

Permit Review Committee

DRAFT MINUTES
December 6-7, 1987

The Council's Permit Review Committee met on December 6-7, 1987 at the Anchorage Hilton Hotel to review joint venture requests, JVP estimates, foreign vessel permit applications, and foreign allocations for 1988. In attendance were Admiral Nelson (Chairman), Rudy Petersen, John Peterson, Oscar Dyson, Henry Mitchell, Bob Mace, and John Winther. Non-voting members representing the Advisory Panel included Barry Fisher, Rick Lauber, and Al Burch.

Review of Joint Ventures for 1988

The Committee reviewed joint venture applications from Japan, Korea, the USSR, Poland, China, and Iceland totalling 1,969,731 mt. Iceland has not operated off Alaska before. Their request is for 30,000 mt Pacific cod in the Bering Sea and 10,000 mt in the Gulf of Alaska, to be taken with single line, buoyed pots. Their operations will begin in the Bering Sea in June and work south into the Gulf of Alaska. Low bycatch and few gear conflicts are expected.

Mick Stevens, of ProFish International, said that a permit application for the DONG BANG HO will be submitted in early 1988, replacing the DONG BANG 71 which was lost at sea in 1987. He requested that the Executive Director be delegated the authority to approve the permit without further review by the Council.

Paul McGregor noted that the Japanese Longliners may later submit a joint venture request for 500 mt of Pacific cod around Nunivak and Nelson Islands. The operation may be just in internal waters.

Joint Venture Yellowfin Sole/Flounder Fishery Bycatch Plan. The Committee reviewed the industry's bycatch plan for 1988. The guideline fixed bycatch rates and industry weighted average bycatch rates represent benchmarks that will encourage individual operators to improve their bycatch performance in 1988 and fish cleanly. The industry is willing to accept permit conditions

and restrictions, but would rather have the bycatch plan implemented as regulations through the amendment process. The Committee unanimously recommends the Council approve the bycatch plan for 1988.

Committee Recommendations. The Committee reviewed the joint venture requests country by country and unanimously recommends approval of those for Japan, Korea, the USSR, China and Iceland, subject to the availability of JVP and permit conditions requiring compliance with the industry bycatch plan. The Committee unanimously recommends disapproval of the request from Poland based on their poor joint venture performance in 1987 aggravated by extensive fishing in the "Donut," the fact that they did not respond to the criteria in the Council's Policy on Joint Ventures and Allocations, did not purchase U.S. processed products, and made no capital investments in U.S. industry. The Committee also recommends that all flounder joint ventures in the Gulf of Alaska be subject to their agreeing to comply with a bycatch plan similar to, but not necessarily identical to, that submitted by Kodiak and Western Trawlers in 1987. The Committee forwarded for Council review the joint venture tonnages in Table 3 under item C-10, revised by deleting 45,000 mt pollock for Poland from the Bering Sea/Aleutian Islands.

Foreign Allocations

The Committee reviewed allocations requests for 340,370 mt from Japan, Korea, China and Poland. The Committee reviewed information on each country's activities in fisheries of concern to the United States. There was one comment that fish caught by Korea are sometimes processed and exported to Japan and its markets, thereby competing with U.S.-processed products. There was discussion about Japan being a major trading partner for the U.S. though it was noted that additional comment was needed from U.S. industry before judging the success of the U.S.-Japan industry agreement. The Committee recommends the following percentages of available TALFF by country:

Japan	90%	77-
Korea	9%	22
China	1%	1

Foreign Vessel Applications

The Committee recommended approval for all foreign vessel permits except for those from Poland and the Japanese trawler DAIEI MARU No. 2. Poland was denied because of the earlier recommendations for no TALFF or JVP. The Japanese vessel was a serious violator under the Council's definition. It was clarified that only 22 Japanese longliners were applying for operations off Alaska, not 23 as shown on the vessel list provided.

Fishery Support Plan

The Committee recommended that Paul Fuhs' fishery support proposal (C-10(d)) be forwarded, without recommendation, to the Council. They requested the AP's review and that additional information be provided. Though this proposal has also been submitted for the 1988 groundfish amendment cycle, the proposer requested its consideration as a permit condition for 1988. Jon Pollard noted that a plan amendment may be preferable to allow for a more complete review.

Bering Sea Fishermen's Association Petition

The Committee received the subject petition and testimony from Don Mitchell. The Committee forwards the petition, without comment or recommendation, for Council consideration.

Other Considerations of the Committee

The Council needs to clarify what information is required from foreign countries about their fisheries in the Donut. Is it just gross catches or does it include biological data on stock composition and status? What species should be reported? How are "verifiable" and "timely" in the Council's policy defined? The Committee urges the Council to ask NMFS to clarify the research data that are needed from the Donut.

Rudy Petersen commented that the Council and NMFS should encourage U.S. fishermen to participate in stock assessment research, recouping their costs from the regular or special fisheries.

REVISED TABLE 3

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JOINT VENTURE REQUESTS FOR 1988 BY SPECIES AND AREA
(IN METRIC TONS)

	<u>BSAI</u>	<u>GOA</u>
POLLOCK		
Japan	752,000	5,000
Korea	472,673	19,564
USSR	11,780	0
Poland	0	0
China	50,000	5,000
Total	<u>1,286,453</u>	<u>29,564</u>
Alaska-wide		1,316,017
PACIFIC COD		
Japan	15,000	1,200
Korea	27,421	1,684
USSR	62,120	0
Poland	0	0
China	5,000	1,000
Iceland	30,000	10,000
Total	<u>139,541</u>	<u>13,884</u>
Alaska-wide		153,425
YELLOWFIN SOLE		
Japan	128,000	
Korea	84,414	
USSR	97,740	
Poland	0	
China	20,000	
Total	<u>330,154</u>	
FLATFISH		
Japan	0	9,000
Korea	7,782	644
USSR	41,890	0
Poland	0	0
China	3,000	0
Total	<u>52,672</u>	<u>9,644</u>
Alaska-wide		62,316
ATKA MACKEREL		
Japan	6,500	0
Korea	32,974	870
USSR	12,540	0
Poland	0	0
China	3,000	0
Total	<u>55,014</u>	<u>870</u>
Alaska-wide		55,884
TOTAL		
Japan	901,500	15,200
Korea	625,264	22,762
USSR	226,070	0
Poland	0	0
China	81,000	6,000
Iceland	30,000	10,000
Total	<u>1,863,834</u>	<u>53,962</u>
Alaska-wide		1,917,796

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November 16, 1987

Flounder JV By-Catch steering Committee
C/O 657 N. 34th
Seattle, WA 98103

To All Bering Sea Flounder JV Fishery Participants

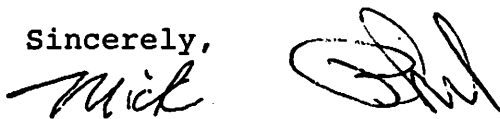
An industry negotiated agreement on crab by catch management measures for the 1988 Bering Sea flounder joint venture has been concluded. We need now to put the finishing touches on our Industry Steering Committee so it is in place and we can present it to the council. Many of you have given your verbal committment to participate but we want to finalize things in writing so there is no confusion on the part of the participants. We also need a document with endorsements to present to the council.

The support and participation by each and every one of you in these efforts is essential. Those who have already verbally committed to the program will be prepared to recommend to the council that those operations which choose not to cooperate with the Steering Committee should be denied access to the Bering Sea flounder fishery. This can be easily accomplished through restrictions on the foreign processing ship.

Enclosed is the latest description of how the Steering Committee will operate and what each of our responsibilities to the group will be.

It includes a signature line for your endorsement so we can finalize our list of supporters. Further details may yet have to be ironed out and we will continue to work on them with you so please don't hesitate to give us your comments.

Sincerely,



Mick Stevens & Phil Chitwood

BERING SEA JV FLOUNDER FISHERY INDUSTRY BY CATCH STEERING COMMITTEE

- 1) Steering committee is comprised of 1 representative from each US JV management company whose foreign partner (s) indicate on permit applications that they will be conducting operations for yellowfin sole and/or other flatfish.
- 2) First organizational meeting of the committee will be Sunday December 6, 1987 at 1 p.m. at the Anchorage Westward Hilton Hotel in Anchorage, Alaska. (NPFM council permit review committee meeting starts 2:30 p.m. same day same place).
- 3) All members of committee pledge to report by 5 p.m. Monday Seattle time to the committee's data coordinator results of previous weeks total groundfish catch and crab/halibut by catch numbers for each foreign partner company's target sole JV operation. More frequent reporting of data may be required as the fishing progresses.
- 4) Committee's data coordinator will receive this info by telephone, fax or telex and will enter this data for each company on a master by-catch data sheet. Copies of this data sheet will be available to all committee members and may be telefaxed to them each week.
- 5) Additionally, National Marine Fisheries Service Seattle or Juneau will report on weekly basis directly to each company the official NMFS data for that company's operation the previous week. Each company will promptly report the official NMFS data to the committee's data coordinator so that a confirmation of company reported data for the same week can be attained.
- 6) Industry steering committee has no enforcement powers. Committee's data coordinator will communicate regularly as needed with NMFS management staff, particularly with regard to the timing of the fisheries arrival at monitoring check points.
- 7) Only NMFS official data will be used to support enforcement actions on individual company operations.
- 8) Each US JV management company agrees to initially contribute \$500 to fund the set up and employment of a data coordinator. All costs to support the committees' activities will be borne equally by each member company.
- 9) The full committee will meet periodically as deemed necessary. Likewise officers of the committee may be elected as appropriate.
- 10) The committee will request of the council to restrict access by all foreign processing ships to yellowfin sole and/or other flat fish JV operations unless the US partner company has pledged support and cooperations with the committees' activities.

ENDORSEMENT OF BERING SEA JV FLOUNDER FISHING INDUSTRY PROHIBITED SPECIES BY CATCH
MANAGEMENT PLAN AND INDUSTRY STEERING COMMITTEE

ProFish International Inc.

Michael E. Steen

Marine Resources Company International

R E Lindwood

Northern Deep Sea Fisheries

Chris Hansen

Westward Trawlers, Inc.

Robert A. Jensen

Alaska Surimi Products, Inc.

William C. Atkinson

Dona JV Fisheries

Katherine J. Shepard

Peter Pan Seafoods, Inc.

Don Paulsen

Arctic Venture Fisheries, Inc.

Francis M. Bennett

Alaska Pacific International

Kodiak Western Trawler Group

China Pacific Inc.

Chen Jun

Cal Alaska, Inc.

Alyeska Ocean Inc.

Michael R. Steenberg

Alaska Joint Venture ^{Seafoods} Fishing

Golden Age Fisheries

Art Adams

Alaska Trawl Fisheries

Tommy Smith

Alaska World Trade

John A. Day

Harvest from the Bering Sea International
Waters, 1985-1987

	<u>1985</u>	<u>1986</u>	<u>1987 (a)</u>
<u>PRC</u>			
Harvest (mt)	1,599	3,218	unk
No. vessels	3	3	unk
<u>Japan</u>			
Harvest (mt)	137,000	598,000	(b)
No. vessels	61	98	unk
<u>Korea</u>			
Harvest (mt)	63,821	128,414	136,294
No. vessels	28	27	27
<u>Poland</u>			
Harvest (mt)	unk	163,249	118,260
No. vessels	unk	unk	unk

- Notes: (a) PRC harvest approximately as in 1986.
Korean harvest through October, year-end expected harvest is 166,000 mt.
Polish harvest through April.
- (b) Japan anticipates a harvest similar to that achieved in 1986 (as reported at the 1987 Vancouver INPFC meeting).

Sources: Documents submitted to NPFMC by parent nations on behalf of joint venture applications.

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DONALD C. MITCHELL
1552 Orca Street
Anchorage, Alaska 99501
(907) 276-1681

Attorney for Petitioners

UNITED STATES DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE

In The Matter Of The Petition Of The)
Bering Sea Fishermen's Association)
Requesting The United States Department)
Of Commerce To Adopt A Rule Establishing)
Procedures For The Enforcement Of The)
Magnuson Fishery Conservation And)
Management Act In The International Waters)
Of The North Pacific Ocean And Bering Sea.)

PETITION

Pursuant to 5 U.S.C. 553(e), the Bering Sea Fishermen's Association petitions the United States Department of Commerce to adopt the following rule establishing procedures for the enforcement of the Magnuson Fishery Conservation And Management Act (hereinafter "MFCMA") in the international waters of the North Pacific Ocean and Bering Sea:

50 C.F.R. Part 612

612.1 Purpose.

This Part governs foreign fishing for anadromous species in the international waters of the North Pacific Ocean and Bering Sea over which the United States exercises exclusive fishery management authority under the Magnuson Fishery Conservation and Management Act of 1976, as amended.

612.2 Definitions.

In addition to the definitions contained in the Act and in Part 611, the terms used in this Part shall have the following meaning:

(a) "Anadromous species" means salmon, herring and other species of fish which spawn in fresh or estuarine waters of the United States and which migrate to ocean waters outside the FCZ.

(b) "Foreign fishing for anadromous species" means fishing by a foreign fishing vessel for squid, pollock and other nonanadromous species in the international waters of the North Pacific Ocean and Bering Sea at times of the year and with gear that can reasonably be expected to result in the taking of anadromous species.

612.3 Duty To Prevent Foreign Fishing For Anadromous Species.

Pursuant to sections 204(a) and 311 of the Act, the Secretary and the Secretary of Transportation (the department in which the Coast Guard is operating) have a nondiscretionary duty to prevent foreign fishing for anadromous species in violation of the Act.

612.4 Foreign Fishing For Anadromous Species Prohibited.

After February 28, 1977, no foreign fishing vessel shall engage in foreign fishing for anadromous species unless such vessel has a valid permit on board issued under section 204 of the Act.

612.5 Monitoring Of Foreign Fishing For Anadromous Species.

The Secretary and the Secretary of Transportation shall monitor fishing by foreign vessels in the international waters of the North Pacific Ocean and Bering Sea to determine whether any foreign vessel is engaged in foreign fishing for anadromous species in violation of this Part. Monitoring shall include, but shall not be limited to, the placement of United States observers aboard, and the boarding and inspection of, foreign vessels which the Secretary or Secretary of Transportation reasonably believe may be fishing for anadromous species in violation of this Part. At each meeting of the North Pacific Fishery Management Council, the Secretary and the Secretary of Transportation shall report to the council on the results of monitoring activities undertaken pursuant to this section. The report shall include the identification of foreign vessels observed fishing in the international waters of the North Pacific Ocean and Bering Sea during the reporting period, the location in which each vessel was observed fishing, and a description of all efforts made by the Secretary and the Secretary of Transportation to determine whether such vessels were engaged in foreign fishing for anadromous species.

612.6 Anadromous Species Are Prohibited Species.

Unless a permit to do so has been issued under section 204 of the Act, the taking of anadromous species by a foreign vessel fishing in the international waters of the North Pacific Ocean and Bering Sea is prohibited. Any anadromous species taken without a permit is a prohibited species. Every foreign vessel which fishes in the international waters of the North Pacific Ocean or Bering Sea shall do so in areas, at times of the year, and with gear which, to the maximum possible extent, minimizes the catch of anadromous species which are prohibited species.

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Each such foreign vessel shall sort its catch as soon as possible after retrieval of the catch and shall return any catch of anadromous species which are prohibited species or parts thereof to the sea immediately with a minimum of injury regardless of its condition. Each vessel shall also report the number, time and location of the taking of all anadromous species to the Secretary and Secretary of Transportation. It shall be a rebuttable presumption that any anadromous species which is a prohibited species which is found on board a foreign vessel fishing in the international waters of the North Pacific Ocean or Bering Sea was caught and retained in violation of this Part.

612.7 Observer Coverage, Inspection And Enforcement Of This Part.

No foreign nation shall be issued a permit under Part 611 authorizing its vessels to fish inside, or to participate as a member of a joint venture inside, the North Pacific Ocean or Bering Sea portion of the FCZ unless such nation agrees to:

(a) require its vessels fishing in the international waters of the North Pacific Ocean and Bering Sea to comply with section 612.6 and the other provisions of this Part;

(b) require its vessels fishing in the international waters of the North Pacific Ocean and Bering Sea to permit United States observers on board vessels the Secretary or the Secretary of Transportation believe may be engaged in foreign fishing for anadromous species in violation of this Part;

(c) require its vessels fishing in the international waters of the North Pacific Ocean and Bering Sea to permit representatives of the Secretary or the Secretary of Transportation to board such vessels to ensure that the vessels are not fishing for anadromous species in violation of this Part; and

(d) require its vessels fishing in the international waters of the North Pacific Ocean and Bering Sea to cease fishing in areas, at times or with gear the Secretary or the Secretary of Transportation believes will result in foreign fishing for anadromous species in violation of this Part.

612.8 Permit Suspension.

If a vessel of a foreign nation fishing in the international waters of the North Pacific Ocean or Bering Sea refuses to comply with the provisions of this Part, the Secretary shall immediately inform such foreign nation of its vessel's refusal to do so. If the foreign nation refuses to compel the vessel to immediately comply with the provisions of this Part, or if the foreign nation instructs the vessel to comply with the provisions of this Part but the vessel continues to refuse to do so, the Secretary shall immediately suspend all permits then in effect which authorize vessels of such nation to fish inside, or to participate as a member of a joint venture inside, the North Pacific Ocean and Bering Sea portions of the FCZ until such time as the vessel complies with the provisions of this Part.

612.9 Penalties And Forfeiture.

(a) Any person who is found by the Secretary to have committed an act in violation of this Part shall be liable to the United States for a civil penalty described in section 308 of the Act.

(b) Any person convicted of an offense prohibited by this Part shall be fined and/or imprisoned in the amount and for the duration described in section 309 of the Act.

(c) Any foreign vessel used in any manner in connection with the commission of any act prohibited by this Part shall be subject to forfeiture to the United States.

JUSTIFICATION FOR THE ADOPTION OF THE RULE

- A. The Bering Sea Fishermen's Association Is An Interested Person Who Has A Right To Petition The United States Department Of Commerce To Adopt The Proposed Rule.

5 U.S.C. 553(e) requires the United States Department of Commerce to give an interested person the right to petition for the issuance of a rule. The Bering Sea Fishermen's Association is a nonprofit corporation organized under the laws of the State of Alaska whose membership includes more than 1,500 fishermen who are residents of the State of Alaska, and who fish commercially and for subsistence uses for salmon and herring of United States origin which are being taken by foreign vessels in the international waters of the North Pacific Ocean and Bering Sea in violation of section 204(a) of the MFCMA. Consequently, the Bering Sea Fishermen's Association is an "interested person" as that term is used in 5 U.S.C. 553(e).

- B. The Magnuson Fishery Conservation And Management Act Imposes A Non-discretionary Duty On The Secretary Of Commerce And Secretary Of Transportation To Prevent Foreign Vessels From Fishing For Anadromous Species Of United States Origin In Violation Of The Act.

