



UNITED STATES DEPARTMENT OF COMMERCE
N.O.A.A. / National Marine Fisheries Service
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AGENDA ITEM B-4
DECEMBER 1995

NATIONAL MARINE FISHERIES SERVICE ENFORCEMENT REPORT
FOR THE PERIOD SEPTEMBER 20 THROUGH NOVEMBER 11, 1995

During the reporting period a total of 297 investigations. NMFS initiated 274 investigations were opened.

Further actions were also taken on 179 pending cases during the reporting period. Thirty-four investigations were closed as unfounded, two investigation was closed due to lack of evidence, and two were dismissed for other reasons. One case was suspended and six cases were referred to other Regions or other agencies. Fourty-three cases were handled with written warnings and twelve cases were settled with summary settlement penalties totalling \$16,172. Fifty-three cases were settled through voluntary abandonment with forfeited proceeds and property valued at \$11,618. Sixteen cases were referred to NOAA General Counsel. General Counsel issued 8 Notices of Violation assessing a total of \$23,600 in penalties. Two District Court cases were settled for a total of \$225,000.

IFQ PROGRAM

In general, the first IFQ season went well and compliance with the overall goals of the program was good. An initial review of landing data reveals that 5,103 permits had one or more landings as of November 21, 1995. Of this total, 1,686 permittees exceeded their quota. This equates to approximately 33% of the total. Fortunately the vast majority of these overages were within the 10% of your last trip "management range" identified under the program. Of the 1,686 exceedances, 1,250 (or 24% of the total permittees) were less than 10% over the remaining IFQ balance on their last trip. Nine percent (9%) of the total permittees (436) exceeded thier remaining balance by more then 10%. In this final category where an overage exceeded the "management range", most were within a few percentages and equated to small poundages. In general a few people committed serious overages. Investigation of these cases continues.

NMFS AED PARTICIPATES IN FISH EXPO AND PACFISH 95

Various members of the Alaska Enforcement Division participated in the recent Fish Expo and PACFISH 95 in Seattle. Representatives worked in seminars on IFQ issues and in the Law Enforcement booth. In both cases enforcement personnel answered questions regarding the IFQ regulations, the current fishery, and listened to concerns regarding the program and our enforcement practices. Working closely with industry will help prevent accidental mistakes under the regulations and help foster a closer working relationship between NMFS enforcement and the



public. We received some very helpful suggestions on ideas to improve our enforcement procedures and welcomed the constructive criticism, positive comments and information we received from industry members and the general public alike.

F/V BLUE ICE-SILVER ICE INVESTIGATIONS SETTLE OUT OF COURT

As previously reported (September 95 Council meeting) the fishing vessels BLUE ICE and SILVER ICE were seized on August 23rd and 24th, 1995 by the NMFS and USCG in Dutch Harbor and St. Paul, AK. respectively. These vessels are managed by POLMAR FISHERIES and owned principally by Mark Maring and Niel Anderson. The vessels were seized for a variety of fisheries violations but principally for missing required observer coverage over several quarters since 1993.

These cases were settled by the United States Attorney's Office (District of Alaska) for a combined \$225,000.



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NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL

U. S. COAST GUARD ENFORCEMENT REPORT
9/1/95 - 11/30/95

1. ENFORCEMENT/SAFETY SUMMARY.

A. INTERNATIONAL FISHERIES.

1.) DONUT. Interest in the donut is picking up. On 17 October two Polish trawlers, F/V HOMAR and F/V ACAMAR, checked into the donut to conduct trial fishing. Both vessels had been operating in the Russian EEZ prior to moving into the donut. Vessel activity was monitored while in the donut. On 26 October a Coast Guard C-130 spoke with both vessels who reported fishing was poor. On 6 November CGC STORIS conducted a consensual boarding on the HOMAR. That boarding confirmed that trial fishing had been very poor. Gear was stowed and the processing plant secured which correlated with master's stating they were no longer trying to actively fish because "there were no fish to be caught." Coast Guard representatives participated in international talks in early November in Seattle. All parties to the Central Bering Sea Convention were in attendance. Considerable progress was made among the parties in reaching consensus for monitoring and surveillance provisions of the convention. The Coast Guard will be prepared to monitor fishing under the Central Bering Sea Convention when it begins.

2.) US/RUSSIAN CONVENTION LINE. In early September reports from U.S. fishing vessels of foreign trawl activity pushing the line resulted in immediate stepped up Coast Guard cutter and aircraft patrols. Following the departure of U.S. vessels after pollock-B, the Coast Guard has continued to pulse both air and cutter patrols into the area to promote compliance with the international boundary. To do this has required some shifting of effort from our domestic patrols in the BSAI. Of particular note this year has been the length of time fishing has continued along the boundary. In 1993 effort subsided by late October. In 1994 it continued till mid-November. This year activity continues into December with approximately a dozen trawlers working 10-20 miles inside the Russian zone. Approximately half that effort appears to be from the Polish fleet.

