

June 9, 1998

AGENDA ITEM B4

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ENFORCEMENT REPORT FOR THE PERIOD 4/11/98 THROUGH 6/1/98

National Marine Fisheries Service
Alaska Enforcement Division

BLACKCOD FISHERMAN FORFEITS QUOTA SHARES

NOAA General Council has come to a settlement agreement with Mr. Ronald G. Cameron, of Bellingham, WA., owner and operator of the F/V Cypress, wherein Cameron will forfeit all of his Bering Sea sablefish quota shares and pay a \$16,320.00 civil penalty for gross violations of federal fisheries regulations (the MSFCMA). In a case with similarities to that in which Terry McDonald received a criminal conviction, as reported at the April Council meeting, Cameron has plead guilty to charges of over harvesting his sablefish quota in the Southeast Outside District of Alaska and to submitting false information on an IFQ landing report and in his Daily Fishing Logbook. This is the first case in which IFQ quota shares have been permanently forfeited due to illegal fishing and fraudulent reporting activities in the Halibut and Sablefish IFQ fisheries off Alaska. Other fishermen are under investigation for these type violations and similar penalties will be sought when knowing and willful violations are detected.

IFQ PROGRAM

Halibut landings to date remain slow compared to previous IFQ seasons. The current IFQ season is over 33% complete, as measured in days, and approximately 38% of the sablefish quota has been harvested and only 26% of the halibut has been taken (see attached IFQ report). Dockside information indicates that low prices have slowed halibut fishing.

HIGH SEAS DRIFTNET INVESTIGATIONS

An NMFS special agent accompanied the USCGC Boutwell in the recent spate of High Seas Driftnet violations detected in North Pacific waters southwest of the US EEZ off the western end of the Aleutian Islands. NMFS AED recognizes the difficult and dangerous job of interdicting large scale poachers on the high seas and commends and supports the fine work of the USCG in maintaining vigilance and outstanding performance of at sea operations, some that have significant risk for personnel and equipment, in bringing alleged violators to justice.

U.S. AND CANADIAN ENFORCEMENT MEETING

Last week members of the USCG and the NMFS AED met with Canadian enforcement representatives from the RCMP, CCG and the DFO. The basis of the meeting was to discuss

cooperative enforcement efforts in the area of Dixon Entrance. Discussions were professional and cordial and focused on salmon, groundfish, and halibut fisheries and how to avoid conflict in the long standing disputed area. Plans for cooperative enforcement efforts were made and hopes are high for minimal problems as has been seen in the past several years. Our Canadian counterparts discussed special training efforts with immigrant fishermen in regulations, navigation and fishing practices designed to bridge traditional cultural differences and language barriers which have contributed to some violations in the past.



**National Marine Fisheries Service
Alaska Region
NEWS RELEASE**

Alaska Region, P.O. Box 21668, Juneau, Alaska 99802-1668

CONTACT: Carol Tocco (907) 586-7032
Stephanie Dorezas (301) 713-2370

NMFS 98-08 AKR
FOR IMMEDIATE RELEASE
Date: 06/9 /98

**IFQ SHARES FORFEITED BY FISHERMAN
Severe Penalty for Falsifying Landing Reports**

Juneau - In what federal fisheries managers have called a "satisfying" settlement, fisherman Ron Cameron of Bellingham, Wash., has agreed to pay substantial penalties and to forfeit quota share for fishing violations in the individual fishing quota (IFQ) sablefish fishery in 1995. This is the first time that a violation of the IFQ regulations has resulted in the forfeiture of quota share.

Cameron admitted to charges that he overharvested his IFQ for sablefish (also known as black cod) by 17,382 pounds during the 1995 fishing season, and then, in an effort to shroud his illegal fishing, provided false information on IFQ landing reports and in his daily fishing logbook.

As part of the settlement, Cameron has permanently forfeited his entire quota share for black cod in the Bering Sea. He also forfeited 17,382 pounds of IFQ for black cod in the Gulf of Alaska for the 1999 season. In addition, Cameron forfeited approximately \$2,000 in seized fish, and will pay an assessed penalty of \$16,320. Failure to timely pay the penalties could result in additional quota share forfeitures.

"This case should send a clear message that flagrant IFQ violations will be prosecuted aggressively, and that violators will face severe penalties, including permanent loss of quota share," said Joel La Bissonniere, NOAA's General Council enforcement attorney who prosecuted the case.

Cameron is owner and operator of the FV CYPRESS.

