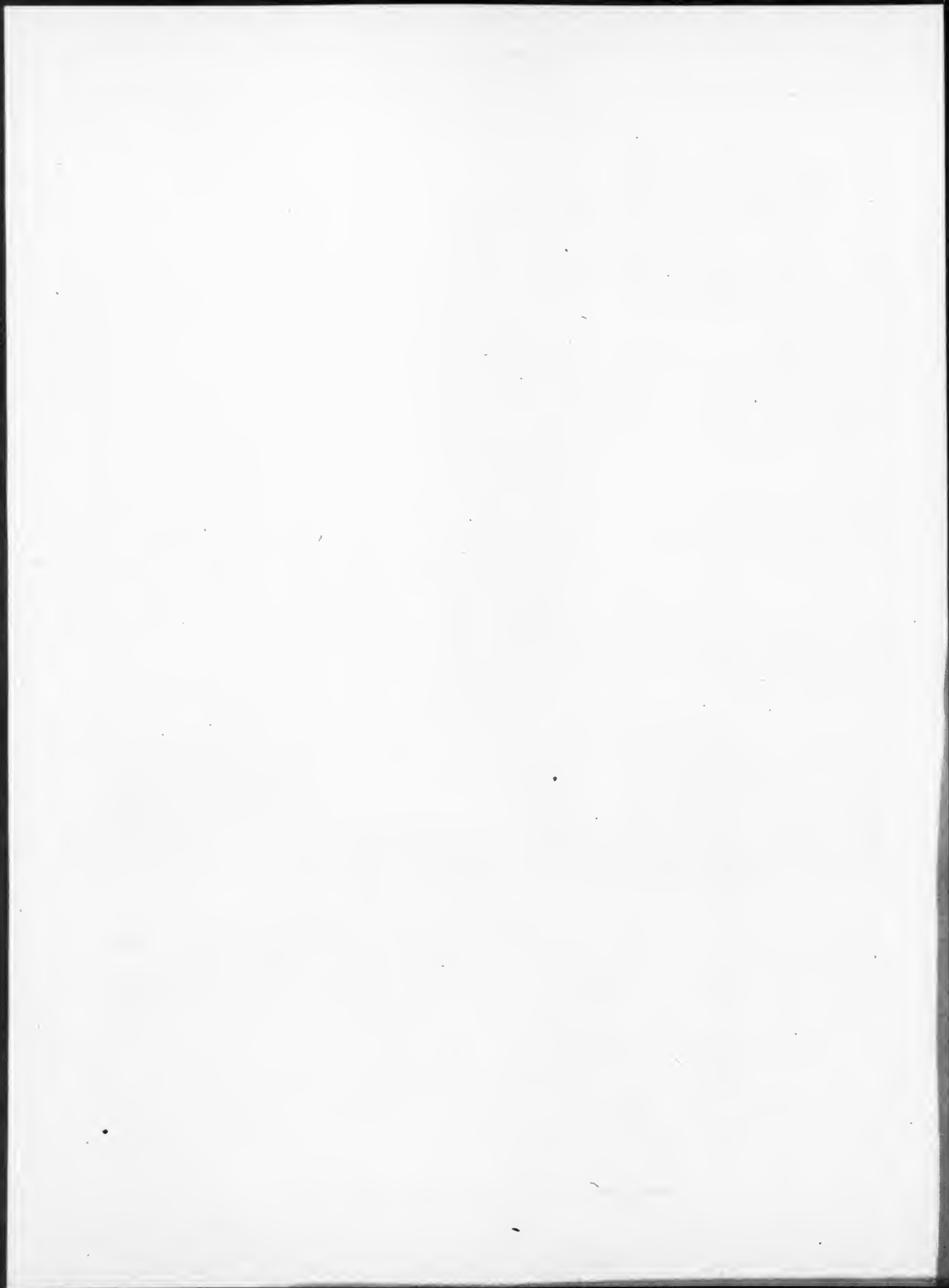
(ii) Number of hooks set and average soak time;

(iii) Number of fish caught, by species, for pelagic armorhead, alfonsin, and other groundfish species;

(iv) Average depth of hooks set, in meters.

(4) *Annual.* Each nation whose fishermen fish in the area set forth in Part 3.0 above shall report by February 28 of the following year, annual catch and effort statistics, as follows: Catch in metric tons by gear type by month by area to the nearest one-half degree (0.5°) latitude and by one degree (1°) longitude, by the following species groupings: pelagic armorhead, alfonsin, other groundfish; Catch in kilograms of precious corals taken incidental to fishing operations by month by area to the nearest one-tenth degree (0.1°) latitude and longitude square, by the following species groupings: pink coral, gold coral, bamboo coral, other corals; Effort in hours trawled by month by area to the nearest one-half degree (0.5°) latitude and by one degree (1°) longitude; and Effort in average number of hooks soaked per 24-hour period by month by area to the nearest one-half degree (0.5°) latitude and by one degree (1°) longitude. The annual report shall be submitted to the Regional Director, Southwest Region, National Marine Fisheries Service, NOAA, 300 South Ferry Street, Terminal Island, California 90731.

