

No. 14512

**UNITED STATES OF AMERICA
and
JAPAN**

Exchange of notes constituting an agreement concerning certain fisheries off the coast of the United States of America (with related note and agreed minutes of 24 December 1974 and report of the consultation dated 13 December 1974). Tokyo, 24 December 1974

Authentic texts of the exchange of notes: Japanese and English.

Authentic text of the related note: Japanese.

Authentic text of the agreed minutes and report of the consultation: English.

Registered by the United States of America on 31 December 1975.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN
THE UNITED STATES OF AMERICA AND JAPAN CONCERNING
CERTAIN FISHERIES OFF THE COAST OF THE UNITED STATES OF
AMERICA

日本国外務大臣

宮澤 徳一

日本国駐在アメリカ合衆国特命全権大使

ジェームズ・D・ホッドソン閣下

¹ Came into force on 24 December 1974 by the exchange of the said notes, with effect from 1 January 1975, in accordance with their provisions.

[TRANSLATION — TRADUCTION]

The Japanese Minister for Foreign Affairs to the American Ambassador

Excellency,

[See note II]

[Signed]

KIUCHI MIYAZAWA

II

The American Ambassador to the Japanese Minister for Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA
TOKYO

December 24, 1974

No. 939

Excellency,

I have the honor to acknowledge receipt of Your Excellency's note of today's date, which reads as follows:

"I have the honor to refer to the consultation between the representatives of the Government of Japan and the Government of the United States of America held in Tokyo from November 25 to December 13, 1974, concerning certain fisheries off the coast of the United States of America and to confirm on behalf of my Government the following understandings which shall replace the previous agreement contained in the exchange of notes on December 20, 1972:¹

1. The Government of Japan will take necessary measures to ensure that the nationals and vessels of Japan will not engage in fishing, except such fishing as listed below, in the waters which are contiguous to the territorial sea of the United States of America and extend to a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured.

1) In the waters off the Bering Sea coast of the Aleutian Islands:

- (a) between 165° and 166°45' West Longitude, dragnet fishing from May 16 to May 31 inclusive, and longline fishing and loading from December 1 to May 31 inclusive;
- (b) between 166°45' and 169° West Longitude, dragnet fishing from May 16 to September 14 inclusive, and longline fishing and loading from February 16 to September 14 inclusive;
- (c) between 169° and 170° West Longitude, dragnet fishing from May 16 to November 30 inclusive, and longline fishing and loading year-round;
- (d) between 170° and 172° West Longitude, dragnet and longline fishing and loading year-round;
- (e) between 172° and 176° West Longitude, longline fishing and loading from April 1 to October 31 inclusive;

¹ United Nations, *Treaty Series*, vol. 903, p. 23.

- (f) west of 176° West Longitude, dragnet fishing from May 1 to December 31 inclusive and longline fishing and loading year-round.
- 2) In the waters off the Pacific coast of the Aleutian Islands:
- (a) between 166° and 169° West Longitude, longline fishing and loading from February 16 to September 14 inclusive;
 - (b) between 169° and 172° West Longitude, dragnet and longline fishing and loading year-round;
 - (c) between 172° and 178°30' West Longitude, longline fishing and loading from April 1 to October 31 inclusive;
 - (d) between 176° and 178°30' West Longitude, dragnet fishing from July 1 to October 31 inclusive;
 - (e) west of 178°30' West Longitude, dragnet fishing from May 1 to December 31 inclusive and longline fishing and loading year-round.

- 3) Tuna fishing in all waters except off the mainland of the continental United States of America (including Alaska), Puerto Rico, the Virgin Islands, Panama Canal Zone, Guam, American Samoa, and Hawaii, Maui, Molokai, Kahoolawe, Oahu, Kauai, Lanai, and Niihau of the Hawaiian Islands.

