

AGENDA ITEM B-4  
November 26, 1990

U.S. COAST GUARD/NMFS JUNEAU FISHERIES ENFORCEMENT FOR PERIOD  
September 1, 1990 to November 15, 1990

1. Accomplishments.

a. On September 4, USCGC VENTUROUS seized the U.S. stern trawler *Seafisher* in Dutch Harbor for fishing in a closed area. Details of the seizure were reported in the Enforcement Report dated September 24, 1990.

b. September 1, USCGC VENTUROUS seized the fishing vessel *Bering 1* in Dutch Harbor for underlogging. Details of the seizure were reported in the Enforcement Summary dated September 24, 1990.

2. Patrol Summary.

a. 3 High Endurance Cutters (HEC) patrolled for 111 days.

b. 2 Medium Endurance Cutters (MEC) patrolled for 19 days.

c. 2 buoy tenders patrolled for 8 days.

d. 4 patrol boats patrolled for 17 days.

e. C-130 aircraft conducted 37 long-range surveillance flights for 283.8 patrol hours.

f. H-3 helicopters conducted 2 coastal surveillance flights for 6.3 patrol hours.

g. HU-25 aircraft conducted 2 medium range surveillance flights for 7.4 patrol hours.

3. Results.

a. Foreign vessels:

Sightings: 109 (See below for list by nationality)  
Boardings: 0  
Violations: 0

b. Domestic vessels:

Sightings: 150  
Boardings: 56  
Violations: 7

c. FY 1990 Enforcement Statistics:

Cutter Patrol Days(WHEC/WMEC): 722  
A/S Sacramento C-130's conducted 94 flights for 708.6 LE hours.  
A/S Kodiak C-130's conducted 390 flights for 2816.5 LE hours.  
A/S Astoria HU-25's conducted 8 flights for 29.8 LE hours.  
A/S Sitka H-3's conducted 221 LE flight hours.  
A/S Kodiak H-3's conducted 153.5 LE flight hours.  
Canadian P-3's conducted 8 flights for 29.0 hours.

Vessel sightings: 14,189  
Vessel boardings: 913  
FCMA Violations: 289  
Vessel seizures: 11  
32% of boardings resulted in FCMA violations being discovered.

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

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

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

FISHING VESSEL SIGHTINGS\* FOR PERIOD

	SEP	OCT	NOV**	TOTAL
JA	5	43	23	71
KS	1	4	10	15
UR	1	1	1	3
PL	2	3	15	20
CH	0	0	0	0
TW	0	0	0	0
CA	0	0	0	0
US	125	3	22	150
OTHER/UN- IDENTIFIED	39	5	41	85
Total	173	59	112	344

