

**GENERAL INSTRUCTIONS FOR FOREIGN FISHING APPLICATIONS
REQUESTING PERMITS TO BE ISSUED UNDER SECTION 204 OF THE
MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT**

Requests for permits to be issued under Section 204(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) must be submitted by an authorized representative of a foreign nation having a Governing International Fishery Agreement with the United States. Representatives of applicant foreign fishing nations must complete Vessel Identification Forms (VIF), as appropriate, complete and sign the basic application form for vessel permits to be issued under Section 204(b), and answer the supplemental questions on joint venture operations. This material must be submitted to the Department of State's Bureau of Oceans and International Environmental and Scientific Affairs, Office of Marine Conservation, Washington, D.C. 20520 (Phone (202) 647-3940, Fax (202) 736-7350). At the time the application material is submitted to the Department of State, an application fee of \$407.00 per vessel must be submitted to the Department of Commerce's National Marine Fisheries Service, Office of International Affairs, 1315 East West Highway, Silver Spring, Maryland 20910 (Phone (301) 713-9090, Fax (301) 713-2313). Checks must be drawn on U.S. banks and made payable to "Department of Commerce - NOAA." Processing of applications does not begin until application fees are paid.

Requests for permits to be issued under Section 204(d) of the MSFCMA may be submitted by any person. Applicants must complete VIF, as appropriate, together with a cover letter describing the nature of the transshipments to be conducted and confirming that the applicant will comply with the requirements of Section 201(c)(2) of the MSFCMA with respect to activities authorized by any permit issued pursuant to the application. This material, together with an application fee of \$407.00 per vessel, must be submitted to the Department of Commerce's National Marine Fisheries Service, Office of International Affairs, 1315 East West Highway, Silver Spring, Maryland 20910 (Phone (301) 713-9090, Fax (301) 713-2313). Checks must be drawn on U.S. banks and made payable to "Department of Commerce - NOAA." Processing of applications does not begin until application fees are paid.

Submission of application information is mandatory in order to be considered for a permit and is used in determining if a permit should be issued. Except for any price information considered and identified as confidential by applicants (see question 11 of supplemental questions to be answered and attached to joint venture applications), application information is not confidential. Public reporting burden for this collection of information is estimated to average 2 hours for joint venture applications, 1.5 hours for fishing applications, and .75 hours for transshipment applications. These estimates include the time for reviewing instructions, searching existing data sources,

gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of reducing this burden, to the Office of International Affairs, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910. Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

**INSTRUCTIONS FOR COMPLETING FISHING VESSEL
IDENTIFICATION FORMS (VIF) FOR FOREIGN FISHING PERMITS TO BE
ISSUED UNDER THE MAGNUSON-STEVENSON FISHERY CONSERVATION AND
MANAGEMENT ACT (MSFCMA)**

Complete a VIF form for each vessel for which a permit is requested. Please read the instructions carefully before beginning to enter information. VIF for permits to be issued under Section 204(b) of the MSFCMA (e.g., joint venture permits) should be submitted together with other appropriate application material to the Department of State. VIF for permits to be issued under Section 204(d) of the MSFCMA (i.e., transshipment permits) should be submitted together with other appropriate application material to the Department of Commerce. Timely submissions of completed applications will ensure prompt consideration of requests.

Type the form in English. Complete all appropriate items, except the space near the top, right-hand corner labeled "NO:."

(1) Vessel Name: Enter the name of the vessel. Where necessary, transliterate into Roman characters. Do not translate the name into English.

(2) Call Sign: Enter the vessel identifying markings permanently affixed to the vessel as required by the foreign fishing regulations, normally the international radio call sign.

(3) Hull Number: Enter the hull number or other alpha-numeric mark on the vessel.

(4) Vessel Type: Enter one of the following vessel types:

Stern Trawler/Processor	Factory Ship
(small: 0 - 289 GRT)	Refrigerated Transport
(medium: 290 - 1,399 GRT)	Cargo Transport
(large: 1,400 plus GRT)	Tanker

If other than one of the above, identify and describe the type.