2. In addition to the areas of fishing listed in paragraph 1, the areas for loading operations by nationals and vessels of Japan in the waters which are contiguous to the territorial sea of the United States of America and extend to a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured shall be as follows:

- 1) Near Destruction Island, Washington, in the waters between 47°36' North Latitude and 47°45' North Latitude.
- 2) Near Forrester Island, Alaska, in the waters bounded on the north by 54°54' North Latitude, on the east by 133°16' West Longitude, and on the south by 54°44' North Latitude.
- 3) On the east side of Kayak Island, Alaska, in the waters between 59°48' and 59°56' North Latitude west of 143°53' West Longitude and on the west side of Kayak Island in the waters between 59°52' and 60°07' North Latitude east of 145° West Longitude.
- 4) North of Tonki Cape on Afognak Island, Alaska, in the waters bounded on the north by 58°35' North Latitude, on the south by 58°25' North Latitude, on the west by 152°02' West Longitude and on the east by 151°52' West Longitude.
- 5) On the west side of Sanak Island, Alaska, in the waters bounded on the north by 54°36' North Latitude, on the south by 54°26' North Latitude, on the west by 163°05' West Longitude and on the east by 162°40' West Longitude.
- 6) On the south side of Unalaska Island, Alaska, in the waters between 167°18' West Longitude and 167°40' West Longitude, from January 1 to October 14 inclusive.
- 7) On the north side of Unalaska Island, Alaska, in the waters between 167°15' West Longitude and 167°30' West Longitude, from January 1 to October 14 inclusive.
- 8) On the south side of Umnak Island, Alaska, in the waters between 168°15' West Longitude and 168°30' West Longitude, from October 15 to December 31 inclusive.
- 9) On the north side of Umnak Island, Alaska, in the waters between 168°25' West Longitude and 168°40' West Longitude and between 168°50' West Longitude and 169° West Longitude, from October 15 to December 31 inclusive.
- 10) Off St. George Island of the Pribilof Islands, Alaska, from November 1 to April 30 inclusive.
- 11) On the north side of St. Matthew Island, Alaska, in the Bering Sea in the waters between 172°29' West Longitude and 172°46' West Longitude, and on the south side of St.

Matthew Island in the waters between 172°17' West Longitude and 172°35' West Longitude and in the waters between 172°54' West Longitude and 173°04' West Longitude. These provisions shall apply year-round, except as otherwise provided.

3. Nothing in the present arrangements shall be deemed to prejudice the claims of either Government in regard to the jurisdiction of a coastal state over fisheries.

4. The present arrangements shall be effective as of January 1, 1975, and shall continue in effect until December 31, 1976, provided that in regard to the fishing as specified in paragraph 1 (1) (a) and to the loading operations as specified in paragraph 2 (10), the present arrangements shall continue in effect until May 31, 1977, and until April 30, 1977, respectively. At the request of either Government, representatives of the two Governments will meet at a mutually convenient time within 60 days of such request to consider the desirability of modifications of these arrangements. In any event, the two Governments shall meet before December 31, 1976, to review the operation of the present arrangements and to decide on future arrangements.

“I have further the honor to propose that this note and Your Excellency’s reply confirming the above understandings on behalf of your Government shall be regarded as constituting an agreement between the two Governments.

“I avail myself of this opportunity to extend to Your Excellency the assurance of my highest consideration.”

I have further the honor to confirm the above understandings on behalf of the Government of the United States of America and to agree that Your Excellency’s note and this reply shall be regarded as constituting an agreement between the two Governments.

Accept, Excellency, the assurances of my highest consideration.

