

ALASKA LEGISLATURE SPECIAL COMMITTEE / SUBJECT FILE 8672
1763 SCOMM 70: SEN. SPEC. COMM. ON HIGH SEAS SALMON INTERCEPT. 1989-90

SCOMM

70:2

**JOINT SENATE RESOURCES AND SPECIAL COMMITTEE
ON HIGH SEAS SALMON INTERCEPTION**

January 23, 1989

1:39 p.m.

RESOURCE COMMITTEE MEMBERS PRESENT

Senator Bettye Fahrenkamp, Chairman
Senator Jay Kerttula, Vice-Chairman
Senator Steve Frank
Senator Rick Halford
Senator Arliss Sturgulewski

RESOURCE COMMITTEE MEMBERS ABSENT

Senator Dick Eliason
Senator Fred Zharoff

**SPECIAL COMMITTEE ON HIGH SEAS SALMON INTERCEPTION MEMBERS
PRESENT**

Senator Lloyd Jones, Co-Chairman
Senator John Binkley, Co-Chairman
Senator Arliss Sturgulewski
Senator Szymanski
Senator Coghill

**SPECIAL COMMITTEE ON HIGH SEAS SALMON INTERCEPTION MEMBERS
ABSENT**

Senator Dick Eliason
Senator Zharoff

COMMITTEE CALENDAR

SENATE JOINT RESOLUTION NO. 6

Relating to the interception of Alaska salmon on the high seas.

WITNESS REGISTER

Kate Graham, Executive Director
United Fishermen of Alaska
175 S. Franklin
Juneau, Alaska 99801
POSITION STATEMENT: Strongly supports SJR 6

Larry Cotter
110 Seward Street
Juneau, Alaska 99801
POSITION STATEMENT: Strongly supports SJR 6

Rich Lauber

Senate Resources and
Sp. Com. on Salmon
Interception

Pacific Seafood Processors Association
321 Highland Dr.
Juneau, Alaska 99801
POSITION STATEMENT: Strongly supports SJR 6

Lourene Mioviski, staff
House Resources Committee
Pouch V
Juneau, Alaska 99801
POSITION STATEMENT: Testified on legal language in SJR 6.

PREVIOUS SENATE COMMITTEE ACTION

SJR 6 - No previous action to record.

ACTION NARRATIVE

TAPE 1, SIDE 1
Number 001

Senator Fahrenkamp called the Joint Senate Resources Committee and Special Committee on High Seas Salmon Interception meeting to order at 1:37 p.m.

Number 037

#SJR6

Senator Binkley, prime sponsor of SJR 6, presented background information saying that chinook salmon are being pirated on the high seas. The resolution deals with the issue on a national level.

Number 099

The members of the committees decided to work from the "h" draft of SJR 6.

Number 126

Senator Binkley said that the resolution is addressed to the American section of International North Pacific Fisheries Commission, U.S. Congress, and the U.S. State Department. It asks the INPFC to hold firm in their negotiating with the Japanese, to oppose any expansion of the Japanese salmon and squid fishing areas, and to oppose any conversion from the mother ship fleet to a land based fleet of Japanese fishing effort.

To the U.S. Congress the resolution speaks to continuing the current prohibition against Japanese fishing within our 200 mile limit as determined by a recent supreme court decision and to reaffirm the Magnuson Act which comes up this year. It also urges Congress to do what is necessary to back up the law and to expand the Pelly Amendment to embargo other goods from nations who are breaking U.S. laws.

Senate Resources and
Sp. Com. on Salmon
Interception

Senator Binkley stated the resolution also speaks to increasing funding for the U.S. high seas observer program, research on salmon, and Coast Guard enforcement on the high seas.

Number 192

Senator Jones and Senator Sturgulewski discussed tightening the language in the funding section to be specifically for high seas interception.

Number 226

Senator Binkley added that the messages in the resolution to the State Department are to begin immediate negotiations with the Soviet Union to begin a joint enforcement agreement to prevent illegal fishing on the North Pacific; to begin negotiations with all salmon producing countries for an international treaty that would ban all high seas salmon fishing; and to take whatever actions are necessary to control the activities of foreign squid fleets on the high seas.

Number 304

Senator Halford says we should say that "...no country allow their high seas fleet to do on the high seas what they do not allow them to do in their own controlled waters." as one of the conditions.

Number 370

Senator Sturgulewski suggested that another meeting be held to give an overview of what is happening out on the high seas. Senator Fahrenkamp agreed.

Number 384

Kate Graham, Executive Director of the United Fishermen of Alaska, spoke briefly but strongly in favor of the resolution.

Number 390

Larry Cotter, voting member on the North Pacific Fisheries Management Council, said the resolution is "excellent."

He reported that the INPFMC strongly supports reauthorization of the Magnuson Act and passed a resolution urging that language would be added to the purposes section of the Magnuson Act that would clarify the fact that we do have jurisdiction of anadromous salmon on the high seas.

Number 449

Senate Resources and
Sp. Com. on Salmon
Interception

Senator Binkley said the resolution has a strong "presumption clause" meaning that if the squid boats are found with salmon on board that it is presumed they were from North Pacific waters.

Number 489

Senator Halford asked whether the first WHEREAS clause helps the purposes of the resolution.

Number 500

Mr. Rick Lauber, Commissioner on international North Pacific Fisheries Council and member of the U.S. Soviet Union Advisory Group to the Department of State, strongly supported SJR 6. He pointed out one technical error on page 2, line 20, where it says Japan is asking to expand their squid fleet fishing areas further north. It should say Japan has "informed" us they are "going to" expand their fleet.

He said if Japan moves its squid fleet north, then Korea and Taiwan would do the same thing. Moving north would allow them to fish closer to the boundaries where they are illegally fishing by their own domestic regulations and intercept an extremely high number of North American and Asian bound salmon - probably Soviet Union salmon.

Number 565

Mr. Lauber said that the impact on our markets for salmon is substantial, because they are dumping the fish on international markets, competing with the products caught by Alaskan fishermen. Because the foreign caught salmon are lower quality and because they are illegal in their own countries, they are being sold at a far reduced price - maybe half of what we are trying to sell our fish for.

Tape 1, Side 2
Number 001

There is general discussion between Senator Halford, Senator Coghill, and Senator Binkley on Japanese fishing and fish culturing methods.

Number 090

Lourene Mioviski, staff for the House Resources Committee, explained some of the wording in the resolution.

Number 176

Senate Resources and
Sp. Com. on Salmon
Interception

Senator Sturgulewski said the law of the sea clause gives foreign nations a hook to get off of rather than fortifying the resolution.

Number 258

Senator Halford moved to adopt the CS labeled "h" with certain clarifications of wording to SJR 6. The motion passed unanimously.

Number 357

Senator Fahrenkamp announced a meeting Wednesday, January 25 at 1:30 at which CSJR 6 will be acted upon.

#

Senator Fahrenkamp adjourned the meeting at 2:50 p.m.

**SENATE SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION
February 13, 1989**

1230 PM

MEMBERS PRESENT

Senator Lloyd Jones, Co-Chairman
Senator John Binkley, Co-Chairman
Senator Dick Eliason
Senator Jack Coghill
Senator Arliss Sturgulewski

MEMBERS ABSENT

Senator Mike Szymanski
Senator Fred Zharoff

OTHER MEMBERS PRESENT

Representative Cheri Davis
Representative Robin Taylor

COMMITTEE CALENDAR

High Seas Salmon Interception

WITNESS REGISTER

Congressman Don Young
709 9th Street
Juneau, Alaska

Mike Round
Alaska Trollers Association
Rt. 2, Box 57
Ketchikan, Alaska 99901

Alan Davis, Biologist
Alaska Department of Fish and Game
Sitka, Alaska

Victoria McDonald
Grant Trask
Petersburg, Alaska

Kate Troll
Southeast Seiners Association
Ketchikan, Alaska

Eric Jordan
SEACOPS
Sitka, Alaska

Special Committee on High
Seas Salmon Interception

Tony McDonald
Petersburg, Alaska

John Single
Wrangell, Alaska

Mike Holman, Gillnetter and Chairman
SEACOPS
Ketchikan, Alaska

Roby Littlefield
Sitka, Alaska

Kurt Hoelting
Narrows Conservation Coalition
Petersburg, Alaska

Steve Kenny
Ketchikan, Alaska

Robert Schell
Sitka, Alaska

Kate Troll, representing
Terry Piles
Ketchikan, Alaska

Steve Beam
Murray Pacific Supply
Sitka, Alaska

Mike Holman, representing
Ron Leighton
SEACOPS
Ketchikan, Alaska

Pete Asquero
Northern southeast Regional Aquaculture Association
Juneau, Alaska

Christopher pace
Petersburg, Alaska

Lonnie Haughton
SEACOPS
Ketchikan, Alaska

Ralph Gregory, Mayor
Ketchikan, Alaska

Bill Thomas
Ketchikan, Alaska

Johnny Gilson, Troller and Biologist

Special Committee on High
Seas Salmon Interception

Ketchikan, Alaska

ACTION NARRATIVE

TAPE 1, SIDE 1

Number 001

Senator Jones called the Senate Resources Committee meeting to order and introduced Congressman Don Young. Congressman Young stated he thought the Pelly Amendment would be the major tool to use to enforce high seas interception. He said the Taiwanese are the main offenders and we have no treaties with them; the best way to get them is through their pocketbook which the Pelly Amendment does.

Senator Binkley said that high seas salmon interception has been going on for a long time and he congratulated Congressman Young on taking the initiatives he has. He said that the United States and Russia recently signed agreements that opened up negotiations regarding fisheries. Senator Binkley thought that would be a strong message to other countries that we are not going to tolerate high seas salmon interception. We agreed to work cooperatively on enforcement issues and in the area of the doughnut hole.

Senator Jones wanted to know if the Russians were interested in doing something about the squid fleet as well as the doughnut hole. Senator Binkley said they very sincerely want to do something about it; like completely eliminate it by 1992.

Mike Round, representing himself and the Alaska Trollers Association, suggested finding out what was happening in 1986, because that was the last good year of fishing southern southeastern had. He listed finding out where the squid fishery was fishing and what the Japanese current was doing.

Mr. Round said that 1988 was supposed to be a record year for cohos and pinks and just a fraction of what was expected showed up for both showed up. He said that aquaculture fish as well as natural stocks have showed a marked decline starting in 1987. In fact the numbers of returning aquaculture fish have been disastrous. He backed this up with statistics from the different hatcheries. He said hatcheries do not suffer from the same natural selection system wild stocks do, and yet they suffered similar declines in numbers. That is what makes them believe something in the open ocean is intercepting and killing Alaska's salmon.

Mr. Round continued by saying that of the fish that did return, there was a huge increase in the percentage that were net marked.

Alan Davis, biologist, Alaska Department of Fish and Game in Sitka, said there has been a dramatic increase in marks and scars in troll caught fish in southeast Alaska. The marks are not caused by any kind of domestically used fishing gear. This kind of marking started happening around 1980 when the Japanese moved their squid fleets into the high seas. He said there was a high number of unidentifiable marks on the pink salmon found in the Ketchikan area. These kinds of marks have been found on cohos and chinook which have been attacked by squid when they are caught in a net together.

Victoria McDonald, representing Grant Trask in Petersburg, said that the 1988 coho season was the poorest in 15 years. Salmon fishermen have been noting for years in their log books salmon that have had net marks. In his letter, which is on file with the Committee, Mr. Grant said that there is a pirate fleet south of Kodiak and the Aleutians; bring one or two skeptical politicians in a Coast Guard C-130 and see. "The high seas squid gillnetting has cost Americans millions of dollars. It puts illegally caught poor quality salmon into a strong world wide salmon market that capitalizes on its high quality. This pirate fleet is making money on American resources and must be forced off our fish."

Kate Troll, representing the Southeast Seiners Association, said they have hired a lobbyist, Denny Coles, in Washington D.C. She suggested expanding the Pelly amendment to cover all imported products from a violating nation, not just fish products, mandating that sanctions be imposed on violating nations, enforce the 200 mile limit, and mandating agency sharing of location of data on foreign fishing vessels. This would require adequate funding for the Coast Guard enforcement and for observation methods. She urging pursuing drift net negotiations. She said there is no one solution. A lot of different things have to be done. The issue must be elevated to environmental, it is not just money; it is the very life of the stocks and mammals that are threatened. We need a media event.

Congressman Young said they are working with the Navy at spotting and reporting violators. He said the Taiwanese need to be targeted, because they don't agree to boarding or having observers or anything. They just say it's none of our business. We are allowed to board Japanese and Korean vessels.

Eric Jordan said he saw lots of net marked fish in 1988. Mr. Jordan said he joined a group called SEACOPS, founded in Ketchikan, and started a chapter there in Sitka. SEACOPS means Southeast Alaska Coalition for Opposing Pirating of Salmon. The grass roots feeling is that every one wants something done now. We need to replace the U.S.

delegate to the INPFC with someone who can be more effective. The Undersecretary of State's position is coming up, and we need a man named Coleson to replace Mr. Wilson if he is leaving. We need to provide funding for the U.S. Coast Guard to not only observe, but to intercept and seize the pirates and bring them back for trial. We should also look at funding Earth Trust and Greenpeace. We need the squid fishermen to be stopped this year.

Tony McDonald from Petersburg submitted written testimony which he read. "Get serious now and shut them (squid fleet) down. Get those vessels and nets off the ocean now for good. We must manage fisheries world wide for conservation and sustained yield." Monitor the pirate fleets with satellites, chase them with U.S. coast Guard boats. Stop the slaughter of marine mammals.

Mr. Single from Wrangell said that fishermen as a group have united behind the "cause". We are behind the Congressmen. He said they would like to have some input as to Clem Tillion's position in the foreign negotiations.

Mike Holman, gillnetter from Ketchikan and Chairman of SEACOPS, said it looks like this problem goes back about fifty years; he thinks that we lack resolve in finding a solution. He says southeastern interception should have been tied in with interception that has been happening to the stocks westward in previous years. Local processors are working at increasing their capacity and quality, when it looks like the salmon might be disappearing. The people of the United States need to be informed about the problem, by using an organization like ASMI. We need to be able to board the vessels. They support Dave Coleson for Fisheries Ambassador. They have asked Governor Cowper to fund a lobbyist for high seas interception in Washington D.C. He thought that photo documentaries should be produced to help educate the public.

Roby Littlefield from Sitka submitted written testimony. She said, "the salmon must be allowed to return to the creeks to spawn, or that is the end of everything for us, and the Taiwanese."

Kurt Hoelting from Petersburg, representing the Narrows Conservation Coalition, submitted written testimony. The efforts of the fishermen and the state have been to build up the runs in Southeast and now the runs are being decimated by something out of their control. "The destruction of some of the earth's last wild salmon stocks is exacerbated by the destruction of sea birds and mammals on a scale that is hard to comprehend. We have an obligation not only to ourselves, but to our children, to do whatever is necessary to stop this international piracy. Please act!"

Steve Kenny from Ketchikan submitted written testimony. He said he caught 25% of what was his last ten years' average for salmon. He is concerned about the future. Evidence points toward the pirates targeting on immature salmon. It is a violation of the Magnuson Act. The economy of every fisherman in America is going to be affected.

Robert Schell from Sitka submitted written testimony. He said that although he caught 300% fewer fish in 1987 than in 1986, he found the same number of net marked fish. Mr. Schell suggested pressuring Taiwan, Japan and Korea by placing observers on their boats, increase Coast Guard surveillance of the area where they fish, and by strengthening the Pelly Amendment to include a ban on all imported products of violator nations.

Kate Troll spoke for Terry Piles from Ketchikan. She said he thought the Navy could provide a lot of hindrance of salmon interception by performing maneuvers out there.

Steve Beam, representing Murray Pacific Supply in Sitka, said they lost \$200,000 last year in lost sales because of poor fishing. This year is going to be worse. This translates to a lot of businesses in town. It will impact a lot of people who are not directly related to fishing. Our federal legislators need to be pressured to end this problem quickly. We should accumulate data on hatchery numbers, balance of trade numbers, unemployment numbers throughout the whole state, and have this information available for people going to Washington D.C. to use. He said the State should have some sort of position paper when it goes to negotiations with other countries.

