

Explanatory Material for  
the Multiple Use Integrated Marine Management  
Plan for the Shiretoko World Natural Heritage Site

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Ministry of the Environment, Government of Japan  
&  
Hokkaido Prefectural Government

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## **1 Conservation of the coastal environment**

### **(1) Prevention of marine pollution**

The problem of marine pollution cannot be solved solely by the efforts of a single country, but requires measures based on international agreements. For this purpose, international treaties have been established to regulate the dumping into the ocean of waste generated on land and to mitigate any damage caused by large-scale oil-spill disasters. Against the background of discussions on international efforts such as these, Japan is trying to conserve the marine environment in a good condition by regulating the drainage or dumping of oil, harmful liquid substances, and wastes into the ocean based on laws such as the Law Relating to the Prevention of Marine Pollution and Maritime Disaster, Waste Management and Public Cleansing Law, and the Water Pollution Control Law, while establishing measures to control and remove spilled oil.

In addition to these regulations through laws, regional plans and manuals including a Plan for Cleaning of Spilled Oil (and HNS) to Hokkaido Coastal Sea Area and an Oil-Spill Accident Disaster Control Manual, have been developed and set down the prompt and appropriate actions to be taken in the event of major spills of oil or other hazardous substances due to accidents or other incidents, to prevent marine pollution in the waters around Hokkaido, including Shiretoko.

○ Spilled oil cleaning activities in Hokkaido



## ○Applicable laws and regulations

### Law Relating to the Prevention of Marine Pollution and Maritime Disaster (Extract)

Law No. 136 of December 25, 1970  
Last amended by Law No.62 of May 30, 2007

#### (Purpose)

**Article 1** This Law intends to regulate the discharge of oil, harmful liquid substances and wastes from ocean vessels, marine facilities and aircraft into the ocean, the disposal of oil, harmful liquid substances and wastes under the seabed, the emission of exhaust gas from ocean vessels into the atmosphere, and the incineration of oil, harmful liquid substances and wastes at ocean vessels and marine facilities, while ensuring proper handling of waste oil, it further intends to provide measures for controlling and removing any spills of oil, harmful liquid substances, wastes and other materials, preventing the occurrence and spread of fire at sea, and eliminating danger for ocean vessel traffic in the event of fire at sea, in order to prevent marine pollution and maritime disaster and to ensure the proper implementation of the international agreements on the prevention of marine pollution and maritime disaster, thereby contributing to the preservation of the marine environment and to the protection of human life, body and property.

#### (Prevention of Marine Pollution and Maritime Disaster)

**Article 2** Each person shall strive to prevent marine pollution caused by discharge of oil, harmful liquid substances or wastes from ocean vessels, marine facilities or aircraft, disposal of oil, harmful liquid substances or wastes under the seabed, emission of exhaust gas from ocean vessels or any other activities.

2. The captain, owner of an ocean vessel, manager or operator thereof; or any other person or entity responsible for a marine facility, including but not limited to a hazardous materials marine management facility, shall, at all times, be responsible for and prepared to take appropriate measures for any and all of the following: for the control and removing any oil, harmful liquid substances or other hazardous materials in the event of their discharge; for fire fighting, preventing the spread of fire or otherwise in the event of fire at sea; and shall, should any of these events occur, strive to prevent marine pollution and maritime disaster by implementing measures in an appropriate manner.

### WASTE MANAGEMENT AND PUBLIC CLEANSING LAW (Extract)

Law No. 137 of December 25, 1970  
Last amended by Law No. 50 of June 2, 2006.

#### CHAPTER I GENERAL PROVISIONS

##### (Purpose)

**Article 1** This law is enacted for the purpose of preserving the living environment and improving public health through the restriction of waste discharge, appropriate sorting, storage, collection, transport, recycling, disposal, or the like of waste and conservation of a clean living environment.

##### (Responsibilities of Businesses)

**Article 3** The businesses shall appropriately manage of, the waste left as a result of their business activities.

2. The businesses must endeavor to reduce the amount of waste by recycling or re-use of waste. The businesses shall assess the handling or processing difficulty of the waste generated when the products, their containers or whatever they manufacture, process and sell the like are discarded. They shall develop such products, containers or the like which are unlikely to present handling or processing difficulty, provide information on appropriate management of the waste generated when the products, their containers or the like are discarded, or take some other actions to ensure appropriate management of the said products, containers or the like without difficulty.
3. In addition to the preceding duties in this Article, the businesses shall cooperate with the central government and local governments in their activities to reduce waste, ensure appropriate management and so on.

### Water Pollution Control Law (Extract)

Law No. 138 of December 25, 1970  
Last Amended by Law No. 68 of June 14, 2006

#### (Purpose)

**Article 1** The purposes of this Law are to prevent the pollution of water (including form of deterioration of the condition of water other than the deterioration of water quality; the same hereinafter) in the Public Water Areas by regulating effluent discharged by factories or establishments into the Public Water Areas, thereby to protect human health and to preserve the living environment and to protect sufferers by setting forth stipulations regarding the responsibilities of the proprietors of factories or establishments to compensate the damage in cases where human health is damaged by polluted water or wastewater discharged from factories or establishments.

### **Regulation of Sea Fisheries Adjustment in Hokkaido (Excerpts)**

Regulation No.132 of November 12, 1964

Last amended by Regulation No.158 of December 19, 2006

#### **(Purpose)**

**Article 1** These Regulations intend to ensure the protection, nurturing and maintenance of fisheries resources in the sea as set forth in Article 84, Paragraph 1 of the Fisheries Law and to regulate fisheries and otherwise strive to make adjustments to fisheries, in order to establish order in fishery.

#### **(Prohibition of Abandoning or Spilling Harmful Substances)**

**Article 33** No substances harmful to marine life shall be abandoned or spilled in the sea.

2. Should it be deemed for the protection and nurturing of fisheries resources, the Governor may order any person who has violated the provisions of the preceding paragraph to construct facilities to eliminate the relevant harm or to modify the existing facilities constructed to eliminate such harm.
3. The provisions of the preceding paragraph shall not apply to any person who shall be subject to the Water Pollution Control Law (Law No.138 of 1970).

### **Japanese National Contingency Plan For Oil and Hns Pollution Preparedness and Response (Excerpts)**

Cabinet order of December 8, 2006

#### **Chapter 1 Purpose of the plan**

Japan, as country surrounded by the sea with rich natural environment, benefits from its rich fishing grounds. It is essential for Japan, therefore, to take actions immediately and effectively at early stage in order to protect marine environment, human life and property, in case of a pollution incident by oil, noxious liquid substances, hazardous substances, and other substances (hereinafter referred to as "Oil and HNS\*") in the sea near Japan. Given the fact that Japan is one of the biggest energy importing country, it is also essential for Japan to have a system for Oil and HNS pollution preparedness and response. It is important that national government, local governments, oil manufactures, shipping industry, mining industry, chemical industry, fishing industry and other parties concerned co-operate with one another according to the system.

This Plan, prepared to comply with Paragraph (1) (b), Article 6 of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, and Paragraph (1) (b), Article 4 of the Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 2000, provides the above mentioned Japanese system. The purpose of this Plan is to satisfy the international requirement and to response for the Oil and HNS pollution incidents immediately and effectively in order to protect marine environment, human life and property.

## Oil Spill Control and Removal Plan for the Hokkaido Coastal Sea Area (Excerpts)

Japan Coast Guard  
August 15, 1996  
Last amended on April 1, 2002

### **I. Purpose**

This Plan is one prepared by the Commandant of the Japan Coast Guard pursuant to Article 43-2 of the Law Relating to the Prevention of Marine Pollution and Maritime Disaster (Law No.136 of 1970; hereinafter referred to as the "Marine Prevention Law") and intends, based on the spirit of the National Contingency Plan for Preparedness and Response to Oil Spills (Cabinet Decision of December 19, 1997), to enact measures necessary for controlling and removing oil (meaning "oil" as defined in Article 3, Item 2 of the Marine Prevention Law, hereinafter the same) in the event of spillage in an extremely large quantity in any of the marine areas listed in the items of Article 37-6 of the Ordinance for Enforcement of the Law Relating to the Prevention of Marine Pollution and Maritime Disaster (Ministry of Transport Ordinance No.38 of 1971) and for eliminating danger associated with such oil, in order to ensure the prompt and appropriate implementation of the measures for controlling and removing spilled oil, thereby contributing to the preservation of the marine environment and the protection of human life, body and property.

### **II. Target marine areas and their names**

The marine areas and their names for which oil spill control and removal plans shall be prepared shall be as shown in Figure 1. (The rest omitted.)

### **III. Basic policy**

#### **1. Preparation of oil spill control and removal plans**

The oil spill control and removal plans shall be prepared by taking into account the natural, social and economic conditions of each of the sixteen marine areas covered by the plans. Marine areas that are most likely to experience spill accidents involving extremely large quantities of oil, based upon their ocean vessel traffic; weather and hydrographic conditions; past maritime accidents and any other relevant factors therewith, shall be designated as the marine areas which are likely to suffer marine pollution. In certain oil spill accidents, oil pollution may spread over marine areas covered by more than one oil spill control; accordingly there may be overlap with respect to those areas' removal plans due to the scale of the spill or the characteristics of the spot of accident. In such case, measures shall be taken so that the respective oil spill control and removal plans for the marine areas shall be operated in mutual and organic cooperation with each other.

## Hokkaido Region Disaster Prevention Plan (Excerpts)

Hokkaido  
April 1964

Last amended on May 19, 2006

### Chapter 8: Accident and Disaster Preparedness Plan

#### Section 1: Maritime Disaster Preparedness Plan

##### II. Oil Spill Preparedness Plan

###### 1. Basic policy

In order to ensure early establishment of a framework to make initial response and to mitigate damage in the event of the occurrence or threatened occurrence of significant marine pollution, fire, explosion or any other accident due to the large-scale spillage of oil or other substances from an ocean vessel caused by a maritime accident such as collision, stranding, capsizing, fire, explosion, submersion or engine trouble, each of the various preventive and emergency measures to be taken by the agencies involved in disaster prevention shall be subject to the provisions of this Plan.

Disaster planning against the spillage of hazardous materials or similar events in a harbor area shall be subject to Chapter 8, Section 6 (Preparedness Plan Against Disaster Involving Hazardous Materials). Disaster planning for petroleum complexes and other special disaster prevention zones shall be subject to the Hokkaido Petroleum Complex Disaster Prevention Plan.

###### 2. Disaster prevention

All agencies involved shall cooperate with each other through their organizations for both the prevention of oil spill at sea caused by maritime accidents and in the implementation of preventive measures necessary to mitigate damage.

###### 3. Emergency measures against disaster

All measures to be taken in the event of large-scale spillage of oil and other substances shall be implemented in accordance with the Oil Disaster Control Manual, in addition to the provisions of this Plan.

#### Oil Disaster Control Manual (March 2000, Hokkaido) (Excerpts)

##### I. General Provisions

###### 1. Purpose

Pursuant to the Hokkaido Region Disaster Prevention Plan (hereinafter referred to as the "Regional Disaster Prevention Plan"), Chapter 8 (Accident and Disaster Preparedness Plan), Section 1 (Maritime Disaster Preparedness Plan), subsection II (Oil Spill Preparedness Plan), this Manual intends to ensure the prompt and appropriate collection and removal of spilled oil in the event of large-scale oil disaster in any of the marine areas around the Hokkaido region, thereby contributing to the preservation of the environment and the protection of human life, body and property.

###### 2. Disasters Covered

This manual shall cover all large-scale oil disasters, including without limitation marine or coastal pollution due to large-scale spillage of oil from an ocean vessel caused by a maritime accident such as collision, stranding, capsizing, submersion or engine trouble or from oil production facilities.

###### 3. Scope of Application

This manual shall apply to all oil disasters affecting any part of the marine areas around Hokkaido covering from the coasts and coastal zones of Hokkaido through the Japanese territorial seas to the extent of the Exclusive Economic Zone. Disaster prevention planning for the special disaster prevention zones (the five districts including Kushiro, Tomakomai, Muroran, Kamiiso and Shiriuchi) under the Petroleum Complex Disaster Prevention Law (hereinafter referred to as the "Petroleum Disaster Law") shall be subject to the Hokkaido Petroleum Complex Disaster Prevention Plan.

## (2) Conservation of natural landscape

Shiretoko National Park is the area designated by the Minister of the Environment based on the Natural Parks Law that mainly aims to protect natural scenic beauty. Boundaries of the park and the park plan that defines the park's regulation plan, etc., will be reviewed periodically based on scientific knowledge and in light of social changes. At the opportunity of reviewing the park plan, changes in the national park management plan that stipulates the handling of permit approvals, etc., will be considered by a review meeting that will be held as needed and made up of academic experts and other relevant peoples.

### ○ Overview of Shiretoko National Park

Covering the northern half of the Shiretoko Peninsula that protrudes from the north-east edge of Hokkaido, the park has outstanding and highly-primitive natural landscapes. A range of volcanic ridge mountains, including Mt. Rausu (1661m) which is the tallest, Mt. Iou (1563m), and Mt. Shiretoko (1254m), stretches in a north-easterly direction, forms sea cliffs and water falls, and leads directly into the sea, resulting in inaccessible terrain.

Vegetation consists mainly of mixed forests with coniferous and broad leaf trees such as Sakhalin fir, Yezo spruce, and Japanese oak, and covers a wide area at the base of the mountains. Around the ridge line, Japanese stone pines range out together with communities of alpine plants, such as *Rhododendron aureum georgi*, and *Primula cuneifolia*. Characteristic of the vegetation here are the alpine plants that occur at a relatively low altitude and with a diverse vertical distribution in a small area, most of which remains in a pristine state unaffected by human intervention.

Brown bears and Yezo sika deer live in the park, and the virgin forests are sanctuaries for endangered wildlife species, including Blakiston's fish-owls and white-tailed eagles. In winter, Steller sea lions, seals, and Steller's sea eagles, among others, come along with the sea ice.

The park is used mostly in excursions through which people visit Shiretoko-goko Lakes and other scenic spots, using the Shiretoko Crossroad. However, observation of the magnificent mountain range, sea cliffs, seabirds, and so on, from the sightseeing boats that cruise along the Shiretoko Cape and the Iwaobetsu Coast is also popular. The number of visitors remains the same level in recent years at about 2.42 million (2006) annually, mostly from May to October.

### [Representative visitor bases and destinations]

- Rausu hot spring facility complex

This is the only facility complex area in the park, and has a visitor center, accommodation, camping area, etc.

- Horobetsu area

This is where several facilities, including the Shiretoko Nature Center, are located, and they provide information on the nature in Shiretoko, as well as nature interpretation activities are conducted.

- Shiretoko-goko Lakes

In this area, subsoil water from the Shiretoko mountain range forms pristine landscape of lakes and marshes in Iwaobetsu's lava plateau. The area also allows a scenic view of the Shiretoko mountain range.