Section 204(a) of the MFCMA prohibits a foreign fishing vessel from fishing for anadromous species in the international waters of the North Pacific Ocean and Bering Sea unless such vessel has a valid permit on board issued pursuant to that

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section. Section 311 of the MFCMA impose a nondiscretionary duty on the Secretary of Commerce and the Secretary of Transportation (in whose department the Coast Guard is operating) to enforce this prohibition.

Section 3(10) of the MFCMA defines the term "fishing" to include "any . . . activity which can reasonably be expected to result in the catching, taking, or harvesting of fish." Fishing for squid and groundfish is an "activity." Consequently, when a foreign vessel fishes for squid or groundfish in the international waters of the North Pacific Ocean or Bering Sea in areas, at times of the year and with gear that can reasonably be expected to result in the taking of anadromous species of United States origin, such vessel is engaged in "foreign fishing" as that term is defined in the MFCMA. If the vessel does not have a valid permit on board authorizing it to do so, section 311(a) of the MFCMA requires the Secretary of Commerce and Secretary of Transportation to take appropriate action to compel the vessel to stop fishing.

The intent of Congress reflected in the text of the MFCMA to require the Secretary of Commerce and Secretary of Transportation to do so is unequivocal. The legislative history of the enactment of the MFCMA is equally so. When the MFCMA conference report was debated on the House floor, for example, Representative Lenor Sullivan, the chairman of the House Committee on Merchant Marine and Fisheries which drafted the House version of the MFCMA, told her colleagues that:

Not only will the bill provide for regulations over these fisheries out to 200 miles from our shores - as it relates to both foreign and domestic fishermen - but it will also provide for regulations over anadromous species . . . beyond the zone to the extent of their range.¹

¹122 Cong. Rec. 8550 (March 30, 1976)(remarks of Hon. Lenor Sullivan). See also *Id.* (remarks of Hon. Robert Leggett) ("Foreign fishing . . . for anadromous species . . . beyond the zone would be prohibited unless the vessels of such foreign nation have on board a permit issued pursuant to an international fisheries agreement.").

However, in the ten years during which the Secretary of Commerce and Secretary of Transportation have had this nondiscretionary duty, they have refused to acknowledge that the duty exists, and have purposely refused to discharge their enforcement responsibilities in the manner the MFCMA requires.

When the Secretary of Commerce and Secretary of Transportation repeatedly refused to take action to prevent foreign vessels ostensibly fishing for squid in the international waters of the North Pacific Ocean from doing so in areas, at times and with gear the Secretary of Commerce knew was resulting in the taking of significant numbers of salmon of United States origin, in 1985 the Western Alaska Salmon Coalition (hereinafter "WASCO") filed an action in the United States District Court for the District of Alaska. The WASCO complaint requests the court to order the Secretary of Commerce and Secretary of Transportation to enforce the MFCMA in the international waters of the North Pacific Ocean and Bering Sea in the manner required by law.²

In response to the WASCO complaint, the federal government filed an answer which denied that the MFCMA imposes a nondiscretionary duty to prevent foreign vessels from fishing for squid and other nonanadromous species in the international waters of the North Pacific Ocean and Bering Sea which the Secretary of Commerce and Secretary of Transportation know is resulting in the taking of salmon of United States origin. The defendants then filed a motion to dismiss the complaint. As of the date of filing of this petition, the court has not issued a decision on the motion.

On October 9, 1985, the Senate Committee on Commerce, Science and Transportation held a hearing to determine what the federal government intended to do to stop the unlawful salmon

²See Western Alaska Salmon Coalition v. Baldrige, Civil No. A85-536 (September 24, 1985).

interceptions which had prompted the WASCO lawsuit.³ The committee's first witness was Edward Wolfe, Deputy Assistant Secretary of State for Oceans and Fisheries Affairs. In his opening statement, Secretary Wolfe stated:

In the last few years, Taiwan has had an unregulated squid gill net fishery in the North Pacific Ocean. With the assistance of concerned Congressional staff, we urge Taiwan to control its squid fleet, and in 1984 Taiwan informed us that they had promulgated regulations. These regulations prohibited both fishing for salmon on the high seas and exporting of their salmon products from Taiwan. However, there are still reports of their squid vessels taking high levels of salmon.⁴

Japan, the major factory (sic) in U.S. origin salmon interceptions, has approximately 520 squid gill net vessels operating in the North Pacific. Since 1981, Japan's squid gill net fleet has been regulated by time and area closures that protect most of the North American salmon stocks. Unfortunately, we still receive reports that the Japanese squid gill net fleet has violated the boundaries established to separate the squid fleet from salmon stocks. More severe penalties and increased surveillance may be necessary if we are to discourage the squid vessels from incidentally taking U.S. origin salmon.⁵

In response to a series of questions from Senator Stevens and Senator Slade Gorton inquiring what, if anything, the federal government was doing to stop the unlawful take of salmon which Secretary Wolf had admitted the federal government knew was occurring, Wolf and William Gordon, NOAA's Assistant Administrator for Fisheries, stated:

SENATOR GORTON. Mr. Gordon, I would like to follow up on an interesting subject which Senator Stevens began with you, and that is what is obviously the deliberate violation of the law and the lines on this map by ships which have their identification masked to the best of their ability to do so. What is the penalty under the law if a ship, a fishing vessel is caught under those circumstances?

³Hearing on Pelagic Driftnet Fisheries before the Subcomm. on National Ocean Study Policy of the Senate Comm. on Commerce, Science and Transportation, 99th Cong., 1st Sess. (1985).

⁴Id. at 8.

⁵Id. at 9-10.

MR. GORDON. Well, if we are able to intercept them, if they were not marking their vessels in the U.S. zone, and we encountered them, we could seize the vessel, bring it ashore, turn it over to the U.S. Attorney's Office, and seek - the maximum penalty would be to take everything.

SENATOR GORTON. That is only within the zone?

MR. GORDON. Within the zone.

One of the big problems is identification of these vessels if we cannot intercept them, and we found the Japanese fisheries agency to be extremely helpful with information we turn over to them in terms of penalizing the violators back in the home island, and they have taken fishing privileges away.

So the government officials have been very helpful, but have to often identify the vessel adequately for them to carry out that act. They do have fishery patrol vessels out there trying to keep herd on these. As you can imagine, with that mass of an area and the number of vessels, it is a very difficult thing to do.

MR. WOLFE. Mr. Chairman, to follow up on that point from the international perspective, to the best of our ability from the Department of State no State has ever exercised jurisdiction beyond its EEZ or whatever their waters are called for anadromous species. That does not mean it cannot be done. We believe we have the ability to do that. We believe we have the

SENATOR STEVENS. You mean modern times? Remember that we did see the pelagic fur sealing vessels and burned them, and they took us to the World Court, and we thumbed our nose at the World Court even then.

MR. WOLFE. Were these anadromous species?

SENATOR STEVENS. They are anadromous mammals.⁶
(Emphasis added)

Despite Secretary Wolfe's admission that "we have the ability to do that," the Secretary of Commerce and Secretary of Transportation filed an answer to WASCO complaint which denies that the MFCMA requires them to enforce the Act to prevent foreign fishing for salmon and other anadromous species in international waters, and high ranking, presumably knowledgeable,

⁶Id. at 36-37.

federal officials continue to refuse to acknowledge this duty.⁷

The purpose of the proposed rule is to establish a procedure pursuant to which the Secretary of Commerce and Secretary of Transportation can enforce the MFCMA in the manner Representative Sullivan and other members of the 94th Congress intended when they voted to assert the jurisdiction of the United States over anadromous species of United States origin throughout their range.

- C. The Secretary Of Commerce And Secretary Of Transportation Have Actual Knowledge That Foreign Vessels Are Taking Anadromous Species Of United States Origin In The International Waters Of The North Pacific Ocean And Bering Sea In Violation Of Section 204(a) Of The MFCMA.

The benefit the United States will derive from the adoption and enforcement of the proposed rule is not theoretical. The Secretary of Commerce and Secretary of Transportation have actual knowledge that foreign vessels are fishing for salmon and herring of United States origin in the international waters of the North Pacific Ocean and Bering Sea in violation of section 204(a) of the MFCMA in at least two locations. But, to date, they have refused to enforce the MFCMA in the manner required by law.

The unlawful harvest of salmon in the international waters of the North Pacific Ocean by Japanese and other foreign squid fleets has been previously mentioned.⁸

In addition, the Secretary of Commerce knows that since 1980 the Japanese groundfish fleet has fished extensively for pollock in the international waters of the Bering Sea. In 1986, for

⁷On September 1, 1987, for example, the Anchorage Daily News interviewed James Branson, the executive director of the North Pacific Fishery Management Council, to obtain his reaction to a report that 16 Japanese squid boats had been observed unlawfully fishing for salmon of United States origin in international waters off Alaska. In pertinent part, the article stated: "When the squid boats are targeting salmon in international waters, U.S. Coast Guard boats can only monitor the activity, Branson said. The Coast Guard can cite the boats only if they stray within the 200-mile offshore economic zone claimed by the United States, he said." See Attachment "A" ("Stevens Says Japanese Still Intercepting Salmon," Anchorage Daily News, p. a-10 (September 1, 1987)).

⁸See Note 7.

example, the Japanese groundfish fleet took 698,000 metric tons of pollock in the international waters of the Bering Sea.⁹ The Secretary knows that while fishing for pollock in this area the Japanese groundfish fleet may also have taken significant numbers of salmon and herring of United States origin.

The Secretary's knowledge in this regard is based on the fact that, at the request of the United States, the Government of Japan has agreed to close the same area to directed salmon fishing by the Japanese mothership fishery because salmon taken in the area are of United States origin. Yet not only have the Secretary of Commerce and Secretary of Transportation taken no action to stop the Japanese groundfish fleet from taking salmon and herring in the international waters of the Bering Sea in violation of the MFCMA, as of the date of the filing of this petition, the Secretary of Commerce has not even requested the Government of Japan to provide information on the number of salmon and herring that have been taken in the fishery.

If they were not being taken unlawfully on the high seas, the salmon and herring the foreign squid fleets and the Japanese groundfish fleet have taken, and, unless the proposed rule is adopted and enforced, will continue to take in violation of the MFCMA, would be taken by members of the Bering Sea Fishermen's Association and other United States fishermen.

Consequently, the Secretary of Commerce and Secretary of Transportation's purposeful refusal to enforce the MFCMA in the international waters of the North Pacific Ocean and Bering Sea has inflicted, and, unless the proposed rule is adopted and enforced, will continue to inflict, direct, immediate and irreparable damage on the petitioner and its members. For that reason, the rule should be adopted.

DATED: September 8, 1987

/s/ Donald C. Mitchell

Donald C. Mitchell
Attorney for Petitioner

⁹See Attachment "B".

Stevens says Japanese still intercepting salmon

Anchorage Daily News

Tuesday, September 1, 1987

By HAL BERNTON
Daily News reporter

Sen. Ted Stevens said Monday that Japanese squid fishermen are violating laws intended to keep their driftnets from intercepting North American-bound salmon in international waters off Alaska.

In recent weeks, Coast Guard aircraft have spotted at least 16 squid boats fishing North Pacific waters that Japanese fishery laws have declared off-limits, Stevens

said. Some of the vessels concealed their identifying hull marks, but Coast Guard officials concluded the boats hailed from Japan.

"These sightings indicate that the Japanese fishing industry has a long way to go before we can place credibility in what they are saying to Alaska and to the rest of the world," Stevens said.

The squid fleet, with some

250 boats on the water, fishes with hundreds of miles of almost invisible netting that has become a major North Pacific pollution problem. Huge swaths of the non-degradable net have been lost in the ocean, where it continues to entrap salmon, porpoises, seals and thousands of sea birds.

That pollution problem has become a major congressional concern, Stevens said. He has proposed legislation to fund

more U.S. monitoring of the Japanese drift fleets. And the Japanese government has announced a new effort to step up its own surveillance of the drift fleet.

Kazubiko Nagao, Japan's general consul in Alaska, said a Japanese government fisheries boat patrolled the fleet last month. And in the wake of the new U.S. allegations, a patrol boat would return soon to the squid fishing grounds.

Nagao said he didn't think the boats were fishing in areas where North American salmon might be caught. But the patrol boat "will conduct an investigation of the cargo at sea... and if they find any salmon on the vessel, they will take thorough measures to punish them," Nagao said.

The high-seas take of North American-bound salmon has been a continual source of tension between the U.S. and Japanese fishing industries. Alaska fishery officials say that the squid fleet, and a separate Japanese drift fleet that targets directly on salmon, annually intercept \$20

million to \$40 million worth of North American-bound salmon and steelhead trout.

Most of the driftnet fishing takes place in international waters, but the U.S. government opens a small section of U.S. waters within 200 miles of Alaska to the Japanese salmon fleet.

When the salmon is taken illegally by boats that are supposed to be fishing for squid, the fish may wind up in a black market. Last year, U.S. officials in Tacoma seized 600,000 pounds of black

market salmon that they said was caught by the Taiwanese squid fleet.

Taiwanese, South Korean and Japanese squid fleets frequently stray outside the squid fishing zone, said Jim Branson, executive director of the North Pacific Management Council, a federal board that guides fisheries management off Alaska. But the Taiwanese and South Korean squid fleets appear to be taking more illegal salmon than the Japanese, Branson said.

The Japanese fleet tend to

stick closer to the prime squid fishing grounds, which are south of the major salmon fishing ground. "The legitimate squid fishermen — they catch relatively few salmon," he said.

When the squid boats are targeting salmon in international waters, U.S. Coast Guard boats can only monitor the activity, Branson said. The Coast Guard can cite the boats only if they stray within the 200-mile offshore economic zone claimed by the United States, he said.

ATTACHMENT B-1



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Northwest and Alaska Fisheries Center
7600 Sand Point Way N. E. F/NWC
BIN C15700
Seattle, Washington 98115-0070

AUG 21 1987

August 18, 1987

MEMORANDUM FOR: The Record

FROM: F/NWC - William Aron

SUBJECT: Meeting with Mr. Kazuo Shimaya - Counselor
Japan Fishery Agency

Mr. Shima made a special trip to Seattle to brief the Center on pollock catches by Japan in the international "donut" zone of the Bering Sea. Present were Mr. Kanaeyasu Ito (Seattle representative for the Japan Fisheries Association, Mr. Jay Hastings (attorney for Japan Fisheries Association, and Drs. Gary Stauffer, Loh-Lee Low, and R. V. Miller.

The purpose of Mr. Shima's visit was to alert us that the Japanese pollock catch in the donut area was 698,000 metric tons in 1986 - much higher than anyone has expected. He wanted to provide the data prior to INPFC when data would normally be released. He provided us with the following three attachments.

1. Japanese pollock catches from the donut in 1985-86.
2. Japanese industry views of donut area pollock stocks.
3. Comments by the Japan Fishery Agency on donut area pollock.

Provision of these data, well in advance of the INPFC meetings, appeared to be in the full spirit of cooperation, and with the idea of preventing unpleasant last minute surprises in Vancouver.

Mr. Shima readily agreed for the need for a multinational study of Bering Sea pollock populations to assess stock distribution and abundance. These studies must include the U. S., Japan, the Soviet Union and other nations fishing for pollock such as South Korea, Poland and Taiwan. We discussed the possibilities of developing such an international cooperative program. Mr. Shima appeared supportive and, in fact, agreed to help Dr. Low in obtaining some critical pollock data during Dr. Low's visit to Japan this month.

Attachment "B"

Fishing operation by the Japanese trawl vessels
in the Bering high seas

August 10, 1987

year	number of vessels	catch(metric ton)
1985	61	137,000
1986	98	698,000

(note)

1. The number of vessels includes all the vessels operated in the area concerned, even for a short period.
2. The bulk of the catch consists of alaska pollock.

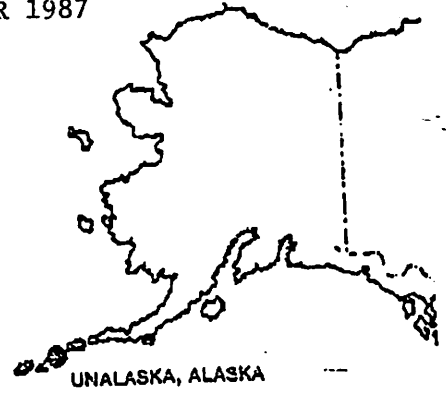
OCT 31 '87 16:27 CITY OF UNALASKA

AGENDA C-10(d)
Supplemental
DECEMBER 1987

P.1 #103 (4)

CITY OF UNALASKA
P.O. BOX 88
UNALASKA, ALASKA 99685
(907) 551-1251
"Capital of the Aleutians"

COPY



RECEIVED
OCT - 1 1987

October 1, 1987

Jim Campbell, Chairman
North Pacific Fisheries Management Council
Box 103136
Anchorage, AK 99510

Dear Mr. Campbell:

Attached is our proposal for the 1989 Fisheries Management Plan for the Bering Sea and Gulf of Alaska. As you may know, we only recently were able to receive transshipment data from NMFS so we will be supplying you with additional supportive data in the future.

Sincerely,

Paul Fuhs
Paul Fuhs, Mayor
Unalaska/Dutch Harbor

I. STATEMENT OF PROPOSAL

This transmittal requests that the Council incorporate this proposal into the 1989 Fishery Management Plan (FMP) for the U.S. support industry specifically marine transportation and bulk fuel.

The Alaskan groundfish industry is developing and becoming progressively more Americanized. A key catalyst for Americanization of harvesting and processing has been the Magnuson Act. Like harvesters and processors, the United States support industry, specifically marine transportation, cold storage, bulk fueling and other support services are also eligible to benefit from the Magnuson Act. These support operations are specifically identified as a form of "fishing" in the Magnuson Act. According to the Magnuson Act, the term "fishing vessels" includes vessels engaged in the transport of fish and/or fish products or any other support activity (Sec. 3.11). The CFR further clarifies that support activity includes "transferring or transporting fish or fish products; or supplying a fishing vessel with water, fuel provisions, " (50 CFR 611.2)

Despite successes in harvesting and more recently in processing, U.S. support services and small Southwest Alaska coastal communities have realized only marginal economic gains. More than 500 foreign flag vessels spent 34,000 vessel days operating in the U.S. EEZ in 1986 but used only marginal amounts of U.S. shipping capacity or other support services. U.S. support services are both cost and quality competitive with foreign support services. However, large foreign flag fleets continue to support their distant water fleets operating in U.S. waters from home ports using little if any U.S. provided support services .

II. OBJECTIVE

A. PROBLEM STATEMENT

Despite recent gains made by U.S. harvesting and processing sectors, the economic value accruing to U.S. interests continue to be a small fractional part of the total economic value of the resource. Some estimates place the U.S. return at about 10 percent of the total. Foreign flag processing fleets, tramps and other support vessels continue to maintain a high level presence in U.S. waters, declining only seven percent in the number of vessel days from 1985 to 1986. The U.S. support industry has not experienced gains comparable to harvest and processing because foreign fishing companies have large vertically integrated operations that provide a strong disincentive to use U.S. support services even when such services are more economical. So long as foreign fishing companies continue to preclude participation by U.S. support firms, an increased amount of economic benefit of the resource will not flow to Southwestern Alaskan communities or to the U.S. support industry.

