

SJR

57

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Date of 2-2 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED **
IN ACCORDANCE WITH AS 24.08.035
(see below)

1/26/88 DATE TURNED INTO OFFICE _____
Mr. President:
Resources _____ Committee considered SJR 57

foreign fishing in the international water of the Bering Sea

and recommended:

replace with CS SJR 57 (Res) same title
 attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
 zero fiscal impact

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]
[Signature]

[Signature] DO PASS
Chairman signature and recommendation

Committee Backup Attached

FISCAL NOTE

REQUEST:

Revision Date: February 5, 1988
Title: Foreign fishing in the interna-
tional water of Bering Sea
Sponsor: Sturgulewski
Requester: _____

Agency Affected: Commerce & Econ. Dev.
BRU: Division of Business Development
Components: _____

EXPENDITURES / REVENUES : (Thousands of Dollars)

OPERATING	FY 88	FY 89	FY 90	FY 91	FY 92	FY 93
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-			
CAPITAL	-0-	-0-	-0-			
REVENUE	-0-	-0-	-0-			

FUNDING: (Thousands of dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL	-0-	-0-	-0-			

POSITIONS:

FULLTIME	-0-	-0-	-0-			
PARTTIME	-0-	-0-	-0-			
TEMPORARY	-0-	-0-	-0-			

ANALYSIS: (Attach a separate page if necessary.)

No fiscal impact on this department

Prepared by: Paul Peyton, Project Manager
Division: Business Development

Phone: 465-2162
Date: February 5, 1988

Approved by Commissioner: J. Anthony Smith
Agency: Department of Commerce and Economic Development

Date: 2/8/88

Distribution (by preparer):

Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)

page ____ of ____

Alaska State Legislature

55r57

SENATOR
ARLISS STURGULEWSKI
Chairman, Senate Community and Regional Affairs Committee
Vice-Chairman, Senate Judiciary Committee
Member, Senate Resources Committee



JAN 25 1988

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

Write in Juneau
P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

MEMORANDUM

January 25, 1988

TO: Senator Jack Coghill

FROM: Senator Arliss Sturgulewski

RE: Calling for action to control foreign fishing in international waters (Donut Hole area) of the Bering Sea

There is a need for immediate action by the U.S. to protect the fisheries resources of the 200-mile zone off the coast of Alaska.

The area of international waters between Alaska and Soviet Union known as the Donut Hole is subject to unlimited and uncontrolled harvesting which may be detrimental to fish stocks within the 200-mile zone.

This resolution calls upon the federal government to take a number of initiatives including negotiation with the Soviet Union, increased enforcement, and increased observation to protect the fisheries resources of the U.S. and Alaska.

I am planning to introduce this resolution on Tuesday, January 26 and welcome your co-sponsorship. Please advise my office (465-3818) by 4:30 today if you would like your name added.

Enclosure

Fish group wants government to eat 'doughnut hole'

By STAN JONES
Daily News reporter

The group charged with managing high seas fishing in the North Pacific may ask Uncle Sam to swallow the so-called "doughnut hole" in the Bering Sea.

The North Pacific Fishery Management Council is scheduled today to consider recommending that the United States extend its fisheries jurisdiction westward to the 1867 Convention Line, established when America bought Alaska from Russia.

That would take in the doughnut hole, a 4,500-square-mile triangle of ocean that is outside both the U.S. 200-mile limit and Russian jurisdiction. The area is international waters and foreign vessels may fish there, although they are banned from doing so in more fertile U.S. waters south, east and north of the hole.

Under the proposal to come before the management council today, the hole would become U.S. waters, from which foreigners could be excluded at will.

The doughnut hole has come up repeatedly at the council's Anchorage meeting this week, because American

fishermen believe that Japanese and other foreign vessels, operating under cover of darkness or cloud, slip from the doughnut hole into adjacent U.S. waters, poach U.S. fish, then report them as having been taken legally in the hole.