Mike Holman spoke for Ron Leighton who had to leave. He requested from the committee and the congressional delegation any insight as to how they can be most effective in Washington D.C. when he and four other men go back there to lobby on high seas interception. He encouraged the Pacific Legislative Fisheries Task Force to raise the issue through legislative bodies.

Pete Asquero, working for the Northern Southeast Regional Aquaculture Association, said the interception of immature salmon on the high seas by foreign fishermen using drift gill nets is of great concern to agencies such as theirs. Great efforts have been put forth to replenish the salmon runs. The numbers of immature salmon that are intercepted are very large. He said the future looks very bleak for aquaculture fish and associations, because if the fish don't return, they can not pay back the money used to build and operate.

Christopher Pace from Petersburg submitted written testimony. He said one more year of salmon interception on

the high seas and the salmon fishery will be out of commission here for a coming decade. The high seas fishermen are completely uncontrolled, no season, no locations. Japan itself has a powerful lobby in Washington D.C. to keep the high seas fleet going. Japan has a dedicated ocean surveillance satellite called MOS I; it is geared solely to enhance their nation's commercial exploitation of ocean resources. We have no comparable resource to counter this economic onslaught.

Lonnie Haughton, representing SEACOPS, said he doesn't trust Clem Tillion. He described SEACOPS membership. Mr. Houghton thinks that the people in the federal government don't realize how serious this problem is. He thinks the state should be investing in lobbying efforts back in Washington D.C. This needs to be made a priority. He said he thought someone should be responsible for collecting the evidence.

Senator Coghill asked how many organizations on the west coast are working along with SEACOPS. Mr. Haughton answered that they are working on it and that every day he gathers more and more support from sport and commercial fishermen of salmon, steelhead, and tuna up and down the coast. They are working with Earth Trust in Honolulu which is producing a video.

Senator Eliason said there is now a lot of attention being focused on this issue. He said he was sorry to hear from only one representative of a business other than a fishing who is impacted by this issue. He approves of money being made available for this issue like ANWR.

Ralph Gregory, mayor of the Ketchikan borough, said this issue is extremely important. Fishing represents the major growth potential of his community. Alaska Airlines has told them that their community is the number one fresh fish exporting point of the whole area. The Ketchikan Community College in conjunction with the OEPD Committee completed a report that said Ketchikan economy was impacted by \$100 million directly attributable to high seas interception.

Bill Thomas from Ketchikan said he was impressed with the words of all the fishermen. This is a very important issue that has to be dealt with as soon as possible.

Johnny Gilson, a troller and biologist, presented three pictures taken of scarred fish and explained the sampling he was doing on seine boats off of Coronation and Noise Islands. He said he talked to our Department of Fish and Game and he had a hard time convincing them that there was a problem at all.

Senator Coghill suggested having people from the Department of Fish and Game at the table during their next meeting to figure out where the bureaucracy is failing.

Senator Jones adjourned the meeting.

JOINT SENATE RESOURCES AND HIGH SEAS SALMON INTERCEPTION

March 1, 1989

2:05 p.m.

RESOURCE MEMBERS PRESENT

Senator Bettye Fahrenkamp, Chairman
Senator Jay Kerttula, Vice-Chairman
Senator Dick Eliason
Senator Steve Frank
Senator Rick Halford
Senator Arliss Sturgulewski
Senator Fred Zharoff

INTERCEPTION MEMBERS PRESENT

Senator Lloyd Jones, Co-Chairman
Senator Dick Eliason
Senator Arliss Sturgulewski
Senator Fred Zharoff

INTERCEPTION MEMBERS ABSENT

Senator John Binkley, Co-Chairman
Senator Mike Szymanski
Senator Jack Coghill

COMMITTEE CALENDAR

Briefing on High Seas Salmon Interception by Larry Cotter,
Rick Lauber and Steve Ignell

WITNESS REGISTER

Larry Cotter
110 Seward Street
Juneau, Alaska 99801
POSITION STATEMENT: Presented 25 minute film on behalf of
South East Alaska Coalition for Abolishing Pirating of
Salmon.

Rick Lauber, Commissioner
International Pacific Fishery Commission
321 Highland Dr.
Juneau, Alaska 99801
POSITION STATEMENT: Presented brief on international
fishing relations.

Steve Ignell
National Marine Fisheries Service
Auke Bay Lab
Juneau, Alaska

POSITION STATEMENT: Presented data on the high seas squid drift net fishery.

ACTION NARRATIVE

TAPE 1, SIDE 1

Number 001

Senator Fahrenkamp called the Senate Resources Committee meeting to order at 2:05 p.m.

Senator Fahrenkamp introduced Larry Cotter who introduced Rick Lauber and Steve Ignell. Mr. Cotter brought a video produced by a group called EarthTrust who had filmed operations on board a Taiwanese high seas squid gill net vessel. The committees viewed the 25 minutes film.

The committees recessed from 2:25 to 3:35 p.m.

Steve Ignell followed up the video with a historical and technical presentation including slides on the high seas squid gill net fishery. He located on a chart of the Gulf of Alaska where the squid and salmon migrate and where the boats fish. The boundaries of the squid fishery are supposed to minimize interception of salmonids according to the Japanese. He said the Japanese fishery starts in June and ends in December. The Japanese have regulations prohibiting the retention of salmon. Squid gill net and salmon gill net are about the same size.

Mr. Ignell said that even though there isn't much documentation, they are certain because of biological data that Japanese squid boats catch salmon even if they follow their own regulations.

Number 646

Mr. Ignell said there are other fisheries going on out there that he hadn't covered. He has them categorized as the Japanese mother ship fishery, land based drift net fishery, the squid fishery, and then tuna, marlin, and others.

TAPE 1, SIDE 2

Number 001

Senator Fahrenkamp introduced Rick Lauber who gave a mini history of fish politics between America and Japan. The International North Pacific Fisheries Convention was drafted around 1952. Through this forum the Japanese came up with the extension principle in which they agreed to fish west of 175 west longitude, because we thought that would keep them off North American salmon. Unfortunately, they had not been moved far enough. Although the Japanese didn't agree to move the boundary, in the years after 1978.

Senate Resources and High
Seas Salmon Interception

- 2 -

March 1, 1989

they agreed to adopt domestic regulations to cease fishing in certain areas that further reduced the take of North American salmon. Through renegotiating the Convention, we were able to move the fishing boundary to 175 degrees east which made significant increases in our salmon catch and less in theirs. In exchange, they were allowed to fish at certain times within the U.S. 200 mile zone. Under this agreement, the salmon they took were mostly Asian. A lawsuit has prohibited the Japanese from fishing within the 200 mile zone now. That is where we stand today.

The Japanese have agreed to terminate their mother ship fishery in the doughnut hole by 1994 and more recently have indicated they want to convert that fishery from a mother ship to land based operation and the U.S. has resisted that. The Japanese steadfastly believe they have the right to fish in international waters and the 1987 high seas drift net act threatens their sovereignty and they refuse to recognize it, along with Korea and Taiwan.

Early last year the Soviets and the U.S. signed a comprehensive fisheries agreement which resulted in their working together to find a solution to the high seas salmon fishing problem. The Soviets want to see it stopped completely by 1992. They want to create a new organization patterned after the North Atlantic Salmon organization which banned high seas salmon interception in the Atlantic. Mr. Lauber said our government is interested in forming such an organization. The Soviets want the U.S., Canada, Japan, and Red China as members.

Mr. Lauber said that very recently we have entered into a cooperative enforcement agreement with Russia.

Senator Jones asked Mr. Lauber if it would be possible for the squid nets to still fish at all if they couldn't catch salmon and he answered he thought it was possible.

Number 396

Senator Fahrenkamp pointed out that if we sanction against Japanese imports, they, as importers of large amounts of our salmon, could turn around and sanction against our products.

Senator Fahrenkamp wanted to know what the Japanese have to gain from moving their fishing further south. Mr. Lauber said that the Japanese may have to protect their hatchery salmon against the Koreans and Taiwanese, and it might be wise of them to join a group that would ban all high seas fishing targeting salmon.

Senator Sturgulewski emphasized that we should include Korea and Taiwan in the organization, too. Mr. Lauber said

that the ones who are starting the organization have natural spawning streams or hatcheries and that eventually it would be good to have all nations be part of the organization.

Number 478

Senator Fahrenkamp adjourned the meeting at 3:35 p.m.

**SENATE SPECIAL COMMITTEE ON
HIGH SEAS SALMON INTERCEPTION**

March 7, 1989

2:42 p.m.

MEMBERS PRESENT

Senator Lloyd Jones, Co-Chairman
Senator John Binkley, Co-Chairman
Senator Dick Eliason
Senator Arliss Sturgulewski
Senator Jack Coghill

MEMBERS ABSENT

Senator Mike Szymanski
Senator Fred Zharoff

COMMITTEE CALENDAR

Overview of international meetings on High Seas Salmon
Interception by Dave Benton

WITNESS REGISTER

Dave Benton, Director
External and International Fisheries Affairs
Department of Fish and Game
P.O. Box 3-2000
Juneau, Alaska 99802

Ron Leighton
SEACOPS
Ketchikan, Alaska

Kate Troll
Southeast Seiners Association
Ketchikan, Alaska

Mark Tennant
SEACOPS
Ketchikan, Alaska

ACTION NARRATIVE

TAPE 1, SIDE 1
Number 001

Senator Jones called the Senate Special Committee on High
Seas Salmon Interception to order at 2:42 p.m.

Senate Special Committee
On High Seas Salmon
Interception

David Benton, Director of External and International Fisheries Affairs for the Department of Fish and Game, said that the state's position is that they will do everything they can to seek an end to the interception of Alaska salmon. They are participating in an INPFC forum, they are pursuing agreements with the U.S.S.R. on a number of fronts regarding salmon interception, they are attending and providing technical support to the Department of Commerce and the Department of State in the the drift net negotiations that are being pursued with Taiwan, Korea, and Japan, and they are working with Congress to amend any domestic legislation that needs to be strengthened.

The governor has had personal communications with the Secretary of Commerce, the Secretary of Transportation, and Admiral Yost of the Coast Guard. He has a resolution at the Western Governor's Conference on high seas salmon interception.

Mr. Benton said that Senator Binkley is a special advisor to the Bering Sea North Pacific Fisheries Advisory Group which advises the State Department on U.S. - U.S.S.R. fisheries relations. Mr. Benton said they felt that the State Department was not being aggressive on that forum, and therefore the advisory group was formed.

Senator Binkley said the U.S.S.R. came to the meeting with a prepared document called the Convention For the Conversion of Anadromous Stocks in the North Pacific Ocean which calls for a multilateral agreement signed by the salmon producing countries of the Pacific (Japan, China, Soviet Union, United States, and Canada). Senator Binkley said that the U.S. was not very well prepared, because the State Department had not worked on drafting a document until the Alaska delegation showed up for the meetings.

Senator Binkley said that they did sign a memorandum of understanding regarding enforcement, although the U.S. Coast Guard was skeptical regarding cooperation of military agreements. As a result, he said, the message to the world is that two major super powers are serious about stopping pirating on the high seas.

Mr. Benton said the next U.S. - Soviet meeting is tentatively in May. Senator Binkley said the Soviets are enthused about moving on this issue.

Senator Coghill asked if they are working on getting some position papers together for the May meeting. Mr. Benton said they are definitely working on it. Senator Binkley said that they have to work through the State Department, because they run the show during international talks.

Mr. Benton said that the Soviets and the U.S. independently developed a draft salmon agreement based on similar principles - no fishing for salmon on the high seas outside the 200 mile zones for the contracting parties.

Mr. Benton said that the Soviet Union is planning on maintaining the Japanese quota on the high seas at about the level they had last year. The Soviet Union has a treaty with Japan wherein they set the quotas for the Japanese directed high seas salmon fishery and charge them money. The U.S. tells them where they can fish and for how long, but there is no enforcement of it. The Soviets have planned to eventually phase the Japanese out of the high seas. Their intention is to move the mother ship fleet and the land based fleet back inside the 200 mile zones of the respective parties and also work out economic arrangements with the Japanese for building hatcheries and conducting joint ventures inside their twelve mile limit.

Senator Eliason asked if Alaska would have input into the State Department's position paper for the May meeting. Mr. Benton said they would review anything that came from the State Department drafters and he thought that Alaskans would be drafting a lot of that paper.

Mr. Benton went on to review the meeting in Sidney, B.C. with Japan and Canada under the INPFC. The purpose was to discuss the Japanese proposal to convert their mother ship fleet to a land based operation which would let the Japanese back into our 200 mile zone. He said there was concern that the Japanese were getting the impression that it would not be a difficult matter to get them an exemption so they could get back in the zone. There does appear to be a lot of opposition to that idea from Alaskans.

Number 609

Mr. Benton said we might get some observers on the Japanese squid drift net fleet.

The drift net talks with Taiwan and Korea resulted in the U.S. giving the Taiwanese an enforcement and monitoring package. They strongly objected; and we responded that they would be open to sanctioning under the Pelly amendment. Mr. Benton thought Taiwan and Korea are waiting to see what the Japanese are going to do.

The trade items subject to the Pelly amendment are worth \$282,000 to Korea, \$445,000,000 to Taiwan, and over \$500,000,000 to Japan in 1987 figures.

Senator Binkley thanked the SEACOPS for all their efforts to bring salmon interception to the awareness of the public.

Senate Special Committee
On High Seas Salmon
Interception

Number 755

Ron Leighton from Ketchikan said he had just returned from Washington D.C. where he talked to Ed Wilkes, the Ambassador to Fisheries, and Undersecretary of State Smith. They said they were trying to get Japan back into our 200 mile limit, because we broke the treaty. Mr. Leighton disagrees saying that we let them fish there on a temporary basis until they could secure a marine mammal permit; it took court action to kick them out. There is no reason to let them back in. Mr. Leighton said that if we want to maintain our relations with Russia, we won't let them back in where they can catch Russian fish.

Kate Troll from the Ketchikan Southeast Seiners Association relayed a message from their lobbyist in Washington D.C. who said we should not let the Japanese inside our 200 mile zone as a bargaining chip to get observers. We should take a strong stance and stop legal and illegal interception of our salmon.

Mark Tennant from Ketchikan said we need to enlarge awareness of this issue to other parts of the country, especially in Washington, Oregon, California, and Idaho.

TAPE 1, SIDE 2
Number 001

Mr. Benton said that we need help from our Canadian patriots who are skirting the issue in confrontations with the Japanese.

Mr. Benton said the Coast Guard has told him they don't have the budget to enforce any interceptions and they will only deal with countries that we have boarding agreements with (just the Japanese). The same evening of their talk, he saw on the news that the Coast Guard and the Department of Defense had just entered into a joint agreement to use military surveillance equipment on drug interdiction, although they wouldn't allow its use for salmon interception. He thought public pressure might change that.

Senator Jones adjourned the meeting at 3:35 p.m.

SPECIAL COMMITTEE ON HIGH SEAS SALMON INTERCEPTION
March 17, 1989
4:00 P.M.

MEMBERS PRESENT

Senator Lloyd Jones, Co-Chairman

MEMBERS ABSENTT

Senator John Binkley, Co-Chairman
Senator Dick Eliason
Senator Arliss Sturgulewski
Senator Mike Szymanski
Senator Fred Zharoff
Senator Jack Coghill

OTHER MEMBERS PRESENT

Representative Cheri Davis
Representative George Jacko
Representative Loren Leman

COMMITTEE CALENDAR

Visit by Dick Smith, United States Fisheries Ambassador, on high seas salmon interception.