(5) *14-day periods.* Every country will report within 5 days following each 14-day fishing period, provisional fishery information as follows: Catch in metric tons, of pelagic armorhead, alfonsin, other groundfish, by gear type; Incidental catch, in kilograms of pink coral, gold coral, bamboo coral, and other corals; and Effort in hours trawled and/or average number of hooks soaked per 24-hours period. The provisional report shall be reported by the National Marine Fisheries Service observer on board the vessel, the master or operator shall report the required data to the Regional Director.



Subpart G—North Pacific Ocean and Bering Sea

§ 611.90 Crabs.

(a) *Purpose.* Regulations of this section shall apply to: Red king crab (*Paralithodes camtschatica*), Blue king crab (*Paralithodes platypus*), brown king crab (*Lithodes aequispina*), snow (Tanner) crabs (*Chionoecetes bairdi* and *C. opilio*), taken by foreign fishing vessels with a valid permit during the period March 1, 1977 to December 31, 1977 within the North Pacific Ocean and Bering Sea over which the United States exercises exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this Subpart will have the meanings ascribed to them in Subpart A of these regulations.

(b) *Area quotas.* (1) No more than 12,500 metric tons of snow (Tanner) crab may be taken by foreign fishing vessels from that portion of the Bering Sea area over which the United States exercises fishing jurisdiction north of 56° 00' N. lat. and west of 164° W. long. Of this 12,500 metric ton quota:

(i) No more than 2,500 metric tons of snow (tanner) crab may be taken by foreign fishing vessels from the area bounded by straight lines connecting the following coordinates in the order listed:

58°09' N. lat.—164°00' W. long.; 57°00' N. lat.—168°00' W. long.; 57°40' N. lat.—169°50' W. long.; 57°40' N. lat.—170°50' W. long.; 57°00' N. lat.—170°50' W. long.; 56°20' N. lat.—169°55' W. long.; 56°20' N. lat.—168°00' W. long.; 56°00' N. lat.—168°00' W. long.; 56°00' N. lat.—164°00' W. long.; 58°09' N. lat.—164°00' W. long.; and

(ii) At least 4,400 metric tons must be taken from the area located to the north and west of straight lines drawn between the following coordinates:

56°00' N. lat.—173°00' E. long.; 56°00' N. lat.—173°00' W. long.; 58°09' N. lat.—173°00' W. long.; 58°09' N. lat.—164°00' W. long.; north along 164°00' W. long. to a distance of 12 nautical miles from the baseline used to measure the U.S. Territorial Sea.

(c) *Open season.* The open season for crab fishing by foreign vessels in the Bering Sea area over which the United States exercises fishery management authority shall begin at 0801 GMT on March 1, 1977, and terminate at a time and date to be determined and announced under paragraph (d).

(d) *Closed season and areas.* (1) The National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for species under this section. Upon determination by the Director that foreign fishing vessels of a country have taken their assigned allocation of crab, notification of such determination shall be given to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for crab as of the specified closure date.

(2) It shall be unlawful for any foreign fishing vessel to fish for crabs at any time East of 164° W. Longitude and South of 56°00' N. Latitude in the Bering Sea, throughout the Northeastern Pa-

cific Ocean, and within 12 miles of the baselines used to measure the U.S. Territorial Sea.

(e) *Gear restrictions.* It shall be unlawful for any foreign fishing vessels fishing in the authorized area for crabs to use gear other than pots. A pot is a portable structure designed and constructed to capture and retain crabs alive in the water.

(f) *Statistical reporting.* The owner or operator of any foreign fishing vessel shall maintain catch and effort statistics and shall report the information, through its government, to the Director, Alaska Region, National Marine Fisheries Service, Juneau, Alaska, U.S.A. 99801.

(1) Annual. Each nation whose fishermen operate in the area shall report by May 30 of the following year, annual catch and effort statistics as follows: Effort in pots hauled and hours pots soaked Catch in metric tons and number of crabs. Each to be supplied by vessel class, by 10-day period, by ½° (lat.) by 1° (long.) statistical area, by the following species: Snow (Tanner) crab (*Chionoecetes bairdi* and *C. opilio*), and any other crab species.

(2) 10-day Periods. Each country will report within 3 days following each 10-day fishing period, provisional 10-day fishery information as follows: Effort in total pot lifts; and Catch in metric tons and number of crabs of *C. opilio* and *C. bairdi* separated by the area described in (b) (2) and by the area outside that described in (b) (2).

(g) *Restrictions.* No master or any other person in charge of any foreign vessel engaged in fishing for crabs under this subpart shall:

(1) Conduct a directed fishery for, or retain any species of crab other than snow (tanner) crabs;

(2) Process crabs except on designated factory ships;

(3) Retain and process female or soft shell crabs; any crabs not retained must be discarded immediately after the pots are taken aboard in a manner that will minimize mortality;

(4) Take aboard crabs in a manner in which the observer can not verify the total weight of crabs taken aboard.