JAMES D. HODGSON

His Excellency Kiichi Miyazawa
Minister for Foreign Affairs
Tokyo

[TRANSLATION¹ — TRADUCTION²]

Tokyo, December 24, 1974

Excellency,

I have the honor to refer to the arrangements set forth in the notes exchanged today between us concerning certain fisheries off the coast of the United States of America and to inform Your Excellency of the following:

The Government of Japan will take necessary measures to ensure that, with a view to preventing conflict of fishing gear during periods of high concentration of such gear, nationals and vessels of Japan will not, during the duration of the above-mentioned arrangements, engage in the following fishing in the waters and during the periods specified below respectively:

1. Dagnet and longline fishing from August 10 to May 31 of the following year inclusive:

Off Kodiak Island seaward of a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured in the six areas bounded respectively by straight lines connecting in each of the following groups the coordinates in the order listed:

(i)	<i>North Latitude</i>	<i>West Longitude</i>
	57°15'	154°51'
	56°57'	154°34'
	56°21'	155°40'
	56°26'	155°55'
	57°15'	154°51'
(ii)	<i>North Latitude</i>	<i>West Longitude</i>
	56°27'	154°06'
	55°46'	155°27'
	55°40'	155°17'
	55°48'	155°00'
	55°54'	154°55'
	56°03'	154°36'
	56°03'	153°45'
	56°30'	153°45'
	56°30'	153°49'
	56°27'	154°06'
(iii)	<i>North Latitude</i>	<i>West Longitude</i>
	56°30'	153°49'
	56°30'	153°00'
	56°44'	153°00'
	56°57'	153°15'
	56°45'	153°45'
	56°30'	153°49'
(iv)	<i>North Latitude</i>	<i>West Longitude</i>
	57°05'	152°52'
	56°54'	152°52'
	56°46'	152°37'
	56°46'	152°20'
	57°19'	152°20'
	57°05'	152°52'

¹ Translation supplied by the Government of the United States of America.

² Traduction fournie par le Gouvernement des Etats-Unis d'Amérique.

(v)	<i>North Latitude</i>	<i>West Longitude</i>
	57°35'	152°03'
	57°11'	151°14'
	57°19'	150°57'
	57°48'	152°00'
	57°35'	152°03'
(vi)	<i>North Latitude</i>	<i>West Longitude</i>
	58°00'	152°00'
	58°00'	150°00'
	58°12'	150°00'
	58°19'	151°29'
	58°00'	152°00'

2. Drednet fishing from August 10 to May 31 of the following year inclusive, and longline fishing from September 15 to February 15 of the following year inclusive:

Off Unimak Island seaward of a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured in area (1) below for drednet fishing and in area (2) below for longline fishing:

- (1) The area between 163°04' West Longitude and 166° West Longitude;
- (2) The area bounded by straight lines connecting the following coordinates in the order listed:

<i>North Latitude</i>	<i>West Longitude</i>
54°10'	163°04'
53°28'	166°00'
54°00'	166°00'
54°00'	165°00'
54°33'	164°00'
54°33'	163°04'
54°10'	163°04'

3. Drednet fishing throughout the year in the area bounded by straight lines connecting the following coordinates in the order listed:

<i>North Latitude</i>	<i>West Longitude</i>
46°00'	124°40'
46°20'	124°20'
47°00'	124°40'
47°00'	125°20'
46°20'	124°50'
46°00'	124°55'
46°00'	124°40'

4. Drednet fishing during the period from three and three-fourths days before the opening hour of the halibut fishing season to three and one-half days after such opening hour in the following areas. Information as to the opening dates of the halibut fishing season shall be provided no less than one month in advance to the Government of Japan by the Government of the United States of America:

- (1) The area bounded by straight lines connecting the following coordinates in the order listed:

<i>North Latitude</i>	<i>West Longitude</i>
59°28'	150°00'
59°28'	147°41'
58°30'	148°30'
58°42'	150°20'
59°28'	150°00'

- (2) The area bounded by straight lines connecting the following coordinates in the order listed:

<i>North Latitude</i>	<i>West Longitude</i>
58°05'	150°27'
58°05'	148°47'
57°40'	150°05'
58°05'	150°27'

- (3) The area seaward of a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured bounded by straight lines connecting the following coordinates in the order listed:

<i>North Latitude</i>	<i>West Longitude</i>
56°24'	156°30'
56°18'	155°48'
55°31'	156°04'
55°30'	156°31'
56°24'	156°30'

5. Dragnet and longline fishing throughout the year in the waters off the coast of the State of Washington between 46°14' North Latitude and 46°56' North Latitude landward of the isobath of 110 meters.

