

**NATIONAL MARINE FISHERIES SERVICE ENFORCEMENT REPORT
FOR THE PERIOD APRIL 1 THROUGH MAY 31, 1993**

During the reporting period NMFS and the Coast Guard opened a total of 67 investigations. NMFS initiated 46 investigations. 15 of these cases originated from the observer program.

Further actions were also taken on 79 pending case during the reporting period. 19 investigations were closed as unfounded. An additional 2 investigations were closed due to lack of enforcement resources. 9 cases were handled with written warnings and 6 cases were handled with summary settlement offers totaling \$10,325 in assessed penalties. 11 cases were settled through voluntary abandonment with property valued at \$9,537. 16 cases were referred to NOAA General Counsel. General Counsel issued 6 Notices of Violation assessing a total of \$21,021 in penalties. An additional 10 Notices of Violation were settled by General Counsel with penalties totalling \$47,274.

Observer initiated cases resulted in 6 written warnings, 2 dismissed as unfounded, 1 dismissal due to lack of enforcement resources, 2 referrals to Coast Guard Marine Safety Office, and 4 assignments for further investigation.

Enforcement actions initiated during the April 1 - May 31 period:

- 1) April 9, 1993 - The trawl vessel MILKEY WAY was cited in Kodiak, AK, for exceeding directed fishing standards for Pacific cod. \$741 in proceeds from the sale of the 5,052 lb. overage were seized. The vessel was offered a \$750 summary settlement. Case is pending.
- 2) May 14, 1993 - The trawl vessel VANGUARD was cited in Kodiak, AK, for exceeding directed fishing standards for sablefish. \$718 in proceeds from the sale of the 1,026 lb. overage were seized. The vessel paid a \$750 summary settlement.
- 3) May 17, 1993 - The trawl vessel ANNA MARIE was cited in Kodiak, AK, for exceeding directed fishing standards for two deliveries. Proceeds from the sale of 6,986 lbs. of Pacific cod and 1,308 lbs. of sablefish, valued at \$1,892 were seized. The vessel was offered a \$750 summary settlement. Case is pending.
- 4) May 18, 1993 - The trawl vessel SEA VENTURE was cited in Kodiak, AK, for exceeding directed fishing standards for Pacific cod. \$912 in proceeds from the sale of the 7,518 lb. overage were seized. The vessel was offered a \$750 summary settlement. Case is pending.
- 5) May 28, 1993 - James L. Frank of Goodnews Bay, AK, was cited for unlawful take of 7 Steller sea lions. The dead sea lions were discovered at Chagvan Bay. Flippers had been removed from 6 of the animals. No other harvest of edible portions was noted. Subject was cited for wasteful take of marine mammals under the Native Exemption provisions of the Endangered Species Act. The case is to be referred to the U.S. Attorney's Office for disposition.

Enforcement actions initiated prior to the April 1/May 31 period which were not previously reported:

1) February 24, 1993 - The factory trawler ALEUTIAN CHALICE was cited for 2 counts of operating in both the inshore and offshore components of the GOA during the same year. The vessel hails from Edmonds, WA. The case has been referred to NOAA General Counsel for disposition.

2) March 31, 1993 - The catcher/processor longline vessel SILVER ICE was cited for failure to meet observer coverage requirements for the first quarter of 1993. The case is to be referred to NOAA General Counsel for disposition.

3) April 1, 1993 - The factory trawler CLAYMORE SEA was cited for exceeding directed fishing standards for Pacific Ocean Perch in the BSA. The vessel hails from Seattle, WA. The violation was self reported. With the cooperation of the vessel, 10.5 mt. of POP were voluntarily abandoned by the owners and delivered to Dutch Harbor, AK. The catch was donated to Terra Marine for introduction into a food distribution program. The CLAYMORE SEA paid a \$5,000 summary settlement.