(h) *Loading zones.* Loading and other support operations are permitted by foreign vessels during 1977, seaward of three nautical miles from the baseline from which the United States territorial sea is measured:

(1) Near Forrester Island, Alaska, in the waters bounded on the north by 54°-54' North Latitude, on the east by 133°16' West Longitude, and on the south 54°44' N. lat., from March 1, 1977, to December 1, 1977, inclusive.

(2) One the east side of Kayak Island, Alaska, in the waters between 58°48' North Latitude and 59°56' North Latitude west of 143°53' West Longitude and on the west side of Kayak Island in the waters between 59°52' North Latitude and 60°07' North Latitude east of 145° W. long., from March 1, 1977, to December 1, 1977, inclusive.

(3) North of Tonki Cape on Afognak Island, Alaska, in the waters bounded

on the north by 58°35' North Latitude, on the south by 58°25' North Latitude, on the west by 152°02' West Longitude and on the east by 151°52' W. long., from March 1, 1977, to December 1, 1977, inclusive.

(4) North and west of Sanak Island, Alaska, in the waters bounded on the north by 54°36' North Latitude, on the south by 54°26' North Latitude, on the west by 163°05' West Longitude and on the east by 162°40' W. long., from March 1, 1977, to December 1, 1977, inclusive.

(5) On the south side of Unalaska Island, Alaska, in the waters between 167°-18' West Longitude and 167°40' West Longitude, from March 1, 1977 to October 14, 1977 inclusive.

(6) On the north side of Unalaska Island, Alaska, in the waters between 167°15' West Longitude and 167°35' West Longitude, from March 1, 1977 to October 14, 1977 inclusive.

(7) On the south side of Umnak Island, Alaska, in the waters between 168° 15' West Longitude and 168°30' West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(8) On the north side of Umnak Island, Alaska, in the waters between 168° 25' West Longitude and 168°40' West Longitude and between 168°50' West Longitude and 169° West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(9) Off St. George Island of the Pribilof Islands, Alaska, from March 1, 1977 to April 30, 1977 and November 1, 1977 to December 31, 1977 inclusive.

(10) On the north side of St. Matthew Island, Alaska, in the waters between 172°29' West Longitude, and 172° 46' W. longitude, and on the south side of St. Matthew Island, Alaska, in the waters between 172°17' West Longitude, and 172°35' West Longitude, and in the waters between 172°54' West Longitude, and 173°04' West Longitude.

§ 611.96 Gulf of Alaska Trawl Fishery.

(a) *Purpose.* Regulations of this section shall apply to all species of fish taken in trawl gear during the period March 1, 1977 to December 31, 1977 in the Gulf of Alaska which includes that portion of the North Pacific Ocean, exclusive of the Bering Sea, between 132°40' N. Lat. and 170° W. longitude. Unless otherwise defined herein, all other terms used in this section will have the meanings ascribed to them in subpart A of these regulations.

(b) *Catch quota.* The 1977 maximum catch quotas for foreign fishermen in the Gulf of Alaska are as follows:

Species:	Catch quota (metric tons)
Pollock	149,000
Pacific ocean perch.....	29,000
Other rockfishes.....	4,000
Flounders	20,500
Sablefish	(¹)
Atka mackerel.....	22,000
Pacific cod.....	2,300
Others (combination).....	16,200

¹ Incidental trawl catch not to exceed 2 percent.

(c) *Open season.* (1) The open season for foreign fishing in the Gulf of Alaska shall begin at 0801 GMT hours on March 1, 1977 unless otherwise stated in the time-area closures in section (d).

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

(d) *Closed season and areas.* The National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for species under this section. Upon determination by the Director that foreign fishing vessels of a country have exceeded that country's assigned allocation of any species, notification of such determination shall be given to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for those species as of the specified closure date. Fishing by foreign vessels is prohibited in the areas and during the time periods described below:

(1) Six "Kodiak Gear Areas", bounded respectively by straight lines connecting in each of the following groups the coordinates in the order listed, shall be closed to foreign fishing from March 1, 1977 to May 31, 1977 and from August 10, 1977 to December 31, 1977 inclusive.

(i) 57°15' N. lat.-154°51' W. long.; 56°57' N. lat.-154°34' W. long.; 56°21' N. lat.-155°40' W. long.; 56°26' N. lat.-155°55' W. long.; 57°15' N. lat.-154°51' W. long.

(ii) 56°27' N. lat.-154°06' W. long.; 55°46' N. lat.-155°27' W. long.; 55°40' N. lat.-155°17' W. long.; 55°48' N. lat.-155°00' W. long.; 55°54' N. lat.-154°55' W. long.; 56°03' N. lat.-154°36' W. long.; 56°03' N. lat.-153°45' W. long.; 56°30' N. lat.-153°45' W. long.; 56°30' N. lat.-153°49' W. long.; 56°27' N. lat.-154°06' W. long.

(iii) 56°30' N. lat.-153°49' W. long.; 56°30' N. lat.-153°00' W. long.; 56°44' N. lat.-153°00' W. long.; 56°57' N. lat.-153°15' W. long.; 56°45' N. lat.-153°45' W. long.; 56°30' N. lat.-153°49' W. long.

