



## NEWS FROM NOAA

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION • US DEPARTMENT OF COMMERCE

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### NOAA Settles Rockfish Dumping Case with Fishing Vessel Captain

The captain and owners of a Newport, Ore., fishing vessel have agreed to pay NOAA a \$40,000 civil penalty for violating the terms and conditions of the vessel's exempted fishing permit by discarding 7,000 pounds of widow rockfish – a species considered over-fished – and for turning off the vessel's monitoring system.

David J. Richcreek, captain of the fishing vessel *Raven*; and vessel owners, Yaquina Trawlers, Inc.; Raven Enterprises, Inc. and DASL, Inc., were originally charged with a \$58,841 civil penalty for two alleged violations of the Magnuson-Stevens Fishery Conservation and Management Act. Under an agreement reached this week, the captain and owners agreed to pay the government penalties totaling \$40,000 to settle the case.

According to federal fishing regulations, Pacific whiting vessels with an exempted fishing permit are required to retain their entire catch and maintain an active electronic monitoring system. "The monitoring of the by-catch on the vessels and at the processors plays a crucial role in enforcing the established management measures," said Special Agent Mickey Adkins, NOAA Fisheries Service's Office of Law Enforcement – Northwest Division.

NOAA alleges that during a July, 2007, fishing trip approximately 12 miles west northwest of Cape Disappointment, Wash., the captain illegally discarded approximately 7,000 pounds of widow rockfish, and turned off the fishing vessel's electronic monitoring system in an attempt to conceal the dumping violation. Following the alleged dumping, approximately 6,000 pounds of widow rockfish were discovered washed ashore along the Long Beach Peninsula in Long Beach, Wash.

NOAA's Office of General Counsel for Enforcement and Litigation issued the charges on January 16, 2008, in a Notice of Violation and Assessment, which described the alleged violations, and assessed civil penalties.

Widow rockfish and canary rockfish are currently designated as over-fished by the Pacific Fishery Management Council and stock rebuilding plans are in place for these species. Rockfish can be encountered by trawl vessels that target Pacific whiting and are considered "by-catch." Strict caps on the over-fished species have been applied, and once caps are met, the directed fishing on whiting can be closed.

The primary management and enforcement issue related to this fishery involves total catch accounting, particularly for canary and widow rockfish harvests. All vessels participating in the shore-side whiting fishery have a mandatory electronic monitoring system that includes two or more surveillance cameras pointed at the net reel and deck, which are meant to discourage discarding of by-catch, such as rockfish.

The National Oceanic and Atmospheric Administration, an agency of the U.S. Commerce Department, is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and information service delivery for transportation, and by providing environmental stewardship of our nation's coastal and marine resources. Through the emerging Global Earth Observation System of Systems (GEOSS), NOAA is working with its federal partners, more than 70 countries and the European Commission to develop a global monitoring network that is as integrated as the planet it observes, predicts and protects.

To report violations of the Endangered Species Act, contact the NOAA Fisheries Service's Office of Law Enforcement Hot Line at 800-853-1964.

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On the Web:

NOAA Fisheries Service: [www.nmfs.noaa.gov](http://www.nmfs.noaa.gov)

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