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**U.S. COAST GUARD/NMFS JUNEAU FISHERIES ENFORCEMENT FOR PERIOD
April 1, 1993 through May 31, 1993**

1. SIGNIFICANT LAW ENFORCEMENT CASES

a. Vessel Seizures

On 25 April, the CGC STORIS seized the fishing vessel *Sunset* for illegally possessing and transporting fish, failure to maintain required fishing logs, fishing for sablefish out of season, and illegally disposing of navigational data from a color plotter. The vessel claimed to have caught Sablefish in the Gulf of Alaska seamounts outside the US EEZ. Correlation of aircraft sighting data however, showed the vessel was operating inside the EEZ during the period in question. The catch, 50,285 pounds of Sablefish, was sold for \$102,966.

b. Catch Seizures

On 11 May, the CGC YOCONA seized the catch of the fishing vessels *Evangeline* and *Miss Norma* after it was determined that the vessels were fishing in federal waters without a federal fisheries permit or logbook. The vessels were directed to Dutch Harbor where the catch was sold and the case forwarded to NMFS.

c. High Seas Driftnet Patrol

(1) Patrol statistics:

30 C-130 Aircraft flights for a total of 229.9 hours.
81 cutter days.

(2) During the months of May and June the Coast Guard and NMFS were engaged with the U.S. Navy and Canadian patrol aircraft in enforcing the United Nations General Assembly (UNGA) moratorium against large scale high seas driftnet (HSDN) fishing. Despite the fact that the People's Republic of China (PRC) has indicated that they had strict controls against HSDN fishing, two Chinese fishing vessels, the *Yingyu 601* and the *Yingyu 602*, were sent back to China, at the direction of the PRC government, after boarding parties from the CGC SHERMAN discovered that the vessels were equipped to conduct large scale high seas driftnet (HSDN) fishing. On 25 May 1993, the Cutter SHERMAN boarded the Chinese fishing vessel *Da Yuan Yu 206* approximately 900 miles east of Tokyo, and determined that she was also equipped with high seas driftnets. At the request of the PRC government, a custody crew

from the SHERMAN directed the navigation of the *Da Yuan Yu 206* over 2000 miles to international waters off the coast of Shanghai, China, where custody was transferred to a Chinese enforcement vessel. These enforcement actions, as well as the Coast Guard's continued high seas patrol efforts, provide a clear message to the PRC, and the rest of the world community, on U.S. resolve to enforce the UNGA moratorium.

d. Halibut underlogging

From 19 March to 11 April 1993, CGC Midgett conducted 21 boardings on U.S. stern trawlers, longliners, and pot boats participating in the BSAI Pacific Cod fishery. The majority of boardings were in the Horseshoe area north of Unimak Island along the 50 fathom curve. Coast Guard boarding teams observed gear retrievals and compared halibut bycatch to that being logged. CG observations indicated a general trend of underlogging total halibut bycatch. Because of this the data was forwarded to NMFS to ensure that observer data is representative of that needed to properly manage the Pacific Cod Fishery.

2. MONTHLY PATROL STATISTICS

APRIL

- a. 3 High Endurance Cutter (HEC) patrolled for 81 days.
- b. 1 Medium Endurance cutters (MEC) patrolled for 27 days.
- c. C-130 aircraft conducted 64 long-range surveillance flights for 470.6 hours.
- d. Foreign vessels:
 - 10 = Sightings
 - 01 = Boardings
 - 00 = Violations
- e. Domestic vessels:
 - 993 = Sightings
 - 59 = Boardings
 - 16 = Violations (Fishery)
 - 33 = Violations (Safety)
- f. Unknown vessels: 67

MAY

- a. 2 High Endurance Cutter (HEC) patrolled for 55 days.
- b. 2 Medium Endurance cutters (MEC) patrolled for 34 days.
- c. 5 Patrol boats patrolled for 47 days.
- d. C-130 aircraft conducted 73 long-range surveillance flights for 540.8 hours
- e. Foreign vessels:
 - 25 = Sightings
 - 03 = Boardings
 - 03 = Violations (UN moratorium on High Seas Driftnets)
- f. Domestic vessels:
 - 1208 = Sightings
 - 170 = Boardings
 - 20 = Violations (Fishery)
 - 82 = Violations (Safety)
- g. Unknown vessels: 205

TOTAL

- a. 5 High Endurance Cutter (HEC) patrolled for 136 days.
- b. 3 Medium Endurance cutters (MEC) patrolled for 61 days.
- c. 5 Patrol boats patrolled for 47 days.
- d. C-130 aircraft conducted 137 long-range surveillance flights for 1011.4 hours.
- e. Foreign vessels:
 - 35 = Sightings
 - 04 = Boardings
 - 03 = Violations (UN moratorium on High Seas Driftnets)
- f. Domestic vessels:
 - 2201 = Sightings
 - 229 = Boardings
 - 36 = Violations (Fishery)
 - 115 = Violations (Safety)
- g. Unknown vessels: 272

h. Vessel sightings by nationality:
(May be multiple sightings of one vessel.)