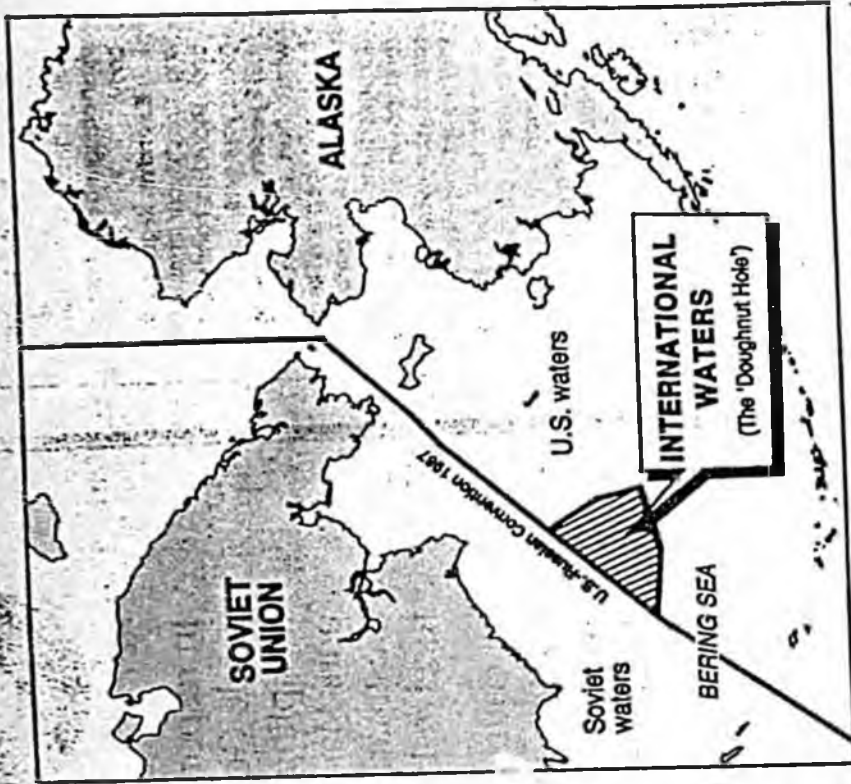
The council, in addition to seeing a videotape of foreigners allegedly fishing in U.S. waters, heard from Mayor Paul Fuhs of Unalaska. He presented a report that seemed to show that more fish are being shipped out of the Bering Sea than were reported as being caught, lending further weight to the charges of foreign poaching.

If the council does recommend that the United States take over the doughnut hole, it could set the stage for complicated national and international politicking.

The first step would be an act of Congress asserting U.S. jurisdiction.

Because international sea law does not provide for fisheries jurisdiction beyond 200 miles, "We would have to go out and negotiate with foreign countries to exert our jurisdiction out there," said Robert Ford, a U.S. State

See Page C-6, HOLE



Anchorage Daily News map/Dave Boyle

HOLE: Group wants boundary to be extended

Continued from Page C-1

Department fisheries officer and a non-voting member of the management council. The countries that now use the hole include Japan, South Korea, China and Poland, Ford said.

Such unilateral assertions of jurisdiction are rare, but not unheard of, he said. One example was Libya's claim of jurisdiction over the Gulf of Sidra a few years ago, a claim rejected by the United States.

Extended jurisdiction is at the top of a long list of suggestions for ending foreign fishing violations that the council will consider adopting as formal recommendations to the federal government today.

Others include increased Coast Guard surveillance and patrol activity, increased enforcement against foreign violators by their own governments, prohibiting countries whose vessels poach from entering into joint ventures with American fishermen, and stationing U.S. observers on foreign ships in the doughnut hole.

The State Department, meanwhile, on Thursday asked Japan to allow American inspectors to board Japanese trawlers to search for evidence the ships had been fishing illegally inside the U.S. zone.

ANCH DAILY NEWS
1/22/88

1 IN THE SENATE

BY STURGULEWSKI

2 SENATE JOINT RESOLUTION NO.

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 Relating to foreign fishing in the
6 international water of the Bering Sea.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS the Magnuson Fishery Conservation and Management Act has
9 contributed to the rapid "Americanization" of the fisheries within the
10 200-mile Exclusive Economic Zone (EEZ) off Alaska's coast; and

11 WHEREAS harvesters and processors in the United States are increasing
12 their ability to utilize the vast groundfish resources in the EEZ; and

13 WHEREAS Alaska's coastal communities are benefiting from the economic
14 activity caused by the Americanization of the fisheries resources off
15 Alaska's coast; and

16 WHEREAS those fishery resources are worth billions of dollars annually
17 to the United States; and

18 WHEREAS the area of the Bering Sea outside the EEZ of the United
19 States and outside the jurisdiction of the Soviet Union is not managed by
20 any country or international organization; and