(iv) 57°05' N. lat.-152°52' W. long.; 56°54' N. lat.-152° W. long.; 56°46' N. lat.-152°37' W. long.; 56°46' N. lat.-152°20' W. long.; 57°19' N. lat.-152°20' W. long.; 57°05' N. lat.-152°52' W. long.

(v) 57°35' N. lat.-152°03' W. long.; 57°11' N. lat.-151°14' W. long.; 57°19' N. lat.-150°57' W. long.; 57°48' N. lat.-152°00' W. long.; 57°35' N. lat.-152°03' W. long.

(vi) 58°00' N. lat.-152°00' N. lat.-150°00' W. long.; 58°12' N. lat.-150°00' N. long.; 58°19' N. lat.-151°29' W. long.; 58°00' N. lat.-152°00' W. long.

(2) 58°30' N. lat. to 59°30' N. lat. between 147°40' W. long. and 150°20' W. long.; 57°40' N. lat. to 58°05' N. lat. between 148°50' W. long. and 150°30' W. long.; 55°30' N. lat. to 56°25' N. lat. between 155°45' W. long. and 156°30' W. long. closed to foreign trawling from 5

days prior to 5 days after, the first of the several openings of the U.S. halibut set-line fishery in 1977.

(3) 163°04' W. long. to 166° W. long. closed to foreign fishing March 1, 1977 to December 31, 1977 inclusive.

(4) 147° W. long. to 157° W. long. closed to foreign trawling from March 1, 1977 to May 15, 1977 inclusive.

(5) 140° W. long. to 147° W. long. closed to foreign trawling from December 1, 1977 to December 31, 1977 inclusive.

(6) When the national allocation of any species authorized in the Gulf of Alaska trawl fishery has been exceeded, trawling by fishermen of that nation in that fishery within the Gulf of Alaska shall cease for the remainder of the calendar year.

(e) *Gear restrictions.* There are no specific gear restrictions under this section.

(f) *Statistical reporting.* The owner or operator of any foreign fishing vessel shall maintain catch and effort statistics and shall report the information, through its government, to the Director, Alaska Region, National Marine Fisheries Service, Juneau, Alaska, U.S.A.

(1) Annual. Each nation whose fishermen operate in the area shall report by May 30 of the following year—annual catch and effort statistics as follows: *Effort* in hours trawled, by vessel class, by gear type, by month, by $\frac{1}{2}^\circ$ (lat.) \times 1° (long.) statistical area; *Catch* in metric tons, by vessel class, by gear type, by month, by $\frac{1}{2}^\circ$ (lat.) \times 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; any other species taken in excess of 1,000 mt.; and other fishes.

(2) Monthly. In addition to the annual statistical report in (1) above, each nation will report by the end of the following month, provisional fishery information for each month as follows: *Effort* in vessel-days on the grounds by vessel class and gear-type; and *Catch* in metric tons by species for flounders, rockfishes, Pacific cod, pollock, sablefish (black cod), Atka mackerel, herring and others.

(g) *Restrictions.* (1) There shall be no fishing for shrimp or scallops or fishing for or retention of salmon, steelhead, halibut, or Continental Shelf Fishery resources.

(2) There shall be no foreign fishing within 12 miles of the baseline used to measure the Territorial Sea except as provided in (c) (2) of this section.

(h) *Loading zones.* Loading and other support operations are permitted by foreign vessels during 1977, seaward of three nautical miles from the baseline from which the United States territorial sea is measured:

(1) Near Forrester Island, Alaska, in the waters bounded on the north by 54°54' North Latitude, on the east by 133°16' West Longitude, and on the south 54°44' North Latitude, from March 1, 1977, to December 31, 1977, inclusive.

(2) On the east side of Kayak Island, Alaska, in the waters between 58°48' North Latitude and 59°56' North Latitude west of 143°53' West Longitude and on the west side of Kayak Island in the waters between 59°52' North Latitude and 60°07' North Latitude east of 145° West Longitude, from March 1, 1977, to December 31, 1977, inclusive.

(3) North of Tonki Cape on Afognak Island, Alaska, in the waters bounded on the north by 58°35' North Latitude, on the south by 58°25' North Latitude, on the west by 152°02' West Longitude and on the east by 151°52' West Longitude, from March 1, 1977, to December 31, 1977, inclusive.

(4) North and west of Sanak Island, Alaska, in the waters bounded on the north by 54°36' North Latitude, on the south by 54°26' North Latitude, on the west by 163°05' West Longitude and on the east by 162°40' West Longitude, from March 1, 1977, to December 31, 1977, inclusive.

(5) On the south side of Unalaska Island, Alaska, in the waters between 167°18' West Longitude and 167°40' West Longitude, from March 1, 1977 to October 14, 1977 inclusive.

(6) On the north side of Unalaska Island, Alaska, in the waters between 167°15' West Longitude and 167°35' West Longitude, from March 1, 1977 to October 14, 1977 inclusive.