[Major events]

- June 1, 1964: Designation of Shiretoko National Park
- February 4, 1980: Mt. Onnebetsu was excluded (It was designated as the Wilderness Area)
- June 15, 1984: Overall review of the park area and of the park plan (reexamination))
- December 1, 1990: Designation of vehicle restricted zones
- February 21, 1995: Amendments to the park plan (1<sup>st</sup> review)
- August 20, 2003: Amendments to the walking trail plan
- December 22, 2005: Changes of the park area(extension of the marine area)

[Area by zone classification]

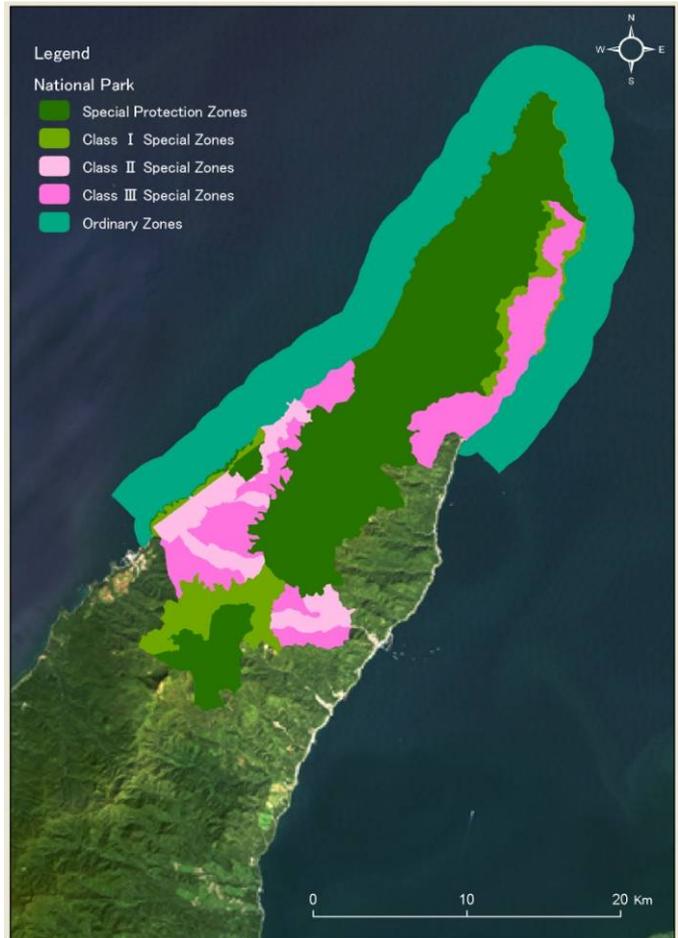
- Park area (terrestrial area): 38,633ha
  - Special Zone: 38,633ha
    - Special Protection Zones: 23,526ha (60.9%)
    - Class I : 3,822ha ( 9.9%)
    - Class II : 3,249ha ( 8.4%)
    - Class III : 8,036ha (20.8%)
  - Ordinary Zone: 0ha
- Park area (marine area): 22,353ha
  - Ordinary Zone: 22,353ha

(Area by ownership (terrestrial area only))

- Park area: 38,633ha
  - State-owned land: 36,215ha (93.7%)
  - Publicly-owned land: 758ha ( 2.0%)
  - Privately-owned land: 1,660ha ( 4.3%)

(Administrative district- terrestrial area only)

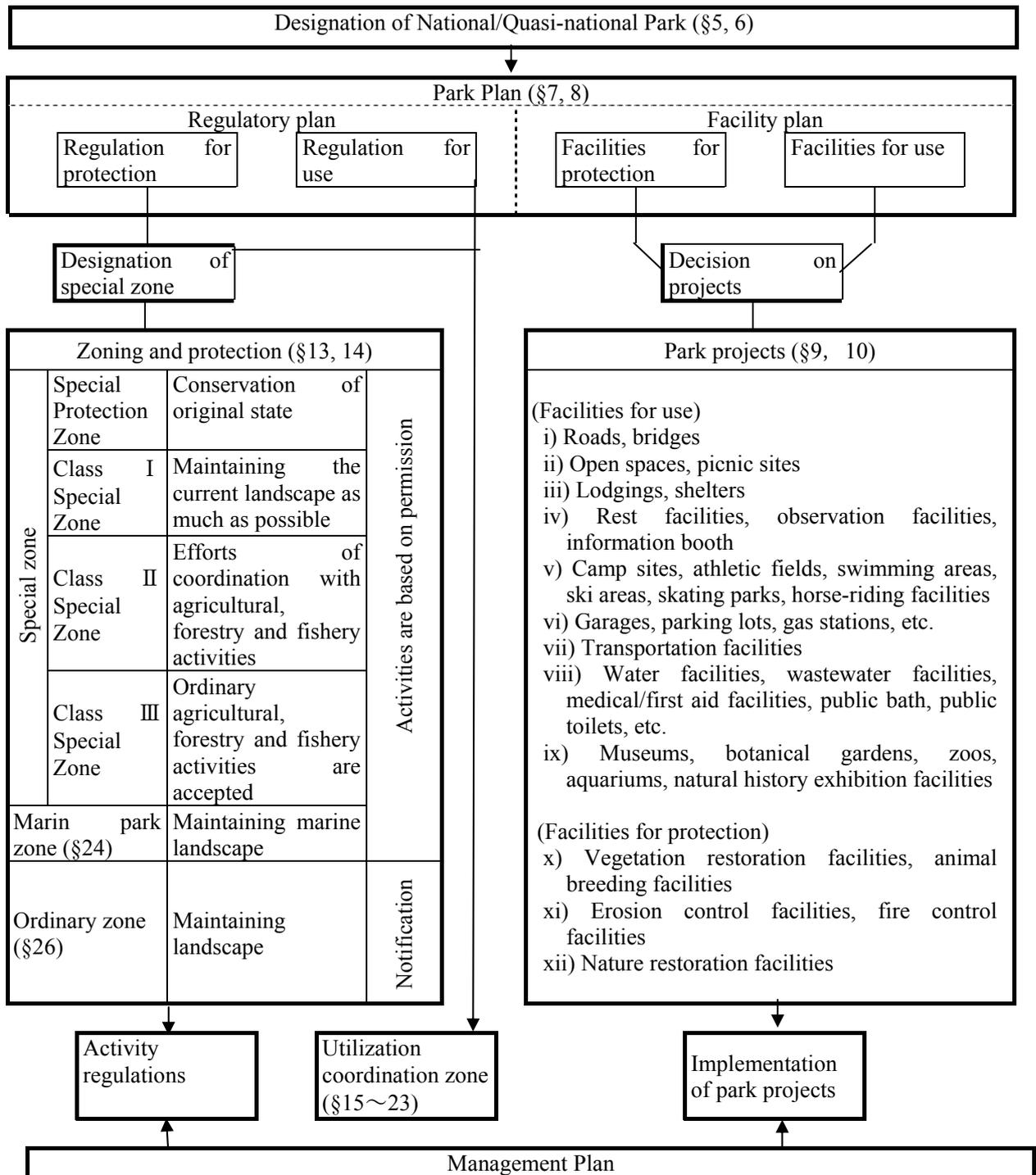
- Shari town, Shari-gun, Hokkaido: 23,011ha (59.6%)
- Rausu town, Menashi-gun, Hokkaido: 15,622ha (40.4%)



○ **Structure of the natural park system**

The Natural Parks Law was promulgated on June 1, 1957 and put into effect on October 1 of the same year in order to protect the places of natural scenic beauty while promoting their use for people’s health, recreation, and culture. (§1).

Natural parks include National Parks, Quasi-national Parks, and Prefectural Natural Parks\*. Their structure is as follows.



\* Prefectural natural park shall be defined by prefectural ordinances. (§59~68)

- **Park Plan of the National Park**

1. Objective of the park plan

A park plan aims to serve as a basic guideline for the appropriate management of the park by setting policies to maintain the scenic beauty of the National Parks, as well as setting policies to develop the facilities necessary for their use as park.

2. Composition of a park plan

A park plan consists of regulatory plans [a plan concerning regulations for protection (regulatory plan for protection) and a plan concerning regulations for use (regulatory plan for use)] and facility plans [a plan concerning facilities for protection (facility plan for protection) and a plan concerning facilities for use (facility plan for use)].

3. Points of concern when developing a park plan

When developing a park plan, attention is paid to consistency in the protection of the park and appropriate use, and full consideration is given to the latest information available, such as the National Survey on the Natural Environment and various scientific surveys, as well as a variety of other information, such as the cultural and social background of the region and the actual state of park utilization.

4. Review of a park plan

A park plan is reviewed approximately every 5 years.

Points of concern when reviewing a plan are as follows (excerpt):

Regulatory plan: Revisions shall be made to maintain its suitability regarding the quality of the natural landscape through the reassessment of landscape quality in each section in the area based on materials such as scientific survey reports and recent changes in social conditions.

Facility plan : In order to ensure opportunities for appropriate park use that correspond to the quality of the natural landscape while working to conserve the natural environment and from the viewpoint of promoting high-quality and sustainable use, the facility plan shall be reviewed based on changes in social situations and with consideration for the actual state of park utilization, impact on the scenic beauty, etc. This review shall also include the examination of the need for, and feasibility of, the projects based on the existing facility plan.

When amending a park plan, the Ministry of the Environment shall create a preliminary draft, which shall be developed into a draft by the Ministry of the Environment through obtaining public comments after coordination with the pertinent organizations, such as relevant local governments. The final decision shall be made upon consultation with the relevant ministries, agencies, etc.

- **Review of the “park area”**

Review work shall be conducted approximately every 5 years.

Points of concern when reviewing area are as follows (excerpt):

Changes shall be considered in cases such as when an area has been being considered for inclusion in the park area, or when a scientific survey report or some other relevant documents found that a certain area needs to be incorporated into the park area.

- **National Park Management Plan**

1. Objectives of the National Park Management Plan

The National Park Management Plan (hereinafter referred to as the “management plan”) is drawn up with the aim of ensuring that the reinforcement of the national park management operations are tailored to the actual conditions of the region and to promote the proper protection and use of

National Parks.

2. Content of a management plan

- (1) Overview of the National Park or management zone
- (2) Basic management policy
- (3) Matters concerning the conservation of scenic beauty and the natural environment
- (4) Matters concerning the promotion of the appropriate utilization of the park
- (5) Matters concerning park projects and the handling of permission for activities, etc.
- (6) Other matters necessary to accomplish the objectives of the management plan

3. The establishment of a **management plan review committee** and the holding of a **management plan liaison meeting**

For the development of a management plan, a **National Park management plan review committee** shall be formed as needed and will consist of academic experts in the field of natural environment conservation, etc. In addition, a **National Park management plan liaison meeting** is held as needed in order to promote and coordinate the management plans.

4. Operation of a management plan

A National Park's administrative work, such as permission for activities is conducted based on the management plan.

5. Amendments to a management plan

Basically, a management plan is amended at the same time as the park plan is reviewed, but partial changes are made as needed.

## ○Applicable laws and regulations

### NATURAL PARKS LAW (Extract)

Law No. 161 of June 1, 1957  
Last amended by Law No. 50 of June 2, 2006.

#### (Purpose)

**Article 1** This Law shall aim at the protection of the places of natural scenic beauty and also, through the promoted utilization thereof, at the contribution to the health, recreation and culture of the people.

#### (Responsibility of the State etc.)

**Article 3** In accordance with the basic intent of environmental conservation prescribed in Articles 3 to 5 of the Basic Environmental Law (Law No. 91 of 1993), the State, local public bodies, park workers and visitors of the natural parks shall make effort respectively to protect the natural scenic beauty and promote appropriate utilization.

2. In light of the fact that the protection of fauna and flora in the natural parks is significant for conserving the scenic beauty of the natural parks, the State and local public bodies shall take measures for conserving the scenic beauty of the natural parks with the aim to ensure the diversity in the ecosystem and creature in the natural parks.

#### (Special Zone)

**Article 13** The Minister of the Environment, in regard to the National Park and the governor of the prefecture concerned, in regard to the Quasi-national Park, may, for the purpose of preserving scenic beauty of the Park concerned, designate the Special Zone within its boundary (excluding sea areas) in accordance with the Park Plan.

3. Within the Special Zone (with the exception of the Special Protection Zone; hereinafter the same in this article), the activities coming under any of the following items shall not be carried out without the permission of the Minister of the Environment in case of the National Park and that of the governor of the prefecture in case of the Quasi-national Park; provided that the activity, that has already been under way at the time of the designation of the Special Zone concerned or the expansion of its boundary, (except the work mentioned in item 5 below), or the activity mentioned in item 5, that has already been under way at the time of the designation of the lakes, marshes or swamps prescribed in the same item, or the activity mentioned in item 7, that has already been under way at the time of the designation of the materials prescribed in the same item, or the activity carried out as the emergency measure in case of disaster shall be excepted from this provision.

- (1) Constructing, reconstructing or extending structures.
- (2) Felling trees and bamboos.
- (3) Mining minerals or extracting soil and stones.
- (4) Causing increase or decrease of the water-level or quantity of water of rivers, lakes, marshes, swamps and wetlands etc.
- (5) Discharging polluted or waste water through the sewage disposal facilities into the lakes, marshes or swamps and wetlands designated by the Minister of the Environment or within a distance of one kilometer from there discharging the same through the sewage disposal facilities into the water running into the designated lakes marshes or swamps and wetlands etc.
- (6) Putting up or setting up advertisements or those similar to them, or showing of advertisements or those similar to them on the structures and the like.
- (7) Accumulating or storing soil and stones or other materials designated by the Minister of the Environment in the open air.
- (8) Reclaiming the surface of water or reclaiming by drainage.
- (9) Clearing land or changing the feature of land.
- (10) Collecting or damaging alpine plants or other plants designated by the Minister of the Environment.
- (11) Capturing or killing or wounding animals in mountains, or animals designated by the Minister of the Environment (hereinafter, the "Designated Animals" in this item), or collecting or damaging eggs of the Designated Animals.
- (12) Altering the colors of roofs, surface of walls, fences and walls, bridges, steel towers, water-pipes or those similar to them.
- (13) Entering into wetlands or similar areas designated by the Minister of the Environment during the period designated according to such areas.
- (14) Using horses, vehicles or power-driven vessels, or landing of airplanes in areas designated by the Minister of the Environment other than roads, plazas, paddies, fields, pastures or housing lots.
- (15)

4. Neither the Minister of the Environment nor the governor of the prefecture concerned shall grant the permission prescribed in the preceding paragraph if any activity mentioned in the items of the preceding paragraph fails to comply with the standards prescribed by the environmental ministerial ordinance.

8. One, who intends to plant trees and bamboos or pasture livestock within the Special Zone, shall previously notify the Minister of the Environment in the case of the National Park or the governor of the prefecture concerned in the case of the Quasi-national Park to that effect.

#### (Special Protection Zone)

**Article 14** 1. The Minister of the Environment, in regard to the National Park and the governor of the prefecture concerned, in regard to the Quasi-national Park, when specially necessary for the preservation of the landscapes of the Park, may

designate the Special Protection Zone within the Special Zone in accordance with the Park Plan.

3. Within the Special Protection Zone the following activities shall not be carried out without the permission of the Minister of the Environment in the case of the National Park and without that of the governor of the prefecture concerned in the case of the Quasi-national Park; provided that the activity, that has already been under way at the time of the designation of the Special Protection Zone concerned or the expansion of its boundary, (except the activity mentioned in item 5 or paragraph 3 of the preceding article), or the activity mentioned in item 5, that has already been under way at the time of the designation of the lakes, marshes or swamps and wetlands prescribed in the same item, or the activity carried out as the emergency measure in case of disaster shall be excepted from this provision.
  - (1) Any Activity mentioned in the items 1 to 6, 8, 9, 12 and 13 of paragraph 3 of the preceding article.
  - (2) Damaging trees and bamboos.
  - (3) Planting trees and bamboos.
  - (4) Pasturing livestock.
  - (5) Accumulating or storing things in the open air.
  - (6) Setting fire or making fire.
  - (7) Collecting or damaging plants other than trees and bamboos, or collecting fallen leaves or fallen branches.
  - (8) Capturing, killing or wounding animals, or collecting or damaging their eggs.
  - (9) Using horses, vehicles or power-driven vessels, or landing airplanes in areas other than roads or plazas.
  - (10) Any activity other than those mentioned in the preceding items which may affect the landscapes of the Special Protection Zone and is prescribed by the Cabinet Order.
4. Neither the Minister of the Environment nor the governor of the prefecture concerned shall grant the permission prescribed in the preceding paragraph if any activity mentioned in the items of the preceding paragraph fails to comply with the standards prescribed by the environmental ministerial ordinance.

**(Ordinary Zone)**

- Article 26** One, who intends to undertake the activities coming under any of the following items within National or Quasi-national Parks other than Special Zones or Marine Park Areas (hereinafter referred to as "Ordinary Zone") shall notify the Minister of the Environment in the case of National Parks or the governor of the prefecture concerned in the case of Quasi-national Parks of the matters prescribed by the environmental ministerial ordinance such as activity type, place, implementation method and scheduled date of commencement; provided that the activities mentioned in items 1, 3, 5 and 7 which are necessary for fishery operations such as setting up fishing gear shall be excepted from this provision.
- (1) Constructing, reconstructing or extending structures, whose scales are beyond the standards prescribed by the environmental ministerial ordinance (including reconstructing or extending in the case that the scale thereof is to be beyond the standards prescribed by the environmental ministerial ordinance after the completion of the reconstruction or extension concerned).
  - (2) Causing increase or decrease of the water-levels or quantities of the rivers, lakes, marshes, swamps and wetlands within the Special Zone.
  - (3) Putting up or setting up advertisements or those similar to them, or showing advertisements or those similar to them on the structures and the like.
  - (4) Reclaiming the surface of the sea or reclaiming by drainage.
  - (5) Mining minerals or extracting soil and stones within one kilometer of the Marine Park Area.
  - (6) Changing the feature of the land.
  - (7) Changing the feature of the seabed within one kilometer of the Marine Park Area.
2. The Minister of the Environment, in regard to the National Park and the governor of the prefecture, in regard to the Quasi-national Parks, may, for the purpose of preserving landscape of the Park concerned give orders, to the one who intends to undertake or has undertaken the activity mentioned in any of the items of the preceding paragraph in the Ordinary Zone, to prohibit or restrict such activity or to take necessary measure, within the limits necessary for the protection of the landscapes thereof.

