

Clem T's presentation  
12/10

AKCONTACT ANG

SEA ALASKA SEA  
1:46 12/10/85

TO: CLEM TILLION  
FM: JOAN DAY  
SEA-ALASKA PRODUCTS  
SEATTLE

MR. JENSEN ASKED THAT THIS MESSAGE BE PASSED ON TO YOU FOR USE IN YOUR PRESENTATION BEFORE THE NPFMC REGARDING THE U.S./JAPAN INDUSTRY TO INDUSTRY MEETINGS.

QUOTE

DEAR MR. CAMPBELL AND MEMBERS OF THE COUNCIL:

I AM VERY SORRY THAT I AM UNABLE TO BE WITH YOU TODAY TO MAKE MY COMMENTS IN PERSON IN SUPPORT OF MR. TILLION'S REPORT. I WOULD ASK YOU TO PLEASE CONSIDER CAREFULLY THE STEPS THAT HAVE BEEN MADE THIS YEAR IN PARTNERSHIP WITH JAPAN, AS WELL AS THE COMMITMENTS FOR THE COMING YEAR WITH RESPECT TO GROUND FISH. THESE STEPS ARE SIGNIFICANT AND I BELIEVE THEY MERIT SPECIAL CONSIDERATION ON THE PART OF THE COUNCIL WHEN IT MAKES RECOMMENDATIONS FOR DIRECTED ALLOCATIONS.

THE MEMORANDUM OF UNDERSTANDING THAT WAS SIGNED THIS YEAR SUPPORTS A GREATER THAN HISTORIC AVERAGE FOR JAPAN'S ALLOCATION OF TALFF. WE TOOK THIS POSITION BECAUSE OF THE EFFORTS JAPAN HAS MADE TO SUPPORT THE DEVELOPING U.S. INDUSTRY. IN PARTICULAR, JAPAN HAS COMMITTED TO FINANCE THE BUILDING OF TWO, LARGE-SCALE SURIMI PROCESSING PLANTS ON SHORE IN ALASKA AT DUTCH HARBOR. THESE PLANTS WILL BE ON LINE IN 1986. ADDITIONALLY, AT LEAST ONE MORE ALASKA SHORESIDE SURIMI PLANT, A COOPERATIVE EFFORT BETWEEN JAPAN AND THE U.S., WILL BE OPERATING THIS YEAR IN KODIAK.

JAPAN HAS ALSO COMMITTED TO PURCHASE INCREASED AMOUNTS OF U.S.-  
PROCESSED POLLOCK PRODUCTS AND TO ENSURE THAT NO VIABLE COMMERCIAL  
TRANSACTION BETWEEN THE U.S. AND JAPAN BE INHIBITED BY IMPORT  
QUOTAS OR DISCRIMINATORY NON-TARIFF TRADE BARRIERS.

FURTHERMORE, AT THE URGING OF THE U.S. INDUSTRY, JAPANESE COMPANIES  
THAT HAVE NOT BEEN INVOLVED PREVIOUSLY IN JOINT VENTURES BECAME  
INVOLVED THIS YEAR. THIS COOPERATION FROM JAPAN IS IMPORTANT  
TO THE U.S. AND HAS SIGNIFICANTLY EXPANDED OUR OPPORTUNITIES  
FOR TRADE.

IN OUR MEMORANDUM OF UNDERSTANDING THIS YEAR, JAPAN HAS COMMITTED  
TO CONTINUE TO ENCOURAGE NEW PARTICIPANTS IN THE FUTURE AS WELL  
AS THE EXPANSION OF THE OPERATIONS OF THIS YEAR'S NEW ENTRANTS.

I BELIEVE IT IS CLEAR THAT THE JAPANESE INDUSTRY HAS MADE A  
SINCERE AND LONG-TERM COMMITMENT TO AIDING THE DEVELOPMENT OF  
THE U.S. INDUSTRY. OUR NEGOTIATIONS THIS YEAR HAVE, IN MY  
OPINION, REINFORCED THE SPIRIT OF COOPERATION TO ACHIEVE THIS  
GOAL.

IF YOU WILL BEAR WITH ME FOR ONE MORE ISSUE, I FEEL I MUST  
COMMENT BRIEFLY ON THE SALMON INTERCEPTION QUESTION.

IN OUR NEGOTIATIONS WITH JAPAN THIS YEAR WE AGREED NOT TO  
INCLUDE THE SALMON INTERCEPTION ISSUE. HOWEVER, THE U.S. TEAM  
MADE A VERY CLEAR STATEMENT TO THE JAPANESE SIDE THAT WE WERE  
VERY CONCERNED ABOUT THE SALMON INTERCEPTION QUESTION AND WE  
URGED JAPAN TO USE ITS VERY BEST EFFORTS TO RESOLVE THIS ISSUE  
BECAUSE WE FELT THAT IF IT WERE NOT RESOLVED IN WASHINGTON, D.C.,  
THIS SITUATION COULD VERY NEGATIVELY AFFECT THE WORK THAT WAS  
ACCOMPLISHED IN OUR NEGOTIATIONS.