COUNTRY	APR	MAY	TOTAL
JAPAN	09	14	23
S. KOREA	00	00	00
TAIWAN	00	00	00
CHINA	00	07	07
CANADA	00	00	00
POLISH	00	00	00
RUSSIAN	00	01	01
PANAMA	01	00	01
HONDURAN	00	03	03
OTHER	00	00	00
U. S.	993	1208	2201
UNKNOWN	67	205	272
TOTAL	1070	1438	2508

- Encl: (1) List of fishing vessels boarded with no fishery violations.
(2) List of fishing vessels boarded with fishery violations.
(3) List of fishing vessels terminated for unsafe conditions.

VESSELS BOARDED WITH NO FISHERY VIOLATIONS

The following vessels were boarded by Coast Guard personnel on the date indicated from April 01, through May 31, 1993 and had no fisheries violations detected.

AK2126M	05/30/93	CONCEPCION	04/24/93
AK2153M	05/30/93	CONSTELLATION	05/20/93
AK5353M	05/30/93	CONTENDER	05/22/93
AK5687M	05/30/93	CORVA MAY	05/25/93
ALASKA QUEEN	05/14/93	COURAGEOUS	05/21/93
ALASKA RANGER	05/18/93	COURAGEOUS	04/11/93
ALASKA RANGER	04/03/93	CRUSADER	05/17/93
ALASKA SPIRIT	04/03/93	DANCING LIZZY	05/16/93
ALASKA VOYAGER	05/18/93	DECADE	05/14/93
ALASKAN 1	05/20/93	DEEP SEA	05/12/93
ALASKAN ROSE	05/23/93	DEFENDER	05/20/93
ALASKAN SHORES	05/06/93	DESTINATION	04/04/93
ALEUT PRINCESS	05/13/93	DIAMOND STAR	04/07/93
ALEUTIAN SPEEDWELL	05/18/93	DIXIE II	05/16/93
ALEUTIAN SPIRIT	05/15/93	DOLPHIN	04/24/93
ALEUTIAN VENTURE	05/02/93	DONA PAULITA	04/28/93
ALLISON MARIE	05/13/93	DONNA MARIE	05/16/93
AMANDA DAWN	04/28/93	EAGLE	04/26/93
AMBER DAWN	04/21/93	EL DAN	05/20/93
AMELIE	05/13/93	ELIZABETH	05/24/93
AMERICAN EAGLE	04/04/93	ELIZABETH ANN	05/16/93
AMERICAN NO 1	05/08/93	ELIZABETH J	05/19/93
ANDRONICA	04/26/93	ERMAK	05/15/93
ANGELETTTE	05/24/93	ESTELLA	05/12/93
APACHE	05/15/93	FAITH	05/12/93
ASTRI	05/14/93	FAITHFUL	05/12/93
AURORA	05/13/93	FISH	05/21/93
AVA	05/14/93	FRIGIDLAND	05/17/93
AVONA	05/15/93	FRONTIER SPIRIT	05/08/93
AVONA	05/13/93	GENE S	05/17/93
BARANOF	04/11/93	GOLDEN PRIDE	04/05/93
BARBARA JEANNE	05/23/93	GREAT PACIFIC	04/04/93
BAVARIA	05/15/93	GULF MAIDEN	05/05/93
BEAUTY BAY	05/21/93	HARMONY I	04/30/93
BLAZER	05/29/93	HELEN I	05/16/93
BONNY JEAN	05/12/93	HICKORY WIND	04/07/93
BRANDI RAELEY	05/14/93	HOMBRE	05/31/93
BUCK AND ANN	05/29/93	HORIZON	04/08/93
CABLE NISSINEN	05/22/93	HOWKAN	05/16/93
CAITLIN ANN	04/04/93	I GOTTA	04/20/93
CAPE ALAVA	05/12/93	ICELAND	05/02/93
CAPE KIWANDA	04/04/93	IDA JUNE	05/12/93
CAPE OMMANEY	05/14/93	ILLAHEE	05/12/93
CAROLYN ANN	05/15/93	JAGER	05/13/93
CARRIE	05/12/93	JANET LEE	05/13/93
CARRIE DAWN	04/23/93	JANET LYNNE	05/04/93
CHRISTIAN	05/13/93	JUDI B	04/28/93
CLIFFER ENDEAVOR	05/23/93	KARLUK	05/17/93
COASTAL STAR	05/20/93	KATHERINE	05/22/93