### **(3) Drifting and Washed-up Debris**

There is a growing concern regarding the deterioration of the coastal function, environment, and scenic beauty including the ecosystem, as well as threats to the safe navigation of ocean vessels and damage to the fishing industry due to drifting/washed up debris, including those from foreign sources. In order to address this issue, the Ministry of the Environment has taken the lead in setting up an “**Liaison Meeting of Ministries and Agencies Concerned on Drifting and Washed-up Debris**” in 2000 for the purpose of information exchange.

However, effective countermeasures have not been taken due to the difficulty of source measures that involve relations with other countries, a large number of departments and agencies concerned, etc.

Therefore, beyond information exchange, the “**Council of Ministries and Agencies Concerned on Drifting and Washed-up Debris Countermeasures** (hereinafter referred to as the “**Countermeasures Council**”) was newly established with the aim of exploring effective countermeasures. The council discussed source measures, including international correspondence, and summarized immediate measures against drifting/washed up debris in March 2007.

#### ○ **On the Council of Ministries and Agencies Concerned on Drifting and Washed-up Debris Countermeasures (March 2007)**

##### 1. Development

The **Countermeasures Council** was held four times by the end of 2006 and conducted activities such as compiling a 2007 budget on drifting/washed up debris, carrying out a questionnaire survey on the efforts of local governments, and holding meetings for the exchange of information on efforts being made by the national and local governments.

Among measures compiled by the **Countermeasures Council** to be implemented by individual ministries in 2007 and beyond, those for understanding the situation, source measures including international correspondence, and measures for the areas with serious damage were chosen for new budget allocation, expansion of the existing measures, etc. Further advancement is expected from the effective implementation of these measures. However, there are still issues to be solved.

##### 2. Current situation of drifting/washed up debris

- Estimated volume of the debris washed up on the domestic coasts: about 150 thousand tons/year (Estimated by the Northwest Pacific Region Environmental Cooperation Center based on the survey results on drifting/washed up debris from 2000 to 2005)
- Debris believed to be from foreign countries (2005 survey by the Northwest Pacific Region Environmental Cooperation Center)  
National average: 6% by weight and 2% by quantity

##### 3. Promotion of national efforts to address drifting/washed up debris

(1) Basic government policy for handling drifting/washed up debris and the responsibilities of the parties involved

The national government needs to advance measures against drifting/washed up debris including: “understanding the situation”, “source measures including international correspondence” and “measures for areas with serious damage”. For the efficient implementation of these measures, it is essential for the

relevant ministries and agencies to work in close coordination.

The most effective immediate measure to take against issues such as the disposal of drifting/washed up debris is to promote the building of a framework to allow mutual cooperation among the parties involved to move toward a solution that is truly required in the field. Under this framework, it is necessary to further deepen the exploration of a smooth implementation of treatment of drifting/washed up debris while avoiding the confusion for the local governments that actually handle treatment in the field.

In addition, consideration for the expansion of necessary measures is required, while taking into consideration the actual situation, the effects of various measures, etc.

## (2) Immediate measures in 2007 and beyond

### [Understanding the situation]

Visual observation of drifting marine debris around Japan, washed up debris classification surveys by citizens, development of prediction models, etc. will be implemented.

### [Source measures including international correspondence]

Measures shall be taken, including surveillance by river management authorities, to prevent waste that was dumped into rivers, etc., from flowing out into marine areas. The relevant ministries and agencies shall conduct the collection of wastes and oil drifting on the surface of seawater, the research and development of predictive technology, the development/promotion of fishery material recycling technology, the removal of sediments on fishing grounds, the promotion of controls on the littering of container and packaging waste, etc. Policy dialog among the nations involved, active participation in related international projects, etc., will also be promoted.

### [Measures for areas with serious damage]

The national government will subsidize coast management authorities who conduct emergency treatment on large amounts of drifted waste that cause a functional inhibition to a coast conservation facility, and also subsidize municipalities who handle waste that has drifted ashore in large amounts outside of a coastal conservation zone, etc. The government also supports beach beautification activities by providing, through private groups, the materials, necessary for the cleanup conducted by fishery operators, citizens' group, etc. Furthermore, under “**the program to support local governments that are working hard**”, it will support local governments that work on environmental conservation activities related to drifting/washed up debris.

In order to explore reduction measures adequate for individual beaches and their waste situation, model beaches shall be selected to study source measures, efficient and effective treatment/cleanup methods, etc., of washed up waste, promotion of cooperation among the parties involved including NGOs, and effective measures such as beach cleanup and public awareness. In addition, policies on dangerous objects, such as medical wastes and signal flares, that are washed ashore shall be formulated for adequate management to always ensure the safe use of the coasts. When a large volume of waste that is likely to have come from a single source is identified, investigation shall be conducted in cooperation with the relevant local governments to identify the source and cause, including the situation of coming ashore, looking into the possibility of it being either incidental or accidental.

Technology to treat washed up wastes will be developed, including technology to incinerate saline waste.

#### 4. Future tasks

- It is necessary to steadily implement measures against drifting/washed up debris, as well as follow up on the state and results of the implementation.
- It is necessary to reinforce cooperation among the parties involved, such as the national/local governments, private groups, and researchers.
- Establishment of a system for the complete treatment, etc., of drifting/washed up debris, such as the development of a support system, including **responsibility for the source**, under role sharing between the national and local governments is required after studying various indications on drifting/washed up debris.
- As a source measure, it is necessary to conduct surveys in cooperation with the related government ministries and agencies. Information provision is also required to provide and disseminate information for public awareness in order to prevent individual citizens from becoming a source of drifting/washed up debris.

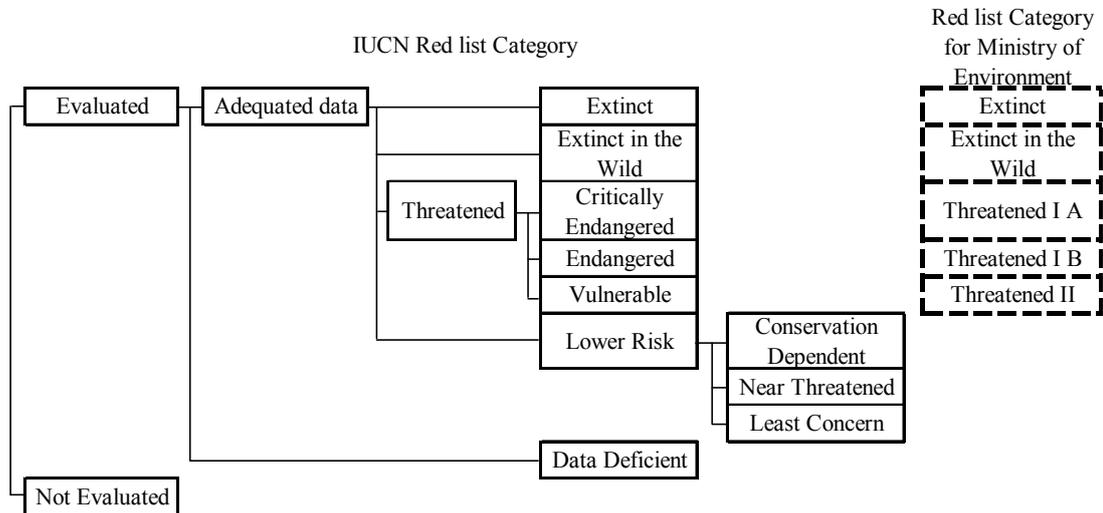
<Members of the **Council of Ministries and Agencies Concerned with Drifting and Washed-up Debris Countermeasures**: as of February 2007>

Tadashi Harada:	Director-General for Policy Planning (Okinawa Affairs), Cabinet Office
Nobuyasu Kubo:	Director-General for Policy Coordination, Minister's Secretariat, Ministry of Internal Affairs and Communications
Koji Tsuruoka:	Director-General for Global Issues, International Cooperation Bureau, Ministry of Foreign Affairs
Akira Nakamae:	Deputy Director-General, Fisheries Agency
Yasutoshi Kojima:	Director-General of the Industrial Science and Technology Policy and Environment Bureau, Ministry of Economy, Trade and Industry
Takeshi Kadomatsu:	Director-General of the River Bureau, Ministry of Land, Infrastructure and Transport
Narikuni Nakao:	Director-General of the Ports and Harbours Bureau, Ministry of Land, Infrastructure and Transport
Mikio Kageyama:	Deputy Director-General of the Meteorological Agency
Mikio Ishibashi:	Director-General of the Guard & Rescue Department, Japan Coast Guard
Hideto Yoshida:	Director-General, Waste Management and Recycling Department, Minister's Secretariat, Ministry of the Environment
Hideki Minamikawa:	Director-General, Global Environment Bureau, Ministry of the Environment
<b>Tadashi Ohmae:</b>	<b>Director-General</b> , Office for the Promotion of Special Zones for Structural Reform, Cabinet Secretariat

## 2 Indicator species

### Red List Category

· IUCN Red List Category



Extinct	A taxon considered to have become extinct.
Extinct in the Wild	A taxon known only to survive in captivity or cultivation.
Threatened I (CR + EN)	A taxon facing risk of extinction. A taxon facing difficulty surviving in the wild if the factors that have brought about its current situation continue.
Threatened I A Critically Endangered (CR)	A taxon facing an extremely high risk of extinction in the wild in the immediate future.
Threatened I B Endangered (EN)	A taxon facing a high risk of extinction in the wild in the near future but not critically endangered.
Threatened II Vulnerable (VU)	A taxon with an increasing risk of extinction. A taxon that will be transferred to the Threatened I category in the near future if the factors that have brought about its current situation continue.
Near Threatened (NT)	A taxon facing difficulty in maintaining a viable population. A taxon with a low risk of extinction but likely to be classified as Threatened and transferred to a higher rank if a change in its habitat conditions takes place.
Data Deficient (DD)	A taxon with inadequate information to make an assessment of its risk of extinction.

\*The latest category was adopted by IUCN Council in 1994. The new system came into use in 1996.

(Extracted from website of Japan Committee for IUCN)

· MOE Red List Category

■ Category definition

Category and basic concept	Qualitative criteria	Quantitative criteria
<p><b>Extinct (EX)</b></p> <p>A taxon considered to have become extinct in Japan (Note1).</p>	<p>A taxon known to inhabit Japan in the past now considered to have become extinct in Japan including in captivity or cultivation.</p>	
<p><b>Extinct in the Wild (EW)</b></p> <p>A taxon known only to survive in captivity or cultivation.</p>	<p>A taxon known to inhabit Japan in the past now known only to survive in captivity or cultivation and considered to have become extinct in the wild in Japan.</p> <p>(Reliable information)</p> <ol style="list-style-type: none"> <li>1. Extinction in the wild has been confirmed by reliable surveys and records.</li> <li>2. Inhabitation could not be confirmed by a number of reliable surveys.</li> </ol> <p>(Insufficient information)</p> <ol style="list-style-type: none"> <li>3. A shortage of reliable information on inhabitation over the past fifty years.</li> </ol>	
<p><b>Threatened I (CR + EN)</b></p> <p>A taxon facing risk of extinction.</p> <p>A taxon facing difficulty surviving in the wild if the factors that have brought about its current situation continue.</p> <p><b>T H R E A T E N D</b></p>	<p>A taxon that meets any of the following criteria.</p> <p>(Reliable information)</p> <ol style="list-style-type: none"> <li>1. The entire known population of a taxon has decreased to critical levels.</li> <li>2. The habitat conditions of all known habitats of a taxon have significantly deteriorated.</li> <li>3. The entire known population of a taxon is exposed to capture or removal pressures that outweigh its reproduction capabilities.</li> <li>4. The intrusion of a different species in almost all areas of occupancy that bears the risk of hybridization with the taxon.</li> </ol> <p>(Insufficient information)</p> <ol style="list-style-type: none"> <li>5. Due to no reliable information following inhabitation records from the not so distant past (30-50 years) and no reliable surveys being conducted since then, whether or not the taxon is extinct or not is a difficult assessment.</li> </ol>	<p><b>Threatened I A Critically Endangered (CR)</b></p> <p>A taxon facing an extremely high risk of extinction in the wild in the immediate future.</p> <p>Threatened I A (CR)</p> <p>A. Reduction in population size based on any of the following:</p> <ol style="list-style-type: none"> <li>1. An observed, estimated, inferred or suspected population size reduction of <math>\geq 90\%</math> over the last 10 years or three generations, whichever is the longer, where the causes of the reduction are clearly reversible and understood and ceased.</li> <li>2. An observed, estimated, inferred or suspected population size reduction of <math>\geq 80\%</math> over the last 10 years or three generations, whichever is the longer, where the reduction or its causes may not have ceased or may not be understood or may not be reversible.</li> <li>3. A population size reduction of <math>\geq 80\%</math>, projected to be met within the next 10 years or three generations, whichever is the longer.</li> <li>4. An estimated population size reduction of <math>\geq 80\%</math> over any 10 year or three generation period, whichever is the longer, where the time period must include both the past and the future, and where the causes may not have ceased or may not be understood or may not be reversible.</li> </ol> <p>B. Extent of occurrence estimated to be less than 100 km<sup>2</sup> or area of occupancy estimated to be less than 10 km<sup>2</sup>, and estimates indicating at least two of the following:</p> <ol style="list-style-type: none"> <li>1. Severely fragmented or known to exist at only a single location.</li> <li>2. Continuing decline projected to be met in the extent of occurrence, area of occupancy, number of mature individuals, etc.</li> <li>3. Extreme decline in the extent of occurrence, area of occupancy, number of mature individuals, etc.</li> </ol>

(Note1) Taxon: For animals, either a species or subspecies. For plants, either a species, subspecies or variant species.

(Note2) The last ten years or three generations: The last ten years is to be used when the length of three generations is under ten years. The length of three generations is to be used when it is more than ten years in total.

Category and basic concept	Qualitative criteria		Quantitative criteria
			<p>C. Population size estimated to number fewer than 250 mature individuals and either:</p> <ol style="list-style-type: none"> <li>1. An estimated continuing decline of <math>\geq 25\%</math> over within three years or one generation, whichever is longer.</li> <li>2. A continuing decline, observed, or projected, inferred, in numbers of mature individuals and at least one of the following:               <ol style="list-style-type: none"> <li>(a) Population structure in the form of one of the following:                   <ol style="list-style-type: none"> <li>i) no subpopulation estimated to contain more than 50 mature individuals.</li> <li>ii) at least 90% of mature individuals in one subpopulation.</li> </ol> </li> <li>(b) Extreme decline in number of mature individuals.</li> </ol> </li> </ol> <p>D. Population size estimated to number fewer than 50 mature individuals.</p> <p>E. Quantitative analysis showing the probability of extinction in the wild is at least 50% within 10 years or three generations, whichever is the longer.</p>
		<p><b>Threatened I B Endangered (EN)</b></p> <p>A taxon facing a high risk of extinction in the wild in the near future but not critically endangered.</p>	<p>Threatened I B Endangered (EN)</p> <p>A. Reduction in population size based on any of the following:</p> <ol style="list-style-type: none"> <li>1. An estimated population size reduction of <math>\geq 70\%</math> over the last 10 years or three generations, whichever is the longer, where the causes of the reduction are ceased and understood and clearly reversible.</li> <li>2. An estimated population size reduction of <math>\geq 50\%</math> over the last 10 years or three generations, whichever is the longer, where its causes may not have ceased or may not be understood or may not be reversible.</li> <li>3. A population size reduction of <math>\geq 50\%</math>, projected to be met within the next 10 years or three generations, whichever is the longer.</li> <li>4. An estimated population size reduction of <math>\geq 50\%</math> over any 10 year or three generation period, whichever is longer, where the time period must include both the past and the future, and where its causes may not have ceased or may not be understood or may not be reversible.</li> </ol> <p>B. Extent of occurrence estimated to be less than 5,000 km<sup>2</sup> or area of occupancy estimated to be less than 500 km<sup>2</sup>, and estimates indicating at least two of the following:</p> <ol style="list-style-type: none"> <li>1. Severely fragmented or known to exist at no more than five locations.</li> <li>2. Continuing decline projected to be met in the extent of occurrence, area of occupancy, number of mature individuals, etc.</li> <li>3. Extreme decline in the extent of occurrence, area of occupancy, number of mature individuals, etc.</li> </ol> <p>C. Population size estimated to number fewer than 2,500 mature individuals and either:</p> <ol style="list-style-type: none"> <li>1. An estimated continuing decline of <math>\geq 20\%</math> over within five years or two generations, whichever is longer.</li> <li>2. A continuing decline, observed, or projected,</li> </ol>