SINCERELY,  
RON JENSEN  
UNQUOTE

NNNN

AKCONTACT AHG

SEA ALASKA SEA

TOD DEC 10 85

**GREENPEACE U.S.A.**

P.O. Box 104432  
Anchorage, Alaska 99510

*12/14/85*  
*Council meeting*

Tel. (907) 277-8234

TESTIMONY OF

CINDY LOWRY  
ALASKA FIELD REPRESENTATIVE  
GREENPEACE U.S.A.

BEFORE THE

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

PUBLIC HEARINGS ON  
FOREIGN ALLOCATIONS

DECEMBER 12, 1985

MR. CHAIRMAN AND COUNCIL MEMBERS, THANK YOU FOR THIS OPPORTUNITY TO PRESENT GREENPEACE'S VIEWS ON THE FOREIGN ALLOCATION REQUESTS FOR 1986. MY NAME IS CINDY LOWRY AND I AM THE ALASKA FIELD REPRESENTATIVE FOR GREENPEACE U.S.A. GREENPEACE IS AN INTERNATIONAL ENVIRONMENTAL ORGANIZATION THAT IS HIGHLY CONCERNED ABOUT THE IMPACTS OF THE HIGH SEAS DRIFTNET FISHERIES OF JAPAN, TAIWAN AND THE REPUBLIC OF KOREA ON THE LIVING MARINE RESOURCES IN THE NORTH PACIFIC OCEAN. OUR ORGANIZATION HAS 550,000 SUPPORTERS IN THE UNITED STATES, INCLUDING 1500 ALASKAN CITIZENS.

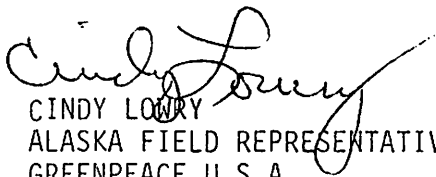
JAPAN'S LAND-BASED AND MOTHERSHIP SALMON DRIFTNET FISHERIES ARE TAKING A HUGE TOLL ON VALUABLE ALASKAN ORIGIN SALMON RESOURCES. STUDIES BY THE UNIVERSITY OF WASHINGTON FISHERIES RESEARCH INSTITUTE (FRI) INDICATE LARGE SCALE INTERCEPTION OF U.S. CHINOOK, COHO, SOCKEYE, AND CHUM SALMON. WE ARE CONCERNED FOR THE PLIGHT OF THE WESTERN ALASKAN CITIZENS WHO NEED THESE CHINOOK SALMON THAT ARE BEING INTERCEPTED BY THE JAPANESE FLEETS FOR THEIR VERY SUBSISTENCE.

WE ARE ALSO CONCERNED THAT THE HIGH SEAS DRIFTNET FISHERIES ALONG WITH THE ASSOCIATED ENTANGLEMENT PROBLEM RESULTING FROM DISCARDED AND LOST FISHING GEAR AND MARINE DEBRIS IS THE LARGEST CAUSE OF MORTALITY TO MARINE MAMMALS IN THE NORTH PACIFIC. IN ADDITION, IT HAS BEEN ESTIMATED THAT THE JAPANESE MOTHERSHIP FISHERY CAUSES THE INCIDENTAL MORTALITY OF 250,000 to 750,000 MARINE BIRDS ANNUALLY.

GREENPEACE REQUESTS THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL TO TERMINATE  
(Total Allowable Level of Foreign Fishing)  
ALL FOREIGN FISHING ALLOCATIONS UNDER TALFFTO JAPAN FOR 1986 AS A RESULT OF JAPAN'S UNWILLINGNESS TO NEGOTIATE WITH MEMBERS OF THE UNITED STATES DEPARTMENT'S OF STATE AND COMMERCE TO WORK TOWARDS THE ONLY TRUE SOLUTION TO THE DRIFTNETS CRISIS - A PHASE-OUT. WE ARE IN SUPPORT AND SHARE MANY OF THE SAME CONCERNS OF THE WESTERN ALASKAN FISHING ORGANIZATIONS THAT ARE ASKING FOR THIS ALLOCATION TO BE CUT AS WELL.

GREENPEACE WILL CONTINUE ITS CAMPAIGN FOR A WORLD-WIDE PHASEOUT OF THE HIGH SEAS DRIFTNET FISHERIES AND WE HOPE THAT THE NORTH PACIFIC FISHERY MANAGEMENT COUNCIL CAN DO ITS PART SO SUCH A GOAL CAN BE ACHIEVED, AND OUR VALUABLE SALMON RESOURCES AND THE VITALITY OF OUR ALASKAN SALMON FISHING INDUSTRY CAN BE PROTECTED FOR THE DECADES TO COME.

THANK YOU FOR THIS OPPORTUNITY TO COMMENT.

  
CINDY LOWRY  
ALASKA FIELD REPRESENTATIVE  
GREENPEACE U.S.A.

FRANK H. MURKOWSKI  
ALASKA

COMMITTEE ON ENERGY AND  
NATURAL RESOURCES  
COMMITTEE ON FOREIGN  
RELATIONS  
COMMITTEE ON VETERANS'  
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December 10, 1985

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

Dear Mr. Campbell:

As you are aware, recent negotiations between the United States and the Government of Japan again failed to reach agreement on the reduction of interceptions of North American-origin salmon.

