

U.S. Department  
of Transportation

United States  
Coast Guard



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NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL

U. S. COAST GUARD ENFORCEMENT REPORT  
12/1/94 - 3/31/95

- . ENFORCEMENT/SAFETY SUMMARY.
- . INTERNATIONAL FISHERIES.

1. U.S./RUSSIAN CONVENTION LINE. Foreign fishing activity in the Russian zone north of the donut is not expected to pick up until early summer. The Russian Federation has also informed the U.S. of the results of their investigations and report of actions in the cases of the FFV MARNYA and FFV IOLANTA. These vessels were detected by the Coast Guard conducting processing and directed fishing operations respectively in the U.S. EEZ last July. In the IOLANTA case the vessel refused to heed Coast Guard direction to stop; "hot pursuit" was finally broken off at the Russian Territorial Sea near Cape Navarin after a six hour chase. Both cases were referred to the Russian Federation for action through diplomatic channels. The Russian Federation has found that the MARNYA illegally operated in the U.S. EEZ; the Master's certificate of Fishing Master has been suspended. The IOLANTA was found to have committed gross violations of fisheries regulations. The Master and First Mate were stripped of their ranks as commanders in the Russian fishing fleet and had their certificates rescinded. This punishment essentially makes them unemployable as maritime officers. Since these two cases there have been no incidents in the area.

2. DONUT. Monitoring the area has shown no activity, consistent with the projected low threat. From 7-10 February the Coast Guard participated in a meeting of the Monitoring, Control, and Surveillance Expert's Group in Seattle. The meeting was chaired by Captain O'Shea, Chief of the Fisheries Law Enforcement Branch in COAST GUARD Headquarters and was attended by national/regional representatives of the U.S. (CG/NMFS), Russian Federation, Japan, Republic of Korea, People's Republic of China, and Poland. Discussion included standards and specifications for Shipboard Vessel Monitoring System (VMS) Equipment, recommendations for adoption of a Boarding and Inspection Manual, and procedures for Entry/Transshipment Notification. The Group's recommendations will be reported out at the Annual Conference later this year. The progress made at this meeting will help position the countries to have a solid LE framework in place once stock recovery allows resumption of fishing in the donut.

3. HIGH SEAS DRIFTNETS (HSDN). Based upon the lack of observed activity last year, the threat this year is considered low. The Coast Guard will continue, however, to monitor activity in the traditional fishing areas.

We have also scheduled a reduced level of air and cutter coverage to check for compliance with the U.N. Moratorium on large-scale pelagic driftnetting on the high seas. In furthering our cooperative LE efforts, 1995 will mark the first year we will conduct a joint HSDN patrol with Russian Federation vessels under the North Pacific Anadromous Fisheries Commission (NPAFC). Patrol plans include an exchange of officers between vessels. The U.S. has also extended for two more years the PRC Shiprider agreement; the Coast Guard expects 2-3 PRC shipriders to ride selected cutters this summer. The shipriders will facilitate any HSDN cases which would involve PRC flag vessels. They will also accompany U.S. boarding teams on some domestic vessels to gain a better understanding of our standard procedures in preparation for how we would conduct boardings on PRC vessels in any future donut fishery.

## B. DOMESTIC FISHERIES.

1. GROUND FISH/CRAB. Coast Guard cutters and aircraft patrolled the early year BSAI/GOA pollock and other groundfish openings. Cutters were also strategically stationed as a Search and Rescue (SAR) platform near the Pribilofs during this year's Opilio opening. Cutters on Bering Sea patrol also carried both Immigration and Naturalization Service and Food and Drug Administration Agents during the early season fisheries. Carrying INS agents has been done in the past; this was the first time FDA agents had been taken on ALPAT. Of particular note this year was the reduced number of undocumented aliens noted in both the at sea and floating processor sectors. Random boardings show a relatively high rate of compliance with domestic fisheries regulations; less than 10 per cent of all boardings during the period resulted in an Enforcement Action Report being issued.

2. IFQ OPS. Since early March the Coast Guard has provided an increased patrolling presence in the Gulf of Alaska to monitor compliance with IFQ's. The increased presence in the Gulf was in addition to the random presence we have historically had in the Bering Sea/Aleutians, and in the case of fixed wing aircraft flights was the result of available hours reallocated from our reduced High Seas Driftnet operations. Since 15 March we have observed over 175 vessels actively fishing IFQ on the grounds. Aircraft patrols are also validating IFQ information by radio; information generated from Coast Guard patrols is being passed daily to NMFS Enforcement to allow cross checks with subsequent landings.