B. DOMESTIC FISHERIES.

1.) GROUND FISH. Coast Guard patrols monitored fall fisheries in the BSAI and GOA with primary emphasis on time and area closures. These included GOA pollock/pcod/ flatfish fisheries, BSAI pollock/pcod/ yellowfin sole, and end of year "clean up" fisheries in both areas. We have also schedule multiple cutters to cover the expected heavy effort associated with the January/February groundfish fisheries. Consistent with the past two years we expect to work closely with both Immigration and Naturalization (INS) in checking for undocumented aliens working in the fishing industry. We are also working with Food and Drug Administration (FDA) as part of a shiprider program in early 1996. In an effort to expand exposure to at sea law enforcement we have also extended invitations to NMFS Management personnel and the Pacific Editor of National Fisherman to ride a cutter next year.

2.) IFQ HALIBUT/SABLEFISH. The first season for IFQ's ended 15 November. Coast Guard patrol effort was increased in the GOA this year in order to provide a visible cutter/air presence on the grounds over the expanded season. Land-based helicopters from Kodiak, Sitka and Cordova supporting our 110' patrol boats were used to patrol close in areas, while C-130 and larger cutters were used in the offshore areas. Close coordination with NMFS Enforcement/RAM, in Juneau and the field, allowed us to better position our patrol resources consistent with fishing effort. Coast Guard representatives also participated in IFQ Implementation Team meetings as an enforcement advisor. With regard to safety Coast Guard Search and Rescue (SAR) databases do not capture event data by specific fishery. However, Coast Guard information, coupled with NMFS IFQ and IPHC license data, allow a qualitative assessment. A preliminary review indicates Coast Guard SAR cases involving halibut IFQ vessels in the GOA were approximately half the number as compared to each of the two preceding derby years. While this does not mean IFQ's are a safer fishery, it does provide an opportunity for fishermen to reduce risks. Fishermen are given the choice of when to fish in consideration of weather, size and condition of boat, experience of crew, and market conditions. In this first year of IFQ's fishermen respected the weather and made wise choices which was the major reason for reduced SAR. We hope this trend continues.

3.) BERING SEA CRAB. The Coast Guard maintained a cutter/helo team underway in the Bering Sea during the recent bairdi opening. The primary mission for these resources was to be pre-positioned to provide a Search and Rescue (SAR) response in this major fishery involving over 200 boats. There were no major SAR incidents during the opener. A cutter/helo team will also be underway off the Pribilofs for

the upcoming January opilio fishery to provide the same SAR response capability.

2. PATROL STATISTICS. Cutter and aircraft patrol efforts this period were higher than in the same period last year. That increase was primarily invested in the GOA to monitor the halibut/sablefish IFQ fishery; patrol effort in the BSAI remained relatively stable in monitoring US/RS Convention Line and domestic groundfish/crab. Fisheries violation rates (violations/number of boardings) remain slightly up (12.6%) from last year, which we attribute to the learning curve associated with the IFQ fishery. Of particular note was the two month patrol of CGC HARRIET LANE, an east coast 270' WMEC, which completed ocean motion sea trials with a 378' WHEC. During November CGC HAMILTON also completed a 3 day mid patrol break in Dutch Harbor. With the planned closing of Adak, the Coast Guard is looking to increase its use of Dutch Harbor to support cutters on patrol in the BSAI. The Coast Guard North Pacific Regional Fisheries Training Center (NPRFTC) in Kodiak continues to provide 3 days of mission-specific training to all "non-Alaska" cutters prior to every Alaska Patrol; this time is invested in order to build consistency and professionalism in our fisheries law enforcement program.