21 WHEREAS the fish stocks in the EEZ are not stationary, but circulate
22 beyond the 200-mile boundary, where they are subject to unlimited and
23 uncontrolled harvesting that is detrimental to the stocks; and

24 WHEREAS the extent of the harvest in the international water of the
25 Bering Sea is unknown, but is estimated to be in excess of 1,000,000 metric
26 tons a year; and

27 WHEREAS Japanese, Chinese, Polish, and South Korean commercial fishing
28 vessels conduct harvest operations in the international water of the Bering
29 Sea; and

1 WHEREAS unregulated foreign fishing in the international water of the
2 Bering Sea adversely affect United States fishing efforts in the EEZ and
3 the development of markets for United States fishery products; and

4 WHEREAS this area is used as a staging area for illegal fishing within
5 the United States' EEZ by foreign vessels; and

6 WHEREAS the lack of observers and the lack of accurate data on the
7 fishery resources and harvest level in the international water of the
8 Bering Sea significantly hinder decision-making on stocks in the United
9 States' EEZ; and

10 WHEREAS prompt action is necessary to protect the fishery resources of
11 the United States that migrate into international water and to protect the
12 integrity of the Magnuson Act;

13 BE IT RESOLVED by the Alaska State Legislature that the President of
14 the United States is respectfully requested to seek negotiations with the
15 Soviet Union to implement harvesting controls in this area; and be it

16 FURTHER RESOLVED that the President of the United States is respect-
17 fully requested to seek agreements with foreign nations whose vessels fish
18 in the international water of the Bering Sea that would provide for annual
19 reporting of fishing activities in that area; and be it

20 FURTHER RESOLVED that the Secretary of Commerce is respectfully re-
21 quested to direct that, in accordance with the permit conditions estab-
22 lished by the North Pacific Fishery Management Council, the United States
23 observer program be expanded to include foreign fishing vessels operating
24 in the international water of the Bering Sea; and be it

25 FURTHER RESOLVED that the Commandant of the United States Coast Guard
26 is respectfully requested to order increased patrols in the international
27 water of the Bering Sea; and be it

28 FURTHER RESOLVED that the United States government take steps neces-
29 sary to prevent the overharvest of fishery resources of United States

1 origin in the international water of the Bering sea, including the
2 extension of United States' jurisdiction over the area.

3 COPIES of this resolution shall be sent to the Honorable Ronald
4 Reagan, President of the United States; to the Honorable George Shultz,
5 Secretary of State; to the Honorable C. William Verity, Jr., Secretary of
6 Commerce; to Admiral Paul A. Yost, Jr., Commandant, United States Coast
7 Guard; to James O. Campbell, Chairman, North Pacific Fishery Management
8 Council; and to the Honorable Ted Stevens and the Honorable Frank
9 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative,
10 members of the Alaska delegation in Congress.

Original sponsors: Sturgulewski, Zharoff,
Uehling, et al.

1 IN THE SENATE

BY THE RESOURCES COMMITTEE

2 CS FOR SENATE JOINT RESOLUTION NO. 57 (Resources)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - SECOND SESSION

5 Relating to foreign fishing in the
6 international water of the Bering Sea.

7 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 WHEREAS the Magnuson Fishery Conservation and Management Act has
9 contributed to the rapid "Americanization" of the fisheries within the
10 200-mile Exclusive Economic Zone (EEZ) off Alaska's coast; and

11 WHEREAS harvesters and processors in the United States are increasing
12 their ability to utilize the vast fisheries resources in the EEZ, including,
13 but not limited to groundfish, salmon, and herring; and

14 WHEREAS Alaska's coastal communities are benefiting from the economic
15 activity caused by the Americanization of the fisheries resources off
16 Alaska's coast; and

17 WHEREAS those fishery resources are worth billions of dollars annually
18 to the United States; and

19 WHEREAS the area of the Bering Sea outside the EEZ of the United
20 States and outside the jurisdiction of the Soviet Union is not managed by
21 any country or international organization; and

22 WHEREAS the fish stocks in the EEZ are not stationary, but circulate
23 beyond the 200-mile boundary, where they are subject to unlimited and
24 uncontrolled harvesting that is detrimental to the stocks; and

