

RESTRICTED

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the Northwest Atlantic Fisheries

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Proposal by the US Commissioners  
on Subarea 5 Fishing Gear Regulations

At the 23rd Annual Meeting of the Commission the US introduced its proposal for international regulation of fishing gear employed in the trawl fisheries in Southern New England grounds within Subarea 5. Subsequent action by the Commission at the Special Commission Meeting, October 1973, resulted in adoption of the proposal by Commissioners. This proposal entered into force on 7 May 1974.

The United States views this fishing gear regulation as a positive step toward reducing the incidental by-catch from stocks of fish important to the US small boat fishery. Of particular concern to the US are the yellowtail flounder and other flounder stocks of Southern New England which have become increasingly important to local US fishermen particularly due to the decline in the haddock fishery.

The United States notes that the country allocations of yellowtail flounder and other flounder stocks are reserved principally for the US.

The United States also notes that additional steps are required to reduce removals from the Cape Cod, Southern New England, and Statistical Area 6 yellowtail stocks (STACRES Report, Proceedings No. 1 and the Report of the Meeting of Scientific Advisers to Panel 5, Proceedings No. 11, Appendix I). The STACRES Report indicates that

the by-catch for the small stocks of other flounders should also be reduced. These aims could be achieved if the existing regulation were expanded to cover additional vessels for the full year and extended to the south and west in Statistical Area 6. The United States believes that this is essential for the conservation of these resources and the protection of the small boat coastal fishery in the region. Accordingly, the attached revised regulation is submitted for adoption by the 24th Annual Meeting.

US inspection officials, under the ICNAF Joint International Enforcement Scheme, have had the opportunity to examine catches, catch reports, and logbook records of various fishing vessels. They have frequently observed, particularly when the vessels are using bottom tending gear, yellowtail flounder and other flounders in the catch. Yet vessel logs do not reveal such catches of yellowtail flounder and other flounders. Given the small overall quota and the condition of the stocks, this matter is of grave concern to the United States.

Having the view that the fishing gear regulation and the quota allocations were intended to preclude an incidental by-catch of these flounder species, the US looks forward to the full implementation of the fishing gear regulation on 1 July 1974. US fishing gear technicians have examined the regulation and are of the opinion that paragraphs 1 and 2 clearly indicate that gear should not be in any way deployed in a manner which will make it possible to fish for demersal species. Taking flounder species in any amount would indicate that gear had been deployed in such manner. Accordingly, it is the view of the United States that any vessel over 145 feet taking flounders in the restricted area is in violation of the regulation, and US enforcement officials will treat such evidence as an infringement for the period 1 July 31 December 1974. In addition, any vessel over 145 feet engaged in the mid-water trawl fishery and taking cod or haddock in amounts exceeding 5% for each of all fish

in any haul in the restricted area during this period will also be considered by US enforcement officials to be in violation. The US expects that enforcement officials of other nations will cooperate in undertaking enforcement along these lines. These guidelines will also be applied to enforcement activities for 1975 as governed by applicable regulations for that year.

US Proposal for amendment of the regulation concerning fishing gear employed in the fisheries in Subarea 5 of the Convention Area, adopted by the International Commission for the Northwest Atlantic Fisheries in Plenary Session on 19 October 1973.

"1. That each Contracting Government take appropriate action to prohibit the taking of fish, other than crustacea, from vessels over 130 feet in length by persons under its jurisdiction with fishing gear other than pelagic fishing gear (purse seines or true mid-water trawl doors incapable of being fished on the bottom) in the area adjacent to the United States coast within that part of Subarea 5 (Southern New England and Gulf of Maine and the adjacent waters to the west and south which lies north of 39°00'N and north of straight lines connecting 39°00'N, 73°00'W; 40°20'N, 71°40'W and 40°20'N, 68°15'W, and south and west of a straight line drawn between  
the points:

68°15'W, 40°20'N and 70°00'W, 43°17'N.

"2. That Contracting Governments prohibit any person to whom paragraph 1 above would apply from attaching any protective device to pelagic fishing gear or employing any means which would, in effect, make it possible to fish for demersal species in the area described in paragraph 1 above.

"3. That nothing in this proposal shall affect the trawl mesh-size requirements in force in Subarea 5."

NOTE: Attached is a chart illustrating the area affected by this proposal.

