



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, Maryland 20910

JUN 10 2002

Mr. Don McIsaac, Executive Director
Pacific Fishery Management Council
7700 NE Ambassador Place, Suite 200
Portland, Oregon 97220-1384

Dear Mr. McIsaac:

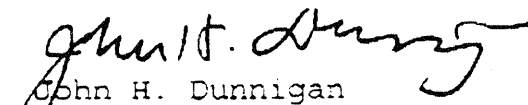
Section 204(d) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) provides for the issuance of transshipment permits authorizing foreign vessels to conduct fishing operations consisting solely of transporting fish or fish products at sea from a point within the U.S. Exclusive Economic Zone (EEZ) or, with the concurrence of a State, within the boundaries of that State, to a point outside the United States.

In accordance with Section 204(d)(2) of the Magnuson-Stevens Act, enclosed for your review is an application requesting authorization for a Mexican vessel to accompany a U.S. purse seiner into the Pacific waters of the EEZ south of 38 degrees, N. latitude. The Mexican vessel will tow a fish cage 40 meters in diameter for the purpose of accepting transfers of live tuna from the purse seiner. The cage containing live tuna will periodically be towed to a point within Mexican waters where the fish will be released into an aquaculture facility.

We would appreciate receiving by June 26, 2002, any comments you wish to submit with respect to this application. The general conditions and restrictions that will apply to any permit issued are found at Section 204(b)(7) of the Magnuson-Stevens Act.

Thank you for your assistance with this matter.

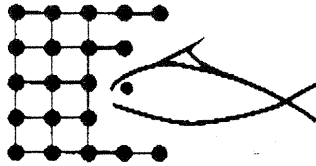
Sincerely,


John H. Dunnigan
Director, Office of
Sustainable Fisheries

Enclosure



BAJA AQUA-FARMS



SA de CV

Mr. Bob Dickinson
National Marine Fisheries Service
International Fisheries Division
1315 East West Highway, Silver Spring
Maryland 20910

17th May 2002

Dear Mr. Dickinson,

Attached is the documentation for the application for a transshipping permit for the Mexican flagged vessel should it be necessary to enter US waters to purchase live pacific blue fin tuna from the US vessels prior to being transshipped back to Baja California, Mexico to our companies aquaculture facility there.

Background:

This operation will involve towing a 40-meter diameter live fish cage to the fishing zone which could be any where in the US EEZ "pacific waters" (Out side CA waters - from the US/Mexico Border to as far north Half moon bay). South 58° 38' N. Lat. per tel. com 5/30. After the tuna has been caught it is then transferred in live form from the catching vessels purse seine net into the live fish transport cage net. (RAD)

After receiving the tuna this cage of fish is towed back to the aquaculture concession facility by the tow vessel at approximately 1Kn per hour.

During the "tow" these fish will be fed daily a diet of defrosted sardine, mackerel or anchovies or squid that will be kept onboard the towing vessels in its bait freezer. Additionally there will be divers stationed onboard the vessel that will be responsible for net repairs and or removal of any mortality fish that die during the journey.

It is envisaged that this operation could take place in multiple journey format in any months from July through November 2002 (subject to when the fish turns up in US waters).

The company's objective will be to purchase up to 500 M/T of fish should it be available.

Listed below are several of the US fishing vessels/companies that will be working to catch and sell live fish to the company.

F/V Barbara H

F/V King Philip

F/V Anne D

Mexico

Torres Aguacaliente
Blvd Aguacaliente 4558
11th Floor Office 1104
Tijuana, B.C. 22240
Mexico
Tel: 52-6-686 3192
Fax: 52-6-686 3191

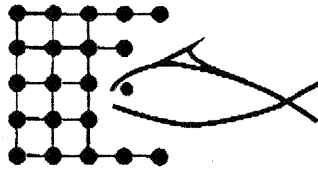
San Diego, California

2535 Kettner Blvd., Suite 3A2
San Diego, CA 92101
USA
Tel: 619-544 8355
Fax: 619-544 9178

Hilton South Australia

104 Sir Donald Bradman Drive
Hilton
South Australia 5035
Tel: 61-8-8351 8400
Fax: 61-8-8351 8724
Email: agritrade@adelaide.on.net

BAJA AQUA-FARMS



SA de CV

I would like to thank you in advance for your assistance on the above request.

Should you require any additional information pls do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'BF', with a long horizontal flourish extending to the right.