\*May be multiple sightings of one vessel

\*\*Through Nov. 15

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

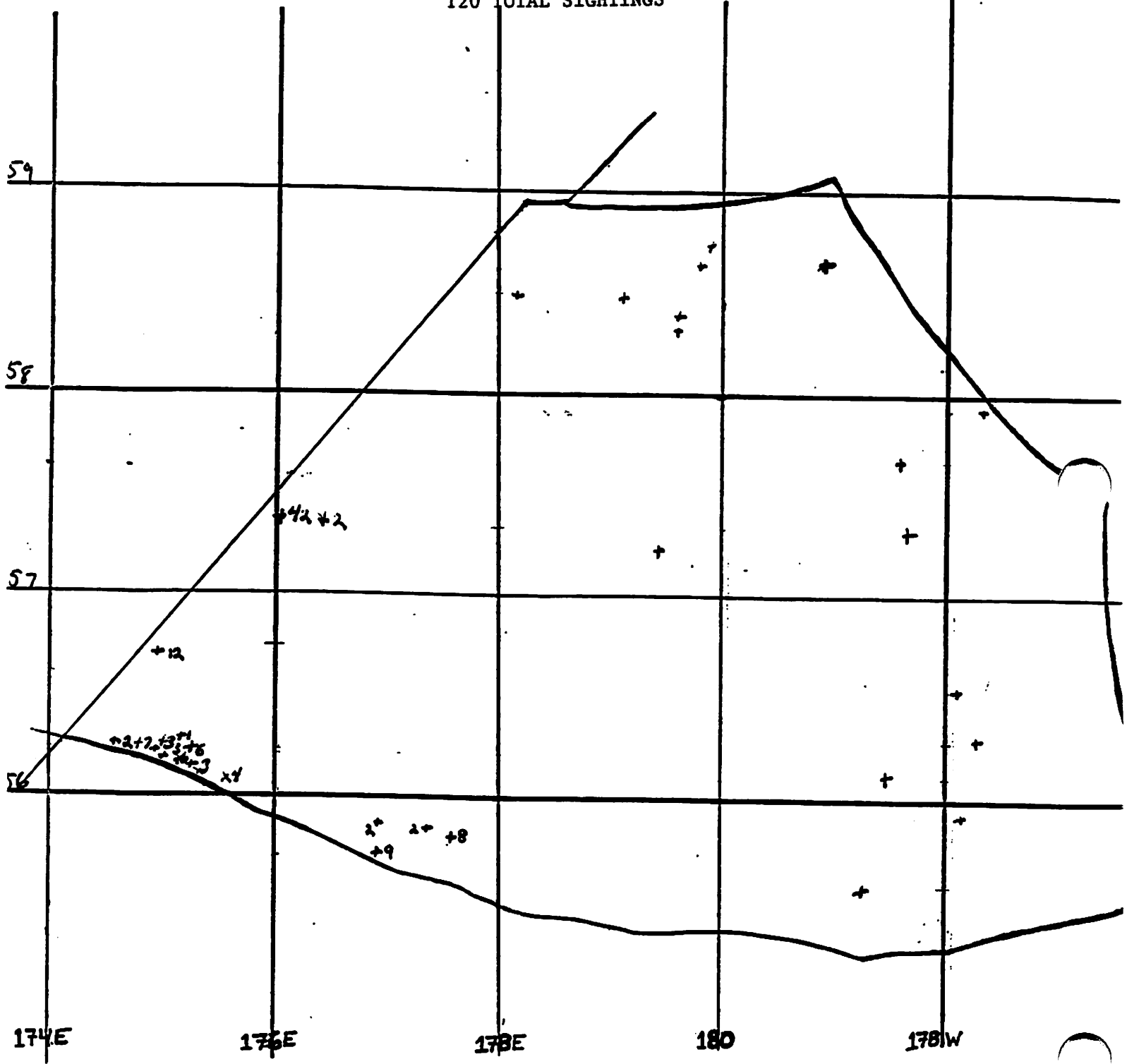
LIST OF VIOLATIONS

F/V ANGELIQUE	31Aug90	LIBERTY	1-Fishing for halibut with an automatic hook stripper on board.
F/V SHAMROCK	01Sep90	WOODRUSH	1-Failure to properly maintain IPHC log.
F/V ANGELIA	01Sep90	WOODRUSH	1-Failure to maintain separate IPHC log. 2-Retention of undersized halibut. (8 counts)
F/V NETTIE H	02Sep90	WOODRUSH	1-Improperly marked gear.
F/V ENDURANCE	21Oct90	SHERMAN	1-Failure to maintain production log from 12 Sep through 06 Oct.
TRIDENT SEAFOOD AKUTAN AK	24Oct90	SHERMAN	1-Failure to log discards and prohibited species. 2-Failure to log catch by gear type.
F/V WINDENTIDE	10Nov90	ANACAPA	1-Failure to have marine mammal log, decal, and certificate.

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

SEPTEMBER 1 - NOVEMBER 15, 1990

120 TOTAL SIGHTINGS





UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration

National Marine Fisheries Service

P.O. Box 21668

Juneau, Alaska 99802-1668

Alaska Office of Enforcement  
Telephone (907) 586-7225

NATIONAL MARINE FISHERIES SERVICE ENFORCEMENT FOR  
THE PERIOD SEPTEMBER 1 THROUGH NOVEMBER 15, 1990

During the period September 1 through November 15, 1990, the NMFS Office of Enforcement in Alaska expended 96 agent days in direct support of U.S. Coast Guard air and surface patrol efforts. Agents accompanied five cutter patrols for a total of 67 days. Agents also accompanied 29 air surveillance flights. The flights included 18 high seas driftnet patrols, 4 donut hole boundary patrols, 2 domestic groundfish patrols, 3 halibut patrols and 2 sea lion rookery patrols. NMFS agents from other regions have been temporarily assigned to Alaska to augment surface patrol efforts. These agents accounted for 24 of the surface patrol days.

During the reporting period NMFS and the Coast Guard opened a total of 123 investigations. NMFS independently opened 112 investigations.

NMFS agents conducted 29 dockside boardings and contacted 663 individuals in furtherance of case investigations. Agents also responded to 193 information requests during the reporting period.

Summary of NMFS Initiated Enforcement Actions:

1. Pacific Halibut Act Violations (IPHC):

(a) On September 1, 1990, NMFS cited the hook & line vessel SUSITNA for possession of nine undersize halibut. The vessel later paid a \$1,350 summary settlement and forfeited the undersize fish. Undersize fish are typically donated to nonprofit charities or senior citizens homes.

(b) The hook & line vessel NEKTON has paid a \$962 summary settlement penalty and forfeited 770 lbs. of halibut. The vessel had landed halibut on August 31, 1990, exceeding a fishing period limit by more than 10 percent. The halibut was valued at \$1,619.