05/29/93	QUEST	05/14/93	KATIE J
04/16/93	RACHEL K	04/18/93	KEMA SUE
05/18/93	RESOLUTE	05/29/93	KING AND WINGE
05/14/93	ROBERT M	05/14/93	KRAKAN
04/09/93	ROYAL ATLANTIC	05/13/93	LADY JANE
05/13/93	SAINT JOHN II	05/14/93	LANCING
05/13/93	SAVAGE	05/25/93	LARISA M
05/13/93	SAVAGE	05/21/93	LAUDA
05/12/93	SEA DAWN	05/16/93	LEPRECHAUN
05/16/93	SEA HUNT	05/13/93	LINN-E-GIRL
05/30/93	SEA SPIDER	05/15/93	LOGAN T
04/12/93	SEA WIND	05/12/93	LUCY O
05/12/93	SEA WING	04/09/93	MAJESTY
05/11/93	SEATTLE STAR	05/13/93	MARIAN
05/31/93	SEYMOUR	05/13/93	MARTINA
05/14/93	SHARIL ANNE	04/14/93	MELISSA BETH
05/13/93	SILVER SURF	04/21/93	MISS SARAH
05/23/93	SILVER ICE	04/04/93	MORNING STAR
05/17/93	SILVERLADY	05/13/93	MS DAVENE
05/13/93	SKEETER	05/12/93	MYOMN
05/16/93	SLAVA	05/13/93	N BY E
05/23/93	SOLSTICE	05/13/93	NARWHAL
05/29/93	SPARTAN	05/12/93	NARWHAL
05/01/93	SPIRIT OF THE NORTH	05/24/93	NORTHERN MARINER
04/07/93	ST. JANET	05/13/93	NORTHERN STAR
04/17/93	STORMBIRD	05/13/93	NORTHERN STAR
05/15/93	SUNDANCER	05/14/93	OCEAN BALLAD
05/23/93	SUNRISE	05/14/93	OCEAN POINT
04/05/93	SUNSET BAY	05/14/93	OCEAN PROWLER
05/12/93	SWAN	05/22/93	OCEAN ZTERPRISE
05/17/93	TAHOMA	05/31/93	PACIFIC
05/21/93	TAUA	05/14/93	PACIFIC MIST
05/20/93	TERRIER	05/20/93	PACIFIC MONARCH
05/16/93	TJ	04/23/93	PACIFIC STAR
04/03/93	TOKACHI	04/08/93	PACIFIC TRAWLER
05/15/93	VETER	05/13/93	PATRIOTDOC
05/14/93	VICKI RAE	05/13/93	PATTY LYNN
04/04/93	VIKING	04/08/93	PENGMIN
05/14/93	VIKING MAID	05/19/93	PIONEER
05/15/93	VULCAN	05/16/93	PIXIE
05/30/93	YUKON PRINCESS	04/29/93	PLATONIDA
04/30/93	YUKON QUEEN	05/22/93	PORTLOCK
05/14/93	YVONNE DENISE	05/15/93	PROVIDENCE
		05/18/93	PURSUIT

VESSELS BOARDED WITH FISHERY VIOLATIONS

The following vessels were boarded by Coast Guard personnel on the date indicated and had fisheries violations.

VESSEL NAME	DATE OF VIOLATION	CG UNIT	VIOLATION
Amber Dawn	04 Apr 93	MIDGETT	1 - Failure to maintain daily fish log. 2 - Not logging each day of fishing on separate page 3 - Not logging discards. 4 - Failed to submit NMFS copy of DFL.
Majesty	04 Apr 93	MIDGETT	1 - Failure to maintain log book. 2 - Inadequate observer coverage. 3 - No Marine Mammal Certificate. 4 - Failure to log prohibited species.
Gold Rush	04 Apr 93	MIDGETT	1 - Inadequate observer coverage. 2 - Not logging each day of fishing on separate page
Exodus	05 Apr 93	MIDGETT	1 - Retention of prohibited species 2 - Transiting through the no transit zone of a Sea Lion rookery
Ocean Hunter	05 Apr 93	MIDGETT	1 - Fishing in Sea Lion Rookery
Ocean Storm	05 Apr 93	MIDGETT	1 - Prohibited species not returned immediately with minimal injury.
Golden Fleece	06 Apr 93	STORIS	1 - Prohibited species not returned immediately with minimal injury.
Golden Pisces	07 Apr 93	STORIS	1 - Prohibited species not returned immediately with minimal injury.
Ms Amy	09 Apr 93	MIDGETT	1 - Not logging discards. 2 - Prohibited species not

