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**National Report:**

**United State of America**

**PREPARED BY: NOAA FISHERIES (22 DECEMBER 2022 & 18 JANUARY 2023)**

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**PURPOSE**

To provide an overview of the fisheries and removals of Pacific halibut during 2022 from the IPHC Convention waters and the national waters of the United States of America.

This document has been updated to provide final estimates of halibut mortality in Alaska groundfish fisheries.

**U.S. West Coast (Oregon, Washington, and California) — IPHC Regulatory Area 2A**

The 2022 Area 2A Pacific halibut (halibut) catch limit of 1,490,000 pounds was allocated according to the 2022 Catch Sharing Plan (CSP) for Area 2A as follows:

Treaty Tribes	521,500 lb (35%)
Non-tribal Total	968,500 lb (65%)
Non-tribal Commercial	297,330 lb
Washington Recreational*	344,786 lb
Oregon Recreational*	287,645 lb
California Recreational	38,740 lb

\*Includes Columbia River.

All weights in this report are net weight (gutted, head-off, and without ice and slime), unless otherwise noted. The structure of each fishery and the resulting harvests are described below.

***Total Tribal and Non-tribal Fisheries***

Best estimates of halibut catch for Area 2A indicate harvest of 786,234 pounds of the non-tribal total quota and 497,173 pounds of the tribal quota, with a total preliminary harvest estimate of 1,283,407 pounds, or 86 percent, of the 1,490,000-pound catch limit. A summary of all Area 2A quotas and preliminary harvest estimates for 2022 is provided in Table 2.

***Tribal Fisheries***

Tribal fisheries were allocated 521,500 pounds (35% of the Area 2A catch limit). The tribes estimated that 23,500 pounds would be used for ceremonial and subsistence (C&S) fisheries and the remaining 498,000 pounds were allocated to the commercial fishery.

- The unrestricted fishery was open 55 hours for each tribe. Tribes agreed on a management period to schedule their fisheries between March 6 and May 31. The unrestricted fishery landed 308,319 pounds.
  - Treaty commercial fishermen may retain all legal sized halibut during the 55-hour fishery opening.

- The restricted fishery was open 122 hours for each tribe. Tribes agreed on a management period to schedule their fisheries between March 6 and May 31. The first restricted fishery landed 121,119 pounds.
  - Treaty commercial fishermen were allowed to land up to 500 lb per calendar for each day that the fishery was open.
- The late season fishery was open June 3 – September 30. Individual tribes were allowed to pick one of the two following options to manage the fishery. The current late season fishery catch is 67,735 pounds.
  - Option 1: Restricted fishery of 48-hour duration with a 2,200-pound cumulative landing limit per vessel for the opening period.
  - Option 2: Restricted fishery of 72-hours duration with a 1,500-pound cumulative landing limit per vessel for the opening period.

The total landings for all tribal fisheries is 497,173 pounds, which is 827 pounds less than the tribal commercial allocation. The C&S fishery will continue through December 31 and catch estimates will be reported by the tribes in January 2023.

### ***Non-tribal Commercial Fisheries***

A quota of 297,330 pounds (30.7% of the non-tribal share) was allocated to two commercial fishery components:

- 1) a directed longline fishery targeting halibut south of Point Chehalis, WA; and
- 2) an incidental catch fishery during the salmon troll fisheries off Washington, Oregon, and California.

An additional 50,000 pounds were allocated to an incidental catch fishery in the sablefish primary fishery for vessels using longline gear north of Point Chehalis, WA. This allowance for the sablefish primary fishery is taken from the portion of the Washington recreational allocation that is more than 214,110 pounds, as long as it is at least 10,000 pounds more.

### ***Incidental Halibut Catch in the Salmon Troll Fishery***

A quota of 44,599 pounds of Pacific halibut (15% of the non-tribal commercial fishery allocation) was allocated to the non-tribal commercial salmon troll fishery in Area 2A as incidental catch during salmon troll fisheries.

- Halibut retention was permitted in the salmon troll fisheries beginning April 1, with the following ratio: one halibut (minimum 32 inches) per two Chinook salmon landed by a salmon troller, except that one halibut could be landed without meeting the ratio requirement, and no more than 35 halibut could be landed per trip.
- On July 1, the fishery was extended at the same ratio and landing limit.
- The fishery is estimated to have taken 22,281 pounds. This fishery closed September 30.

Fishing with salmon troll gear is prohibited within the Salmon Troll Yelloweye Rockfish Conservation Area (YRCA) off the northern Washington coast. Additionally, the "C-shaped" North Coast Recreational YRCA off Washington is designated as an area to be avoided (a voluntary closure) by salmon trollers.

### ***Directed Fishery Targeting Halibut***

A quota of 252,730 pounds (85% of the non-tribal commercial fishery allocation) was allocated to the directed longline fishery targeting halibut in southern Washington, Oregon, and California. The fishery was confined to the area south of Point Chehalis, WA (46°53.30' N. lat.).

Fishing periods were 58 hours in duration every other week, starting Tuesday, June 28. In 2022, the fishery was open for three fishing periods: June 28–30, July 12–14, and July 26–28. A 32-inch minimum size limit with the head on was in effect for all openings. Vessel landing limits per

fishing period based on vessel length were imposed by IPHC during all openings as shown in Table 1. Vessels choosing to operate in this fishery could not land halibut as incidental catch in the salmon troll fishery, nor operate in the recreational fishery.

**Table 1. 2022 Fishing Period Limits (dressed weight, head-on with ice and slime, in pounds per vessel) by Vessel Size.**

Vessel Class/Size (ft)		Jun 28–30	Jul 12–14	Jul 26–28
0–25	A	2,263	2,263	2,206
26–30	B	2,263	2,263	2,206
31–35	C	2,263	2,263	2,206
36–40	D	3,410	3,410	3,325
41–45	E	3,410	3,410	3,325
46–50	F	4,545	4,545	4,431
51–55	G	4,545	4,545	4,431
56+	H	5,113	5,113	4,985

- The three directed commercial open periods resulted in a catch of approximately 241,365 pounds. Final catch amounts will be available in 2023.

*Incidental Halibut Catch in the Sablefish Primary Longline Fishery North of Point Chehalis, WA*

A quota of 50,000 pounds was allocated to the primary sablefish fishery in Area 2A as incidental catch north of Point Chehalis, WA. This incidental fishery is only available to vessels with a groundfish limited entry permit endorsed for longline gear with a sablefish tier limit and with an IPHC license.

The fishery is confined to an area seaward of a boundary line approximating the 100-fathom depth contour. Fishing is also prohibited in the North Coast Commercial YRCA, an area off the northern Washington coast. In addition, the "C-shaped" North Coast Recreational YRCA off Washington is designated as an area to be avoided (a voluntary closure) by commercial longline sablefish fishermen.