(7) On the south side of Umnak Island, Alaska, in the waters between 168°15' West Longitude and 168°30' West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(8) On the north side of Umnak Island, Alaska, in the waters between 168°25' West Longitude and 168°40' West Longitude and between 168°50' West Longitude and 169° West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(9) Off St. George Island of the Pribilof Islands, Alaska, from March 1, 1977 to April 30, 1977 and November 1, 1977 to December 31, 1977 inclusive.

(10) On the north side of St. Matthew Island, Alaska, in the waters between 172°29' West Longitude, and 172°46' West Longitude, and on the south side of St. Matthew Island, Alaska, in the waters between 172°17' West Longitude, and 172°35' West Longitude, and in the waters between 172°54' West Longitude, and 173°04' West Longitude.

§ 611.92 Bering Sea and Aleutian Islands Trawl and Herring Gillnet Fishery.

(a) *Purpose.* Regulations of this section shall apply to all species of fish taken with trawl gear, longline or gillnet during the period March 1, 1977, to December 31, 1977, in the area which includes that portion seaward of the Territorial Sea in the Bering Sea and Aleutian Islands over which the United States exercises exclusive fishery management authority. Unless otherwise defined, herein all other terms used in this section will have the meanings ascribed to them in subpart A of these regulations.

(b) *Catch quotas.* The 1977 catch quotas for foreign fishermen in the Bering Sea and Aleutian Islands trawl and herring gillnet fishery are as follows:

Species	Catch quota (metric tons and area)
Pollock	950,000.
Yellowfin Sole	106,000.
Other Flounders	105,000.
Pacific Ocean Perch	6,500 (areas I, III, III combined). 15,000 (area IV).
Sablefish	5,000 (areas I, II, III combined). 2,400 (area IV) ¹ .
Pacific Cod	58,000.
Herring	20,000.
Squid	10,000.
Others	59,600 (areas I, II, III combined). 34,000 (area IV).

¹The sablefish quotas are for trawl, set line and trap gear collectively.

(c) *Open Season.* (1) The open season for foreign fishing in the Bering Sea and Aleutian Islands area will begin at 0801 GMT hours on March 1, 1977, unless otherwise stated in the time-area closures in paragraph (d).

(2) 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, trawl 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, trawl 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, trawl fishing from May 1, 1977, to December 31, 1977, inclusive, and longline fishing from March 1, 1977, to December 31, 1977, inclusive.

In waters off the Pacific coast of the Aleutian Islands:

(v) Between 170° and 172° west longitude, trawl 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 21, 1977, inclusive.

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

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

(d) *Closed seasons and areas.* (1) The National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for species under this section. Upon determination

by the Director that foreign fishing vessels of a country have exceeded that country's assigned allocation of any species, notification of such determination shall be given to the appropriate agent or a government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for those species as of the specified closure date.

(2) Trawling by foreign vessels is prohibited in the following areas and during the time periods shown below:

(i) There shall be no traveling at any time in the Bristol Bay "Pot Sanctuary" which is the area enclosed by straight lines from Cape Sarichef to 55°16' N. lat. 166°10' W. long., to 56°20' N. lat. 163°00' W. long., to 57°10' N. lat. 163°00' W. long., to 58°10' N. lat. 160°00' W. long., then due south along 160°00' W. long., to the Alaska Peninsula.

(3) There shall be no trawling from March 1, 1977, to May 31, 1977, in the following International Pacific Halibut Commission (IPHC) Conservation Areas:

(i) Area B.

(ii) Area E east of 166°00' W. long.—south of 56°30' N. lat.

(iii) Area E west of 166°00' W. long.—south of 56°30' N. lat.

(iv) Area A—south of 55°30' lat.

(4) There shall be no trawling from March 1, 1977, to May 31, 1977, in the area bounded by straight lines connecting the coordinates in the order listed—56°18' N. lat.—170°24' W. long., 56°20' N. lat.—169°03' W. long., 56°12' N. lat.—168°46' W. long., 55°56' N. lat.—169°10' W. long., 55°56' N. lat.—170°24' W. long., 56°18' N. lat.—170°24' W. long.

(5) When the national allocation of any species authorized in the Bering Sea and Aleutian Islands trawl and herring gillnet fishery has been exceeded, trawling or gillnetting by fishermen of that nation in that fishery shall cease for the remainder of the calendar year.

(e) *Gear restrictions.* Gear restrictions for foreign fishing in the regulatory area are described in paragraph (c) of this section during the open season for specific areas.

(f) *Statistical reporting.* The owner or operator of any foreign fishing vessel shall maintain catch and effort statistics and shall report the information, through its government, to the Director, Alaska Region, National Marine Fisheries Service, Juneau, Alaska, U.S.A. 99801.

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

Effort in hours trawled, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area;

Catch in metric tons, by vessel class, by gear type, by month, by 1/2° (lat.) x 1° (long.) statistical area, by the following species groupings: yellowfin sole; rock sole; flathead sole; arrowtooth flounder; greenland turbot; other flounders; Pacific ocean perch; Pacific cod; sablefish (blackcod); walleye (Alaska) pollock; Atka mackerel; Pacific herring; any other species taken in excess of 1,000 mt; and "other fishes."