Category and basic concept	Qualitative criteria		Quantitative criteria
			<p>inferred, in numbers of mature individuals and at least one of the following:</p> <p>(a) Population structure in the form of one of the following:</p> <p>i) no subpopulation estimated to contain more than 250 mature individuals.</p> <p>ii) at least 95% of mature individuals in one subpopulation.</p> <p>(b) Extreme decline in number of mature individuals.</p> <p>D. Population size estimated to number fewer than 250 mature individuals.</p> <p>E. Quantitative analysis showing the probability of extinction in the wild is at least 20% within 20 years or five generations, whichever is the longer.</p>
<p><b>Threatened II Vulnerable (VU)</b></p> <p>A taxon with an increasing risk of extinction.</p> <p>A taxon that will be transferred to the Threatened I category in the near future if the factors that have brought about its current situation continue.</p>	<p>A taxon that meets any of the following criteria. (Reliable information)</p> <ol style="list-style-type: none"> <li>1. A large part of the population of a taxon has significantly decreased.</li> <li>2. The habitat conditions of a large part of the habitat of a taxon have significantly deteriorated.</li> <li>3. A large part of the population of a taxon is exposed to capture or removal pressures that outweigh its reproduction capabilities.</li> <li>4. The intrusion of a different species in a considerable area of occupancy that is capable of hybridization with a taxon.</li> </ol>	<p>Threatened II (VU)</p> <p>A. Reduction in population size based on any of the following:</p> <ol style="list-style-type: none"> <li>1. An estimated population size reduction of <math>\geq 50\%</math> over the last 10 years or three generations, whichever is the longer, where the causes of the reduction are ceased and understood and clearly reversible.</li> <li>2. An estimated population size reduction of <math>\geq 30\%</math> over the last 10 years or three generations, whichever is the longer, where its causes may not have ceased or may not be understood or may not be reversible.</li> <li>3. A population size reduction of <math>\geq 30\%</math>, projected to be met within the next 10 years or three generations, whichever is the longer.</li> <li>4. An estimated population size reduction of <math>\geq 30\%</math> over any 10 year or three generation period, whichever is longer, where the time period must include both the past and the future, and where its causes may not have ceased or may not be understood or may not be reversible.</li> </ol> <p>B. Extent of occurrence estimated to be less than 20,000 km<sup>2</sup> or area of occupancy estimated to be less than 2,000 km<sup>2</sup>, and estimates indicating at least two of the following:</p> <ol style="list-style-type: none"> <li>1. Severely fragmented or known to exist at no more than 10 locations.</li> <li>2. Continuing decline projected to be met in the extent of occurrence, area of occupancy, number of mature individuals, etc.</li> <li>3. Extreme decline in the extent of occurrence, area of occupancy, number of mature individuals, etc.</li> </ol> <p>C. Population size estimated to number fewer than 10,000 mature individuals and either:</p> <ol style="list-style-type: none"> <li>1. An estimated continuing decline of <math>\geq 10\%</math> over within 10 years or three generations, whichever is longer.</li> <li>2. A continuing decline, observed, or projected, inferred, in numbers of mature individuals and at least one of the following:</li> </ol> <p>(a) Population structure in the form of one of the following:</p> <p>i) no subpopulation estimated to contain more than 1,000 mature individuals.</p>	

Category and basic concept	Qualitative criteria	Quantitative criteria
		ii) all mature individuals are in one subpopulation (b) Extreme decline in number of mature individuals. D. Population very small and population size estimated to number fewer than 1,000 mature individuals or population with a very restricted area of occupancy or number of locations E. Quantitative analysis showing the probability of extinction in the wild is at least 10% within 100 years.
<b>Near Threatened (NT)</b>  A taxon facing difficulty in maintaining a viable population.  A taxon with a low risk of extinction but likely to be classified as Threatened and transferred to a higher rank if a change in its habitat conditions takes place.	A taxon that meets any of the following criteria.  Where it has been estimated that pressures on the survival of a taxon continue to increase considering the changes in its habitat. More specifically, when either of the following has significantly occurred, or will continue to occur in an area of occupancy of the taxon. a) decreasing population b) deteriorating habitat conditions c) exposed to excessive capturing and removal pressures d) invasion of different species capable of hybridization	
<b>Data Deficient (DD)</b>  A taxon with inadequate information to make an assessment of its risk of extinction.	A taxon that meets any of the following criteria.  A taxon with the following specific attributes, making it likely to be transferred to the Threatened category if a change in its environment takes place, however, an assessment of its rank cannot be made due to inadequate information.  a) population density is low and scarce in any habitat b) habitat is localized c) bio-geographically isolated distribution characteristics (endemic species with a very limited area of occupancy, etc) d) partial or whole life history requires special environmental conditions	

● **Appendix**

Category and basic concept	Qualitative criteria	Quantitative criteria
<b>Threatened Local Population (LP)</b>  A taxon facing a high risk of extinction in a locally isolated population.	A local population of a taxon that meets any of the following criteria. 1. A local population of a taxon deemed necessary for assessment from its habitat and academic value and in accordance with species listed in the Red Data Book, while its population in an isolated habitat has been assessed to be facing an increased risk of extinction from a regional perspective.  2. A local population of a taxon with regional type attributes deemed to be significant from a bio-geographical point of view and assessed to be facing an increased risk of extinction.	

## (1) Salmonids

Salmonids are managed and used as marine living resources based on the fishery related laws, including the Fisheries Law.

Within the heritage site, salmonid angling in sea and inland water is restricted mainly for the purposes of protecting fisheries resources. The impacts of constructions installed in rivers on salmonids have been assessed within the site, and the structure of the construction have been improved when necessary.

Set net fishing of salmonids is one of the major fisheries in the region. Hatchery programs of chum and pink salmon are being conducted in some rivers.

### ○ Outline of salmonids resource protection measures in the heritage site

Salmonids are protected as a resource under the Fisheries Law and the Fisheries Resources Protection Law, as well as the Regulation of Sea Fisheries Adjustment in Hokkaido and the Regulation of Inland Fisheries Adjustment in Hokkaido that was established based on those laws. Inland, the angling of salmonids, excluding juvenile masu salmon, is prohibited year round, while the angling of masu salmon is prohibited at their seaward migration. In the sea, the fishing of juvenile salmonids is prohibited.

In the heritage site, the resources are protected under these fishery-related laws, and salmonids can continue to run upstream.

Among the 44 rivers that flow through the heritage site, 14 rivers have 123 river artificial constructions in total. The structure of these constructions are being improved according to need, based on the result of impact assessment on salmonids.

[Major salmonid resource protection measures in the heritage site]

	Salmonids	Description	Governing laws and regulations
Inland	Pacific salmon (excluding masu salmon)	Year-round prohibition on angling and other protective measures	• Article 25 of Fisheries Resources Protection Law (Salmon) • Article 22 of Regulation of Inland Fisheries Adjustment in Hokkaido (Salmon)
	Masu salmon	Prohibition on fishing for the period of May1 - June 30	• Article 22 of the Regulation of Inland Fisheries Adjustment in Hokkaido
Sea	Pacific salmon	Fishing prohibition on fish smaller than 20 cm in total length	• Article 35 of the Regulation of Sea Fisheries Adjustment in Hokkaido

[Progress of assessment and improvement of river constructions in the heritage site]

- Number of river artificial constructions: 123 in 14 rivers
- Assessment of impacts on salmonids in FY2005: 56 constructions in 6 rivers

- 10 constructions in 3 rivers were assessed as needing consideration for improvement. Three of them were improved in FY2006.
- Assessment of impacts on salmonids in FY2006: 42 constructions in 7 rivers
  - It was found that the consideration for improvements were reasonable for 3 constructions in 2 rivers.

○ **Outline of the fisheries of salmonids**

Basic use of salmonids resources is through set net fishing in the sea based on the Fisheries Law, etc.

Fisheries of salmonids in the heritage site include the “salmon set net fishery” and the “salmon and trout set net fishery” that are operated with a license of set net fishery rights issued by the Governor of Hokkaido and the “small-scale salmon set net fishery” operated with the approval of a fishery cooperative that has a license of common fishery rights. They constitute the major fisheries in the region.

Catch data of salmonids are utilized for understanding the amount of fish came back, ensuring sufficient adults to carry out the hatchery program, and so on.

[Fisheries of salmonids in the heritage site]

Type of fishery	Operation period	Remarks
Salmon set net fishery	September to December	Set net fishery right
Salmon set net fishery	September	• Operation of a set net fishery requires a license issued by the Governor of Hokkaido
Small-scale salmon set net fishery	July and August	Common fishery right • Operation of a small-scale salmon set net fishery requires the approval of a fishery cooperative based on a common fishery right licensed by the Governor of Hokkaido.

[Prohibition on fisheries of salmonids]

Description	Governing laws and regulations
Year-round prohibition on the purse seine fishing, the fixed gill net fishing of salmonids, and so on.	• Article 36 of Regulation of Sea Fisheries Adjustment in Hokkaido

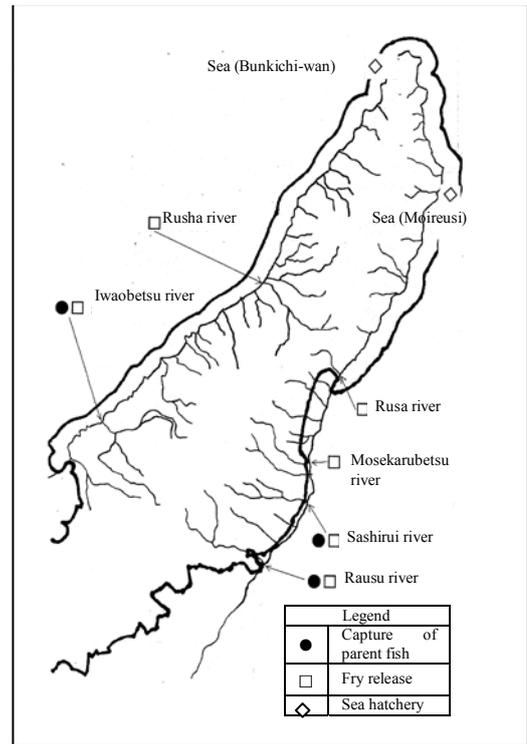
○ **Outline of salmon hatchery programs in the heritage site**

Public-interest corporation use some of the rivers and the sea in the heritage site for hatchery programs of chum and pink salmon. Adult salmon for artificial reproduction are captured in 3 of the 44 rivers in the region, while their fry are released into 6 rivers.

Hatchery programs are carried out based on the salmon breeding and release plan drawn up by Hokkaido Prefecture. Every year, the return of chum and pink salmon is monitored. These monitoring data are used for the development of a breeding and release plan. When the number of adult fish for reproduction is expected to be low from these data, fishery operators restrict their fishing voluntarily in order to secure parent fish.

[Rivers used for hatchery programs in the heritage site]

Item	Number of rivers	Remarks
Rivers in the heritage site	44 rivers	
Rivers used for hatchery programs	6 rivers	
<ul style="list-style-type: none"> <li>● Capture of adult</li> </ul>	3 rivers	<ul style="list-style-type: none"> <li>• Chum salmon : 2 rivers</li> <li>• Pink salmon : 3 rivers</li> </ul>
<ul style="list-style-type: none"> <li>□ Release of fry</li> </ul>	6 rivers	<ul style="list-style-type: none"> <li>• Chum salmon : 5 rivers</li> <li>• Pink salmon : 5 rivers</li> </ul>



Other than the above, hatchery programs are conducted in the sea at 2 locations.

[Prohibition on capture and fishing near estuaries]

Description	Governing laws and regulations
<p>○Prohibition on capture and fishing near estuaries</p> <p>* Prohibited fishery : Small-scale set net fishery, Bottom set net fishery, Fixed gill net fishery, etc.</p>	<ul style="list-style-type: none"> <li>• Article 42 and Article 42.2 of the Regulation of Sea Fisheries Adjustment in Hokkaido</li> </ul>

## ○Applicable laws and regulations

### Fisheries Basic Act (Extract)

Act No.89 of June 29, 2001.  
Last Amended by Law No. 89 of July 29, 2005.

#### (Maintenance of Stable Supply of Marine Products)

##### Article 2

2. Propagation and aquaculture of aquatic plants and animals shall, in view of living aquatic resources being a component of ecosystem and limited, be promoted to secure its sustainable utilization by adequate preservation and management of living aquatic resources and harmony with the environment aiming at the correct implementation of United Nations Convention on the Act of the Sea.

**Article 16** The State shall take measures such as promotion of production and release of seedlings of aquatic animals, improvement of aquafarms and others necessary to promote the propagation and aquaculture of aquatic plants and animals in harmony with environment.

#### (Conservation and Improvement of Growing Environment for Aquatic Plants and Animals)

**Article 17** The State shall take measures such as conservation of water quality, protection and development of breeding grounds of aquatic plants and animals, conservation and developments of forests and others necessary to improve the conserve the growing environment for aquatic plants and animals.

### Basic Act on Ocean Policy (Extract)

Act No. 33 of April 27, 2007

#### (Purpose)

**Article 1** The purpose of this Act is, with regard to the oceans, to stipulate the basic principles, to clarify the responsibilities of the State, the local governments, business operators and the citizens as well as to formulate the basic plan with regard to the oceans and other basic matters with regard to the measures on the oceans, by establishing the Headquarters for Ocean Policy in order to promote measures with regard to the oceans comprehensively and systematically, through contributing to the sound development of the economy and society of our State and to improve the stability of the lives of citizenry as well as to contribute to the coexistence of the oceans and mankind, in consideration of the fact that the oceans, occupying broad portion of the globe, are indispensable factors for maintaining the lives of the living beings including mankind, and the fact that it is important to realize a new oceanic State in harmonization of the peaceful and positive development and use of the oceans with the conservation of the marine environment, under the international cooperation, as our State surrounded by the oceans, based on the United Nations Convention on the Law of the Sea and other international agreements as well as on the international efforts on the realization of the sustainable development and use of the oceans.

#### (Harmonization of the Development and Use of the Oceans with the Conservation of Marine Environment)

**Article 2** With regard to the oceans, in consideration of the fact that the development and use of the oceans are the basis of existence for the economy and society of our State, and that securing the marine biological diversity and conserving other better marine environment are the basis of the existence of mankind and also indispensable for prosperous and affluent lives of the citizenry, the positive development and use of the oceans shall be executed, aiming at allowing for the sustainable development and use of the oceans with conservation of marine environment in order to enjoy the benefit of the oceans in the future.

**Fisheries Resources Protection Law (Extract)**

Law No.313 of December 17, 1951

Last amended by Law No.26 of March 31, 2006

**(Protection of Passages for Anadromous Fishes)**

**Article 22** Each owner or occupant of a structure installed in any water providing passage for anadromous fishes shall manage such structure in a manner that would not prevent anadromous fishes from swimming upstream.

Should any owner or occupant of such structure as set forth in the preceding paragraph be found by the Minister of Agriculture, Forestry and Fisheries or the prefectural governor to have failed to manage the structure in such manner as set forth in the preceding paragraph, such Minister or governor may order such owner or occupant to manage the same in accordance with the provisions of the said paragraph.

Should a prefectural governor give an order pursuant to the preceding paragraph, he/she shall notify the Minister of Agriculture, Forestry and Fisheries thereof without delay.

**Article 23** The Minister of Agriculture, Forestry and Fisheries may restrict or prohibit the construction of any structure in a defined area in water if he/she considers that such structure is likely to hinder the passage of anadromous fishes.

Should the Minister of Agriculture, Forestry and Fisheries intend to impose such restrictions as described within the preceding paragraph, such restrictions may be replaced by an order to the person wishing to construct the structure to construct a passage for anadromous fishes or an alternative facility; or, should the construction of such passage or alternative facility be considered extremely difficult, to construct such facilities or take such measures as necessary for the reproduction of anadromous fishes or other fishes in the water.

The person who received an order pursuant to the preceding paragraph shall, in accordance with the Ordinance of the Ministry of Agriculture, Forestry and Fisheries, prepare a plan for the measures to be taken pursuant to such order and shall obtain the approval of the Minister of Agriculture, Forestry and Fisheries for the plan.

**Article 24** Should a structure be considered to hinder the passage of anadromous fishes, the Minister of Agriculture, Forestry and Fisheries may order the owner or occupant of such structure to conduct corrective engineering work to eliminate the hindrance.