(5) Length: Enter the vessel's overall length to the nearest meter.

(6) Gross Tons: Enter the gross registered tonnage, rounded to the nearest metric ton.

(7) Net Tons: Enter the net registered tonnage, rounded to the nearest metric ton.

(8) Maximum Speed: Enter the vessel's maximum speed in nautical miles per hour.

(9) Owner Name and Address: Enter the names and mailing addresses of all owners of the vessel. If there is more than one

owner, enter the first name and address on the form and the other names and addresses on attached pages. "Owner" includes any person, company, or government agency that own(s) the vessels; any charterer, whether bare boat, time, or voyage; and any person or company that acts in the capacity of a charterer, including, but not limited to, parties to a management agreement, operating agreement, or any similar agreement that bestows control over the destination, function, or operation of the vessel.

(10) Agent Name and Address: Enter the name and address of the person in the United States that will act as agent for the vessel in accordance with the requirement at Section 201(c)(2)(F) of the MSFCMA.

(11) Processing Equipment: List any fish processing equipment aboard the vessel such as fillet lines, freezers, surimi plant, fish meal/oil plant, etc.

(12) Hold Capacity: Enter in cubic meters the hold capacity for each hold or other space (including flash freezers) in which fish or fish products may be stored. Use bale capacity only. If there are more than four (4) holds, give the total hold capacity in cubic meters. Otherwise, list the holds individually. Record this information accurately; the information is used by NMFS enforcement and U.S. Coast Guard personnel to determine the quantity of fish or fish products aboard the vessel.

(13) Indicate if the vessel has fished in the EEZ in prior years by listing the last permit application number. If the vessel has never applied for a permit, indicate "none" in the space provided.

(14) If joint venture activities are requested, place an "X" after "YES" and attach the required supplemental information (see supplemental questions on joint ventures).

(15) Indicate if the vessel is certified to be in compliance with the flag nation's health and safety standards by placing an "X" in the space provided.

(16) Fisheries for Which a Permit is Requested:

Fishery: If the vessel is applying for a permit to be issued under Section 204(b) of the MSFCMA (e.g., a joint venture permit), enter the three letter code from the following list for each fishery for which an application is made:

NWA - Northwest Atlantic Ocean

Requested Species: If the vessel is applying for a permit to be issued under Section 204(b) of the MSFCMA, list the species requested for joint ventures.

Gear: Leave blank.

Catch: Leave blank.

Process: Leave blank.

Activity - Other: If the vessel is applying for a permit to be issued under Section 204(b) of the MSFCMA, using the Activity Codes listed in Attachment 1, designate the activities requested in each fishery using the format shown in Attachment 2.

(17) If the vessel is applying for a permit to be issued under Section 204(d) of the MSFCMA, enter the latitude and longitude of the transshipment point requested.

(18) If the vessel is applying for a permit to be issued under Section 204(d) of the MSFCMA, indicate whether the transshipment point requested above is in the internal or territorial waters of a State and identify the State.

FISHING VESSEL IDENTIFICATION FORM (VIF)

NO: _____

(1) VESSEL NAME: _____ (2) CALL SIGN: _____

(3) HULL NO: _____ (4) VESSEL TYPE: _____

(5) LENGTH (METERS): _____ (6) GROSS TONS: _____

(7) NET TONS: _____ (8) MAX SPEED (KNOTS): _____

(9) OWNER NAME: _____

ADDRESS: _____

(10) AGENT NAME: _____

ADDRESS: _____

(11) PROCESSING EQUIPMENT: _____

(12) HOLD CAPACITY (IN CUBIC METERS - BALE CAPACITY ONLY):