WITNESS REGISTER

Cindy Lowry, Regional Director
Greenpeace International Environmental Organization
P.O. Box 104432
Anchorage, Alaska 99510

Grant Trask
P.O. Box 1333
Petersburg, Alaska

Debra Greenburg, Special Assistant to the Commissioner
Department of Fish and Game
P.O. Box 3002
Juneau, Alaska 99802

Chris Pace
General Delivery
Petersburg, Alaska

Pat Wood, Vice Chairman
SEACOPS
P.O. Box 2391
Sitka, Alaska

Senate Special Committee
On High Seas Salmon
Interception

Harold Sparck
Box 267
Bethel, Alaska 99559

Val Angasan
Box 247
Dillingham, Alaska 99576

Mark Tennant, President
SEACOPS, Ketchikan Chapter
700 Water Street
Ketchikan, Alaska 99901

Victoria McDonald
P.O. Box 556
Petersburg, Alaska

Bob Aloysius
P.O. Box 1775
Bethel, Alaska

Walt Pasternak
P.O. Box 830
Sitka, Alaska

Allen Pleus
301 B Gorge
Ketchikan, Alaska 99901

Paul Schreiber
box 231
Katlian M-6
Sitka, Alaska

Eric Jordan
103 Gibson Place
Sitka, Alaska

ACTION NARRATIVE
TAPE 1, SIDE 1
Number 001

Senator Jones called the meeting to order at 4:00 p.m. He introduced Dick Smith, Principal Deputy Assistant to the Secretary of State, who is on his way to fisheries talks in Japan.

Cindy Lowery, Alaska Regional Director for the Greenpeace International Environmental Organization, said they are concerned about the broad based ecological damage caused by the high seas salmon and squid drift net fisheries. She said they oppose allowing the Japanese drift net fishery to regain entry into our EEZ. She said any conversion plan proposed by the Japanese should not be allowed without

Senate Special Committee
On High Seas Salmon
Interception

observers for by-catch and under no circumstances should they be allowed into the EEZ again. The environmental community is ready to fight in Congress to insure that the Magnuson Management Act is not amended to allow the reissuance of a marine mammal permit that would allow the Japanese drift net fishery to resume its destruction in the EEZ.

Mr. Smith said they are negotiating for the Japanese to regain the permit, because there is sufficient justification.

Grant Trask from Petersburg said he owns and operates the Hazel B and makes his sole living trolling for salmon. His income has decreased over the last three years, because of the lack of cohos. He urged the U.S. to work with the Russians and not to renew the permit for Japan. Mr. Trask criticized the Department of Fish and Game management of the fishery - ignoring the fact that the salmon are being pirated on the high seas.

Debra Greenburg, Special Assistant to the Commissioner of the Department of Fish and Game, said the Department has taken a very active role with the State Department to address the problems of high seas interception and they continue to do so.

Number 276

Chris Pace from Petersburg said he is against the agreement with Japan for moral reasons. If we let them back in they will be taking our salmon along with Soviet salmon. Didn't we just meet with the Soviets to agree to stop them? He said he has seen bird populations decrease as well as porpoise and fish. He is convinced the depletion is from high seas drift nets.

Mr. Smith said that they have been working closely with the Soviets and their position is that there should be no high seas drift net fishery and they are working toward that end.

Pat Wood, Vice Chairman of SEACOPS in Sitka, says the high seas drift net fisheries of Japan, Korea, and Taiwan are having a catastrophic affect on the entire marine ecosystem of the central and north Pacific Ocean and the Bering Sea. A severe economic hardship is being placed on both fishermen and processors. Much has been documented. Because the net caught fish are being sold to our markets, our prices have fallen drastically.

Harold Spark from Anchorage said that Japanese compliance with treaties with the U.S. and Soviet Union has been poor in the past. The Japanese government does not monitor its

Senate Special Committee
On High Seas Salmon
Interception

own fishermen at sea, therefore there are many violations. They have been caught underlogging and disguising their catch at sea while fishing in the Exclusive Economic Zone. The Soviets are limiting the Japanese allocation of salmon. Mr. Spark said he does not support any more concessions to the Japanese of our salmon at sea. He also said the Japanese told Kemp Processors they expect the Soviets to eliminate the mothership allocation this year, decrease the tonnage from the land-based fleet, and increase the market for Soviet J.V. exports and U.S. exports.

Number 595

Val Angasan from Dillingham said he does not agree with letting the Japanese back into our EEZ. Nobody supports using the Bering Sea as a sacrifice for getting action on the squid fleets.

Number 632

Mark Tennant, President of SEACOPS in Ketchikan, said there is no justification for interception of the U.S. origin fish. They do not support letting the Japanese back into the EEZ. He does not know what benefits Mr. Smith thinks could justify that decision. The Japanese threat of retaliation might be a bluff, because according to his balance of trade figures, the Japanese have a lot more to lose than the U.S. in the area of trade sanctions.

TAPE 1, SIDE 2
Number 001

Mr. Tennant said that he thought the impact of high seas interception is spreading. The moral outrage of our nation is rapidly growing. He said there is considerable unhappiness among the people he represents about the way the State Department is handling the negotiations in the past.

Mr. Tennant asked Mr. Smith if he agrees that large amounts of salmon are being taken illegally on the high seas and if he agrees that the Japanese have a right to harvest our fish. Mr. Smith said they are interested in protecting the U.S. resources' interests. He said the efforts they are making are to reduce interceptions, not increase them. They are looking for ways of getting better cooperation with the problems of enforcement and monitoring.

Mr. Smith said that high seas interception has to be phased out, simply because the fish belong to different nations. He said the Japanese have an existing fishery which they have a right to fish; but, under international law they have to eliminate those interceptions of salmon from other nations.

Senate Special Committee
On High Seas Salmon
Interception

Mr. Tennant asked for a more decisive answer. He said we don't catch Japanese fish; they don't have a right to harvest our fish. Mr. Smith said the Japanese do not have a right to harvest U.S. salmon. He read article 66 of the Law of the Sea Convention which refers to anadromous stocks.

Number 235

Victoria McDonald from Petersburg said she didn't want him to trade off our fish. Mr. Smith said they are trying to get Japanese cooperation. Right now it is a question of trying to come up with arrangements that minimize the taking of our fish.

Bob Aloysius is a native Alaskan from Bethel who represents 18,000 people who live a subsistence life style and 900 fishermen who make their living from the commercial harvest of salmon. He said the foreign fishermen are robbing us blind. He urged Mr. Smith to take care of his own people (U.S. citizens). He said they depend on salmon for their life style and for their living. They, as natives, entrusted the care of their lives to a government that has repeatedly given the fish away.

Number 505

Walt Pasternak from Sitka said he is not in favor of letting the Japanese back into the EEZ. He said they have no track record at all of wanting to help us with the problem of high seas interception. He supports all the countries whose fish navigate the high seas getting together and signing an agreement to outlaw high seas gillnetting. This has been going on since the 1950's and it has wiped out salmon streams all over Alaska to say nothing of what it's done to streams in other countries. He said factory trawlers are destroying habitat also. He urged Mr. Smith to see about getting increased U.S. presence in the North Pacific to keep an eye on our "friends." He suggested the U.S. institute trade sanctions with Taiwan and Korea.

Allen Pleus from Ketchikan works in the SEACOPS office and is a fishing guide. He related his catch decline over a number of years to support the fact of interception. He is outraged at the wholesale destruction of the ecology by the high seas drift net fleet.

Number 505

Paul Schreiber from Sitka wanted to reinforce not letting the Japanese back into the EEZ. He said they manipulate the whole fisheries economic structure owning canneries here, too.

Senate Special Committee
On High Seas Salmon
Interception

Eric Jordan from Sitka said the State Department needs to support an international conference to set up conservation and allocation reviews for high seas fishery resources wherever they are. He said we need to enact enforcement measures that already exist as part of the Magnuson Act and other Acts to restrict imports from countries not willing to participate in international conservation regimes for the high seas. We need to sponsor a move to invite the Russians to join us in the INPFC. We need to seek Russian support for multilateral efforts to eliminate interceptions of North Pacific salmon by the high seas gillnetters. The State Department needs to support funding for the U.S. and the conservation organizations such as SEACOPS efforts to document the extent of the problem. We need to recognize that while the legalities of rights to high seas interception is shady, it is not morally right, it is not conservatively right, and it is not ethically right to steal our salmon. It's absolutely unconscionable for the State Department and Clem Tillion and others to talk about renegotiating the reentry of the Japanese into our exclusive economic zone. That needs to be discarded immediately. In conclusion, he said we are waiting with increasing impatience for the President and Secretary of State Baker to take a lead in establishing a clear priority to protect American salmon from Asian pirates.

Harold Sparck from Anchorage said that the U.S. did not sign the Law of the Sea, although we agreed with it. He asked Mr. Smith if the State Department is taking the position that we have a responsibility not to economically dislocate the Japanese after 12 additional years of fishing our stocks? Mr. Smith said he was going to stop trying to deal with the legalities of it. Their position is that they will continue to take actions that will reduce interceptions of North American salmon with a view towards ending high seas salmon fishing.

Mr. Smith said he appreciated this opportunity and it was helpful for him to hear directly from the people who are affected by the discussions he'll be having and he will carry those views with him to Japan.

Senator Jones thanked Mr. Smith for his time and adjourned the meeting at 5:30 P.M.

70:3

SCOMM

**SENATE SPECIAL COMMITTEE ON HIGH SEAS
SALMON INTERCEPTION**

March 1, 1990

3:40 P.M.

MEMBERS PRESENT

Senator Lloyd Jones, Co-Chairman
Senator John Binkley, Co-Chairman
Senator Dick Eliason
Senator Jack Coghill
Senator Arliss Sturgulewski
Senator Fred Zharoff

MEMBERS ABSENT

Senator Mike Szymanski

COMMITTEE CALENDAR

Overview of High Seas Salmon Interception Negotiations

WITNESS REGISTER

David Benton, Director
External and International Fisheries Affairs
Department of Fish and Game
P.O. Box 3-2000
Juneau, Alaska 99802-2000

Bill Wolf, Legislative Aide
Senator Frank Murkowski
United States Senate
Washington, D.C. 20510

ACTION NARRATIVE

TAPE 1, SIDE 1
Number 001

Senator Jones called the Senate Special Committee on High Seas Salmon Interception to order at 3:40 p.m. He introduced David Benton, Director of External and International Fisheries Affairs for the Department of Fish and Game, to give an overview of high seas salmon interception negotiations.

Mr. Benton listed the documents and memos which he submitted to the committee. He said the Driftnet Act required the United States to enter into negotiations and seek agreements for the effective monitoring and enforcement of the high seas driftnet fleets in the North Pacific - with Japan, Taiwan, and Korea. We now have agreements with all three nations.

Senate Special Committee
On High Seas Salmon
Interception

Starting with Taiwan, Mr. Benton said, they have agreed to have 100% satellite transmitter coverage of their fleet. The agreement also established fourteen U.S. and ten Taiwanese observers in the fleet. They also agreed to a charter vessel that would be a roving platform with three U.S. and two Taiwanese scientific observers on board to monitor the fleet in a more random fashion. Mr. Benton said they are still trying to work out how many boats will be fishing with drift nets.

Going on to Korea, Mr. Benton said, they agreed to 100% satellite transmitters, boundaries, and thirteen U.S. observers on their fleet of 150 vessels. There are currently problems with the logistical details of the observer program, but they are being worked out.

The agreement with Japan calls for an observer program, but they are resistant to satellite transmitters. Negotiations currently being conducted in Washington D.C. and Tokyo are covering satellite transmitters, boundaries, and number of observers for the driftnet fleets. Another subject that will be covered is the conversion of the mother ship directed salmon fishery to a land based style operation.

Mr. Benton said they are also discussing proposals on the squid and large mesh tuna fleet that would include roughly fifty U.S. observers, 100% transmitter coverage, boundary restrictions, increased enforcement on the tuna fleet, and status quo enforcement on the squid fleet.

According to Mr. Benton, the United Nations passed a resolution in September regarding the albacore tuna fleet in the South Pacific. Alaska Department of Fish and Game initiated communications with leaders of several South Pacific countries and worked out a North/South strategy for approaching this issue on a more global basis recognizing mutual opponents and mutual concerns. New Zealand and the U. S. came up with a resolution directed at a scientific review of the effects of driftnet fishing in June 1991 and a possible moratorium in the North Pacific on driftnet fishing in June of 1992.

Number 450

Senator Sturgulewski thought that the committee could develop a resolution strongly supporting this measure. Mr. Benton said the most important thing was to get observers out there in 1990 to document what is going on so that can be used as evidence when negotiating.

Number 500

In May 1988 the United States and the USSR signed a memorandum of agreement on fisheries which called for broad

Senate Special Committee
On High Seas Salmon
Interception

cooperation in fisheries matters including salmon. It established a North Pacific and Bering Sea Advisory Body which would provide input to the State Department and the Department of Commerce. The Advisory Body drafted a new salmon regime for the North Pacific that would ban fishing for salmon on the high seas, establish a mechanism for having some significant cooperation between the USSR and the U. S. to deal with the squid fleets, and establish a scientific mechanism for developing information to support those kinds of efforts. The agreement is now ready to take to Japan and Canada.

The Canadians are very supportive of what we are doing. The Japanese have remained completely silent.

Mr. Benton said he is currently working on a draft proposal dealing with the doughnut hole which would set a cap on the amount of fish that can be harvested there and would allow the fishing nations to allocate some of that catch amongst themselves.

Number 575

Senator Sturgulewski asked what was known about the interconnection between the doughnut hole and the bottomfish catch for the USSR and the U.S. Mr. Benton replied that they have sent a proposal to Leningrad to establish a bilateral group that would gather all the available information on that subject and then come up with a series of recommendations to the two countries. There is consensus between the two countries as of November that the fish in the doughnut hole originate in the two countries. The two countries agreed that there is a substantial connection between the two, that there is no independent stock of fish in the doughnut hole. They agreed as to the impact on fisheries in the doughnut and came up with a rationale for establishing an appropriate harvest level in the "hole." According to the data, the Bering Sea fishery is being overharvested by 700,000 metric tons per year.

Number 680

Senator Sturgulewski asked if the North Pacific Fisheries Council was doing anything about this and if there was any connection to the depletion of the sea lion population. Mr. Benton said there was a very tenuous connection between overfishing and the depletion in sea lion and fur seal populations.

Number 731

Bill Wolf, Senator Murkowski's legislative assistant, thanked everyone for their help on this issue and said it looked like they were making headway. Although, he said,

Senate Special Committee
On High Seas Salmon
Interception

last year's agreement with Japan was extremely unsatisfactory, they are working on a much stronger one for this year. They are working on an observer program with Korea now. Taiwan has sent a very low ranking delegation to discuss this issue, but they did work out an observer program of 14 U.S. observers to be out 45 days each and 10 Taiwanese observers to be out 60 days each. He said that the National Marine Fisheries Service has assured them that that would provide 95% statistic reliability of the data.

TAPE 1, SIDE 2
Number 001

Mr. Wolf said there was a question, though, as to how boats would fish without observers on them.

Admiral Leland of the Coast Guard has assured them that they will double the amount of time they spend in the North Pacific.

Mr. Wolf said they have some concerns with the sori vessels which may carry driftnets. They would be required to carry transmitters according to a verbal agreement we have with an official in Taipei. We would monitor those vessels very closely.

Mr. Wolf said that we need to set an overall policy instead of chasing boats all over the ocean as they are reflagged. He said within the next few days he expects legislation to be introduced directing the State Department to negotiate with salmon purchasing nations to require a certificate of legal origin for any salmon shipments or anadromous fish products.

Mr. Benton said because the Bering Sea is mostly Soviet and American waters we are cooperating on putting together a conservation proposal which can be taken to Japan, Korea, Poland, and China. If they oppose the proposal, the stage is then set for bilateral action to try to do something.

Senator Jones thanked everyone for their participation and adjourned the meeting at 4:45 p.m.