B. IMPLICATIONS IF THE PROBLEM IS NOT SOLVED

Because of the market dominance exercised by Japan, Korea, and the state-owned nature of the Polish and USSR fishing companies, free-market economics cannot play its traditional role in establishing a competitive framework within which U.S. support firms can successfully operate and compete on fair terms. It is a well understood fact that both Japan and Korea exercise tight control through tariff and quotas over the importation of U.S. processed fish products. This scheme closely regulates the import of designated fish and shellfish species to protect Japanese and Korean domestic processing industries. Japan controls its domestic market partly to protect its large investment in its distant water fishing fleets. The implications for Japan and Korea's highly restrictive import policies on the development of U.S. processing capacity is ominous in that there will be significant political pressure put on their respective governments to maintain trade protectionist measures especially aimed at U.S. processed product. Therefore, the Japanese and Koreans will move energetically to maintain their current dominance in support services, especially maritime transportation. And, as long as foreign fishing companies refrain from procuring transport, fuel, provisions or repair services, from the U.S. support industry, Southwest Alaskan communities will not derive more than marginal economic benefit from the fisheries.

Following application of the Magnuson Act, investment will begin to flow into new capacity for vessels and support facilities to increase the level of services available to support the fishery. U.S. capacity, especially marine

shipping, and bulk fuel sales are now cost competitive with existing foreign supplied transport and fuel. Capital investment in the support industry will accomplish two goals: first, it will increase the overall competitive position of the fishery in relation to other world class fisheries and second, it will improve the economic returns earned by small Southwest Alaska communities and U.S. support service firms.

C. IMPLEMENTATION MEASURES

There are a number of possible methods by which a Fishery Management Plan for the U.S. support industry could be implemented. One possible method is to first make a determination of U.S. support capacity in relation to the total amount of support services now provided by foreign operators. This percent of capacity could then be applied across the board to all foreign countries processing fish in the EEZ. It would therefore be up to each country to be responsible to see that their respective fishing companies in total use the established percent (expressed in units of capacity, e.g. metric tons of cargo or gallons (tons) of fuel) of U.S. support service.

III. JUSTIFICATION FOR COUNCIL ACTION

The objective of the Fishery Management Plan should be to achieve for the U.S. fishing industry the optimum value of the support fishery. "Optimum value" in this case is defined as that portion of the sustainable support activity which will provide the greatest overall benefit to the United States.

Should the council not apply the Magnuson Act by establishing a Fishery Management Plan for the support industry, foreign fishing companies will continue to use their in-place support service capacity (arising from vertical integration or state-owned enterprise) rather than U.S. support services. Consequently, only marginal value added benefits from the fishery resource will flow to U.S. firms and Alaskan communities. Large foreign fishing companies have vertically integrated operations that encourage them to forego using U.S. support services even when these services are cost competitive.

This request for Council action follows in the track of previous Council actions with respect to providing preference to the resource for U.S. harvest and processing capacity. Creation of a FMP for the U.S. support fishery would mean that foreign processing vessels would receive allocations only to the level of the in-place capacity of the U.S. support industry. Establishment of a FMP for the U.S.

support industry would be accomplished under the process outlined in the Magnuson Act and as directed by existing federal codes and regulations.

IV. FORESEEABLE IMPACTS

A FMP for support services would provide a wedge for U.S. companies to offer support services to foreign flag fleets that are competitive in terms of price and quality. A FMP would achieve for the U.S. fishing industry the optimum value of the support fishery. A FMP would facilitate raising capital for investments in expanded and upgraded shipping capacity, docks, storage yards, cargo areas and cold storage facilities thus resulting in greater efficiency for the entire industry. It would have the overall effect of making products produced from U.S. Alaskan groundfish stocks more competitive in world markets. Enhanced economic benefits from increased value added activities could be realized from increases in domestic support activity.

In 1986 more than 5,000 vessel - to - vessel at-sea transshipments were made of frozen fish and meal product by foreign vessels. This amounted to 1,200,000 metric tons of fish product transshipped at-sea by foreign flag vessels within the U.S. EEZ. This is in sharp contrast to the total estimated shipment of fish on U.S. bottoms of 50,000 - 75,000 metric tons. Currently more than ninety percent of the fishery resource is harvested, processed and transshipped at-sea with only a small amount of activity taking place shoreside. More than 500 foreign flag vessels operate in the area and spent in excess of 34,000 operational days servicing the industry in 1986. Yet, almost no goods or services are procured by foreign fleets from U.S. firms or from U.S. coastal communities.

Following establishment of a FMP for the support industry, U.S. shipping firms would develop a feeder system to consolidate fish cargo at Dutch Harbor and Kodiak for containerized shipment to overseas markets in addition to increased shipments to U.S. west coast ports. Cold storage facilities for temporary holding of frozen product would be constructed to allow for a more even flow of product. Improved docks, cargo staging areas and other support services would be developed to provide economical support services to the industry.

V. POSSIBLE ALTERNATIVE SOLUTION

A vessel permitting system could be established that would link the issuance of a permit to operate with the use of a set amount of U.S. provided support service. Total fish tonnages or the total number of operational days would be set by the amount of U.S. support services utilized by foreign processors.

VI. OTHER DATA - MARITIME TRANSPORTATION AND BULK FUEL

The maritime transportation system and other fleet support services play a strategic role in the Bering Sea fisheries: harvest areas are remote; distances from producing areas to end markets are extended; product volumes generated by fishery are large; and foreign flag fishing companies operating in the area are large (Poland and the USSR have state-owned enterprises) and Japanese and Korean companies are vertically integrated with extensive captive shipping capacity. Despite the constraints noted above, commercial opportunities to increase the amount of cargo carried by U.S. shippers are large. The opportunities arise from the extensive amount of product volume, an estimated 1,200,000 metric tons most of which is being carried by relatively small foreign tramps. The constraints facing U.S. shippers in realizing a significant increase in the cargo they carry from this area, are more political and regulatory in nature rather than economic. The product is being transported over long distances in relatively small volumes with a minimal amount of consolidation. This situation leads to a competitive opening that would favor U.S. shippers if a better consolidation system was established in conjunction with their existing ability to move cargo over long distances in larger volumes by using in-place container systems.

A number of recent events have come about that now provide an opening for U.S. shippers to more aggressively assert themselves to capture a larger volume of this fishery cargo. Some of these events include Americanization of harvest capacity which has, for the first time, opened the door to substantial American participation in the fisheries. U.S. trawl vessels are now taking close to 1.9 million metric tons of fish annually. There is only a small residual amount of directed fisheries where foreign harvest vessels are active in the harvest. Following the Americanization of the harvest, U.S.

companies are now beginning to aggressively assert themselves in the processing sector. More than twenty four U.S. factory trawlers are either now fishing or will be fishing by the end of 1988. The explosive growth in capacity of U.S. factory trawlers was not anticipated by any industry analyst and its rapid growth rate is now projected to continue over the next year or two. An increased U.S. presence in processing will inevitably result in some small increases in the volume of cargo carried by U.S. shippers. This increase in volume is attributable to a larger amount of product flowing to U.S. markets rather than directly to Asian and European markets via foreign tramps. The U.S. market for whitefish products, primarily IQF and fillets, remains strong and has, over the decline of Canadian stocks and other Atlantic species will contribute to an increased level of demand by U.S. processors for Pacific cod and Alaskan pollock.

The Bering Sea bottomfish industry offers the potential for balancing our the highly seasonal salmon and crab fisheries. The bottomfish harvest has, for the last several decades, been nearly a year- round fishery with seasons of eight to ten months. In the 1987 harvest, the increased amount of trawl harvest capacity has spurred intense competition in the fisheries with the resulting collapse of the harvest season. A harvest season that used to be eight to ten months in length may now be reduced to six months in with the prospects of a further shortening of the season as harvest capacities continue to increase upward. If this trend should continue, it will undermine the economic potential that the bottomfish industry has represented through its extended season with more opportunities for balancing our transportation capacity to harvest requirements.

The Magnuson Act of 1976 should be applied to the marine shipping industry to provide preference to U.S. flag carriers. All foreign flag vessels engaged in the U.S. EEZ fishery including cargo vessels are required to obtain a permit to operate in U.S. waters. Application of the Act to U.S. shipping would be consistent with the current practice of giving preferential access to the resource to U.S. firms for harvesting and processing.

FOREIGN FLAG VESSEL ACTIVITY

The Bering Sea fishery in the U.S. EEZ presents a strategic opportunity for U.S. shippers to increase their volume of frozen fish cargos for transshipment to the West Coast or to increase cargo directly exported to Japan, Korea and other European markets from

Dutch Harbor. Estimates of the current market share held by all U.S. shippers active in the region are at best uncertain but are likely to be in the range of 5 percent of total frozen fish tonnages including salmon and crab. The amount of West Coast destination cargos represents a small trickle of the total cargos produced by the region.

The major part of the frozen and fish meal product produced in the U.S. EEZ is now being transshipped at-sea onto foreign tramps. Copies of radio message logs reporting all foreign vessel at-sea transshipments to NOAA, Enforcement Division, were obtained for calendar year 1986. This data, in raw form with vessel name blanked out, was entered to a computer program to establish a data base of at-sea transshipments. The radio message logs provide the following information about each transshipment:

- * date
- * time
- * latitude/longitude
- * area
- * species
- * metric tons
- * type of product

NOAA does not compile this raw data. The radio log message sheets are received and filed. They are used to occasionally support field verification by the U.S. Coast Guard.

The objective in compiling this data was to substantiate the high volume of fish cargo that is currently being transshipped at-sea to foreign flag tramps for direct shipment overseas.

Table I-1 provides transshipment tonnages for 1986. Metric tons transshipped at-sea equalled 1,200,000 metric tons. More than 5,000 transshipments were recorded.

Table II presents the total number of foreign vessels permitted off Alaska in 1987. The total number of foreign flag vessels permitted in 1987 was 526 of which 351 (67%) were Japanese.

Table III presents a breakdown of permitted foreign vessels by country and type of vessel. Of the total 351 Japanese vessels, cargo

and transport vessels accounted for 169 or 48% of the total Japanese fleet. Gross tonnage for these Japanese tramps averages 1,200 mts. Most of the smaller tramps with 500-600 gross tons have average hold capacities of 1,400 to 1,600 cubic meters. This information underlines a key point: These small tramps do not represent the most economic means of transport due to small volumes carried over long distances.

The level of operations in the Bering Sea by foreign flag vessels is large. Table IV presents information about foreign flag vessel activity for 1985 and 1986 in the U.S. EEZ. In 1985 Japan accounted for 63 percent (23,275 vessel days) of the total vessel days. In 1986 Japanese activity declined to 52 percent of 17,791 vessel days. Korean vessel days moved upward from 17 percent to 24 percent or some 8,347 total vessel days. Of significance is the fact that despite large increases in 1986 for U.S. harvest levels (from 636,000 mt to 1,164,000 mt--an increase of 83%) the decline in foreign flag vessel days was only 7 percent. Clearly, the increased level of U.S. harvest has not impacted, as yet, to a significant degree the overall level of activity by foreign vessels operating in the EEZ. U.S. harvested fish continues to move to Asian and European markets in Japanese, Korean, USSR and Polish tramps.

Table V provides information about the number of vessel days by vessel type. For 1985, cargo and transport accounted for 3,843 vessel days or 10% of the total. Data from the radio message log would indicate that the total vessel days for cargo and transport vessels may be underreported. Table V underscores the importance that transportation plays in supporting the foreign fleets and indicates that the increased level of U.S. participation in harvest and processing has resulted in little increase in the volumes of cargo carried by U.S. shippers.

A continued effort is underway to determine with a higher degree of certainty the tonnages of frozen product that are being transshipped at-sea from both foreign processors and U.S. catcher processors. U.S. Customs does not regard these cargoes as export unless the transshipment occurs within the three mile limit or unless the cargo enters a U.S. port. It is also evident that foreign tramps are calling at a number of Alaskan ports to pick up cargoes prior to returning to Japan or Korea. These cargoes are not discharged in the U.S. but the system of multiple port calls used by foreign tramps works as an intercoastal cargo consolidation system. Using permits to proceed,

these foreign vessels are exempt from U.S. Customs inspection at each port of call until they clear Customs at Dutch Harbor.

BULK FUEL

The amount of bulk fuel consumed in the U.S. EEZ by the foreign fleets is estimated to exceed 160 million gallons annually. Purchases of fuel by foreign vessels from U.S. firms is estimated to be less than 10 percent of the fuel consumed. At-sea refueling is a common practice not only for foreign operators but for U.S. joint venture trawlers.

TABLE I - 1

METRIC TONS OF FISH PRODUCTS
 TRANSSHIPPED AT - SEA
 BY FOREIGN TRAMPS - 1986
 (NMFS RADIO MESSAGES)

<u>COUNTRY</u>	<u>METRIC TONS</u>
Japan	657,107
USSR	284,119
Korea	237,207
Poland	77,626
China	4,882
	<hr/>
Total	1,260,941

TABLE II

**FOREIGN VESSELS PERMITTED OFF ALASKA 1987
FOR FISHING, JOINT VENTURE AND SUPPORT OPERATIONS**

(Source - NMFS 1987)

<u>COUNTRY</u>	<u>NUMBER OF VESSELS</u>
Japan	351
Korea	47
Poland	61
USSR	62
Republic of China	<u>5</u>
Total	526

TABLE III

FOREIGN VESSELS PERMITTED OFF ALASKA 1987

BREAK DOWN BY COUNTRY AND VESSEL TYPE

<u>Country</u>	<u>Vessel Type and Number</u>	<u>Total</u>
Republic of China	Factory Ship	2
	Large Stern Trawler	3
Japan	Factory Ship	5
	Cargo/Transport Vessel	169
	Tanker	4
	Large Stern Trawler	20
	Medium Stern Trawler	52
	Small Stern Trawler	27
	Pair Trawler	37
	Danish Seiner	6
	Longliner	22
Pot Fishing Vessel	9	
Korea	Factory Ship	3
	Cargo/Transport Vessel	14
	Large Stern Trawler	27
	Medium Stern Trawler	3
Poland	Cargo/Transport Vessel	18
	Tanker	2
	Large Stern Trawler	40
	Medium Stern Trawler	1
USSR	Factory Ship	3
	Cargo/Transport Vessel	20
	Tanker	2
	Large Stern Trawler	33
	Medium Stern Trawler	4

Key: Large Stern Trawler = over 1399 gross tons
Medium Stern Trawler = 290 - 1399 gross tons
Small Stern Trawler = under 290 gross tons

TABLE IV

**NUMBER OF FOREIGN FLAG VESSELS AND
VESSEL DAYS REPORTED IN THE U.S. EEZ (1985 & 1986)**

(Source: NMFS)

	<u>Number of Vessel Days</u>
1985	36,830
1986	34,093

1985 DH & JV Vessel Days

<u>Country</u>	<u>DH*</u>	<u>JV</u>	<u>Total</u>	<u>% Total</u>
Japan	20,454	2,821	23,275	63
Korea	3,617	2,551	6,168	17
Poland	1,836	938	2,774	8
USSR	492	3,359	3,851	10
Taiwan	707		707	2
Portugal	46		46	
Other	9		9	
	<u>27,161</u>	<u>9,669</u>	<u>36,830</u>	100.0
	(74%)	(26%)	(100%)	

1986 DH & JV Vessel Days

Japan	13,315	4,476	17,791	52
Korea	1,791	6,556	8,347	24
Poland	1,563	535	2,098	6
USSR	522	4,678	5,200	15
Taiwan	107	324	431	
Republic of China	33	193	226	
	<u>17,331</u>	<u>16,762</u>	<u>34,093</u>	97. (rounding)
	(51%)	(49%)	(100.0%)	

*DH: NMFS classes all transport as DH vessels

TABLE V


VESSEL TYPE AND VESSEL DAYS

<u>1985</u>	<u>Vessel Type</u>	<u>Vessel Days</u>
	Stern Trawlers	22,002
	Tankers	307
	Transport	3,843
	Factory	1,336
	Longliner	2,413
	Other (Danish-Pair Trawl)	<u>6,899</u>
	TOTAL	36,800
<u>1986</u>		
	Stern Trawlers	20,294
	Tankers	299
	Transport	4,485
	Factory	1,498
	Longliner	2,992
	Other (Danish-Pair Trawl)	<u>4,525</u>
	TOTAL	34,093

For total stern trawler vessel days Japan accounted for 46% in 1985 and 32% in 1986.

MEMORANDUM

TO: Council, SSC, and AP Members

FROM: Jim H. Branson
Executive Director 

DATE: December 4, 1987

SUBJECT: Joint Venture Requests for 1988

ACTION REQUIRED

- A. Report on joint ventures in 1987.
- B. Evaluate joint venture requests by country and recommend any special conditions and restrictions on permits.
- C. Determine total JVP needs by species and area.

BACKGROUND

A. Status of Joint Ventures in 1987

The total joint venture catch off Alaska through November 24 as reported by NMFS was 1,378,454 mt, which included the following species harvests in metric tons:

<u>Species</u>	<u>Bering Sea/Aleutians</u>	<u>Gulf of Alaska</u>
Pollock	1,033,129	22,822
Pacific cod	57,691	2,116
Flatfish	36,077	7,477
Yellowfin sole	181,441	--
Atka mackerel	30,029	1
Others	<u>7,148</u>	<u>523</u>
TOTAL	1,345,515	32,939

This year's catch to date exceeds the total joint venture harvests of 1,226,088 mt and 883,568 mt in 1986 and 1985, respectively. Joint ventures ceased the week of November 11 and restarted December 5 on pollock in the Aleutians. The numbers of trawlers making deliveries each month are listed below. Table 1 shows company performance.

Number of U.S. Trawlers Making Joint Venture Deliveries

Year	Month											
	1	2	3	4	5	6	7	8	9	10	11	12
1984	24	56	50	42	32	63	66	57	57	21	14	4
1985	11	61	79	78	73	87	92	96	85	50	20	6
1986	3	64	79	92	88	95	99	102	92	78	28	11
1987	52	92	101	108	97	110	82	32	44	47	7	2

B. Joint Venture Requests for 1988

The Council has received joint venture applications from Japan, Korea, the USSR, Poland, China, and Iceland totalling 1,969,731 mt (Table 2). The requests identify six major species or species groups for target fisheries: pollock, Pacific cod, yellowfin sole, flatfish, and Atka mackerel (Table 3). The major U.S. partners, their foreign partners and tonnages are indicated in Tables 4 and 5. Additional information and the original permit requests will be in a reference notebook available at the meeting.

According to the Council's policy on joint ventures as amended in September 1987 [item C-10(a)], requests are evaluated on a country basis and all joint ventures fish from a common pool for target species whether or not demand exceeds supply. However, each company will have harvest guidelines for bycatch species as deemed necessary, and are expected to voluntarily modify their operations to minimize bycatch. The policy calls for a post season audit of bycatches by country. Item C-10(b) summarizes bycatches for Japan and Korea as calculated by NMFS. Marine Resources and Kodiak and Western Trawler have volunteered information that otherwise would have been confidential. Bycatch data are not available for Poland or China.