- Starting April 1, the incidental landing limit was 225 pounds (dressed weight) of halibut per 1,000 pounds (dressed weight) of sablefish and up to 2 additional halibut in excess of the landing limit ratio.
- Effective May 9, the incidental landing limit was revised to 150 pounds (dressed weight) of halibut per 1,000 pounds (dressed weight) of sablefish and up to 2 additional halibut in excess of the landing limit ratio.
- Through October 4, this fishery is estimated to have landed 57,061 pounds, having exceeded the incidental halibut allocation for the sablefish fishery by 7,061 pounds. The fishery's season ended on October 31.

**Recreational Fisheries (Non-tribal)**

A total of 621,171 pounds was allocated between recreational fisheries in Washington (35.6% of non-tribal share, less 50,000 pounds allocated to the incidental catch in the sablefish primary fishery), Oregon (29.7% of the non-tribal share), and California (4.0% of the non-tribal share). The allocations were further subdivided as quotas among six geographic subareas as described below. Unless otherwise noted, the daily bag limit in all subareas was one halibut of any size, per person, per day.

*Washington Inside Waters Subarea (Puget Sound and the Strait of Juan de Fuca)*

This area was allocated 83,210 pounds (23.5% of the first 130,845 pounds allocated to the Washington recreational fishery, and 32% of the Washington recreational allocation between 130,845 and 224,110 pounds). The fishery in Puget Sound and eastern waters in the Strait of Juan de Fuca was open April 7–9, 14–16, 21–23, 28–30; May 5–7, 12–14, 19–21, 27–29; June 2–4, 9–11, 16–18, 23–25; and Jun 30; and August 11–September 30. The western waters in the Strait of Juan de Fuca were open May 5, 7, 12, 14, 19, 21, 27–29; June 2–4, 9–11, 16–18, 23–25, and 30; and August 11–September 30.

- The estimated total catch in this area is 64,285 pounds, which is 18,925 pounds less than the allocation.

*Northern Washington Coastal Waters Subarea (landings in Neah Bay and La Push)*

The coastal area off Cape Flattery to Queets River was allocated 133,847 pounds (62.2% of the first 130,845 pounds allocated to the Washington recreational fishery, and 32% of the Washington recreational allocation between 130,945 and 224,110 pounds). The fishery was open May 5, 7, 12, 14, 19, 21, 27, and 29; June 2, 4, 9–11, 16–18, 23–25; June 30; Thursday through Monday August 11–September 5; and 7 days per week September 6–30. The "C-shaped" North Coast Recreational YRCA, southwest of Cape Flattery, was closed to recreational halibut fishing.

- The estimated total catch for this area is 96,209 pounds, which is 37,638 pounds less than the allocation.

*Washington South Coast Subarea (landings in Westport)*

The area from the Queets River to Leadbetter Point was allocated 68,555 pounds (12.3% of the first 130,845 pounds allocated to the Washington recreational fishery and 32% of the Washington recreational allocation between 130,845 and 224,110 pounds). The all-depth fishery was open May 5, 8, 12, 15, 19, 22, and 26; June 16, 19, 23, 26, 28, and 30; August 19, 25, 28; and September 3, 4, and 23.

- The all-depth fishery estimated catch is 71,203 pounds, which is 2,648 pounds more than the allocation.

*Columbia River Subarea (Leadbetter Point to Cape Falcon)*

This recreational fishery subarea was allocated 19,037 pounds, consisting of 2.0% of the first 130,845 pounds allocated to the Washington recreational fishery, 4.0% of the Washington recreational allocation between 130,845 and 224,110 pounds, 2.3% of the Oregon recreational allocation, and any allocation over 8,000 pounds in the Southern Oregon subarea. The subarea consists of an all-depth and nearshore fishery. The nearshore fishery is allocated 500 pounds to accommodate incidental halibut retention during groundfish fishing when the all-depth halibut fishery in this area is closed.

- The all-depth fishery was open May 5, 8, 12, 15, 19, 22, and 26; June 2, 5, 9, 12, 13, 16, 19, 20, 23, 26, and 30; August 19, 25, 28; and September 3, 4, and 23. The nearshore fishery opened May 9, and was open Monday–Wednesday until September 30.
- The all-depth fishery estimated catch is 20,211 pounds, which is 1,174 pounds more than the combined subarea quota.
- The nearshore fishery estimated catch is 43 pounds.

*Oregon Central Coast Subarea (Cape Falcon to Humbug Mountain)*

This recreational fishery subarea was allocated 269,782 pounds (93.79% of the Oregon recreational allocation). Beginning September 1, the daily bag limit was increased from one to two fish.

Three seasons occurred in this subarea:

- Nearshore restricted-depth (inside 40-fathom) fishery, open on May 1, seven days per week until September 4.
- Spring all-depth fishery, open on May 12, seven days per week through June 30, then July 14–16 and 29–30.
- Summer all-depth fishery, open August 4–6, 11–13, 18–20, and 25–27; September 1–October 31, seven days per week.

Harvest in this subarea during these seasons is summarized in the bullets below.

- The Spring all-depth fishery resulted in an estimated catch of 123,359 pounds, which is 46,604 pounds less than the spring allocation.
- The Summer all-depth fishery has an estimated catch of 41,947 pounds, which is 25,498 pounds less than the allocation.
- The inside 40-fathom fishery has an estimated catch of 4,846 pounds, which is 27,528 pounds less than the allocation.

*Southern Oregon (Humbug Mountain to the OR/CA Border)*

This recreational fishery was allocated 8,000 pounds (3.9% of the Oregon recreational fishery allocation minus the Oregon contribution to the Columbia River subarea). This area has a pre-set season of 7 days per week from May 1 to October 31. Beginning September 1, the daily bag limit was increased from one to two fish.

- This fishery has estimated catch of 8,714 pounds, which is 714 pounds more than the allocation.

*California (Off the California Coast)*

This recreational fishery was allocated 38,740 pounds (4.0% of the non-tribal share). The fishery was open May 1–August 7, closing once the quota was projected to be taken.

- The fishery has an estimated catch of 48,009 pounds which is 9,269 pounds more than the allocation.

