



DEPARTMENT OF TRANSPORTATION
UNITED STATES COAST GUARD

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REPORT TO THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
CONCERNING COAST GUARD FCMA ENFORCEMENT

1. Recent FCMA Infractions. Since the last Council meeting, seven reports of violation (civil penalty procedure) and eighteen citations (written warnings) have been issued. A brief summary of each infraction is as follows:

a. 26 March. The Soviet trawler ALEXEI MAKHALIN was issued a citation by USCGC CONFIDENCE for failure to promptly heave to for boarding, failure to use required codes in its cumulative catch log, and failure to log catches to the nearest tenth metric ton.

b. 26 March. The Japanese trawler KYOWA MARU No. 11 was issued a report of violation by USCGC STORIS for failure to promptly return prohibited species (shrimp and tanner crab) to the sea in a timely manner.

c. 29 March. The Soviet trawler PRIAMURIE was issued a citation by USCGC CONFIDENCE for failure to return prohibited species to the sea in a timely manner, failure to report a shift in directed fishery, and failure to post its permit. This is the second law enforcement action against this vessel this year.

d. 1 April. The South Korean trawler SHIN AN HO was issued a citation by USCGC RUSH for failure to indicate fishing areas in its cumulative catch log.

e. 4 April. The Japanese trawler KYUEI MARU No. 1 was issued a citation by USCGC MORGENTHAU and the accompanying NMFS agent for failure to provide a safe boarding ladder.

f. 8 April. The Japanese trawler HOKUYU MARU No. 32 was issued a citation by USCGC MORGENTHAU and the accompanying NMFS agent for failure to provide a safe boarding ladder.

g. 9 April. The Japanese trawler YURYO MARU No. 8 was issued a citation by USCGC MORGENTHAU and the accompanying NMFS agent for incorrectly adding its cumulative catch of flounder and failing to bring forward the cumulative catch figures for year to date.

h. 17 April. The Japanese cargo vessel MATSUKAZE MARU was issued a citation by CGAS Kodiak and the accompanying NMFS agent for failure to display required markings on the starboard side of the vessel.

i. 20 April. The Taiwanese trawler GOLDEN DRAGON No. 1 was issued a citation by USCGC RUSH for failure to properly maintain its cumulative catch log.

j. 20 April. The Taiwanese trawler HIGHLY No. 301 was issued a citation by USCGC RUSH for failure to properly maintain its cumulative catch log. This is the fifth law enforcement action taken against this vessel since it began fishing in Alaska.

k. 20 April. The Japanese trawler RYUHO MARU No. 51 was issued a citation by USCGC RUSH for failure to properly maintain its cumulative catch log.

l. 25 April. The Taiwanese trawler GOLDEN DRAGON No. 1 was issued a Report of Violation by USCGC MORGENTHAU for fishing in the Western Aleutians three days after checking out, for failure to promptly heave to for boarding, and for failure to promptly return prohibited species (tanner crab) to the sea in a timely manner. This is the second law enforcement action taken against the vessel this year.

m. 2 May. The Soviet trawler TAJIKISTAN was issued a citation by Commander(oil), Seventeenth Coast Guard District for failure to submit a complete report when shifting to the Southeast Alaska statistical area on 2 April. This is the second law enforcement action taken against this vessel this year.

n. 2 May. The Soviet trawler TIGIL was issued a citation by Commander(oil), Seventeenth Coast Guard District in conjunction with NMFS Juneau for failure to report shifting to the Chirikof fishing area on 14 April.

o. 2 May. The Japanese trawler KORYO MARU No. 186 was issued a citation by USCGC RUSH for failure to promptly return prohibited species (3 king crab) to the sea promptly. This is the third law enforcement action taken against this vessel since the summer of 1977.

p. 2 May. The Japanese trawler KYOWA MARU No. 11 was issued a citation by USCGC RUSH for failure to maintain its cumulative catch log by statistical area. This is the second law enforcement action taken against this vessel this year.

q. 2 May. The South Korean trawler SOO GONG 51 was issued a Report of Violation by CGAS Kodiak and the accompanying NMFS agent for fishing 1.6 miles inside the "no trawl" zone northwest of Unimak Pass.

r. 2 May. The South Korean trawler CHEOG YANG was issued a Report of Violation by CGAS Kodiak and the accompanying NMFS agent for fishing 1.0 miles inside the "no trawl" zone northwest of Unimak Pass.

