

P.O. Box 3-5000 Juneau, AK 99802

Staff Symbol: (Oil)
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11 September 1986 AGENDA ITEM B-4

#### 1. U. S. COAST GUARD ENFORCEMENT EFFORT FOR 1986.

#### a. MFCMA ACTIONS.

- (1) U. S. Coast Guard enforcement efforts for calendar year 1986, through 31 August, have totalled 183 cutter days and 688 aircraft patrol hours. Coast Guard patrol activities have ranged from the northern Bering Sea, to 700 miles south of the Aleutians in the North Pacific Ocean, to the central Gulf of Alaska. These efforts have covered nearly 12 million square miles of ocean. To date, a total of 101 reports of violation and written warnings have been issued to foreign and domestic fishing vessels.
- (2) The most significant MFCMA violation since the last Council meeting was the illegal crabbing activity of the HOKO MARU NO. 31 in the Bering Sea. On August 3, a patrolling C-130 sighted the HOKO NO. 31 operating illegally (vessel had not checked into the FCZ) inside the U.S. FCZ. The aircrew and embarked NMFS agent were unable to establish the type of fishery HOKO NO. 31 was engaged in, but it was working pots suggesting that it was fishing for Tanner Crab. A week later a C-130 flying in support of USCGC MIDGETT's escort of the U.S. fishing vessel KATIE K and others, again sighted HOKO NO. 31 operating within the U.S. FCZ. particular area was within a portion of the Bering Sea claimed by both the U.S. and the Soviet Union as part of their respective EEZ's. Upon completion of their escort duties, MIDGETT intercepted and attempted to boarded HOKO NO. 31. HOKO NO. 31 fled west of the 1867 U.S./USSR Convention Line with MIDGETT in pursuit. approximtaely 14 hours of pursuit and surveillance, MIDGETT returned east of the 1867 Convention Line. Within 12 hours MIDGETT again intercepted HOKO NO. 31 as it reentered the FCZ to resume crabbing operations. Repeated attempts to board HOKO NO. 31 were unsuccessful, with HOKO NO. 31 claiming that they were authorized by the Soviets to fish for Tanner Crab in that area. This began a lengthy diplomatic process aimed at: 1) terminating all Japanese crab fishing within the disputed area of the FCZ; 2) having HOKO NO. 31 retrieve its gear (returning to the sea all crab contained therein); and 3) having HOKO No. 31 submit to a Coast Guard boarding. After several days of waiting HOKO NO. 31 submitted to a boarding by MIDGETT. The inspection resulted in the issuance of numerous violations for infractions of the Magnuson Act.

#### b. JAPANESE HIGH SEAS SALMON OPERATIONS.

- (1) This summer marked the first dedicated U.S. enforcement effort directed at policing the Japanese land based salmon fleet. This fleet operated in the North Pacific Ocean from 1 June to 5 July 1986. As part of a U.S. Japanese agreement reached aerlier this year, the Japanese Fishery Agency (JFA) maintained continuous enforcement presence in the land based fishery area through out this fishery.
- .(2) Coast Guard enforcement activity included the use of three high endurance cutters for a total of 34 cutter patrol days and 14 C-130 surveillance flights.
- (3) These enforcement efforts resulted in no infractions of the eastern boundary by the Japanese land based salmon fleet being detected during this year's fishery.