2. Any order to conduct corrective work pursuant to the preceding paragraph shall be given so that the total compensation for such corrective work payable under the following paragraph would not exceed the amount of budget approved by the National Diet.
3. Should an order to conduct corrective work be given under Paragraph 1 above, the Minister of Agriculture, Forestry and Fisheries shall provide reasonable compensation to the right holder of the structure; provided, however, that no compensation shall be provided to any person who is ordered to conduct corrective work under Paragraph 1 above due to violation of an order given to such person under Article 22, Paragraph 2.
4. Should an order to conduct corrective work be given under Paragraph 1 above as a result of a petition filed by one or more interested parties, the person(s) who filed such petition shall, in accordance with the provisions set forth by the Minister of Agriculture, Forestry and Fisheries, provide such compensation as set forth in the main text of the preceding paragraph.
5. Any person who objects to the amount of compensation mentioned in the preceding two paragraphs may request, by instituting a legal action, increase or decrease of such amount at any time during the first six months following the date on which notice of such amount of compensation was received.
6. The national government shall serve as the defendant in the legal action mentioned in the preceding paragraph; provided, however, that in the case of Paragraph 4 above, the person who filed the relevant petition or the right holder of the relevant structure shall serve as such defendant.
7. Should an order be given to conduct corrective work with respect to a structure pursuant to Paragraph 1 above and if such structure is subject to any lien, pledge or mortgage, the Minister of Agriculture, Forestry and Fisheries or the person who filed the relevant petition as mentioned in Paragraph 4 above shall deposit funds for such compensation as set forth in Paragraph 3 or 4 above unless the holder of such lien, pledge or mortgage notifies waiver of such deposit.
8. Any such holder of lien, pledge or mortgage as mentioned in the preceding paragraph may exercise the holder's rights with respect to the funds for compensation deposited in accordance with the said paragraph.

**(Prohibition of Inland Fishing of Salmon)**

**Article 25** Of the anadromous fishes, salmon shall not be fished in any inland waters as defined in Article 8, Paragraph 3 of the Fisheries Law; provided, however, that this shall not apply to any inland fishing of salmon by any person who has received a fishing license or has obtained permission of the Minister of Agriculture, Forestry and Fisheries or of the relevant governor pursuant to the provisions of the Ordinance of the Ministry of Agriculture, Forestry and Fisheries or the regulations enacted under Article 65, Paragraph 1 of the Fisheries Law and Article 4 of this Law based on such license or permission.

### Regulation of Inland Fisheries Adjustment in Hokkaido (Extract)

**(Period of Prohibition)**

**Article 22** The aquatic animals listed in the left column of the table below shall not be caught during the respective periods shown in the corresponding parts of the right column of the said table.

Aquatic animal	Period of Prohibition
Salmon	All year round
Trout (meaning masu salmon (excluding landlocked masu salmon set forth in the following paragraph), humpback salmon, red salmon, silver salmon and king salmon)	
Landlocked masu salmon (meaning masu salmon during the part of their life in which they remain in freshwater following hatching)	Rivers within the jurisdictions of the Nemuro and Abashiri Subprefectural Offices: From May 1 to June 30

2. No eggs spawned by salmon or trout shall be collected.

3. No aquatic animals (including eggs or roes thereof), or product thereof, caught or collected in violation of the provisions of the preceding two paragraphs shall be possessed or sold.

**(Restriction or Prohibition by Body Length)**

**Article 35** Of the aquatic animals listed in the left column of the table below, no individual fishes whose length is that shown in the corresponding part of the right column shall be caught; provided, however, that this shall not apply if such individual fishes are caught as juveniles for aquaculture based on a fishery right covering Type 1 Common Fishery or Type 3 Demarcated Fishery or based on a common of piscary in connection with either of these types of fishery.

Name	Size
Salmon	Less than 20 cm in total length
Trout	Less than 20 cm in total length

5. No aquatic animals, nor eggs or roes thereof, nor any product of any of these, caught or collected in violation of the provisions of any of the preceding paragraphs of this Article, shall be possessed or sold.

**(Period of Prohibition of Fishing)**

**Article 36** The fisheries listed in the left column of the table below shall not be conducted during the respective periods shown in the corresponding parts of the right column; provided, however, that this shall not apply if any such fishery is conducted based on a fishery right or a common of piscary or is conducted by a person with fishing license based on such license within the area specified in Table 2-2.

Name of Fishery	Period of Prohibition
(1) Purse seine fishery of salmon and trout	All year round
(2) Drift-net fishery of salmon and trout (except any such fishery that involves the use of a powered fishing vessel)	
(3) Drift-net fishery of small salmon and trout (only if such fishery involves the use of a powered vessel less than 30 tons in gross tonnage)	From September 1 to January 31 of the following year
(4) Fixed gill net fishery of salmon and trout	All year round
(7) Small-scale set net fishery	
(8) Bottom trap net fishery	

2. No salmon or trout, nor eggs or roes thereof, nor any product of any of these, caught in violation of the provisions of the preceding paragraph (but only those relating to the fisheries listed in item 1 through 4) during the period from September 1 of any year to January 31 of the following year shall be possessed or sold.

**Fisheries Law (Excerpt)**

Law No.267 of December 15, 1949  
Last amended by Law No.93 of June 23, 2006

**(Definition of Fishery Rights)**

**Article 6** For the purpose of this Law, “Fishery Rights” means the Set-Net Fishery Right, the Demarcated Fishery Right and the Common Fishery Right.

2. “Set-Net Fishery Right”, “Demarcated Fishery Right” and “Common Fishery Right” mean the right to engage in set-net fishery, the right to engage in demarcated fishery, and the right to engage in common fishery, respectively.
3. “Set-Net Fishery” means fishing which involves fixing of the fishing gear and:
  - (1) in which the deepest part of the seabed area covered by the main net is at least 27 meters below the surface of the sea at the highest tide; and
  - (2) which is conducted in Hokkaido mainly to catch salmon.
5. “Common Fishery” means any of the following modes of fishery conducted by sharing a certain area of water:
  - (2) Type 2 Common Fishery: Fishing which involves laying of net fishing gear (including weirs) in such manner that renders it immovable and which is not Set-Net Fishery or the mode of fishing specified in Item 5 below.

**(Prohibition of Set-Net Fishery, etc. without Fishery Rights)**

**Article 9** No Set-Net Fishery or Demarcated Fishery shall be conducted without the corresponding fishery right or common of piscary.

**(Fishing License)**

**Article 10** Each person who wishes to obtain fishing license shall apply for the same to the relevant prefectural governor and receive from the same.

## (2) Walleye pollock

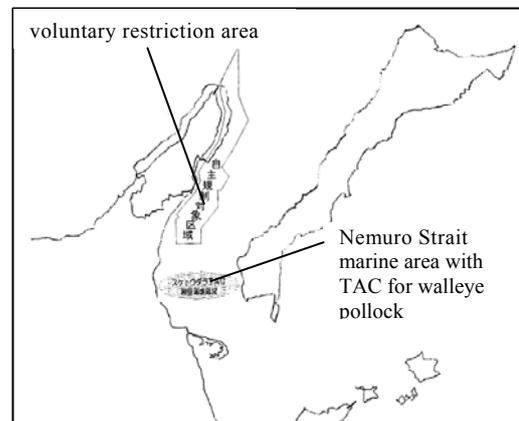
Walleye pollock is managed and used as a marine living resource based on the fishery related laws, including the Fisheries Law. Since 1997, an upper limit of catch (Total Allowable Catch: TAC) has been set to control the volume of catch based on resource surveys, stock assessments, etc., conducted by the national government through research institutions every year under the Act Concerning Conservation and Management of Marine Life Resources that was established based on the United Nations Convention on the Law of the Sea.

In the waters surrounding Shiretoko, gill net and long line fishing of walleye pollock are conducted offshore of Rausu town under the Governor of Hokkaido's permission based on the Regulation of Sea Fisheries Adjustment in Hokkaido that was established based on the Fisheries Law and the Fisheries Resources Protection Law. They constitute the major fisheries in the region.

[Major measures for management of marine living resources in the waters surrounding Shiretoko]

Regarding these fisheries, for the sustainable use of marine living resources, catch volume is controlled based on the TAC set for each marine area, in addition to the restriction on the number of ships and type of fishing gear used and so on.

Furthermore, immature walleye pollock are protected under an agreement on management of marine living resources signed by all fishery organizations in Hokkaido based on the **Law Concerning the Promotion of Marine Resource Development**. In the marine area offshore of Rausu town, to protect spawning fish, local fishery operators apply voluntary restrictions on period and area of fishing, and on the mesh size of gill nets, in consideration for their maturation state.



The management of walleye pollock resources that migrate into the marine section of the heritage site is supported by measures based on the fishery-related laws and the voluntary efforts by fishery operators and organizations in the waters surrounding Shiretoko.

Information on catch of walleye pollock in the waters surrounding Shiretoko is utilized for stock assessment and other studies.

Large Russian trawlers are identified operating in marine area offshore of Rausu town every year.

[Major measures concerning the management and use of walleye pollock in the heritage site]

Major management measures based on the fishery-related laws	Major management measures taken by fishery organizations or fishermen
[Act Concerning Conservation and Management of Marine Life Resources] ○Setting of Total Allowance Catch (TAC) and management in the marine area of the Nemuro Strait	
[Regulation of Sea Fisheries Adjustment in Hokkaido] ○Permission system for the fixed gill net fishing and the long line fishing of walleye pollock in the marine area of the Nemuro Straits and offshore of the Abashiri district · Restriction on the number and tonnage of ships, the operation period permitted, restriction on the mesh size of gill nets, etc.	○Voluntary management in the marine area offshore of Rausu town · Control of catch pressure through joint operation system, restriction of mesh size, use of small-sized gill nets, setting of prohibited fishing area or season, etc.
[ <b>Law Concerning the Promotion of Marine Resource Development.</b> ] ○Promotion of conclusion of agreement on management of s by fishery operators, etc.,	○Agreement the management of walleye resources in marine areas of Hokkaido · Content of agreement: Restraint on catch of immature fish (less than 30cm in body length or less than 34cm in total length)

○ **Outline of the Total Allowable Catch (TAC) system**

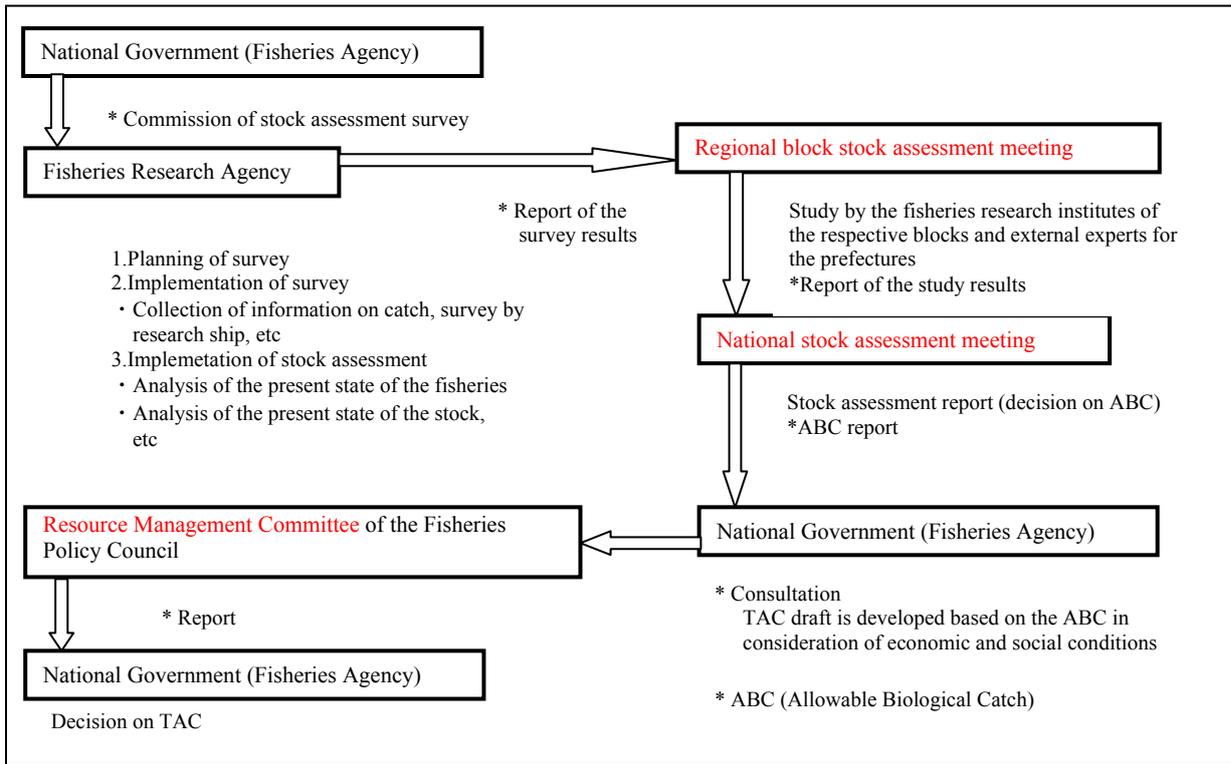
After the United Nations Convention on the Law of the Sea came into effect in 1996, Japan has been controlling catch volume of major fish species by setting the upper limit of catch (Total Allowable Catch: TAC) every year since 1997, for the protection and management of marine living resources in Japan's exclusive economic zone, based on the Act Concerning Conservation and Management of Marine Life Resources.

Currently, TAC is set for Pacific saury, walleye pollock, **jack mackerel**, sardine, common squid, **queen crab**, **common mackerel**, and **southern mackerel** based on the results of resource surveys and stock assessments conducted by research institutions, in the light of economic and social conditions (i.e. fishery management and other related factors).

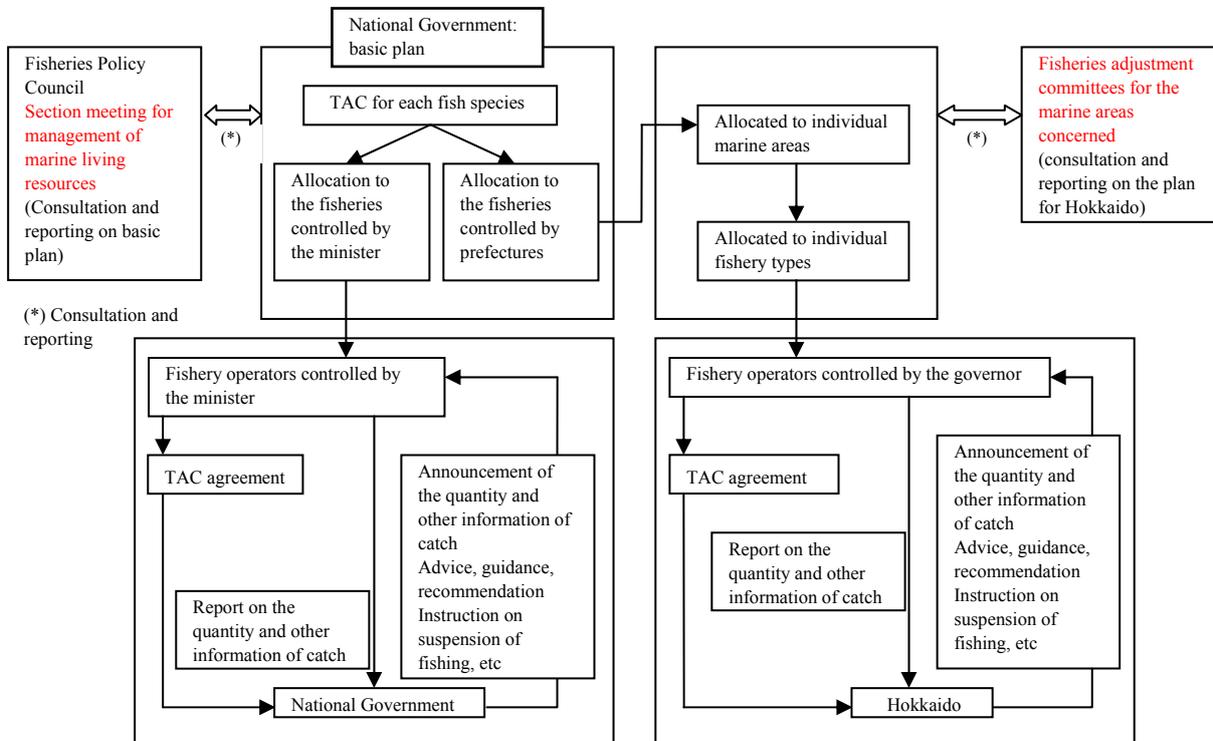
TAC is divided among those fisheries controlled by the minister (the national government) and those controlled by the governor (the prefecture), and the latter is further allocated to the various fisheries controlled by the relevant governor.

Fishery operators are required to report to the national government or prefecture the catch of the fish subject to TAC, while the national government and prefecture are responsible for announcing the catch quantity and other relevant information, and instructions to suspend fishing as needed.

[Flow of stock assessment]



[TAC system flow chart]



[Change in TAC of walleye pollock in the marine area of the Nemuro Strait]

(tons)

Year	2003	2004	2005	2006	2007	Remarks
Marine area of the Nemuro Strait	19,000	19,000	15,000	14,000	12,000	

○ **Voluntary efforts of fishery operators and organizations for management of marine living resources**

The rational use of marine living resources is promoted in Japan through official regulations based on fishery-related laws including the Fisheries Law and the voluntary efforts made by fishery operators and organizations.