Negotiators for the United States and Japan have met to discuss this issue on four separate occasions during the past year. The Government of Japan has not yet presented a serious proposal to eliminate salmon interceptions. To resolve this issue, we feel it is important for any agreement to include considerations of the Japanese salmon fleet in the Fishery Conservation Zone, the Bering Sea, and the so called land-based area. Additionally, an agreement including effective scientific monitoring will be critical to assuring that the Japanese salmon fleet does not continue to intercept North American-origin salmon.

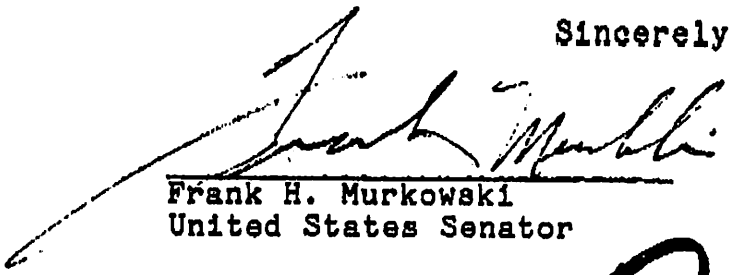
The Japanese bottomfish industry is cooperating with the United States industry. The 1985 Industry to Industry agreement demonstrates the continued willingness for both sides to work together. This cooperation, however, is overshadowed by Japan's interceptions of United States salmon.

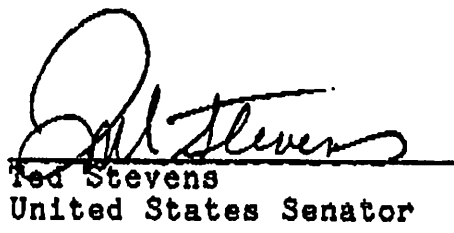
We therefore believe that allocations of fish to Japan should be conditioned on a satisfactory resolution of the salmon interception issue.

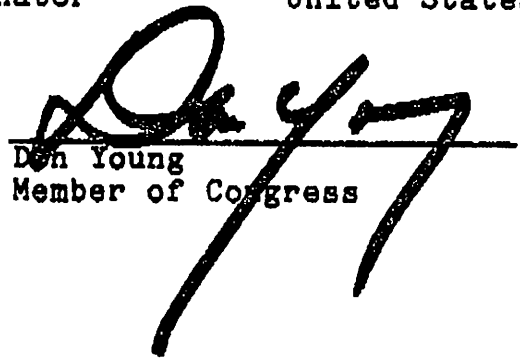
Mr. James O. Campbell  
December 10, 1985  
Page 2

We strongly urge that the North Pacific Fishery Management Council recommend a withholding of all allocations to Japan until such time as there is a signed agreement in accordance with the above listed principals.

Sincerely,

  
Frank H. Murkowski  
United States Senator

  
Ted Stevens  
United States Senator

  
Don Young  
Member of Congress

Submitted During Dec 85 Council mtg  
Not sure by whom

The effect of reduced of interception of North American origin salmon

Dec. 11. 1985

1. Mothership fishery

(1) Closure of East of 180 in Bering Sea

(a) Chinook

North American origin	12,650 fish
Total North American Origin in Mothership fishery	66,250 fish

reduction:  $12,650/66,250 = 19.1\%$

(b) Sockeye

North American Origin	62,000 fish
Total North American Origin in Mothership fishery	418,500 fish

reduction:  $62,000/418,500 = 14.8\%$

(2) Reduction of Catch of Mothership fishery

(a) Bering Sea (east of 180 )	619,000 fish
(b) FCZ	106,000 fish
(a) + (b)	725,000 fish

2. Land-Based fishery

By introducing the upper limit of 50 vessels in the designated area, catch effort was reduced by 20% a year for 2 years during 5 years period.



STATEMENT BY HAROLD SPARCK, DIRECTOR TO ALASKAN BOARD OF FISHERIES ON ALTERNATIVES TO ALASKAN PENNINSULA CHUM INTERCEPTION

The Alaska Board of Fisheries has before it proposals that will affect the last remaining, unregulated salmon intercept fishery in the State of Alaska at False Pass/Shumagin Islands.

During this regulatory meeting, the Board has applied its Policy on Interception Fisheries to Kyak Island in Prince Williams Sound. Nunam Kitlutsisti welcomes the Board's decision that terminal, discrete stock fisheries must be encouraged as the prudent conservation system for all North American salmon stocks.

NK believes that two feasible alternatives exist for the Board of Fisheries to allow Western Alaskan salmon intercepted by the existing cape fishery in the Alaska Penninsula Management Area to return to their Western Alaskan streams of origin.

A. Termination of Alaskan Penninsula Intercept Salmon Fishery

The Board's first alternative is to reduce the commercial fishing area to the discrete commercial fishing areas as identified in Regulatory Proposal #139. Adoption of this proposal would put in place discrete stock salmon fisheries. Acceptance of Proposal #139 would significantly reduce known interceptions of Western Alaskan stream of origin salmon stocks.

B. Attu Pass Intercept of Soviet and Japanese Salmon Stocks

Scale analyses has demonstrated that salmon migrating through Aleutian passes west of Amchitka Pass beginning in late July are high value Soviet Anadyr River fall chums and Hokkaido aquaculture chum stocks. By opening this fishery for those Westward permit holders who wish to continue to fish Aleutian foreign stocks after passage of Proposal #139, the Board would be offering a lucrative and unrestricted financial alternative to the Alaska Penninsula North American salmon intercept fishery.