#### c. HIGH SEAS SQUID GILLNET OPERATIONS.

- (1) 8 July 1986. USCGC MIDGETT boarded the South Korean squid gillnet vessel No. 1 Jin Heung in approximate position 39-42N, 174-37E (outside the U.S. FCZ). During the course of this boarding, the boarding party discovered approximately 59 frozen Chum salmon and 8 frozen fur seals in the vessel's holds. A sample of 20 salmon was removed from the vessel and forwarded to NMFS AUKE BAY Lab for continent of origin analyses. A complaint was filed immediately with the Korean government by State Department. Just recently the Korean government responded in writing, indicating that NO. 1 JIN HEUNG was in fact in violation of Korean regulations (retention of salmon) and that they intended to prosecute the case.
- (2) 12 July 1986. USCGC MIDGETT encountered the Taiwanese gillnet vessel CHAN HORNG NO. 1 in approximate position 41-11N, 177-17W. Taiwan recently implemented domestic regulation which restricts the area of operation for Taiwanese squid gillnet vessels. The northern boundary for this fishery shifts each month (the Taiwanese area of operation being virtually identical to the Japanese squid gillnet area). Repeated attempts by MIDGETT to get CHAN HORNG NO. 1 to heave to were ignored and the boarding attempt was aborted.
- (3) 9 August 1986. A Coast Guard C-130 sighted seven Japanese squid gillnet vessels fishing in approximate position 44-30N, 171-00W, north of the area authorized by Japanese regulation. One of the vessels was observed working its net which appeared to contain many large fish.
- (4) 10 August 1986. USCGC MUNRO boarded several Japanese squid gillnet vessels operating legitimately (at the time of boarding). Perusal of SHIMA NO. 38 YAHATA MARU's fishing logs indicated that on three occasions the vessel had fished north of the authorized area by as much as 72 miles.

- (5) 13 August 1986. USCGC MUNRO boarded the Japanese squid gillnet vessel SHINGA MARU NO. 18 which was operating in the authorized squid fishery area. Review of the vessel's fishing logs indicated that the vessel had fished north of the authorized area on fifteen different days.
- (6) 13 August 1986. USCGC BOUTWELL boarded the Japanese gillnet vessel TENYO MARU NO. 25 in approximate position 47-19N, 143-34W (almost 200 miles north and east of the authorized area). While inspecting the vessel's holds, the boarding team discovered two frozen salmon. Due to other operational committments, BOUTWELL was unable to remain on scene but did document the vessel's activities with the intent to reboard the vessel at a later date.
- (7) 22 August 1986. USCGC BOUTWELL boarded the Japanese squid gillnet vessels SUMIYOSHI MARU NO. 25, MATSUEI MARU NO. 88, and TENYO MARU NO. 25 in approximate position 45-45N, 144-40W. This position again plots both north and east of the authorized squid fishery area. All three vessels were fishing when intercepted. The masters of all three vessels acknowledged that they were operating contrary to Japanese law and communicated their intent to move back south into the authorized area. No salmon was found during the course of these boardings.
- (8) 22 August 1986. USCGC BOUTWELL boarded the Japanese gillnet vessel RYUSHU MARU NO. 25 in approximate position 46-33n, 145-01W in conjunction with a medevac of an ill crewman. While the vessel was not fishing at the time of the boarding, it was suspected that it had been fishing in company with the three Japanese gillnet vessels mentioned above.

(Note: All four Japanese gillnet vessels boarded by BOUTWELL on 22 August hold 1986 MFCMA permits to conduct longline operations within the FCZ and have fished off Alaska in that capacity within the last year.)

- 3. MFCMA INFRACTIONS. The following summarizes the specific major infractions and enforcement activity since the Coast Guard's last report to the Council.
- a. 30 June 1986. USCGC RESOLUTE issued a written warning to the South Korean stern trawler CHEOG YANG HO for failure to have an accurate set of vessel plans on board.
- b. 22 July 1986. USCGC MIDGETT issued a written warning to the South Korean factory vessel No. 29 TAE BAEK for failure to accurately maintain its Daily Joint Venture Log.
- c. 28 July 1986. USCGC YOCONA issued three written warnings and eight reports of violation to the Soviet processor TRETJAKOVO for: 1) failure to submit the required message activity reports as appropriate; 2) failure to accurately maintain its Daily Joint Venture Log; 3) failure to properly maintain its Daily Joint Venture Log; 4) failure to accurately maintain its Communications Log; and 5) failure to properly maintain its Communications Log.