In Hokkaido, fishery operators and organizations conclude marine living resources management agreements on fish species including walleye pollock that migrate around in a wide area, by utilizing the marine living resources management agreement system that is based on the **Law Concerning the Promotion of Marine Resource Development**. The agreement on walleye pollock was concluded in 1994 and renewed every five years since.

In the marine area offshore of Rausu town, local fishery operators have been making continuous efforts in the sustainable use of the walleye pollock stock, including the voluntary reduction of vessels, suspension of fishing, setting of prohibited fishing areas and periods according to the state of maturation of the fish, and the enlargement of mesh size of the gill net.

[Marine living resource management agreement on walleye pollock]

Content of the Hokkaido marine area walleye pollock resource management agreement	
1. Target marine area:	Offshore area around Hokkaido (limited to the territorial waters and Japan's exclusive economic zone)
2. Target marine living resource:	walleye pollock
3. Target fishery type:	Offshore trawl fishery Walleye pollock gill net fishery Walleye pollock long line fishery <b>Bottom set net fishery</b> that includes "walleye pollock" in its name Set net fishery that includes "walleye pollock" in its name
4. Method of management of marine living resources	
(1)	The fishing of walleye pollock that is less than 30cm in body length, or 34cm in total length, should not exceed two tenths of the total weight of the walleye pollock catch in one operational voyage.
(2)	In operating gill net, or long line fisheries, when the weight of walleye pollock that is less than 30cm in body length, or 34cm in total length, exceeds two tenths of the total weight of one net or one line catch, adequate measures should be taken, such as moving to other fishing locations to avoid catching the walleye pollock that are less than 30cm in body length, or 34cm in entire length.
(3)	In operating bottom set net or set net fisheries, when the weight of walleye pollock that is less than 30cm in body length, or 34cm in total length, exceed two tenths of the total weight of one net catch, a part of the catch should be returned to the sea.

[Development of voluntary efforts for walleye pollock in the marine area offshore Rausu by fishery operators and organizations]

Year	Major efforts	Description
1990s	Restrictions on fishing gear	Enlargement of mesh size of the gill net (from 90mm and over to 97mm and over)
After 1996	Reduction on the number of operating vessels	Voluntary reduction on the number of vessels and suspension of operation (operating vessels numbered 324 in 1990 to 181 in 2003)
1997	Setting no-fishing areas	Decided with consideration for the maturation state and gathering state of parent fish 10 areas on the coast of Rausu in 2007
2001	Setting no-fishing periods	Decided with consideration for the maturation state and gathering state of parent fish From 3/26 to 4/5 in 2007
	Restrictions on fishing gear	Converted to a smaller gill net of 15.5 m in height (from 17.6 m in previous years)
2002	Reduction of fishing pressure through joint operation system	Fishing pressure was reduced by 20% through the joint operation of 5 vessels in one group, with one of the vessels suspending their fishing operations in turn.

## ○Applicable laws and regulations

### Fisheries Basic Act (Extract)

Act No.89 of June 29, 2001.  
Last Amended by Law No. 89 of 2005.

#### (Maintenance of Stable Supply of Marine Products)

##### Article 2

2. Propagation and aquaculture of aquatic plants and animals shall, in view of living aquatic resources being a component of ecosystem and limited, be promoted to secure its sustainable utilization by adequate preservation and management of living aquatic resources and harmony with the environment aiming at the correct implementation of United Nations Convention on the Act of the Sea.

### Fisheries Law (Extract)

Law No.267 of December 15, 1949  
Last amended by Law No.93 of June 23, 2006

#### (Orders Relating to Fisheries Adjustment)

**Article 65** In order to regulate fisheries or otherwise adjust fishing activities, the Minister of Agriculture, Forestry and Fisheries or a prefectural governor may lay down necessary ordinances of the Ministry of Agriculture, Forestry and Fisheries or regulations, as applicable, concerning any of the following matters:

- (1) Restriction or prohibition of fishing, collection or processing of aquatic plants or animals;
- (2) Restriction or prohibition of sale or possession of aquatic plants or animals, or products of any of these;
- (3) Restriction or prohibition relating to fishing gear or fishing vessels; or
- (4) Restriction of the number or qualifications of fishermen.

### Fisheries Resources Protection Law (Extract)

Law No.313 of December 17, 1951  
Last amended by Law No.26 of March 31, 2006

#### (Orders Relating to Restriction of Fishing or Collection of Aquatic Plants and Animals)

**Article 4** Should it be deemed necessary to protect and nurture fisheries resources, the Minister of Agriculture, Forestry and Fisheries or a prefectural governor may enact ordinances of the Ministry of Agriculture, Forestry and Fisheries or regulations, as applicable, concerning any of the following matters:

- (1) Restriction or prohibition of fishing or collection of aquatic plants or animals;
- (2) Restriction or prohibition of sale or possession of aquatic plants or animals;
- (3) Restriction or prohibition relating to fishing gear or fishing vessels;
- (4) Restriction or prohibition of abandonment or spilling of substances harmful to aquatic plants or animals or any other water contamination harmful to aquatic plants or animals
- (5) Restriction or prohibition of collection or removal of materials or substances necessary for the protection and nurturing of aquatic plants and animals; or
- (6) Restriction or prohibition of transplantation of aquatic plants or animals.

### Regulation of Sea Fisheries Adjustment in Hokkaido (Extract)

Regulation No.132 of November 12, 1964  
Last amended by Regulation No.158 of December 19, 2006

#### (Fishing Permit)

**Article 5** In addition to the modes of fishery specified in Article 66, Paragraph 1 of the Fisheries Law, each person who wishes to engage in any of the following modes of fishery shall obtain a permit from the governor for the relevant mode of fishery and the relevant vessel if the proposed mode of fishery is any of those listed in Items 1 through 25 or for the relevant mode of fishery if the proposed mode of fishery is that listed in Item 26:

- (5) Fixed gill net fishery of walleye pollock (only if such fishery involves the use of a powered vessel);
- (11) Long line fishery of walleye pollock;

**Act Concerning the Conservation and Management of Marine Life Resources (Extract)**

Law No.77 of June 14, 1996

Last amended by Law No.91 of June 29, 2001

**(Definitions, etc.)**

**Article 2**

2. For the purpose of this Law, "Total Allowable Catch" or "TAC" means, for each species of marine biological resources, the annual upper limit of volume that is allowed to be collected or caught in the Exclusive Economic Zone.
5. For the purpose of this Law, "Designated Marine Biological Resources" means Type 1 Designated Marine Biological Resources and Type 2 Designated Marine Biological Resources.
6. For the purpose of this Law, "Type 1 Designated Marine Biological Resources" means such portion of the marine biological resources that should appropriately be preserved and managed in the Exclusive Economic Zone by determining the TACs or by similar measures and that shall be designated by Cabinet Order.

**(Basic Plan)**

**Article 3** In order to preserve and manage the marine biological resources in the Exclusive Economic Zone, the Minister of Agriculture, Forestry and Fisheries shall establish a basic plan for the preservation and management of marine biological resources (hereinafter referred to as the "Basic Plan").

2. The Basic Plan shall include the following:

- (1) Basic policy on the preservation and management of marine biological resources;
  - (2) Matters concerning the trends of each species constituting the Designated Marine Biological Resources;
  - (3) Matters concerning the respective TACs for the species constituting Type 1 Designated Marine Biological Resources;
  - (4) With respect to the TACs mentioned in the preceding item, matters concerning the respective volumes designated for the types of Designated Fisheries defined in Article 52, Paragraph 1 of the Fisheries Law, the types of fisheries subject to permission of the Minister of Agriculture, Forestry and Fisheries or any other disposition in accordance with the provisions of the ordinance of the Ministry of Agriculture, Forestry and Fisheries under Article 65, Paragraph 1 of the Fisheries Law or Article 4, Paragraph 1 of the Fisheries Resources Protection Law, and the types of all other fisheries designated by the ordinance of the Ministry of Agriculture, Forestry and Fisheries (hereinafter referred to as the "Designated Fisheries, Etc.");
  - (5) If the volumes mentioned in the preceding item involve designation of the volumes for different operating areas or different operating periods, matters concerning such volumes;
  - (6) With respect to the TACs mentioned in Item 3 above (except the volumes mentioned in Item 4 and those for the collection or fishing of Type 1 Designated Marine Biological Resources conducted by any of the persons designated by the Cabinet Order), matters concerning the respective volumes designated for the prefectures whose jurisdiction includes any sea areas (hereinafter simply referred to as "Prefectures");
  - (7) Matters concerning measures to be implemented with respect to the volumes mentioned in Item 4 above (or those designated under Item 5 above, if any; hereinafter referred to as the "Minister-Regulated Volumes");
3. The matters mentioned in Items 3 and 8 of the preceding paragraph shall be determined based on their relations with the matters mentioned in Item 2 of the said paragraph and with other marine biological resources and by taking into account the fishery operation affecting, and other circumstances surrounding, the relevant Designated Marine Biological Resources so that they would be maintained at or restored to the level which would allow achievement of the maximum sustainable yield.

**(Prefectural Plan)**

**Article 4** Each relevant prefectural governor shall, in accordance with the Basic Plan, establish a prefectural plan concerning the measures to be implemented with respect to the volumes mentioned in Item 6 of Paragraph 2 of the preceding article or the amounts mentioned in Item 10 of the said paragraph (hereinafter referred to as "Prefectural Plan").

2. Each Prefectural Plan shall include the following:

- (1) Policy on the preservation and management of marine biological resources;
- (2) Matters concerning the volumes mentioned in Item 6 of Paragraph 2 of the preceding article;
- (3) If the volumes mentioned in the preceding item involve designation of the volumes for different modes of collection or fishing of Type 1 Designated Marine Biological Resources, different marine areas or different periods, matters concerning such volumes;
- (4) Matters concerning measures to be implemented with respect to the volumes mentioned in Item 2 above (or the volumes mentioned in the preceding item, if any; both such volumes shall be referred to as "Governor-Regulated Volumes of Type 1 Designated Marine Biological Resources" in Article 8, Paragraph 2 below);

**Cabinet Order for the Law Concerning the Preservation and Management of Marine Resources (Extract)**

Cabinet Order No.213 of July 5, 1996

Last amended by Cabinet Order No.349 of November 24, 2005

**(Type 1 Designated Marine Biological Resources)**

**Article 1** The Marine Biological Resources to be designated by the Cabinet Order as set forth in Article 2, Paragraph 6 of the Law Concerning the Preservation and Management of Marine Biological Resources (hereinafter referred to as the "Law") shall be as follows:

- (ii) Walleye pollock

**Law Concerning the Promotion of Marine Resource Development (Extract)**

Law No.60 of May 17, 1971

Last amended by Law No.131 of December 4, 2002

**(Conclusion of Resource Management Agreement)**

**Article 13** Fishery organizations may, in order to rationalize the utilization of certain marine resources in a certain marine area, conclude an agreement on voluntary management of such marine resources in such marine area (hereinafter referred to as "Resource Management Agreement") and may obtain the relevant government agency's certification of the appropriateness of such Resource Management Agreement.

2. Each Resource Management Agreement shall specify the following:

- (1) Marine area, type of marine resources and mode of fishery subject to the Resource Management Agreement;
- (2) Method of management of the marine resources;
- (3) Term of the Resource Management Agreement;
- (4) Measures to be taken against violations of the Resource Management Agreement; and
- (5) Other matters specified by the ordinance of the Ministry of Agriculture, Forestry and Fisheries.

**(Mediation of Participation in Certified Resource Management Agreement)**

**Article 15** Should the fishery organizations that are parties to a Resource Management Agreement certified under Article 13, Paragraph 1 (hereinafter referred to as "Certified Resource Management Agreement") be present, and request participation in, their Certified Resource Management Agreement to the persons or entities, if any, who or which engage in fishery utilizing such type of marine resources in such marine area as is subject to the Certified Resource Management Agreement (only if the mode of such fishery is subject to the Certified Resource Management Agreement; hereinafter referred to as "Specified Fishery Operator"), or the organization(s), if any, of such persons or entities, and who or which have not participated in the Certified Resource Management Agreement, and if any of such persons or entities so requested fails to consent to such participation, the first-mentioned fishery organizations may, in accordance with the relevant provisions of the relevant ordinance of Ministry of Agriculture, Forestry and Fisheries, request the relevant government agency to provide mediation necessary to obtain consent of such person or entity or organization.

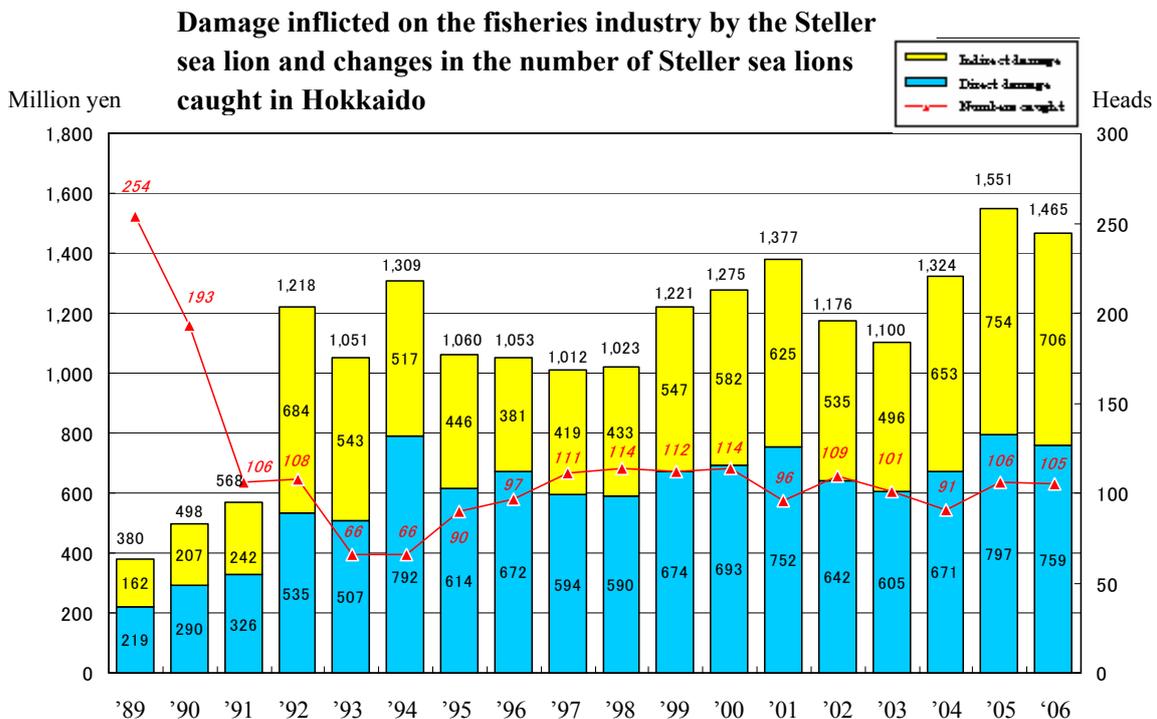
2. Upon receipt of a request pursuant to the provisions of the preceding paragraph, the relevant government agency shall provide mediation if it is deemed appropriate, in light of the provisions of Paragraph 1 of the preceding article, for the person or entity which is not a party to the Certified Resource Management Agreement to participate in such Certified Resource Management Agreement and if it is deemed particularly necessary to seek such person's or entity's participation in such Certified Resource Management Agreement in light of the contents thereof.

### (3) Steller sea lion

From a long-term and regional perspective that includes Russian waters, the Steller sea lion population is estimated to be declining, while at the same time, the damage that Steller sea lions inflict on the fisheries industry is a growing concern. Consequently, from 1994, under the guidance of the **Hokkaido Fishing Coordination Commission** in accordance with the Fisheries Law, Steller sea lions have been managed by annually restricting the number that can be caught in Hokkaido with the aim of curbing the damage inflicted on the fisheries industry while at the same time ensuring that the Steller sea lion population is maintained.

#### Damage inflicted on the fisheries industry by the Steller sea lion

Between autumn and spring, Steller sea lions arriving from Russian waters cause havoc on the fisheries industry throughout the coastal waters of Hokkaido, mainly on the Japan Sea side, by damaging fishing gear such as nets and spoiling fish catches. The situation is growing serious with the damage inflicted on the entire prefecture of Hokkaido amounting to more than 1.5 billion yen in 2005 and 1.46 billion yen in 2006.