HOLD #1: _____ HOLD #2: _____ HOLD #3: _____ HOLD #4: _____

(IF MORE THAN 4 HOLDS, GIVE TOTAL HOLD CAPACITY) _____

(13) LIST LAST APPLICATION NUMBER _____ IF NONE, CHECK _____

(14) ARE JOINT VENTURE OPERATIONS BEING REQUESTED? YES ___ NO ___ (IF YES, ATTACH JOINT VENTURE SUPPLEMENTAL RESPONSES)

(15) CHECK IF VESSEL IS CERTIFIED TO BE IN COMPLIANCE WITH THE FLAG NATION'S HEALTH AND SAFETY STANDARDS _____

(16) FISHERY FOR WHICH PERMIT IS REQUESTED:

			A C T I V I T Y		
FISHERY	SPECIES/TRANSHP. LOCATION	GEAR	CATCH	PROCESS	OTHER

(17) TRANSSHIPMENT POINT (LATITUDE AND LONGITUDE) _____

(18) IS TRANSSHIPMENT POINT WITHIN THE INTERNAL OR TERRITORIAL WATERS OF A STATE? YES ___ NO ___ IF YES, IDENTIFY STATE _____

**INSTRUCTIONS FOR THE BASIC APPLICATION FORM FOR
VESSEL PERMITS TO BE ISSUED UNDER SECTION 204(b)**

1. **Fishery:** Enter "NWA" to denote "Northwest Atlantic Ocean" as the fishery in which fishing operations are being sought. Applicable regulations and descriptions for each fishery are contained in the foreign fishing regulations (50 CFR Part 600, Subpart F). Applications for fisheries other than those identified in the regulations should be submitted by letter to the U.S. Department of State. In order that full consideration may be given to the request, such letter applications should fully describe the proposed fishing operation and provide the following information: fishery, species, gear, and tonnage requested, if any; or nature of fishing operations requested.

2. **Species:** Enter the species requested for the joint venture (JV). If only support operations involving activity codes 5, 6, 7, 8 or 9 (to be designated on individual VIF) are being requested, enter "Support" in the "Species" column and leave the remaining columns blank.

3. **Total Tonnage Requested for Each Species:** Leave the "Directed" column blank. Enter requested JV transfer amounts in the "Joint Venture" column.

THE UNITED STATES OF AMERICA
 DEPARTMENT OF COMMERCE
 NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

BASIC APPLICATION FORM TO REQUEST VESSEL PERMITS
 TO BE ISSUED UNDER SECTION 204(b) OF THE
 MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT

In accordance with the provisions of the Magnuson-Stevens Fishery Conservation and Management Act, the Government of _____ submits this permit application for vessels operating under its flag to fish within the Exclusive Economic Zone of the United States, or beyond that zone for anadromous species.

Vessel Identification Forms and supplemental information describing any joint venture operations are attached to this application. The fisheries, species, and quantities requested for directed and/or joint venture operations are as follows:

Fishery	Species	Total Tonnage Requested For Each Species	
		Directed	Joint Venture

Submitted: _____
 Date

 Signature

 Official's Title

Supplemental information describing each joint venture operation proposed is attached to this application (see instructions for supplemental questions on joint ventures).

Yes _____ No _____

**SUPPLEMENTAL QUESTIONS
TO BE ANSWERED AND ATTACHED TO
APPLICATIONS FOR JOINT VENTURE PERMITS
TO BE ISSUED UNDER SECTION 204(b)**

Attach a response (typed on 8 1/2" by 11" paper) to the following 11 questions for each distinct joint venture requested (e.g., the receipt of Atlantic mackerel from vessels of one company or business enterprise would be distinct from the receipt of Atlantic mackerel from vessels of another company or business enterprise). The involvement of more than one foreign vessel or of more than one vessel of the United States does not, in itself, constitute a distinct venture.

Answer the questions completely. If you consider any price information submitted in answer to question 11 proprietary, so indicate.