To encourage the relocation of existing gear to the passes seaward of Amchitka Pass, the Board could remove all existing limits on gear and periods under Chapter 12: Aleutian Islands Area, Article 2, 5 AAC 12.200(d) Adak District. The de-regulated fishery would be within the territorial sea of the State of Alaska beginning at Amchitka Pass, 51 Degree 35 Minutes N Latitude 180 Degree E Longitude to the most easterly extension of the Exclusive Economic Zone of the United States within the Aleutian Island Archipelago, 167 Degree East Longitude.

To limit by-catches of North American salmon in this fishery, the Board can introduce this fishery as an experimental fishery in 1986. A 100,000 sockeye cap could be established in the first year. Staff would monitor landings and determine continent of origin from scale analyses to adjust the 1987 fishery to selectively target key foreign stocks. This intercept fishery will increase the political risks to existing high seas fleets.

The proposed intercept fishery on Soviet and Japanese stocks within the extended jurisdiction of the United States and the territorial sea of the State of Alaska is authorized by the Magnusson Fisheries Management and Conservation Act (MFCMA), Section 102(2), 16 USC 1812, and Articles 62 and 66 of the Third United Nations Conference on the Law of the Sea (UNCOLS III).

Intent of the Board is more important under this proposal at this time than actual harvest tonnage in the first year.

In re-directing Alaska Peninsula gear effort to Soviet and Japanese continent of origin fish, the Board would achieve the following additional goals:

1. Support the Governor in His Effort to Terminate the Japanese Mothership and Land Based Fisheries on Alaskan Stream of Origin Stocks in the EEZ and the High Seas.

Japanese high seas mothership and land based fleets operating within and outside of the American Exclusive Economic Zone are authorized by the International Convention for the High Seas Fisheries of the North Pacific (INPFC) amended in 1978, implemented as the 1978 Amendments to the North Pacific Fisheries Act, and managed by the INPFC Commission.

These fisheries result in continuous interceptions of high value salmon stocks of North American origin. The Japanese interception of North American salmon stocks is recognized, and protected by the Federal Administration due to international trade considerations to the detriment of Alaskan, Canadian, and Pacific Northwest salmon fishing interests. Each year, Western Alaskan salmon fisheries are those whose conservation is most seriously impacted by the high seas interceptions, compounded by False Pass.

The Japanese and our Federal Administration contend that only 1 million salmon and steelhead of North American origin in total are taken. Since the inception of the MFCMA, periodic Enforcement Reports to the North Pacific Fisheries Management Council (NPFMC) by the U.S. Coast Guard confirm that widespread cheating exists throughout the high seas fishery. Our confidential information points to an annual interception of up to 10 million salmon and steelhead of North American continent of origin in all high seas fisheries.

Japan has now recognized the growing U.S. domestic demand to terminate its high seas interception fisheries. The State Department has declined in the past to intercede fearing Japanese retribution in the form of boycotts and/or increased high seas interception of North American stocks.

Japanese threats to boycott Alaskan salmon have been declared improbable by the Pacific Seafood Processors Association. Western Alaskans have had recent communications with Japanese domestic salmon competitors of the high seas fleets. These

Japanese groups recognize that the efforts by the Governor and Western Alaskans to eliminate the Japanese high seas intercept fisheries will remove Japanese salmon competitors to their economic advantage. These economically significant Japanese group have encouraged our recent efforts to stop high seas salmon fishing.

The second line of Japanese threats is to relocate its salmon fleets in the Gulf of Alaska beyond 200nm. This form of Japanese retaliation would:

1. Compromise the significant Japanese bottomfish interest in the Alaskan shelf conservatively worth ten times the legal value of the authorized INPFC Japanese interceptions.
2. Create economic chaos with the substantial Japanese investment in U.S. domestic salmon processing
3. Enrage a Congress already bothered by a \$50 billion U.S. trade deficit with Japan.
4. Provoke West Coast insistence for U.S. enforcement action beyond 200nm as provided by the Magnusson Fisheries Conservation and Management Act and cited by the Western Alaskan Salmon Coalition's pending litigation.

Japan understands the current limits to its historic threats. The Japanese are now promoting a new alternative. Japan is now offering bottomfish investment capitol to separate Western Alaska from other Alaskan interests. The Japanese plan to target bottomfish opportunity funds into the laps of key Alaskan coastal communities. Second, Japan is encouraging Seattle joint venture draggers to oppose the linkage of bottomfish and high seas salmon. Coupling the two forces, the Japanese hope to split the North Pacific Fisheries Management Council's resolve to link surplus bottomfish allocations to reduced high seas salmon interceptions. If the Japanese can successfully deploy their American joint venture lackies to prevent the Council from reducing January, 1986 Bering Sea TALFF allocations, Japan will have succeeded to further delay U.S. salmon conservation.

Action as suggested in this proposal by this Board would support the Governor in publishing the message that bottomfish economic opportunity is fine, but this year, conservation of salmon comes first.

2. The Sovereign State of Alaska Gives Notice to the United States, the Soviet Socialist Republic and the Nation of Japan of its Ability to Influence the Allocation of Migratory Resources Within the Territorial Sea of the State.