s. 3 May. The Japanese trawler KOEI MARU No. 25 was issued a citation by USCGC RUSH for failure to maintain its cumulative catch log for the entire year. This is the second law enforcement action taken against this vessel this year.

t. 12 May. The Japanese trawler SHOSHIN MARU no. 21 was issued a Report of Violation by USCGC MIDGETT for failure to return prohibited species to the sea in a timely manner with a minimum of injury. This is the second law enforcement action taken against this vessel since the summer of 1977.

u. 12 May. The Japanese longliner FUKUYOSHI MARU No. 8 was issued a citation by USCGC RUSH for failure to properly maintain its cumulative catch log.

v. 15 May. The Japanese crab pot vessel AZUMA MARU No. 32 was issued a Report of Violation by USCGC MIDGETT for failure to place identifying markings on its crab pot gear.

w. 15 May. The Japanese crab pot vessel TAKASHIRO MARU No. 31 was issued a citation by USCGC MIDGETT for failure to provide a safe boarding ladder.

x. 17 May. The South Korean trawler DONG SAN HO was issued a citation by USCGC MIDGETT for failure to report a change in fishing area prior to fishing. This is the second law enforcement action taken against this vessel since October 1977.

y. 19 May. The Soviet trawler PYOTR OVCHINNIKOV was issued a Report of Violation by USCGC MIDGETT for failure to promptly return prohibited species to the sea with a minimum of injury.

2. Log Problems. The above listing of recent FCMA infractions indicates that many foreign vessels are experiencing difficulties in complying with the cumulative catch log requirements contained in 50 CFR 611.9. In addition to the above noted infractions, several verbal warnings were also given for cumulative catch log infractions. In summary, the following problems with the cumulative catch log requirements have been experienced:

a. Disposition Codes. The regulations require that the catch disposition be indicated by the codes "C" for human consumption, "M" for fishmeal, and "D" for discard. Some vessels have apparently not been logging catches that are discarded without processing. It is also believed that some longline vessels have not been logging fish that are knocked off the longline without being brought aboard the vessel.

b. Report Format. Some vessels have not been logging catch by area and have not kept a cumulative total (year to date) for each species and area.

c. Catch amounts. The regulations require that a day's catch be logged to the nearest 1/10 metric ton. A problem arises when a vessel catches less than 1/10 metric ton per day, yet accumulates an identifiable quantity of fish over a period of time. The problem arises when the fish are found and there is no corresponding log entry.

d. Species Codes. The foreign regulations require that some species of fish be logged by different species codes, depending on the area (Gulf of Alaska or Bering Sea/Aleutians) in which the vessel is fishing. Illustrative of this problem is the fact that in the Gulf of Alaska, "rockfishes, other than Pacific Ocean Perch" are logged as species code "012" while in the Bering Sea/Aleutians area, these same fish are logged as "other species" since rockfishes are not specifically allocated in the Bering Sea/Aleutians area.

We have recommended to our Headquarters that the appropriate foreign governments be notified of the above problems. In addition, it is apparent that the entire question of logging requirements be carefully examined prior to the issuance of the 1979 Foreign Fishing Regulations to decide exactly what is needed. One major problem confronting Coast Guard boarding parties is that the format and content of the cumulative catch log does not readily allow the boarding officer to determine the amount and composition of fish that should be aboard the vessel. This is very important if we are to ensure that the foreign vessels are accurately reporting their catches.

3. Case Settled. The case against the SACHI MARU No. 22, which was seized for trawling in the Misty Moon halibut nursery area on 23 February 1978, was settled out of court for \$200,000.

4. IPHC Infractions. During the first halibut opening this year in Southeast Alaska, law enforcement action was taken against 7 U.S. and 1 Canadian vessel for infractions of the IPHC regulations. Six of the vessels were not in possession of licenses issued by the halibut commission, two of the vessels began fishing before the season opening, and two vessels were in possession of undersized halibut. The cases against the U.S. vessels will be referred to the U.S. Attorney for action and the case against the Canadian vessel will be referred to the appropriate Canadian authorities.