*Benjamin Fuss
General Manager*

Mexico

Torres Aguacaliente
Blvd Aguacaliente 4558
11th Floor Office 1104
Tijuana, B.C. 22240
Mexico
Tel: 52-6-686 3192
Fax: 52-6-686 3191

San Diego California

2535 Kettner Blvd., Suite 3A2
San Diego, CA 92101
USA
Tel: 619-544 8355
Fax: 619-544 9178

Hilton South Australia

104 Sir Donald Bradman Drive
Hilton
South Australia 5033
Tel: 61-8-8351 8400
Fax: 61-8-8351 8724
Email: agritrade@adelaide.on.net

OMS NO. 0648-0089

(EXPIRES 03-31-05)

FISHING VESSEL IDENTIFICATION FORM (VIF)

NO: MX-02-0004

- (1) VESSEL NAME: "ORGULLOSO"
- (2) CALL SIGN: XCNY
- (3) HULL NO: "302"
- (4) VESSEL TYPE: LONGLINERR - TOW
- (5) LENGTH (METERS): 25.58
- (6) GROSS TONS: 183.23
- (7) NET TONS: 54.97
- (8) MAX SPEED (KNOTS): 10
- (9) OWNER NAME: BUENA PESCA SADECV "PLS SEE ATTACHED ADEMUM"
RECINTO PORTARIO # 193 LOCAL 1 EDIFICIO DEL PUERTO EL
ADDRESS: SANZAL, BAJA CALIFORNIA, MEXICO
- (10) AGENT NAME: MIDWAY SERVICES INC - MR BENJAMIN FUSS - 1-619-544-9177
ADDRESS: 2535 KETTNER BLVD #3A2 SAN DIEGO CA 92101
- (11) PROCESSING EQUIPMENT: NOT APPLICABLE
- (12) HOLD CAPACITY (IN CUBIC METERS - BALE CAPACITY ONLY):
HOLD #1: 107 M/3 HOLD #2: 36.8 M/3 HOLD #3: _____ HOLD #4: _____
(IF MORE THAN 4 HOLDS, GIVE TOTAL HOLD CAPACITY) _____
- (13) LIST LAST APPLICATION NUMBER _____ IF NONE, CHECK "X"
- (14) ARE JOINT VENTURE OPERATIONS BEING REQUESTED? YES ___ NO "X" (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 "X"
- (16) FISHERY FOR WHICH PERMIT IS REQUESTED: "ETP"

FISHERY	SPECIES/TRANSHP. LOCATION	GEAR	ACTIVITY		
			CATCH	PROCESS	OTHER
"ETP"	SUPPORT				"g"

- (17) TRANSSHIPMENT POINT (LATITUDE AND LONGITUDE) "VARIOUS" US EEZ PACIFIC WATERS
- (18) IS TRANSSHIPMENT POINT WITHIN THE INTERNAL OR TERRITORIAL WATERS OF A STATE? YES ___ NO X IF YES, IDENTIFY STATE _____

"ADEMDUM"

B/V ORGULLOSO

9. OWNERS NAME: "BAJA AQUA-FARMS SA DE CV"
SUB CHARTER ARRANGEMENT ON THE
VESSEL

ADDRESS: TORRES AGUACALIENTE, BLVD
AGUACALIENTE 4558, 11TH FLOOR OFFICE
1104, TIJUANA BAJA CALIFORNIA MEXICO

CONTACT PERSON: BENJAMIN FUSS
GENERAL MANAGER
52-6-686-3192 PH (MEXICO)
52-6-686-3191 FAX (MEXICO)

1-619-544-9177 PH (USA)
1-619-544-9178 FAX (USA)
1-619-884-2801 CELL

Tuna Cage Construction:

