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15 APR 1991

U.S. COAST GUARD/NMFS JUNEAU FISHERIES ENFORCEMENT FOR PERIOD  
NOVEMBER 16, 1990 TO APRIL 01, 1991

1. ACCOMPLISHMENTS.

a. Seizures:

(1) On February 17, USCGC STORIS seized the 67-foot longliner *Isle Royal* near Kodiak Island for fishing in federal waters without a federal permit. The *Isle Royal* was initially spotted by crew members aboard a Kodiak based HH-3F helicopter fishing in federal waters southeast of Sitkalidak Island. The vessel settled for \$29,700 (\$15,000 civil penalty, \$14,400 costs to U.S. Marshal Service and Coast Guard, and \$300.00 in illegal groundfish).

b. Significant aircraft sightings:

(1) On January 4, an Air Station Kodiak C-130 aircraft sighted the Polish stern trawler *ANTARES* with gear uncovered in the U.S. EEZ.

2. Patrol Summary.

- a. 3 High Endurance Cutters (HEC) patrolled for 112 days.
- b. 2 Medium Endurance cutters (MEC) patrolled for 102 days.
- c. 4 Patrol boats patrolled for 90 days
- d. C-130 aircraft conducted 124 long-range surveillance flights for 935.4 patrol hours.
- e. HH-3F helicopters conducted 20 coastal surveillance flights for 66 patrol hours.

3. Results.

a. Foreign vessels:

Sightings: 98 (See below for list by nationality)  
Boardings: 0  
Violations: 0

b. Domestic vessels:

Sightings: 2447  
Boardings: 181  
Violations: 5

c. Unknown nationalities:

Sightings: 268

d. See enclosure (1) for a detailed list of violations.

e. See enclosure (2) for a plot of donut hole sightings.

4. Enclosure (3) is a summary of NMFS enforcement action.

FISHING VESSEL SIGHTINGS\* FOR PERIOD 16 NOV-01 APR

	NOV	DEC	JAN	FEB	MAR	TOTAL
JA	17	37	20	1	1	76
KS	1	0	0	0	1	2
UR	0	0	0	1	3	4
PL	2	0	4	1	4	11
CH	0	0	3	0	0	3
NL	0	1	0	0	0	1
PM	0	0	1	0	0	1
US	257	149	551	520	970	2447
UNKNOWN	25	24	116	41	62	268
TOTAL	302	211	695	564	1041	2813

\*May be multiple sightings of one vessel.

Encl: (1) List of Violations  
(2) Donut Hole sightings  
(3) Summary of Enforcement Action (NMFS)

LIST OF VIOLATIONS

FF/V ANTARES	04JAN91	AIRSTA	1-FISHING GEAR UNCOVERED IN U.S. EEZ.
F/V AMERICAN ENTERPRISE	05JAN91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL.
ALASKAN VOYAGER	10JAN91	YOCONA	1-FAILURE TO DISPLAY MARINE MAMMAL EXEMPTION(MME) DECAL.
F/V NORTHERN HERO	11JAN91	YOCONA	1-RETENTION OF POLLOCK ROE IN EXCESS OF ALLOWABLE BYCATCH AMOUNTS.
TRIDENT SEAFOODS	12JAN91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL (7 COUNTS).
F/V MISS BERDIE	12JAN91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL. 2-FAILURE TO HAVE 1991 MME CERTIFICATE. 3-FAILURE TO MAINTAIN MARINE MAMMAL LOGBOOK FOR 1990.
PACIFIC HARVEST	12JAN91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL (33 COUNTS).
F/V GOLDEN DAWN	13JAN91	YOCONA	1-FAILURE TO HAVE 1991 MME CERTIFICATE.
F/V ALMIGHTY	14JAN91	YOCONA	1-CONDUCTING FISHING OPS WITHOUT 1991 FEDERAL FISHERIES PERMIT. 2-FAILURE TO PROPERLY MAINTAIN DCPL. 3-FAILURE TO RETURN PROHIBITED SPECIES QUICKLY/WITH MINIMUM INJURY. 4-FAILURE TO MAINTAIN MARINE MAMMAL LOG.
F/V ARCTIC TRAWLER	14JAN91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL.
F/V NORTHERN EAGLE	15JAN91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL.