PATROL STATISTICS

01 SEPTEMBER - 30 NOVEMBER

- a. 5 High Endurance Cutter (HEC) patrolled for 162 days.
- b. 4 Medium Endurance cutters (MEC) patrolled for 131 days.
- c. 5 Patrol boats patrolled for 92 days.
- d. 5 Bouy Tenders patrolled for 32 days.
- e. C-130 aircraft conducted 121 long-range surveillance flights for 894 hours.
- f. HH60/65 aircraft conducted 138 surveillance flights for 356 hours.
- g. Foreign vessels:
 - 40 = Sightings
 - 1 = Boardings
 - 0 = Violations
- h. Domestic vessels:
 - 3071 = Sightings
 - 175 = Boardings
 - 21 = Violations (Fishery)
 - 56 = Violations (Safety)

VESSELS BOARDED WITH NO FISHERY VIOLATION

AB&G	10/06/95
AIREDALE	09/13/95
ALASKA BEAUTY	10/10/95
ALASKA OCEAN	09/04/95
ALASKA OCEAN	09/15/95
ALASKA PATRIOT	09/19/95
ALASKA PIONEER	09/05/95
ALASKA VICTORY	10/14/95
ALASKAN WARRIOR	09/29/95
ALEUTIAN	09/25/95
ALLIANCE	10/13/95
AMERICAN EMPRESS	09/23/95
AMERICAN NO. 1	10/03/95
AMERICAN TRIUMPH	09/23/95
ANNE	10/27/95
ANTARES	09/17/95
ANTLER	10/11/95
ARCTIC STORM	09/15/95
ARGONAUT	11/17/95
ARWIN	09/18/95
AURORA	10/02/95
BRENA	09/24/95
BUCCANEER	10/04/95
CAPE CROSS	10/11/95
CAPE FAIRWEATHER	11/09/95
CAPE FALCON	11/10/95
CAPE KIWANDA	10/03/95
CAPT N ART	09/03/95
CAREFREE	10/11/95
CAROL LOUISE	11/14/95
CASCADE	11/19/95
CLARA B	10/10/95
CLIPPER SURPRISE	10/10/95
CLYDE	11/07/95
CONSTELLATION	10/02/95
CORONATION	10/05/95
DANIEL G	10/11/95
DECISION	10/13/95
DEEP PACIFIC	10/13/95
DESTINY	11/30/95
DUSTY	10/14/95
DYNASTY	09/28/95
EARLY DAWN	11/19/95
EL CAZADOR	10/11/95
EMPRESS	09/21/95

ERMAK	10/14/95
EXCALIBUR II	10/04/95
FIREWEED	09/18/95
FLYING A	09/25/95
FREEDOM	11/15/95
FRONTIER EXPLORER	10/02/95
FRONTIER MARINER	10/02/95
FRONTIER SPIRIT	09/30/95
GAFF RK	10/05/95
GOLD NUGGET	10/04/95
GOLDEN HINDE	10/08/95
GREEN HOPE	10/03/95
HARVESTER ENTERPRISE	09/29/95
HEIDI	09/25/95
HERMES II	10/09/95
HESSAFJORD	09/03/95
HN:HUL01023A595	09/13/95
HOMAR	11/07/95
ILLAHEE	10/11/95
INLET QUEST	10/13/95
IVER P. NORE	10/05/95
JACKIE R	09/26/95
JENNY	11/05/95
JOANN MARIE	10/05/95
JOHNNY A	11/09/95
JUDITH	09/23/95
JULIE K	10/11/95
KAREN JEAN	10/10/95
KILTY II	10/13/95
KRISTEN	10/05/95
KRISTIANA	10/15/95
KUSTATAN	11/17/95
LADY JANE	09/17/95
LADY JESSIE	11/18/95
LARA LEE	09/25/95
LESLEY ANN	11/12/95
LESLIE LEE	10/11/95
LIBERTY	10/09/95
LILLI ANN	09/18/95
LISA JEAN	09/27/95
LONG SHOT	10/07/95
MAR GUN	10/22/95
MAR PACIFICO	10/03/95
MARTINA	09/13/95
MAURELLE	11/11/95

