NOTE VERBALE

The Ministry of Foreign Affairs (MOFA) presents its compliments to the Embassy of the United States of America in Japan and has the honor to inform the Embassy that the Ministry has given consent to conduct marine scientific research within the Exclusive Economic Zone (EEZ) of Japan by the marine research vessel of the United States of America, R/V ROGER REVELLE, as requested in the Embassy’s Diplomatic Note No. 487 dated August 5, 2009. Please note the conditions below and attached to the clearance.

In conducting research, observe the conditions requested in the MOFA First North America Diplomatic Note No. 1769 dated May 12, 2009.

End Text.
口 上 書

外務省は、在本邦アメリカ合衆国大使館に敬意を表するとともに、2009年8月5日付け口上書第487号にて申請を受けた、アメリカ合衆国の海洋調査船「R/V ROGER REVELLE」による我が国の排他的経済水域における海洋の科学的調査の実施内容の変更について、同意を与え、また、上記調査を行うに当たり、下記を伝達する光栄を有する。

記

平成21年5月12日付け北米1第1769号の口上書で要請した事項を遵守し調査を行うこと。
NOTE VERBALE

The Ministry of Foreign Affairs (MOFA) presents its compliments to the Embassy of the United States of America in Japan and has the honor to inform the Embassy that the Ministry has given consent to conduct marine scientific research within the Exclusive Economic Zone (EEZ) of Japan by the marine research vessel of the United States of America, R/V MELVILLE, as requested in the Embassy’s Diplomatic Note No. 801 dated November 25, 2008 and Diplomatic Note No. 855 dated December 17, 2008. Please note these conditions attached to the clearance.

1) In regard to the marine scientific research (research period from May 20 to November 1, 2009) by the vessel noted above, the application was submitted on November 25, 2008. This did not observe the six-month notice rule that Japan requires of other countries in accordance with the United Nations Convention on the Law of the Sea (UNCLOS). For this reason, in future cases when marine scientific research is conducted within Japan’s EEZ, it is requested to provide a diplomatic note requesting consent as well as a research plan at least six months prior to the scheduled starting date of the research.

2) Follow a sailing route so that the sea glider will not enter Japan’s territorial seas.

3) If fishing is being conducted in the vicinity of R/V Melville, pay adequate attention not to damage fishing equipment.

4) Notify MOFA immediately if an observation device is missing.

5) Because the observation devices could drift, reach the coast and be recovered, notify MOFA in advance as to who will recover them. If you are asked to recover them, make sure to do that responsibly.

6) The application does not clearly state R/V Melville’s whereabouts between the period of the glider’s deployment from May 20 to 26 and its recovery on November 1.
Notify MOFA immediately if you recover and redeploy the device and finish research earlier than planned.

7) In order to ensure communications in the event of an emergency during the research activities, make sure to provide the Operation Direction Center, Administration Division, Guard and Rescue Department of the Japan Coast Guard with the following information via fax (+81-3-3581-2853):

a) The starting and ending dates and time, and subsequent plans of research by the vessel.

b) The dates, time and positions where the observational devices are deployed and recovered.

c) Information on the observation devices’ positions and movements.

d) The position of the vessel once each day (for example, 1200JST).

8) Provide MOFA with research data obtained within Japan’s EEZ.

9) Because Iridium use in Japan is limited to the “1621.35 MHz to 1626.5 MHz” frequencies, the use of the “1616 MHz to 1621.35 MHz” frequencies is prohibited within Japan’s territorial seas.

10) In conducting research near the coasts in Okinawa Prefecture, please ensure the safety of residents, and do not to disturb fishing boats’ operations, fishing equipment and floating fishing reefs (see attachment regarding the deployment places).

11) To alert fishermen in the area, provide information, if any, on more detailed schedules, projected routes and other plans of R/V Melville and the sea glider before the starting date of the research.

End Text.
United States Department of State  
Bureau of Oceans and International  
Environmental and Scientific Affairs  
2201 C Street NW, Room 5805  
Washington, D.C. 20520  
P (202) 647-0238  F (202) 647-1106

FACSIMILE TRANSMITTAL SHEET

TO:  Rose Dufour  
Scripps Institution of Oceanography  
(858) 822-5811

FROM:  Liz Tirpak  
tirpakej@state.gov

RE:  R/V MELVILLE  
State File:  2008-124

DATE:  Thursday, May 14, 2009  
Total pages:  Via email

We have just received the following approval(s) for the above-referenced research cruise:

<table>
<thead>
<tr>
<th>Coastal State</th>
<th>Diplomatic Note</th>
<th>Approval Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan</td>
<td>MOFA Note Verbale no 1789</td>
<td>05/12/2009</td>
</tr>
</tbody>
</table>

Please notify the Chief Scientist of the following obligations to the clearance-granting coastal state(s):

SUBMIT PCR FORM TO THE STATE DEPARTMENT NO LATER THAN 30 DAYS AFTER THE END DATE OF THE CRUISE: the form is available at http://www.state.gov/www/global/oes/oceans/ntv666.html. On this form, the Chief Scientist reports when the cruise data will be forwarded to the Department of State for distribution to the clearance-granting coastal states.

SUBMIT CRUISE DATA TO THE STATE DEPARTMENT: the Chief Scientist must provide the appropriate number of copies and translations of the data for each clearance granting coastal state. See Notices to Research Vessel Operators on the web to determine country-specific reporting requirements. All materials can be mailed to my attention at the address listed above.

If the Chief Scientist cannot supply the data to the Department of State prior to the deadlines indicated in their PCR Form (due to sampling error, cancelled cruise, or other condition), you must notify our office with a formal letter of explanation. If you need an extension of time for submitting data, please request an extension in writing and indicate your revised due date. Should I fail to receive a request for extension, I will contact you by fax at the end of each month to let you know which scientists you will need to encourage.

Do not hesitate to contact me if you have any questions or modifications to this clearance.
Attachment: deployment positions of floating fish reefs