3. SCALLOPS. On 21 Feb CGC MELLON boarded the scalloper MR BIG in the U.S. EEZ off Kayak Island. The boarding occurred prior to implementation of the Emergency Closure to scalloping in Federal waters and checked to ensure the vessel was in compliance with federal laws (e.g. safety equipment, manning, no retention of groundfish). Upon implementation of the emergency closure, Coast Guard aircraft verified that the MR BIG had departed the area outbound toward the Pacific Northwest.

4. NORTH PACIFIC REGIONAL FISHERIES TRAINING CENTER. The training center at Kodiak is up and running. Since 1 January, 317 Coast Guard boarding officers/team members have received regional fisheries classroom training. The trainees are from cutters and air stations in Alaska as well as other cutters from the West Coast assigned on Alaska Patrol. The training center's instructors have also spent over 240 days deployed on Alaska.

Patrol cutters and participated in over 70 boardings. Each inbound cutter routinely receives 2-3 days of inport classroom training upon arrival Kodiak covering that particular patrol's areas of emphasis; instructors will then ride that cutter for a portion of the patrol to complete the training. We expect this program will build improved consistency and professionalism in the CG fisheries LE program.

## 5. SAFETY.

A.) STATISTICS. From 1 January to 31 March there were 8 commercial fishing vessel sinkings off Alaska resulting in 8 lives lost. The sinking of the NORTHWEST MARINER at the start of the opilio season was the most costly with 6 lives lost, and a crude reminder that even a well equipped and experienced crew can fall victim to the elements. On an optimistic note, there were 26 lives saved from the 8 vessel sinkings. Two vessels had their voyages terminated this period for major violations of safety equipment.

B.) NORTH PACIFIC RESEARCH PLAN. As a reminder all vessels required to carry a NMFS observer will need to have a valid dockside examination decal, a valid Certificate of Compliance, or a valid Certificate of Inspection by 1 January 1996.

2. PATROL STATISTICS. Patrol efforts for this period were similar to the levels of the previous year. The number of boardings at sea have been fewer than last year, primarily due to adverse weather conditions. For the fiscal year (10/1/94-9/30/95) the Coast Guard has scheduled over 1180 High and Medium Endurance Cutter days on Alaska Patrol, an 8 percent increase over last year. We anticipate, however, some rescheduling and reduction in days will occur during the spring/summer dependent on the Coast Guard's required response to urgent cases involving Alien Migration Interdiction Operations in both Pacific Area and the Caribbean.

### PATROL STATISTICS

- a. 6 High Endurance Cutter (HEC) patrolled for 286 days.
- b. 1 Medium Endurance cutters (MEC) patrolled for 41 days.
- c. 5 Patrol boats patrolled for 156 days.
- D. C-130 aircraft conducted 111 long-range surveillance flights for 815.4 hours.
- E. HH60/HH65 AIRCRAFT CONDUCTED 56 SURVEILLANCE FLIGHTS FOR 148.8 HOURS
- F. Foreign vessels:

11 = Sightings  
01 = Boardings  
00 = Violations

g. Domestic vessels:

2307 = Sightings  
175 = Boardings  
11 = Violations (Fishery)  
28 = Violations (Safety)