SCOMM

70:4

Enclosure 1

THE HIGH SEAS SALMON FISHERIES OF JAPAN, 1989

by

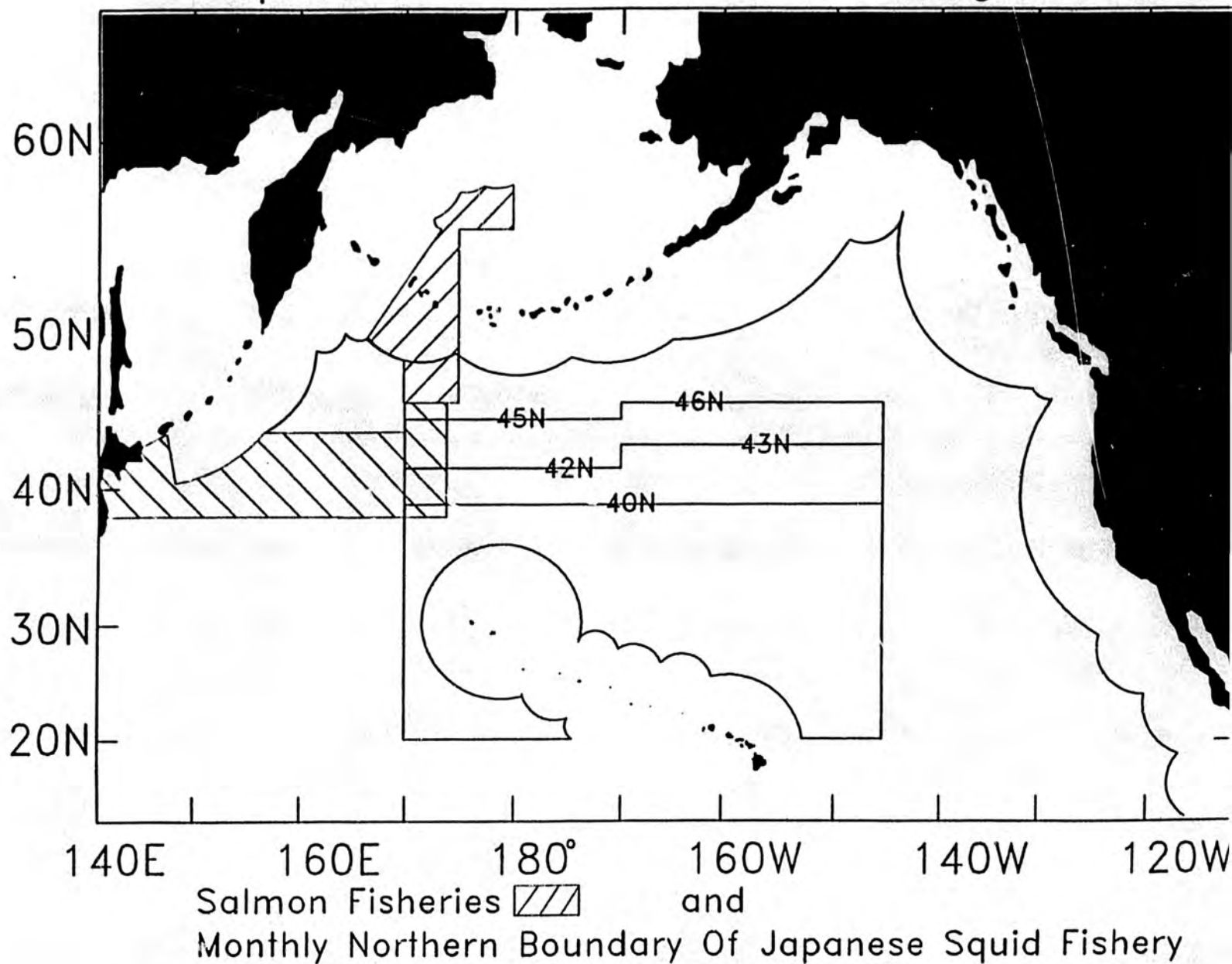
Michael L. Dahlberg
Alaska Fisheries Science Center, Auke Bay Laboratory
National Marine Fisheries Service, NOAA
P. O. Box 210155, Auke Bay, AK 99821
(907) 789-6002

Submitted to the
U.S. NATIONAL SECTION

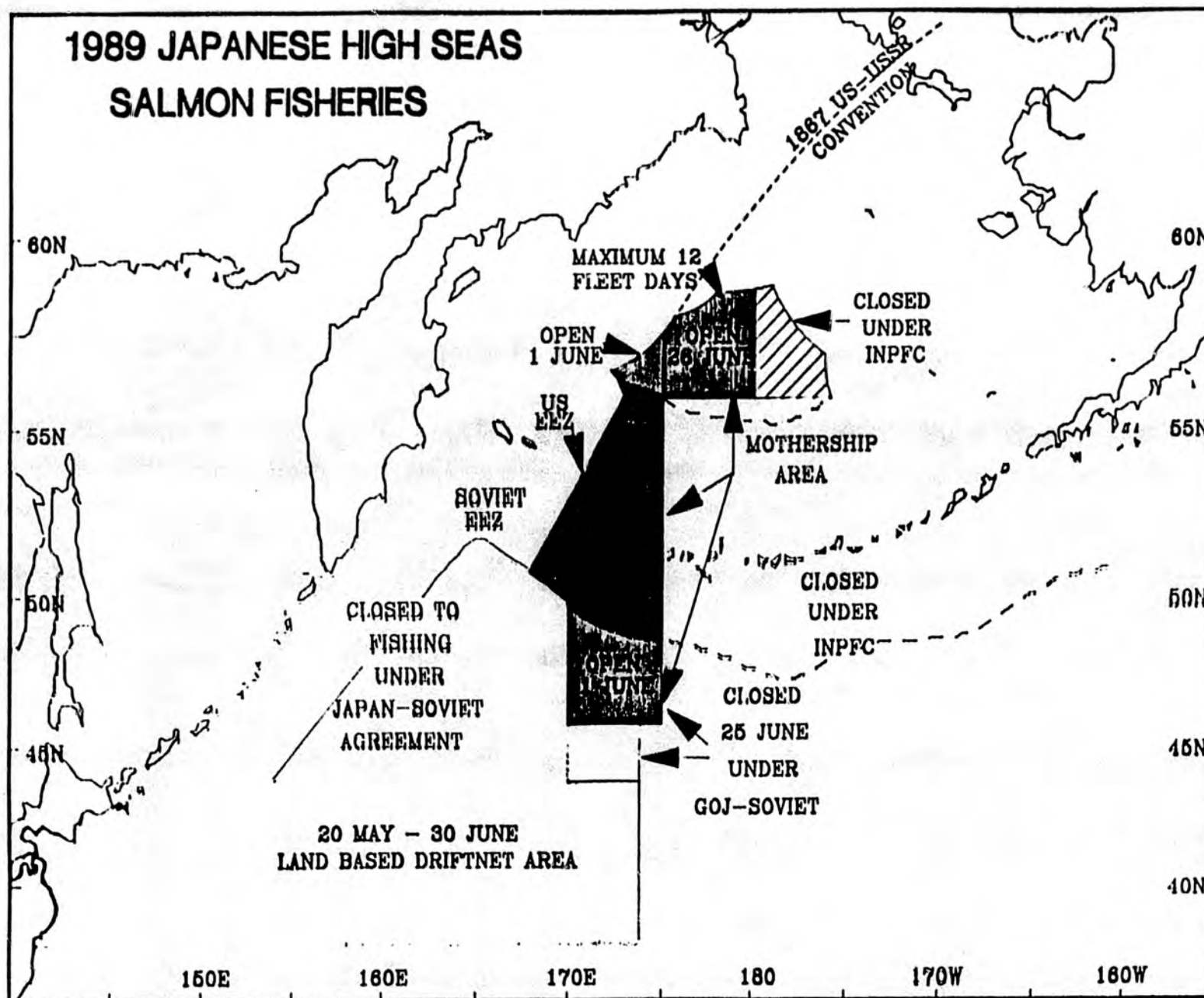
INTERNATIONAL NORTH PACIFIC FISHERIES COMMISSION

1989 U.S. Section Meeting of INPFC
Anchorage, Alaska
September 28, 1989

Squid And Salmon Driftnet Fishing Areas



1989 JAPANESE HIGH SEAS SALMON FISHERIES



Japanese High Seas Salmon Fisheries, 1989

Mothership Fishery

Fishing Effort

The Nikkeiren (Federation of Japan Salmon Fisheries Cooperative Associations) chartered the factory trawler Zuiyo maru (2,459 GT), at the request of the bankruptcy administrator of Hokkaido Gyogyo Kosha, from May 9 to August 8 to serve as a mothership during the 1989 fishing season. The vessel was hastily repaired by its crew of 37 in May and because of its smaller size operating costs were reduced to one-tenth of those in the past. The mothership with 32 catcher boats departed Hakodate on May 29, began fishing on June 2 in Area 2-a, and ended fishing there on June 25 (21 days). Sixteen standard fleet days (14,190 tans) were fished in Area 2-a in 1989, the same fishing effort as in 1988.

After June 25, the mothership moved to Area 4 where they were joined by a fleet of 24 catcher boats which had departed Hakodate on June 21. Fishing in this area began on June 29 and ended on July 11 (12 days), after which the vessels left the area and returned to Hakodate and other ports on or about July 20. About 7 fleet days of standard fishing effort were expended in Area 4 in 1989 as compared to 18 fleet days in 1988. The 1989 CPUE must have been at least twice that of 1988 in order to catch 1,234mt in 12 days with only 24 catcher boats. In the 1988 fishing season, 1,452mt were reported caught with 18 standard fleet days of fishing effort using 43 catcher boats in Area 4.

Catch

The total quota for Area 2-a set by Japan/Soviet bilateral negotiations was 2,981 mt. Of this, the domestic allocation for the mothership fleet was 1,600 mt, or about 54% of the total Area 2-a quota. The quota in Area 4 was set by the bilateral negotiations at 1,234 mt. The total mothership quota (Areas 4 and 2-a combined) of 2,834 mt was reportedly not met because of "poor catches in Area 2-a". The fleet reportedly left the fishing grounds when the pink salmon quota was achieved, leaving about 30% of the other species quotas unmet.

Retention of Salmon Aboard Catcher boats

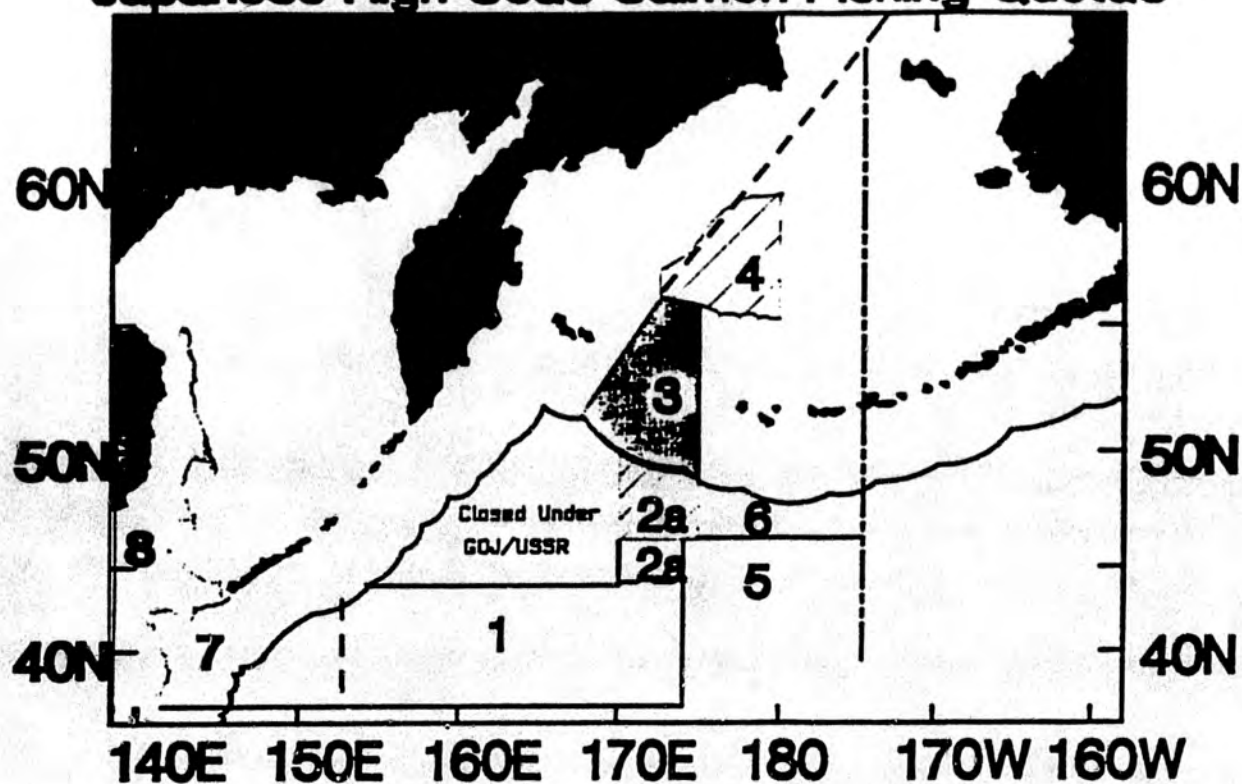
The Soviet Union, at the April 1989 bilateral salmon negotiations with Japan, approved a Japanese request for allowing processing of salmon on board some of the catcherboats (without transferring to the mothership). Approval was also given for the processed salmon to be brought back to Japan aboard the catcher boats provided that the salmon were inspected by Japanese and Soviet inspectors aboard the mothership before leaving the fishing area.

Based on Soviet approval, 10 of the 32 catcherboats fishing in Area 2-a and 8 of the 24 catcherboats fishing in Area 4 did not transfer their catches to the mothership. Instead, they salted their catches (in a manner similar to that done by the LBDN fleet) and brought them back to Japan, landing them at Hakodate, Kushiro, Hanasaki, Nemuro and Akkeshi, much to the dismay of the traditional landbased salmon fishermen. The date for landing and auction of the product from the mothership catcher boats was adjusted in order to avoid auction on the same day as that for the LBDN fleet. The remaining catcher boats transferred their catches to the mothership for freezing. Two transport vessels brought frozen salmon back to Japan from the mothership.

Landbased Salmon Fishery

Total 1989 catch information for this fishery is not yet available. Species composition data indicate increased proportions of sockeye and pink salmon caught in 1989 as compared to 1988. The relative proportion of chum salmon decreased from 59% of the catch in 1988 to 38% in 1989.

Japanese High Seas Salmon Fishing Quotas



Quotas by area:	Metric Tons	
	1988	1989
1	7,984	6,485
2a Landbased	1,240	1,381
2a Mothership	1,415	1,600
3	0	0
4	1,851	1,234
7	2,878	2,356
8	2,300	1,944
Totals	17,668	15,000

1989 Japan-Soviet Salmon Agreement
--Quotas--

1. Quota by Species:	<u>Metric Tons</u>		<u>1,000 Fish</u>		Change in
<u>Species</u>	<u>1988</u>	<u>1989</u>	<u>1988</u>	<u>1989</u>	<u>No. (%)</u>
Pink Salmon	11,295	9,935	11,329	9,948	-12
Chum Salmon	4,086	3,410	2,035	1,710	-16
Red Salmon	949	744	483	383	-21
Coho Salmon	954	588	504	266	-47
<u>King Salmon</u>	<u>384</u>	<u>323</u>	<u>113</u>	<u>95</u>	<u>-14</u>
Total	17,668	15,000	14,464	12,402	-14

2. Quota by Area:	<u>Metric Tons</u>	
	<u>1988</u>	<u>1989</u>
Area 1 Traditional Land-Based	7,984	6,485
Area 2a Traditional Land-Based	1,240	1,381
Mothership	1,415	1,600
Area 3 Mothership in the U.S. EEZ	0	0
Area 4 Mothership in Bering donut	1,851	1,234
Area 7 Pacific Coastal	2,878	2,356
<u>Area 8 Sea of Japan</u>	<u>2,300</u>	<u>1,944</u>
Total	17,668	15,000

3. Fishing Season:	<u>1988</u>	<u>1989</u>
Traditional Land-Based	May 25-July 5	May 20-June 30
Mothership	June 1-July 31	June 1-July 31
Pacific Coastal	May 25-June 20	May 20-June 15

4. Fishing Fee Paid by Japan:

1989 = 3.35 billion Yen (\$26.8 million)
1988 = 3.35 billion Yen (\$25.2 million)

5. In addition, 5,000 mt of salmon within the Soviet 200-mile zone were allocated in 1989 to Japanese partners of joint venture(s) for salmon reproduction (2,000 mt in 1988).