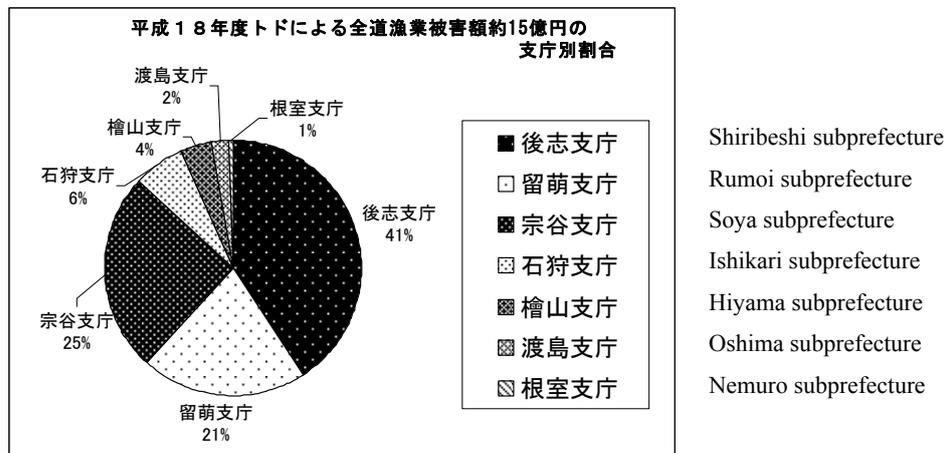


Notes: Amount of damage: aggregated annually (April to March)

Numbers caught: for 1989-1993: aggregated by fiscal year; 1994 onwards: aggregated by approved catch period (numbers caught between 1994 and 2005 include cases where Steller sea lions were dropped overboard)

Indirect damage: spoiling fish catches; Direct damage: damaging fishing gear

**Subprefectural proportion of the roughly 1.5 billion yen of damage inflicted on the fisheries industry in Hokkaido by the Steller sea lion in 2006**



**Measures to prevent damage inflicted on the fisheries industry by the Steller sea lion**

With the aim of curbing the damage inflicted on the fisheries industry by the Steller sea lion while at the same time ensuring that their population is maintained, the following damage prevention measures are being implemented by the national government and Hokkaido.

**(1) Gaining an understanding of the ecology such as attributes of Steller sea lions that visit Japan**

Since 2004, the Japanese Government has commissioned the Fisheries Research Agency, an incorporated administrative agency, to conduct research into and compile fundamental data on the Steller sea lion's ecology and the numbers that visit Japanese waters.

**(2) Measures to prevent damage inflicted on the fisheries industry**

**(a) Promoting the use of reinforced small nets**

Since 1998, Hokkaido government continues to subsidize projects for the joint use of reinforced nets as a measure to prevent damage inflicted on small set nets and some others by the Steller sea lion.

**(b) Development test of reinforced gill nets**

The gill net fisheries industry is subject to the majority of damage inflicted by the Steller sea lion. As a preventive measure, since 2001 the Japanese Government has commissioned the Fisheries Research Agency to conduct development test of reinforced gill nets that can prevent Steller sea lion damage.

Furthermore, in order to achieve the practical application of reinforced gill nets as soon as possible, since 2003 Hokkaido government has cooperated with development test conducted by the Japanese Government. By adapting to actual fishery conditions of various regions, Hokkaido government has implemented verification tests to look into work efficiency and catch efficiency of reinforced gill nets, and since 2006, the study has been conducted on a fully operational scale.

### **(c) Verification test of the repellent effects of fireworks**

Hokkaido government subsidizes intensive fireworks repellent operations that have been implemented by the Hokkaido Federation of Fisheries Cooperative Associations, while at the same time verifying the efficiency of such operations and investigating more efficient repellent methods.

### **Management of the Steller sea lion**

Every year since 1994, the control of Steller sea lions has been carried out in order to reduce the damage inflicted on the fisheries industry, while setting a limit on the total number of Steller sea lions to be culled in Hokkaido under the guidance of the Hokkaido Fishing Zone Coordination Committee in accordance with the Fisheries Law.

In August 2007, the Fisheries Agency submitted a report to the Hokkaido Fishing Zone Coordination Committee entitled 'Fundamental Policy for Management of the Steller Sea Lion and Allowable Number of Human Induced Mortalities'. The report compiled examination and research results of the Steller sea lion's ecology and the numbers visiting Japanese waters, and based on scientific examination (PBR method), the report stated that the annual allowable number of human induced mortalities for Steller sea lions in the coastal waters of Hokkaido was 227 (including all mortalities due to human induced factors such as bycatches).

The Hokkaido Fishing Zone Coordination Committee has designated that the limit on the number of Steller sea lions that can be caught in 2007 in Hokkaido is 120 (however, if any rise or fall in the estimated number (107) of bycatches (by set net fisheries, etc) is anticipated, this limit can be adjusted accordingly by the Committee).

## **Fundamental Policy for Management of the Steller Sea Lion and Allowable Number of Human Induced Mortalities**

August 2007

Fisheries Agency, Resources and Environment Research Division

### **I. Stock conditions**

#### **1. Stock trends**

- The Steller sea lions found in Hokkaido belong to the Asian stock originating from a number of rookeries located in the Kuril Islands and coastal regions of the Sea of Okhotsk (northern regions of the Sea of Okhotsk and Sakhalin). The whole population in Hokkaido can be considered as a single management unit.
- Asian stock declined rapidly until the 1980's, but it has been gradually increasing since the early 1990's. The entire population of the Steller sea lion in Russian (which consists of Asian population and the populations in the western part of the Bering Sea and the Komandorskie Islands) has been increasing at an annual rate of 1.2% since 1989.
- The number of Steller sea lions counted by direct observation at rookeries and haul-outs in Russia was 15,676 in 2004, of which 14,650 were of Asian stock.
- Since the 1990's, rookeries have been established in the southern part of Sakhalin and the population of the Steller sea lion there has increased significantly.

## 2. Trends in appearances

- Since the 1990's, the number of haul-out rocks on the coastline of the Sea of Japan and the number of times Steller sea lions have come ashore have increased in comparison to the 1980's.
- Although Steller sea lions often appeared on the Pacific Ocean coastline of Hokkaido up until the late 1980's, sightings have been rare in recent years.

## 3. Number of Steller sea lions observed

- Based on aerial surveys carried out in 2004 and 2005, the number (including offshore sightings) of Steller sea lions appearing in Hokkaido during winter is estimated to be 6,767.

## II. Allowable number of human induced mortalities

- The annual allowable number (including all mortalities due to human induced factors such as bycatches) of human induced mortalities for Steller sea lions in the coastal waters of Hokkaido is determined in accordance with the Potential Biological Removal method (PBR)\*.
- The allowable number of human induced mortalities for Hokkaido is determined in accordance with the PBR level, which is calculated with a recovery factor applying adaptively to an population estimate of Steller sea lions in Hokkaido based on aerial surveys..
- In addition, the allowable number of human induced mortalities for Steller sea lions in Hokkaido shall not exceed the level calculated from PBR for the number of Asian stock which Steller sea lions sighted in Japan belong to.

\* With the uncertain data available, a method to estimate the number of animals that may be harvested from a wild stock while allowing that stock to avoid extinction through human induced mortalities.

## III. Applying PBR to 2007 and 2008 appearances

- The PBR level has been calculated to be 227, and all human induced mortalities should be within this limit.
- The number of bycatch in Japan from recent years is not clear, however, interview surveys with set net fisheries operators estimate the number to be between 55 and 107. When applying this estimate of bycatch, the allowable number of catches in Hokkaido excluding bycatches will be a minimum of 120 and a maximum of 172, including cases where Steller sea lions were dropped overboard.
- This number could be managed more flexibly with the establishment of a system that is able to continually ascertain the number of bycatch.
- However, until such a system is set in place, it is recommended that the safest possible level for the number of bycatch is used.
- The above is a provisional assessment based on current data and shall be reviewed accordingly with the accumulation of future data.

## IV. Points to note regarding management

- Bearing in mind that the extinction of the Steller sea lion must be prevented, by way of adaptive management that takes into account a number of uncertainties, the management of the Steller sea lion should aim to alleviate the damage inflicted on the fisheries industry and promote the sustainable utilization of Stellar sea lion stocks.
- In addition to effectively managing catch quotas in accordance with the scale of damage inflicted on the fisheries industry, **intensive catches of Steller sea lions that are inclined to feed on fishing nets should be promoted**, and examining ways to alleviate damage as alternative methods to shooting Steller sea lions should also be carried out.
- The consumptive use of both direct catches and **bycatches** of Steller sea lions should be promoted.
- It is recommended that any changes to the allowable number of catches should be carried out gradually with the continual monitoring of trends in Steller sea lion stocks.
- **Reasons other than the decrease in fisheries stocks and increases in Steller sea lions that are inclined to feed on fishing nets** should be fully considered as factors for increases in damage inflicted on the fisheries industry by the Steller sea lion.

**PBR (Wade 1998, Barlow et al. 1995)**

Excerpt from attachment to 'Results of Fisheries Agency Survey on Steller Sea Lion Appearances' (Fisheries Agency, August 10, 2007)

\*PBR (Potential Biological Removal) is defined as the maximum number of animals, not including natural mortalities, that may be removed from a stock while allowing that stock to reach or maintain its optimum sustainable population (OSP).

\*The US Marine Mammal Protection Act (MMPA) stipulates that stock assessments must include the calculation of PBRs.

\*PBRs are to be calculated using the following formula.

$$PBR = N_{MIN} \times 0.5R_{MAX} \times FR$$

$N_{min}$ : Minimum population estimate. In the case of Pinnipeds, the number of direct observations of haul-outs or the lower limit of a **60%** confidence interval **of population estimate (N)** when assuming **it has** a log-normal distribution.

$R_{max}$ : Maximum net productivity rate.

$Fr$ : Recovery factor applied to different ranks stipulated by the Endangered Species Act.

Barlow, J., Swartz, S.L., Eagle, T.C. and Wade, P.R. 1995. U.S. Marine Mammal Stock Assessments: Guidelines for Preparation, Background, and a Summary of the 1995 Assessments. NOAA Tech. Memo. NMFS-OPR-95-6, 76pp.

Wade, P.R. 1998. Calculating limits to the allowable human-caused mortality of cetaceans and pinnipeds. Marine Mammal Science, 14(1):1-37.

## ○ Applicable laws and regulations

### Fisheries Law (Extract)

Law No.267 of December 15, 1949  
Last amended by Law No.93 of June 23, 2006

#### (Instructions of District Fishing Zone Coordination Commission or Hokkaido Fishing Zone Coordination Commission)

**Article 67** If deemed necessary to ensure the reproduction and protection of aquatic plants and animals, to ensure the appropriate exercise of fishery rights or commons of piscary, to seek prevention or resolution of disputes over the use of the fishing grounds, or otherwise to adjust fishing activities, District Fishing Zone Coordination Commission and Hokkaido Fishing Zone Coordination Commission may restrict or prohibit the collection or catching of aquatic plants and animals, limit the number of fishery operators, restrict the use of the fishing grounds or give any other necessary directions to persons involved.

#### (Fishing Coordination Commissions)

**Article 82** The fishing coordination commissions shall consist of District Fishing Zone Coordination Commission, Hokkaido Fishing Zone Coordination Commissions and wide area fisheries coordination commissions.

2. District Fishing Zone Coordination Commission, Hokkaido Fishing Zone Coordination Commission and wide area fisheries coordination commission shall be under the supervision of: the relevant prefectural governor; the prefectural governor having jurisdiction over the fishing zone for which such district fishing zone coordination commission was established; and the Minister of Agriculture, Forestry and Fisheries, respectively.

#### (Composition)

**Article 85** District Fishing Zone Coordination Commission shall consist of Commission Members.

3. The Commission Members shall include the following:
  - (1) Nine members elected by the persons who are entitled to vote under the provisions of the following Article out of those who are eligible to be elected under the provisions of the said Article; and
  - (2) Four members appointed by the prefectural governor out of academic experts and two members appointed by the prefectural governor out of those who are deemed to represent the public interest of the relevant fishing zone.

#### (Establishment)

**Article 105** If deemed necessary, a prefectural governor may establish, for specific purposes, a Hokkaido Fishing Zone Coordination Commission for a fishing zone created by combining two or more existing fishing zones.

#### (Composition)

**Article 106** Hokkaido Fishing Zone Coordination Commission shall consist of members.

2. The members shall include the same number of members from each District Fishing Zone Coordination Commission established for a fishing zone within the larger fishing zone under the jurisdiction of the District Fishing Zone Coordination Commission, with the said members being elected in accordance with the procedures designated by the District Fishing Zone Coordination Commission.
4. A prefectural governor who established a Hokkaido Fishing Zone Coordination Commission in accordance with the provisions of Paragraph 1 of the preceding Article or who supervises any of the fishing zone coordination commissions which established a Hokkaido Fishing Zone Coordination Commission in accordance with the provisions of Paragraph 4 of the said Article may, if deems necessary, appoint, in addition to the members elected pursuant to the provisions of Paragraph 2 above, members from academic experts in a number no more than two thirds of the number of the members so elected pursuant to the provisions of Paragraph 2 above.

#### Hokkaido Fishing Zone Coordination Commission Directive No.1 [August 10, 2007] (Extract)

2. **Hunting license:** Each person who wishes to hunt Steller's sea lions in the marine area offshore of Hokkaido shall obtain license from the Hokkaido Fishing Zone Coordination Commission.
7. **Hunting period:** The hunting period shall be from October 1, 2007 to June 30, 2008.
8. **Limit of the number of animals allowed to be hunted:**

The Commission shall separately designate the upper limit of the number of Steller's sea lions allowed to be hunted.

**Steller's Sea Lion Hunting Licensing Rules (Extract)**

Steller's Sea Lion Hunting Licensing Rules Issued under Hokkaido Fishing Zone Coordination Commission Directive No.1  
Dated August 10, 2007

**6. Limit of the number of animals allowed to be hunted:**

The upper limit of the number of Steller's sea lions allowed to be hunted as mentioned in Paragraph 8 of the Commission Directive shall be One Hundred and Twenty (120).

However, if the number of animals caught as by-catch in set-net fisheries, etc. is expected to increase or decrease from the current estimate of One Hundred and Seven (107), the upper limit of the number of animals allowed to be hunted may be adjusted within the range of such increase or decrease.

**Wildlife Protection and Hunting Law (Excerpts)**

Law No. 88 of July 12, 2002

Last Amended by Law No. 67 of June 14, 2006

**(Exclusion of application)**

**Article 80** 1. The provisions of this Law shall not apply to the wildlife species that are likely to cause serious interference on the maintenance of environmental hygiene, or that are under appropriate protection and management for hunting, etc. by other laws and regulations, and are designated by the Ministerial Ordinance of the Ministry of the Environment.

2. The provisions of Article 3, Paragraph 3, shall apply mutatis mutandis to the Ministerial Ordinance of the Ministry of the Environment provided in the preceding paragraph.

**Enforcement Regulations for the Wildlife Protection and Hunting Law (Excerpts)**

Ministerial Ordinance of the Ministry of the Environment No. 28 of December 26, 2002

Last amended by Ministerial Ordinance of the Ministry of the Environment No. 3 of January 29, 2007

**(Wildlife species excluded from application of the Law)**

**Article 78** 2. Of the wildlife species designated by the Ministerial Ordinance of the Ministry of the Environment as provided for in Article 80, Paragraph 1 of the Law, the wildlife species that are under appropriate protection and management for hunting, etc. by other laws and regulations shall be marine mammals other than the wildlife species listed in the following table.

Family Species

Animal kingdom

Mammalia

(1) Carnivora

Otariidae Japanese Sea Lion (*Zalophus californianus japonica*)

Phocidae Harbour seal (*Phoca vitulina*)

Larga seal (*Phoca largha*)

Ringed seal (*Phoca hispida*)

Ribbon seal (*Histiophoca fasciata*)

Bearded seal (*Erignathus barbatus*)

(2) Sirenia

Dugongidae Dugong (*Dugong dugon*)

Remarks: The species' scientific names are described parenthetically following their specific names.

#### (4) Seals

The capture or hunting of seals are controlled under the Wildlife Protection and Hunting Law. The capture of harbor seal, which are an endangered species, needs the permission of the Minister of the Environment, while the capture of other seal species requires permission of the Governor of Hokkaido.

In addition, the Wildlife Protection and Hunting Law stipulates that the Minister of the Environment shall establish basic guidelines for the implementation of projects to ensure the protection of wildlife, and that prefectural governors shall establish plans for the implementation of wildlife protection projects based on those guidelines.

In 2002, the Wildlife Protection and Hunting Law was revised and added “securing of biodiversity” to its purpose and included a new definition of animals and birds to be protected under the law as “wildlife that belongs to birds or mammals”. Accordingly, seals were newly included in the target species of the law, and their field survey was conducted by the national government from 2002 to 2005. As a result, it was reported that the population of harbor seals in Hokkaido was on the increase over the long term, and so was the population of spotted seals.

- **Population status in Hokkaido**

The numbers of observation points and identified individuals were compiled from the results of the simultaneous censuses of the seals conducted from 2002 to 2005. While more spotted seals were identified along the Sea of Japan and the Sea of Okhotsk, almost only harbor seals were found on the Pacific coast.