(2) Monthly. In addition to the annual statistical report in (1) above, each country will report by the end of the following month, provisional fishery information for each month as follows:

Effort in vessel days on the grounds, by vessel class, and gear type; and *Catch* in metric tons of flounders, rockfishes, Pacific cod, pollock, sablefish (blackcod), Atka mackerel, herring, and others.

(g) *General restrictions.* (1) There shall be no fishing for shrimp or scallops or fishing for or retention of salmon, steelhead, halibut, or Continental Shelf Fishery resources.

(2) There shall be no trawling or gillnetting 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.

(3) There shall be no fishing for herring by foreign fishing vessels north of 58°00' N. lat. and east of 168°00' W. long.

(h) *Loading zones.* Loading and other support operations are permitted by foreign vessels during 1977, seaward of three nautical miles from the baseline from which the United States Territorial Sea is measured:

(1) Near Forrester Island, Alaska, in the waters bounded on the north by 54°54' north latitude, on the east by 133°15' west longitude, and on the south 54°45' north latitude, from March 1, 1977, to December 31, 1977, inclusive.

(2) On the east side of Kayak Island, Alaska, in the waters between 58°48' north latitude and 59°56' north latitude west of 143°53' west longitude and on the west side of Kayak Island in the waters between 59°52' north latitude and 60°07' north latitude east of 145° west longitude, from March 1, 1977, to December 31, 1977, inclusive.

(3) North of Tonki Cape on Afognak Island, Alaska, in the waters bounded on the north by 58°35' north latitude, on the south by 58°25' north latitude, on the west by 152°02' west longitude and on the east by 151°52' west longitude, from March 1, 1977, to December 31, 1977, inclusive.

(4) North and west of Sanak Island, Alaska, in the waters bounded on the north by 54°36' north latitude, on the south by 54°26' north latitude, on the west by 163°05' west longitude and on the east by 162°40' west longitude from March 1, 1977, to December 31, 1977, inclusive.

(5) On the south side of Unalaska Island, Alaska, in the waters between 167°18' west longitude and 167°40' west longitude, from March 1, 1977, to October 14, 1977, inclusive.

(6) On the north side of Unalaska Island, Alaska, in the waters between 167°15' west longitude and 167°35' west longitude, from March 1, 1977, to October 14, 1977, inclusive.

(7) On the south side of Umnak Island, Alaska, in the waters between 168°15' west longitude and 168°30' west longitude, from October 15, 1977, to December 31, 1977, inclusive.

(8) On the north side of Umnak Island, Alaska, in the waters between 168°25' west longitude and 168°40' west longitude and between 168°50' west longi-

tude and 169° west longitude, from October 15, 1977, to December 31, 1977, inclusive.

(9) Off St. George Island of the Pribilof Islands, Alaska, from March 1, 1977 to April 30, 1977 and November 1, 1977 to December 31, 1977 inclusive.

(10) On the north side of St. Matthew Islands, Alaska, in the waters between 172°29' West Longitude, and 172°46' W. longitude, and on the south side of St. Matthew Island, Alaska, in the waters between 172°17' West Longitude, and 172°35' West Longitude, and in the waters between 172°54' West Longitude, and 173°04' West Longitude.

§ 611.93 Sablefish (Blackcod).

(a) *Purpose.* Regulations of this section shall apply to sablefish, blackcod, (*Anoplopoma fimbria*) taken by foreign fishing vessels during the period March 1, 1977, to December 31, 1977, in the North Pacific Ocean and the Bering Sea over which the United States exercises exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this section will have the meanings ascribed to them in Subpart A of these regulations.

(b) *Area quotas.* (1) Bering Sea (north of 54°30' N. lat. and west of 170° W. long.). The 1977 surplus sablefish available for foreign fisheries is 5,000 metric tons to be taken by all gears combined.

(2) Aleutian Region. The 1977 surplus sablefish available for foreign fisheries is 2,400 metric tons to be taken by all gears combined.

(3) Gulf of Alaska (includes that portion of North Pacific Ocean exclusive of the Bering Sea, between 132°40' and 170° W. long.). The 1977 surplus sablefish in the regulatory area available for foreign fisheries is 19,500 metric tons.

(i) Up to 4,000 metric tons of the surplus may be taken as an incidental catch by trawl gear.

(ii) The balance of the surplus (19,500) less the incidental trawl catch may be taken by longline and trap gear.

(iii) No more than 3,750 metric tons of the surplus can be taken by all gear combined in the INPFC Statistical Area (Southeast Alaska).

(4) Washington, Oregon, and California. No directed foreign fishery for sablefish permitted.

(5) The sablefish fishery in each area will terminate when the quota or effort limitation for that area is reached.