(c) On September 9, 1990, 1,331 lbs. of halibut valued at \$3,487 was seized from the hook & line vessel KESIA DAWN. The vessel has been cited for exceeding a fishing period limit by more than 10 percent. Disposition of the case is pending.



(d) On September 19, 1990, the hook & line vessel KALJUTAN paid a \$300 summary settlement penalty and forfeited two undersize halibut. The vessel was cited on August 31, 1990.

(e) On October 1, 1990, the hook & line vessel NEW GOLUB paid a \$796 summary settlement penalty and forfeited 553 lbs. of halibut. The vessel had landed the halibut on August 31, 1990, exceeding a fishing period limit by more than 10 percent. The halibut was valued at \$1,134.

(f) On October 10, 1990, the hook & line vessel PEREGRINE was issued an Enforcement Action Report citing it for failure to have an IPHC license, failure to list an IPHC number on a fish landing ticket while operating as a tender, and failure to maintain an accurate IPHC log. Disposition of the case is pending.

(g) The following vessels were issued written warnings for exceeding fishing period limits by less than 10 percent after the August 30-31 opener in area 3A. Excess catch totalling 7,036 lbs valued at \$14,222 was forfeited:

TROPIC	FURY
ZIMA	BELINDA
TOPAZ	CAPE ALAVA
ASSURANCE	JAEGER
CELTIC	ARMINTA
CHELSEA	OCEAN CAPE
ANNA MARIE	VENUS
ARIES	CHEROKEE
KATHY C	DONNA C
HELEN L	GRACE
SEA GLIDER	VIKING SPIRIT
KELSEY	BALLAD
MISS CORINNE	ANNE
KEER	HECATE
TITAN	PANDAD
BILLY MARIE	DUESPAYER
VALHALLA	DEFIANT

## 2. Marine Mammal Protection Act/Endangered Species Act

(a) Case investigations were started on 26 salmon vessels for failure to obtain marine mammal Certificates of Exemption. Citations are pending completion of case documentation.

(b) On September 22, 1990, John F. Godfrey of Juneau, Alaska, was cited for unlawful take of a sea lion by gunfire. The citation was a result of an incident occurring in Lynn Canal on September 9, 1990. Godfrey was the operator of the salmon gill net vessel SILVER SURF. Godfrey was also cited for

failure to maintain a marine mammal log. The case is to be referred to NOAA General Counsel for further action.

(c) On October 19, 1990, the operator of the salmon gill net vessel LISA DENISE was cited for failure to embark a marine mammal observer. The alleged incident occurred in Prince William Sound in July of this year. Case documentation on the incident has been referred to NOAA General Counsel.

(d) On November 1, 1990, Brian Shaw, owner and operator of the salmon gill net vessel ZORBA LYNN, was arraigned in U.S. District Court in Anchorage. Shaw was charged with the unlawful taking of a Steller sea lion, a violation of the Endangered Species Act. The charges stem from a July 16, 1990, shooting incident in Copper River delta area. Shaw has entered a not guilty plea and has been released on a \$5,000 unsecured bond. Shaw is a resident of Cordova, Alaska.

(e) During the week of November 4, 1990, George E. Jackson of False Pass, Alaska, was arraigned in U.S. District Court in Anchorage. Jackson was charged with unlawful taking of a humpback whale by rifle fire, a violation of the Endangered Species Act. The charges stem from a July 1988, incident in Bechevin Bay. Jackson was a crewmember aboard the salmon purse seine vessel PERSEVERANCE. Jackson has entered a not guilty plea and was released on a \$1,000 bond. The operator of the vessel, Melvin A. Smith of Wasilla, Alaska, was charged earlier in 1990. Both cases are pending disposition in U.S. District Court.

(f) During the week of November 11, 1990, Wayne Loftman, operator of the longline vessel CONSTITUTION was arraigned in U.S. District Court in Anchorage. Loftman was charged with unlawful taking of killer whales by gunfire during 1987 and 1988. Loftman has entered a not guilty plea and has been released on a \$5,000 unsecured bond. The CONSTITUTION lists a homeport of Seattle, Washington.

### 3. Groundfish Violations (MFCMA):

(a) On September 19, 1990, the operator of Faros Seafoods of Kodiak was issued an Enforcement Action Report for failure to submit Weekly Production Reports, failure to maintain a Transfer Log, and failure to maintain a complete groundfish logbook. Disposition of the case is pending.

(b) In late August NMFS Office of Enforcement initiated investigations on 143 groundfish vessels for failure to submit logbooks subsequent to the first quarter of 1990. Seventy five of those investigations have now been closed by either submission of the required log or revelation of exculpatory evidence clearing the vessel. NMFS will begin issuing

citations to the remaining 68 vessels in December. NMFS Office of Enforcement has also initiated a preliminary investigation into observer coverage requirements for the first quarter of 1990.