

STATE OF ALASKA

THE LEGISLATURE

1989

Source

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Legislative
Resolve No.

10



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

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

WHEREAS most salmon and steelhead harvested on the high seas originate in the United States, the Soviet Union, or Canada; and

WHEREAS salmon and steelhead are among Alaska's most important natural resources and are a vital part of the commercial and sport fishing industries of the entire western coast of the United States that contribute billions of dollars to the national economy each year; and

WHEREAS Alaska salmon and steelhead are fully utilized in domestic fisheries, constitute the primary economic base of many coastal and river communities in the state, are a principal component of the subsistence economy of most villages in the state, and play a key role in the state's developing tourist industry; and

WHEREAS high seas harvests of Alaska salmon defeat the state's careful management program for salmon and the rebuilding program for wild stocks and deprive the state of an economic return on its investment in the fishing industry; and

WHEREAS some western Alaska salmon stocks are so severely depressed that special conservation measures have been required, including the elimination or severe reduction of certain directed commercial salmon fisheries on the Yukon, Kuskokwim, and Tanana Rivers, and possible additional restrictions on subsistence fisheries may be required; the Yukon-Kuskokwim region in western Alaska is one of the most economically disadvantaged areas in the United States, where commercial fishing is the single most important source of cash income, yet produces an average of less than \$7,000 per fisherman per year; and

WHEREAS Bristol Bay has the largest sockeye salmon run in the world, but still has significant conservation and management problems facing the fishery; sockeye salmon is of such economic importance that even a small percent of loss due to high seas fishing would devastate the local economy; and

WHEREAS Kodiak is the second largest seafood port in the United States and has been traditionally dependent on fishing, particularly salmon fishing, and salmon fishing in Kodiak and the Alaska Peninsula form the economic base for the communities of Southwest Alaska; and

WHEREAS the recent poor strength of salmon runs in Southeast Alaska, including pink salmon returns that were 66 percent below forecasts, has caused severe economic hardship for the salmon fleet of Southeast Alaska and may be attributable to high seas drift net harvests; and

WHEREAS salmon is a vital part of the economy of the Cook Inlet and Prince William Sound regions; the forecasted runs for pink salmon in Prince William Sound were 22,370,000 fish, but only 13,500,000 fish actually returned; and uncontrolled harvests of salmon on the high seas create conservation and management concerns and threaten the economic well-being of the commercial, sport, subsistence, and personal use fisheries in the Cook Inlet and Prince William Sound regions; and

WHEREAS poor salmon runs in Alaska in 1988, the increased incidence of net marked salmon and steelhead, and recent reports of large quantities of illegally harvested salmon being sold in Europe and Asia have heightened public concern over high seas interception of salmon and steelhead; and

WHEREAS the illegal harvest and sale of American salmon by foreign fishing fleets are undercutting international sales of salmon harvested by American fishermen and sold by American processors and are having significant adverse economic and social effects on the residents of Alaska, Washington, Oregon, Idaho, and California; and

WHEREAS it is estimated that the Japanese land-based and mothership fisheries alone could still be intercepting as many as 2,000,000 Alaska salmon each year; and

WHEREAS there has not been international monitoring of squid fleets on the high seas or enforcement of the prohibition against harvest of anadromous species on the high seas; and

WHEREAS the Japanese, Taiwanese, and South Korean squid fleets now total more than 700 vessels, trail more than 10,000 miles of gill net that is just the right size to capture immature salmon on the high seas, and are virtually unregulated and unmonitored; and

WHEREAS tens of thousands of marine mammals and hundreds of thousands of sea birds die in these gill nets each year; and

WHEREAS Japan has asked the International North Pacific Fisheries Commission to expand Japan's legal salmon fishing areas in the North Pacific Ocean and convert Japan's mothership fleet on the high seas to a land-based fleet and has informed the United States that Japan intends to extend the fishing areas of

the Japanese squid fleet farther north; and

WHEREAS Japan has been denied permission to fish within the United States Exclusive Economic Zone as a result of a federal court decision that held that the United States Department of Commerce did not have the authority to issue permits allowing the incidental take of depleted marine mammals; and

WHEREAS the United States and the Soviet Union have recently signed a comprehensive fisheries agreement that calls for joint cooperation in conserving the salmon resources of both nations and have recognized that the harvest of salmon on the high seas is wasteful and irrational and that salmon should be harvested only within a nation's 200-mile exclusive economic zone; and