Authority: MFCMA, Section 102(2)  
UNCLOS III, Articles 62, 66

Since 1977, the USSR has been collecting a fisheries cooperation fee from the Nation of Japan for all salmon taken outside the Soviet EEZ under the bi-lateral U.S.S.R.-Japanese

Salmon Agreement. Beginning with that Agreement, the Soviets have accepted payment for all salmon of North American continent of origin "incidentally" taken by the Japanese fleets while fishing for Soviet continent of origin salmon stocks. U.S. scientists have concluded through analyses of fleet activity and scale samples that Japanese fleets specifically target on high valued North American salmon and steelhead populations in their authorized, and repetitious unauthorized INPFC interceptions.

Equity must be considered for those North American interests that have given up other economies to set aside habitat for salmon. Salmon conservation by Western Alaska currently benefits fleets of foreign nations. No compensation has been offered by our National Government. Western Alaska wants no direct assistance from these salmon intercepting nations. Once foreign investment in salmon were given, those Nations could perpetually claim an interest in those salmon stocks under Article 66 of the Law of the Sea negotiated agreements on "economic dislocation".

One form of Alaskan compensation created by the Board in this proposal could be based on scarcity of resource. Alaskan based fisheries could take Soviet and Japanese chum tonnage equal to the projected Japanese North American high valued salmon interceptions and Soviet fees derived from that tonnage. High valued species like chinook, coho, steelhead, and sockeye of North American origin should be compensated with equivalent values for lower valued Soviet and Japanese chums passing through the U.S. EEZ and the territorial sea of the State of Alaska.

In 1977, the United States and Soviet Union affirmed their support for Article #66 of the Third United Nations Convention on the Law of the Sea. The intention of both States of salmon origin was to limit high seas interceptions of salmon to the existing fleets of the Nation of Japan, and preclude entry by additional Japanese fleets, or fleets of other Nations. This policy has been discredited by the lack of enforcement by responsible flag and treaty states on directed high seas take of fully utilized anadromous stocks. Additional salmon interception fleets have been put to sea by Pacific Rim states disguised as pelagic squid and pomfret dedicated fisheries.

In 1976, at the conclusion of UNCLOS's Article 66 negotiation, there was 4300 miles of pelagic ocean drift net launched each day during the three month ocean fishing period. In 1985, there is over 20,503 miles of net launched each day during this high seas salmon fishing period.

The establishment of a cape fishery for migrating Japanese and Soviet stocks will underscore the degree of concern and demand for salmon conservation and equity by the sovereign State of Alaska within its territorial sea.

PETITION TO THE ALASKAN BOARD OF FISHERIES FOR A EXPERIMENTAL FISHERY IN THE ALEUTIAN ISLANDS COMMERCIAL SALMON FISHING AREA

PURPOSE OF PETITION

The Board of Directors of Nunam Kitlutsisti petitions the Alaskan Board of Fisheries to establish a new commercial salmon district, seasons, weekly fishing periods, gear, seine specifications and operations, vessel identification, buyer reporting requirements, and superexclusive use area in the most eastward longitudes of the American Aleutian Islands.

DESCRIPTION OF PROPOSED COMMERCIAL SALMON FISHERY

CHAPTER 12.

ARTICLE I. DESCRIPTION OF AREA

5 AAC 12.110. DESCRIPTION OF AREA. The Attu Island commercial fishing district includes all waters west of Amchitka Pass 51 Degrees 35 Minutes N Latitude, 180 Degrees East Longitude to the most easterly extension of the Exclusive Economic Zone of the United States at 167 Degrees East Longitude.

Authority:AS 16.05.251

ARTICLE 2. FISHING DISTRICTS AND SECTIONS

5 AAC.12.200 (d) Adak District:all waters west of Atka Pass to Amchitka Pass.

(e) Attu District:all waters including and west of Amchitka Pass to the terminus of the Aleutian Islands.

Authority:AS 16.05.251

ARTICLE 3. SALMON FISHERY

5 AAC 12.210 FISHING SEASONS (b)All salmon in this district must be taken from July 19 through September 30 in the first year of operation. Studies of scale samples from this fishery in its first year of operation shall be reviewed by the Board to determine continent or island of origin. If scale analyses determines that salmon of North American origin have been intercepted during the established fishing season, the Board shall amend these dates to prevent interception of North American origin.

Authority:AS 16.05.251

5 AAC 12.320. WEEKLY FISHING PERIODS. Salmon may be taken only as follows:

(2)from July 19 through September 30, salmon may be taken during open season. Fishing periods shall be 24 hours a day seven days a week. In the event that the fishery exceeds a ceiling of 100,000 sockeye salmon of North American origin, the fishery will be closed by emergency order until test fishing by staff determines that sockeye have moved through the fishery. The fishery shall be opened by emergency order, subject to emergency closures if sockeye salmon of North American origin once again enter the fishery.

Authority: AS 16.05.060, 16.05.251(a)(2)

5 AAC 12.330. GEAR. Salmon may be taken by purse seines, hand purse seines, beach seines, drift or set gill nets.

Authority: AS 16.05.250(3)

# NUNAM KITLUTSISTI

5 AAC 12.332. SEINE SPECIFICATIONS AND OPERATIONS. (d) In the Attu Island Fishery, there will be no limits on the gear in use.

Authority: AS 16.05.250(3)

5 AAC 12.342. VESSEL IDENTIFICATION. Each registered salmon fishing vessel must display its permanent vessel license plate number. This vessel license number can only be used in the Attu Island fishery.