VESSELS BOARDED WITH FISHERY NO VIOLATIONS

MEGAN	10/11/95	RESTLESS	10/10/95
MISTY	11/14/95	ROCINANTE	11/07/95
MRS.	10/05/95	SAN DOLLAR	09/18/95
MUIR MILACH	09/15/95	SARAH M	10/05/95
MYSTERY BAY	10/28/95	SEA BARB	10/04/95
NANCY K	09/12/95	SEA DOG	09/22/95
NEMESIS	10/11/95	SEA SCAPE	10/06/95
NEW STAR	11/30/95	SHARIL ANNE	10/14/95
NORDIC STAR	09/01/95	SHELLFISH	11/18/95
NORTHERN AURORA	11/30/95	SHENANEGAN	11/09/95
NORTHERN EAGLE	10/03/95	SILVER CLOUD	10/11/95
NORTHERN GLACIER	09/10/95	SILVER SPRAY	10/04/95
NORTHERN GLACIER	10/02/95	SISU	10/14/95
NORTHERN HAWK	09/03/95	SLEEP BANDIT	09/16/95
NORTHERN JAEGER	10/03/95	SOPHIA	10/14/95
NORTIC FURY	10/22/95	SPICY LADY	11/15/95
NUKA POINT	10/04/95	SPIRIT	11/15/95
OCEAN PAVER	11/11/95	ST. LAZARIA	09/23/95
OCEANIC	11/18/95	STARBOUND	09/10/95
ORION	11/15/95	TANI RAE	10/15/95
PACIFTC	09/22/95	VAERDAL	10/03/95
PACIFIC GLACIER	10/02/95	VALETA H.	10/11/95
PACIFIC PEARL	11/30/95	VAN ELLIOTT	10/05/95
PACIFIC STAR	09/03/95	VOLNA	11/17/95
PATRICIA ANN	10/12/95	VULCAN	09/18/95
PILOT	10/18/95	WENDY ANN	10/04/95
PINTA	10/06/95	WILSON	10/10/95
POLAR STAR	10/08/95	XANADU	09/25/95
PROWLER	09/05/95	YANKEE	09/15/95
PTAVA	10/05/95	YUKON PRINCESS	09/06/95
REPUBLIC	10/16/95	ZCNE FIVE	11/07/95

VESSELS BOARDED WITH FISHERY VIOLATIONS

ALASKAN SHORES		
HAMILTON	30NOV95	1-IMPROPER LOGKEEPING
AMERICAN CHALLENGER		
STORIS	10SEP95	1-IMPROPER LOGKEEPING
BLUE NORTH		
BOUTWELL	26SEP95	1-FAILURE TO REPORT DISCARDS 2-ILLEGAL POSSESSION OF HALIBUT 3-FISHING PRIOR TO OPENING

VESSELS BOARDED WITH FISHERY VIOLATIONS

CHELSEA ANACAPA	13NOV95	1-FISHING WITHOUT OBSERVER COVERAGE 2-FAILURE TO LOG OFFLOAD 3-FAILURE TO MAINTAIN LOGS 4-FAILURE TO SUBMIT YELLOW DFL LOGS FOR 3RD QTR
CLIPPER ENDEAVOR CHASE	19SEP95	1-FAILURE TO KEEP DCPL ON BOARD FOR FISHING YEAR
DEEP PACIFIC JARVIS	21SEP95	1-FAILURE TO LOG DISCARDS 2-FISHING PRIOR TO OPENING 3-POSSESSION OF PROHIBITED SPECIES
EMILY ANN ANACAPA	21SEP95	1-IMPROPER LOGKEEPING
HAZEL LORRAINE I STORIS	10SEP95	1-FAILURE TO MAINTAIN LOGS
HIGH SPIRITS BOUTWELL	04OCT95	1-FAILURE TO LOG DISCARDS 2-FAILURE TO UPDATE FISHING PERMIT 3-REMOVAL OF PAGES FROM CATCHER VESSEL DFL
KATRINA NAUSHON	28SEP95	1-DISCARDING ROCKFISH DURING IFQ
LIBERTY BAY BOUTWELL	02OCT95	1-IMPROPER LOGKEEPING 2-FAILURE TO FILE WEEKLY PRODUCTION REPORT 3-IMPROPER MARKING OF GEAR 4-UNDOCUMENTED ALIENS

VESSELS BOARDED WITH FISHERY VIOLATIONS

LILLI ANN BOUTWELL	12OCT95	1-FISHING PRIOR TO OPENING
MISS CORINNE HARRIET LANE	22SEP95	1-IMPROPER RELEASE OF HALIBUT 2-NO FED FISHERIES PERMIT 3-FAILURE TO MAINTAIN DEL 4-NO HALIBUT LOG
NEAHKAHNE STORIS	10SEP95	1-IMPROPER LOGKEEPING
NORTHERN AURORA CHASE	17SEP95	1-REMOVAL OF PAGE FROM DCPL
PACIFIC STAR ROANOKE ISLAND	13SEP95	1-NO IFQ PERMIT ONBOARD
SEA POWER YOCONA	01NOV95	1-FAILURE TO SUBMIT YELLOW DEL FOR 4TH QTR 94 2-NO DEL FOR THE YEAR
TAVA LIBERTY	26OCT95	1-NO IFQ PERMIT ONBOARD
VAGABOND QUEEN LIBERTY	10OCT95	1-NO IFQ PERMIT ONBOARD 2-FAILURE TO MAINTAIN OR PRODUCE A HALIBUT LOG
VIKING EXPORER YOCONA	02OCT95	1-IMPROPER LOGKEEPING
YUKON QUEEN BOUTWELL	30SEP95	1-POSSESSION OF PROHIB SPECIES 2-IMPROPER LOGKEEPING