(c) *Open season.* (1) The open season for sablefish fishing by foreign fishing vessels in the Gulf of Alaska and Bering Sea shall begin at 0801 GMT hours on March 1, 1977, and terminate at a time and date to be determined and announced under paragraph (d).

(2) 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.

In the western Gulf of Alaska:

(ix) Between 169° and 170°W long., dragnet, longline, and trap net fishing from March 1, 1977, to December 31, 1977, inclusive.

(d) *Closed season and areas.* (1) National Marine Fisheries Service shall maintain records of vessel days and catch of foreign vessels fishing for sablefish under this section. Upon determination by the Director that foreign fishing vessels of a country have exceeded that country's assigned allocation of sablefish or has reached their vessel limitation, notification of such determination shall be given to the appropriate agent or government official of the country not less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the directed fishing for sablefish as of the specified closure date.

(2) It shall be unlawful for any foreign fishing vessel to fish for sablefish at any time with longline or trap gear shoreward of the 500 meter (273.3 fathoms) depth contour in the Gulf of Alaska.

(e) *Gear restrictions.* Foreign fishing vessels are authorized to fish for sablefish with the type of gear used during 1976.

(f) *Statistical reporting.* The owner or operator of any foreign fishing vessel shall maintain catch and effort statistics and shall report the information, through its government, to the Director, Alaska Region, National Marine Fisheries Service, Juneau, Alaska, U.S.A. 99801.

(1) Annual. Each nation whose fishermen operate in the area shall report by May 30 of the following year annual catch and effort statistics as follows: *Effort* in hours trawled, number of longline units, number of traps, duration of

soaking time for longlines and traps and number of days fishing, by vessel class, by gear type, by month, by ½° (lat.) x 1° (long.) statistical area; *Catch* in metric tons, by vessel class, by gear type, by month, by ½° (lat.) x 1° (long.) statistical area. The characteristic features of gear and vessels are also to be reported.

(2) Monthly. In addition to the annual statistical report in (1) above, each nation will report to the Regional NMFS Director by the end of the following month, provisional monthly fishery information as follows: *Catch* in metric tons of sablefish and *Effort* in vessel-days by vessel type and by INPFC large statistical areas—Bering Sea, Aleutian Region, Shumagin, Chirikof, Kodiak, Yakutat, Southeast Alaska, and other designated areas.

(g) *Restrictions.* (1) There shall be no fishing for shrimp or scallops or fishing for or retention of salmon, steelhead, halibut, or Continental Shelf Fishery resources.

(2) There shall be no fishing within 12 miles of the baseline used to measure the Territorial Sea, except as described in paragraph (c) of this section.

(h) *Loading zones.* Loading and other support operations are permitted by foreign vessels during 1977, seaward of three nautical miles from the baseline from which the United States territorial sea is measured:

(1) Near Forrester Island, Alaska, in the waters bounded on the north by 54°54' North Latitude, on the east by 133°16' West Longitude, and on the south 54°44' N. lat., from March 1, 1977, to December 31, 1977, inclusive.

(2) On the east side of Kayak Island, Alaska, in the waters between 58°48' North Latitude and 59°56' North Latitude west of 143°53' West Longitude and on the west side of Kayak Island in the waters between 59°52' North Latitude and 60°07' North Latitude east of 145° W. long., from March 1, 1977, to December 31, 1977, inclusive.

(3) North of Tonki Cape on Afognak Island, Alaska, in the waters bounded on the north by 58°35' North Latitude, on the south by 58°25' North Latitude, on the west by 152°02' West Longitude and on the east by 151°52' W. long., from March 1, 1977, to December 31, 1977, inclusive.

(4) North and west of Sanak Island, Alaska, in the waters bounded on the north by 54°36' North Latitude, on the south by 54°26' North Latitude, on the west by 163°05' West Longitude and on the east by 162°40' W. long., from March 1, 1977, to December 31, 1977, inclusive.

(5) On the south side of Unalaska Island, Alaska, in the waters between 167°18' West Longitude and 167°40' West Longitude, from March 1, 1977 to October 14, 1977 inclusive.

(6) On the north side of Unalaska Island, Alaska, in the waters between 167°15' West Longitude and 167°35' West Longitude, from March 1, 1977, to October 14, 1977 inclusive.

(7) On the south side of Umnak Island, Alaska, in the waters between 168°

15' West Longitude and 168°30' West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(8) On the north side of Umnak Island, Alaska, in the waters between 168°-25' West Longitude and 168°40' West Longitude and between 168°50' West Longitude and 169° West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(9) Off St. George Island of the Pribilof Islands, Alaska, from March 1, 1977 to April 30, 1977 and November 1, 1977 to December 31, 1977 inclusive.

(10) On the north side of St. Matthew Islands, Alaska, in the waters between 172°29' West Longitude, and 172°46' West Longitude, and on the south side of St. Matthew Island, Alaska, in the waters between 172°17' West Longitude, and 172°35' West Longitude, and in the waters between 172°54' West Longitude, and 173°04' West Longitude.

§ 611.94 Snails.