6. Dragnet fishing during the period from March 28th 1500 hours to April 5th 0300 hours, or in the event the Government of Japan is informed by the Government of the United States of America no less than one month in advance of a change in the halibut fishing season, the period from three and three-fourths days before the opening hour to three and one-half days after the opening hour of such season in each of the following three areas respectively bounded by straight lines connecting the following coordinates in the order listed:

<i>North Latitude</i>	<i>West Longitude</i>
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(Polaris Grounds)

55°04'	167°18'
54°44'	166°14'
54°30'	166°24'
54°34'	167°14'
54°50'	167°38'
55°04'	167°18'

(Misty Moon Grounds)

56°18'	170°24'
56°20'	169°03'
56°12'	168°46'
55°56'	169°10'
55°56'	170°24'
56°18'	170°24'

(Corridor Grounds)

58°32'	174°52'
58°40'	174°20'
57°02'	173°00'
56°52'	173°44'
58°32'	174°52'

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

[Signed]

KIICHI MIYAZAWA
Minister for Foreign Affairs
of Japan

His Excellency, James D. Hodgson
Ambassador Extraordinary and Plenipotentiary
of the United States of America in Japan

AGREED MINUTES

The representatives of the Government of the United States of America and the Government of Japan have agreed to record the following in connection with the notes exchanged today between Ambassador Hodgson and Minister for Foreign Affairs Miyazawa concerning certain fisheries off the coast of the United States of America and salmon fishing,¹ and the note of Minister for Foreign Affairs Miyazawa of today's date concerning dragnet and longline fishing in certain waters:

1. It was agreed that for the purposes of the arrangements set forth in the above-mentioned notes the term "the United States of America" does not include the Trust Territory of the Pacific Islands.

2. The Japanese representative stated that fishing effort by Japanese nationals and vessels in the waters which are contiguous to the territorial sea of the United States of America and extend to a limit of twelve nautical miles from the baseline from which the United States territorial sea is measured (hereinafter referred to as "the Waters") would not exceed the level of 1966.

3. It was recognized to be appropriate that, with respect to cases of gear conflict which may arise between the fisheries of the two countries, prompt consultation be held between the parties concerned as necessary in each case.

4. It was agreed that, with respect to areas of heavy concentration of fishing operations of both countries, each Government would take appropriate measures aimed at prevention of damage to fishing gear of the vessels of both countries, including measures for improvement of the means for marking fixed gear, measures to ensure that fixed gear is set with due regard for the operation of mobile gear and measures to ensure that vessels operating with mobile gear will operate with due regard for fixed gear.

5. It was agreed that it remains the interpretation of both Governments that the term "mainland" in paragraph 1(3) of the exchange of notes concerning certain fisheries off the coast of the United States of America includes islands adjacent to the continent of the United States of America.

6. It was recognized that it might not be possible to fully prevent parts of longlines used in the tuna fishery from unintentionally and accidentally drifting into that part of the Waters where the Japanese Government agrees to ensure that Japanese nationals and vessels will not engage in the tuna fishery. Such cases as described above, when verified by the circumstances, will not be regarded as infringements of the above-mentioned arrangements.

¹ See p. 53 of this volume.

7. The Japanese representative stated that skipjack pole-and-line fishing would not be conducted in the Waters off the Leeward Hawaiian Islands, that is, Kure Island, Midway Islands, Lisianski Island, Laysan Island, Gardner Pinnacles, Le Pouse Pinnacle, Necker Island, Nihoa Island and Kaula Island.

8. The Japanese representative stated that his Government would provide administrative guidance to nationals and vessels of Japan with a view to ensuring that skipjack pole-and-line fishing would not be conducted in the Waters open for tuna fishing under the above-mentioned arrangements, in instances of specific conflicts with the fishing operations of United States fishermen.