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26 Bering Sea is unknown, but is estimated to be in excess of 1,000,000 metric
27 tons a year; and

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29 vessels conduct harvest operations in the international water of the Bering

1 Sea; and

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13 integrity of the Magnuson Act;

14 BE IT RESOLVED by the Alaska State Legislature that the President
15 the United States is respectfully requested to seek negotiations with t
16 Soviet Union to implement harvesting controls in this area; and be it

17 FURTHER RESOLVED that the President of the United States is respec
18 fully requested to direct the Secretary of Defense, the Secretary of State
19 and the Secretary of Commerce to work collectively to monitor fishin
20 activities in the Bering Sea; and be it

21 FURTHER RESOLVED that the President of the United States is respect
22 fully requested to seek agreements with foreign nations whose vessels fi
23 in the international water of the Bering Sea that would provide for annu
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12 Guard; to James O. Campbell, Chairman, North Pacific Fishery Management
13 Council; and to the Honorable Ted Stevens and the Honorable Frank
14 Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative
15 members of the Alaska delegation in Congress.



SENATOR FRED F. ZHAROFF
ALASKA STATE LEGISLATURE

P.O. BOX 405, KODIAK, ALASKA 99615 (907) 486-5259

DURING SESSION:


P.O. BOX V, JUNEAU, ALASKA 99811 • (907) 485-3473 • 465-3474

DISTRICT N

ALASKA PENINSULA • ALEUTIAN CHAIN • BRISTOL BAY • KODIAK ISLAND • LAKE CLARK/LAKE ILIAMNA • PRIBILOF ISLANDS • SHUMAGIN ISLANDS

MEMORANDUM

TO: Senator Jack Coghill
Chairman
Senate Resources Committee

FROM: Senator Fred F. Zharoff 

DATE: February 2, 1988

RE: Request committee time for special presentation

I respectfully request that time be made available during the Feb. 8 Senate Resources Committee meeting, if possible, for a special presentation by Mr. Paul Fuhs, the mayor of Unalaska.

Mr. Fuhs will show and explain a videotape made of illegal foreign fishing in the U.S. Exclusive Economic Zone (200-mile limit). He will also describe the reaction the videotape and the news of the illegal foreign fishing received when they were presented in Washington, D.C. In addition, Mayor Fuhs wishes to brief the committee on an Alaskan plan for bottomfish development. Currently, millions of dollars are being made from the harvest of the North Pacific's bottomfish resource, but precious little of the wealth is accruing to Alaska.

This presentation should tie in with the committee's consideration of SJR 57, "Relating to foreign fishing in the international waters of the Bering Sea". Mr. Fuhs is an excellent speaker with first hand knowledge of the events now occurring in the North Pacific. I can assure you his presentation will be most interesting.

Alaska State Legislature



**SENATOR
ARLISS STURGULEWSKI**

Chairman, Senate Community and Regional Affairs Committee
Vice-Chairman, Senate Judiciary Committee
Member, Senate Resources Committee

2957 SHELDON JACKSON STREET
ANCHORAGE, ALASKA 99508

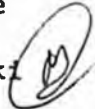
While in Juneau
P. O. BOX V
JUNEAU, ALASKA 99811
(907) 465-3818

Senate

MEMORANDUM

February 2, 1988

TO: Senator Jack Coghill, Chairman
Senate Resources Committee

FROM: Senator Arliss Sturgulewski 

RE: SJR 57 Relating to foreign fishing in the international water of the Bering Sea.

There is a need for immediate action by the U.S. to protect the fisheries resources of the 200-mile zone off the coast of Alaska.

The area of international waters between Alaska and the Soviet Union known as the "Donut Hole" is subject to unlimited and uncontrolled harvesting which may be detrimental to fish stocks within the 200-mile zone.

This resolution calls upon the federal government to take a number of initiatives including negotiation with the Soviet Union, increased enforcement, and increased observation to protect the fisheries resources of the U.S. and Alaska.

The North Pacific Fisheries Management Council members are scheduled to go to Washington D.C. at the end of February to encourage action and passage of this resolution would support their efforts.

Letter to the Editor:

DANGER IN THE DONUT HOLE

Dear Editor:

The Americanization of the Bering Sea bottomfish industry is proceeding at a remarkable pace. American industry is fast closing the gap on foreign domination of the processing sector, much as U.S. harvesters have already done in their sector.