F/V SNOPAC	15JAN91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL (26 COUNTS).
F/V POSEIDON	17JAN91	YOCONA	1-OPERATING WITHIN SEALION ROOKERY BUFFER ZONE.
F/V COMMODORE	18JAN91	YOCONA	1-FAILURE TO RETURN PROHIBITED SPECIES QUICKLY/WITH MINIMUM AMOUNT OF INJURY.
F/V ALASKA OCEAN	18JAN91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL.
NORTHERN VICTOR	18JAN91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL (4 COUNTS). 2-NO PRODUCT TRANSFER LOG ONBOARD. 3-FAILURE TO RETURN PROHIBITED SPECIES QUICKLY/WITH MINIMUM AMOUNT OF INJURY.
F/V PACIFIC ORION	06FEB91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL.
F/V SAGA SEA	14FEB91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL (2 COUNTS).
F/V ACONA	16FEB91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL.(3 COUNTS). 2-FAILURE TO PROPERLY MAINTAIN PRODUCT TRANSFER LOG.
U.S. ENTERPRISE	16FEB91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL (5 COUNTS).
F/V HIGHLAND LIGHT	17FEB91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN PRODUCT TRANSFER LOG.
F/V PACIFIC ORION	19FEB91	MUNRO	1-CONDUCTING FISHING OPS IN AREA 518 AFTER CLOSURE. 2-RETENTION OF POLLOCK GREATER THAN BYCATCH ALLOWANCE.

F/V NOOTKA	02FEB91	STORIS	1-FAILURE TO PROPERLY MAINTAIN DCPL. 2-NO MARINE MAMMAL LOGBOOK ONBOARD.
F/V NEW WEST	10FEB91	STORIS	1-FAILURE TO PROPERLY MAINTAIN PRODUCT TRANSFER LOG.
F/V COHO	15FEB91	STORIS	1-FAILURE TO PROPERLY MAINTAIN DCL.
F/V ALASKAN	16FEB91	STORIS	1-FAILURE TO PROPERLY MAINTAIN DCL. 2-NO MME CERTIFICATE OR DECAL.
F/V ISLE ROYAL	17FEB91	STORIS	1- FISHING IN EEZ WITHOUT FEDERAL FISHERIES PERMIT. 2-POSSESSION/RETENTION OF FISH CAUGHT IN VIOLATION OF THE MFCMA. 3-FAILURE TO MAINTAIN A DAILY FISHING LOGBOOK. <u>VSL SEIZED</u>
F/V TOPAZ	20FEB91	STORIS	1-FAILURE TO PROPERLY MAINTAIN DCL.
F/V VANGUARD	21FEB91	STORIS	1-FAILURE TO PROPERLY MAINTAIN DCL. 2-FAILURE TO PROVIDE DISCARD INFO TO PROCESSOR UPON LANDING.
F/V PACIFIC ORION	02FEB91	MUNRO	1-FAILURE TO PROPERLY MAINTAIN DCPL. 2-FAILURE TO PROPERLY MAINTAIN PRODUCT TRANSFER LOG.
F/V SEA MAC	02MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCL. 2-NO CURRENT MME CERTIFICATE. 3-NO MARINE MAMMAL LOG KEPT FOR 1991.

F/V TAASINGE	02MAR91	YOCONA	<p>1-MME CERTIFICATE NOT ONBOARD.</p> <p>2-FAILURE TO PROPERLY MAINTAIN MARINE MAMMAL LOG.</p> <p>3-MME DECAL FOR 1991 NOT ON BOARD AND POSTED.</p> <p>4-FAILURE TO PROPERLY MAINTAIN DCL.</p>
PROCESSOR SNO PAC	02MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DCPL.</p>
F/V BRISTOL MONARCH	07MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DCPL.</p> <p>2-TRANSFER LOG NOT ONBOARD.</p> <p>3-FAILURE TO PROPERLY MAINTAIN TRANSFER LOG.</p>
F/V SONYA S	06MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DCPL.</p> <p>2-NO MME CERTIFICATE POSTED.</p> <p>3-MARINE MAMMAL LOG NOT MAINTAINED.</p> <p>4-PROCESSING GROUND FISH WITHOUT PROPER PERMIT (ONLY HAD LICENSE TO HARVEST).</p> <p>5-NO FEDERAL TRANSFER LOG.</p>
F/V CLIPPER SURPRISE	06MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DCPL.</p> <p>2-FAILURE TO MAINTAIN 1991 MARINE MAMMAL LOG.</p>
F/V VALIANT	05MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DCPL.</p> <p>2-1991 MME CERTIFICATE/DECAL NOT ONBOARD.</p>
F/V DECISION	05MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DFL.</p> <p>2-1991 MME CERTIFICATE/DECAL NOT ONBOARD.</p> <p>3-FISHING IN GOA WITH PERMIT FOR BSA ONLY.</p>
F/V ESKIMO PRINCESS	04MAR91	YOCONA	<p>1-FAILURE TO PROPERLY MAINTAIN DFL.</p>