**Table 2. Summary of Area 2A Fishery Allocations and Preliminary 2022 Harvest Estimates, Updated with Fishery Information Reported to NMFS through December 16, 2022**

IPHC Regulatory Area 2A Fisheries		Allocation (lb)	Landings (lb)	Allocation Taken (%)
<b>Tribal</b>		<b>521,500</b>	<b>497,173</b>	<b>95</b>
Tribal	C&S	23,500	-	-
Tribal	Commercial	498,000	497,173	100
<b>Non-Tribal</b>		<b>968,500</b>	<b>786,234</b>	<b>81</b>
<b>Commercial</b>		<b>297,330</b>	<b>263,646</b>	<b>89</b>
Commercial	Directed	252,730	241,365	96
Commercial	Incid. Salmon Troll	44,599	22,281	50
<b>WA Recreational</b>		<b>344,786</b>	<b>283,501</b>	<b>82</b>
WA Rec.	Incid. Sablefish	50,000	57,061	114
WA Rec.	Puget Sound	83,210	58,957	71
WA Rec.	North Coast	133,847	96,209	72

IPHC Regulatory Area 2A Fisheries			Allocation (lb)	Landings (lb)	Allocation Taken (%)
WA Rec.	South Coast		68,555	71,203	104
WA/OR	Columbia River	All-Depth	18,537	20,211	109
WA/OR	Columbia River	Nearshore	500	43	9
<b>OR Recreational</b>			<b>287,645</b>	<b>178,866</b>	<b>62</b>
OR Rec.	Central OR Coast	Spring all-depth	169,963	123,359	73
OR Rec.	Central OR Coast	Summer all-depth	67,445	41,947	62
OR Rec.	Central OR Coast	Nearshore	32,374	4,846	15
OR Rec.	Southern OR		8,000	8,714	109
<b>CA Recreational</b>			<b>38,740</b>	<b>48,009</b>	<b>124</b>
<b>Total</b>			<b>1,490,000</b>	<b>1,291,378</b>	<b>87</b>

## Law Enforcement — West Coast Area 2A









NOAA's Office of Law Enforcement (OLE) protects marine wildlife and habitat by enforcing domestic laws and international treaty requirements implemented to ensure these global resources are available for future generations. The 2022 IPHC Area 2A Enforcement Report summarizes the collective activities of the IPHC Area 2A cooperating federal and state entities, and includes the individual state enforcement reports to provide more detailed information about their respective enforcement and compliance efforts. Tribal reports are provided separately.

Enforcement of the commercial, tribal, and recreational Pacific halibut fisheries in International Pacific Halibut Commission Area 2A is an ongoing multi-agency effort performed cooperatively by NOAA Fisheries Office of Law Enforcement (OLE) West Coast Division (WCD), the U.S. Coast Guard (USCG), Washington Department of Fish and Wildlife Police (WDFW), Oregon State Patrol Fish and Wildlife Division (OSP), California Department of Fish and Wildlife Enforcement Division (CDFW), and Tribal Enforcement.

Tables 3 through 5 present a consolidated summary of IPHC Area 2A Commercial-Directed, Commercial-Incidental, and Recreational enforcement statistics for 2022 using available data elements provided by OLE, USCG, WDFW, OSP, and CDFW enforcement partners. Table 3 summarizes *Effort*, *Actions* and *Results* data for the directed commercial Pacific halibut fishery south of Point Chehalis, Washington (46°53'30" N). Tables 4 and 5 summarize general Magnuson-Stevens Act (MSA) fisheries enforcement that broadly include the two other fishing sectors that catch Pacific halibut: Commercial-Incidental, and Recreational. *Effort* data provides a measure of fisheries-related enforcement coverage and capacity. The *Actions* and *Results* sections provide an overview of regulatory compliance and enforcement issues of concern associated with the fishing sectors.

**Table 3. 2022 IPHC Area 2A Enforcement Statistics: Commercial Directed**

<b>COMMERCIAL — DIRECTED</b>							
							
<b>EFFORT</b>							<b>CONSOLIDATED EFFORT</b>
<b>AIR PATROLS</b>							
Number of Air Patrols	26	7					33
Air Patrol Hours	79	14					93
Air Patrol Personnel Hours			30				30
<b>VESSEL PATROLS</b>							
Number of USCG Cutter Patrols	3	4					7
USCG Cutter Patrol Hours	180	106					286
Number of Shore-Based Vessel Patrols	24	3		2	6	1	36
Shore-Based Vessel Patrol Hours	44	5		17	30	3	99
At-Sea Personnel Hours				41	32	6	79
Number of Boardings	25	7		10	4	0	46
<b>SHORESIDE PATROLS</b>							
Number of Shoreside Patrols			22	5	12	2	41
Shoreside Personnel Hours			188	16	44	4	252
Number of Contacts			49	15	33	7	104
<b>OFFICERS/AGENTS/WARDENS</b>							
Number of Assigned Personnel	78	82	5	11	5	4	185
<b>ACTIONS</b>							
Written Warnings			7		2		9
Citations				3	3		6
Summary Settlements			3				3
Verbal Warnings				3			3
Compliance Assistance			2				2
NOAA Referral					1		1
<b>RESULTS (Violations)</b>							
Fail to use Seabird Avoidance Gear*			6				6
Logbook/Record Keeping			1		3		4
Permit/License			1		1		2
Closed Season (early/late fishing)			2				2
Fail to Sell to Wholesale Dealer					1		1
VMS*			1				1

\*Groundfish violations that were documented during a combined Directed Halibut/Open Access Groundfish trip.



Table 4. 2022 IPHC Area 2A Enforcement Statistics: Commercial Incidental













<b>COMMERCIAL — INCIDENTAL</b>							
	<b>USCG D-13</b>	<b>USCG D-11</b>	<b>NOAA OLE - WCD</b>	<b>WDFW</b>	<b>OSP - ODFW</b>	<b>CDFW</b>	
							
<b>EFFORT</b>							<b>CONSOLIDATED EFFORT</b>
<b>AIR PATROLS</b>							
Number of Air Patrols	131	266					397
Air Patrol Hours	530	598					1,128
<b>VESSEL PATROLS</b>							
Number of Cutter Patrols	42	42					84
Cutter Patrol Hours	1,671	1,963					3,634
Number of Shore-Based Boat Patrols	135	39					174
Shore-Based Boat Patrol Hours	309	77					386
Number of Boardings	77	28					105
<b>OFFICERS/AGENTS/WARDENS</b>							
Number of Assigned Personnel	78	82				4	164
<b>ACTIONS</b>							<b>None</b>
<b>RESULTS (Violations)</b>							<b>None</b>

Table 5. 2022 IPHC Area 2A Enforcement Statistics: Recreational

<b>RECREATIONAL</b>							
<b>EFFORT</b>	<b>USCG D-13</b>	<b>USCG D-11</b>	<b>NOAA OLE - WCD</b>	<b>WDFW</b>	<b>OSP - ODFW</b>	<b>CDFW</b>	<b>Total</b>
							
<b>AIR PATROLS</b>							
Number of Air Patrols	136	157					293
Air Patrol Hours	478	336					814
<b>VESSEL PATROLS</b>							
Number of Cutter Patrols	81	39					120
Cutter Patrol Hours	4,154	1,742					5,896
Number of Shore-Based Boat Patrols	238	32		29	8	24	331
Shore-Based Boat Patrol Hours	586	66		154	50	50	906
At-Sea Personnel Hours			8	334	67	65	474
Number of Boardings	223	20		329	50	79	701
<b>SHORESIDE PATROLS</b>							
Number of Shoreside Patrols			3	24	17	84	128
Shoreside Personnel Hours			10	102	53	164	329
Number of Contacts			3	324	145	417	889
<b>OFFICERS/AGENTS/WARDENS</b>							
Number of Assigned Personnel	78	82	2	17	8	9	196
<b>ACTIONS</b>							<b>Total</b>
Citations				64	15		79
Verbal Warnings				54			54
Compliance Assistance					8	9	17
Other						3	3
<b>RESULTS (Violations)</b>							<b>Total</b>
Gear Violation				30	1	1	32
Permit/License				27	3	1	31
Illegal Harvest				12			12
Restricted/Closed Area				10			10
Overage				5	2		7
Fail to Validate Tag					6		6
Closed Season (early/late fishing)				2		1	3
Aiding in Wildlife Violation					2		2
Unlawful Possession of Mutilated Fish					1		1