				returned immediately with minimal injury.
Sea Venture	10 Apr 93	STORIS	1 -	Failure to log processor name, ADF&G fish ticket number.
Airedale	11 Apr 93	MIDGETT	1 -	Prohibited species not returned immediately with minimal injury.
Bulldog	11 Apr 93	MIDGETT	1 -	Failure to log target species.
			2 -	Failure to log est rnd weight.
			3 -	Failure to log set and haul times.
			4 -	Failure to log gear set position.
			5 -	Failure to log haul position.
Dona Martita	22 Apr 93	MIDGETT	1 -	Failure to log separate areas on distinct log pages.
			2 -	Failure to log separate gear types on distinct pages.
Sunset	23 Apr 93	STORIS	1 -	Possession and transport of illegally taken fish.
			2 -	Illegally disposing of navigation data from color plotter.
			3 -	Failure to maintain log book
			4 -	Fishing for Sablefish during closed season.
Arica	24 Apr 93	JARVIS	1 -	Underlogging Halibut discards.
Blue Ice	28 Apr 93	JARVIS	1 -	Retaining directed amounts of Greenland Turbot while in bycatch status.
			2 -	Failure to log product and discards.
			3 -	PTL not available for inspection.
Ocean Spray	04 May 93	YOCONA	1 -	Failure to maintain Fed Logbook onboard vessel
Tiffany	05 May 93	JARVIS	1 -	Transiting Seguam Is.

no transit zone.

North Star	07 May 93	YOCONA	1 - Retaining directed amounts of Greenland Turbot while in bycatch status.
Evangeline	11 May 93	YOCONA	1 - Fishing for groundfish without Federal permit 2 - Failure to keep groundfish log 3 - Failure to have marine mammal decal or log 4 - Failure to mark buoys
Miss Norma	11 May 93	YOCONA	1 - Fishing for groundfish without Federal permit 2 - Failure to keep groundfish log 3 - Failure to have marine mammal decal or log
Hope	13 May 93	LIBERTY	1 - Failure to obtain a Federal Fisheries permit.
Yingyu 601	15 May 93	Sherman	1 - High Seas Driftnet violation
Yingyu 602	18 May 93	Sherman	1 - High Seas Driftnet violation
Polar Star	15 May 93	YOCONA	1 - Failure to maintain proper groundfish log.
Starbound	15 May 93	JARVIS	1 - Retention of prohibited species.
Endurance	15 May 93	JARVIS	1 - Underlogging Halibut discard in DCPL. 2 - Underlogging Halibut discard in weekly production log.
Defiant	21 May 93	YOCONA	1 - Failure to record catch delivery.
Sunrunner	21 May 93	YOCONA	1 - Failure to submit log book.
Elizabethann	21 May 93	LIBERTY	1 - Failure to maintain a Federal Groundfish log.
Tava	21 May 93	LIBERTY	1 - Failure to maintain a Federal Groundfish log.

Wild Thing	22 May 93	YOCONA	1 - Failure to meet req observer coverage. 2 - Fishing in Kasatochi Is. Sea Lion rookery.
Da Yuan Yu 206	24 May 93	Sherman	1 - High Seas Driftnet violation
Prowler	25 May 93	YOCONA	1 - Failure to maintain product transfer logs.
Emily Nichole	25 May 93	YOCONA	1 - Failure to maintain log book.
Belair	29 May 93	YOCONA	1 - Failure to maintain channel 16 guard.
Major	29 May 93	YOCONA	1 - Failure to maintain log book 2 - Failure to submit logs.
Heritage	30 May 93	YOCONA	1 - Failure to submit logs.
Red Baron	31 May 93	YOCONA	1 - Failure to maintain log 2 - Failure to have Federal Fishing Permit onboard. 3 - Failure to meet req observer coverage.

VESSELS TERMINATED DUE TO SAFETY VIOLATIONS

The following vessels were boarded by Coast Guard personnel on the date indicated and Terminated due to safety violations.

VESSEL NAME	DATE
Ms Amy	09 April
Airedale	11 April
Evanageline	11 May
Neptune	12 May
Marian	13 May
Narwhal	13 May
Dixie II	16 May
Helen T	16 May
Sea Hunt	16 May
Leprechaun	16 May
Skeeter	16 May
Elizabeth Ann	16 May
Silver Surf	17 May
Elizabeth J	19 May
Tava	21 May
Narwhal	21 May
Taua	21 May