F/V BERING ENTERPRISE	04MAR	MUNRO	1-FAILURE TO HAVE 1991 FEDERAL FISHERIES PERMIT ONBOARD.
F/V CRYSTAL CLIPPER	09MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN TRANSFER LOG. 2-PRODUCTION LOGS NOT SUBMITTED AT END OF QUARTER. 3-FAILURE TO PROPERLY MAINTAIN DCPL.
F/V ALASKAN HERO	10MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL.
F/V ALASKA RANGER	10MAR91	YOCONA	1-FAILURE TO PROPERLY DISPLAY MME DECAL.
F/V SEEKER	12MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DFL. 2-1991 MME DECAL NOT POSTED. 3-RETENTION OF PROHIBITED SPECIES. 4-FAILURE TO LOG DISCARDED SPECIES.
F/V NORDBY	12MAR91	YOCONA	1-NO MME CERTIFICATE. 2-FISHING WITHIN A SEALION ROOKERY BUFFER ZONE.
F/V SEABOARD BARGE	12MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL.
F/V MASONIC	12MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL. 2-FAILURE TO PROPERLY MAINTAIN MARINE MAMMAL FISHERIES LOG.
F/V ALASKA MIST	16MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL. 2-FAILURE TO PROPERLY MAINTAIN MARINE MAMMAL FISHERIES LOG. 3-MME DECAL NOT POSTED.
F/V BERING MIST	16MAR91	YOCONA	1-VERBAL WARNING FOR ONE MINOR COUNT FAILURE TO PROPERLY MAINTAIN DCPL.

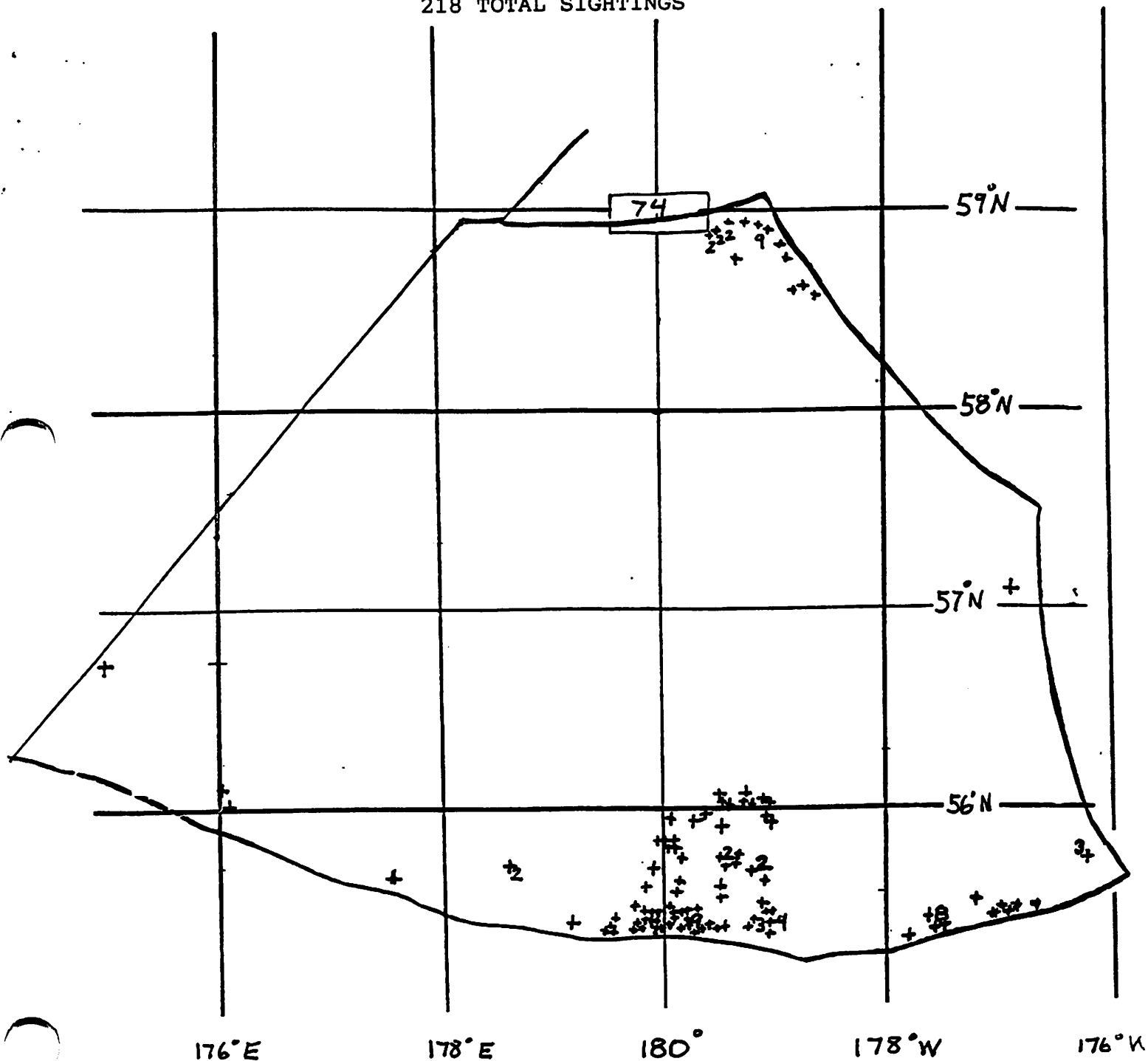
F/V AURIGA	20MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DFL. 2-NO CURRENT MME CERTIFICATE ONBOARD.
F/V DEEP PACIFIC	22MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL.
F/V ALASKAN VENTURE	22MAR91	YOCONA	1-FAILURE TO PROPERLY MAINTAIN DCPL. 2-IMPROPERLY MARKED LONGLINE BUOYS.