**Washington Department of Fish & Wildlife (WDFW) — Police**



WDFW Pacific halibut land-based enforcement activities include conducting dockside patrols to monitor commercial catch off-loads (including incidental catch), ensuring individual and vessel license compliance, coordinating activities related to compliance and verification checks, and carrying out collaborative enforcement efforts. WDFW at-sea responsibilities include patrolling its Pacific Ocean area of responsibility, conducting joint enforcement operations, and inspecting at-sea vessels and personnel for licenses, federal permits, logbooks, marine permits and registrations, and catch, with emphasis on activities within the U.S. Exclusive Economic Zone. Pacific halibut is shared among four user groups in Washington State: recreational, directed non-tribal commercial, non-tribal incidental, and tribal fishermen.

**Table 6. Washington Department of Fish and Wildlife Enforcement Statistics: 2020–2022**

	2022	2021	2020
<b>Participating WDFW Officers</b>	17	21	20
<b>Dockside Personnel Hours</b>	118	182	219
<b>At-Sea Personnel Hours</b>	375	533	608
<b>Boardings/Contacts Made (Total)</b>	678	1,169	1,680
Commercial — Directed	25	21	N/A
Commercial — Incidental	0	4	N/A
Recreational	653	1,144	N/A
<b>Enforcement Actions</b>	124	349	216

*New Coastal Patrol Boat*

WDFW acquired a new 41-foot coastal patrol boat that replaces the P/V *Corliss*. This vessel was funded through the Joint Enforcement Agreement and State Funds. Officers put many hours on it enforcing the halibut fisheries this past year.



**Figure 1. Washington Department of Fish and Wildlife's new 41-foot coastal patrol boat**

WDFW Police and US Coast Guard teamed up in a joint operation named Operation Barn Door for the Puget Sound recreational halibut opener. WDFW patrol boats as well as the USCG Cutter *Wahoo*, Station Port Angeles, and the USCG Air Station in Port Angeles all participated. WDFW Officers patrolled Marine Area 6 on the opener observing and citing anglers for the following violations: fishing with illegal gear, fail to record halibut, and no license. WDFW Officers Wessel

and Davidson patrolling Marine Area 5 for closed-season halibut fishermen boarded one recreational vessel fishing for salmon. The anglers possessed several un-recorded salmon, and salmon in an unlawful condition (no proof of hatchery origin or length). The salmon anglers will be cited through the mail for the violations. The boarding crew of the Cutter *Wahoo* (based in Port Angeles) apprehended two subjects aboard a vessel near Hien Bank who possessed illegal narcotics including two dozen unprescribed opioid pills, and several grams of cocaine. The following day the same boarding team caught an illegal charter vessel targeting halibut. The operator of the vessel did not have a valid USCG license and was not enrolled in a required drug screening program. Special thanks to the USCG Air Station in Port Angeles for getting WDFW Pilot Kimbrel up for a boat effort count of Marine Area 6 on the Thursday opener (the WDFW plane was grounded as logistical issues hampered delivery of repair parts). Sgt. Alexander, Officer Cilk and Baldwin performed a boat patrol in MA 2 and boarded multiple boats; two citations were issued for failing to record halibut.



**Figure 2. WDFW Patrol Boat #2 and USCG Cutter *Wahoo* in the Strait of Juan de Fuca**

Sgt. Rosenberger and Officer Langbehn patrolled the Ocean on a Saturday halibut opener. One group was cited for failing to record halibut, and another vessel was cited for fishing for halibut within the “C” closure off the north Coast.

Sgt. Rosenberger, Officer Hillman, and SO McOmber patrolled the last day of halibut fishing for May in Marine Areas 4 and 5. Warnings were issued for barbed hooks and no descending devices. Violations included illegal rockfish species retained, failing to record halibut on catch record cards, and 2 undersized lingcod which were seized and later donated. One vessel was contacted and the individuals on board claimed they only caught one rockfish for the day. A halibut harpoon was observed on the side of the vessel. When asked to open a fish well, one individual admitted that they had retained a small halibut. The individual had not purchased their halibut catch record card, and both individuals conveniently appeared baffled that it was required after the halibut was located. Criminal citations were issued for failing to submit and retaining halibut without the required catch record card.

Sgt. Dielman and Officer Garrison conducted a boat patrol for halibut anglers in MA1. Compliance was high with only one verbal warning for untagged halibut aboard a charter boat. Several whales were spotted and entered into Whale Alert.

Sgt. Dielman and Officer Garrison spent time patrolling commercial salmon and recreational halibut fishermen in MA 1 and 2 this week. They cited one commercial fisherman criminally for fishing with barbed hooks.

Officers Garrison, Ariss and Sgt. Dielman travelled to Neah Bay on the new coastal patrol vessel *O'Hagan* to work 3 days halibut fishing along with the opener of coastal salmon in Marine Areas

3 and 4. Numerous tickets were written for fail to record, fishing in a closed area, use of barbed hooks, and expired registration. There were two very notable cases, however. The first involved the overlimit on halibut of a charter boat well known for numerous violations including stowing additional fish in a hidden compartment. Though the additional halibut Officers Garrison and Ariss located were not in a hidden compartment, it was enough to put them over their limit. The second case made by Detachment 3 involved a bottomfishing vessel fishing in a rockfish conservation area. As the officers approached, Sgt. Dielman observed a yelloweye rockfish floating about two feet from the suspect vessel. Sgt. Dielman grabbed it out of the water and realized the fillets had been removed from it. Though there were no other boats within 5 miles, the suspect stated "That is not mine." Once on board, the group was found to also be overlimit on halibut (they had started to fillet the excess fish), had not recorded any halibut, and did not possess a descending device. In total, all the adults were cited for fishing closed area and fail to record. The Captain received additional citations for the yelloweye rockfish, overlimit halibut, fail to submit catch for inspection, wastage, and descending device. A total of 11 lingcod, 8 halibut, and one canary rockfish were seized and later donated.



**Figure 3. Charter boat with an overlimit of halibut being boarded by Officers Garrison and Ariss**



**Figure 4. Fish seized from one vessel in a rockfish conservation area. Note the filleted yelloweye and partially-filleted overlimit of halibut.**



**Figure 5. Officer Garrison and Sgt. Dielman onboard a vessel in the rockfish conservation area.**

During this 5-day patrol, the crew of DFW #3 covered an average of approximately 120 miles per day. DFW #3 allowed the crew to patrol these great distances in relative comfort even on days when the sea conditions were far from ideal. In total, 32.5 hours of vessel patrol time was completed towards JEA Enforcement Priority #5. This is over half of the remaining time and almost half of the initial time required. In addition, 8 hours of vessel time was coded towards JEA

Enforcement Priority 1. A total of 31 citations, including several criminal charges, were issued along with dozens of verbal warnings. Twenty-three unlawfully possessed fish were seized and later donated.