Harbor seals are rarely seen in the marine area along the coasts of the Shiretoko Peninsula.

**Observation points and observed population by year in a simultaneous census of the seal population (Seals conservation and management report, March 2006, Hokkaido)**

	Survey area	Number of points	March 2003	March 2004	March 2005	February 2006
Along the Sea of Japan	Rebun	2-4	69	217	274	426
	Rishiri	12-13	18	5	23	14
	Soya	4-7	11	47	11	16
	Bakkai	1	90	94	196	182
	Teshio River to Shosanbetsu	8	0	0	1	0
	Haboro to Obira	13	0	0	0	0
	Teuri	3-4	37	23	118	137
	Yagishiri	2	93	91	245	200
	Ishikari to Hamamasu	4	-	-	-	-
	Ishikari River	1	0	0	0	0
	Otaru	4	0	0	0	1
	Shakotan to Furubira	1-5	1	2	7	0
	Subtotal			319	479	875
Along the Sea of Okhotsk	Sarufutsu	2	-	0	0	0
	Esashi	2	0	1	-	
	Monbetsu	1	0	0	0	0
	Abashiri	5	0	0	0	1
	Shari to Utoro	3	0	0	1 (1RS)	1
	Rausu to Shibetsu	5	0	12	5	23
	Hashirikotan	1	1	0	3	0
	Notsuke	1	0	0	0	0
	Subtotal			1	13	9 (1RS)
Along the Pacific Ocean	Nemuro	2-4	4 (4)	3	-	2 (2)
	Hamanaka	1-4	78 (78)	-	-	2 (2)
	Akkeshi	4-5	105 (105)	-	-	59 (58)
	Tokachi River to Otsu	1-2	0	0	0	2 (1)
	Erimo Cape	1	192 (192)	-	66 (59)	137 (130)
	Subtotal			379 (379)	3	66 (59)

All figures show the total number of seals, with the number of harbor seals in ( ) and that of ringed seals in ( RS)

## ○ Applicable laws and regulations

### **Basic Policy for the Implementation of Wildlife Protection Projects (Extract)**

Ministry of the Environment Notification No.3 of January 29, 2007

#### **I . Basic Matters Concerning the Implementation of Wildlife Protection Projects**

##### **1. Basic Philosophy on Wildlife Protection and Proper Hunting**

###### **(1) Basic Philosophy**

The wildlife is one of the essential factors constituting the natural environment on which human existence is based. While the wildlife enriches the natural environment, it also plays an essential role in the maintenance and improvement of Japanese people's living environment. Despite its highly developed economy, Japan has a wide variety of wildlife. Under the circumstances, Japan can be proud before the world of its continued efforts to build appropriate relationships between people and wildlife and to maintain the biodiversity of the country.

However, today some species face continued reduction or loss of their habitat nationally or locally, while certain wildlife cause serious damage to people's living environment, the agriculture, forestry and fisheries industry, and ecosystems. This has made it necessary to comprehensively protect and manage the wildlife by implementing measures for controlling the size of wildlife populations, managing wildlife habitats and preventing wildlife damage.

Hunting is not just for catching animals for fun or to utilize them as resources; it also serves to contribute to the prevention of wildlife damage as a means to control the size of wildlife populations. However, with the reduction in the number and the aging of hunters, it has become necessary to strive to train and secure hunters and to ensure proper hunting by using measures including the prevention of danger posed by the use of hunting gear.

Under these circumstances, wildlife protection projects shall be implemented based on the philosophy for wildlife protection and management that we should ensure the long-term, stable existence of local wildlife populations and the prevention of wildlife damage to the human living environment, the agriculture, forestry and fisheries industry and ecosystems, while seeking to form a consensus among parties concerned from each of the international, national and local points of view.

In addition, considering the fact that wildlife protection and management involves dealing with the natural world where causal relations are not always known, we should use flexible management approaches and ensure the participation of and cooperation among various parties in order to compensate for the uncertainty, through which the management of wildlife protection areas and the implementation of the specified wildlife conservation and management plans (hereinafter referred to as the "Specified Plans") shall be further improved in detail. At the same time, we shall promote proper hunting in order to contribute to the preservation of the biodiversity, the conservation of the living environment and the sound development of the agriculture, forestry and fisheries industry and shall, through these activities, aim to secure the life of the people and the sound development of communities in which people can enjoy the blessings of the natural environment.

## Hokkaido Wildlife Protection Plan (The 9<sup>th</sup>) (Excerpts)

Revised: March 27, 2007

### (Introduction)

Blessed with diverse natural environments, including forests and wetlands, Hokkaido has a variety of wildlife unique to the region in the country, including brown bears and Yezo sika deer as examples of mammals and Japanese cranes and hazel grouses as examples of birds. These animals and birds form a unique, rich fauna that is distinct from those found in Honshu and southward. Hokkaido also plays an important role, not only in Japan but also internationally, as a breeding place and a destination for migrating birds.

While this diverse wildlife symbolizes the blessings of nature in Hokkaido, some of the species have been reduced in population size and are threatened with extinction because of changes in their habitats caused by the developmental progress of the of

Hokkaido. On the other hand, other species have caused damage to the agriculture and forestry industries due to their increase in population size, causing friction with human activities. These circumstances have prompted requests for promotion of the appropriate protection and management of wildlife.

Hokkaido from being damaged in the future. In response to this necessity, this Plan shall strive to reveal the actual conditions of wildlife habitation and shall, based on scientific information thereon, promote comprehensive, systematic approaches, including the designation of wildlife protection areas, the management of proper hunting, the protection of rare species and the removal of immigrant species.

For these reasons, in the formulation of the wildlife protection plans as set forth in Article 4, Paragraph 1 of the Wildlife Protection and Hunting Law (Law No.88 of 2002) (hereinafter referred to as the "Law"), it is necessary to ensure the appropriate protection and management of wildlife and their habitats as a whole, in order to prevent the biodiversity of Hokkaido from being damaged in the future. In response to this necessity, this Plan shall strive to reveal the actual conditions of wildlife habitation and shall, based on scientific information thereon, promote comprehensive, systematic approaches, including the designation of wildlife protection areas, the management of proper hunting, the protection of rare species and the removal of immigrant species.

\* This Plan will be revised roughly once every five years by seeking advice from the Hokkaido Environment Council. The 9<sup>th</sup> Hokkaido Wildlife Protection Plan (from April 1, 2002 to March 31, 2008)

## Wildlife Protection and Hunting Law (Excerpts)

Law No. 88 of July 12, 2002

Last Amended by Law No. 67 of June 14, 2006

### (Objective)

**Article 1** This Law aims to ensure the life of the people, whereby the blessings of the natural environment can be enjoyed by the citizens; and serves to contribute to the healthy development of communities through such efforts as ensuring biodiversity, protecting the living environment, and contributing to the healthy development of agriculture, forestry, and fishery; with the protection of wildlife and proper hunting; by preventing the wildlife from damaging the living environment, agriculture, forestry, and fishery, or the ecological system; by preventing risks associated with the use of hunting gears; and by implementing programs for wildlife protection.

### (Basic Guidelines)

**Article 3** The Minister of the Environment shall establish basic guidelines (hereinafter referred to as the "Basic Guidelines") to implement projects to ensure the protection of wildlife (hereinafter referred to as the "Wildlife Protection Projects") (snip).

### (Wildlife Protection Project Plans)

**Article 4** The prefectural governors shall formulate plans for the implementing the Wildlife Protection Projects to be implemented by the prefectural governors in accordance with the Basic Guidelines (hereinafter referred to as the "Wildlife Protection Project Plans") (snip).

### (Permission for Hunting etc. of the Wildlife and Collection of Bird Eggs, etc.)

**Article 9** Those who intend to hunt wildlife or collect bird eggs, etc., for the purpose of pursuing an academic study; for the purpose of preventing the wildlife from damaging the living environment, agriculture, forestry, and fishery, or the ecological system; for the purpose of regulating the population of the specific wildlife as provided for in Article 7, Paragraph 2, Item 5; or for the purposes as provided for in the Ministerial Ordinance of the Ministry of the Environment shall obtain the permission of the Minister of the Environment in the following cases and obtain the permission of the prefectural governor in other cases.

- (1) The capture, etc., of wildlife or the collection, etc., of bird eggs within the Wildlife Protection Area designated by the Minister of the Environment as provided for in Article 28, Paragraph 1.
- (2) The capture, etc., of rare wildlife species or the collection, etc. of eggs of birds designated as rare wildlife species.
- (3) The capture, etc., of wildlife by use of the nets or traps designated by the Ministerial Ordinance of the Ministry of the Environment as significantly harmful to wildlife protection in consideration of the structure, material, and the usage thereof.

2. Those who intend to obtain the permission as provided for in the preceding paragraph shall apply for the permission of the Minister of the Environment or the prefectural governors in accordance with the provisions of the Ministerial Ordinance of the Ministry of the Environment.

**Wildlife Capture Permission Examination Standards (Extract)**

April 1, 2000

Last amended: April 16, 2007

**I. General Provisions**

These Standards set forth provisions necessary to contribute to the appropriate and smooth examination in granting license to Hunt wildlife or Collect wild bird eggs pursuant to the Wildlife Hunting Licensing Rules (hereinafter referred to as the “Rules”). The terms used herein have the same meanings as in the related laws and regulations and the Rules.

**II. Examination Standards for Granting License for Damage Prevention Purposes**

The examination standards for granting license for Damage prevention purposes shall be as follows, in addition to the “Standards for Granting License to Hunt Wildlife or Collect Wild Bird Eggs for Damage Prevention Purposes” shown in the attached Table.

**1. Eligible licensees**

(1) Eligible licensees shall include the following:

- a. Persons who suffered the damage;
- b. Corporations (i.e. the national government, local governments and the corporations designated by the Minister of the Environment under the provisions of Article 9, Paragraph 8 of the Law); and
- c. Persons who are requested by any of the persons who suffered the damage or the Corporations to engage in the Hunting or Collection on their behalf.

(2) Each person who engages in the Hunting or Collection under license shall meet the following requirements:

- a. The person shall have his/her address in the administrative district of the municipality which experienced the Damage (hereinafter referred to as “Municipality”); provided, however, that if no one in such Municipality is available for the Hunting or Collection, the person may have his/her address in a neighboring municipality and shall be able to engage in the Hunting or Collection promptly.
  - b. If the person uses any hunting gear in the Hunting or Collection, he/she shall be registered as a hunter with the governor of Hokkaido for the relevant hunting gear under the provisions of Article 55, Paragraph 1 of the Law within one year immediately preceding the date of application for license or shall have a hunting license and shall be able to compensate for any damage that may occur due to the proposed Hunting or Collection; provided, however, that the foregoing shall not apply to any of the following persons:
    - (a) Persons who have a net hunting license or a trapping license; provided that this shall apply only if the proposed Hunting will take place within a housing plot enclosed by fences, railings or other similar structures or if they intend to trap brown bears;
    - (b) Persons who have no net hunting license or trapping license and who plan to engage in the Hunting; if a Corporation intends to Hunt wildlife (except brown bears and wild boars) by any means other than those involving the use of firearms and to cause one or more persons with a net hunting license or a trapping license to engage in the Hunting and if it is expected that under the supervision of the said persons the hunters’ hunting skill and safety will be assured.
- (3) The number of persons who may engage in the Hunting or Collection shall be limited to the minimum necessary based on the consideration of the actual condition of the Damage, size of the damaged area and other relevant factors.

**Table: Standards for Granting License to Hunt Wildlife or Collect Wild Bird Eggs for Damage Prevention Purposes (Excerpts)**

Species of wildlife	Hunting period (season)	Hunters	Allowable catch per hunter	Note
Other species of wildlife (including seals)	2 months or less (all seasons)	10 or less	10 or less individuals per species	

**(5) Spectacled guillemot, slaty-backed gull, and Japanese cormorant**

Sheer cliffs higher than 100m along the coastline from Utoro to the Shiretoko Cape in the western part of the Shiretoko Peninsula, providing breeding sites for seabirds such as the spectacled guillemot, slaty-backed gull, and Japanese cormorant. The area is one of the world’s largest breeding sites for Japanese cormorants in particular. The capture, etc., of wildlife is regulated under the provisions of the Wildlife Protection and Hunting Law for the conservation of the ecosystem and for other purposes. The capture of endangered wildlife needs the permission of the Minister of the Environment, while the capture of other species requires permission of the Governor of Hokkaido. Because spectacled guillemots are designated as endangered wildlife, as defined in the Wildlife Protection and Hunting Law, their capture, etc., needs the permission of the Minister of the Environment. The capture, etc., of wildlife in a National Wildlife Protection Area also requires permission from the Minister of the Environment.

- State of inhabitation for the spectacled guillemot, slaty-backed gull, and Japanese cormorant in the Shiretoko Peninsula (2005 Bulletin of the Shiretoko Museum)

1) Spectacled guillemot

Result of the 2004 census on the spectacled guillemot

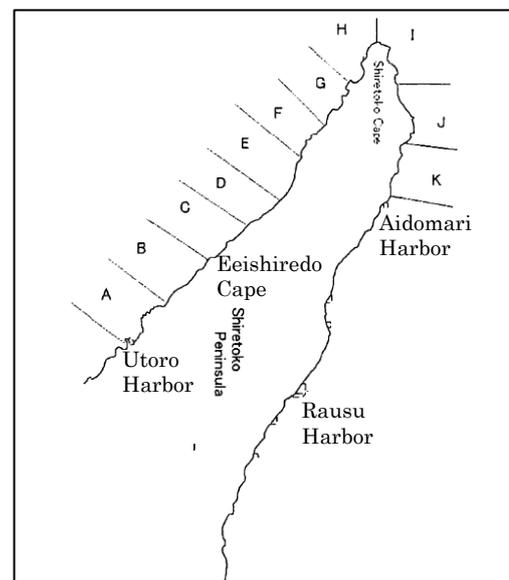
June		July		August	
Date	Number of birds	Date	Number of birds	Date	Number of birds
2	66	8	68	1	74
4	46	9	148	2	62
8	61	17	64	7	69
10	90	29	117	8	74
19	92	30	107		
26	97	31	108		

Survey area : Marine area within 1km of the coast from Utoro Harbor to the Eeishiredo Cape

2) Change in the number of breeding (nesting) slaty-backed gulls by zone (1997 to 2004)

Zone	1997	1998	1999	2000	2001	2002	2003	2004
A	599	637	785	569	806	642	806	784
B	139	238	223	354	421	31	109	95
C	0	0	0	0	0	0	0	0
D	0	0	0	0	0	0	0	0
E	0	0	0	0	0	0	0	12
F	73	271	355	191	21	20	63	16
G	29	68	62	36	0	0	28	20
H	80	257	284	297	69	119	165	153
I	-	-	-	-	-	-	105	149
J	-	-	-	-	-	-	189	303
K	-	-	-	-	-	-	23	77
Total	920	1,471	1,709	1,447	1,317	812	1,488	1,609

Survey area: Coast from Utoro Harbor to Aidomari (see the figure to the right for zones)



Survey Area in the Shiretoko Peninsula

3) Change in the number of breeding (nesting) Japanese cormorants (1997 to 2004)

Zone	1997	1998	1999	2000	2001	2002	2003	2004
A	270	194	200	214	157	63	231	97
B	140	159	162	209	0	114	229	137
C	0	0	0	0	0	80	0	0
D	0	0	0	0	0	0	0	0
E	0	0	0	0	0	0	0	0
F	44	66	49	67	96	0	14	15
G	2	20	1	23	46	0	0	63
H	106	163	106	107	79	48	64	64
I	-	-	-	-	-	-	0	54
J	-	-	-	-	-	-	42	37
K	-	-	-	-	-	-	0	0
Total	562	602	518	620	378	305	580	467

Survey area: Coast from Utoro Harbor to Aidomari (see the figure to the right for zones)

○ Shiretoko National Wildlife Protection Area (outline)

Because the natural ecosystem in the Shiretoko Peninsula, including the surrounding marine area, maintains pristine conditions, a large number of wildlife inhabit the area. Among them are endangered birds, such as Blakiston's fish-owls and white-tailed eagles in particular. There are also many seabirds, such as the spectacled guillemot (which is one of the endangered bird species), slaty-backed gull, and Japanese cormorant, on the rocky stretches along the coast.

A stretch of area in the Shiretoko Peninsula is designated as a Wildlife Protection Area to serve as a place for their conservation and breeding, as well as a habitat for other wildlife. In the area, zones where the ecosystem is conserved especially well, and those that are important as habitat and breeding sites for wildlife, are designated as Special Protection Areas. Because the Rusha area is especially important for further conservation, management, and breeding, the area is designated as a Designated Special Protection Area.