Source: American Embassy, Tokyo, 5/2/89.

Catch statistics of the Japanese high seas salmon gillnet fisheries, 1986-88. (Catch in thousands of fish and cumulative fishing effort in thousands of tans). Source: INPFC Documents 3132 (Rev. 1), 3269 and 3375.

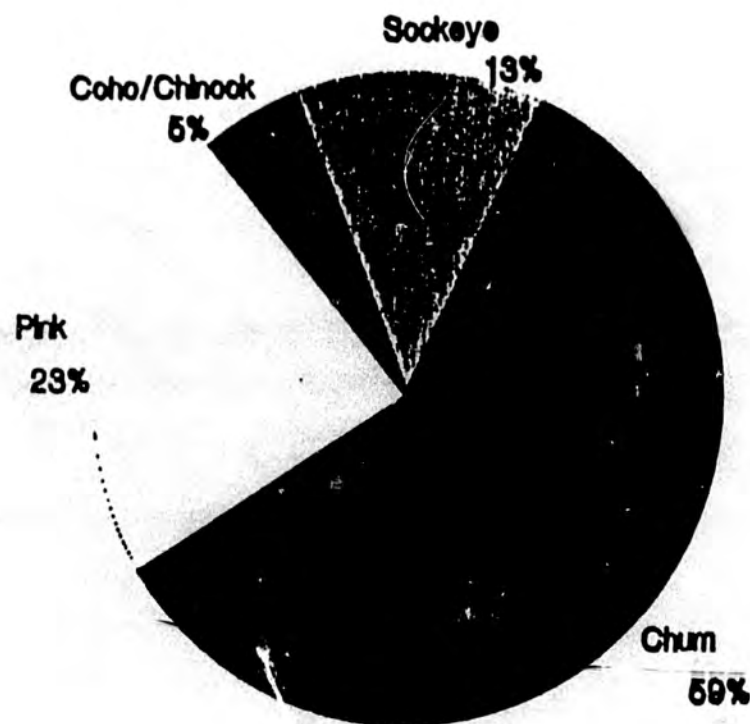
	All Species	Species					Fishing Effort
		Sockeye	Chum	Pink	Coho	Chinook	
1986							
Mothership	3,170	729	1,925	390	65	60	1,930
Landbased	<u>7,978</u>	<u>138</u>	<u>940</u>	<u>6,345</u>	<u>478</u>	<u>77</u>	<u>1,435</u>
Total	11,148	867	2,865	6,735	543	137	3,365
1987							
Mothership	3,530	667	1,822	966	35	39	1,282
Landbased	<u>7,677</u>	<u>140</u>	<u>936</u>	<u>6,068</u>	<u>459</u>	<u>74</u>	<u>1,156</u>
Total	11,207	807	2,758	7,034	494	113	2,438
1988							
Mothership	1,199	225	892	56	<1	26	482
Landbased	<u>6,289</u>	<u>116</u>	<u>751</u>	<u>5,083</u>	<u>292</u>	<u>47</u>	<u>793</u>
Total	7,488	341	1,643	5,139	292	73	1,275

Estimates of interceptions of North American salmon by the Japanese mothership salmon fishery in thousands of fish, 1986-1988.¹

Year	Sockeye	Chum	Pink	Coho	Chinook	Total
1986	142	29	<1	16	47	235
1987	134	26	<1	9	32	211
1988	117	42	1	0	23	183

¹Source: Michael Dahlberg, NOAA Fisheries, Auke Bay. INPFC Docs 3132, 3269 and 3375, September 28, 1989.

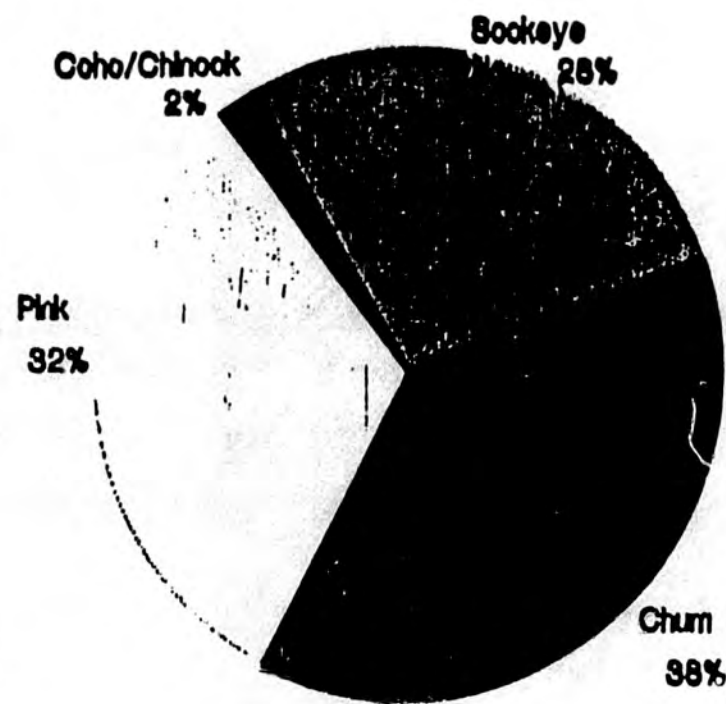
SPECIES COMPOSITION OF LANDBASED SALMON CATCH



1988

Quota 10,186 mt

Catch 7,614

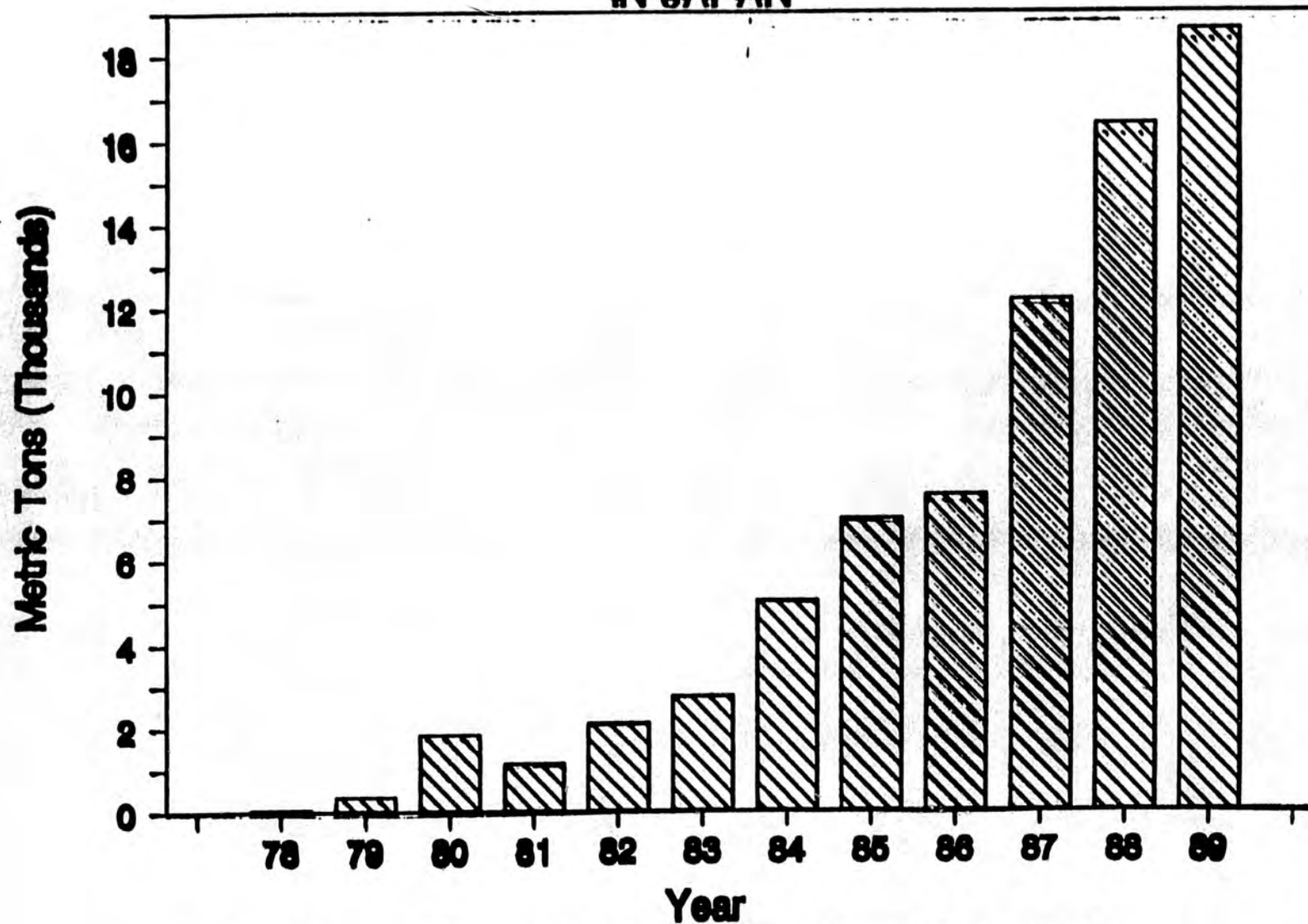


1989

Quota 8,611 mt

Catch n/a

PRODUCTION OF FARMED OCHO SALMON IN JAPAN



Source: American Embassy, Tokyo, August 17, 1989.

NORTH PACIFIC DRIFTNET FISHERY NEGOTIATIONS

1. Statement of the Issue

To address concerns regarding the interception of marine resources of the United States (salmonids, marine mammals, and seabirds) in the North Pacific Ocean by foreign high seas driftnet fisheries, pursuant to the Driftnet Impact Monitoring, Assessment, and Control Act of 1987 (the Driftnet Act).

2. Background

Over 1,000 foreign driftnet vessels from Japan, South Korea, and Taiwan annually fish in the high seas of the North Pacific--mainly for squid and tuna/billfish. (Japan also has a high seas salmon driftnet fishery.) The driftnets used in these fisheries (except for the Japanese salmon driftnet fishery) are often between 20 and 50 kilometers in length and are deployed nightly during the fishing season. Various marine resources that ascend the water column at night to feed become ensnared and killed, including non-target marine resources of the United States.

As a result of U.S. concern that the foreign driftnet fleets intercept and kill valuable U.S.-origin salmon, as well as significant numbers of marine mammals and seabirds that breed or are otherwise dependent upon areas under U.S. jurisdiction, the Congress passed and the President signed the Driftnet Act of 1987.

The Driftnet Act required that the Secretary of Commerce, through the Secretary of State, negotiate cooperative agreements with those countries conducting high seas driftnet fisheries that take U.S. marine resources in the North Pacific Ocean.

Specifically, the Act called for negotiation of (1) an adequate monitoring and assessment agreement for the deployment of scientific observers on squid driftnet vessels, and (2) an adequate enforcement agreement with particular emphasis on the control of fishing in areas and seasons where significant numbers of U.S. marine resources, particularly salmon, may be taken.

The Driftnet Act also required reports to the Congress on (1) the status of U.S. negotiations with foreign countries, and (2) the impacts of driftnet fisheries. (Both of these reports were submitted to the Congress on May 9, 1989.)

3. Discussion

The United States and Japan reached a driftnet agreement on June 23, 1989. A summary of that agreement is found as attachment 1. The Secretary of Commerce wrote to the President on June 27, to inform him that cooperative driftnet fishery monitoring and enforcement programs are being implemented this year with Japan. The agreement with Japan includes commitments to expand the programs for 1990 and beyond. The Secretary noted in his letter to the President that adequacy of the Japanese arrangements will need reevaluation after the programs for 1990 have been developed.

The American Institute in Taiwan (representing U.S. interests) reached a driftnet agreement with the authorities on Taiwan on August 25. A summary of the agreement is found as attachment 2. The conclusion of this agreement could not prevent Taiwan's certification under the Driftnet Act for failing to enter into and implement a cooperative driftnet agreement with the United States by the legislated deadline of June 29, 1989. In the meantime, because no progress was realized in the driftnet negotiations held with Korea, that country too was certified under the Driftnet Act.

Taiwan's admitted goal in arriving at an agreement with the United States was to prevent or mitigate fishery import trade sanctions that may be exercised by the President after certification. Indeed, Taiwan has noted that if sanctions are applied against Taiwan fishery products that they will not be obligated to fulfill any agreement reached with the United States.

After ~~three~~ weeks of intense negotiations in Washington, D.C., beginning on August 18, U.S. and Korean negotiators reached a driftnet agreement on September 8. A summary of the Korean agreement is found as attachment 3.

SUMMARY OF
U.S.-JAPAN-CANADA ARRANGEMENTS FOR
JAPAN'S NORTH PACIFIC DRIFTNET FISHERIES

Japan's Squid Driftnet Fishery

- o 14 North American scientific observers and 32 Japanese scientific observers deployed in 1989 on 32 Japanese commercial squid driftnet vessels. (Provision for program expansion in 1990 designed to gather statistically reliable data.)
- o Two distinct observer program segments: 10 vessels with 5 North American and 10 Japanese observers to assess variability of bycatch during June to December, and 22 Japanese vessels with 9 North American and 22 Japanese observers to assess impacts on salmonids and other species in the northern boundary area in July and August.
- o Significant variety of data to be collected, including the numbers/quantity of target (squid) and non-target resources (salmonids, marine mammals, and seabirds--by species) that are taken. Nearly 20 percent of all net retrievals made in the northern boundary area of the fishery are to be observed. Total fishing effort and catch of the squid fleet to be collected monthly by 1 degree x 1 degree statistical blocks and provided to the U.S. and Canada. (Three measures of fishing effort to be reported: (1) cumulative number of standardized tans, (2) number of vessels fishing, and (3) vessel days of operations.)
- o Data to be exchanged on a timely basis (within 30 days after each observer disembarks host vessels). Collected data to be taken into account when designing scientific observer program for Japan's squid driftnet fishery in 1990, and in reviewing appropriateness of the fishery's northern boundary.
- o Research Vessels: Japan to deploy 2 driftnet research vessels with participation of U.S. and Canadian scientists onboard the R/V Shoyo Maru. (Canada and the United States also intend to deploy research vessels in the central North Pacific in 1989--may invite Japanese participation).

- o Enforcement: Japanese at-sea patrols to be doubled for 1989; Japan prohibits at-sea catch transfers; mandatory marking of vessels and vessel nets with vessel name/number; Japan to provide weekly vessel location data; mandated net mesh size restrictions; exchange of enforcement personnel on U.S. and Japan patrols; list of vessels to be provided to U.S. and Canada; vessel offloading surveillance at Japanese ports; penalties doubled for vessel violations; cooperation with regard to monitoring of driftnet activities of other foreign entities (Taiwan and Korea). Japan agrees to consider deploying automatic satellite devices on squid vessels in 1990 following Japan-U.S. tests of such systems during 1989.

Japan's Large-Mesh Driftnet Fishery

- o Japan to accept placement of a U.S. scientist on a Japanese research vessel conducting research on target and non-target species of its large-mesh driftnet fishery in the central and southern part of the North Pacific Ocean during 1989.
- o Japan intends to expand its regulatory control over this fishery for 1990 and beyond and to exchange views with U.S. and Canadian sides about accepting North American scientific observers on Japanese commercial large-mesh driftnet vessels in 1990.