Officer Hillman, Officer Tupen, and SO McOmber patrolled Marine Area 4 for halibut and bottomfish. One boat was found in violation for possessing rockfish beyond the 120-foot Bottomfish Closure with one black rockfish and one copper rockfish. Another vessel contacted at Shipwreck Point was found with two full bags of fresh bottomfish fillets, and was issued an infraction for the violation.

Officer Hillman and Officer McOmber patrolled the docks at Quileute Harbor Marina for the salmon opener in Marine Areas 3 and 4. One individual was found in possession of a halibut but could not produce a license or catch record card. He claimed he lost it out of his hoodie pocket. After verifying the individual possessed a valid license and catch record card, he was allowed to keep the halibut and issued an infraction notice. Other violations were found for no license on person and a minor lingcod overlimit.

Officer Tupen and Sergeant Rosenberger conducted a boat patrol in Marine Area 5 on Saturday, aboard a 14-foot WDFW Boston whaler. This vessel is low profile allowing the officers to approach anglers without detection. Many violations were encountered with several salmon anglers cited for fail to record catch and unlawful gear. Near Pillar Point the officers contacted a vessel with two anglers aboard fishing for halibut. The officers quickly observed a rope leading from the vessel into the water. The occupants aboard the vessel told the officers that they had retained two halibut. Upon inspection it was observed that the one angler had failed to record his halibut. The other angler had already recorded his season limit of four halibut earlier. The rope was found to have a live halibut tied it below the boat with a quick release knot. The suspect admitted that they were surprised to be contacted by the officers in such a small boat. The halibut was seized, and Officer Tupen will forward charges for over-limit on halibut, and the other subject will be mailed a ticket for fail to record.



**Figure 6. Live halibut seized and released by Officer Tupen and Sgt. Rosenberger**

The next boat the officers contacted had three anglers with five halibut (limit is one halibut per person) and one closed season lingcod onboard. Additionally, none of the halibut were recorded. Two halibut and the lingcod were seized. Charges will be referred for possessing a closed season lingcod, overlimit of halibut, and failing to record the halibut.



**Figure 7. Officer Tupen with overlimit halibut and closed-season lingcod**

Officer Tupen worked the La Push docks in Marine Area 3. One contact consisted of three anglers in possession of three halibut, four salmon, and some bottom fish. Officer Tupen discovered one of the men did not have an active fishing license. The angler thought he had an annual license but had only purchased a 1-day fishing license. Additionally, only three of the seven retained fish had been recorded on catch cards. One halibut was seized, and charges will be referred for the angler in possession of a halibut without a valid fishing license.

Officer Baldwin, Officer McOmber, and Sergeant Cilk conducted boat patrols in Marine Area 2 for recreational salmon and halibut. Several violations were addressed for failure to record, fishing with barbed hooks, and fishing for halibut without a valid catch record card.



**Figure 8. Detachment 2 officers on boat patrol in Marine Area 2 for halibut and salmon**



Officer McOmber patrolled Westport boat launch for recreational halibut and salmon. Violations were addressed for failure to record and retention of halibut without a valid catch record card. Another vessel contacted had four fishermen and four halibut onboard but only two halibut licenses. Two halibut were seized and it was noted each individual had been recording previously-caught halibut on the back of the salmon catch cards.

In September, WDFW created a new detachment in the Forks area. Sgt. Harry Cilk was promoted and will lead the officers up there

Sergeant Cilk worked the docks in La Push shortly after being promoted. While contacting one vessel, Sgt. Cilk noticed halibut had been recorded over a previous date. When pointed out to the fisherman, Sgt. Cilk advised him to fix it. The fisherman then recorded the fish over another previously-marked fish. When asked if he had any prior violations and the fisherman said that he did, Sgt. Cilk issued him a ticket for failing to record a halibut. Sgt. Cilk researched the history of the fisherman and found that Officer Garrison had cited the individual earlier in the year for the violation. Officer Garrison was able to provide a picture of the catch card that was different from the one currently being used. After a short conversation, the subject admitted to buying a duplicate catch card and harvesting more than the annual limit of four halibut. The subject had purchased two duplicate cards this year. Charges will be forwarded. The halibut was seized and donated to the Quileute tribal senior center.



Figure 9. Previously-marked halibut catch card

**Oregon State Police (OSP) — Fish & Wildlife Division**



**Table 7. Oregon State Police Enforcement Statistics: 2020–2022**

	<b>2022</b>	<b>2021</b>	<b>2020</b>
<b>Participating OSP Troopers</b>	8	8	17
<b>Dockside Personnel Hours</b>	97	197	264
<b>At-Sea Personnel Hours</b>	99	170	461
<b>Boardings/Contacts Made (Total)</b>	232	303	802
Commercial — Directed	37	21	93
Commercial — Incidental	0	0	N/A
Recreational	195	282	709
<b>Enforcement Actions</b>	123	26	57

*Commercial Halibut*

OSP Fish and Wildlife Troopers conducted a multi-day ocean and Columbia River patrol focusing on commercial and recreational halibut, salmon, and steelhead. Troopers were on the commercial halibut grounds to ensure boats ceased fishing when the season closed. Troopers contacted a commercial boat that had not been issued the correct halibut permit to allow for fishing in the directed halibut season but had retained halibut and sablefish. The vessel also did not have required VMS tracking for retention of the sablefish. OSP is working with NOAA for enforcement action.

A Fish and Wildlife Trooper contacted a commercial fishing vessel in Charleston. The vessel owner holds a limited fish seller’s permit. The vessels log books were not accurately filled out. A records check indicated the permit holder had not submitted multiple fish tickets after 14 days past the landing date with a catch of sablefish and halibut. On submitted fish tickets there were no skate or lingcod listed, but they were listed in the logbook and the captain indicated they were onboard. The Captain was criminally cited for failing to complete a fish ticket and warned for failing to accurately maintain his logbook and Fail to maintain proper fish dealer records.

Fish and Wildlife Troopers participated in a weeklong ocean Guardian patrol hitting ports from Pacific City to the Oregon/California border. The patrol was aimed at commercial and sport fisheries in areas not regularly patrolled. The patrol was successful in contacting commercial fisheries not normally checked at sea. The team contacted a multitude of commercial vessels fishing for whiting, pink shrimp, sablefish, halibut and salmon. Recreational anglers were also a focus, and anglers were contacted who were fishing for halibut, salmon and groundfish. Numerous citations were issued for a variety of violations.



**Figure 10. OSP Fish and Wildlife Troopers on Patrol**

*Recreational Halibut*

OSP Fish and Wildlife Troopers from Newport conducted an offshore patrol to focus on recreational halibut. One recreational halibut boat was found fishing just inside the Stonewall Banks RCA and warned.