(a) *Purpose.* Regulations in this section shall apply to snails of the genus *Neptunea*, *Fusitriton*, *Buccinum*, *Beringius*, *Volutopsius*, *Clinopegma*, *Plicifusus*, and *Purulofusus*, taken by foreign fishing vessels during the period March 1, 1977 to December 31, 1977 in that portion of the Bering Sea over which the United States exercise exclusive fishery management authority. Unless otherwise defined herein, all other terms used in this section will have the meanings ascribed to them in subpart A of these regulations.

(b) *Catch quota.* The 1977 annual catch quota for all species of snails combined in the Bering Sea shall not exceed 3,000 metric tons of edible meat.

(c) *Open season.* The open season for taking snails by foreign fishing vessels in the Bering Sea shall begin at 0801 GMT hours on March 1, 1977, and terminate at a time and date to be announced under paragraph (d).

(d) *Closed season and area.* (1) The National Marine Fisheries Service shall maintain records of catches of snails by foreign vessels in the Bering Sea. Upon determination by the Director that foreign fishing vessels of a country have taken its assigned allocation of snails, notification of such determination shall be made to the appropriate agent or a government official of the country not

less than 48 hours prior to the closure of such fishery. Upon notification, foreign fishing vessels shall cease the direct fishing for snails as of the specified closure date.

(2) It shall be unlawful for any foreign fishing vessel to fish for snails east of 164° W. long. or within 12 miles of the baseline used to measure the Territorial Sea.

(e) *Gear restrictions.* It shall be unlawful for any foreign fishing vessel fishing for snails to use gear other than pots.

(f) *Statistical reporting.* The owner or operator of any foreign fishing vessel shall maintain catch and effort statistics and shall report the information, through its government, to the Director, Alaska Region, National Marine Fisheries Service, Juneau, Alaska, U.S.A.

(1) *Annual.* Each country whose fishermen take snails in the area shall report by May 30 of the following year, annual catch and effort statistics as follows: *Effort* in number pots hauled, hours pots soaked by month, by ½° (lat.) x 1° (long.) statistical area; *Catch* in metric tons of recovered edible meat, by month, by ½° (lat.) x 1° (long.) statistical area.

(2) *Monthly.* In addition to the annual statistical report, each nation will submit monthly reports within 30 days of the end of the month in which the fishing occurred, containing provisional fishery information as follows: *Effort* in vessel days on the grounds; and *Catch* in metric tons of recovered edible meat.

(g) *Restrictions.* (1) There shall be no retention of halibut or crab, if these species are taken incidental to snail fishing, they must be returned immediately to the sea with minimum injury.

(h) *Loading zones.* Loading and other support operations are permitted by foreign vessels during 1977, seaward of three nautical miles from the baseline from which the United States territorial sea is measured:

(1) Near Forrester Island, Alaska, in the waters bounded on the north by 54°54' North Latitude, on the east by 133°16' West Longitude, and on the south 54°44' N. lat., from March 1, 1977, to December 31, 1977, inclusive.

(2) On the east side of Kayak Island, Alaska, in the waters between 59°48'

North Latitude and 59°56' North Latitude west of 143°53' West Longitude and on the west side of Kayak Island in the waters between 59°52' North Latitude and 60°07' North Latitude east of 145° W long., from March 1, 1977, to December 31, 1977, inclusive.

(3) North of Tonki Cape on Afognak Island, Alaska, in the waters bounded on the north by 58°35' North Latitude, on the south by 58°25' North Latitude, on the west by 152°02' West Longitude and on the east by 151°52' W. long., from March 1, 1977, to December 31, 1977, inclusive.

(4) North and west of Sanak Island, Alaska, in the waters bounded on the north by 54°36' North Latitude, on the south by 54°26' North Latitude, on the west by 163°05' West Longitude and on the east by 162°40' W. long., from March 1, 1977, to December 31, 1977, inclusive.

(5) On the south side of Unalaska Island, Alaska, in the waters between 167°18' West Longitude and 167°40' West Longitude, from March 1, 1977 to October 14, 1977, inclusive.

(6) On the north side of Unalaska Island, Alaska, in the waters between 167°15' West Longitude and 167°35' West Longitude, from March 1, 1977 to October 14, 1977, inclusive.

(7) On the south side of Umnak Island, Alaska, in the waters between 168°15' West Longitude and 168°30' West Longitude, from October 15, 1977 to December 31, 1977, inclusive.

(8) On the north side of Umnak Island, Alaska, in the waters between 168°25' West Longitude and 168°40' West Longitude and between 168°50' West Longitude and 169° West Longitude, from October 15, 1977 to December 31, 1977 inclusive.

(9) Off St. George Island of the Pribilof Islands, Alaska, from March 1, 1977 to April 30, 1977 and November 1, 1977 to December 31, 1977 inclusive.

(10) On the north side of St. Matthew Islands, Alaska, in the waters between 172°29' West Longitude, and 172°46' W. longitude, and on the south side of St. Matthew Island, Alaska, in the waters between 172°17' West Longitude and 172°35' West Longitude, and in the waters between 172°54' West Longitude, and 173°04' West Longitude.

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