9. The Japanese representative stated that fishing for bait is not considered to be included in the term tuna fishing for the purposes of the above-mentioned arrangements.

10. The Japanese representative stated that when fishing for tuna in areas adjacent to the United States coast Japanese tuna fishermen would not attempt to seek out concentrations of billfishes.

11. It was agreed that the respective Governments would take all possible measures to ensure that their nationals and vessels refrain from engaging in such harmful practices as would result in pollution of the seas and would have deleterious effects upon the health and well-being of the living resources thereof. It was further agreed that the fishery authorities of the respective Governments would inform each other of the location of items of fishing gear or other materials lost overboard which constitute a danger to fishing operations or navigation in areas of concern to both countries.

12. The Japanese representative stated that salmon fishing operations of nationals and vessels of Japan in the Waters would be conducted paying due regard to the conditions of the runs of salmon of Bristol Bay origin. The two Governments will hold consultations, if necessary, on the problem of fishing for salmon of Bristol Bay origin.

Tokyo, December 24, 1974.

For the Government
of the United States of America:

[Signed — Signé]¹

For the Government
of Japan:

[Signed — Signé]²

REPORT OF THE CONSULTATION BETWEEN THE REPRESENTATIVES OF THE GOVERNMENT OF JAPAN AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA IN REGARD TO CERTAIN FISHERY PROBLEMS

Noting the history of the arrangements between the Government of Japan and the Government of the United States of America regarding the crab fisheries in the eastern Bering Sea concluded in 1964,³ as extended and modified⁴ thereafter, and those concerning certain fisheries off the coast of the United States of America concluded in 1967,⁵ as extended and modified⁶ thereafter, and pursuant to paragraph 3(5) of the arrangements regarding the crab fisheries in the eastern Bering Sea as agreed upon in the notes exchanged on December 20, 1972,⁷ between the Ambassador of Japan and the Secretary of State of

¹ Signed by James D. Hodgson — Signé par James D. Hodgson.

² Signed by Kiichi Miyazawa — Signé par Kiichi Miyazawa.

³ United Nations, *Treaty Series*, vol. 533, p. 31.

⁴ *Ibid.*, vol. 680, p. 382, and vol. 714, p. 286.

⁵ *Ibid.*, vol. 685, p. 255.

⁶ *Ibid.*, vol. 714, p. 330.

⁷ *Ibid.*, vol. 903, p. 39.

the United States of America at Washington, D.C., and also pursuant to paragraph 4 of the arrangements concerning certain fisheries off the coast of the United States of America as agreed upon in the notes exchanged on December 20, 1972,¹ between the Ambassador of Japan and the Secretary of State of the United States of America at Washington, D.C., the representatives of the Government of Japan and the Government of the United States of America (hereinafter the Japanese representative and the United States representative, respectively) met at Tokyo from November 25 to December 13, 1974, in order to review the operation of the two sets of arrangements referred to above and to decide on future arrangements. The said representatives also held discussions on other fishery problems of mutual concern to both countries.

As a result of the consultation the said representatives have agreed to submit for the consideration and appropriate action of their respective Governments draft notes to be exchanged between the Minister for Foreign Affairs of Japan and the Ambassador of the United States of America, draft notes to be handed over from the former to the latter and agreed minutes, in the form attached hereto.

The said representatives have recognized that it would be beneficial to both countries that enforcement officials of each side be provided with opportunities to board inspection vessels of the other country and to observe the conduct of enforcement, and have reached the understanding that it would be appropriate for the two Governments to consult through diplomatic channels concerning such exchanges. Details would be arranged as mutually agreed between the appropriate Regional Director of the United States National Marine Fisheries Service and the enforcement officials designated by Japan.