The joint venture industry has been working hard since the September Council meeting to develop a consensus bycatch plan for the yellowfin sole and other flatfish fisheries of the Bering Sea. Their final plan is item C-10(c).

The Council will need to review each country's request for joint ventures and determine if any special permit conditions should be placed on vessel permits. Item C-10(d) is a proposal from Paul Fuhs, Mayor of Unalaska/Dutch Harbor to link permits of foreign processing vessels to purchases of services from U.S. cargo and bulk fuel carriers. This would entail permit conditions and restrictions.

C. Projected JVP by Area and Species

The Permit Review Committee will forward for Council consideration a table of projected JVP by species and management area. The final determination of JVP availability will be made in full Council session after DAP is set.

(Revised 12/4/87)

TABLE 1

JOINT VENTURE STATUS FOR 1987

	1987 Request (mt)	Catch To Date (mt)	%	Species
<u>JAPAN</u>				
Whitney Fidalgo: Ohtori	44,300	31,480	71	pollock
Westward Trawlers: Taiyo, Esahi, Hokkaido, Kanefuji ^{1/} , Ohura ^{1/}	325,335	260,143	80	pollock
Kodiak Western Trawl: Kanai	6,963	7,000	100	flounders
Alyeska Ocean: Hoko	57,100	54,275	95	pollock
Peter Pan: Kaiyo, Nansei, Nichiro, Shinnichi, Kanefuji, Ohura	50,769	41,700	82	pollock, flounders
Northern Deep Sea Fish.: Nissui	388,709	337,042	87	pollock, flounders
Profish: Anyo, Fukushin, Kanari, Kato Marue, Matsubun, Watarai, Yoshida	36,460	11,900	33	pollock
Undecided: Hokuten Association	5,000	0	0	--
Pac. Coop.: Japan Longliners	2,000	0	0	--
TOTAL	916,636	743,540	81	
<u>KOREA</u>				
Cal-Alaska: Mar. Enterprise	10,040	5,792	58	--
Alaska JV Fisheries: Samho, Taewoong, Nambug, Daerim	195,000	110,444	57	pollock, sole, cod
Profish: Korea Wonyang, Dongbang, Dongwon, Namyang, Namyangsa, Sajo, Silla	352,900	210,000	60	pollock
JV Fisheries: Oyang	46,800	31,741	68	pollock
Arctic Venture Fish: Transocean	13,000	5,760	44	pollock
Dona JV Fish: Hansung	65,000	32,995	51	pollock, sole
Alaska Surimi Products/Korea Wonyang	80,000	35,176	44	pollock
TOTAL	762,740	431,908	57	
<u>USSR</u>				
Marine Resources	200,000	155,054	78	cod, pollock, flounders
<u>POLAND</u>				
Alaska Pacific: Dalmor	15,000	882	6	pollock
Profish: Gryf	15,000	5,000	33	pollock
Quest: Odra	6,000	0	0	--
TOTAL	36,000 ^{2/}	5,882	16	
<u>CHINA</u>				
North Pacific Int.	37,000	18,840	51	pollock
GRAND TOTAL	1,998,876	1,355,224	68	

^{1/} Cooperative with Peter Pan Seafoods.^{2/} Poland originally requested 82,500 mt.

TABLE 2. JOINT VENTURE REQUESTS (MT) BY COUNTRY FOR 1988.

<u>Country</u>	<u>Pollock</u>	<u>Pacific cod</u>	<u>Atka mackerel</u>	<u>Yellowfin Sole</u>	<u>Flatfish</u>	<u>Other</u>	<u>Total</u>
Japan	757,000	16,200	6,500	128,000	9,000	--	916,700
ROK	492,237	29,105	33,844	84,414	8,426	6,935	654,961
USSR	11,780	62,120	12,540	97,740	41,890	--	226,070
Poland	45,000	--	--	--	--	--	45,000
China	55,000	6,000	3,000	20,000	3,000	--	87,000
Iceland	--	40,000	--	--	--	--	40,000
TOTAL	1,361,017	153,425	55,884	330,154	62,316	6,935	1,969,731

TABLE 3

Revised

**JOINT VENTURE REQUESTS FOR 1988 BY SPECIES AND AREA
(IN METRIC TONS)**

	<u>BSAI</u>	<u>GOA</u>
POLLOCK		
Japan	752,000	5,000
Korea	472,673	19,564
USSR	11,780	0
Poland	45,000	0
China	50,000	5,000
Total	<u>1,331,453</u>	<u>29,564</u>
Alaska-wide	1,361,017	
PACIFIC COD		
Japan	15,000	1,200
Korea	27,421	1,684
USSR	62,120	0
Poland	0	0
China	5,000	1,000
Iceland	30,000	10,000
Total	<u>139,541</u>	<u>13,884</u>
Alaska-wide	153,425	
YELLOWFIN SOLE		
Japan	128,000	
Korea	84,414	
USSR	97,740	
Poland	0	
China	20,000	
Total	<u>330,154</u>	
FLATFISH		
Japan	0	9,000
Korea	7,782	644
USSR	41,890	0
Poland	0	0
China	3,000	0
Total	<u>52,672</u>	<u>9,644</u>
Alaska-wide	62,316	
ATKA MACKEREL		
Japan	6,500	0
Korea	32,974	870
USSR	12,540	0
Poland	0	0
China	3,000	0
Total	<u>55,014</u>	<u>870</u>
Alaska-wide	55,884	
TOTAL		
Japan	901,500	15,200
Korea	625,264	22,762
USSR	226,070	0
Poland	45,000	0
China	81,000	6,000
Iceland	30,000	10,000
Total	<u>1,908,834</u>	<u>53,962</u>
Alaska-wide	1,962,796	

(Revised 12/4/87)

TABLE 4

JOINT VENTURE REQUESTS FOR 1988

	<u>1988 Request (mt)</u>
<u>JAPAN</u>	
Westward Trawlers: Taiyo, Hakodate	--
Kodiak Western Trawl: Kanai	10,000
Alyeska Ocean: Hoko	--
Peter Pan: Kaiyo, Nichiro, Shinnichi, Kanefuji, Ohura, Esahi	--
Northern Deep Sea Fish.: Nissui	--
Profish: Anyo, Fukushin, Kanari, Marue, Matsubun, Yoshida, Ohtori	--
Golden Age Fisheries: Watarai, Kato, Maruyozosen	38,500
Trawl Resources: Hokkaido	--
Alaska Pacific: Anyo	--
TOTAL	<u>916,700</u>
<u>KOREA</u>	
Cal-Alaska: Mar. Enterprise	9,043
Alaska JV Seafoods: Nambug, Taewoong	49,700
Profish: Korea Wonyang, Dongbang, Dongwon, Namyang, Namyangsa, Sajo, Silla, Oyang	320,630
Arctic Venture Fish: Gaeyang	12,601
Dona JV Fish: Hansung, Korea Wonyang	69,501
Alaska Surimi Products/Korea Wonyang	66,709
Alaska Trawl Fisheries: Daerim	56,777
American Offshore Ventures: Samho Moolsan	<u>70,000</u>
TOTAL	654,961
<u>USSR</u>	
Marine Resources	226,070
<u>POLAND</u>	
Alaska Pacific: Dalmor	15,000
Profish: Gryf	15,000
Quest: Odra	<u>15,000</u>
TOTAL	45,000
<u>CHINA</u>	
North Pacific Int.	?
China Pacific Ventures	<u>?</u>
TOTAL	87,000
<u>ICELAND</u>	
Kris Poulsen and Assoc.	40,000
GRAND TOTAL	<u>1,969,731</u>

JAPAN
 =====
 COMPANY
 =====
 PROFISH INTERNATIONAL
 /ANYO

 PETER PAN SEA FOOD INC.
 /ESASHI

 TRAWL RESOURCES
 /HOKKAIDO FISHERIES

 ALYESKA OCEAN
 /HOKO

 PETER PAN SEA FOOD INC.
 /KAIYO

 KODIAK AND WESTERN TRAWLER GROUP
 /KANAI

 PETER PAN SEA FOOD INC.
 /KANEFUJI

 GOLDEN AGE FISHERIES
 /KATO GYOGYO

 KYOKUYO U.S.A.
 /KYOKUYO

 PETER PAN SEA FOOD INC.
 /NANSEI MARINE

 PETER PAN SEA FOOD INC.
 /NICHIRO

 NORTHERN DEEP SEA FISHERIES
 /NIPPON SUISAN

 KYOKUYO U.S.A.
 /OHTORI

 PETER PAN SEA FOOD INC.
 /OHURA

 PETER PAN SEA FOOD INC.
 /SHINNICHI

COMPANY
 =====
 WESTWARD-TRAWLERS
 /TAIYO

 GOLDEN AGE FISHERIES
 /WATARAI

 PROFISH INTERNATIONAL
 /ANYO SUISAN CO.

 PROFISH INTERNATIONAL
 /FUKUSHIN SUISAN CO.

 TRAWL RESOURCE, INC
 /HOKKAIDO GYOGYO KOSHA CO.

 KODIAK & WESTERN TRAWL GROUP
 /KANAI GYOGYO CO.

 GOLDEN AGE FISHERIES
 /KATO GYOGYO CO.

 PROFISH INTERNATIONAL
 /MARUE SUISAN CO.

 GOLDEN AGE FISHERIES
 /MARUYO GYOGYO BU CO.

 PROFISH INTERNATIONAL
 /MATSUBUN GYOGYO CO.

 PROFISH INTERNATIONAL
 /SHINICHIRO KANARI

 PROFISH INTERNATIONAL
 /SHINTARO-YOSHIDA

 KODIAK & WESTERN TRAWL GROUP
 /SHUNICHI KANAI

 GOLDEN AGE FISHERIES
 /WATARAI SHOTEN
 =====

JOINT VENTURE REQUEST BY COMPANIES FOR 1988

AREA	POLLOCK	PACIFIC COD	ATKA MACKEREL	YELLOWFIN SOLE	OTHER FLATFISH	TOTAL
BSA	752,000	15,000	6,500	128,000		901,500
GOA	5,000	1,200			9,000	15,200

Note: All figures are preliminary and subject to change.

KOREAN JOINT VENTURE REQUESTS (IN METRIC TONS) FOR 1988

	POLLOCK	PACIFIC COD	YELLOWFIN SOLE	OTHER FLATFISH	ATKA MACKEREL	OTHERS	TOTAL
CAL-ALASKA:							
Marine Enterprises	5,189	1,112	1,853	74	741	74	9,043
ALASKA JV SEAFOODS:							
Nambug	12,500	1,500	3,000	0	1,000	0	18,000
Tae Woong	20,700	1,700	5,200	0	4,100	0	31,700
Total	33,200	3,200	8,200	0	5,100	0	49,700
PROFISH:							
Dong Bang	29,649	2,594	6,523	148	3,558	741	43,213
Dongwon	44,102	2,224	4,447	0	4,447	371	55,591
Korea Wonyang	28,191	1,205	2,890	578	723	386	33,973
Namyang	4,447	371	1,260	222	1,482	371	8,153
Namyangsa	27,425	1,260	3,336	445	741	222	33,429
Oyang	37,061	1,112	3,706	0	370	0	42,249
Sajo	17,048	1,112	4,818	741	2,224	741	26,684
Silla	60,038	3,039	8,895	1,482	3,706	178	77,338
Total	247,961	12,917	35,875	3,616	17,251	3,010	320,630
ARCTIC VENTURES:							
Gaeyang	7,412	1,112	2,224	741	741	371	12,601
DONA JVF:							
Hansung	41,879	2,965	11,118	519	1,482	1,038	59,001
Korea Wonyang	7,387	648	1,557	311	389	208	10,500
Total	49,266	3,613	12,675	830	1,871	1,246	69,501
ALAKSA SURIMI:							
Korea Wonyang	51,885	2,817	6,671	1,631	2,594	1,111	66,709
ALASKA TRAWL:							
Daerim	44,324	1,334	7,116	1,334	2,046	623	56,777
AMERICAN OFFSHORE:							
Samho Moolsan	53,000	3,000	9,800	200	3,500	500	70,000
TOTAL	492,237	29,105	84,414	8,426	33,844	6,935	654,961

LIST OF KOREAN PROCESSORS TO BE
 ENGAGED IN JOINT VENTURES IN 1988
 =====

<u>COMPANY</u>	<u>PERMIT NO.</u>	<u>VESSEL NAME</u>	<u>GROSS TONS</u>
Korea Wonyang Fisheries Co.,Ltd.	KS-88-0085	KYUNG YANG HO	5,377
	KS-88-0003	CHECG YANG HQ	2,801
	KS-88-0004	FUNG YANG HO	3,527
	KS-88-0112	GAE CHECG HO	23,799
Gaeyang Heungsan Co.,Ltd.	KS-88-0001	GAE YANG HO	2,999
Nambug Fisheries Co., Ltd.	KS-88-0033	NAM BUG HO	5,549
Namyangsa Co.,Ltd.	KS-88-0034	CRYSTAL DAHLIA	1,903
	KS-88-0002	SUNFLOWER NO.7	3,527
Namyang Frozen Foods Co.,Ltd.	KS-88-0103	SALVIA	1,684
Daerim Fishery Co.,Ltd.	KS-88-0037	DAE JIN NO.52	4,055
	KS-88-0136	DAE JIN NO.21	1,331
Dongbang Ocean Fisheries Co.,Ltd.	KS-88-0121	NO.71 DONG BANG	1,459
Dongwon Industries Co.,Ltd.	KS-88-0039	DONG SAN HO	4,348
	KS-88-0104	YU YANG HO	1,863
	KS-88-0122	SHIN YANG HO	1,490
Marine Enterprise Co., Ltd.	KS-88-0041	NO.7 SANG WON	1,301
Sajo Industrial Co., Ltd.	KS-88-0123	ORYONG NO.501	3,238
	KS-88-0095	ORYONG NO.503	1,555
Samho Moolsan Co.,Ltd.	KS-88-0042	TAE BAEK HO	5,511
	KS-88-0091	NO.29 TAE BAEK	2,697
Silla Trading Co.,Ltd.	KS-88-0047	SHIN AN HO	5,680
	KS-88-0045	HAN JIN HO	1,499
	KS-88-0044	HAN KIL HO	1,498
	KS-88-0107	HAN IL HO	1,179
Cyang Fisheries Co., Ltd.	KS-88-0048	NO.70 C YANG	1,599
	KS-88-0006	C YANG HO	5,377
Taewoong Deep Sea Fisheries Co.,Ltd.	KS-88-0105	NO.602 TAE WCCNG	1,015
	KS-88-0143	TAE WCCNG HO	4,000
Hansung Enterprise Co.,Ltd.	KS-88-0051	DAE SUNG HO	4,055
	KS-88-0106	NO.1 HAN SUNG	1,575
	KS-88-0137	JCCN SUNG HO	2,182

TOTAL

31 VESSELS

1988
JOINT VENTURES OFF ALASKA

Alaska Pacific International Ltd.:

Anyo (Japan)
Dalmor (Poland)
 Paul Gilliland
 Phil Gunsolus
 4019 21st Ave. W., Suite 202
 Seattle, WA 98199
 (206) 284-3474

Alaska Surimi Products:

Korea Wonyang (S. Korea)
 Bill Atkinson, President
 P.O. Box C900927
 Seattle, WA 98109
 (206) 284-2903

Alaska Trawl Fisheries:

Daerim (S. Korea)
 Thorn Smith, President
 Building C-3, Room 201
 Fishermen's Terminal
 Seattle, WA 98119

Alaskan Joint Venture Seafoods:

Nambug (S. Korea)
Taewoong (S. Korea)
 Eric Maisonpierre, President
 130 Nickerson, Suite 209
 Seattle, WA 98109
 (206) 284-4800

Alyeska Ocean:

Hoko Fishing Company (Japan)
 Jeff Hendricks or Kevin Kirkpatrick
 816 Fourth Street
 Anacortes, WA 98221
 (206) 293-4677
 or
 Clinton Atkinson
 Hoko Fishing Co., Ltd.
 1111 - 3rd Ave., Suite 2845
 Seattle, WA 98101
 (206) 524-4242

American Offshore Ventures:

Samho Moolsan (S. Korea)
 Charles Jacobsen, President
 7320 N.E. Par Lane
 Vancouver, WA 98662
 (206) 254-9000

Arctic Venture Fisheries:

Gaeyang Hungsan (Korea)
 Terry Thomas
 321 - 16th Avenue South
 Seattle, WA 98144
 (206) 323-5550 or 1-800-654-8300

Cal-Alaska Fisheries:

Marine Enterprise Co. (S. Korea)
 Mr. Coe
 4215 - 21st Ave. West, Room 108
 Seattle, WA 98199
 (206) 281-8200

China Pacific Ventures:

China
 Chris Jones, President
 China Pacific Ventures
 1138 N.W. 53rd
 Seattle, WA 98107
 (206) 789-8092

Dona Joint Venture Fisheries:

Hansung (S. Korea)
Korea Wonyang (S. Korea)
 Walter Kuhr
 Kathy Shephard
 4215 - 21st Ave. West
 Suite 211
 Seattle, WA 98199
 (206) 285-1715

Golden Age Fisheries:

Kato (Japan)
Maruyozosen (Japan)
Watarai (Japan)
 Rick Krueger
 111 Queen Ann Ave. N.
 Suite 201
 Seattle, WA 98109
 (206) 285-2815

Kris Poulsen and Assoc.:

Iceland
 Kris Poulsen
 1143 N.W. 45th
 Seattle, WA 98107
 (206) 783-6708

(Revised 12/4/87)

Kodiak Western Trawler Group and
Alaska Co.:

Kanai Fisheries (Japan)
Dave Harville
P.O. Box 1578
Kodiak, AK 99615
(907) 486-6460

Marine Resources Co.:

USSR
Bert Larkins, General Manager
192 Nickerson, Suite 307
Seattle, WA 98109
(206) 285-6424

North Pacific International, Inc.:

China
Richard Lyon
John Daly
600 West 41st Avenue, Suite 203
Anchorage, AK 99503
(907) 561-2055

Northern Deep Sea Fisheries:

Nippon Suisan Kaisha (Japan)
Chris Hanson
927 N. Northlake Way, Suite 100
Seattle, WA 98103
(206) 545-7271

Peter Pan Seafoods Inc.:

Esahi (Japan)
Kaiyo (Japan)
Kanefuji (Japan)
Nichiro (Japan)
Ohura (Japan)
Shinnichi (Japan)
Don Rawlinson
1000 Denny Bldg, 6th & Blanchard
Seattle, WA 98121
(206) 728-6000

Trawl Resources:

Hokkaido (Japan)
3425 16th Ave. West
Seattle, WA 98119
(206) 282-3911

Profish International Inc.:

Anyo (Japan)
Dongbang (S. Korea)
Dongwon Industries (S. Korea)
Fukushin (Japan)
Gryf (Poland)
Kanari (Japan)
Korea Wongyang (S. Korea)
Marue (Japan)
Matsubun (Japan)
Namyang Frozen Foods (S. Korea)
Namyangsa (S. Korea)
Ohtori (Japan)
Sajo (S. Korea)
Silla Trading Co. (S. Korea)
Yoshida (Japan)

Mick Stevens
Kathy Boatright
657 N. 34th Street
Seattle, WA 98103
(206) 547-6800

Quest Alaska, Inc.:

Odra (Poland)
Nancy Davis
Quest Export Trading Co.
318 N. Front Street
Coos Bay, OR 97420-2325
(503) 267-5457

Westward Trawlers Inc.:

Hakodate (Japan)
Taiyo (Japan)
Hugh Reilly
715 N.E. Northlake Way
Seattle, WA 98105
(206) 547-6840

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Policy on Joint Ventures and Allocations*

General Policy. The North Pacific Fishery Management Council is responsible by law for assuring the conservation of fishery stocks off Alaska and fostering the development of the United States fishery for those stocks currently underutilized by this country, though they may be fully exploited by other nations. The Magnuson Fishery Conservation and Management Act allows the Council to equitably allocate harvest privileges, and the Council intends to use these allocations to increase American participation in underutilized fisheries consistent with the Act.