SUMMARY OF DRIFTNET AGREEMENT WITH TAIWAN

On June 30, 1989, the United States (represented by the American Institute in Taiwan) and the authorities on Taiwan (represented by the Coordination Council for North American Affairs) arrived at a tentative agreement to address Taiwan high seas driftnet fishing activities in the North Pacific Ocean. The Agreement was concluded on August 25, 1989. The principal parts of the agreement include:

- o Placing, at no cost to the United States, automatic real-time vessel location devices (transmitters) on Taiwan commercial driftnet vessels: 10 percent coverage in 1989, and 100 percent coverage in 1990.
- o Requiring that all permitted resources harvested by Taiwan driftnet vessels (except tuna) must be landed in Taiwan with strict restrictions on at-sea transfers to transport vessels.
- o Taiwan to introduce legislation to restrict its vessel from carrying both large and small mesh driftnet gear. All driftnet vessels and their corresponding gear is to be marked to facilitate identification.
- o Taiwan consents to U.S. Coast Guard boarding and inspection ("visits") of all driftnet vessels detected outside of approved fishing areas. Vessels inside approved fishing grounds may also be boarded under certain circumstances.
- o Taiwan to introduce high seas enforcement patrols (2 vessels in 1989 for 200 patrol days, 3 vessels in 1990 for 310 patrol days).
- o Deployment of a U.S. scientific observer in 1989 aboard a commercial driftnet vessel of Taiwan. In 1990, the scientific observer program will be expanded with the objective of obtaining statistically reliable data.
- o Taiwan to take steps to limit the size of its driftnet fleet.

SUMMARY OF DRIFTNET AGREEMENT WITH KOREA

The principal parts of the agreement include:

- o Requiring time and area restrictions for the 160-vessel Korean squid driftnet fleet to avoid colder water areas where significant numbers of U.S. origin salmon and steelhead trout may be intercepted.
- o Korea consents to U.S. Coast Guard boarding and inspection ("visit and verification") of all driftnet and associated transport vessels.
- o Placing, at no cost to the United States, automatic real-time vessel location devices (transmitters) on Korean commercial driftnet and associated transport vessels: 100 percent coverage of transport vessels in 1990, 10 percent coverage of driftnet vessels in 1989, and 100 percent coverage of driftnet vessels in 1990.
- o Requiring that all permitted resources (squid) harvested by Korean driftnet vessels be landed in Korea with strict restrictions on at-sea transfers to transport vessels.
- o Requiring data collection and exchange on fishing location, effort, and takes both direct and incidental.
- o All driftnet vessels and their corresponding gear are to be marked to facilitate identification.
- o Korea to introduce continuous high seas enforcement patrols during the fishing season with one dedicated vessel joined by a second vessel during the three peak fishing months.
- o Deployment of a U.S. scientific observer in 1989 aboard a commercial driftnet vessel of Korea and deployment of 13 Korean and 13 U.S. scientific observers aboard 26 such vessels in 1990. All scientific observers are to remain aboard for 45 days to observe and record data on approximately 45 net retrievals.

NORTH PACIFIC DRIFTNET REGULATIONS

	<u>JAPAN</u>	<u>TAIWAN</u>	<u>KOREA</u>
<u>Fisheries:</u>	Squid Will regulate tuna in 90	Squid, Tuna	Squid
<u>Time and Restrictions for 170E-145W</u>			
Jan-April	closed	20N	closed
May:	closed	34N (Large mesh only)	37N
June:	40N	40N	40N
July:	42N (170E-170W) 43N (170W-145W)	42N	42N
August:	45N (170E-170W) 46N (170W-145W)	44N	44N
September:	46N	46N	46N
October:	44N	44N	44N
November:	42N	42N	42N
December:	40N	40N	Closed
<u>Time and Restrictions West of 170E</u>			
Jan-April:	closed	36N	36N (160E-170E)
May:	closed	38N	38N (160E-170E)
June:	closed	40N	40N (160E-170E)
July:	closed	42N	42N (160E-170E)
August:	closed	44N	44N (160E-170E)
September:	closed	46N	46N (160E-170E)
October:	closed	44N	44N (160E-170E)
November:	closed	42N	42N (160E-170E)
December:	closed	40N	40N (160E-170E)
<u>Transmitters</u>			
In 1989:	Test by U.S. & Japan	10% on F/V 100% on transports 100% on all vessels	10% on F/V 100% on transports 100% on all vessels
in 1990:	Discuss based on tests		
<u>Boarding & Inspection</u>			
	By U.S. under INPFC	By AIT under agreement	By US under agreement.

JAPAN

Enforcement Effort

at-sea & dockside
will provide after season
report of activities.
in 1989: 5 patrols for 600 vsi-days
1 U.S. on 1 Japan patrol
in 1990: 1 Japan on 1 U.S. flight

Scientific Observers

in 1989: 9 U.S., 5 Canadian, &
32 Japan on 32 F/V
in 1990: Discuss based on 1989
to obtain reliable data

Scientific Observer Reports

Data exchanged in 30 days
June-Dec summary by 4/1/90
June-Dec report by 6 months
July-Aug summary by 12/1/89
July-Aug report by 2/1/90

Vessel Regulations

Must be licensed
Limited entry
ID must be displayed
List provided U.S.
Must report location

At-sea Transfers

Prohibited

TAIWAN

at-sea & dockside
will provide after season
report of activities.
2 patrols for 200 vsi-days
1 AIT on 1 Taiwan patrol
1 Taiwan on AIT flight
3 patrols for 310 vsi-days
for a continuous presence

1 U.S. for 30 retrievals
Decide by 2/28/90
to obtain reliable data
To include roving platform

Decide by 2/28/90

Must be licensed
Try to limit fleet size
ID must be displayed
List provided U.S.
Must report location

Only by Taiwan vessels
carrying transmitters &
subject to inspection.
Restricted & inspected
landings.

KOREA

at-sea & dockside
will provide after season
report of activities.

1 U.S. on 1 R.O.K. patrol
1 R.O.K. on U.S. flight
1 patrol continuously
2 patrols in peak months

1 U.S. for 45 retrievals

13 U.S. & 13 R.O.K. for
26 F/V for 45 retrievals
May include roving platform

Data exchanged in 30 days
Summary by 4/1/91
Report by 6/30/91

Must be licensed
Limited to 160 vessels
ID must be displayed
List provided U.S.
Must report location

Only under ROK managers
carrying transmitters &
subject to inspection.
Restricted & inspected
landings.

Fishing Records

Monthly effort & catch
Reported in 6 months

Monthly effort & catch
Reported by 6/30

Monthly effort & catch
Reported in 6 months

Net Regulations

Must be marked
Cannot be discarded

Must be marked
Cannot be discarded

Must be marked
Cannot be discarded

Research Cruise

1 U.S. & 1 Canadian on 1 of
2 Japanese small mesh vessels.
Report to IWC.
1 U.S. on 1 Japanese large mesh.

MEMORANDUM

State of Alaska

DEPARTMENT OF FISH AND GAME

TO: Senate Special Committee
on High Seas Salmon
Interception

DATE: March 1, 1990

FILE NO.:

TELEPHONE NO.: 465-4100

SUBJECT: Information
Regarding CSSJR6

FROM:  David Benton
Director of External
and International Fishery Affairs
Department of Fish and Game

During the 1989 legislative session, the Alaska State Legislature passed CSSJR6, "Relating to the Interception of Alaska Salmon and Steelhead on the High Seas." This resolution listed several specific actions which the Legislature believed would help address this problem. The Department of Fish and Game, as the agency charged to lead the state's efforts to end high seas interception, mounted an aggressive campaign to tackle this problem. This memo briefly reports on our efforts to date regarding the actions specifically identified by the Legislature in the resolution.

High Seas Salmon Fisheries of Japan

The International North Pacific Fisheries Commission (INPFC) has historically been the forum for addressing the interception of Alaska salmon by the directed high seas salmon fleets of Japan. The state has been an important player in this forum over the years. Resolution CSSJR6 stated:

BE IT RESOLVED that the Alaska State Legislature respectfully requests the American section of the International North Pacific Fisheries Commission to hold firm in negotiating with the Japanese and to oppose expansion of the Japanese salmon and squid fishing areas, as well Japan's proposal to convert its mothership fleet on the high seas to land-based fleet; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully requests the Congress not to allow the Japanese to fish for salmon and steelhead within the United States Exclusive Economic Zone...

Status: One of the most controversial issues at the 1988 INPFC meeting was the Japanese proposal to convert their mothership fishery to a landbased style fishery, with freezer capacity on the catcherboats and direct deliveries from the catcherboats to shore. Several rounds of talks took place in late 1988 and early 1989. The State adopted a very tough stand regarding the conversion proposal, and attended all of

the negotiations. The end result after several rounds of talks was that Japan dropped their request for the 1989 fishing season because the U.S. counterproposal was unacceptable.

The 1989 mothership fishery was then carried out with an old Hokuten trawler serving as the "mothership" (the vessel was reportedly going into bankruptcy and was commissioned very cheaply) and 56 catcherboats divided into two fleets. Reports indicate that many of the catcherboats already had freezer capacity installed and that some deliveries were made directly to trampers or to shore. The Soviet quota for the mothership fleet for the 1989 season was 2834 mt. The Japanese harvest reportedly fell short of this because the fleet reached the pink cap early in the fishery. Please see enclosure 1.

The Japanese have again raised the conversion issue at INPFC. This issue is the subject of on-going negotiations between Canada, Japan and the U.S. The next round of talks is scheduled for March 27, 1990.

In 1989, the Japanese once again sought entry back into the U.S. EEZ for the mothership fleet. This was successfully blocked.

U.S./U.S.S.R. Agreement

In May, 1988 the U.S. and the U.S.S.R. signed a comprehensive fisheries agreement. The Legislature recognized this as a significant new opportunity to address the high seas problem. Specifically, the resolution stated:

...be it FURTHER RESOLVED that the Alaska State Legislature respectfully requests the United States Department of State to immediately begin negotiating a joint enforcement agreement with the Soviet Union in order to prevent illegal fishing in the North Pacific Ocean; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully requests the United States Department of State to begin negotiating with all the salmon producing countries for an international treaty that would ban all high seas salmon fishing...

Status: The State of Alaska has been very successful to date with the U.S./U.S.S.R. initiative. The U.S./U.S.S.R. comprehensive fisheries agreement was signed in May of 1988. Ratifying legislation passed the Congress later that year. The state was able to get language establishing a North Pacific and Bering Sea Advisory Body (Advisory Body) inserted

into the legislation. The Advisory Body consists of the Commissioner of Alaska Department Fish and Game, the Director of Washington Department of Fisheries, and ten industry representatives (five each from Alaska and Washington). Two legislators, Senator Binkley and Representative Cotten, also serve on the Advisory Body. Through the Advisory Body we have been able to accomplish most of our U.S./U.S.S.R. objectives.

The first meeting of the ICC occurred in February of 1989 in Washington, D.C. The U.S. government was not well prepared for this meeting. The state was able to get a draft cooperative enforcement proposal introduced despite initial objections to the concept by Coast Guard and Defense. This cooperative salmon enforcement MOU was signed at the February meeting.

Also at this meeting, the Soviets tabled what appeared to be a hastily drafted salmon proposal. It was agreed that discussions should proceed on salmon management issues at the next ICC meeting, which was scheduled to take place in the U.S.S.R. Previous to this, the U.S. and U.S.S.R. had not discussed salmon management issues in any depth despite several earlier opportunities.

In response, the state, working with industry, drafted a proposed salmon management regime for the North Pacific. This was reviewed and adopted by the U.S./U.S.S.R. Advisory Body. The proposal would replace INPFC with a new treaty which would prohibit the taking of salmon on the high seas. The treaty would be between Japan, Canada, the U.S.S.R. and the U.S. This draft eventually became a formal U.S. proposal which was presented to the Soviets in Leningrad in late September, 1989. After several days of negotiations the proposal was conceptually approved by the two countries. Drafts have been presented to Canada and Japan for their review. Four way negotiations will probably begin later in 1990.

In addition to the above, the state pushed for a joint U.S./U.S.S.R. salmon science conference. The purpose is to foster improved communication among our respective scientists on salmon matters. Up to now, most of the information we have had on U.S.S.R. stocks has come from the Japanese. Similarly, the Japanese have supplied the Soviets most of the information they have had regarding our stocks. The same situation existed for data regarding catch and quota statistics for the Japanese high seas salmon fisheries. The idea to hold a salmon conference was floated in October, 1988 at the U.S./U.S.S.R. science bilaterals. The first such conference was hosted by the U.S.S.R. at Sakhalin in early September 1989.

Magnuson Act Reauthorization

Regarding the Magnuson Act reauthorization and the high seas interception issue, the Legislature resolved in CSSJR6:

that the Alaska State Legislature respectfully requests the Congress to amend the Magnuson Fisheries Conservation and Management Act (16 U.S.C. 1801 - 1882) to ensure that United States jurisdiction over American anadromous species on the high seas will be effectively enforced to stop interception of salmon and steelhead on the high seas...

Status: The state developed language to strengthen U.S. assertions of jurisdiction over anadromous species. This language, or a variation of it, is in both House and Senate versions of the MFCMA reauthorization bills. The House version recently passed; the Senate has yet to act. In addition, given events on the international front regarding driftnets, the state will be working to strengthen the Driftnet Act as well.

High Seas Squid Driftnet Fisheries

The squid driftnet fleets of Taiwan, Korea, and Japan are having a significant impact on North American salmon and steelhead stocks, marine mammals, seabirds, and other living marine resources. The Legislature recognized this problem, and the state mounted an aggressive campaign on this issue in 1989. The Legislature stated in the resolution:

...be it FURTHER RESOLVED that the Alaska State Legislature respectfully requests the United States Department of State and the Congress to take whatever actions are necessary to control the illegal and unregulated fishing activities of the South Korean, Taiwanese, and Japanese squid fleets...

Status: The state mounted an aggressive campaign to address the squid driftnet issue on a number of levels. The state has been deeply involved in the strategy sessions and attended nearly all of the 1988/1989 negotiations conducted under the Driftnet Act of 1987. There now are agreements with all three driftnet fishing nations. Each agreement is somewhat different, each has its strong points and its weak points. These agreements are summarized in enclosure 2. Two countries were certified for failing to meet the deadlines contained in the Act: Taiwan and Korea. No trade sanctions were taken in either case.

As part of the international effort, a state representative was sent to the South Pacific Forum meeting in Suva, Fiji to attend the first round of talks between the Forum Fisheries Agency (FFA) representing 16 South Pacific nations and delegations from Japan, Taiwan, and Korea. These talks centered on the impacts of driftnets on southern albacore stocks. The state was able to assist the FFA on both a technical and political level, and established a good working relationship with the FFA countries. A meeting was held in New Zealand following the Suva meeting with the now-Prime Minister where a North/South strategy was discussed to address our mutual concerns regarding driftnet fisheries, including taking this issue to the United Nations.

The state also joined up with British Columbia and the states of Washington, Oregon, California, Idaho, and Hawaii to bring pressure to bear on the federal governments of Canada and the U.S. This coalition of Alaska, the Province and 5 western states issued a Proclamation on High Seas Driftnet Fisheries in the North Pacific Ocean which called for a number of actions to be taken collectively by the two nations to protect North American fisheries resources, marine mammals, seabirds, and other living marine resources of the North Pacific. The Proclamation also called for an international ban on driftnet fishing on the high seas.

In addition, the state embarked on an ambitious campaign to bring together a broad coalition of interest groups to attack the driftnet problem on both a national and international level, including environmental organizations, commercial and sport fishing groups, and other public interest groups.

The result of all this effort has been greatly heightened international concern regarding high seas driftnets. The United Nations resolution on driftnets (enclosure 2), which passed in December 1989, is a good demonstration of this. While not an answer in and of itself, the resolution does point up increased international concern on the issue, and calls for a moratorium on large scale driftnet fisheries by 1992 unless effective conservation measures are in place. Of course, the interpretation of "effective conservation measures" will be a contentious issue, and the state will need to stay on top of implementation of the resolution.

Pelly Amendment

The Legislature stated the following regarding the Pelly Amendment:

...be it FURTHER RESOLVED that the Alaska State Legislature respectfully requests the Congress to expand the Pelly Amendment to

- (1) provide for sanctions against foreign nations whose fishermen intercept anadromous species on the high seas or who refuse to cooperate with the United States in developing and enforcing international fishing regulations to prevent interception of anadromous species on the high seas; and
- (2) include in the sanctions against those nations embargoes on fisheries and other products imported from those nations...