A Fish and Wildlife Trooper was checking halibut anglers as they came in to the Port of Siuslaw. During the contacts they identified an angler who had not tagged his halibut and was unfamiliar with how to do so on his electronic harvest card. The Trooper showed the angler how to do it and issued him a citation for failing to immediately validate harvest card.

Fish and Wildlife Troopers conducted a boat patrol in the ocean out of Depoe Bay focusing on halibut anglers, ground fish anglers, and salmon anglers. During one contact 3 halibut anglers were contacted and admitted they had not tagged halibut they caught for the last two days. The Troopers discovered one angler did not have a harvest card and one halibut was seized. The anglers were issued citations for no harvest card, failing to validate harvest card, and aiding in a wildlife violation.

Fish and Wildlife Troopers performed a boat patrol on the ocean from Charleston to Winchester Bay checking recreational halibut anglers. The Troopers made contact with a boat on the ocean near Winchester Bay. There were 4 subjects on board the boat. The Troopers gained consent to inspect licenses and catch after the captain offered their licenses. The inspection revealed the subjects had 4 halibut on board, 2 of which had not been tagged. After the subjects stated those were all the fish on board, a consent search of the transom fish hold resulted in the discovery of two additional halibut. The captain of the boat took responsibility for the extra concealed halibut. The captain was criminally cited and released for exceeding daily bag/possession limit - halibut x2 and for failure to immediately validate combined angling harvest card. Additional charges are being referred to the district attorney's office for failure to allow inspection of catch and falsely applying for a resident angling license. A second subject was cited for failure to validate combined angling harvest card and was warned for no valid license in possession. Two halibut were seized.



**Figure 11. OSP Fish and Wildlife Troopers with Seized Halibut**

Fish and Wildlife Troopers contacted a boat returning from halibut fishing at the South Beach Marina. During the contact, an angler disclosed that in addition to the halibut they had checked, he had another filleted halibut on board from the day before. The angler was cited for Exceeding Possession Limit of Pacific Halibut, and warned for Possession of Mutilated Marine Fish. The filleted halibut was seized and donated to the Newport Senior Center.

A Fish and Wildlife Trooper conducted an ocean patrol from Nehalem to Cannon Beach. Numerous recreational salmon anglers, halibut anglers, rockfish anglers, and commercial salmon fisherman were contacted. Five citations were issued for Angling Prohibited Method - Barbed Hooks for Salmon, one citation was issued for Taking Halibut - No Harvest Card, one citation was issued for Taking Salmon - No Harvest Card, and one citation was issued for Fail to Immediately Validate Harvest Card - Halibut.



**Figure 12. OSP Fish and Wildlife Trooper Boarding Vessel**

A Fish and Wildlife Trooper conducted dockside patrols in Newport during a high traffic ocean day. The Trooper contacted multiple anglers. A citation was issued for No Angling Tag and one halibut was seized.

A Fish and Wildlife Trooper proceeded to South Beach in Newport in response to an ODFW call regarding an angler who retained a lingcod during an offshore halibut trip. The Trooper contacted the fisherman and he stated that he had not looked at the current fishing regulations online, and did not know he could not retain lingcod while fishing outside the 40-fathom line. The Trooper also checked three legal halibut that were retained during the trip.

**California Department of Fish and Wildlife (CDFW) — Law Enforcement Division**



**Table 8. CDFW Enforcement Statistics: 2020–2022**

	2022	2021	2020
<b>Participating CDFW Wardens</b>	9	9	9
<b>Dockside Personnel Hours</b>	168	178	66
<b>At-Sea Personnel Hours</b>	71	116	9
<b>Boardings/Contacts Made (Total)</b>	503	319	161
Commercial — Directed	7	24	14
Commercial — Incidental	0	9	N/A
Recreational	496	286	147
<b>Enforcement Actions</b>	3	9	0

During the 2022 Pacific halibut season, patrols by CDFW Wildlife Officers covered the major ports in Mendocino, Humboldt, and Del Norte Counties, and approximately 15 recreational boat launch ramps. CDFW patrolled, contacted, and regularly checked 12 party boats targeting halibut between Shelter Cove and Crescent City. Offshore halibut patrols were made in combination with salmon and rockfish patrols. Nine CDFW officers were involved in halibut season patrols patrolling from the Gualala River north, working the ports of Pt. Arena, Albion, Noyo Harbor, Shelter Cove, Eureka, Trinidad, and Crescent City.

Fifty near-shore vessel hours were used in support of enforcement of halibut fishing regulations.

Seven commercial contacts and 417 recreational contacts were made enforcing halibut regulations. Three citations were issued this year. One citation was issued for no fishing license. The second citation was issued for fishing for Pacific halibut with too many rods. A third citation was issued for fishing for Pacific halibut after the quota was reached and the season was closed.



**Figure 13. CDFW Wildlife Officer issued a citation for retention of Pacific halibut out of season**

**NOAA Fisheries Office of Law Enforcement — West Coast Division**

During 2022, NOAA Fisheries' Office of Law Enforcement (OLE) West Coast Division (WCD) continued to work closely with the USCG D-13/D-11 and state Joint Enforcement Agreement (JEA) partners to monitor activities associated with the Pacific halibut fisheries, pursuant to IPHC regulations. As one of its recurring annual enforcement priorities, the USCG D-13/D-11, OLE - WCD, and JEA partners from WDFW, OSP, and CDFW, conducted air, at-sea, and shore-based patrols, vessel boardings, and monitoring of fish landings to ensure compliance with Area 2A Pacific halibut fishery regulations. Enforcement emphasis was also placed on monitoring commercial groundfish bottom longline vessels landing halibut for compliance with seabird bycatch minimization measures implemented in January, 2020.

***IPHC Area 2A 2022 Halibut Openers***

The IPHC has set forth the Pacific Halibut fishing periods for Area 2A in Section 9 Part 2 of the 2022 IPHC Halibut Fishery Regulations, and is adopted by U.S. regulation at 50 Code of Federal Regulations §300.62. The fishery is restricted to waters south of Point Chehalis, Washington (46°53'30" N) under regulations promulgated by the National Marine Fisheries Service (NMFS). Fishing activities occur predominantly along the 100–150-fathom curve off Grays and Astoria Canyons, Heceta and Stonewall Banks, and the Bandon High Spot. Operation Flatfish Frenzy is planned and executed annually in support of the IPHC Area 2A Halibut Openers.

***Operation Flatfish Frenzy***

Operation Flatfish Frenzy enforcement efforts focused on ensuring commercial fisherman participating in the 2022 directed fishery practiced careful release methods for Pacific halibut, complied with opener start and stop times, adhered to area restrictions, properly recorded offloads, and followed retention requirements. This was also the third year longline fishing vessels landing groundfish were required to use seabird avoidance gear when setting gear.

On April 25, OLE-WCD contacted the Public Affairs Office to coordinate a media release for the upcoming Operation Flatfish Frenzy 2022.