Before we congratulate ourselves, however, we need to take a hard look at where the foreign fishing effort we've displaced has gone. Out of our waters and away from our stocks, some would say. But recent data from the Japanese and other foreign fleets might prove this to be a hasty conclusion.

Much of the foreign fishing effort seems to have moved out into the international waters of the Bering Sea, to an area known as the donut. According to figures given the North Pacific Fisheries Management Council (NPFMC), foreign fishermen harvested almost one million metric tons of pollock in the donut this past year, with the Japanese alone taking over 700,000 tons. This means foreigners are taking almost as much pollock in the donut as the NPFMC allows U.S., joint venture and foreign harvesters to take in the entire Bering Sea management zone.

These catch figures were given to us by the governments involved. Given the past record of inaccuracies in foreign fishing data, who is to say exactly how much fishing really goes on out there? Besides the Japanese, there are Chinese, Polish and South Korean vessels that operate in the donut as well. And while we know little about the fishing effort, we know next to nothing about the composition of fish stocks in the 70,000 square-mile donut.

The composition of fish stocks in the donut will be the key to determining the impact this massive, unregulated fishery will have on American fisheries in the Exclusive Economic Zone (EEZ). It is quite possible that the pollock stocks of the donut and the U.S. EEZ are interrelated, which would mean that unregulated fishing in the donut could prove disastrous for the long-term health and management of the Bering Sea fisheries resource.

In December the NPFMC will consider recommendations to increase the allowable catch levels for pollock

beyond last year's 1.2 million metric tons. If the NPFMC does not take the massive donut zone harvest into account when setting allowable catch levels for pollock in American waters, overharvesting may result. If stocks in the two zones turn out to be closely mixed, the resource could collapse. Such a collapse would come at a particularly bad time for the continued Americanization of the fisheries.

By raising the cap set in the management plan for the Bering Sea/Aleutian Islands, the NPFMC could increase the allowable catch level for a number of species, which could benefit some segments of the fishing industry. But the bulk of the increase would go to pollock. This would mean increased JVP (joint venture) and TALFF (directed foreign fishing) allocations, which in turn would reduce the percentage of U.S. processed fish on the market, reducing the influence American processors need to break into closed foreign markets. And if a collapse did come, it would hit in a few years, right when the multi-million dollar factory trawlers many American companies are building finally come on line.

The point is, we just don't know what the impact of fishing in the donut zone will be. Historically, we have found that unregulated fishing is destructive and leads to overharvesting of the common resource as individuals seek to maximize their returns. It was unregulated fishing by large foreign fleets that helped precipitate the Magnuson Act in the first place.

We should not ignore the warnings of the past. At the very least, we should consider ways to obtain observer coverage and comprehensive data for vessels operating in the donut, as well as conducting research to determine the composition of the stocks. The U.S. should also take steps to bring about the regulation or elimination of high seas fisheries in the donut. But until that time, it would seem prudent for the NPFMC to consider the possible impact of intensive fishing in the donut when setting catch levels for bottomfish in the U.S. EEZ.

*Earl Comstock
Bering Sea Fishermen's Association*

"Given the past record of inaccuracies in foreign fishing data, who is to say exactly how much fishing really goes on out there?"

FBS 1/21/88

Japan trawlers alleged to violate U.S. waters

The New York Times

SEATTLE, Wash.—Federal officials meeting in Anchorage Wednesday began investigating evidence that foreign trawlers may have been fishing illegally in rich American waters off the Aleutian Islands in Alaska.

The officials were studying a videotape, taken last week in the Bering Sea, that apparently shows seven large foreign trawlers fishing 39 miles inside the 200-mile territorial limit north of the Aleutians.

State Department officials said four of the vessels in the videotape were registered in Japan. Several officials said U.S. representatives expressed "grave concern" to the Japanese Embassy in Washington on Friday. A spokesman for the Japanese Embassy said that the matter would be investigated and that any violators would be penalized.

If the incident is confirmed, it would represent the most extensive illegal intrusion into America fishing grounds in the Pacific since the 200-mile limit was put into effect 10 years ago. American fishermen have argued that illegal fishing by foreign vessels costs them up to \$650 million each year.

Sen. Frank Murkowski, R-Alaska, has protested to the Japanese government about the alleged fishing violations in the Bering Sea.