5 AAC 12.970 BUYER REPORTING REQUIREMENTS. In addition to the requirements of 5 AAC 39.130(f), each buyer shall report in person to the local representative of the Department at six hour periods:

(1) the number of salmon species other than chums being taken

(2) the vessel license numbers, and the CFEC permit holder's number to insure that permit holders electing to participate in the Attu Island District have not fished in other CFEC salmon fishery from January 1 through September 30 of that same year.

Authority: AS 16.05.251(a)(4),(5),(7),(12)

5 AAC 12.898 SUPEREXCLUSIVE USE AREA. THE Attu Island Commercial Salmon Fishery is a superexclusive salmon fishery. No CFEC permit holder electing to participate in this fishery shall have fished in another CFEC salmon fishery from January 1 through September 30 of that same year.

Authority: AS 16.05.251

## JUSTIFICATION

1. Projected harvests in Bristol Bay sockeye for 1986 at 12 million plus is nearly 50% of 1985 harvest. Surplus gear and harvesting capacity will be available in 1986 to pioneer this fishery.
2. Technology required to safely and efficiently harvest migrating salmon in Attu Salmon District exists in Alaskan Peninsula fisheries, and can be easily transferred to pioneer this fishery.
3. Interception of Japanese high valued Hokkaido aquaculture chum stocks by U.S. domestic fishermen will contribute equivalent economic benefits to the Alaskan fisheries foregone by Japanese high seas reported and unreported selective interceptions of high valued North American salmon stocks.
4. Interception of Soviet aquaculture chum stocks by U.S. domestic fleets will contribute equivalent economic benefits to Alaskan fisheries foregone by recent practices of Soviet Government in its USSR-Japan bilateral high seas salmon negotiations. Soviets collect fisheries cooperation fee from Japanese for all North American stocks intercepted within and outside U.S. EEZ during high seas salmon fishing. The Soviets recently imposed high seas time area closures and tonnage caps to protect high valued Soviet stocks further exposing more North American salmon to Japanese interception.
5. See attached presentation to Alaskan Board of Fisheries by Nunam Kitlutsisti for more detailed explanation.

*Harold Sparck*  
Harold Sparck, Director



United States Department of State

*Bureau of Oceans and International  
Environmental and Scientific Affairs*

*Washington, D.C. 20520*

December 6, 1985

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

Dear Jim:

As you know, a U.S. delegation met with the Government of Japan to discuss the issue of Japanese interceptions of North American origin salmon on December 4 - 5 in Washington, D.C. During the two days of talks, we discussed a Japanese proposal and a U.S. counter-proposal. I believe you are aware that this was the fourth time we have met with representatives of Japan for discussions on this critically important issue. It had been our expectation that the issue could be resolved during this round of talks. Unfortunately, despite the best efforts of the U.S. delegation, we were unable to reach agreement on a plan which would result in significant reductions of interceptions by the Japanese mothership and land-based fleets on the high seas and in the U.S. EEZ.

At the end of this round, the Japanese delegation indicated they would reconsider their proposal. Accordingly, Director General Sano requested another round of negotiations for December 18-19 in Washington, D.C. We expect Japan to have a new proposal to present to us at that time.

The Department of State is fully aware of and shares industry and Congressional concern about the seriousness of the salmon interception problem. On many occasions during our talks, the Department has made clear to Japan that failure to reach agreement on this issue has the potential to affect negatively our mutual fisheries relationship, specifically our 1986 allocation decisions.

Mr. Campbell

2.

The Department has made it clear that it will do all it can to seek a viable resolution of this problem. We will continue to consult with those in the U.S industry and Congress concerned with this issue as well as with the North Pacific Fishery Management Council.

Thank you for your cooperation on this and other matters of mutual concern. I am looking forward to hearing from you at the conclusion of the December Council meeting.

Sincerely,



Edward E. Wolfe  
Deputy Assistant Secretary  
Oceans and Fisheries Affairs

cc: Senator Ted Stevens  
Senator Frank H. Murkowski  
Representative John Breaux  
Representative Don Young  
Mr. Anthony Calio, Administrator, NOAA  
Senator Slade Gorton



FRANK H. MURKOWSKI  
ALASKA

COMMITTEE ON ENERGY AND  
NATURAL RESOURCES  
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December 10, 1985

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

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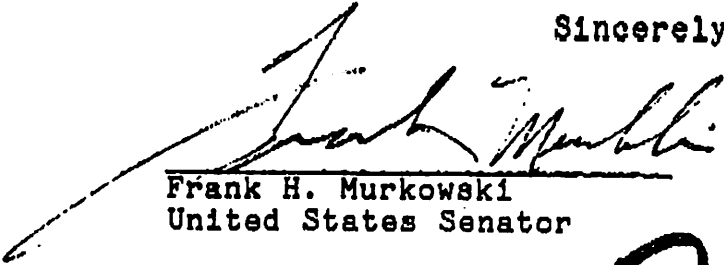
The Japanese bottomfish industry is cooperating with the United States industry. The 1985 Industry to Industry agreement demonstrates the continued willingness for both sides to work together. This cooperation, however, is overshadowed by Japan's interceptions of United States salmon.