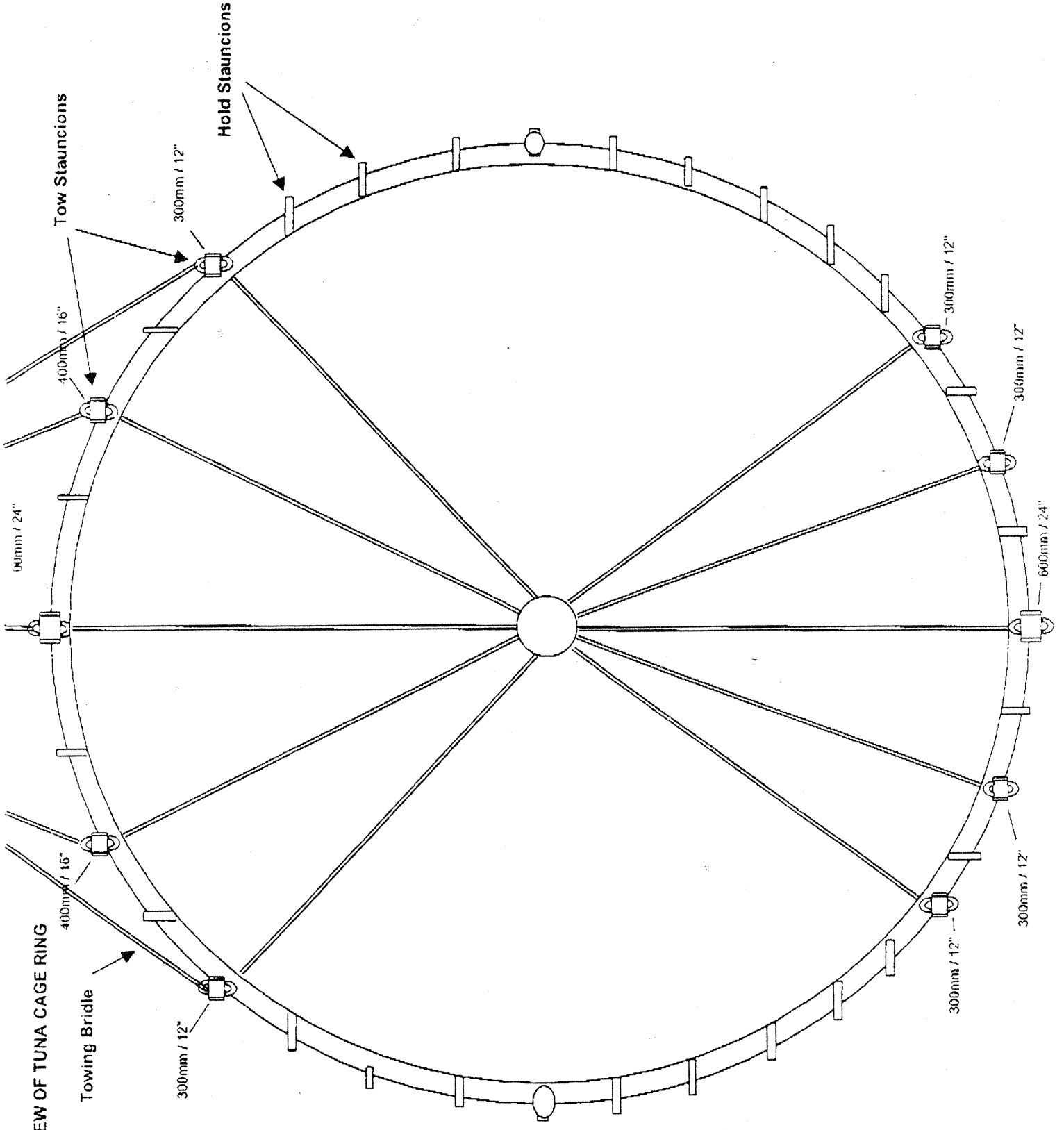
Diameter: 40 meters
Floating Collar: 450 mm diameter medium density polyethylene pipe
Net Material: Nylon x 40 meters diameter x 12 meters depth
Towing Config: 5 Point towing bride set up off 220 Meters of 64 MM 8 plat
Soft towing line
Appropriate towing lighting

Diagram Attached

Towing Vessel Specification:

Length: 75-100'
Main Engine HP: 550-900
Fuel Capacity: 18,000 + USGL
Fresh Water: 4,000 + USGL (Unless F/W maker onboard)
Reduction: 5:1 or greater (Kort nozzle is an advantage)
Accommodations: 7 - 8 Persons
Crane / Boom: Capacity to lift 1.2 M/T @ 21'
Deck space: Enough to carry 2 x 17' Aluminum tender vessels
Freezer Capacity: 8 M/T of bait storage
Ice Machine: 1.5 - 2 M/T per day
Additional: VCR with frame by frame replay
Satellite phone

T₁ VIEW OF TUNA CAGE RING



CAGE
ISOMETRIC VIEW