The Council believes it is in the greatest national interest for the resource to be harvested, processed, and marketed by U.S. industry. However, until the domestic industry can harvest, process, and market the available groundfish resource, the Council will allow joint ventures between Americans and foreigners that will increase U.S. participation in the utilization of these resources. Joint ventures generally are considered to be operations in which U.S. fishermen deliver raw fish to foreign processors at sea. Other forms of joint ventures are possible and will be appraised on their individual merits as they are formulated.

The Council will continue to give highest priority to target operations that are wholly American, and joint ventures will only be considered for groundfish species not harvested and processed totally by U.S. industry.

The Council intends that any country to whom a direct allocation is given must also be engaged in "over-the-side" joint ventures or the purchase of U.S. produced products. As fully-U.S. harvested and processed fisheries expand, TALFF and then JVP will be decreased toward the total elimination of foreign fishing and processing.

Joint Venture Permit Review Procedure. The Council will hold its review each December of all prospective joint ventures for the coming year. This will coincide with the Council making its final recommendations on apportioning available groundfish yields to Domestic Annual Processing (DAP: totally U.S. harvested and processed), Joint Venture Processing (JVP: U.S. harvested and foreign processed), and Total Allowable Level of Foreign Fishing (TALFF: foreign harvested).

The Council must receive all permit applications for joint ventures at least two weeks before the week of the Council meeting. Applications must be complete and have been published in the Federal Register by Friday preceding Council meeting week. Review of applications not meeting these deadlines will be postponed until the next scheduled meeting of the Council. If necessary, the Council may request the Permit Review Committee to consider applications between regular Council meetings.

*Adopted by Council in June 1986.
(Amended September 1987; new language in italics)

All interested persons are invited to submit written and oral comments to the Council and its Permit Review Committee on all matters relevant to proposed joint ventures, including the extent to which various foreign nations meet the criteria listed in Table 1.

Joint ventures are expected to estimate their groundfish harvest needs as accurately as possible and to specify their needs by Council management area (e.g. Bering Sea, Aleutians, Western Gulf, etc.). The Council will compare these requests in aggregate with NMFS projections of JVP derived from industry surveys and will closely monitor attainment of joint venture goals during the season.

The Council's recommendations on approvability of permit requests and on permit conditions and restrictions will be forwarded to NMFS. The Council requests that NMFS respond in writing concerning final disposition of the Council's recommendations, with reasons for disapproval should that occur.

Basis for Recommendations. Groundfish operations which are legitimately wholly domestic in the harvesting and processing of our fishery resources and do not involve foreign flag vessels, fall under the Council's definition of DAP and therefore will not need permits. They will be given first priority in groundfish apportionments. Second priority is granted to operations involving foreign processing vessels and U.S. harvesters and other sectors of the U.S. industry.

The Council will use the criteria in Table 1 to appraise a country's joint venture requests relative to other nations and make its recommendations to NMFS. Other factors not listed may be considered also. The Council intends to give preference to those nations whose operations clearly evidence maximum U.S. industry involvement in all phases of the operation and which give strongest support to the development of the domestic industry for underutilized species.

The Council remains very concerned about the catches of pollock and other species of fish in the international waters of the Bering Sea and the impact those catches will have on the overall stock abundance, particularly as it relates to the setting of harvest quotas in the U.S. Exclusive Economic Zone. Any nation receiving directed allocations or operating in joint ventures off Alaska will be expected to provide timely, accurate, and verifiable data on their past, present, and projected catches of pollock and other species from the international waters in question, and to cooperate whenever possible in international research programs on those stocks.

Company Bycatch Guidelines

All companies will fish from a common pool for joint venture target species whether or not demand exceeds supply. However, each company will have harvest guidelines for bycatch species as deemed necessary by the Council. The Council expects a company to voluntarily modify its operations to minimize further bycatch upon reaching its guideline limit. The Council will conduct a post-season audit of performance each December when developing recommendations for joint venture approval for the following year.

Internal Waters Joint Venture Review

The Council requests the opportunity to review all internal waters joint venture requests. Depending on the nature of the specific application, the Council may meet formally in whole or in Committee to comment further. The Council staff may provide technical comments. The Governor of Alaska is requested to appoint the Chairman of the Council's Permit Review Committee as a standing member of the State's Foreign Processing Advisory Committee.

Table 1. Criteria for the review of joint venture requests*

-
- Level of U.S. industry involvement in all phases of nation's joint operations (harvesting, processing, marketing, or others)
 - Enhancement of U.S. employment at sea and ashore
 - Transfer of capital through investment in U.S. industry.
 - Technology transfer.
 - Achievement of joint venture goals during previous seasons.
 - Proof of financial responsibility by foreign partner.
 - Compatibility of joint operation with other U.S. fisheries and incidental species (i.e. gear conflicts, ground preemption, bycatch of U.S. fully-utilized species, etc.).
 - Economic contribution of nation's joint ventures to U.S. harvesting, processing, and support industries.
 - Purchase of U.S. processed product, especially underutilized species.
 - Compliance with U.S. laws, international treaties, and regulations.
 - Existence of trade barriers to U.S. fish products and efforts to remove them.
 - Ratios of country's total joint venture request and purchase of U.S.-processed product to total direct fishing request.
 - Reporting of fishery and market information beyond that required by law.
 - Foreign participation in fisheries research off Alaska.
-

*No priorities implied.

AGENDA C-10(b)
DECEMBER 1987

Catches of prohibited species by joint-ventures, January 1-
November 7, 1987. Catches of crabs are in numbers; catches
of fishes are in metric tons

Nation	Area	Species	Catch	Quota	Remainder
US-JAPAN	BERING SEA	POP	42.9	56	13.1
US-JAPAN	BERING SEA	ROCKFISH WO P	50.3	27	-23.3
US-JAPAN	ALEUTIANS	POP	1.3	36	34.7
US-JAPAN	ALEUTIANS	ROCKFISH WO P	2.2	47	44.8
US-JAPAN	BERING SEA	SABLEFISH	22.5	162	139.5
US-JAPAN	Zone 1	RED KING CRAB	14018	29067	15049
US-JAPAN	Zone 1	BAIRDI CRAB	22894	17225	-5669
US-JAPAN	Zone 2	BAIRDI CRAB	13424	70191	56767
US-ROK	BERING SEA	POP	8.6	41	32.4
US-ROK	BERING SEA	ROCKFISH WO P	4.9	20	15.1
US-ROK	ALEUTIANS	POP	452.2	88	-364.2
US-ROK	ALEUTIANS	ROCKFISH WO P	112.2	116	3.8
US-ROK	BERING SEA	SABLEFISH	42.6	119	76.4
US-ROK	ALEUTIANS	SABLEFISH	54.1	45	-9.1
US-ROK	Zone 1	RED KING CRAB	23920	25711	1791
US-ROK	Zone 1	BAIRDI CRAB	49325	15236	-34089
US-ROK	Zone 2	BAIRDI CRAB	12833	62087	49254

FLOUNDER JOINT VENTURE INDUSTRY PROHIBITED SPECIES BY-CATCH
STEERING COMMITTEE

Since the September Council meeting this group has met approximately 6-times and has produced a consensus proposed regime for the management of prohibited species by catch in the flounder joint venture fishing operations for 1988. All of the known US industry JV operators have been regularly accorded the opportunity to participate in our deliberations and the turnout has generally been very good. You can see from the attached signature sheets those who have endorsed our results.

Consensus agreement means that the system outlined below is agreeable but not necessarily the most desirable from any one operation's perspective. The system we are presenting is a negotiated package all parts of which are interrelated and we ask that it not be tinkered with. It is a somewhat sophisticated system but certainly not perfect. The system incorporates consideration of a number of scenarios and ramifications and therefore is perhaps not as "simple" as some would prefer. Nevertheless we believe that it is a system which is manageable and should be implemented.

The premises for the system are as follows:

- o Flounder JV fishery opens January 1, 1988 for all zones.
- o "Olympic System" rules apply regarding retainable catch.
- o Amendment 10 prohibited species caps by zone apply.
- o Monitoring and enforcement action will be directed toward each individual foreign company operation which includes all processing ships together for that company. In cases where several very small foreign companies join together to conduct the fishery as one processing fleet with shared catcher boats then NMFS may manage the group as "one operation" as well.
- o Industry Steering Committee, in conjunction with NMFS, will monitor all company's operations for by-catch performance but all enforcement actions will emanate from NMFS.
- o The committee requests of the council that any operation which fails to endorse/participate in the Industry Steering Committee's monitoring of the fishery be denied permits for flounder JV operations during 1988. An operation's signature to the steering committee's charter by December 31, 1987 constitutes endorsement.

- 2 -

The details of our recommended system are as follows:

- o All participating JV operations' performance will be evaluated at "checkpoints" of 20%, 40%, 60% and 80% of each prohibited species cap in each zone.
- o Each operation must attain a cumulative groundfish harvest/receipt of at least 200 mt before it is evaluated for compliance.
- o Any catcher boat tow in which an NMFS observer can verify the occurrence of a derelict crab pot will be exempt from sampling to determine by catch composition. By-catch data from other sampled tows will be extrapolated to the exempt tows to insure that all tows contribute to the counting of prohibited species against the fixed species caps.
- o At each checkpoint each operation will be judged against a fixed by-catch rate of prohibited animals per mt of groundfish received and additionally judged against an entire industry weighted average by-catch rate. The industry average is calculated on a cumulative basis throughout the duration of the fishery in each zone separately.
- o The guideline fixed rate for:
 - Zone 1 bairdi will be 1.2 crab/mt
 - Zone 2 bairdi will be 2.2 crab/mt
 - Zone 1 King crab will be 2.0 crab/mt
- o At any checkpoint period any operation whose performance exceeds both the fixed rate and exceeds 150% of the cumulative industry average for any species must terminate flounder JV operations in that zone for the rest of 1988. If terminated an operation may shift to another open zone unless said operation has already been terminated there as well.
- o Special consideration will be afforded once to each operation when it is first "judged" at its first checkpoint. (Should an operation not enter a zone until 1-2 checkpoints have already passed, it will be "first judged" at the next established checkpoint.) In this circumstance an operation is permanently excluded from the zone if its performance exceeds the fixed rate and 200% of the industry average. If an operation's performance falls between 151%-200% of industry average and also exceeds the fixed rate then that operation must leave the zone but may reenter 10 GMT days later and will be further judged at the next established checkpoint.

- 3 -

This "special consideration" allows an operation a certain grace period to get its gear tuned and locate operationally attractive fishing grounds without unfair penalties.

- o When the 80% checkpoint is reached any operation which has not passed muster at one or more previous checkpoints may not enter the zone.

These points comprise our proposed system.

AGENDA C-10(d)
DECEMBER 1987**GROUND FISH PLAN AMENDMENT PROPOSAL**
North Pacific Fishery Management Council

Name of Proposer: Paul Fuhs, Mayor Unalaska/Dutch Harbor

Address: P.O. Box 89
Unalaska, Alaska 99685

Telephone: (907) 581-1251

Date: October 1, 1987 (amended 12/1/87)

Fishery Management Plan: Fishery Management Plan for the
Groundfish Fishery in the Bering Sea and Aleutian Islands (FMP)

Brief Statement of Proposal: This proposal would establish a linkage between the issuance of permits to foreign fish processing vessels and their use of U.S. transport and bulk fuel carriers. Permits to foreign processing vessels would be issued only upon the condition of existing contracts for the purchase of specific volumes of the services of U.S. cargo and bulk fuel carriers for their at-sea operations. The volume required by the contract would equal U.S. capacity to provide those services. For example, if it were determined that U.S. support service firms could supply 25 percent of the total volume requirements generated by the fishery for cargo shipping and bulk fuel, then foreign processing permits would require that 25 percent of the processed fish and fuel consumed be transported and served by U.S. firms.

A conditional permit could be applied in one of two ways: to an entire country or to individual processing companies. Each country could elect either method. If a country elects to meet the permit conditions as a single entity, the allocation of U.S. support service capacity to individual processing companies would be decided by that country. Compliance would be monitored on a company by company basis. In either case, failure to meet the permit conditions would preclude the issuance of a permit for the following year.

Objectives of Proposal: To increase the economic return to U.S. citizens from the EEZ fishery resource by allowing for fuller participation by U.S. support firms. U.S. support firms cannot now fairly compete because of state-owned foreign fishing enterprises and large vertically integrated foreign fishing firms that exclude the purchase of services that could otherwise be provided by U.S. firms. This proposal will also provide an additional management tool to confirm the quantity of fish being shipped through improved documentation of cargo.

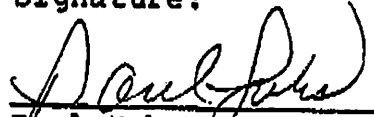
Need and Justification for Council Action: U.S. support service firms are largely excluded from participating in the industry. The total economic return accruing to U.S. citizens from the resource amounts to only a small fractional amount of the resource's total value. More than 500 foreign vessels spent in excess of 34,000 vessel days in the EEZ in 1986 by purchased only small amounts of U.S. support services. Almost all value added activities involving processing, transportation, cold storage, fuel bunkering, provisioning and ship repair continue to be provided by foreign firms. Council action will provide a wedge to open the industry to greater involvement by U.S. cargo and bulk fuel firms.

Foreseeable Impacts of Proposal: The U.S. support service industry would gain a considerable volume of new business. Alaska communities gain through increased employment, improved infrastructure and additional tax revenues. U.S. citizens will earn an improved return on the EEZ fishery resource. The U.S. enforcement agencies gain through improved data collection capabilities and other enforcement measures that will allow confirmation of quantities of fish cargoes shipped.

Are There Alternative Solutions: None. Under the current system, U.S. firms will continue to be largely excluded from participation. Foreign firms will continue to use their in-place support service capacity arising from vertical integration or state-owned enterprises.

Supportive Data: Additional data is being gathered and analyzed. Refer to the text of the Dutch Harbor Groundfish proposal for transshipment data and product volume.

Signature:



Paul Fuhs, Mayor Unalaska

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

APPLICATION FOR VESSEL PERMITS TO FISH WITHIN
 THE EXCLUSIVE ECONOMIC ZONE
 FOR DIRECTED FISHING AND TO RECEIVE U.S. HARVESTED FISH (JV)
 FROM VESSELS OF THE UNITED STATES

Under the provisions of the Magnuson Fishery Conservation and Management Act, the Government of Iceland submits this permit application for vessels operating under its flag to fish within the exclusive economic zone of the United States, or beyond that zone for anadromous species during the year 1988.

Fishing Vessel Identification Forms and supplemental sheets describing any joint venture operation are attached to this application. The fisheries, species, and catch contemplated in this application for vessels of the Icelandic flag are as follows:

Fishery	Species	Total Tonnage Requested For Each Species (MT)	
		Directed	Joint Venture
Bering Sea/Aleutian Islands	Pacific Cod	0	30,000
Gulf of Alaska	Pacific Cod	0	10,000

Submitted: 23 November 1987
 Date

Hordur Bjarnason
 Signature

Hordur Bjarnason
 Charge d'Affaires
 ad interim of Iceland
 Official's Title

Embassy of Iceland



Detailed descriptions of the vessels and the methods of operation with U.S. vessels proposed for each fishery are attached as a supplement to this application.
 Yes X No _____

SUPPLEMENT TO APPLICATION
FOR VESSEL PERMIT FOR RECEIPT
OF U.S. HARVESTED FISH
FROM U.S. VESSELS IN THE
EXCLUSIVE ECONOMIC ZONE
("Joint Venture")

Supplemental Questions

1. Foreign Vessel: Olaf i Gardastovu, Factory/Mothership,
1 vessel to be used.
2. U.S. Vessels: Single-line pot vessels
Names: (10 vessels to be used)
 - a. Aleutian No. 1
 - b. Alaskan Monarch
 - c. Andronica
 - d. Aleutian Mariner
 - e. Pacific Mariner
 - f. Arctic Sea
 - g. Bering Sea
 - h. North Sea
 - i. Confidence
 - j. Discovery
3. Coordinator: Theodore G. Kronmiller, Esq.
Patton, Boggs & Blow
2550 M Street, N.W.
Washington, D.C. 20037
(202) 457-6064
Telex: ITT 440324
TRT 197780
4. American Partner: Kris Poulsen & Associates
1143 N.W. 45th
Seattle, Washington 48107
(206) 783-6708
Telex: None
5. Geographic Areas:

From 50 C.F.R., Ch. VI, Subpt. A. App. C --
Bering Sea: Areas 50, 51, 52
Gulf of Alaska: Area 61 (Shumagin)
6. Vessel Operation: June through December

7. Processed products to be produced (all from Pacific cod), and their ultimate destinations:

- a. Frozen roe: E.E.C.
- b. Barreled livers: E.E.C.
- c. Barreled cod liver oil: E.E.C.
- d. Fish meal: E.E.C.
- e. Split and frozen heads: E.E.C.
- f. Frozen fillets: 80% U.S., 20% E.E.C.

Quantities of items a through e cannot be reasonably estimated, however, waste will be kept to a minimum. Quantities of fillets are about 30% of roundfish by weight.

8. Incidental/Prohibited Catch:

The harvesters use the pot catching method. The pot, which is a single line pot, has a minimum size opening to drastically reduce halibut bycatch. Small fish, including immature cod, will escape through the mesh in the pot. Any incidental or prohibited catch will be immediately sorted when pots reach the decks of the the harvesting vessels, and will promptly be released over-the-side.

9. Method of Transfer:

Fish will be transferred in brailers from the harvesters to the mothership. The brailers will either be sent over on a line and then up the stern ramp, or picked up off the harvesters' decks by a crane on the mothership. Transfer will take place every 12 - 18 hours, so as to preserve freshness.