On May 11, OLE contacted JEA partners to assess participation and available assets for the operation. OLE then coordinated with partners to maximize enforcement coverage during the operation. CDFW assigned one of its officers to fly aboard the USCG C-27 tasked with flying over the usual fishing areas to gather real time intelligence that could then be relayed to USCG rotary-wing and surface assets. An OLE Enforcement Officer (EO) was assigned to board the USCG Cutter *Steadfast*, and conduct air operation and subsequent boat operations during the first opener. The operation plan called for EOs to participate in air operations aboard USCG air assets on the first and last days to observe opening and closing times, and verify use of seabird avoidance gear. Additional air operations were planned for midweek as schedules and weather permitted to continue monitoring of the fishery. Dockside patrols were also planned for the duration of each of the openers, and the day after closing. These patrols focused on offload monitoring, permit verification, and logbook review.

Enforcement efforts for the first IPHC opener were conducted from Tuesday June 28th to Thursday June 30th, with follow-up operations on July 1st for additional offload monitoring. An EO was assigned to patrol operations in the Coos Bay, OR, area. Another EO participated in at-sea patrols off the coast of Washington and Oregon. A Special Agent (SA) was assigned to patrols in Newport, OR, and investigative support for potential instances of complex or criminal

investigations occurring in Area 2A during the operations. Due to staffing shortages during the first opener, patrols were limited. In addition, EO participation aboard the USCG Cutter *Steadfast* were canceled due to Covid-19 concerns. Air operations consisted of 5 patrols totaling 21 flight hours with no observed violations. No at-sea patrols were conducted during the first opener. Eight shoreside patrols were conducted totaling 77 hours, and resulting in 17 dockside boardings, and 2 state violations observed that were referred to JEA partners for further handling.



**Figure 14. NOAA OLE enforcement officer inspects an offload in Newport, Oregon**

IPHC Area 2A enforcement activities for the second opener were conducted from Tuesday July 12th to Thursday July 14th, with follow-up operations on July 15th. An EO was assigned to patrol operations in the areas of Coos Bay and Newport, OR, and Ilwaco, WA. An SA was assigned to provide investigative support for potential instances of complex or criminal investigations arising from any of the operations. Air patrols were considerably hampered by poor weather conditions, and most of the planned flight operations were subsequently canceled. Ultimately, two air patrols totaling 7 flight hours were conducted. NOAA OLE personnel observed two vessels fishing after the designated fishery closing time. No at-sea patrols were conducted during the second opener. Seven shoreside patrols were conducted totaling 42 hours. The patrols resulted in 21 vessels contacted. The outcome of the contacts was 1 compliance assistance provided, 1 written warning issued, 1 violation referred to JEA partner, 2 over catch limits, 1 IPHC permit issue, and 3 failures to utilize seabird avoidance gear.



**Figure 15. NOAA OLE Enforcement Officer inspects an offload of halibut in Newport, OR**

Enforcement operations for the third and final 2022 IPHC Area 2A opener were conducted from July 26th to July 28th, with follow-up operations on July 29th. An EO was assigned patrol operations in the areas of Coos Bay Newport and Astoria, OR, and Ilwaco, WA. An SA was assigned to provide investigative support for potential instances of complex or criminal investigations arising from any of the operations. Air operations were again considerably hampered by poor weather conditions with most flight operations being canceled due to heavy offshore fog. However, 2 patrols were still conducted for a total of 7 flight hours. The flights focused on the detection of sea bird avoidance gear violations, as well as fishing activity after the designated closing time. No at-sea patrols were conducted during this opener. Six shoreside patrols totaling 52 hours were conducted, and resulted in 14 vessels contacted. These contacts identified 1 logbook violation, 1 VMS violation, 3 fishing without sea bird avoidance gear, and 1 violation referred to JEA partners.



**Figure 16. Air operations significantly hampered by poor weather conditions during most of the openers**



## Alaska – IPHC Regulatory Areas 2C, 3A, 3B, 4A, 4B, 4CDE

### *Charter Halibut Fisheries*

The Area 2C and 3A Halibut Catch Sharing Plan was implemented in 2014, and is used to determine the allowable charter halibut harvest in those areas. The Catch Sharing Plan also endorses a process through which the North Pacific Fishery Management Council (NPFMC) recommends annual management measures to the IPHC that are likely to limit charter harvests to their annual catch limits.

In October 2022, the Alaska Department of Fish and Game provided final estimates of the 2021 sport halibut removals and preliminary estimates of the 2022 removals for Areas 2C, 3A, 3B, and 4, including information on estimation methods (King, Webster, et al. 2022).<sup>1</sup> Additional details on estimation methods are available in Webster and Buzzee (2020).<sup>2</sup>

### *2021 Final Harvest Estimates*

The Area 2C charter fishery regulations for 2021 included a one-fish daily bag limit and reverse slot (or “protected slot”) limit that allowed harvest of halibut less than or equal to 50 inches and halibut greater than or equal to 72 inches. The Area 3A charter regulations included a two-fish bag limit with a maximum size of one fish of 32 inches, a limit of one trip per charter vessel per day (on which halibut are harvested), a limit of one trip per Charter Halibut Permit (CHP) per day, and a closure of halibut retention on all Wednesdays. Charter fishery regulations in the remainder of the state and unguided fishery regulations statewide included a daily bag limit of two fish of any size.

The 2021 Area 2C estimated sport harvest (excluding release mortality) was 143,167 fish, for a yield of 2.292 million pounds. Area 2C charter removals (including release mortality) were estimated to be 1.163 Mlb, approximately 43.6% over the allocation. Unguided removals were estimated to be 1.185 Mlb. The Area 3A estimated sport harvest was 279,794 fish, for a yield of 3.815 Mlb. Area 3A charter removals were estimated to be 2.455 Mlb, approximately 25.9% over the allocation. Unguided removals were estimated to be 1.398 Mlb. Areas 3B and 4 do not have separate charter allocations. The final harvest estimates for western Areas were 769 halibut in Area 3B and 78 halibut in Area 4. Applying the Kodiak unguided average weight of 14.23 lb resulted in yield estimates of 0.011 Mlb in Area 3B and 0.001 Mlb in Area 4. Additional detail on numbers of fish harvested and released, releases by size category, average weights, and confidence intervals are included in King, Webster, et al. (2022). Information on harvest by subarea and historical harvest can be found in North Pacific Fisheries Management Council (2022).<sup>3</sup>

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<sup>1</sup> King, B., Webster, S., M. Jaenicke, D. Tersteeg, M. Ford, and M. Schuster. 2022. Letter from ADF&G to IPHC reporting final 2021 and preliminary 2022 sport halibut harvest estimates, Oct 20, 2022.

<sup>2</sup> Webster, S. R., and B. Buzzee. 2020. Estimation and projection of statewide sport halibut harvest. Alaska Department of Fish and Game, Division of Sport Fish, Regional Operational Plan ROP.SF.4A.2020.04, Anchorage. <https://www.adfg.alaska.gov/FedAidPDFs/ROP.SF.4A.2020.04.pdf>.