The said representatives agreed on the necessity to improve enforcement measures required to fulfill the provisions of the agreements, and both Governments will increase their respective enforcement capabilities, both qualitatively and quantitatively, in order to ensure that fishing by their respective nationals and vessels will strictly conform with the terms of the agreements. In connection with the improvement of enforcement efforts, both Governments will continue to carry out with respect to their own nationals and vessels patrol and inspection activities authorized by domestic laws and regulations, including inspection at time of landing. The said representatives agreed that each Government would inform the other Government as soon as possible of any actions taken with respect to any fishing operations reported by the other Government to be in violation of any of the provisions of the agreements.

The said representatives agreed to consult further with a view to examining the possibility of establishing a mechanism to process claims arising from damage to fishing vessels or fishing gear and to prevent fishing conflicts between fishing vessels of both countries carrying out fishing operations in the same area.

During the course of the consultation the following statements were made:

(1) The United States representative stated that his Government will encourage U.S. fishermen to improve the means for marking fixed halibut gear so that Japanese fishermen on dragnet fishing vessels can more easily identify the location and direction of fixed gear set by halibut longline vessels and will inform the Government of Japan through diplomatic channels of such improved marking methods.

(2) In regard to the crab fishery by nationals and vessels of Japan, the Japanese representative stated that the mothership fishing operations for king and tanner crabs by nationals and vessels of Japan in the eastern Bering Sea for the years 1975 and 1976 would be conducted by no more than two fishing fleets, and that in order to ensure

¹ United Nations, *Treaty Series*, vol. 903, p. 23.

effective implementation of the arrangements concerning the crab fisheries, the Government of Japan would have an inspector on each mothership conduct full guidance and surveillance.

(3) The said representatives stated that the two Governments would continue to provide catch and effort statistics and other biological and scientific data concerning the crab fishery in the eastern Bering Sea to the International North Pacific Fisheries Commission as soon as practicable after the close of each fishing season.

(4) The United States representative stated, in connection with the arrangements on the king and tanner crab fisheries, that the United States will continue to carry out and to improve conservation measures regarding the crab fishing operations in the Bering Sea and that the State of Alaska is planning to take regulatory measures relating to the harvest levels and the length of fishing seasons for king and tanner crabs, and to size limits for king crabs, where appropriate.

The United States representative also stated that the crab fishing operations of American nationals and vessels in the area will continue to be conducted with due regard to the conditions of the stocks of king and tanner crabs in the Bering Sea.

(5) With regard to the provisions of paragraph 3(5) of the draft notes to be exchanged concerning crab fisheries, the said representatives stated that after one year of operation of the arrangements set forth in these notes, they would review the areas designated in paragraph 3(1)B(a) and (b) for crab fisheries and would consult further, if necessary.

(6) With respect to the draft Japanese note concerning procedures to reduce and control incidental catches of king and tanner crabs, the Japanese representative stated that under the procedures referred to in the above-mentioned note, all Japanese stern and pair trawlers engaged in fishing operations in the eastern Bering Sea will, in 1975 and 1976, equip their trawl gear, during the months of concentration of crabs, that is, May, June and July, with bobbins of the dimensions indicated below, to be used in an effective manner to reduce the incidental catches of king crabs and tanner crabs, and that king crabs and tanner crabs caught incidentally will be returned to the sea immediately with a minimum of injury.

<i>Vessel type</i>	<i>Tonnage</i>	<i>Bobbin diameter (cm)</i>
Stern trawl	over 2,500mt	53
	1,001–2,500mt	44–53
	501–1,000mt	40–44
	500mt and under	30–35
Pair trawl	all	30–35

The Japanese representative stated that his Government will study further ways to improve the method of trawl fishing with a view to reducing such incidental catch.

The Japanese representative stated further that data concerning incidental catches of king and tanner crabs will be kept by the Japanese fisheries authorities and access to the data can be provided to the United States Government upon request.