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DATE: June 3, 1998

MEMORANDUM FOR: Stephen A. Meyer, SAC

THROUGH: Jeff Passer, DSAC

FROM: John C. Kingeter, ASAC

SUBJECT: **IFQ Enforcement Report**
March 15 thru June 1, 1998

ATTACHMENTS:

- 1) Enforcement Summary. p1
- 2) 1998 Inspections & Boardings. p2
- 3) IFQ Cases Opened (1998 date of violation only) by FPO/SA. p10
- 4) IFQ Cases Opened (By all dates of violation) by FPO/SA. p11
- 5) Registered Buyer Ports Report. P12

This is the second monthly IFQ Enforcement Report for 1998. New additions to the Report are as follows:

- a) On the Enforcement Summary: section 7 (Canada Landings) and section 8 (Lower 48 Landings).
- b) On the Inspections & Boardings Report: section 4 (List of USCG shoreside monitored IFQ offloads listed by port & date.
- c) On the Inspections & Boardings Report: section 5 (List of USCG at-sea IFQ Boardings listed by date.
- d) On the Inspections & Boardings Report: section 6 (List of Boardings and Inspections By Inspection Code). This is compared with USCG statistics.

NOTE: Because of improvements in Enforcement data collection, I am revising the way I report NMFS monitored offloads. Because of (d) above, I am now using a different more accurate number. In the past, any type of NMFS boarding, inspection, or contact was included in the total inspection number on my IFQ reports. Since we are now receiving information broken down by inspection code, it is learned that not all contacts involve a full offload audits. Based upon this first report, it is estimated that past full offload monitoring efforts were actually 65% of what has been previously reported. Consequently, you will see a significant decrease in NMFS Enforcement monitored offloads. To compare current offload audit efforts to past efforts, one should multiply past efforts by 65%.

1998 IFQ Enforcement Summary

(For the period 3/15 to 6/1)

bold print = 1998 data , regular print = past data

- 1)
 - a. Percentage of IFQ Season Complete (77 days÷245 days): **31%**
 - b. Percent of IFQ Harvested: **Halibut: 26%, Sablefish: 38%**
 - c. Percent of CDQ Harvested: **Halibut: >1% Sablefish: 4%**

- 2)
 - a. 1998 Number of IFQ/CDQ Offloads: **2,185**
 - b. 1998 Offloads as a percent of 97 Totals (2,185÷10,895): ***20%**
** Compare this number to 1 a.*

- 3)
 - a. 1998 Number of IFQ Processor Inspections: **6**
 - b. 1997 Total Number of Processor Inspections: 39
 - c. 1996 Total Number of Processor Inspections: 39

- 4)
 - a. 1998 Number of IFQ/CDQ Vessel Inspections: **** 140**
***The method for counting inspections change significantly in 5/98. Multiply past year's rates (See d-i below) by 65% in order to compare to 1998.*
 - b. 1998 Vessel Inspection Rate by Offload (140÷2,185): **6%**
 - c. 1998 Est. Tot. Inspections if rate continues (140÷0.31): **451**
 - d. 1997 Total IFQ/CDQ Vessel Inspections: 1,561
 - e. 1997 Total IFQ/CDQ Vessel Inspection Rate (1,540÷10,895): 14%
 - f. 1996 Total IFQ/CDQ Vessel Inspections: 1,540
 - g. 1996 Total IFQ/CDQ Vessel Inspection Rate (1,540÷9,009): 17%
 - h. 1995 Total IFQ/CDQ Vessel Inspection: 2,262
 - i. 1995 Total IFQ/CDQ Vessel Inspection Rate (2,262÷9,652): 23%

- 5)
 - a. 1998 Number of IFQ/CDQ Cases Initiated: **61**
 - b. 1998 Estimated Total Cases if this rate continues (61÷0.31): **197**
 - c. 1997 Total Number of IFQ Cases Initiated: 294
 - d. 1996 Total Number of IFQ Cases Initiated: 376
 - e. 1995 Total Number of IFQ Cases Initiated: 601

- 6)
 - a. 1998 Number of Confiscations: **10**
 - b. 1998 Confiscation Rate (10÷2,185): **0.5%**
 - c. 1997 Season Confiscation Rate (179÷10,895) 2%
 - d. 1996 Season Confiscation Rate (612÷9,009): 7%
 - e. 1995 Season Confiscation Rate (436÷9,652): 5%

- 7)
 - a. 1998 Canada Offloads: **11**
 - b. 1997 Canada Offloads: 11
 - c. 1996 Canada Offloads: 51

- 8)
 - a. 1998 Lower 48 Landings: **30**
 - c. 1997 Lower 48 Landings: 136
 - d. 1996 Lower 48 Landings: 147