10. Relationship to Other Fishing Operations:

The mothership will be used exclusively to receive Pacific cod from the ten (10) identified U.S. vessels. (However, the harvesting vessels will provide opilio and Bairdi to domestic processors from directed fisheries.) There will be no processing of Pacific cod in U.S. internal marine waters. Other considerations include the intention of the parties to establish as soon as feasible an integrated DAP project. To that end, substantial employment will be provided to American citizens aboard the Icelandic mothership for the purpose of transferring knowhow regarding fish processing techniques. Joint venture partners also intend to explore production of fresh fillets, which would be flown from western Alaska to European and/or U.S. destinations. This would provide employment for local residents in Alaska.

11. We are not prepared to provide this information at this time.

FISHING VESSEL IDENTIFICATION FORM (VIF)

OMB NO. 06-48-0089 (EXPIRES 3-31-88)

NO: IC-88-0007

(1) VESSEL NAME: Olaf I Gardastovu

(2) CAL SIGN: TFWR

(3) BUILT NO: VN169

(4) VESSEL TYPE: Factory/Motherhip
(5) LENGTH: 107 m.

(6) GROSS TONS: 3,800 (7) NET TONS: 2,054 (8) MAX SPEED: 18 naut. m.p.h.

(9) OWNERS NAME: Agga I. Gardastovu

ADDRESS: Torshavn, Faroe Islands -- Ph. (298) 24221

(10) PROCESSING EQUIPMENT: Horiz. plate freezer, vert. plate freezer,

freezing tunnel, 4 filleters, 3 heading-gutting machines, 4
skinning machines, 1 deponing machine, 7 head splitters, fish meal
plant
(11) HOLD CAPACITY (IN CUBIC METERS - BALE CAPACITY ONLY):

HOLD #1: 2,000 HOLD #2: 170 HOLD #3: 90 HOLD #4: _____

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

IF NONE, CHECK X

(12) LIST LAST APPLICATION NUMBER N/A ARE FISHING ACTIVITIES REQUESTED IN SUPPORT OF VESSELS OF THE U.S.? YES X NO _____

(IF YES, ATTACH JOINT VENTURE SUPPLEMENTAL RESPONSES)

(14) CHECK IF VESSEL IS CERTIFIED TO BE IN COMPLIANCE WITH THE FLAG NATION'S

HEALTH AND SAFETY STANDARDS X

(15) FISHERIES FOR WHICH PERMIT IS REQUESTED:

FISHERY	REQUESTED SPECIES	GEAR	CATCH	PROCESS	OTHER
BSA	Pacific Cod	N/A	N/A	X	N/A
GOA	Pacific Cod	N/A	N/A	X	N/A

A C T I V I T Y



GOLDEN AGE FISHERIES

November 20, 1987

Mr. Clarence Pautzke
Deputy Director
NPFMC
411 West 4th Avenue
Anchorage, AK 99510

Dear Clarence,

Thank you very much for your time recently in discussing 1988 joint venture operations and Council requirements.

During 1988, Golden Age Fisheries will be the U.S. partner for a group of Japanese medium trawlers, led by Watarai Shoten Co., Ltd., of Shiogama, Japan. Other participants in the venture will be Kato Gyogyo Kabushiki Kaisha and Maruyozosen Tekko Co., Ltd., also of Shiogama, Japan.

During 1988, dependent, of course, upon JVP allocations, and operational restrictions, we intend to operate from January 15 through October 31, 1988, fishing on multiple species including pollock, yellowfin sole, flatfish, and atka mackerel.

We will operate our joint venture with 2 to 4 medium trawlers ranging in length from 50 to 61 meters, and 2 to 4 U.S. catcher vessels, depending upon season, quota availability, and processing capacity. The 2 to 4 processing vessels will be chosen from a pool of 8 permitted vessels.

Exhibit A details the Japanese companies that will be involved in our 1988 venture and their processing vessels. Not all of these processing vessels will be on the grounds simultaneously. Catcher vessels to be involved in the venture will be chosen upon final completion of the 1988 fishing plan.

Exhibit B is a schematic diagram of our proposed 1988 operation, which should help clarify our intentions in a more readable fashion.

Exhibit C details our expected species composition and tonnage requirements for next year.

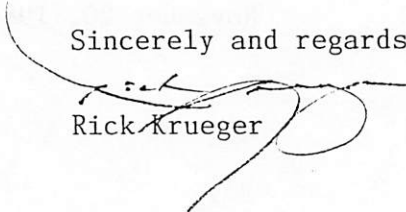
We have been closely following the industry and governmental bycatch discussions occurring over the last several months, and will put together a comprehensive program to effectively minimize bycatch in our flatfish

fisheries. This system will be consistent with the standards agreed to by the industry as a whole.

Please do not hesitate to call us should you need clarification or elaboration of any aspects of our joint venture plan for next year.

Thank you, Clarence.

Sincerely and regards,



Rick Krueger

EXHIBIT A
Listing of Japanese Participants
Golden Age Fisheries

Japanese Companies

Watarai Shoten Co., Ltd.
Shiogama, Japan

Kato Gyogyo Kabushiki Kaishi
Shiogama, Japan

Maruyozosen Tekko, Co. Ltd.
Shiogama, Japan

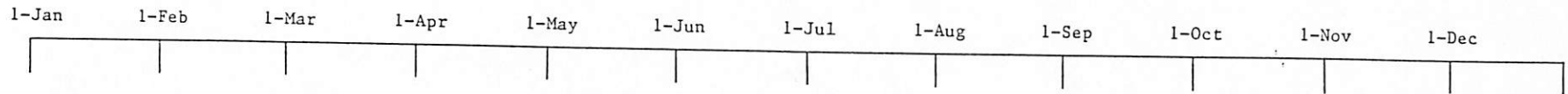
Processing Vessels
Applications Submitted

Watarai Shoten
Koshin # 3
Koshin # 18
Koshin # 21

Kato Gyogyo
Fukuyoshi # 38
Fukuyoshi # 58

Maruyozosen Daikichi Maru # 1
Daikichi Maru # 5
Daikichi Maru # 51

EXHIBIT B
 JOINT VENTURE FISHING SCHEDULE OPTIONS FOR 1988 SEASON
 GOLDEN AGE FISHERIES



A. 1/15-----2/20-----4/20-----6/30-----Shipyard-----8/1-----10/31
 # Processing Pollock Yellowfin OFlat or Mackerel OFlat
 Vessels 2 4 3 0 3

B. 1/15---1/31---2/29---4/20---6/30---Shipyard---8/1---10/31
 # Processing OFlat Pollock Yellowfin OFlat or Mackerel OFlat
 Vessels 2 2 4 3 0 3

C. 1/15-----2/20-----5/31-----6/30-----Shipyard-----8/1-----10/31
 # Processing Pollock Yellowfin OFlat or Mackerel OFlat
 Vessels 2 4 3 0 3

D. 1/15---1/31---2/29---5/31---6/30---Shipyard---8/1---10/31
 # Processing OFlat Pollock Yellowfin OFlat or Mackerel OFlat
 Vessels 2 2 4 3 0 3

EXHIBIT C

Golden Age Fisheries---Watarai/Kato/Maruyozosen (Medium Trawlers)

Estimated Tonnage Requirements and Species Composition by Area

Species	MT/ship	# processors	Total MT	Operating Days	Area	Dates
Pollock	3,000	2	6,000	20	BS/GOA	1/15-2/29
Yellowfin	4,000	4	16,000	100	BS	2/20-5/31
Atka Mackerel	1,500	3	4,500	30	BS/GOA	4/20-6/30
OFLAT, 1	1,000	3	3,000	30	BS/GOA	4/20-6/30
OFLAT, 2	1,000	3	9,000	90	BS/GOA	8/1-10/31

During the period of 7/1 through 7/31, processors expect to be in the shipyard; no operations are sched

It appears that only one of the fisheries, OFLAT 1 or Atka Mackerel
will occur; both fisheries will most likely not be undertaken simulataneously

DAERIM

Alaska Trawl Fisheries, Inc.
 Building C-3, Room 201
 Fishermen's Terminal
 Seattle, Washington 98119

December-1, 1987

Mr. James O. Campbell, Chairman
 North Pacific Fishery Management Council
 P.O. Box 103136
 Anchorage, Alaska 99510

Dear Jim:

I would like to inform you and members of the Council the 1988 operating plan for Daerim Fishery Co., Ltd of Busan, Korea. Alaska Trawl Fisheries, Inc., a Washington corporation, is affiliated with Daerim Fishery Co., Ltd. and will be their American partner responsible for managing the joint venture fishing operations in 1988.

Daerim Fishery Co., Ltd. operates two stern trawlers within the Exclusive Economic Zone. The Dae Jin No. 52 is a recently converted surimi processor and the Dae Jin No. 21 is a smaller freezer trawler. Daerim's application to the Korean and U.S. government is included in your notebook but as an added convenience I have listed the request by species and tonnage below:

<u>SPECIES</u>	<u>METRIC TONAGE (MT)</u>
pollock	44,324
pacific cod	1,334
yellowfin sole	7,116
other flatfish	1,334
atka mackerel	2,046
others	623

Total	56,777

Fishing will take place in the Bering Sea/Aleutian Islands area. Three American catcher boats will deliver to the two processors. Operations will begin on January 15, 1988 in the Bogoslof Island area. Upon completion of 40% of the pollock JVP, the fleet will move to Bristol Bay for yellowfin sole. On April 15, when the remaining 60% of pollock JVP is released, the Dae Jin No. 52 will return to pollock fishing while the Dae Jin No. 21 will remain on yellowfin sole.

page two
Mr. James O. Campbell

As a member of the Industry Steering Committee for Bycatch in the yellowfin sole fishery, we agree to abide by the guidelines and regulations set forth by the Council, NMFS and the industry.

If there are any questions, we would be happy to address them at the meeting of the Permit Review Committee on Sunday, December 6, 1987.

Sincerely yours,

Thorn Smith
Thorn Smith
President
Alaska Trawl Fisheries Inc.

cc: Rear Admiral Edward Nelson Jr.
Chairman, Permit Review Committee

ALASKA SURIMI PRODUCTS, INC.

Korea
Wonyang

December 3, 1987

NORTH PACIFIC FISHERY
MANAGEMENT COUNCIL
P.O. Box 103136
Anchorage, AK 99510

RE: 1988 JV Operations

Dear Sirs:

Alaska Surimi Products, Inc. (ASPI) has an agreement to arrange deliveries of pollock and other mid-water and bottomfish to the M/V GAE CHEOG HO (also referred to as the Ocean Pioneer in English). The GAE CHEOG HO is owned and operated by Korea Wonyang Fisheries Company, Ltd., of Seoul, Korea.

ASPI has arranged for up to seven (7) U.S. catcher boats to deliver 66,709 M/Tons of fish to the GAE CHEOG HO during the 1988 fishery in the Bering Sea, Aleutians and the Gulf of Alaska. The application filed with NOAA has been attached. A summary of the proposed JV operation for 1988 is:

Foreign Processor: M/V GAE CHEOG HO
No. of U.S. Catchers: Seven (7)

<u>SPECIES</u>	<u>BERING/ALEUTIANS</u>	<u>GULF OF ALASKA</u>	<u>TOTAL</u>
Pollock	48,919	2,966	51,885
Cod	2,594	223	2,817
Yellowfish Sole	6,671	--	6,671
Other Flatfish	1,483	148	1,631
Atka Mackerel	2,594	--	2,594
Others	742	369	1,111
TOTAL	<u>63,003</u>	<u>3,706</u>	<u>66,709</u>

Alaska Surimi Products, Inc. will conduct the joint buying operations in accordance with all regulations governing by-catches, quotas and seasons.

This proposal for joint operations between Alaska Surimi Products, Inc. and the M/V GAE CHEOG HO is hereby presented to the North Pacific Fishery Management Council for inclusion in the overall JVP program for 1988.

Sincerely,

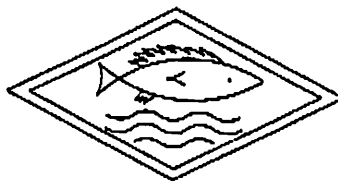
William C. Atkinson

William C. Atkinson
General Manager

WCA/ss
attachments

DONA Joint Venture Fisheries Co.

DONA JV F
Korea Wonyang



4215 Twenty-First Avenue West Suite 211
Seattle, WA 98199 (206) 285-1715
FAX #(206) 285-3549 Telex 6503156359DJVF

December 2, 1987

North Pacific Fishery
Management Council
ATTENTION: CLARENCE PAUTZKE
411 West Fourth Avenue
Anchorage, AK 99510

RE: Application to Operate Joint Venture for 1988

Dear Mr. Pautzke and Council Members,

I am writing to inform you of Dona Joint Venture Fisheries Co.'s intent to conduct joint venture operations in 1988 as follows:

Area - Bering Sea, and other waters of Alaska where allowed by allocation.

Target Species - Groundfish (Pollock, Sole, Atka Mackerel).

Foreign Partners - Hansung Ent. Co. Inc. and Korea Wonyang Fisheries (see attached copies of Vessel Permit Applications).

Tonnage Requested - 69,501 MT (see attached breakdown on Vessel Permit Applications).

Catcher Boats - Currently we have 4 U.S. catcher boats under contract and will possibly have 1 (one) more later.

By-Catch - We will adhere to guidelines set forth by the Sole JV By-Catch Steering Committee.

I hope this will answer all questions you may have but please feel free to call me if you need any further information.

Sincerely,

Kathy Shepard

Kathy Shepard
Vice-President, Dona Joint
Venture Fisheries Co.

/sdk

Attachments

RECEIVED
DEC - 2 1987

TAE WOONG

Alaskan Joint Venture Seafoods
130 Nickerson
Suite 209
Seattle, WA 98109
206-284-4800

Dr. Clarence Pautzke
Deputy Director
North Pacific Fishery Management Council
411 West 4th Ave
Anchorage, AK 99501

November 30, 1987

Dear Clarence,

I sincerely apologize for the tardiness of the following numbers. They are as up-to-date as can be expected under the circumstances and I don't expect any radical changes to be made. However, there are some contracts pending. If there are any further changes you will be the first to know.

AJVS expects as of this date to be working with Tae Woong Deep Sea Fisheries and Nambug Fisheries. The 1988 season for these two companies can be broken down as follows:

Tae Woong:

Pollock:	20,700 MT	2 vessels:	602 Tae Woong
YFS, Sole	5,200		Tae Woong Ho
Atka Mack	4,100		
Pacific Cod	1,700		
total	31,700		

Nambug Fisheries:

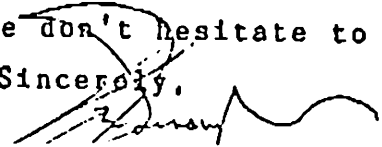
Pollock:	12,500	1 vessel:	Nambug Ho
YFS, Sole	3,000		
Atka Mack	1,000		
Pacific Cod	1,500		
total	18,000		

Total 1988 JV outlook: 49,700

All tonnage is expected to be taken in BS/AI.

If there are any other questions I can answer please don't hesitate to call me. Thanks for your time and patience.

Sincerely,



ALASKA SURIMI PRODUCTS, INC.

December 1, 1987

Mr. Clarence Pautzke
Deputy Director
NORTH PACIFIC FISHERY
MANAGEMENT COUNCIL
P.O. Box 103136
Ancourage, AK 99510

Dear Mr. Pautzke:

Joint buying operations by the M/V GAE CHEOG HO (also referred to as the OCEAN PIONEER) continued through November 1, 1987. The following is a breakdown of tonnage arranged by Alaska Surimi Products, Inc. for the GAE CHEOG HO.

<u>SPECIES</u>	<u>M/TONS</u>
Pollock	28,479.6
Cod	1,129.0
Sole	2,114.3
P.O.P.	76.6
Skate	32.8
Sablefish	6.1
Atka Mackerel	2,916.8
Others	12.8
Meal-Grade Pollock	<u>407.7</u>
TOTAL	35,175.7

Please let me know if you have any further questions.

Sincerely yours,

William C. Atkinson

William C. Atkinson
General Manager

WCA/ss

Import Licence Application Form
수입승인신청서

처리기간
3일

(1) 신청자 (법인·단체) (*1정년*)
강원도 육포시 급호동 600의3 710132
주식회사 동방원양개발공사
대표이사 조 용 현

(1) 무역회사
COPENHAGEN HANDELSBANK A/S
GRAND CAYMAN BRANCH
HOLMENS KANAL 2, DK-1091
COPENHAGEN K, DENMARK

(2) 위탁자 (법인·단체) (*1정년*)
강원도 육포시 급호동 600의3 227-81-00939
주식회사 동방원양개발공사
대표이사 조 용 현

(1) 결제조건
대금결제방법 : 선금장 (X), 추기어음 () , 송금환 ()
기 타 ()

(3) 원산지 ITALY
(4) 선적항 VESTMANNA, FAROESE/DENMARK

금 액 [REDACTED]
결제기간 AT SIGHT

(5) CCCN 번호 (6) 품 명 및 규 격 (7) 가석조건 EX-VESSEL

"EX-VESSEL AT ROTTERDAM/THE NETHERLANDS
OR VESTMANNA/FAROESE/DENMARK"

0504
8901-0503

STERN TRAWLER

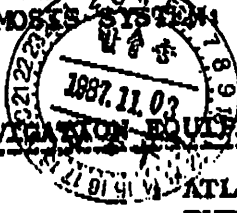
ONE(1) VESSEL [REDACTED]

A. VESSEL'S PARTICULARS

- 1) NAME OF VESSEL : M/V OLAF I GARDASTOVU
- 2) GROSS TONNAGE : 2,925.97 TONS
- 3) NET TONNAGE : 1,285.91 TONS
- 4) L X B X D : 107.40 X 16.00 X 9.50 METERS
- 5) MATERIAL OF HULL : STEEL
- 6) NAME OF BUILDER : SOCIETA ESERCIZIO CANTIERI, SPA, ITALY
- 7) LAUNCHING DATE : 1976.
- 8) PLACE OF REGISTRATION:
- 9) MAIN ENGINE : 2 X MAIN ENGINE MAK 6M551AK
EACH 3,000BHP
- 10) AUX. ENGINE : AUX. ENGINE MAK 8M331AK 1,350HP
- 11) GENERATOR : 2 X AXLE GENERATOR AIFO PELLIZZARI
- 12) FRESHWATER GENERATOR ATLAS CAPACITY 20 TONS/20 HOURS
- 13) REVERSE OSMOSIS SYSTEM: 2 X CAPACITY 90 TONS/24 HOURS

B. RADIO AND NAVIGATION EQUIPMENT

- 1) RADAR : ATLAS TYPE 7,600AC/TM 16" RASTERSCAN
FURUNO TYPE FR-810-D
FURUNO SLAVE DISPLAY TYPE CD140
FURUNO DATA RECORDER TYPE MT-100
FURUNO GYRO INTERFACE AD-105
- 2) ECHOSOUNDER : SIMRAD ET-100 (27KC)
SIMRAD ET-102 (50KC)
SIMRAD CF-100
SIMRAD ES-380 (38KC)
- 3) RORAN C. : 2 X FURUNO TYPE LC-90
1 VIDEO PLOTTER FURUNO GD2000
- 4) FAXIMILE : FURUNO FAX-108
- 5) GYRO COMPASS : AUTO PILOT-1, PLATH NAVIGATOR V III
- 6) RADIO DIRECTION FINDER : SKIPPER TD-318
- 7) VHF DIRECTION FINDER : FURUNO FD-525
FURUNO FSN 70



Save as above



COPENHAGEN HANDELSBANK A/S

(Aktieselskabet Kjobenhavns Handelsbank)

2, Holmens Kanal
DK-1091, Copenhagen K.
Denmark

Telephone: (+45) 112 86 00
Telegrams: COCOBANK
Telex No. 12186

SWIFT-Code: COCODKKK
Comp. Reg. No. 2367
Copenhagen

Director Kim, Jong IK
Dong Bang Ocean Fisheries Co. Ltd.,
Anchorage Hilton Hotel, U.S.A.
Room No. 669

Your reference:

Our reference:

Date:

Merchant Bank/
BP/Is

10th December, 1987

Re: Olaf I Gardastoun

Dear Mr. Kim,

Thank you for your telefax dated December 9th, 1987.