Status: The state has expressed strong support for legislation pending in Congress to strengthen and broaden the Pelly Amendment sanctions.

Funding to Address High Seas Issues

The Legislature called for increased funding for high seas programs, stating:

that the Alaska State Legislature respectfully requests the Congress to provide continued funding for the United States high seas observer program and other salmon research programs and to provide funding for increased enforcement of high seas conservation agreements by the United States Coast Guard.

Status: The state joined with industry and other states to address a number of funding issues for federal fisheries programs. This was a successful effort and federal fisheries budgets for high seas interception have been substantially increased. Enforcement and monitoring budgets have been increased over last year, and \$3 million was specifically added to the NOAA budget to implement the Driftnet Act agreements. This year we will be asking for \$7.5 million for this program.

Enclosures

12. 13. 89 11:08 AM *U. S. MISSION TO U. N. P02

2

UNITED
NATIONS

A



General Assembly

Distr.
LIMITEDA/C.2/44/L.81
11 December 1989

ORIGINAL: ENGLISH

Forty-fourth session
SECOND COMMITTEE
Agenda item 82 (f)DEVELOPMENT AND INTERNATIONAL ECONOMIC CO-OPERATION:
ENVIRONMENT

Draft resolution submitted by the Vice-Chairman of the Committee, Mr. David Bayton (New Zealand), on the basis of informal consultations held on revised draft resolutions A/C.2/44/L.18/Rev.1 and L.19/Rev.1.

Large-scale pelagic driftnet fishing and its impacts on the living marine resources of the world's oceans and seas

Noting that many countries are disturbed by the increase in the use of large-scale pelagic driftnets, which can reach or exceed 30 miles (48 kilometres) in total length, to catch living marine resources on the high seas of the world's oceans and seas,

Mindful that large-scale pelagic driftnet fishing, a method of fishing with a net or a combination of nets intended to be held in a more or less vertical position by floats and weights, whose purpose is to enclose fish by drifting on the surface of or in the water, can be a highly indiscriminate and wasteful fishing method which is widely considered to threaten the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

Noting that the present resolution does not address the question of small-scale driftnet fishing traditionally conducted in coastal waters, especially by developing countries, which provides an important contribution to their subsistence and economic development,

12. 13. 88 11:08 AM U. S. MISSION TO U. N. P03

A/C.2/44/L.61

English

Page 2

Expressing concern that, in addition to targeted species of fish, non-targeted fish, marine mammals, seabirds and other living marine resources of the world's oceans and seas can become entangled in large-scale pelagic driftnets, either in those in active use or in those that are lost or discarded, and as a result of such entanglement, are often either damaged or killed,

Recognizing that more than one thousand fishing vessels use large-scale pelagic driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, and in other areas of the high seas,

Recognizing that any regulatory measures to be taken for the conservation and management of living marine resources should take account of the best available scientific data and analysis,

Recalling the relevant principles elaborated in the United Nations Convention on the Law of the Sea,

Affirming that, in accordance with the relevant articles of the Convention on the Law of the Sea, all members of the international community have a duty to co-operate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to co-operate with others in taking, such measures for their nationals as may be necessary for the conservation of the living resources of the high seas,

Recalling, in accordance with the relevant articles of the Convention on the Law of the Sea, the responsibility of all members of the international community to ensure the conservation and management of living marine resources and the protection and preservation of the living marine environment within their exclusive economic zones,

Making the serious concern, particularly of coastal States and States with fishing interests, that when living marine resources are overexploited in the high seas adjacent to the exclusive economic zones of coastal States, this is likely to have adverse impacts on the same resources within such zones, and in this regard, the responsibility for co-operation in accordance with the relevant articles of the Convention on the Law of the Sea,

Also noting that the countries of the South Pacific Forum and the South Pacific Commission, in recognition of the importance of living marine resources to the people of the South Pacific region, have called for a cessation of such fishing in the South Pacific and the implementation of effective management programmes,

Also noting the adoption by South Pacific Heads of Government of the Declaration on this subject at Tarawa on 11 July 1989 and the adoption by South Pacific States and territories of the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific, at Wellington on 24 November 1989,

Further noting that some members of the international community have entered into co-operative enforcement and monitoring programmes for the immediate evaluation of the impacts of large-scale pelagic driftnet fishing,

12. 13. 89 11:08 AM "U. S. MISSION TO U. N. FC4

A/C.2/44/L.81
English
Page 3

4

Recognising that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

1. Calls upon all members of the international community, particularly those with fishing interests, to strengthen their co-operation in the conservation and management of living marine resources;

2. Calls upon all those involved in large-scale pelagic driftnet fishing to co-operate fully with the international community, and especially with coastal States and the relevant international and regional organisations, in the enhanced collection and sharing of statistically sound scientific data, in order to continue to assess the impacts of such fishing methods, and to secure conservation of the world's living marine resources;

3. Recommends that all interested members of the international community, particularly within regional organisations, continue to consider and, by no later than 30 June 1991, review the best available scientific data on the impacts of large-scale pelagic driftnet fishing, and agree upon further co-operative regulation and monitoring measures, as needed;

4. Further recommends that all members of the international community, bearing in mind the special role of regional organisations and regional and bilateral co-operation in the conservation and management of living marine resources, as reflected in the relevant articles of the Convention on the Law of the Sea, agree to:

(a) Moratoria on all large-scale pelagic driftnet fishing on the high seas by 30 June 1992 with the understanding that such a measure will not be imposed in a region, or if implemented, can be lifted, should effective conservation and management measures be taken based upon statistically sound analysis to be jointly made by concerned parties of the international community with an interest in the fishery resources of the region, to prevent unacceptable impacts of such fishing practices in that region and to ensure the conservation of the living marine resources of that region;

(b) Take immediate action to reduce progressively large-scale pelagic driftnet fishing activities in the South Pacific region leading to the cessation of such activities by no later than 1 July 1991, as an interim measure, until appropriate conservation and management arrangements for South Pacific albacore tuna resources are entered into by the parties concerned;

(c) An immediate cessation to further expansion of large-scale pelagic driftnet fishing on the high seas of the North Pacific and all the other high seas outside the Pacific Ocean, with the understanding that this measure will be reviewed subject to the conditions in 4 (a);

5. Encourages coastal countries which have exclusive economic zones adjacent to the high seas to take appropriate measures and to co-operate in collection and submission of scientific information on driftnet fishing in their own exclusive

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A/C.3/44/L.81

English

Page 4

economic zones, taking into account the measures taken on the high seas for the conservation of living marine resources;

6. Requests specialised agencies, particularly the Food and Agriculture Organisation of the United Nations and other appropriate organs, organisations and programmes of the United Nations system, as well as the various regional and subregional fisheries organisations, to study urgently large-scale pelagic driftnet fishing and its impacts on the living marine resources and to report their views to the Secretary-General;

7. Requests the Secretary-General to bring the present resolution to the attention of all members of the international community, intergovernmental organisations, non-governmental organisations in consultative status with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

8. Requests the Secretary-General to submit to the General Assembly at its forty-fifth session a report on the implementation of the present resolution for its consideration.

STEVE COWPER
GOVERNOR



STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

December 26, 1989

The Honorable James Baker
Secretary of State
2201 C St., NW
Room 7226
Washington, D.C. 20520

Dear Secretary Baker:

I want to thank you for your efforts to secure a resolution at the United Nations on the problem of high seas driftnets. As you know, these driftnets are causing severe conservation problems for North American steelhead and salmon stocks, and are having major impacts on marine mammals, seabirds and other living marine resources.

Unfortunately, while demonstrating international concern about the impacts of driftnets, the compromise resolution does not provide clear guidance for action to solve this problem, especially in the North Pacific. The language of the resolution is vague and will undoubtedly be subject to numerous interpretations. This could weaken the efforts of the United States to address this problem in other international arenas. Accordingly, the United States must make a concerted effort to ensure careful implementation of the provisions of the compromise resolution to protect U.S. interests. I strongly encourage both you and Secretary Mosbacher to devote the resources necessary to accomplish this task.

In addition, the State of Alaska believes there is sufficient justification to seek an immediate moratorium on driftnets in the North Pacific. This position also is reflected in the Proclamation on High Seas Driftnet Fisheries in the North Pacific recently forwarded to you by the states of Alaska, Washington, Oregon, Idaho, California and Hawaii, and joined by the province of British Columbia. By calling for a moratorium on the use of high seas driftnets, the original resolution put forward by the United States would have gone a long way toward resolving the issue.

Mr. Secretary, it is critical the United States make a clear and forceful statement regarding its concerns about the impacts of driftnets on the world's living marine resources. While the U.N. resolution can be used to demonstrate international

Mr. James Baker

December 26, 1989

Page 2

concern over driftnets, the U.S. must not allow it to be used as a stalling tactic by the driftnet fishing nations. Any moratorium, be it immediate or in 1992, must go into effect unless the driftnet fishing nations can demonstrate, through statistically verifiable scientific data acceptable to the entire international community, that driftnet fishing does not pose an unacceptable threat to the living marine resources of the world's oceans. There should be no doubt with regard to the views of the United States in this matter.

Once again, I wish to thank you for your personal efforts in this matter. It is heartening that this issue has been raised to such a level of international concern.

Sincerely,

A handwritten signature in dark ink, appearing to read "Steve Cowper", with a long, sweeping horizontal stroke extending to the right.

Steve Cowper
Governor

**LARGE-SCALE PELAGIC DRIFTNET FISHING AND ITS IMPACTS
ON LIVING MARINE RESOURCES OF THE WORLD'S OCEANS AND SEAS**

The General Assembly,

Disturbed about a dramatic increase in the use of large-scale pelagic driftnets which can reach or exceed 30 miles length to catch living marine resources on the high seas of the world's oceans,

Mindful that large-scale pelagic driftnet fishing is an indiscriminate fishing method which threatens the effective conservation of living marine resources such as highly migratory and anadromous species of fish, birds and marine mammals,

Expressing serious concern that in addition to targetted fish species, nontarget species of fish, marine mammals, seabirds and other living marine resources of the world's oceans, including endangered species, become entangled and die in such driftnets that are being actively fished and in such driftnets that are lost or discarded,

Recognizing that several thousand fishing vessels use such large-scale pelagic driftnets in the high-seas areas of the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and in other waters beyond the exclusive economic zone of any nation,

Affirming that all members of the international community have a duty to cooperate globally and regionally in the conservation and management of living resources on the high seas, and a duty to take, or to cooperate with others in taking, such measures for their nationals as may be necessary for the conservation of the living marine resources of the high seas,

Noting that the nations of the Forum Fisheries Agency and the South Pacific Commission, in recognition of the existing scientific data indicating that such fishing is having an unacceptable impact on the marine life of that region, have called for a cessation of large-scale pelagic driftnet fishing in the South Pacific and the implementation of effective management programmes,

Also noting the declaration adopted by South Pacific Heads of Government at Tarawa on 11 July 1989 which inter alia called for a ban of such driftnet fishing methods in that region and that some members of the international community have entered into negotiations on a convention which will establish the cessation of large-scale pelagic driftnet fishing in the exclusive economic zones of those members, or such fishing practices by the nationals of those members,

Further noting that some members of the international community have entered into cooperative enforcement and monitoring arrangements to evaluate and mitigate the adverse impacts of large-scale pelagic driftnet fishing,

Recognizing that some members of the international community have taken steps to reduce their driftnet operations in some regions in response to regional concerns,

[1] Calls upon all those involved in large-scale pelagic driftnet fishing to cooperate fully with the international community in the continued and enhanced collection of scientific data on the impact of such fishing methods and the conservation of the world's living marine resources;

[2] Recommends that all members of the international community review by 30 June 1991, or earlier reflecting the emergence of an international or regional consensus, the existing data on the effects of large-scale pelagic driftnet fishing, and agree to cooperative regulation and monitoring as needed to mitigate the adverse effects of these practices;

[3] Further recommends that all members of the international community agree to:

[a] an immediate ban on the practice of driftnet fishing in the South Pacific region to prevent severely adverse, perhaps irremediable, effects on South Pacific fisheries and to allow time for the development of comprehensive fisheries management programs;

[b] a moratorium on all high-seas driftnet fishing by 30 June 1992 unless or until it is agreed that the unacceptable impacts of such practices can be prevented and that the conservation of the world's living marine resources can be ensured;

[4] Asks the appropriate organs, organizations and programs of the United Nations system to include consideration of this question in their regular programme of activities;

[5] Requests the Secretary-General to bring this resolution to the attention of all members of the international community, intergovernmental organizations, nongovernmental organizations in consultative states with the Economic and Social Council, and well-established scientific institutions with expertise in relation to living marine resources;

[6] Requests the Secretary-General to report to the General Assembly at its 45th session on the implementation of the present resolution;

[7] Decides to include this question in the provisional agenda of its 45th session.

Forty-fourth session

Japan

DRAFT Resolution

Driftnet fishing and its impacts
on living marine resources of the world's oceans and seas

The General Assembly,

Noting the concern of some countries over increasing use of driftnets which may have impacts on living marine resources of the world's oceans,

Mindful that driftnet fishing can be an indiscriminate fishing method which may threaten the effective conservation of living marine resources unless properly regulated,

Expressing concern that in addition to targetted fish species, non-target species of fish, marine mammals, seabirds and other living marine resources of the world's oceans may become entangled and die in driftnets that are in active use and in similar driftnets that are lost or discarded,

Recognizing that a large number of fishing vessels use driftnets in the Pacific Ocean, the Atlantic Ocean, the Indian Ocean, the Mediterranean Sea, and in other waters within and beyond the exclusive economic zone of any nation,

Also recognizing that any regulatory measures to be taken for conservations of living marine resources should be based on scientific data and analysis,

Affirming that all members of the international community have a duty to cooperate globally and regionally in the conservation and management of living resources and a duty to take, or to cooperate with others in taking such measures for their nationals as may be necessary for the conservation of the living marine resources,

Noting that some members of the international community have implemented cooperative enforcement and monitoring programs to evaluate the impacts of driftnet fishing,

3

- 2 -

1. Calls upon members of the international community to review regularly the existing data on the effects of driftnet fishing, and cooperate with other countries concerned in regulation and monitoring as needed to mitigate the adverse effects of these practices;
2. Recommends that members of the international community agree to take further appropriate regulatory measures including a moratorium on driftnet fishing in case that available scientific data necessitates such measures;
3. Asks the appropriate organs, organizations and programs of the United Nations system to consider this question in their activities;
4. Requests the Secretary-General to bring this resolution to the attention of all members of the international community, intergovernmental organizations, and well-established scientific institutions with expertise in relation to living marine resources;
5. Requests the Secretary-General to report to the General Assembly at its forty-fifth session on the implementation of this resolution.

Alaska • British Columbia • California • Hawaii • Idaho • Oregon • Washington

Proclamation
on
High Seas Driftnet Fisheries
in the
North Pacific Ocean

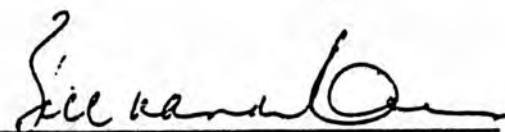
October 1989

The Province of British Columbia, and the States of Alaska, Washington, Oregon, Idaho, California, and Hawaii recognize the severe impacts that high seas driftnet fisheries in the North Pacific Ocean, conducted by Japan, Taiwan, and South Korea, have on coastal fisheries for salmon and other anadromous fish, albacore, billfish, and on populations of seabirds, marine mammals, and other living marine resources. We formally request the federal governments of Canada and the United States to:

1. Seek further reductions in Japanese landbased and mothership directed high seas salmon fisheries.
2. Immediately seek additional measures to reduce the impact of high seas squid fleets on salmonids, albacore, seabirds, marine mammals, and other living marine resources.
3. Take immediate action to establish a new convention in the North Pacific, signed by Canada, Japan, the USSR and the United States, which would prohibit the directed or incidental harvesting of salmonids on the high seas beyond the 200-mile zones established by coastal nations.
4. Take immediate steps to form the multinational research organization PICES (Pacific International Council for Exploration of the Seas).
5. Secure long-term commitments of substantially increased fiscal and personnel resources for monitoring and enforcement of international agreements.
6. Negotiate international agreements to prohibit the sale, import, or transshipment of salmon illegally harvested on the high seas.