- d. 29 July 1986. USCGC YOCONA issued one written warning and three reports of violation to the Soviet processor MYS OREKHOVA for failure to: 1) return prohibited species to the sea in a timely manner; 2) accurately maintain its Daily Joint Venture Log; 3) accurately maintain its Transfer Log; and 4) accurately maintain its Communications Log.
- e. 30 July 1986. USCGC YOCONA issued a report of violation to the Soviet processor MYS ELAGINA for failure to properly maintain its Daily Joint Venture Log.
- f. 1 August 1986. USCGC YOCONA issued a report of violation to the Soviet processor KORENGA for failure to accurately maintain its Daily Joint Venture Log.
- g. 7 August 1986. USCGC MIDGETT issued a written warning to the Japanese longliner ANYO MARU NO. 22 for failure to report the type and quantity of fish products on board when it began operations within the FCZ.
- h. 18 August 1986. USCGC MIDGETT issued reports of violation to the Japanese pot vessel HOKO MARU NO. 31 for: 1) refusing to allow a Coast Guard boarding; 2) engaging in a fishery for which it has no permit; 3) possessing fish taken in violation of the MFCMA; and 4) failure to display its International Radio Call Sign (IRCS) amidships on both port and starboard sides of the hull and on a weather deck.
- i. 28 August 1986. USCGC MUNRO issued a written warning to the Japanese stern trawler ANYO MARU NO. 18 for failure to properly maintain its Daily Joint Venture Log.
- j. 29 August 1986. USCGC MUNRO issued a report of violation to the South Korean processor NO. 29 TAE BAEK for failure to have an accurate set of vessels plans on board.

Encl: (1) USCG Patrol Effort/FV Identification/FV Boardings for 1986.

(2) Analysis of Boarding and Enforcement Incidents for 1986.

(3) Surveillance Standard Analysis for 1986.

(4) Boarding Standard Analysis for 1986.

#### U. S. COAST GUARD PATROL EFFORT FOR 1986 (THRU 31 AUGUST)

JANUARY FEBRUARY MARCH APRIL MAY JUNE JULY AUGUST	CUTTER PATROL DAYS 14 31 36 49 31 59 74 53	F	PATROL HOURS 96 93 138 165 133 154 147 157		PATT 1. 1. 2. 2. 2. 3. 2.	ILES ROLLED 0,891 4,165 6,066 6,604 0,585 7,125 4,731 6,924		
IOIAL	103		000		17	7,031		
					TIFICAT			
		FOR	1986 (	THRU 31	AUGUST	<u>)</u>		
JANUARY	JA 49	. KS 42	PL 34	UR 00	TW 00	US 192	PRC 00	TOTAL 317
FEBRUARY	105	70	14	16	. 00	361	00	566
MARCH	139	92	27	64	00	351	01	674
APRIL	123	<b>55</b>	13	88	00	1038	02	1319
MAY	63	70	08	63	00	995	02	1201
JUNE	101	64	01	10	00	570	00	746
JULY AUGUST	220 82	89 34	00 01	19 26	00 00	928 470	00 00	1256 613
A03031	02	34	OI	20	00	470	00	013
TOTAL	882	516	98	286	00	4905	05	6692
		FISH:	ING VES	SEL BOA	RDINGS			
		FOR 19	86 (TH	RU 31 A	UGUST)			
	JA	KS	PL	UR	TW	US	PRC	TOTAL
JANUARY	01	00	03	00	00	01	00	05
FEBRUARY	04	10	03	00	00	03	00	20
MARCH	14	05	01	05	00	14	01	40
APRIL	17	07	03	18	00	38	02	85 57
MAY	10 11	14 09	00 00	05 01	00 00	26 47	02 00	57 68
JUNE JULY	23	17	00	03	00	38	00	81
AUGUST	12	02	00	01	00	05	00	20
TOTAL	92	64	10	33	00	172	05	376

# ANALYSIS OF BOARDING AND ENFORCEMENT INCIDENTS THROUGH 31 AUGUST 1986 (BOARDINGS/INCIDENTS)\*

•••	JA	KS	PL	UR	TW	US	PRC	ALL	% BRDGS RESULT IN INCIDENTS
JANUARY	01/00	00/00	03/00	00/00	00/00	01/00	00/00	05/00	00
FEBRUARY	04/04		03/00				00/00	20/08	40
MARCH	14/02	05/05	01/00	05/04	00/00		01/01	40/17	42
APRIL	17/11		03/01			•	02/02	85/29	34
MAY	10/03	14/07	00/00	05/03	00/00		02/02	57/15	26
JUNE	11/00	09/01	00/00	01/00	00/00		00/00	68/01	01
JULY	23/00	17/01	00/00	03/03	00/00	•	00/00	81/04	05
AUGUST	12/03	02/01	00/00	01/01	00/00	05/00	00/00	20/05	25
TOTAL	92/23	64/20	10/01	33/22	00/00	172/08	05/05	376/79	21