We hereby confirm that the Memorandum of Agreement dated August 24th, 1987 is still valid and that our bank of course is prepared to fulfill its obligations set forth in the Memorandum of Agreement.

Our bank has not entered into negotiations with other possible purchasers than you.

The estate of the present owner of the vessel is under liquidation on the Faeroe Islands. As far as we are informed the estate has not sold the vessel which accordingly must still be registered under Faeroe Islands flag.

Our bank has a mortgage in the vessel registered at the Registry on the Faeroe Islands. A transfer to Iceland flag therefore would need our consent or a full pay out our loan, which has not happened.

Yours faithfully,

COPENHAGEN HANDELSBANK A/S

OLAF I GARDASTOVU

DEC 8 1987

FROM ----- 20 Nov. '87 11:53 RECEIVED !!
 FROM DONGBANG 02 392-7693 10.26.'87 10:01 PAGE 1

FACSIMILE COMMUNICATION

FAX NO DB 87/1300	DATE: 1987 . 11 . 20 .
TO: <u>MARETEC AG</u> cc: MR. BJORN POULSEN- COPENHAGEN HANDELSBANK MR. ALBINO MORAN ATTN: <u>MR. ALBERT MORTENSEN</u>	FM: DONG BANG OCEAN FISHERIES CO., LTD. FAX NO. SEOUL: (02) 392-7693 BUSAN: (051) 462-3455 NAME:

RE: M/V OLAF I GARDASTOVU

A). In reply to your kind message of AM/rh CH6340 BAAK/ZUG dated 18.11. 87, please kindly be advised that we had already obtained the governmental import permits from the authorities concerned for the vessel with all spare parts & equipments including all fishing gears, nets and all factory & processing equipments as indicated in the clause 7 of the M.O.A. as per the attached sheet.

✓
We, Dong Bang Ocean Fisheries Co., Ltd., as a firm buyer for the vessel, believe that the surimi factory shall be the essential and prerequisite parts for the captioned vessel. As you could recall from the beginning of this contract, the surimi factory was listed in the specifications and confirmed by the Sellers and the Buyers as one major existing part of factory and

REMOVAL
 of

OLAF I GARDASTOVU

DEC 8 1987

FROM ----- 20 Nov. '87 11:53 RECEIVED !!
FROM DONGBANG 82 392-7693 10.26.'87 10:01 PAGE 1

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REMOVAL
of
SURIMI
FACTORY

✓ We, Dong Bang Ocean Fisheries Co., Ltd., as a firm buyer for the vessel, believe that the surimi factory shall be the essential and prerequisite parts for the captioned vessel. As you could recall from the beginning of this contract, the surimi factory was listed in the specifications and confirmed by the Sellers and the Buyers as one major existing part of factory and processing equipments, and the reason why we intended to procure the vessel at the agreed amount was that the vessel was already being installed with the surimi factory itself on board at the time of M.O.A.

Under the circumstances, your information concerning demounting of the surimi factory from the vessel seems to be really "All of the sudden out of a clear blue sky" to ourselves indeed and you are kindly requested to make the HANDELSBANK deliver the vessel to DONG BANG as the Buyers with everything including the surimi factory, belonging to the vessel on board and on shore as clearly mentioned in M.O.A.

Greatly appreciated to your favourable efforts so far and expecting your more active cooperation to this matter.

AGREEMENT
IN FORCE
?

B). Please kindly let the Handelsbank confirm us that the M.O.A is still in force by telex or telefax.

C). Additionally, kindly requested to send us the related photos of the vessel by D.H.L. courier and also inform us the latest status of the captioned vessel to sail for Rotterdam/The Netherlands.

Best Regards
Dong Bang Ocean Fisheries Co., Ltd.
H. M. Yoon Director General

Attach. : A copy of Import Licence for the Vessel.

02 392 7693

FROM DONGBANG 02 392-7693

10.26.'87 16142 PAGE 1

FACSIMILE COMMUNICATION

REF NO : DB 87/1274	DATE: 1987 . 11 . 13 .
TO: SHIPPING COMPANY ALBERT MORTENSEN APS	FM: DONG BANG OCEAN FISHERIES CO., LTD. FAX NO. SEOUL: (02) 392-7693 BUSAN: (051)462-3455
ATTN: MR. ALBERT MORTENSEN CO: MR. ALBINO MORAN	NAME:

RE: OLAF I GARDASTOVU

WE'VE RECD YR KIND FAX MEO DTD 12.11.87 WITH MKS. REALY SO PLEASED TO HEAR YR DELIGHTFUL INFORMATION ON VESSEL'S AUCTION IN ROTTERDAM AS SCHEDULED.

AS INDICATED, WE HEREBY CONFIRM THAT WE, DONG BANG OCEAN FISHERIES CO., LTD., ARE STILL A FIRM BUYER OF THE VESSEL AND THAT THE M.O.A. IS STILL IN FORCE BETWEEN HANDELSBANK AND OURSELVES UNTIL DUE COMPLETION OF DELIVERY AND ACCEPTANCE OF THE CAPTIONED VESSEL AS PER THE M.O.A.

UPON THE AUCTION TAKING PLACE IN ROTTERDAM, OUR LETTER OF CREDIT IS TO BE OPENED IN DUE COURSE. AS YOU MAY UNDERSTAND, WE HAD ALREADY OBTAINED THE GOVERNMENTAL IMPORT PERMIT FOR THE VESSEL FROM THE AUTHORITIES CONCERNED AT THE AGREED PRICE IN M.O.A.

UNDER THE CIRCUMSTANCE, IT IS CONSIDERED TO BE QUITE IMPOSSIBLE FOR US TO REVISE/INCREASE THE PURCHASE PRICE OF THE VESSEL BY ANY CONCERNED AMOUNT. WE FULLY UNDERSTAND THAT U.S. DOLLARS HAD BEEN REMARKABLY DEVALUED FOR THE LAST SEVERAL MONTHS, BUT THIS CURVE RECENTLY IS CHANGING WITH UPGOING TRENDS AGAIN.

PLS KINDLY INFORM US OF PRESENT-STATUS AND ITS PROCEEDINGS OF THE VESSEL AFTERWARDS, ADTNLY, KINDLY REQUESTED TO SEND US THE PHOTOS OF THE VESSEL BY D.M.L. AGAIN

DEEPLY APPRECIATED FOR YR CONTINUOUS ASSISTANCE.

BEST REGARDS

DONG BANG OCEAN FISHERIES CO., LTD.
H. M. YOON/DIRECTOR GENERAL

for *Kimjigik*

SALE
PRICE
NOT
SETTLED

02 392 7693

FROM DONGBANG 02 392-7693

10.26.'87 15:32 PAGE 1

FACSIMILE COMMUNICATION

FAX NO : DB 87/ 1254	DATE: 1987 . 11 . 7 .
TO: COPENHAGEN HANDELSBANK ATTN : MR. ALLAN VIGH MS. HELEN TAYLOR MR. BJORN POULSEN CC : MR. ALBERT MORTENSEN MR. ALBINO MORAN	FM: DONG BANG OCEAN FISHERIES CO., LTD. FAX NO. SEOUL: (02) 392-7693 BUSAN: (051)462-3455 NAME:

RE: M/V OLAF I GARDASTOVU

RFRG TO YR KIND TLX MSG DTD NOV 3RD, 87, WE ARE DEEPLY APPRECIATED FOR YR CONSISTENT ASSISTANCE SO FAR FOR CAPTIONED MATTER. PLS ADVISE US YR FAVOURABLE COMMENTS FOR THE ENQUIRIES AS BELOW-MENTIONED:-

- 1/. HOW LONG THE LIQUIDATORS HOLD THE CAPTIONED VESSEL FOR THEIR ORDINARY SALE? ALSO PLS ADVISE US WHEN ITS EXPIRY DATE FOR ORDINARY SALE IS DUE TO THEM FOR AUTHORIZED INITIAL PERIOD.
- 2/. IS THERE ANY POSSIBILITY THAT THE LIQUIDATORS MAY REQUEST A PUBLIC AUCTION INSTEAD OF THEIR ORDINARY SALE?
- 3/. UNDER PRESENT CIRCUMSTANCE, WHAT IS YOUR LATEST AND FAVOURABLE ACTION WITH THE LIQUIDATORS NOMINATED BY THE FAROESE GOVERNMENT?
- 4/. WHAT KIND OF ACTION MIGHT BE RECOMMENDED TO DONG BANG TO PROCEED FOR THIS OUTSTANDING MATTER?
- 5/. WE TRUST THAT ONLY WAY FOR OURSELVES IS REQUESTING TO YR COPENHAGEN HANDELS BANK TO ACT CORRESPONDINGLY ACCORDING TO OUR MEMORANDUM OF SALES AGREEMENT DATED 24TH AUGUST 1987. CONSIDERING PRESENT UNDUE DELAY OF VESSEL'S DELIVERY TO OURSELVES, YOU ARE STRONGLY REQUESTED TO UNDERTAKE YOUR FULL ABILITY TO SOLVE THIS OUTSTANDING MATTER IN DUE COURSE.
- 6/. PLS ADVISE US WHEN YOU COULD SEND PHOTOS OF THE VESSEL AS REQUESTED BY DONG BANG.

BEST REGARDS
DONG BANG OCEAN FISHERIES CO., LTD.
MR. H. M. YOON/DIRECTOR GENERAL

for *H.M. Yoon*

SALE
CONTINGENT
ON
AUCTION
TAKING
PLACE

MEMORANDUM OF AGREEMENT

2ND ORIGINAL

Norwegian Shipbrokers' Association's Memorandum of Agreement for sale and purchase of ships. Adopted by The Baltic and International Maritime Conference (BIMCO).
Code-name
SALEFORM 1983
Adopted 1956 Revised 1983

Dated: Copenhagen, August 24, 1987

Copenhagen Handelsbank A/S, Grand Cayman Branch, Holmens Kanal 2, DK-1001 Copenhagen K, Denmark

hereinafter called the Sellers, have today sold, and
Dong Dong Ocean Fisheries Co., Ltd. 120-33 Junggrim-Dong, Jung-Ku, Seoul, Republic of Korea,
represented by Mr. Inik-Min Yoon

hereinafter called the Buyers, have today bought
the factory stern trawler "OLAF I GARDASTOVU"

Classification: Bureau Veritas, I 3/3 E + Special Service, Factory Fishing Vessel, Deep Sea.
Ice III + RMC
Bull: 1070 by: S.E.O., Viareggio, Italy
Flag: Faroesed Place of Registration: Vestmanna
Call sign: XPZE Register tonnage: GRT/NRT. 2025.87 / 1285.91
Register number: VN 100
on the following conditions:

1. Price

Price: ~~_____~~

2. Deposit

As a security for the correct fulfillment of this contract, the Buyers shall pay a deposit of 10% —
ten per cent — of the Purchase Money within _____ banking days from the date of this
agreement. This amount shall be deposited with _____

and held by them in a joint account for the Sellers and the Buyers. Interest, if any, to be credited the
Buyers. Any fee charged for holding said deposit shall be borne equally by the Sellers and the Buyers.

3. Payment

The said Purchase Money shall be paid free of bank charges to the Sellers' account no. 4013743, 18
at Copenhagen Handelsbank A/S, Grand Cayman Branch.
on delivery of the vessel, but not later than ~~three~~ ^{ten} banking days after the vessel is ready for delivery
and written or telexed notice thereof has been given to the Buyers by the Sellers. Bank charges outside
the Republic of Korea to be Sellers' expenses, except for bank charges related to the opening
of the Irrevocable Letter of Credit (see clause 2) which shall be paid by the Buyers.

4. Inspections

~~The Buyers shall have the right to inspect the vessel's classification records and declare whether~~
same are accepted or not within _____
The Sellers shall provide for inspection of the vessel at/in _____
The Buyers shall undertake the inspection without undue delay to the vessel. Should the Buyers
cause such delay, they shall compensate the Sellers for the losses thereby incurred.
The Buyers shall inspect the vessel afloat without opening up and without cost to the Sellers. Du-
ring the inspection, the vessel's log books for engine and deck shall be made available for the Buyers'
examination. If the vessel is accepted after such afloat inspection, the purchase shall become definite
— except for other possible subjects in this contract — provided the Sellers receive written or telexed
notice from the Buyers within 48 hours after completion of such afloat inspection. Should notice of
rejection of the vessel's classification records and of the vessel not be received by the Sellers —

Classification reference
is indicated above or below.



and-void-

5. Place and time of delivery

The vessel shall be delivered and taken over at/in ^{the Niger-lands.} The Sellers shall inform the Buyers of the port and approximate date concerned not later than 10 days prior to delivery.

Time of delivery/date of cancelling: immediately after the vessel has been auctioned, drydocked and repaired which is expected to take place in October-November 1987. The Buyers, however, shall be notified in writing to open this agreement if delivery of the vessel has not been effected on November 30, 1987 the latest.

The Sellers shall keep the Buyers well posted about the vessel's itinerary and estimated time and place of drydocking.

Should the vessel become a total or constructive total loss before delivery the deposit shall immediately be released to the Buyers and the contract shall be considered null and void. Under such circumstances the Sellers shall accept that the L/O shall be withdrawn by the Buyers.

6. Drydocking

In connection with the delivery the Sellers shall place the vessel in drydock at the port of delivery for inspection by ^{underwrites and by} the Classification Society of the bottom and other underwater parts below the Summer Load Line. If the rudder, propeller, bottom or other underwater parts below the Summer Load Line be found broken, damaged or defective, so as to affect the vessel's clean certificate of class, such defects shall be made good at the Sellers' expense to ^{Bureau Veritas}

satisfaction without qualification on such underwater parts.

Whilst the vessel is in drydock, and if required by the Buyers or the representative of the Classification Society, the Sellers shall arrange to have the tail-end shaft drawn. Should same be condemned or found defective so as to affect the vessel's clean certificate of class, it shall be renewed or made good at the Sellers' expense to the Classification Society's satisfaction without qualification.

The expenses of drawing and replacing the tail-end shaft shall be borne by the Buyers unless the Classification Society requires the tail-end shaft to be drawn (whether damaged or not), renewed or made good in which event the Sellers shall pay these expenses.

The expenses in connection with putting the vessel in and taking her out of drydock, including drydock dues and the Classification Surveyor's fees shall be paid by the Sellers if the rudder, propeller, bottom, other underwater parts below the Summer Load Line or the tail-end shaft be found broken, damaged or defective as aforesaid or if the Classification Society requires the tail-end shaft to be drawn (whether damaged or not). In all other cases the Buyers shall pay the aforesaid expenses, dues and fees.

During the above mentioned inspections by the Classification Society the Buyers' representative shall have the right to be present in the drydock but without interfering with the Classification Surveyor's decisions.

The Sellers shall bring the vessel to the drydock and from the drydock to the place of delivery at their own expense.

7. Spares/bunkers etc.

The Sellers shall deliver the vessel to the Buyers with everything belonging to her on board and on shore. All spare parts and spare equipment including ^{all fishing gear, nets and all factory and processing equipment} spare tail-end shaft(s) and/or spare propeller(s), if any, belonging to the vessel at the time of inspection, used or unused, whether on board or not shall become the Buyers' property, but spares on order to be excluded. Forwarding charges, if any, shall be for the Buyers' account. The Sellers are not required to replace spare parts including spare tail-end shaft(s) and spare propeller(s) which are taken out of spare and used as replacement prior to delivery, but the replaced items shall be the property of the Buyers. The radio installation and navigational equipment shall be included in the sale without extra payment, if same is the property of the Sellers.

Handwritten signature and initials.

~~Buyers have the right to buy ashore crockery, plate, canvas, linen and articles bearing the Sellers' flag or name, provided they replace same with similar unmarked items. Library, forms, etc. exclusively for use in the Sellers' vessels, shall be excluded without compensation. Captain's, Officers' and Crew's personal belongings including stow chest to be excluded from the sale, as well as the following additional items:~~

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~~The Buyers shall take over remaining bunkers, unused lubricating oils and unused stores and provisions and pay the current market price at the port and date of delivery of the vessel.~~

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~~Payment under this clause shall be made at the same time and place and in the same currency as the Purchase Money.~~

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8. Documentation

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In exchange for payment of the Purchase Money the Sellers shall furnish the Buyers with legal Bill of Sale of the said vessel free from all encumbrances and maritime liens or any other debts whatsoever, duly notarially attested and legalised by the Republic of Korea consul together with a certificate stating that the vessel is free from registered encumbrances. On delivery of the vessel the Sellers shall provide for the deletion of the vessel from the Registry of Vessels and deliver a certificate of deletion to the Buyers. ~~The deposit shall be placed at the disposal of the Sellers as well as the balance of the Purchase Money, which shall be paid as agreed together with payment for items mentioned in clause 7 above.~~

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The Sellers shall, at the time of delivery, hand to the Buyers all classification certificates as well as all plans etc. which are onboard the vessel. Other technical documentation which may be in the Sellers' possession shall promptly upon the Buyers' instructions be forwarded to the Buyers. The Sellers may keep the log books, but the Buyers to have the right to take copies of same.

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9. Encumbrances

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The Sellers warrant that the vessel, at the time of delivery, is free from all encumbrances and maritime liens or any other debts whatsoever. Should any claims which have been incurred prior to the time of delivery be made against the vessel, ^{upon or after delivery} the Sellers hereby undertake to indemnify the Buyers against all consequences of such claims.

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10. Taxes etc.

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Any taxes, fees and expenses connected with the purchase and registration under the Buyers' flag shall be for the Buyers' account, whereas similar charges connected with the closing of the Sellers' register shall be for the Sellers' account.

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11. Condition on delivery

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The vessel with everything belonging to her shall be at the Sellers' risk and expense until she is delivered to the Buyers, but subject to the conditions of this contract, she shall be delivered and taken over as she is at the time of inspection, fair wear and tear excepted.

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However, the vessel shall be delivered with present class free of recommendations. ^{notations and memo to owners} The Sellers shall notify the Classification Society of any matters coming to their knowledge prior to delivery which upon being reported to the Classification Society would lead to the withdrawal of the vessel's class or to the imposition of a recommendation relating to her class.