We therefore believe that allocations of fish to Japan should be conditioned on a satisfactory resolution of the salmon interception issue.

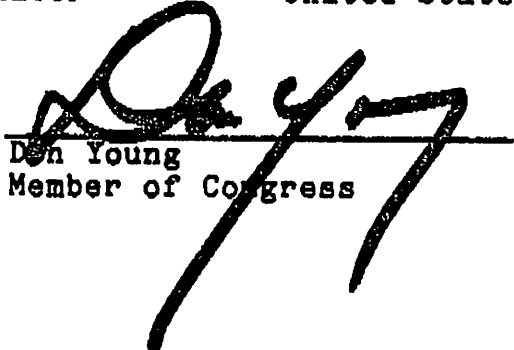
Mr. James O. Campbell  
December 10, 1985  
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We strongly urge that the North Pacific Fishery Management Council recommend a withholding of all allocations to Japan until such time as there is a signed agreement in accordance with the above listed principals.

Sincerely,

  
\_\_\_\_\_  
Frank H. Murkowski  
United States Senator

  
\_\_\_\_\_  
Ted Stevens  
United States Senator

  
\_\_\_\_\_  
Don Young  
Member of Congress

STATEMENT BY HAROLD SPARCK, DIRECTOR TO ALASKAN BOARD OF FISHERIES ON ALTERNATIVES TO ALASKAN PENNINSULA CHUM INTERCEPTION

The Alaska Board of Fisheries has before it proposals that will affect the last remaining, unregulated salmon intercept fishery in the State of Alaska at False Pass/Shumagin Islands.

During this regulatory meeting, the Board has applied its Policy on Interception Fisheries to Kyak Island in Prince Williams Sound. Nunam Kitlutsisti welcomes the Board's decision that terminal, discrete stock fisheries must be encouraged as the prudent conservation system for all North American salmon stocks.

NK believes that two feasible alternatives exist for the Board of Fisheries to allow Western Alaskan salmon intercepted by the existing cape fishery in the Alaska Penninsula Management Area to return to their Western Alaskan streams of origin.

A. Termination of Alaskan Penninsula Intercept Salmon Fishery

The Board's first alternative is to reduce the commercial fishing area to the discrete commercial fishing areas as identified in Regulatory Proposal #139. Adoption of this proposal would put in place discrete stock salmon fisheries. Acceptance of Proposal #139 would significantly reduce known interceptions of Western Alaskan stream of origin salmon stocks.

B. Attu Pass Intercept of Soviet and Japanese Salmon Stocks

Scale analyses has demonstrated that salmon migrating through Aleutian passes west of Amchitka Pass beginning in late July are high value Soviet Anadyr River fall chums and Hokkaido aquaculture chum stocks. By opening this fishery for those Westward permit holders who wish to continue to fish Aleutian foreign stocks after passage of Proposal #139, the Board would be offering a lucrative and unrestricted financial alternative to the Alaska Penninsula North American salmon intercept fishery.

To encourage the relocation of existing gear to the passes seaward of Amchitka Pass, the Board could remove all existing limits on gear and periods under Chapter 12: Aleutian Islands Area, Article 2, 5 AAC 12.200(d) Adak District. The de-regulated fishery would be within the territorial sea of the State of Alaska beginning at Amchitka Pass, 51 Degree 35 Minutes N Latitude 180 Degree E Longitude to the most easterly extension of the Exclusive Economic Zone of the United States within the Aleutian Island Archipelago, 167 Degree East Longitude.

To limit by-catches of North American salmon in this fishery, the Board can introduce this fishery as an experimental fishery in 1986. A 100,000 sockeye cap could be established in the first year. Staff would monitor landings and determine continent of origin from scale analyses to adjust the 1987 fishery to selectively target key foreign stocks. This intercept fishery will increase the political risks to existing high seas fleets.

The proposed intercept fishery on Soviet and Japanese stocks within the extended jurisdiction of the United States and the territorial sea of the State of Alaska is authorized by the Magnusson Fisheries Management and Conservation Act (MFCMA), Section 102(2), 16 USC 1812, and Articles 62 and 66 of the Third United Nations Conference on the Law of the Sea (UNCLOS III).

Intent of the Board is more important under this proposal at this time than actual harvest tonnage in the first year.

In re-directing Alaska Peninsula gear effort to Soviet and Japanese continent of origin fish, the Board would achieve the following additional goals:

1. Support the Governor in His Effort to Terminate the Japanese Mothership and Land Based Fisheries on Alaskan Stream of Origin Stocks in the EEZ and the High Seas.

Japanese high seas mothership and land based fleets operating within and outside of the American Exclusive Economic Zone are authorized by the International Convention for the High Seas Fisheries of the North Pacific (INPFC) amended in 1978, implemented as the 1978 Amendments to the North Pacific Fisheries Act, and managed by the INPFC Commission.

These fisheries result in continuous interceptions of high value salmon stocks of North American origin. The Japanese interception of North American salmon stocks is recognized, and protected by the Federal Administration due to international trade considerations to the detriment of Alaskan, Canadian, and Pacific Northwest salmon fishing interests. Each year, Western Alaskan salmon fisheries are those whose conservation is most seriously impacted by the high seas interceptions, compounded by False Pass.