# FV SIGHTINGS BY USCG IN BERING SEA "DONUT HOLE"

NOVEMBER 16, 1990 - APRIL 1, 1991

218 TOTAL SIGHTINGS





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National Oceanic and Atmospheric Administration

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NATIONAL MARINE FISHERIES SERVICE ENFORCEMENT FOR  
THE PERIOD NOVEMBER 16, 1990, THROUGH APRIL 1, 1991

During the period November 16, 1990, through April 1, 1991, the NMFS Office of Enforcement in Alaska expended 54 agent days in direct support of U.S. Coast Guard air and surface patrol efforts. Agents accompanied two cutter patrols for a total of 30 days. Agents also accompanied 24 air surveillance flights. The flights included 21 donut hole boundary and domestic groundfish patrols and 3 sea lion rookery patrols.

During the reporting period, NMFS and the Coast Guard opened a total of 281 investigations. NMFS independently initiated 186 investigations.

A summary of NMFS initiated enforcement actions follows:

1. MFCMA Groundfish Violations:

(a) December 12, 1990 - The All Alaskan Seafoods plant at Kodiak, Alaska, was cited for failure to log discards, failure to record processed product on weekly production reports, failure to log catch receipts and clerical omissions in the daily log. The case has been referred to NOAA General Counsel for disposition.

(b) December 14, 1990 - The hook & line vessel CELTIC was cited for failure to log discards. The case has been referred to NOAA General Counsel for disposition.

(c) January 23, 1991 - The hook & line vessel TANIA DEE was issued a written warning for failure to submit a groundfish log within the require time frame.

(d) January 30, 1991 - The trawler TRAVELER was issued a written warning for failure to return prohibited species (halibut) to the sea in a timely manner.

(e) February 26, 1991 - The trawler FORUM STAR was cited for failure to have a groundfish permit. The vessel was maintaining a groundfish log and observer coverage. Vessel was offered summary settlement. The case has been referred to NOAA General Counsel for disposition.



(f) March 3, 1991 - The trawl vessel ESKIMO PRINCESS was issued a written warning for minor logging infractions.

(g) March 7, 1991 - The pot vessel QUINTESSENCE was issued a written warning for minor logging infractions.

(h) March 20, 1991 - The hook & line vessel STARRIGAVAN was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(i) March 21, 1991 - The pot vessel LORI LYNN was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(j) March 21, 1991 - The trawl vessel AZUMA SEA RAY was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(k) March 21, 1991 - The hook & line vessel FAZAN was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(l) March 21, 1991 - The hook & line vessel SUNRUNNER was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(m) March 21, 1991 - The hook & line vessel TEREK was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(n) March 21, 1991 - The hook & line vessel VETER was cited for failure to submit a logbook for first quarter 1990 fishing effort. The operator has been offered a \$3,750 summary settlement. The case is pending disposition.

(o) March 28, 1991 - The Trident Seafoods plant at Akutan, Alaska, was cited for purchasing Pacific cod taken in a closed area. The case is pending disposition.

(p) March 28, 1991 - The hook & line vessel ALEK was cited for retaining Pacific cod taken in a closed area. The case is pending disposition.

(q) March 29, 1991 - The trawl vessel GOLDEN DAWN was cited for insufficient observer coverage (30 percent category). The

case has been referred to NOAA General Counsel for disposition.