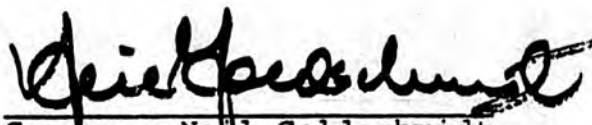
These requests are further specified in the related document entitled Statement on High Seas Driftnet Fisheries in the North Pacific Ocean. A driftnet is defined as a gillnet composed of a panel of monofilament plastic webbing one and one-half mile or more in length; driftnet fishing is a fish harvesting method in which a driftnet is placed in the water and allowed to drift with the winds and currents for the purpose of entangling fish in the webbing.

If successfully implemented, these recommendations will represent a significant first step. However, to ensure the long-term protection of North American fisheries and living marine resources of the North Pacific, Canada and the United States should join together and initiate diplomatic efforts through the United Nations and other appropriate international forums to secure an international ban on driftnet fishing on the high seas.

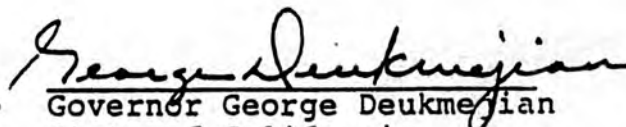

Premier William N. Vander Zalm
Province of British Columbia

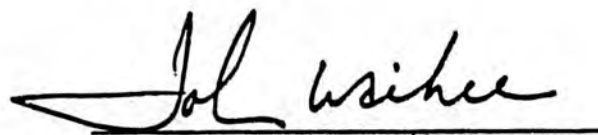

Governor Steve Cowper
State of Alaska


Governor Booth Gardner
State of Washington


Governor Neil Goldschmidt
State of Oregon


Governor Cecil D. Andrus
State of Idaho


Governor George Deukmejian
State of California


Governor John Waihee
State of Hawaii

Alaska • British Columbia • California • Hawaii • Idaho • Oregon • Washington

Statement on
High Seas Driftnet Fisheries
in the North Pacific Ocean

by

The Province of British Columbia
and
The States of Alaska, Washington,
Oregon, Idaho, California, and Hawaii

October 1989

The use of driftnets on the high seas has become an issue of growing global significance. Expansion of North Pacific high seas driftnet fisheries for squid, salmon, tunas, and billfishes is a cause of major concern for coastal nations attempting to conserve anadromous fish species, albacore, seabirds, marine mammals, and other living marine resources. The recent growth of the driftnet fleets in the South Pacific has, concurrently, given rise to a call by 16 South Pacific nations for an international ban on high seas driftnets in that region. Similar restrictions in the North Pacific may be warranted.

For the purposes of this paper, a driftnet is defined as a gillnet composed of a panel of monofilament plastic webbing one and one-half miles or more in length, and driftnet fishing means a fish harvesting method in which a driftnet is placed in water and allowed to drift with the currents and winds for the purpose of entangling fish in the webbing.

This statement of concern outlines a plan of action which the Province of British Columbia and the affected states of Alaska, Washington, Oregon, Idaho, California, and Hawaii have agreed could significantly contribute to the solution of these problems and further our mutual interest in protecting and conserving anadromous fish and other living marine resources of the North Pacific. This statement provides the rationale for the Proclamation on High Seas Driftnet Fisheries in the North Pacific Ocean signed by the leaders of affected regions in western North America.

Background

Some of the richest fisheries in the world take place in the waters of the North Pacific and Bering Sea. Fleets from all over the world fish these waters for salmon, herring, crab, bottomfish, and other fish species. In recent years, these fisheries have grown in size, area of operation, number of nations participating, and species harvested. Management of these fisheries involves a complex mix of domestic and international bodies, treaties, regulations, and agreements.

Consistent with this trend, the high seas driftnet fisheries of the North Pacific have experienced dramatic growth over the past few years. Along with this growth have been interceptions of salmon bound for North America and an incidental mortality of vast numbers of seabirds and marine mammals. These driftnet fisheries, and recent events surrounding the driftnet issue, are summarized below.

1. INPFC Fisheries

The United States, Canada, and Japan signed the International North Pacific Fisheries Convention (INPFC) in 1952. This treaty prohibited the Japanese from fishing to the east of 175 degrees west longitude (the longitude of Atka Island in the Aleutians) in the belief that this would protect salmon of North American origin while allowing the Japanese to continue their historical harvest of Asian salmon.

Data on the continent of origin of the catch (Asia versus North America), and on the harvest size itself, in these early years are not verifiable, but the estimate of the Japanese catch of Bristol Bay sockeye alone averaged 2.5 million fish per year. The total catch of North American salmon may have been over five million fish a year. Taking into account drop-out, this could mean an annual impact of over ten million salmon per year. The impact on certain stocks such as Bristol Bay sockeye and western Alaska coho was particularly severe.

While a great deal of valuable research was conducted under the auspices of the INPFC, no significant reductions were achieved in the level of interceptions until adoption of the 100-mile zones by coastal nations. In the U.S. this was done under the Magnuson Fishery Conservation and Management Act passed by U.S. Congress in 1976; in Canada this was accomplished by the Territorial Sea and Fishing Zones Act.

The 200-mile limit extension gave the U.S. control over significant areas that had been fished by the Japanese high

seas salmon fleets. In the renegotiation of the INPFC in 1978, concessions were negotiated in all of the Japanese high seas salmon fisheries. This renegotiation resulted in a western retreat of the Japanese landbased and mothership fleets by about 500 miles and may have reduced interceptions by as much as 70 percent.

Continuing research, however, showed that the Japanese were still intercepting significant numbers of North American salmon under the 1978 agreement. Another series of bilateral negotiations took place in 1985-86, resulting in further reductions of the Japanese mothership fishery in the central Bering Sea. Restrictions were achieved on allowable effort in the mothership fishery as well as some reduction in their landbased fishery. Research and enforcement were increased in areas that it was known the Japanese were either misreporting their catches or fishing in closed areas. Although British Columbia salmon are protected by the new INPFC boundaries, U.S. salmon stocks, Canadian salmon from the Yukon, and U.S. and Canadian steelhead are all intercepted.

In 1988 the Japanese requested changes under the INPFC to convert the mothership fishery to a landbased-type operation which would operate in the mothership fishing area. This request was the subject of several rounds of negotiations which eventually resulted in no changes for the 1989 fishing season. This issue may arise again at the 1989 INPFC meeting.

These fisheries are also regulated under a Japan/USSR Salmon Treaty in which the Soviets have place time/area restrictions and quotas on Japanese catch in various areas. The Soviets have announced a goal of phasing out the Japanese high seas fleet by 1992. The USSR/Japan high seas salmon quota has been consistently reduced over time.

2. Squid Driftnet Fisheries

In addition to high seas fisheries directed at salmon, there has been a new development in the North Pacific that also threatens North American salmon stocks. Large resources of squid have been discovered to the south of the mothership and landbased salmon fishing areas. These "flying squid" are relatively large creatures and are captured with driftnets of the same mesh size as the nets fished by the Japanese mothership and landbased salmon fleets. Japan, Taiwan, and Korea currently have roughly 1,200 vessels in their combined squid fleets, with Japan having the bulk of these vessels. The aggregate amount of driftnet fished by these fleets is about 30,000 miles of net set per night.

The squid driftnet fisheries are suspected of incidentally taking large numbers on non-target living marine resources including salmon, seabirds, and marine mammals. Definitive information on these incidental takes is not available at present; however, there is evidence that these fisheries are having significant impacts on fish and marine wildlife of the North Pacific. Amounts of illegally harvested salmon recovered through various enforcement actions total over 40,000 metric tons. Estimates for the incidental taking of marine mammals run to the tens of thousands (some estimates, based on limited research vessel data, run as high as 50,000 to 80,000 animals). Seabird estimates run as high as 1 million birds killed annually. Taking these estimates into account, the amount of gear put in the water by these fisheries and the suspected takings of other species such as billfish, tunas, pomfret, sharks, and sea turtles, strong evidence exists that these driftnet fisheries are having a significant impact on living marine resources of the North Pacific.

3. Large-Mesh Fisheries

The Japanese, Taiwanese, and Koreans all conduct large-mesh driftnet fisheries in the southern North Pacific and in the South Pacific, fishing for tunas and billfishes. Approximately 400 vessels operate in the Japanese fishery. Taiwan has reported roughly 180 vessels. Japan has limited time/area restrictions on its fleet and is in the process of establishing further regulatory controls. There are presently no regulatory controls on Taiwanese large-mesh fisheries in the South Pacific.

Many of the vessels operating in the Japanese and Taiwanese large-mesh fisheries also operate in the squid fisheries in the north. These vessels fish squid part of the year and tuna/albacore at other times of the year, and often carry both kinds of gear onboard. The combination of squid and tuna makes for a more economically viable fishing year for the vessel. There is a direct economic linkage between the South Pacific albacore problem and the squid fishery problems we have in the North.

4. Driftnet Act Negotiations

In 1987 the U.S. Congress passed the Driftnet Monitoring and Control act. The act required the Secretary of Commerce, through the Secretary of State, to negotiate monitoring and enforcement agreements with nations which have high seas driftnet fleets. If successful agreements are not reached, then the Secretary of Commerce is required to certify the nation (or nations) under the so-called Pelly Amendment.

Certification then opens the door for trade sanctions against fishery products imported into the United States from the certified country.

Currently, there have been negotiations with Taiwan, Korea, and Japan under the Driftnet Act. To date, these negotiations have provided information on the size and nature of these fleets and their operations. There have been agreements reached with each of the three nations. Each of these agreements contains provisions for scientific monitoring of the respective fleets as well as installation of satellite vessel location devices, restrictions on transshipments of product from the squid fleets, enhanced enforcement of time/area restrictions, and restrictions on the illegal harvesting of salmonids. While these agreements are a first step toward protecting North American fisheries resources, they each have significant shortcomings and have been the subject of intense debate and controversy in the United States.

5. South Pacific Forum

In early 1989 the Forum Fisheries Agency (FFA), on behalf of 16 South Pacific Island nations, hosted a series of meetings regarding the growing presence of Japanese and Taiwanese driftnet fleets in that region. The size of the driftnet fleets has grown dramatically over the past few years and is posing a significant conservation problem for southern albacore stocks.

In June the FFA nations met with the driftnet fishing nations of Japan, Taiwan, and Korea in Suva, Fiji. Alaska and British Columbia had representatives at that meeting. Several days of discussions resulted in an impasse between the FFA and the distant water fishing nations of Taiwan and Japan. (Korea announced its intent to pull its one or two vessels out of the region and Japan has offered to limit the size of its fleet.)

The Suva meeting was followed by a meeting of Heads of State for the FFA countries where they issued the Tarawa Declaration calling for an international ban on driftnet fishing in the region. The FFA is now seeking support for an international ban on driftnets.

6. British Columbia Conference

In July 1989, the Province of British Columbia hosted the North Pacific Driftnet Conference, a three-day meeting on the driftnet issue. The conference was attended by representatives from Alaska, Washington, Oregon, Idaho,

California, British Columbia, and the federal governments of Canada and the United States. The Communique from the July meeting in Sydney, British Columbia established a number of principles under which fisheries could be conducted responsibly on the high seas beyond the 200-mile zones of coastal nations. These principles include:

- There must be provision for conservation and rational management of salmon, tuna, billfish and other stocks.
- There must be recognition of the rights of states of origin to manage anadromous species and action to ensure that these fisheries are not harmful to the environment and to resources originating within the 200-mile zones of coastal states.
- High seas fisheries must be conducted in a manner that minimizes or eliminates the incidental taking of seabirds, marine mammals, and other living marine resources.
- Marine debris resulting from fishing operations must be minimized or eliminated.
- Fishing activities must be strictly controlled through effective scientific monitoring and enforcement systems.
- All nations should take steps to ensure that their channels of commerce are not used to market marine resources illegally harvested on the high seas.

The Problem

Concerns over the effects that increased high seas driftnet fishing have on a variety of living marine resources continue to mount, and it has become evident that traditional management agreements are not adequate to protect stocks and existing coastal fisheries. The negotiations which have taken place to date may lead to improved research, monitoring, and enforcement efforts, which in turn should begin to help minimize the incidental take of salmon, seabirds, and marine mammals. However, these agreements must be viewed as interim measures which do not provide the long-term solution.

Driftnet fisheries presently taking place on the high seas of the North Pacific pose several problems which render traditional management and conservation measures ineffective over the long-term. These include:

1. The scale of the operations and the nature of the technology make for wasteful fishing practices.

Dropout rates for target and nontarget fish species may run up to 50 percent. Driftnets are nonselective and have high incidental harvest rates for nontarget fisheries resources such as tunas, billfishes, and salmonids.

2. Conventional regulatory measures may reduce problems in one fishery but, when viewed in the aggregate, may shift the problems to other fisheries and other areas.

Solutions in the South Pacific may shift the fleets to the north which will only increase our existing conflicts, or vice versa.

3. Driftnet fisheries have high incidental mortalities of other nontarget living marine resources.

Estimates indicate that, for the total North Pacific driftnet fleet, incidental takings of marine mammals probably number in the tens of thousands, and seabirds number over one million annually.

4. Substantial scientific monitoring and observer programs would be required to verify any possible rational conduct of such fisheries.

Driftnet fishing nations are reluctant to host the numbers of North American observers necessary to collect statistically verifiable data. Observer safety is a major concern in some fleets. Scientific research budgets are at a minimum now, with little likelihood for increases in the foreseeable future.

5. Maintaining an adequate enforcement presence will be extremely difficult and costly.

Protecting North American interests will place a great burden on U.S. and Canadian enforcement agencies. The North Pacific squid fleet alone operates over an area larger than the continental United States. Yet, the only way for the U.S. and Canada to ensure adequate implementation of any monitoring and enforcement measures is to mount significant programs themselves. Long-term costs may be prohibitive.

6. Commerce in illegally harvested salmon is extremely difficult to trace and eliminate.

Substantial quantities of salmon suspected of being harvested illegally have been showing up in the world market from processors located in Singapore and Thailand. Tens of thousands of metric tons of illegally caught fish have been confiscated in various enforcement actions this year. Identifying illegally harvested salmon is difficult because there is no international marking and tracking system for processed fisheries product, and treaty arrangements regarding processing illegally harvested fish are either weak or nonexistent.

Recommendations

Recent activities in the U.S. Congress and on the international front indicate the dawning of a new era in fishery conservation, utilization, and management in the North Pacific. International realignments between the United States, Canada, Japan, and the USSR could mean increased opportunities to protect North American origin salmonids and other North Pacific living marine resources. The following actions are recommended for protecting, conserving, and managing resources of the North Pacific.

British Columbia, Alaska, Washington, Oregon, Idaho, California, and Hawaii, recognizing the magnitude and urgency of the high seas driftnet problem in the North Pacific, recommend that the following actions be taken immediately by our respective federal governments to take advantage of every opportunity to address the high seas driftnet issue, including:

1. The United States and Canada should seek further reductions in the Japanese landbased and mothership directed high seas salmon fisheries.

These reductions should be negotiated at the 1989 meeting of the INPFC. And, the 1992 phase-out date targeted by the USSR should be supported by both countries.

2. Canada and the United States should immediately seek additional measures to address the impact of high seas squid fleets on salmonids, albacore, seabirds, marine mammals, and other living marine resources.

These additional measures, effective for the 1990 season and beyond, should include effort limitations and reductions in fleet size, 100 percent coverage of the fleet with real-time satellite vessel location devices, and a comprehensive scientific observer