The Japanese and our Federal Administration contend that only 1 million salmon and steelhead of North American origin in total are taken. Since the inception of the MFCMA, periodic Enforcement Reports to the North Pacific Fisheries Management Council (NPFMC) by the U.S. Coast Guard confirm that widespread cheating exists throughout the high seas fishery. Our confidential information points to an annual interception of up to 10 million salmon and steelhead of North American continent of origin in all high seas fisheries.

Japan has now recognized the growing U.S. domestic demand to terminate its high seas interception fisheries. The State Department has declined in the past to intercede fearing Japanese retribution in the form of boycotts and/or increased high seas interception of North American stocks.

Japanese threats to boycott Alaskan salmon have been declared improbable by the Pacific Seafood Processors Association. Western Alaskans have had recent communications with Japanese domestic salmon competitors of the high seas fleets. These

Japanese groups recognize that the efforts by the Governor and Western Alaskans to eliminate the Japanese high seas intercept fisheries will remove Japanese salmon competitors to their economic advantage. These economically significant Japanese group have encouraged our recent efforts to stop high seas salmon fishing.

The second line of Japanese threats is to relocate its salmon fleets in the Gulf of Alaska beyond 200nm. This form of Japanese retaliation would:

1. Compromise the significant Japanese bottomfish interest in the Alaskan shelf conservatively worth ten times the legal value of the authorized INPFC Japanese interceptions.
2. Create economic chaos with the substantial Japanese investment in U.S. domestic salmon processing
3. Enrage a Congress already bothered by a \$50 billion U.S. trade deficit with Japan.
4. Provoke West Coast insistence for U.S. enforcement action beyond 200nm as provided by the Magnusson Fisheries Conservation and Management Act and cited by the Western Alaskan Salmon Coalition's pending litigation.

Japan understands the current limits to its historic threats. The Japanese are now promoting a new alternative. Japan is now offering bottomfish investment capitol to separate Western Alaska from other Alaskan interests. The Japanese plan to target bottomfish opportunity funds into the laps of key Alaskan coastal communities. Second, Japan is encouraging Seattle joint venture draggers to oppose the linkage of bottomfish and high seas salmon. Coupling the two forces, the Japanese hope to split the North Pacific Fisheries Management Council's resolve to link surplus bottomfish allocations to reduced high seas salmon interceptions. If the Japanese can successfully deploy their American joint venture lackies to prevent the Council from reducing January, 1986 Bering Sea TALFF allocations, Japan will have succeeded to further delay U.S. salmon conservation.

Action as suggested in this proposal by this Board would support the Governor in publishing the message that bottomfish economic opportunity is fine, but this year, conservation of salmon comes first.

2. The Sovereign State of Alaska Gives Notice to the United States, the Soviet Socialist Republic and the Nation of Japan of its Ability to Influence the Allocation of Migratory Resources Within the Territorial Sea of the State.

Authority: MFCMA, Section 102(2)  
UNCLOS III, Articles 62, 66

Since 1977, the USSR has been collecting a fisheries cooperation fee from the Nation of Japan for all salmon taken outside the Soviet EEZ under the bi-lateral U.S.S.R.-Japanese

Salmon Agreement. Beginning with that Agreement, the Soviets have accepted payment for all salmon of North American continent of origin "incidentally" taken by the Japanese fleets while fishing for Soviet continent of origin salmon stocks. U.S. scientists have concluded through analyses of fleet activity and scale samples that Japanese fleets specifically target on high valued North American salmon and steelhead populations in their authorized, and repetitious unauthorized INPFC interceptions.

Equity must be considered for those North American interests that have given up other economies to set aside habitat for salmon. Salmon conservation by Western Alaska currently benefits fleets of foreign nations. No compensation has been offered by our National Government. Western Alaska wants no direct assistance from these salmon intercepting nations. Once foreign investment in salmon were given, those Nations could perpetually claim an interest in those salmon stocks under Article 66 of the Law of the Sea negotiated agreements on "economic dislocation".

One form of Alaskan compensation created by the Board in this proposal could be based on scarcity of resource. Alaskan based fisheries could take Soviet and Japanese chum tonnage equal to the projected Japanese North American high valued salmon interceptions and Soviet fees derived from that tonnage. High valued species like chinook, coho, steelhead, and sockeye of North American origin should be compensated with equivalent values for lower valued Soviet and Japanese chums passing through the U.S. EEZ and the territorial sea of the State of Alaska.

In 1977, the United States and Soviet Union affirmed their support for Article #66 of the Third United Nations Convention on the Law of the Sea. The intention of both States of salmon origin was to limit high seas interceptions of salmon to the existing fleets of the Nation of Japan, and preclude entry by additional Japanese fleets, or fleets of other Nations. This policy has been discredited by the lack of enforcement by responsible flag and treaty states on directed high seas take of fully utilized anadromous stocks. Additional salmon interception fleets have been put to sea by Pacific Rim states disguised as pelagic squid and pomfret dedicated fisheries.

In 1976, at the conclusion of UNCLOS's Article 66 negotiation, there was 4300 miles of pelagic ocean drift net launched each day during the three month ocean fishing period. In 1985, there is over 20,503 miles of net launched each day during this high seas salmon fishing period.

The establishment of a cape fishery for migrating Japanese and Soviet stocks will underscore the degree of concern and demand for salmon conservation and equity by the sovereign State of Alaska within its territorial sea.