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

DECEMBER 01, 1994 TO MARCH 31, 1995

AIRLOOM	031995	DECISION	012795	NOWITNA	022495
ALASKA MIST	030395	DEFENDER	012595	OCEAN ENTERPRISE	022695
ALASKA OCEAN	013195	DEFENDER	022295	OCEAN LEADER	022895
ALASKA PATRIOT	011495	DIAMOND STAR	010995	OCEAN STORM	012695
ALASKA PIONEER	011495	DOMINATOR	012395	PACIFIC GLACIER	012295
ALASKA PREDATOR	022695	DOMINATOR	020895	PACIFIC MONARCH	022495
ALASKA ROSE	022395	DONA MARTITA	022495	PACIFIC NAVIGATOR	030695
ALASKAN BEAUTY	120295	ENDURANCE	121394	PACIFIC PRINCE	012595
ALASKAN LEADER	020795	EQUINOX	020495	PACIFIC RAM	020895
ALDEBARN	013095	EXODUS	012795	PACIFIC SCOUT	012495
ALEUTIAN BELL	020695	FLYING CLOUD	032895	PACIFIC SCOUT	121994
ALEUTIAN LADY	032195	FRONTIER MARINE	011295	PACIFIC STAR	020895
ALEUTIAN SPEEDWELL	030395	GOLDEN ALASKA	012495	PACIFIC VIKING	013095
ALICE	122894	GOLDEN PISCES	022295	PATHFINDER	030595
ALLIANCE	022395	GOLDEN SABLE	122294	PATRIOT	032195
ALSEA	022395	GUN-MAR	022495	PEGASUS	013095
ALYESKA	012595	HARRIER	032195	PERSERVERENCE	030495
AMBER DAWN	022695	HARVESTER ENTERPRISE	012295	PRIMUS	012795
AMERICAN 1	012295	HAZEL LORRAINE	012595	PROSPERITY	012295
AMERICAN CHAMPION	030495	HEATHER SEA	030195	RAVEN	030495
AMERICAN DYNASTY	022795	HESSAFJORD	010995	REBECCA IRENE	022695
AMERICAN DYNASTY	121994	HICKORY WIND	012795	REBECCA IRENE	032795
AMERICAN EMPRESS	012595	ISLAND ENTERPRISE	030595	RESOLUTE	022895
AMERICAN EMPRESS	022195	KAREN EVICH	020695	ROYAL KING	030395
AMERICAN ENTERPRISE	012295	KATHERINE	020295	SABRINA	011195
AMERICAN TRIUMPH	030495	KETA	032795	SAGA SEA	121494
ANITA J	030495	KODIAK ENTERPRISE	030695	SANDRA W	020895
ANNETTE	012795	LADY ANN	012995	SARA	013195
ARCTIC ENTERPRISE	012995	LADY JOANNE	020295	SEA MAC	020895
ARCTIC FJORD	030195	LAURA	012095	SEA STAR	032895
ARCTIC III	032895	LISA MELINDA	020895	SEA STORM	030495
ARCTIC IV	012895	MAJESTY	013095	SEADAWN	012595
ARCTIC IV	032795	MALACHI	020395	SEAFISHER	022895
ARCTIC STORM	121394	MARCY J	032795	SELAH	020195
ARCTIC V	012895	MARIA N	012195	ST KATHRYN	021195
ASSURANCE	020395	MERIDIAN	021095	STARBOUND	012195
ATKA ENTERPRISE	121695	MILKY WAY	020895	STARFISH	012595
ATLAS	032795	MISS BRENDA	012795	STORM PETREL	022595
AURORA	012595	MISS DEBRA	032295	STORM WARNING	012295
BANDIT	011595	MORNING STAR	030195	SUNSET BAY	030495
BANDIT	022495	MS. AMY	013095	TASINGE	020895
BERING ENTERPRISE	012395	MUIR MILACH	032795	TAVA	032195
BERING STAR	031195	NEAHKAHNIE	032295	TERN	012795
BLUE WAVE	022595	NIGHTWATCH	012795	TERRIGAIL	020895
BROWNS POINT	012195	NORDIC STAR	012595	TITAN	030395
CAITLIN ANN	012595	NORSE MAID	012595	TRACY ANNE	032895
CAPE ALVA	032495	NORTHERN AURORA	011195	TRADE WINDS	031395
CELTIC	010795	NORTHERN CASCADE	030795	TRISHIA MARIA	020895
CHAMPION	012795	NORTHERN EAGLE	030195	UNIMAK ENTERPRISE	012395
CINDRIA GENE	010595	NORTHERN GLACIER	012295	VAERDAL	012295
COLUMBIA	011995	NORTHERN HAWK	030295	VIKING EXPLORER	030395
CONSTITUTION	122294	NORTHERN JAEGER	030195	WINDJAMMER	012595
COURTNEY NORAL	012795	NORTHERN SPHERE	022495	YUKON QUEEN	030495
DARK STAR	011995	NORTHERN STAR	031095	ZENITH	011095

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## VESSELS BOARDED WITH FISHERY VIOLATIONS