 $<sup>\</sup>mbox{\ensuremath{^{\star}}}$  NOTE: Ratio does not include infractions detected by means other than boarding.

## SURVEILLANCE STANDARD ANALYSIS FOR INDEPENDENT FOREIGN FISHING VESSELS (FFV) THROUGH 31 AUGUST 1986

DATES	AVG NO. OF FFV'S ON GROUNDS	NO. OF FFV'S ON GROUNDS SIGHTED	% SIGHTED
l JAN - 15 JAN	5	5	100
16 JAN - 29 JAN	7	7	100
30 JAN - 12 FEB	44	44	100
13 FEB - 26 FEB	80	80	100
27 FEB - 10 MAR	88	50	56
11 MAR - 24 MAR	70	56	80
25 MAR - 7 APR	65	65	100
8 APR - 21 APR	63	63	100
22 APR - 5 MAY	71	33	46
6 MAY - 19 MAY	60	60	100
20 MAY - 2 JUN	. 75	31	41
3 JUN - 16 JUN	72	20	27
17 JUN - 30 JUN	67	· 49	73
1 JUL - 14 JUL	72	57	79
15 JUL - 28 JUL	76	52	68
29 JUL - 11 AUG	72	28	38
12 AUG - 25 AUG	84	15	17
26 AUG - 31 AUG	77	07	09

### BOARDING STANDARD ANALYSIS FOR INDEPENDENT FOREIGN FISHING VESSELS (FFV'S) THROUGH 31 AUGUST 1986

		ACTUAL	
MONTH	GOAL	BOARDINGS	% ACHIEVED
JANUARY	03	04	100
FEBRUARY	28	17	60
MARCH	39	26	60
APRIL	31	47	100
MAY	36	31	80
JUNE	35	21	60
JULY	60	43	71
AUGUST	40	15	37
TOTAL	272	204	75

### Alaska Crab Coalition (A.C.C.)SUPPLEMENTAL

(206) 547-7560 3901 Leary Way (Bldg.) N.W.,	AG	ROUTE TO	INITIAL
Suite #9	LUC TO	Exec. Dir.	13
Seattle, WA 98107	(kg)	Deputy Dir.	
DECEIVER		Admin. Off.	
MEGEIVEN	\\	Exec. Sec.	
		Staff Asst. 1	
AUGUST 20 1986 N SEP   2 1986		Staff Asst. 2	
August 20, 1986     SEP   2 1980		Staff Asst. 3	
		Economist	
u ul		Sec./Bkkr.	
Honorable Slade Gorton		Sec./Typist	
SH-513 Senate Office Building			
Washington, D.C. 20515		<u> </u>	
			1
Dear Sir:			<del> </del>

In reference to the recent Soviet harassment of American crab vessels in the Eastern Bering Sea, our association would like

to enlist your support in seeking a separate and temporary settlement of fisheries matters in the disputed zone adjacent to the U.S.-Russia Convention Line of 1867. An opportunity to negotiate a workable solution, beneficial to both countries,

will be available in November? at the upcoming Summit Conference.

At this time, we recommend negotiation of the diplomatic status known as "flag state enforcement," whereby both U.S. and Soviet vessels would operate in the disputed zone with protection and enforcement of nationals being carried out by their respective countries. This is a timely opportunity to get this annoying issue resolved. It seems reasonable to expect that an agreement could be in place by July 1, 1987, when the Bering Sea crab fleet will again be working these productive grounds.