(r) April 3, 1991 - The hook & line vessel MARVEL was issued a written warning for failure to submit a groundfish log within the require time frame.

(s) April 8, 1991 - The hook & line vessel SHARON W was issued a written warning for failure to submit a groundfish log within the require time frame.

(t) April 8, 1991 - The trawl vessel LONE STAR was cited for insufficient observer coverage (30 percent category). The case has been referred to NOAA General Counsel for disposition.

(u) April 8, 1991 - The trawl vessel LONE STAR was cited for insufficient observer coverage (30 percent category). The case has been referred to NOAA General Counsel for disposition.

(v) During the reporting period, NMFS initiated 21 investigations of various MFCMA violations reported by fisheries observers deployed aboard domestic fishing vessels. Investigations are continuing.

(w) The first quarter audit of the federal groundfish logbook submittal revealed 406 vessels participated in the groundfish fishery. Of the 406 vessels, 192 vessels were investigated as being in possible noncompliance with 50 CFR 672/675.5 - "Logbook maintenance and quarterly submission."

The investigations resulted in the issuance of 27 written warnings for late submission or failure to submit in the designated format. Fourteen vessels have been cited for failure to submit a logbook. All have been issued summary settlement offers of \$3,750. Three cases remain open. The remaining 148 cases were closed with no further action. The later cases being either unfounded or closed due to mitigating circumstances (submission of logbook upon initial inquiry).

The first quarter audit of 100 percent observer coverage for vessels 125 feet or greater revealed that 84 vessels, 125 feet or greater in length, participated in the groundfish fishery in Alaska. Thirty-four vessels were investigated as being in possible noncompliance with 50 CFR 672.27/675.25 - "The Observer Plan." The investigations revealed the majority of the vessels had signed contracts with certified observer contractors at the beginning of the first quarter of 1990 and the cases were closed. Four cases are pending referral to NOAA General Counsel.

The first quarter audit of 30 percent observer coverage vessels revealed that 96 vessels, 60 feet to 124 feet in length, participated in the groundfish fishery. Twenty-two vessels were investigated as being in possible violation of 50 CFR 672.27/675.25 - "The Observer Plan." Four of these cases have been closed as unfounded, 15 are pending further investigation, and three have been referred to NOAA General Counsel for disposition.

During March and April 1991, all documentation necessary to ascertain compliance with second and third quarter 1990, logbook submission and observer compliance was gathered in Juneau, Alaska. During the later half of April that documentation has been reviewed with possible noncompliant vessels identified. The process is on going and is expected to be complete by mid-May. Follow-up investigation, documentation and enforcement action is expected to be completed by July.

## 2. Pacific Halibut

(a) December 13, 1991 - The Unisea plant at Dutch Harbor, Alaska, was cited for failure to list IPHC license numbers on five fish tickets. The plant was offered a \$3,750 summary settlement. The case is pending disposition.

## 3. Marine Mammals and Endangered Species

Several criminal cases involving unlawful takes of marine mammals and endangered species were successfully prosecuted during the reporting period. In February 1991, an Anchorage jury found Brian J. SHAW, operator of the salmon gillnet vessel ZORBA LYNN, guilty of intentionally shooting at a sea lion and discharging a firearm within 100 yards of a sea lion. The jury was deadlocked on a third count alleging intentional lethal take of a sea lion. A crewmember aboard the vessel, Earnest A. Allen, was found guilty of discharging a firearm within 100 yards of a sea lion. The jury was deadlocked on two other charges.

The charges stem from a June 1990, shooting incident observed by Alaska Fish and Wildlife Protection Officers in the Copper River Flats. A dead Steller sea lion was recovered during the investigation. Sentencing of both defendants was completed on April 11, 1991. Brian SHAW was sentenced to one years probation with 30 days in a halfway house in Anchorage and a \$1,000 fine. George Jackson was sentenced to 6 months probation with 15 days in a halfway house and a \$500 fine.

In March of 1991, Wayne LOFTMAN, operator of the hook & line vessel CONSTITUTION pled guilty to one count of shooting

at a killer whale. The charges were the result of a NMFS investigation into alleged shootings of killer whales in 1988 and 1989 from the F/V CONSTITUTION. Sentencing is scheduled for May.

An Anchorage jury found two persons guilty of violating the Endangered Species Act in March 1991. Melvin A. SMITH, operator of the F/V PERSEVERANCE, and a crewmember, George E. JACKSON, were charged with shooting a humpback whale in Bechevin Bay in July of 1988. Witnesses to the incident reported to NMFS that the whale was shot four to five times at close range. The vessel was not fishing at the time of the shooting. The whale submerged after the shooting and was not seen again. Sentencing is scheduled for May.