5. Joint Ventures Enforcement. Earlier this month, the Coast Guard in conjunction with both NMFS and the Alaska Department of Public Safety, conducted a surveillance flight in the vicinity of Togiak Bay to ensure that the eight South Korean and four Japanese transports supporting the U.S. herring fleet were in compliance with regulations pertaining to joint ventures. No infractions were noted as a result of this surveillance. ADPS personnel were able to participate in this surveillance effort aboard the Coast Guard helicopter since this was one occasion on which State enforcement needs could be accommodated incident to a routine Coast Guard law enforcement effort.

- Encl:
- (1) Coast Guard Patrol Effort
 - (2) Analysis of Boardings and Enforcement Incidents
 - (3) Surveillance Standards Analysis for Independent Fishing Vessels
 - (4) Boarding Standard Analysis for Independent Fishing Vessels

COAST GUARD PATROL EFFORT (1978)

	CUTTER PATROL DAYS	AIRCRAFT PATROL HOURS	MILES PATROLLED	FISHING VESSEL IDENTIFICATIONS						FISHING VESSEL BOARDINGS					
				JA	KS	PL	TW	UR	TOTAL	JA	KS	PL	TW	UR	TOTAL
JANUARY	45	119.4	30,629	65	1	0	0	59	125	5	0	0	0	0	5
FEBRUARY	75	105.0	32,546	310	9	0	3	166	488	20	0	0	0	18	38
MARCH	76	138.8	43,905	315	42	0	1	202	560	20	3	0	0	26	49
APRIL	73	115.4	30,367	293	30	0	5	88	416	46	4	0	3	23	76
MAY (1-21)	44	80.6	18,586	214	21	0	2	63	300	36	8	0	0	12	56

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ANALYSIS OF BOARDINGS AND ENFORCMENT INCIDENTS (BOARDINGS/INCIDENTS)*

	JAPAN	USSR	S.KOREA	POLAND	TAIWAN	ALL	% BOARDINGS RESULTING IN INCIDENTS
JANUARY	5/0	0/0	N/A	N/A	N/A	5/0	0%
FEBRUARY	20/7	18/7	0/0	N/A	0/0	38/14	37%
MARCH	20/1	26/3	3/0	N/A	0/0	49/4	8%
APRIL	46/4	23/0	4/1	N/A	3/3	76/8	11%
MAY (1-21)	36/6	12/1	8/1	N/A	0/0	56/8	14%
CUMULATIVE TOTAL	127/18	79/11	15/2	N/A	3/3	224/34	15%

*NOTE: Does not include infractions detected by means other than boarding.

SURVEILLANCE STANDARD ANALYSIS
FOR INDEPENDENT FISHING VESSELS

TIME PERIOD	NUMBER OF F/V ON GROUNDS FOR ENTIRE PERIOD	NUMBER OF F/V ON GROUNDS FOR ENTIRE PERIOD THAT WERE SIGHTED	% SIGHTED
1 - 14 Oct 77	93	76	82
18 - 31 Oct 77	82	68	83
1 - 14 Nov 77	73	62	84
14 - 27 Nov 77	69	51	74
2 - 15 Dec 77	46	36	78
18 - 31 Dec 77	18	13	72
1 - 15 Jan 78	12	1	8*(Note 2)
18 - 31 Jan 78	21	18	86
30 Jan - 12 Feb 78	31	28	90
13 - 26 Feb 78	31	17	55
27 Feb - 12 Mar 78	28	26	89
6 - 19 Mar 78	19	18	95

Note: (1) The surveillance goal is to achieve a 90 percent probability of detecting an independent fishing vessel on the grounds during any two week period.

Note: (2) Low surveillance figure is due to the fact that during this time period C-130 aircraft from Coast Guard Air Station Kodiak were involved in a massive search in the North Pacific Ocean for 70 possible survivors of a merchant vessel that sank.

Note: (3) Due to the fact that CCGD17 is changing its methodology for computing surveillance standard analysis figures will not be available until the next council meeting.

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BOARDING STANDARD ANALYSIS
FOR INDEPENDENT FISHING VESSELS

<u>MONTH</u>	<u>GOAL</u>	<u>ACTUAL BOARDINGS</u>	<u>ACHIEVED</u>
JANUARY	22.5	5	22%
FEBRUARY	41.8	41	98%
MARCH	41.1	45	109%
APRIL	46.7	76	162%
MAY (1-21)	36.8	56	152%
CUMULATIVE	188.9	223	118%

Note: Boarding goal is to board every independent fishing vessel once per quarter on the average.