In a letter to Nobuo Matsunaga, Japanese ambassador to the U.S., Murkowski said several Japanese trawlers have been observed fishing within the American economic zone, where foreign operations are illegal.

"The location of these vessels bears out what many members of the United States fishing industry have been at for some time; that the Japanese vessels have been harvesting pollock not only in the international waters of the Bering Sea . . . but also in nearby areas within the U.S. economic zone," Murkowski wrote.

Coast Guard and American fishing industry officials have recently suspected that illegal fishing, mainly by Japanese traw-

lers, has been going on in the rich, shallow waters over an area called Ulm's Plateau. But they said they suspected that the boats usually slipped over the boundary at night or under the cover of low clouds to avoid detection by Coast Guard aircraft.

"We caught them red-handed," said Ted Evans, director of the Alaska Factory Trawlers Association, which represents about 3,000 bottom fishermen. Last week Evans, another fishing industry official, and two pilots flew over the area and videotaped seven foreign vessels with their nets out.

"If this is true, those vessels will be given severe penalties," said Yasuo Endo, fishing counselor for the Japanese Embassy. He said officials in Tokyo had begun an investigation.

At issue is the booming market in bottom fish like Alaskan pollock and cod, long harvested by the Japanese but ignored by America fishermen until recently. When the 200-mile limit was established, it took away much of the fishing grounds long used by the Japanese. In the last five years, the American bottom fish industry has grown tenfold, reflecting growing demand for Alaskan pollock, most of which is used to make artificial crab meat.

"We've got the best fishing grounds in the world in the Bering Sea and everybody knows it," Evans said. "The problem has been enforcement."

State Department officials said the national origin of three other large ships in the videotape could not be determined because their hull identification numbers were covered up, a violation of Coast Guard rules.

The 200-foot trawlers not only catch the fish but also process them in on-board factories. The fish products are then sold to international markets, including the United States. The vessels often remain at sea for months.

Anchorage Daily News



Winner, 1976 Pulitzer Prize Gold Medal for Public Service

Gerald E. Grilly
Publisher

Howard Weaver
Managing Editor

Michael Carey
Editorial Page Editor

Katherine Fanning, Editor and Publisher 1971 to 1983
Lawrence Fanning, Editor and Publisher 1967 to 1971

Founded in 1946 by Norman C. Brown

Frank 2/27/88

Protecting the fish and the fishermen

American fishermen apparently have clear and convincing evidence that foreign trawlers have been operating illegally in U.S. waters. Videotape of seven ships — four Japanese, three unidentified — 39 miles inside the 200-mile limit north of the Aleutians seems to provide incontrovertible proof of the illegal activity.

Quite rightly, the U.S. fishermen want the violators punished and not just with the rather minor 90-day confinement to port provided by Japanese law. Foreign fishermen who enter U.S. waters threaten American fishermen's livelihood — and the health of fish stocks that are the basis for the billion dollar bottomfish industry.

Washington should make it clear to the Japanese that such intrusions will not be tolerated, perhaps by proposing stiff new penalties for documented violations. Banning foreign violators from joint ventures with American fishermen is a potent example of what could be done.

The federal government also should fund improved Coast Guard surveillance in the Bering Sea. The waters along Alaska's coast deserve protection in the national interest — and only Uncle Sam can do the job.

But laying down the law to Japan and tougher enforcement may not be the only measures needed to protect U.S. fishermen and the fish.

The history of big-time fishing is replete with stories of boom and bust. The bottomfish industry is booming today but will bust if improperly managed. The North Pacific Fishery Management Council is attempting to keep catches well below maximum sustainable yields, but does it have enough biological information to guarantee such protection? Is its management system adequate to ensure a steady harvest?

If the Japanese are poaching in U.S. waters they should be disciplined. But U.S. fishery managers must remain ever vigilant to the dangers of over-fishing even if the Japanese toe the line.

Fishing group: Foreign ships exceeding quotas

By GUY DARST
Associated Press Writer

WASHINGTON—Foreign ships appear to have taken three times as much fish from U.S.-reserved waters off Alaska in 1986 than the quota for those waters, a fishing group claimed Friday.

However, a federal enforcement official said he was confident the group's figures were a large overstatement and he "wouldn't for a minute" agree with its conclusion.