In addition to the request for settlement of the disputed zone, we would also like to reopen discussion of the issue of access to Soviet waters for American crab vessels and floating processors. In light of the availability of tanner and king crab resources in the Soviet sector of the Bering Sea, it seems diplomatic fair play, since the Soviets are maximizing the development of Pacific Coast hake and Eastern Bering Sea yellowfin sole, flounder, cod and pollock, to request reciprocal access for American vessels in Soviet waters to harvest underutilized crab resources there.

Bear in mind, there is a large constituency of West Coast fishermen that have not participated in lucrative joint ventures with countries such as the Soviet Union and they find it rather annoying that foreign access to American fish resources, which has been occurring since passage of the MFCMA, ten years ago, has not resulted in anything approaching reciprocity, a significant facet of the MFCMA.

In point of fact, the existing GIFA between the United States and the U.S.S.R. provides for Soviet recognition of the U.S. right to reciprocal access for our vessels to Soviet fisheries (Article XIII).

We hope your office will consider this issue carefully in the light of Soviet fisheries allocations and joint venture agreements. Access to Soviet crab resources could become as significant to the Bering Sea crab fleet as the existing GIFA between the U.S. and the U.S.S.R. is to the American trawl fleet in the Bering Sea. This is also a tremendous opportunity for the Soviets to demonstrate good faith in their relations with the United States.