- (1) Names and types of foreign vessels to be employed. Number of foreign vessels to be employed at any one time.
- (2) Names and types of vessels of the United States which have been contracted and/or agreed to deliver U.S. harvested fish. Number of U.S. vessels to be employed at any one time.
- (3) Name, address, telephone number, and fax number of the person within the United States who will coordinate these operations with the foreign company. Note that the person may be different than the designated representative referenced in the foreign fishing regulations.
- (4) Name, address, telephone number and fax number of person or company within the United States who will be the American partner and if different, the same information for the principal contact with owners/operators of vessels of the United States.
- (5) Geographical area(s) in which vessels will operate. Use fishing area designations of the foreign fishing regulations.
- (6) Months and seasons during which vessels expect to operate.
- (7) List by species and quantity the processed products expected to be produced and ultimate expected market. Identify species and quantities, if any, which will reenter the United States.
- (8) Procedures to be employed to minimize the amount of incidental catch and prohibited catch received by foreign vessels. Describe intended disposition by species.
- (9) Method of transfer from vessels of the United States to foreign vessels (e.g., delivery of zippered cod ends to processing vessels, transfer from deck to deck with initial

sorting on vessels of the United States, transfer of unsorted fish to transports for further delivery to processing vessels, etc.).

(10) Relationship to other fishing operations (e.g., foreign vessels will be used exclusively to receive United States harvested fish, vessels of the United States will deliver certain species to foreign vessels and other species to United States fish processors, etc.). State if an application has been or will be made to process fish in U.S. internal marine waters. Describe any trade agreements or other considerations related to this proposed fishing operation.

(11) Please provide, if possible, the approximate price, by species, to be paid for United States harvested fish (U.S. dollars per mt). If prices are under negotiation, please specify, if possible, the range of prices being considered (U.S. dollars per mt). If you consider any price information provided proprietary, so indicate by submitting it on a separate sheet of paper marked "considered proprietary information."

ATTACHMENT 1

Activity codes are defined as follows:

1 - Catching, scouting, processing, transshipping, and supporting foreign vessels. Activity is limited to fish harvested or to be harvested by foreign vessels in the EEZ.

2 - Processing, scouting, transshipping, and supporting foreign vessels. Activity is limited to fish harvested or to be harvested by foreign vessels in the EEZ.

3 - Transshipping, scouting, and supporting foreign vessels. Activity is limited to fish harvested or to be harvested by foreign vessels in the EEZ.

4 - Processing, scouting, transshipping, and supporting U.S. vessels delivering fish to foreign vessels. Activity is limited to the receipt of unprocessed fish harvested or to be harvested by U.S. vessels.

5 - Transshipping, scouting, and supporting foreign vessels. Transshipments limited to fish received or to be received from foreign vessels processing fish from U.S. harvesting vessels.

6 - Transshipping, scouting, and supporting U.S. vessels. Transshipments limited to U.S. harvested fish processed aboard U.S. vessels.

7 - Processing, transshipping, and supporting foreign vessels. Activity limited to fish harvested or to be harvested by foreign vessels seaward of the EEZ.

8 - Transshipping (*), and supporting foreign vessels. Activity is limited to fish harvested or to be harvested seaward of the EEZ by foreign vessels or fish duly authorized for processing in the internal waters of one of the States.

9 - Supporting U.S. fishing vessels and U.S. fish processing vessels and any foreign fishing vessels authorized under any activity code under this section.

(*) Including transshipping to U.S. vessels.

ATTACHMENT 2

EXAMPLES

a.) A factory ship which will participate in a JV and also expects to take on fish processed at sea by U.S. vessels:

FISHERY	REQUESTED SPECIES	GEAR	CATCH	PROCESS	OTHER
NWA	Mackerel				4,6

b.) A stern trawler with processing capability which will participate in a JV and also expects to transfer in the EEZ fish from an internal waters operation:

FISHERY	REQUESTED SPECIES	GEAR	CATCH	PROCESS	OTHER
NWA	Mackerel				4,8

c.) A cargo/transport which expects to transfer in the EEZ fish which were caught shoreward of the EEZ:

FISHERY	REQUESTED SPECIES	GEAR	CATCH	PROCESS	OTHER
NWA					8