(7) The Japanese representative stated that his Government will provide special administrative guidance to nationals and vessels of Japan operating for Pacific ocean perch and other rockfish in the northeastern Pacific and that such guidance will provide for the submission to the Fishery Agency of Japan of catch reports by fishing areas at least once each month to assure that the harvest of these resources will be conducted in a prudent manner. He also stated that the annual harvest of Pacific ocean perch and other rockfish will not exceed 60,000 metric tons in the northeastern Pacific. He stated further that the annual Japanese catch of Pacific ocean perch and other rockfish in the Vancouver

area (50°30'N–47°30'N) will not exceed 1,350 metric tons in 1975 and 1976. The United States representative stated that his Government also will take appropriate account of the need for prudent action to ensure conservation of Pacific ocean perch and other rockfish resources. He stated that the catch of these species by U.S. fishing vessels will be undertaken with due regard to the conservation of the resource. He also requested that the data on the catch by Japanese fishing vessels by fishing areas referred to herein be made available to the United States Government on a monthly basis.

(8) With respect to catch and fishing effort on blackcod in the northeastern Pacific, the Japanese representative noted that the number of longline and trawl vessels to be licensed to fish blackcod in 1975 and 1976 will not exceed their respective 1971 levels and that their annual catch of this species in the northeastern Pacific in 1975 and 1976 will not exceed 25,000 metric tons for longline vessels and 5,000 metric tons for trawl vessels. The United States representative noted that his Government also will take appropriate account of the need for prudent action to ensure conservation of the blackcod resources.

(9) The said representatives stated that the two Governments would continue to provide to the International North Pacific Fisheries Commission such information as is practicable so that the Commission at its annual meetings will be able to assess the condition of the Pacific ocean perch, other rockfish and blackcod resources and recommend such conservation measures as may be necessary to ensure the conservation of these resources.

(10) With respect to catch of groundfish other than Pacific ocean perch, other rockfish and blackcod, the Japanese representative stated that the total annual catch of these species in the northeastern Pacific will not exceed 30,000 metric tons in 1975 and 1976.

(11) The Japanese representative stated that commercial fishing operations by trawl vessels of Japan in 1975 and 1976 will not be conducted in the area between 157°00' W and 147°00' W from February 16 to May 15 inclusive; in the area between 147°00' W and 140°00' W from December 1 to February 15 of the following year inclusive; and in the area between 54°00' N and 51°00' N from January 1 to the 1st day of February inclusive.

(12) The Japanese representative stated that commercial fishing operations by longline vessels of Japan for the years 1975 and 1976 will not be conducted in the area between 147°00' W and 140°00' W from December 1 to February 15 of the following year inclusive.

(13) The Japanese representative stated that trawl vessels of Japan greater than 110 feet in length will not engage in fishing operations in 1975 and 1976 in the area between 48°30' N and 47°30' N throughout the year and in the area south of 47°30' N from October 1 to May 31 of the following year inclusive. He also stated that from June 1 to September 30 inclusive during the years 1975 and 1976, the number of trawl vessels of Japan greater than 110 feet in length operating in the area south of 47°30' N would be no more than two at the same time. The Japanese representative further stated that the annual trawl catch in 1975 and 1976 will not exceed 2,200 metric tons for all groundfish species (including hake), of which no more than 200 metric tons will be rockfish (including Pacific ocean perch), in the area between 47°30' N and 43°00' N; and 2,200 metric tons for all groundfish species (including hake), of which no more than 700 metric tons will be rockfish (including Pacific ocean perch), in the area south of 43°00' N.

(14) With respect to the longline fishery of Japan in the area south of 48°30' N, the Japanese representative stated that the annual catch of blackcod by this fishery will not exceed 250 metric tons in 1975 and 1976.

(15) With respect to catch and fishing effort on pollock in the eastern Bering Sea east of 180°00' and north of 55°00' N between 180°00' and 170°00' W and north of the

Alaska Peninsula and the Aleutian Islands east of 170°00' W, the Japanese representative stated that the number of mothership and North Pacific trawl vessels of Japan to be licensed to fish pollock will not exceed the 1971 level in 1975 and 1976 and that the annual catch of pollock by these vessels combined will not exceed 1,100,000 metric tons in 1975 and 1976.