Sincerely,

Royald K. Peterson, President

Walter Christensen, Vice President

Kevin Kaldestad, Vice President

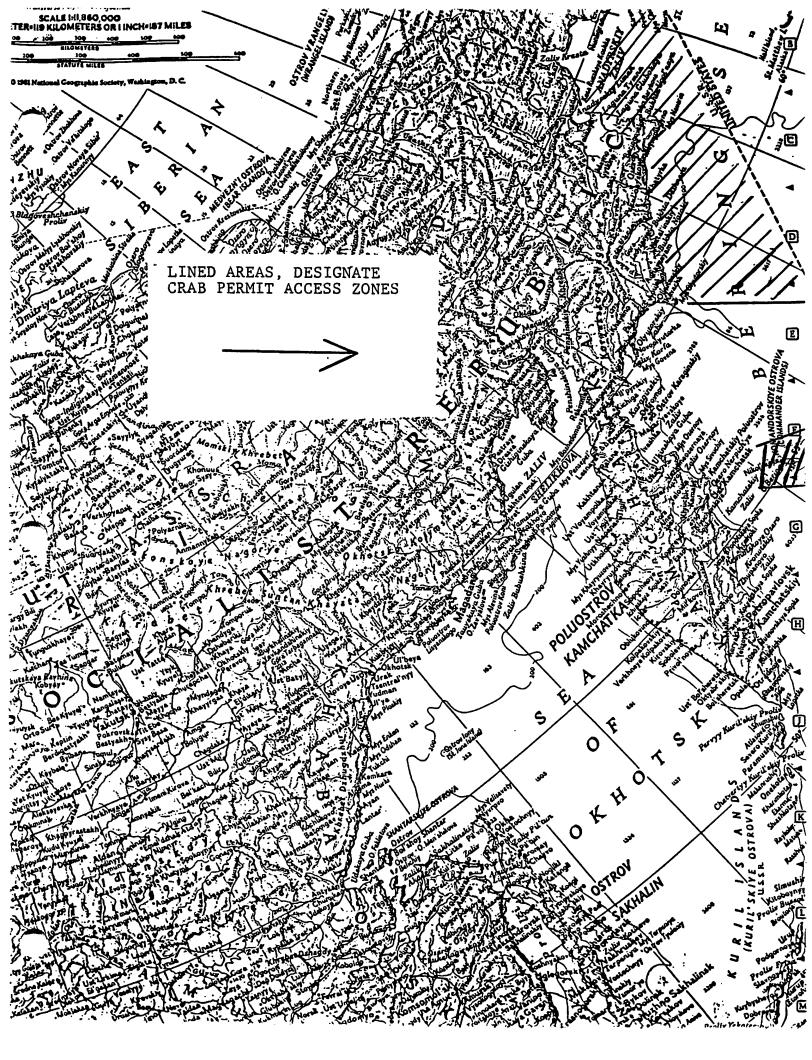
Kris Roulsen, Treasurer

Chini Thomson

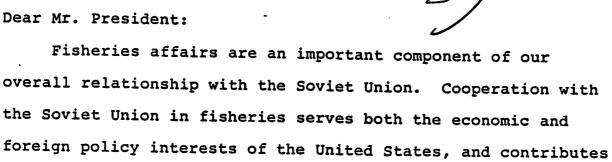
Arni Thomson, Executive Secretary

Honorable George Shultz
Honorable Ted Stevens
Honorable Frank Murkowski
Honorable Daniel Evans
Honorable John Breaux
Honorable John R. Miller
Honorable Mike Lowry
Honorable Bob Packwood
Honorable Mark O. Hatfield
Honorable John Negroponte
Honorable Rozanne Ridgway
Mr. Edward E. Wolfe
Mr. Thomas W. Simons, Jr.

Mr. Theodore G. Kronmiller Patton, Boggs & Blow



The President The White House Washington, D.C. 20510



The prospect of a U.S.-Soviet summit meeting later this year presents a singular opportunity to expand and improve bilateral cooperation in fisheries affairs and, thus, to help advance the economic, political, and scientific interests of the United States. Consequently, we strongly recommend that the Administration take the initiative to place fisheries on the summit agenda.

to our scientific understanding of the marine environment.

Several important matters deserve particular attention. In order to set the stage for more ambitious cooperative efforts, the United States and the Soviet Union should address the fisheries conflict arising out of competing jurisdictional claims to a small, but by no means insignificant, area of the Bering Sea. Recent Soviet harassment of United States fishing vessels there

is a cause for serious concern, warranting retaliatory action.

Nevertheless, an amicable resolution of this issue ought to
be pursued. Pending the delimitation of an agreed boundary,
both United States and Soviet fishermen should be free to
operate in the disputed area, subject only to management and
enforcement measures of their respective governments.

Avoidance of further confrontation and tension in this area
due to interference with lawful U.S. fishing activities should
not await resolution of the basic boundary dispute, which
will doubtless require further, lengthy negotiations.

Secondly, the United States should negotiate with the Soviet Union an agreement to provide access for our vessels to the abundant Bering Sea fishery resources off the Soviet coast. Large populations of crab are available for harvest in extensive areas of the Soviet zone. Access to Soviet crab would offer important new economic benefits to our fleet, and would reflect the tremendous value of the fish harvested and processed by the Soviets in our 200-mile zone since its establishment 10 years ago.

An agreement centered on U.S. access to Soviet crab resources would also have the important effect of equitably distributing the economic benefits of our fisheries relationship with the Soviet Union among our fishermen. To date, any benefits enjoyed by American fishermen have been limited essentially to the participation of our bottomfish trawlers

in joint ventures with Soviet processing vessels. Our large and efficient crab pot fleet, as well as our ambitious and expanding crab processing industry, should share in the major opportunities presented by broadened fisheries cooperation with the Soviets. Our scientists and crab fisheries managers, too, should have a larger role to play.

Mr. President, we call your attention to the Magnuson Fishery Conservation and Management Act, which provides:

Foreign fishing shall not be authorized for the fishing vessels of any foreign nation unless such nation satisfies the Secretary and the Secretary of State that such nation extends substantially the same fishing privileges to fishing vessels of the United States, if any, as the United States extends to foreign fishing vessels. (16 U.S.C. 1821(g).)

We note that the prevailing U.S.-Soviet Governing International Fisheries Agreement provides:

Should the Government of the United States of America indicate to the Government of the Union of Soviet Socialist Republics that its nationals and vessels wish to engage in fishing in the fishery conservation zone of the Soviet Union or its equivalent, the Government of the Union of Soviet Socialist Republics will allow such fishing on the basis of reciprocity and on terms not more restrictive than those established in accordance with this Agreement. (Article XIII.)

Thus, reciprocal fisheries access to Soviet waters not only makes good economic and political sense and serves our scientific interests, but also conforms with our law and accords with our international rights.

