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National Marine Fisheries Service
Alaska Enforcement Division

ENFORCEMENT REPORT



January 01 – May 31, 2006

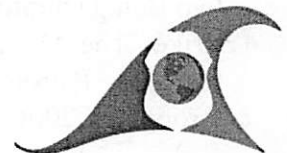
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This report can be viewed at:

http://www.nmfs.noaa.gov/ole/ak_enforce.html



**To report fisheries violations,
call our National Hotline at
1-800-853-1964**



INTRODUCTION:

The Alaska Enforcement Division (AED) has opened 165 cases so far this year. At this time last year, 279 cases had been opened. This decrease is due in large part to the biannual training session that occurred during this timeframe occupying nearly one-third of the time in this quarter. All enforcement personnel were required to attend. Also contributing was the fact that certain enforcement personnel have been tasked with major, long term investigations.

VESSEL MONITORING SYSTEMS (VMS)

There are currently approximately 600 commercial fishing vessels fitted with VMS. This number has remained consistent since the additional units were placed on crab vessels last fall.

HIGHLIGHTS OF PRIORITY ISSUES:

1. OBSERVER-RELATED OFFENSES

AED continues to assign a high level of priority to the North Pacific Observer Program and continues to provide significant levels of support.

There have been 212 affidavits written this year. This is 29 less than last year at the same time. Sent directly to the US Coast Guard from the Observer Program were 99 affidavits. The remaining were forwarded to AED resulting in 63 enforcement cases.

Compared with the previous year, AED received fewer harassment complaints. None of the harassment complaints investigated this year have been particularly significant or egregious in nature. There were significant decreases in the number of complaints received involving Failure to Notify, Marpol or Oil Spill, and Failure to Conduct Drills. There were 10 more Marine Casualties reported this year in comparison to last year.

Overall, compliance appears to continue improve with a noticeable decrease in the number of affidavits and those involving egregious violations and blatant disregard for the regulations.

2. COOK INLET BELUGAS

AED completed its annual document, the *2006 Cook Inlet Beluga Whale Enforcement Plan*, this past April. Significant in the plan is that the Threat level for 2006 has been deemed to be Moderate. This labeling of Moderate is due to the fact that only one of the two Beluga hunting groups, the Native Village of Tyonek, will be allowed a permitted strike. The Alaska Native Marine Mammal Hunter's Committee will not receive a strike for 2006. Patrols, surveillance, liaison, and community outreach will be conducted throughout 2006. Permitted beluga hunts are scheduled to begin in July 2006.

3. CRAB

An AED agent investigated three vessels for violating crab sideboards. Additionally, agents continue to investigate an alleged significant violation of AFA crab caps. The investigation involves approximately \$16 million in processed crab. This case was reported on in an earlier document, but is re-mentioned here because the previous report described the value as \$3 million.

AED staff worked with ADFG and SF staff to finalize procedures for reporting and handling of overages and catch seizures under the new IERS.

4. STELLER SEA LION PROTECTION MEASURES

Rookery no-transit incursion violations continue at a rate similar to this period in the last two years. Outreach efforts continue and are necessary to keep this issue in front of industry.

As an example of one case: VMS detected a fishing vessel in the Marmot Island Steller sea lion no-fish area. At AED's request a USCG helicopter was routed over the area and located the vessel in the closed area, adrift and not responding to the radio. After the helicopter departed, VMS detected that the vessel was moving again. A second over-flight was requested and the USCG helicopter located and observed the vessel retrieving gear in the closed area. The vessel operator was directed to shake the remaining gear and immediately return to port. AED boarded the vessel upon its return to port and seized and sold the catch of 6,146 pounds of Pacific cod.

5. SEABIRD AVOIDANCE

As is our practice when conducting vessel boardings, agents and officers continue to measure compliance with the various seabird avoidance requirements. A typical response to a finding of minor non-compliance has been that our personnel have worked on the spot with the vessel to bring it into compliance.

It is noteworthy to add that our Joint Enforcement Agreement (JEA) partners in the Alaska Department of Public Safety, specifically, the Public Safety Technicians (PSTIs), have provided important compliance checks for us in this area.

6. RECORD KEEPING AND REPORTING

AED and the USCG provided training to our JEA partners and in large part this training focused on determining compliance with the numerous Recordkeeping & Reporting requirements. This training occurred in both the formal setting (USCG Training Ctr) and in field operations with AED's JEA Liaison officer. Training and equipping our partners have aided greatly in our ability to monitor and correct compliance in this area.

7. SUBSISTENCE HALIBUT

AED personnel initiated several investigations for Subsistence Halibut Registration Certificate (SHARC) fraud violations that were discovered during an audit of permits.

8. IFQ SPECIFIC

Activities in the IFQ fisheries tracked closely with the previous year.

9. MARITIME BOUNDARY FOREIGN FISHING VESSEL SEIZURES

At the end of May, AED Enforcement Officers commenced the annual joint aerial patrols with Canadian Dept. of Fisheries and Oceans officers, enforcing UN Resolutions prohibiting large scale driftnet fishing on the high seas south of the US EEZ off the Aleutians. Thus far on this patrol, the team has detected a vessel rigged for High Seas driftnet fishing. As the patrol made a second pass over the vessel, it was noted that the crew had made efforts to conceal the driftnet gear.

10. MARINE MAMMALS and ENDANGERED SPECIES

AED staff participated in the Alaska Stranding Network Meeting and the Alaska Volunteer Stranding Network Meeting in Anchorage. AED used both of these opportunities to offer and deliver training to each group's membership.

COMMUNITY-ORIENTED POLICING AND PROBLEM SOLVING (COPPS)

AED staff worked closely with the City/Borough of Juneau, the cruise line industry and the tour and transportation providers in Juneau, AK to incorporate the Marine Mammal Viewing Guidelines and the Regulations pertaining to Marine Mammals and Endangered Species into the Tourism Best Management Practices for 2006. The Best Management Practices program is intended to minimize the impacts of tourism. Currently, 60 tour operators and 1,100 employees voluntarily implement practices designed to reduce noise, congestion and annoyances by participating in mandatory training, reporting and feedback. More information can be read at: <http://www.juneau.lib.ak.us/tourism/bmp.php>

AED staff participated in Kodiak's "WhaleFest" celebration, by giving a presentation on marine mammal viewing guidelines and speaking in the schools.

An AED officer and supervisory agent presented a workshop for Kodiak fishermen on marine mammal deterrence methods and regulations. The majority of the attendees were salmon setnet fishermen. The interactive session discussed what has been tried, what methods work, what does not, and what are the legal issues.