(16) With respect to catch of groundfish other than pollock in the eastern Bering Sea east of 180°00' and north of 55°00' N between 180°00' and 170°00' W and north of the Alaska Peninsula and the Aleutian Islands east of 170°00' W, the Japanese representative stated that the annual catch of these species by the mothership and North Pacific trawl vessels of Japan combined will not exceed 160,000 metric tons in 1975 and 1976. The annual catch of groundfish (all species combined) by the landbased dragnet fishery in this area will not exceed 35,000 metric tons in 1975 and 1976.

(17) With respect to catch of fish in the Aleutian area of the Bering Sea and of North Pacific Ocean, south of 55°00' N between 170°00' E and 170°00' W, the Japanese representative stated that the annual catch of Pacific ocean perch and blackcod by the mothership, North Pacific trawl and longline fisheries of Japan combined will not exceed 9,600 metric tons and 1,200 metric tons respectively in 1975 and 1976, and that the annual catch of groundfish (all species combined) by the landbased dragnet fishery will not exceed 8,500 metric tons in 1975 and 1976.

(18) With respect to catch and fishing effort on herring in the eastern Bering Sea, the Japanese representative stated that, in 1975 and 1976, the number of gillnet vessels to be licensed to fish herring will not exceed the 1971 level and their annual catch of this species will not exceed 3,000 metric tons. He also stated that, in the above period, the number of trawl vessels to be licensed to fish herring will not exceed the 1969 level and their annual catch of this species will not exceed 15,000 metric tons.

(19) The Japanese representative stated that the 1974 regulations of Japan with respect to the sea snail fishery in the eastern Bering Sea will continue to be applicable in 1975 and 1976.

(20) The Japanese representative took cognizance of the existing bilateral agreements of the United States with the Soviet Union, Poland and Romania with respect to certain species of fish in the Mid-Atlantic area on the high seas off the coast of the United States. The said representative stated that the target species of nationals and vessels of Japan operating in the area concerned consisted mainly of such species as butterfish, squid and argentine, species which are not covered by the above-mentioned bilateral agreements, and that his Government would provide to said nationals and vessels of Japan necessary guidance to pay due regard to avoid the harvest of those particular species protected by the above-mentioned agreements so as not to impair the objectives of the existing bilateral agreements.

(21) The Japanese representative stated that nationals and vessels of Japan engaged in fishing operations off the United States Atlantic coast north of Cape Hatteras have not heretofore engaged and will not engage in the future in intentional catching of lobster. The said representative stated further that Japan will take appropriate procedures to reduce and control incidental catches of lobster by its fishermen, that is, catches taken unintentionally in the course of conducting specialized fisheries for other species. Under such procedures, instructions will be provided to the masters of Japanese vessels to avoid, especially with respect to areas where incidental catches indicate the presence of concentrations of lobster, fishing with gear capable of taking lobster, and to return the lobsters caught incidentally in the course of directed fisheries for other species to the sea immediately with a minimum of injury.

The Japanese representative further stated that information concerning the unintentional catch of lobsters would be collected by the enforcement officials of the Fishery Agency of Japan on board the trawl vessels when these vessels are operating in the areas concerned.

Appendices:

- A. Exchange of Notes between the Government of Japan and the Government of the United States of America concerning Certain Fisheries off the Coast of the United States of America.
- B. Exchange of Notes between the Government of Japan and the Government of the United States of America concerning Salmon Fishing.
- C. Note of the Government of Japan concerning Dragnet and Longline Fishing in Certain Waters.
- D. Agreed Minutes Relating to A., B. and C.
- E. Exchange of Notes between the Government of Japan and the Government of the United States of America concerning the King and Tanner Crab Fisheries in the eastern Bering Sea.
- F. Agreed Minutes Relating to E.
- G. Note of the Government of Japan concerning Enforcement.
- H. Note of the Government of Japan concerning Procedures Relating to Incidental Catches of King and Tanner Crabs.

Tokyo, December 13, 1974.