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ALASKAN FRONTIER	08MAR95	MUNRO	1-IMPROPER LOGGING PROCEDURES (MULTIPLE LOGGING VIOLATIONS).
AMBITION	26MAR95	MORGENTHAU	1-FAILURE TO MAINTAIN LOGS. 2-NO ADF&G FISH TICKET.
ENTERPRISE	06JAN95	RUSH	1-FAILURE TO MAINTAIN LOGS.
GOLDEN PRIDE	04MAR95	SHERMAN	1-IMPROPER LOGGING PROCEDURES.
LIBERTY BAY	03MAR95	MORGENTHAU	1-FAILURE TO LOG DISCARDS DAILY.
KJEVOLJA	10JAN95	MELLON	1-RETENTION OF A PROHIBITED SPECIES.
MICARTA K	07JAN95	RUSH	1-FAILURE TO MAINTAIN LOGS.
SONYA S	10JAN95	RUSH	1-FAILURE TO PROVIDED ADEQUATE BOARDING LADDER
PACIFIC CHALLENGER	25FEB95	MORGENTHAU	1-IMPROPER LOGGING.
WALTER N	06JAN95	RUSH	1-FAILURE TO SUBMIT LOGS.
VANGUARD	28FEB95	MORGENTHAU	1-IMPROPER LOGGING.

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## **VESSELS TERMINATED DUE TO SAFETY VIOLATIONS**

*THE FOLLOWING VESSELS WERE BOARDED BY COAST GUARD PERSONNEL ON THE DATE INDICATED AND HAD THEIR VOYAGE TERMINATED FOR MAJOR SAFETY VIOLATION.*

<u>VESSEL NAME</u>	<u>DATE</u>
COMBINE	031495
LADY LYNN ANN	021495

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**UNITED STATES DEPARTMENT OF COMMERCE**  
**N.O.A.A. / National Marine Fisheries Service**  
**Alaska Enforcement Division**  
222 W. 7th Avenue, #43  
Anchorage, Alaska 99513-7577

**NATIONAL MARINE FISHERIES SERVICE ENFORCEMENT REPORT**  
**FOR THE PERIOD 11/19/94 THROUGH 04/12/95**

During the reporting period, NMFS and the United States Coast Guard (USCG) opened a total of 95 investigations. NMFS initiated 76 of these investigations and the USCG initiated 19 investigations.

Further actions were also taken on 248 pending cases during the reporting period. Twenty-two investigations were closed as unfounded, four investigations were closed due to lack of evidence, and five were dismissed for other reasons. Three investigations were suspended and six cases were referred to other Regions or other agencies. Thirty-one cases were handled with written warnings and five cases were handled with summary settlement payments totaling \$5,125. Seventy-one cases were settled through voluntary abandonment with forfeited proceeds and property valued at \$87,210. Forty-one cases were referred to NOAA General Counsel. General Counsel issued 31 Notices of Violation assessing a total of \$154,069 in penalties. A total of 29 Notices of Violation were settled by General Counsel with penalties totalling \$128,809.

**INDUSTRY-ENFORCEMENT COOPERATIVE EFFORTS PAY DIVIDENDS**

In the months leading up to the March 15th opening of the IFQ Halibut-Sablefish program, the NMFS Alaska Enforcement Division, in conjunction with the USCG 17th District Office of Law Enforcement conducted a series of public meetings with a broad cross section of the fishing/processing industry. These meetings were designed to help get the message out regarding the new IFQ regulations and to provide industry members an opportunity to discuss the regulations with various representatives of enforcement. These meetings generally ran for approximately three hours at a time and were conducted in a variety of ports. Attendance varied from as little as ten to twelve in some locations to over a hundred in others. In general they were well received and the vast majority of industry members expressed positive comments on the meetings. Enforcement personnel welcomed the opportunity to hear industry concerns and proposals for potential problems. These concerns were discussed with other members of the government regulatory process and are the basis for several improvements slated for inclusion in the omnibus regulation amendments.

In addition, industry members in Kodiak provided strong support in the training process of the new enforcement personnel hired for the IFQ program. During the month of February, a variety of vessel owners, operators, crewmembers, shoreside plant operators, processing personnel and a host of other industry members welcomed the new enforcement personnel into their plants and vessels. These boardings and tours proved invaluable in the training process and



we are deeply appreciative of the positive learning opportunities gained through these experiences.

#### IFQ PROGRAM BEGINS RELATIVELY QUIETLY

Some of the benefits contemplated under the IFQ program have already begun to show. Through April 12th, approximately 300 to 350 landings have occurred. Although rough weather influenced some peoples decision not to fish, the long eight months of open fishing season also had it's effect. Dockside boardings and plant inspections are occurring at approximately a 75% rate (242 to date). Conversations with a variety of fishermen indicates wide and diverse fishing strategies taking into account other species openings, prices, markets, and a host of other factors. Twenty-two investigations have been conducted to date with approximate half of those (thirteen) still under investigation. Nine have been dismissed due to date.