Members of the Seattle-based Alaska Factory Trawlers Association said a survey of reports to the Commerce Department showed that foreign fishing vessels transferred 1.39 million tons of fish product from the 200-mile U.S. economic zone to freighters at sea for shipment to market.

Counting U.S. vessels and fish product from fish taken in international waters, 1.83 million tons of product was transferred.

By weight, 21 percent to 25 percent of the fish survives as product such as filets, so the figures mean 7.3 million to 8.2 million tons of fish were taken from the ocean, 5.6 million to 6.6 million tons by foreign vessels, said Sam Hjelle, a trawler operator and member of the association.

The quota, set by the department's National Marine Fisheries Service, was 2.2 million tons.

The figures were provided by Dutch Harbor Mayor Paul Fuhs, who hired an accounting firm to go through transfer reports radioed to the service by vessels at sea, said Hjelle and Ted Evans, executive director of the association. Fuhs did not appear at a news conference called by Hjelle and Evans.

"If this is not controlled you are going to have exactly what happened on the East Coast in the '50s and '60s, devastation of the resource," said Hjelle.

Foreign vessels fishing in the U.S. economic zone have U.S. observers aboard, but "There's only so much an observer can do," Evans said.

At the National Marine Fisheries Service, Steven Springer said the trawler group assumed that all transfers recorded for the U.S. 200-mile Alaska zone represented fish taken in the zone, but Soviet and Polish vessels typically make transfers there of fish caught off California, Oregon and Washington, and other vessels might well include Canadian-caught fish in those transfers.

There also is some double-counting of transfers from a "catcher boat" to a processing vessel and from the processing vessel to a freighter for shipment to market, said Springer. The accounting firm could not catch these because names of vessels involved and dates of transfers are deleted

from the public file as commercially confidential information, he said.

Finally, the 21 percent to 25 percent yield represents only processing into surimi—fake lobster, crab and other products. For other operations, where meal and oil are made from the non-filet waste, 38.5 percent "is about as low as you'll go," and 55 percent is possible sometime.

The higher percentages mean correspondingly less fish taken from the ocean to make the "product" logged in the transfers.

"We recognize there are a number of schemes out there, even with observers on board, to underlog fish. But we wouldn't for a minute agree that, with 100 percent observer coverage, that the take is larger by a factor of three," said Springer.

Springer is special agent in charge of enforcement for the East Coast and Gulf of Mexico, a new position for which no counterpart has yet been appointed for Alaska or the Pacific Coast, he said. Nonetheless, he said he was familiar with Alaska matters.

Hjelle, Evans and Fuhs were in Washington to press for action against foreign ships they claim are illegally fishing in the zone. "We think the government is reacting," said Evans.

No foreign ships have permits this year for waters off Alaska. Evans showed a videotape that he and Hjelle made on Jan. 13 flying over ships north of the Aleutian Islands.

Near the Ulm Plateau, an underwater mound 35 to 40 miles inside the zone, seven ships were at work. Evans used the freeze-frame feature of the tape player to point out lines over the stern, and wake patterns he said indicated the crew was hauling in the net over the stern.

Numbers on five of the ships have identified them as Japanese. Two of the ships covered their numbers but are believed to have been Japanese because of their similarity to the others, he said.

On the flight back to the mainland, two more ships were spotted fishing two miles inside the zone, one Polish and one Korean, they said.

Evans and Hjelle were skeptical about a reported denial by two of the Japanese masters that they were fishing illegally when spotted.

"If they're 40 miles into our zone and they've got their nets out, they're definitely in violation," said Hjelle.

The Japanese government said in a preliminary report to the State Department that masters of two of the videotaped vessels have denied illegal fishing.

January 26, 1988

Mr. Paul Fuhs, Mayor
City of Unalaska
Unalaska, Alaska 99685

Dear Paul:

FOREIGN VESSEL TRANSSHIPMENT DATA IN THE BERING SEA

The purpose of this letter is to provide information about the statistical data compiled by Ernst & Whinney concerning the transshipment by foreign flag vessels of processed fish cargos originating in the U.S. EEZ in the Bering Sea for calendar year 1986.

BACKGROUND

As you know, accurate data regarding at-sea transshipment by foreign flag fleets operating in U.S. waters of the Bering Sea has not been available. Ernst & Whinney's Anchorage office obtained copies of radio messages received from foreign vessels transshipping cargo in the U.S. EEZ from the National Marine Fisheries Service Enforcement Division (NMFS) office in Juneau, Alaska. Under U.S. law, all transshipments of cargo in the EEZ that involve a foreign vessel must be reported by radio to NMFS Enforcement Office.