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12. Name/markings

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Upon delivery the Buyers undertake to change the name of the vessel and alter funnel markings.

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13. Buyers' default

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^{Letter of Credit not be opened as stated in clause 21} Should the ~~deposit~~ ^{deposit} not be paid as aforesaid, the Sellers have the right to cancel this contract, and they shall be entitled to claim compensation for their losses and for all expenses incurred together

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The interest at the rate of 12% per annum.

Should the Purchase Money not be paid as aforesaid, the Sellers have the right to cancel this contract, in which case the amount deposited together with interest earned, if any, shall be forfeited to the Sellers. If the deposit does not cover the Sellers' losses, they shall be entitled to claim further compensation for their losses and for all expenses together with interest at the rate of 12% per annum.

14. Sellers' default

If the Sellers fail to execute a legal transfer or to deliver the vessel with everything belonging to her in the manner and within the time herein specified, the Buyers shall have the right to cancel this contract in which case the ^{LOANS of credit} ~~amount~~ in full shall be returned to the Buyers together with interest at the rate of 12% per annum. The Sellers shall make due compensation for the losses ^{and for all expenses} ~~caused~~ to the Buyers by failure to execute a legal transfer or to deliver the vessel in the manner and within the time herein specified, if such are due to the proven negligence of the Sellers.

15. Arbitration

If any dispute should arise in connection with the interpretation and fulfilment of this contract, same shall be decided by arbitration in the city of London, England and shall be referred to a single Arbitrator to be appointed by the parties hereto. If the parties cannot agree upon the appointment of the single Arbitrator, the dispute shall be settled by three Arbitrators, each party appointing one Arbitrator, the third being appointed by the Meritima Arbitrators' Association in London.

If either of the appointed Arbitrators refuses or is incapable of acting, the party who appointed him, shall appoint a new Arbitrator in his place.

If one of the parties fails to appoint an Arbitrator — either originally or by way of substitution — for two weeks after the other party having appointed his Arbitrator has sent the party making default notice by mail, cable or telex to make the appointment, the party appointing the third Arbitrator shall, after application from the party having appointed his Arbitrator, also appoint an Arbitrator on behalf of the party making default.

The award rendered by the Arbitration Court shall be final and binding upon the parties and may if necessary be enforced by the Court or any other competent authority in the same manner as a judgement in the Court of Justice.

This contract shall be subject to the law of the country agreed as place of arbitration.

Additional clauses 18 to 24 inclusive, form an integral part of this agreement.

1) The name of the Classification Society to be inserted.
2) Notes, if any, in the Surveyor's report which are accepted by the Classification Society without qualification are not to be taken into account.
3) The place of arbitration to be inserted. If this line is not filled in, it is understood that arbitration will take place in London in accordance with English law.
4) If this line is not filled in it is understood that the third Arbitrator shall be appointed by the London Maritime Arbitrators' Association in London.

Printed and sold by ^{Larsen A.S. Oslo} ~~W. S. S. S. & Sons Ltd London~~ ^{Association of Shipbrokers' Association, Oslo}

16. Any costs and expenses related to the auction to be for sellers' account.
17. During drydocking buyers to be allowed to clean, paint and/or repair the vessel, provided such work does not delay work to be done on sellers' account.

Should buyers' work cause prolongation of drydocking, buyers to pay for such prolongation.

18. The sellers shall be responsible for obtaining an export licence for the "Olaf i Gardastovu" from the Faroe Islands' home government, i.e. responsible for the deletion of the vessel from the Faroese Ship Registry.
19. The sellers shall undertake to the best of their ability to provide skilled persons to assist the buyers technically and practically in connection with the purchase of the vessel. These persons should include: one engineer, one electrician, one navigator, one factory and one refrigerating and machinery engineer. These specialists should preferably be people, who know/sailed with the "Olaf i Gardastovu" and they should undertake to instruct the buyers and their people in the operation of the vessel and her technical installations.

The expenses occurred shall be covered by the sellers.

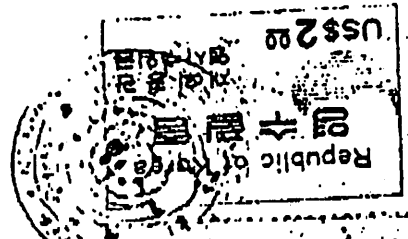
20. The sellers shall be bound not to negotiate the sale of the "Olaf i Gardastovu" with any other prospective buyers, once this M.O.A. has been signed and the sellers shall not have the right to sell the vessel to any one else after the auction purchase.

21. As a security for the correct fulfilment of this Memorandum of Agreement, the buyers shall before the 1, st. of October 1987 open an Irrevocable Letter of Credit valid until the 30 November 1987 at 15.00 hours G.M.T. issued by the Cho Hung Bank, Republic of Korea, in favour of the sellers for an amount of US\$ [REDACTED], - payable against:

1.A) Original legal Bill of Sale in English language, duly notarially attested by a public notary and confirmed by the Consul of the Republic of Korea

or alternatively: instead of the original legal Bill of Sale,

[Handwritten marks]



US\$ 200

Republic of Korea

87.12.06

CONFIRMED BY THE KOREAN EMBASSY, COMPOSITE
GENERAL INVESTMENT CONTRACT NO. 87-107

THE BUYER'S SIGNATURE

[Signature]

11 21 21.4 8 21.4 8



The Buyer

[Signature]

The Seller

[Signature]

The amount so estimated shall be put at the buyers' disposal by the sellers as soon as the purchase price according to clause 1 of this M.O.A. has been paid to the sellers;

In connection with the inspection the buyers shall be entitled to open up and draw complete piston from each main engine at own expense unless the representative of the class requires it to be drawn.

If the buyers decide to draw the pistons then the buyers shall at own expense close same again.

on the basis of Agreement code name BALBROM 1988 - date Dongbong

[Handwritten signature]

If something according to the buyers has to be repaired or renewed, then the buyers have to inform the sellers accordingly in writing, together with a written estimation of the costs, which the buyers estimate will be involved to make good everything which has been found.

The "specialists" as per clause 19 should be available during the inspection.

The inspection shall be concluded not later than 15 days after the vessel was ready for the buyers' inspection and the buyers' written estimation of the repair/renewal costs shall be available not later than 7 days before the auction.

The bank shall have the right to let an independent marine surveyor evaluate the evaluation made by the buyers and in case of agreement, then final decision concerning the dis-agreed price evaluations to be made by a third marine surveyor appointed by the class society.

- 2 main engines
- aux. engines
- generators
- freezing equipment
- electronic equip-
- ment on bridge
- all winches and cranes
- steering gear/c.c.p. system
- pumps
- heating system
- hydraulic system
- factory and processing machinery

Immediately after the arrest of the vessel in Rotterdam the buyers shall have the right to inspect the vessel generally and especially the following parts/ installations in order to secure that same are in good working condition.

On delivery of the vessel a protocol of delivery and acceptance to be signed by the sellers and the buyers.

The sellers and the buyers shall agree upon the exact text of the letter of credit of US\$ [redacted] - in connection with the signing of this M.O.A. The M/V "Olat Gardastou" shall arrive at Rotterdam and be arrested before the letter of credit according to clause 21 has been opened.

Original Certificate of deletion from the Faroese Ship Register, stating that the vessel "Olat Gardastou", KPZE, is free from all registered encumbrances, registered liens and registered debts whatsoever.

B) Original "Court order of allocation" issued by the district court of Rotterdam, The Netherlands, stating that the M/V "Olat Gardastou" KPZE, has been sold on public auction in Rotterdam and giving legal ownership (title) of M/V "Olat Gardastou" to Dong Bang Ocean Fisheries Co., Ltd, Seoul, Repu- blic of Korea.

ORIGINAL FORM 1983 - dated Copenhagen

24.

EMBASSY OF ICELAND
2022 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20008

Ref. 52.E.2

9 December 1987

Mr. Jon Marvin Jonsson
Consul of Iceland
Seattle

Dear Consul,

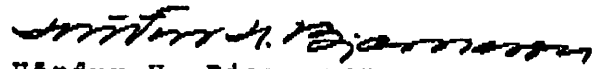
With regard to our conversation this morning I wish to confirm the following:

Rumors to the effect that a South-Korean concern has purchased the factory mother-ship "Olav i Gardastovu" are without basis in fact.

According to our sources in Iceland the vessel has been duly registered there and a call signal has been issued.

Consequently, the Embassy regards its application for a joint venture to continue to remain in good faith and regrets any unfounded rumors to the contrary.

Sincerely yours,


Hörður H. Bjarnason
Chargé d'Affaires a.i.

PATTON, BOGGS & BLOW
2550 M STREET, N.W.
WASHINGTON, D.C. 20037-1350
(202) 457-6000

TELECOPIER: 457-8315

ITT TELEX: 440324

TRT TELEX: 197780

BALTIMORE OFFICE
250 WEST PRATT STREET
BALTIMORE, MARYLAND 21201
(301) 859-5800

December 9, 1987

JAMES R. PATTON, JR.
GEORGE BLOW
JOSEPH L. BRAND
THOMAS MALE BOGGS, JR.
TIMOTHY J. MAY
HARRY A. RIMAN
ELLIOT H. COLE
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*Not admitted in D.C.
*Admitted in Maryland only

Mr. Arni Thomson
Executive Director
Alaska Crab Coalition
3901 Leary Way (Bldg.) N.W.
Suite 6
Seattle, Washington 98107

Dear Arni:

I have investigated an alleged purchase of the GARDASTOVU by Korean interests. I have reviewed Korean telexes provided by you on this subject. I have also discussed the matter with the Icelandic Government and U.S. State Department officials and with Icelandic partners.

As clearly reflected by the telexes, there was and is no valid contract of sale and purchase on the vessel. No agreement was ever reached concerning essential terms, such as price and processing equipment. (The telexes, you will note, predate the Icelandic joint venture application.)

The Embassy of Iceland today reaffirmed the application and confirmed that the vessel is duly registered under the Icelandic flag. The State Department reports that no application has been filed by the Government of Korea for this vessel to participate in United States fisheries.

In sum, there is a valid application duly filed by the Government of Iceland for this vessel. There is no valid contract of sale which conflicts with that application. There is no Korean Government application properly filed for that vessel, and cannot be, as the vessel flies the Icelandic flag.

The following explanation has been provided by private and Government sources. A Korean company did, indeed, bid on the

Mr. Arni Thomson
December 9, 1987
Page 2

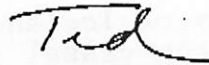
vessel. However, the Government of the Faroe Islands, which has a financial interest in the ship, intervened with the Copenhagen Handelsbank, a creditor, to block the sale. The Faroes Government believed that the terms of sale were unacceptable, and made a commitment to assume full responsibility for the debt owed to Copenhagen Handelsbank, and to refinance the vessel with a Dutch bank. This paved the way for the Icelandic transaction on the vessel and for the joint venture application.

I would speculate that certain Korean interests seek to derail the Icelandic application, in order to achieve an unwarranted advantage in Pacific cod joint ventures. And, it may be that the Koreans anticipate a renewed opportunity to purchase the vessel, if the Icelandic partners in the joint venture are confronted with disapproval of their application.

You can continue to rely upon the Government of Iceland's commitment to this application, and upon the position of the Department of State that this is the only application which has been filed for that vessel.

The Korean matter is a non-issue. I recommend that you proceed as planned.

Sincerely,



Theodore G. Kronmiller

TGK:bw

cc: Hordur Bjarnason
Embassy of Iceland

TED EVANS



ALASKA FACTORY TRAWLER ASSOCIATION
4039 21ST AVE. WEST, SUITE 400
SEATTLE, WASHINGTON 98199
(206) 285-5139
TELEFAX 206-285-1841
TELEX 5106012568, ALASKA TRAWL SEA

REQUEST TO PREVENT JOINT VENTURE TARGETING ON ROCK SOLE WITH ROE

The DAP industry which has developed the roe rock sole market is concerned about the possibility that joint ventures may enter this fishery in 1988. Only at this meeting did we learn of such plans. Such an increase in effort and product could have severe impact on the market. We seek the Council's assistance in preserving this small but important fishery.

AFTA supports the AP's recommendation that JVs be prohibited from targeting on rock sole until after the spawning period (April 1). However, we have been informed by NOAA General Counsel that withholding the JV allocation for a directed fishery may not be possible without an amendment or emergency order.

As an alternative short-term solution, AFTA proposes that a separate TAC category be established for rock sole. This can be done by the Council at this meeting without an amendment. The TAC should be set at the DAP request (18000 mt) plus an amount to take care of JV bycatch needs. The Regional Director would then be requested to declare rock sole as a bycatch only species for JVP as of January 1. If the entire amount was not taken as bycatch, the RD could allow a directed fishery later in the year.

William R. Orr
Director, Government Affairs

KOREA DEEP SEA FISHERIES ASSOCIATION

#10-1, 2GA, HOIHYUN-DONG
SEOUL, KOREA

C. P. O. BOX 2710
TELEX: KODESE K27538
CABLE ADD: "KOPELAGIC"
SEOUL
TEL: 779-0531 ~5

REF NO: _____

DATE: _____

Statement of the Korean Fisheries Mission
Visiting the United States
in November-December, 1987
Admiral K. H. Oh ROKN, Retired
President of the Association

November 23, 1987

BACKGROUND

1. Administrator Y. S. Kang of the Korean National Fisheries Administration, joined by Director General S. H. Ha of the Fisheries Promotion Bureau of the Administration, will lead the Mission's opening discussions in Washington beginning the week of November 23, 1987. Admiral Oh, with Deputy Director M. S. Park of the Trawl Department of the Association, will join in these meetings and then visit Surinam. Admiral Oh will return to the United States in early December to lead the Korean Delegation to the December Meeting of the North Pacific Fishery Management Council in Anchorage. President H. W. Choi of Daerim America, Inc. will join as a member of the Mission in Washington, DC.

REVIEW OF THE YEAR

2. The Korean Fleet had its best year yet in over-the-side "joint ventures" in the North Pacific. As of October 31, 1987, 444,504 mt of fish had been purchased from American harvesters, and projections call for a total of almost 460,000 mt. Payments to American fishermen will total upwards of \$65 mln. All of this activity took place within the context of full and complete cooperation, and we are not aware of any problems at all on the grounds in 1987. The minimal direct fisheries quotas given Korea this year are still being fished. There were some problems this year with unexpected compositions of bycatch in the trawls. There was at one point some confusion with the number of halibut we were permitted to take, but NMFS very kindly granted us some additional flexibility and we were able to continue. One of our companies had a successful experimental direct quota/joint venture fishery (2,500 mt/2,500 mt) for hake off of the Washington coast under the jurisdiction of the Pacific Council.

3. There was progress in 1987 in terms of Korean/American equity joint ventures. The Korea Marine Enterprise/Cal-Alaska group completed its purchase of the Uyak Bay facility from Whitney-Fidalgo in July of this year, and has been investing substantially in the renovation and expansion of the plant and in at least one fishing boat to serve it. Other Korean companies are joining in projects to construct or renovate catcher boats and trawler/processors. Korea Wonyang has an integrated buying, processing and marketing operation in cooperation with SeaAlaska and other investors and involving several firm names. Daerim is renovating an oil supply vessel into a trawler/processor with its American affiliate, Alaska Trawl Fisheries, Inc; the investment involved is about \$10 mln. The Oyang/Arctic Storm venture will renovate a 4,500 g/t military hull into a surimi processor. Dongwon and Taewoong are involved in ventures with American fishermen directed at catcher boat development. All of these projects are transferring to American partners, fishermen and plant workers at sea and ashore valuable fishing, processing and marketing technology and skills, including those involved in commercial surimi production.

4. The progress of Korean/American equity joint venture cooperation is, unfortunately, somewhat hampered by uncertainties as to the future of US legislation and policy in this area. A great number of highly protectionist and exclusionary measures are being discussed -- almost all of which contradict the letter and spirit of the arrangements set forth for mutual investment and trade in the Korea/US Treaty of Friendship, Commerce and Navigation. The Korean industry believes that its initiation of and forthright support for over-the-side "joint ventures" have been perhaps the major element in the development of the American zone fisheries over the past ten years. We are happy to contribute through "true" joint ventures to further progress, but some of the unwise legislation and policy now being discussed would severely restrict such efforts.

5. Korean imports of American fisheries products in 1987 are showing a very healthy rate of increase. As of the end of August, 1987, Korean imports had gone over \$53 mln. This is a 76% increase over the comparable first eight months of 1986. As the Korean Side has long argued, the Korean trade regime is administered very flexibly vis-a-vis American exports, and US exports of fisheries products this year have obviously been competitively priced and well-marketed. When over-the-side "joint venture" purchases are added into the total, it is clear that Korean imports of American fisheries products will top \$110 mln in 1987 by a good margin.

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PLANNING FOR 1988

6. The Korean target for over-the-side purchases of fish from American harvesters in 1988 will be over 650,000 mt. The Korean industry supports the "olympic" method of dividing "JVP," and is happy to go along with the "split season" for 1988 ventures directed by the North Pacific Council. We would also be interested in continuing a quota/joint venture fishery for hake in the "WOC" area.

7. The Korean industry requests 100,000 mt of pollock and associated bycatch in the BSA in 1988 (76,800 mt of pollock). We understand that the "TAC" in the BSA is being re-evaluated with a view towards fuller utilization, and it is our belief that sufficient resources exist to make possible the scale of "joint venture" activity we propose together with a grant of more substantial directed fishing allocations. We request an allocation of 6,500 mt of hake and accompanying bycatch in the Pacific Council area to match ton-for-ton our proposed 1988 joint venture for hake.

8. In 1988, we anticipate that there will be further progress made with respect to cooperation on several issues concerning the international waters of the North Pacific. An exchange of notes concerning data relative to the international waters of the Bering Sea (the "doughnut" area) could be completed by the two Governments within the near future. The Embassy of Korea has informed the Department of State that the Korean statistical year coincides with the calendar year, and that yearly data on Korean catches in this area should be available in May of each following year. The Government of the Republic of Korea awaits a US response on this point.

9. It should also be possible in the new year to arrive at some agreement between Korea and the US on the issues related to the high seas driftnet fishery and the avoidance of salmon interception and damage to the environment. The Korean industry is anxious to do everything possible to assist the American Side with conservation of its salmon resource. But this positive step should not be accomplished at the cost of disrupting the Korean flying squid fishery. There remain two major problems in the two

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Governments' discussions on this topic: (1) the US request for some form of enforcement authority with regard to the agreement on the high seas outside its own Fisheries Zone; and (2) the area and temperature closures suggested by the US Side. There is no change in the Korean position on the matter of enforcement, and the Ministry of Foreign Affairs of the Government of the Republic of Korea continues to study the issue. In the opinion of the Korean Side, scientific evidence should be the basis of any closures. During the same week as the Mission's visit to Washington, Korean scientists are meeting with their American counterparts in their annual "Resource Assessment" sessions in Seattle. One subject of this year's Meeting will be the salmon/driftnet fishery relationship. We are hopeful that the diplomats, building on the solid basis of such scientific work, can work out mutually satisfactory solutions to the problems which have been identified in this fishery.

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