We believe that a resolution of the fisheries problems in the disputed boundary area of the Bering Sea and an agreement for reciprocal access by United States vessels to the crab resources of the Soviet 200-mile zone, as well as increased bilateral cooperation in fisheries science, would properly be marked as a meaningful step toward an improved overall political relationship with the Soviet Union. We also believe that such accomplishments would rightly be viewed as distinctly in the economic and scientific interest of the United States.

We urge you to place these matters on the agenda for the planned summit meeting. You can be assured of our full support.

[signed]

Senators



PACIFIC SEAF POD 4019 - 21st Ave. West	ROCESSORS ASSO	NOITAE
Seattle, WA 98199	71	1111
(206) 281-1667	SEP 1 8 1986	

September 17, 1986

President Ronald Reagan 1600 Pennsylvania Avenue Washington, D. C. 20500

Dear Mr. President:

ACTION	ROUTE TO	AGENDA B-4
	Exec. Dir.	SEPTEMBER 198
	Deputy Dir.	SUPPLEMENTAL
	Admin. Off.	
	Exec. Sec.	1 1
	Staff Asst. 1	
	Staff Asst. 2	
	Staff Asst. 3	
	Economist	
	Sec./Bkkr.	
	Sec./Typist	

On behalf of the Pacific Seafood Processors Association (PSPA) I would like to take this opportunity to address two specific U.S./Soviet fisheries issues that are of great interest to our member companies. Before we address these issues we would like to explain that PSPA companies operate in Oregon, Washington and Alaska and produce a wide variety of seafood products including salmon, crab, shrimp and a number of bottomfish species. When considered as a group the members of PSPA produce approximately 85% of the seafood products which originate in the Northwest and Alaska.

- 1.) It would be beneficial if the United States would seek an immediate settlement of fisheries matters in the disputed zone adjacent to the U.S./Russia Line of 1867. A temporary resolution to the dispute involving this line would allow U.S. and Soviet vessels to operate in the zone with management, protection and enforcement being carried out by each users respective country. Countries other than the U.S. and Soviet Union would be prohibited from operating in this area. This bilateral agreement would allow fisheries operations for both countries to continue while the long term boundry question is resolved.
- 2.) The United States should have access to Soviet waters for American harvesters and processors. The Soviet Union is currently allowed to harvest and purchase fish in the U.S. Exclusive Economic Zone. An agreement allowing reciprocal access for U.S. harvesters and processors to Soviet waters would equitably balance the current situation which now allows Soviet access to U.S. waters. This initial agreement should be centered on U.S. access to Soviet crab resources.

Reference is made to the Fishery Conservation and Management Act of 1976 which provides:

"Foreign fishing shall not be authorized for the fishing vessels of any foreign national unless such nation satisfies the Secretary and the Secretary of State that such nation extends

President Ronald Reagan September 17, 1986 Page 2

substantially the same fishing privileges to fishing vessels of the United States, if any, as the United States extends to foreign fishing vessels. (16 U.S.C. 1821 (g).)

The Governing International Fishery Agreement provides:

"Should the Government of the United States of America indicate to the Government of the Union of Soviet Socialist Republics that its nationals and vessels wish to engage in fishing in the fishery conservation zone of the Soviet Union or its equivalent, the Government of the Union of Soviet Socialist Republics will allow such fishing on the basis of reciprocity and on terms not more restrictive than those established in accordance with this Agreement." (Article XIII.)

These concerns, when addressed will economically benefit the entire North Pacific seafood industry.

It is our understanding that preparations are now being made for a U.S./Soviet summit later this year. We urge you to place these matters of interest to the United States seafood industry on the agenda for your meeting. Thank you for your consideration.

1.00

incerely

Robt F. Morgan President

RFM:qq

Honorable George Schultz Honorable Malcolm Baldrige Congressman Don Bonker Congressman John Breaux Senator Daniel Evans Senator Slade Gorton Congressman Mike Lowry Congressman John Miller Senator Frank Murkowski Senator Ted Stevens Congressman Don Young Dr. Anthony J. Calio Chairman James O. Campbell Commissioner Don W. Collinsworth Mr. Robert W. McVey Mr. Rolland Schmitten