The radio messages contain the following information about each transshipment:

- * vessel radio call sign
- * vessel name and national registry
- * date
- * time
- * latitude and longitude
- * EEZ fishing area
- * species of fish
- * number of metric tons transshipped and product type (e.g. meal, oil, fillets)

Mr. Paul Fuhs, Mayor

January 26, 1988

TOTAL TRANSSHIPMENT TONNAGE

The purpose of compiling the transshipment data was to determine the amount of processed bottomfish products being transshipped from the U.S. EEZ by foreign flag carriers. The total transshipment tonnage reported in the radio message logs for 1986 exceeded 1.2 million metric tons. This amount is far in excess of what the harvest tonnages would indicate using rough estimates of yield by species and product type. Also, the total transshipment tonnage amount does not include processed product that leaves the U.S. EEZ in the holds of foreign processors when they depart to return to their mother countries.

RADIO MESSAGE LOG DATA

As stated in the preceding section, we relied upon NMFS radio message logs to develop the total transshipment tonnage figure. Many of these radio message logs contain inaccurate data elements including inaccurate latitudes, longitudes, product types, species, etc. The errors are of an obvious nature and would be evident to any person reviewing the logs. A reasonable conclusion would be that NMFS Enforcement Division does not use this information in any of its enforcement activities notwithstanding the fact that this type of information provides an additional method to verify and substantiate catch levels.

Very truly yours,



Ray Benish
Senior Manager

RB:csd

Metric Tons Transshipment By Country

<u>Country</u>	<u>Tons</u>	<u>% T</u>
Japan	657,107.	52
USSR	284,119.	23
Korea	237,207.	19
Poland	77,626.	6
China	<u>4,882.</u>	<u>-</u>
Total	1,260,941.	100

Tonnage By EEZ Fishing Area

<u>Fishing Area</u>	<u>Tons</u>	<u>% T</u>
50	2,220.	-
51	925,860.	73
52	259,440.	21
53	2,294.	-
54	33,464.	3
61	25,786.	2
62	11,463.	1
63	<u>414.</u>	<u>-</u>
Total	1,260,941.	100

Transshipment Tonnage By Specie

<u>Specie</u>	<u>Metric Tons</u>	<u>% T</u>
Other Flounders	104,086.	8.0
Atka Mackerel	19,068.	1.0
Other Species	2,681.	.5
Polloack	742,875.	59.0
Pacific Cod	51,639.	4.0
Pacific Hake	7,054.	.5
Yellowfin	171,240.	14.0
Unspecified	<u>162,298.</u>	<u>13.0</u>
	1,260,941.	100.0

Species recorded as less than 2,000 metric tons were: Greenland turbot, Pacific herring, squid, sablefish, arrowtooth flounder, Pacific halibut, shortspine thornyhead, Pacific Ocean perch, and rockfish. The total reported tonnages for these species amounted to 2,421 metric tons. For reporting purposes, this tonnage was classed as unspecified.

The following product types were reported for tonnage.

Transshipment Tonnage By Product Type

<u>Product</u>	<u>Metric Tons</u>
Canned Meat	2,072
Fillets, with skin/two per fish	62,754
Fillet, one-piece (butterfly) with skin	1,376
Fillet, without skin/two per fish	27,652
Gutted only	7,164
Headed only	3,337
Headed & Gutted	190,130
Fish Meal	136,404
Other Product	1,592
Roe, separate from remainder of fish	15,761
Flounder Steaks - diagonol cut from midsection of fish	564,366
Surimi: Frozen minced fish product	38,516
Tucza: heads, guts, fins, tail and portions of the belly flap	

removed (Poland)	16,027
Whole Fish	191,890
Other - Less than 1,000 mts reported	<u>1,900</u>
Total	1,260,941

Product types with less than 1,000 metric tons reported:

- gutted and gilled
- heads separate from remainder of fish
- headed, gutted, and tails removed
- intestinal organs separate from remainder of fish
- Otoshimi: frozen minced fish product (Japan)
- pectoral collars separate from remainder of fish
- flounder pieces - from midsection of fish
- Tara Shimiku - frozen minced product (Japan)