WHEREAS the Soviet Union has said that elimination of the interception of its salmon by foreign fishermen is one of its top priorities; and

WHEREAS customary international law generally prohibits nations from harvesting anadromous species on the high seas; and

WHEREAS the harvest of nonanadromous species can be accomplished without the harvest of anadromous species, and the cessation of high seas interception of salmon and steelhead stocks can be accomplished without causing economic dislocation; and

WHEREAS customary international law recognizes that all nations have a duty to cooperate in conserving fish stocks on the high seas, including salmon and steelhead stocks; and

WHEREAS the Magnuson Fishery Conservation and Management Act, that regulates fisheries in the United States' 200-mile Exclusive Economic Zone, is due for reauthorization by the Congress in 1989; and

WHEREAS the Congress will be holding oversight hearings on the Driftnet Impact Monitoring, Assessment, and Control Act of 1987 that required negotiations with the governments of South Korea, Taiwan, and Japan for the purpose of curbing illegal and unregulated squid fishing operations; and

WHEREAS current United States enforcement activities and observer coverage in both the salmon and squid fisheries are minimal due to serious budget cuts by the Congress; and

WHEREAS the most effective long-term solution for protection of American salmon and steelhead stocks on the high seas is the elimination of high seas fishing for these stocks;

BE IT RESOLVED that the Alaska State Legislature respectfully requests the American section of the International North Pacific Fisheries Commission to oppose expansion of the Japanese salmon fishing areas and to oppose Japan's proposal to convert its mothership fleet on the high seas to a land-based fleet unless certain conditions are met, including, but not limited to, an agreement to cease all high seas directed and incidental salmon fishing by 1992, to allow observers to be present on vessels of the squid fleet and the proposed and existing land-based fleets with at least 50 percent vessel coverage in each such fleet in order to collect scientifically valid data, and to take all steps necessary to cease the direct and incidental take

of marine mammals and seabirds; 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; and 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, that provides for cooperative monitoring of the high seas squid drift net fisheries and for cooperative enforcement of laws and agreements, with the Soviet Union and other cooperating countries in order to prevent illegal fishing and retention of salmon and steelhead 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 salmon producing countries for an international treaty that would ban all high seas salmon fishing; and be it

FURTHER RESOLVED that the Alaska State Legislature respectfully requests the Congress to amend the Magnuson Fishery 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; and 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; and 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; and be it

FURTHER RESOLVED 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 specifically earmark appropriations for enforcement of high seas conservation agreements by the United States Coast Guard.

COPIES of this resolution shall be sent to the Honorable George Bush, President of the United States; the Honorable Dan Quayle, Vice-President of the United States and President of the U.S. Senate; the Honorable James A. Baker, III, U. S. Secretary of State; the Honorable Edward E. Wolfe, Ambassador for Fisheries and the Ocean, U. S. Department of State; the Honorable Robert A. Mosbacher, U. S. Secretary of Commerce; the Honorable William E.

Evans, Administrator, National Oceanic and Atmospheric Administration, U.S. Department of Commerce; the Honorable George J. Mitchell, U. S. Senate Majority Leader; the Honorable Jim Wright, Speaker of the U. S. House of Representatives; the Honorable Clem Tillion, Chairman of the American Section, International North Pacific Fisheries Commission; the Honorable George Deukmejian, Governor of the State of California; the Honorable Leo T. McCarthy, President of the Senate of the State of California; the Honorable Willie Lewis Brown, Jr., Speaker of the Assembly of the State of California; the Honorable Cecil D. Andrus, Governor of the State of Idaho; the Honorable C.L. Otter, President of the Senate of the State of Idaho; the Honorable Tom Boyd, Speaker of the House of Representatives of the State of Idaho; the Honorable Neil Goldschmidt, Governor of the State of Oregon; the Honorable John Kitzhaber, President of the Senate of the State of Oregon; the Honorable Vera Katz, Speaker of the House of Representatives of the State of Oregon; the Honorable Booth Gardner, Governor of the State of Washington; the Honorable Joel Pritchard, President of the Senate of the State of Washington; the Honorable Joseph E. King, Speaker of the House of Representative of the State of Washington; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.