<sup>3</sup> North Pacific Fisheries Management Council. 2022. Area2C3A\_Final2021. Retrieved 16 December 2022, from <https://meetings.npfmc.org/Meeting/Details/2956>.

### *2022 Preliminary Harvest Estimates*

The Area 2C charter fishery allocation for 2022 was 0.82 Mlb. Regulations included a one-fish bag limit with a reverse slot limit of less than or equal to 40 inches or greater than or equal to 80 inches. The Area 3A charter allocation was 2.11 Mlb. Regulations included a two-fish bag limit with a maximum size on one of the fish of 28 inches, a limit of one trip per charter vessel per day and per CHP per day, and a closure to halibut retention on all Wednesdays and two Tuesdays. Charter fishery regulations in the remainder of the state included a bag limit of two fish of any size. Unguided fishery regulations statewide were a bag limit of two fish of any size.

The preliminary estimates for charter harvest and removal in Area 2C were 82,888 halibut and 0.843 Mlb, respectively, approximately 2.9% over the 2022 allocation. Unguided harvest and removal estimates in Area 2C were 63,769 fish and 1.141 Mlb. The preliminary estimates of charter harvest and removal in Area 3A were 167,090 fish and 1.773 Mlb, respectively, approximately 16.0% under the allocation. Unguided harvest and removal estimates in Area 3A were 98,561 fish and 1.201 Mlb. The preliminary harvest estimates for 2022 were 680 halibut in Area 3B and 521 halibut in Area 4. Applying the unguided average weight from Kodiak of 11.04 lb resulted in removal estimates of 0.008 Mlb in Area 3B and 0.006 Mlb in Area 4. Additional detail on numbers of fish harvested and released, releases by size category, average weights, and confidence intervals are included in King, Webster, et al. (2022).<sup>4</sup>

### *2022 Areas 2C and 3A Charter Halibut Management Measure Analyses*

In addition to estimating all recreational halibut harvest in Alaska, the Alaska Department of Fish and Game is responsible for analyzing alternative management measures for the charter halibut fisheries in Areas 2C and 3A. Analyses were requested by the North Pacific Fisheries Management Council's Charter Halibut Management Committee on 21 October 2022. Results were presented at the North Pacific Fisheries Management Council meeting in December. Projected removals in 2022 under status quo regulations are 0.867 Mlb in Area 2C and 2.023 Mlb in Area 3A. Under the suite of management measures recommended by the Council at the December 2021 meeting, removal projections range from 0.564 to 1.121 Mlb for Area 2C and from 1.685 to 2.368 for Area 3A (King, Webster, and Jevons 2022).<sup>5</sup>

### *Updates to data collection and estimation methods for Alaska's Recreational Fisheries*

Electronic logbooks became mandatory for charter operators in Southeast Alaska in 2021. Beginning in 2021, harvest reported through mid-October was used for the preliminary charter estimates in Area 2C, noting that in recent years there was no charter harvest reported in Area 2C after October 15th. There is no mandate to use eLogbook in most of 3A and most operators still use paper logbooks. Preliminary logbook data are available for trips taken through August 31 in Area 3A and used to project harvest for the year in Area 3A. This is an improvement preliminary estimates prior to 2021 that only used logbook data through July 31 in both Areas.

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<sup>4</sup> King, B., Webster, S., M. Jaenicke, D. Tersteeg, M. Ford, and M. Schuster. 2022. Letter from ADF&G to IPHC reporting final 2021 and preliminary 2022 sport halibut harvest estimates, Oct 20, 2022.

<sup>5</sup> King, B., Webster, S. and Jevons, B. 2022. Analysis of management options for the Area 2C and 3A charter halibut fisheries for 2023: A report to the North Pacific Fishery Management Council, December 2022. Alaska Department of Fish and Game. Agenda item C6. Unpublished. Retrieved 16 December 2022, from <https://meetings.npfmc.org/Meeting/Details/2956>.

Starting in 2022 ADF&G began collecting additional biological data from recreationally caught Pacific halibut in 2C, including age (otoliths) and sex data. A total of 834 halibut were sampled for age and sex information in 2C from the ports of Elfin Cove, Ketchikan, and Sitka. Otoliths were shipped to the IPHC at the completion of the season and so age data are not yet available. Age and sex data continued to be collected in 3A as well; prior to 2022 these data provided the only source of sex and age information for recreationally caught halibut coastwide for use in the halibut stock assessment.

#### *NPFMC Charter Halibut Fishery actions in 2022*

On December 12, 2022, the NPFMC recommended management measures for charter halibut fishing in Areas 2C and 3A for the 2023 fishing season. These recommendations are submitted as Regulatory Proposal B1 to the IPHC for consideration and adoption by the Commission at AM099 in January 2023. The measures approved by the NPFMC were developed by the Charter Halibut Management Committee based on analyses provided by ADF&G as well as the needs of the fishery.<sup>6</sup> These measures are expected to constrain overall charter removals to the final 2023 area allocations, as determined by the IPHC under the Catch Sharing Plan.

#### *Guided Angler Fish Program- 2022 Summary*

In 2014, NMFS implemented the guided angler fish (GAF) program to authorize limited annual transfers of commercial halibut IFQ as GAF to qualified charter halibut permit holders for harvest by charter vessel anglers in Areas 2C and 3A. The GAF program allows qualified charter halibut permit holders to offer charter vessel anglers the opportunity to retain halibut up to the limit for unguided anglers when the charter management measure in place limits charter vessel anglers to a more restrictive harvest limit.

In 2022, charter vessel anglers who used GAF in Area 2C and Area 3A could harvest up to two halibut of any size per day, and GAF were not subject to the daily closures in Area 3A. Table 6 summarizes IFQ to GAF transfers for 2017 through 2022. From the outset of the program, GAF has been used much more frequently in Area 2C than 3A, and its use in Area 2C has generally increased each year. For example, in Area 2C in 2022, 128,094 pounds of IFQ was transferred as GAF to the charter fishery; this translated into 1,971 harvestable halibut, which is the highest over the 2014-2022 period. Of the number of harvestable fish, 1,548 (79%) of the Area 2C GAF was taken. This contrasts with Area 3A, where 11,475 pounds of IFQ was transferred as GAF in 2022, resulting in 499 harvestable fish. However, only 56% (277 fish) of the Area 3A GAF was taken.<sup>7</sup>

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<sup>6</sup> ADF&G Analysis is available on the December NPFMC meeting agenda under item C6 at: <https://meetings.npfmc.org/Meeting/Details/2964>.

<sup>7</sup> GAF Program Annual reports are available at: <https://www.fisheries.noaa.gov/resource/document/guided-angler-fish-gaf-program-annual-reports>.

**Table 9 Summary of IFQ to GAF transfers 2018-2022**

Year	IPHC Regulatory Area	Number of GAF transferred	Number of GAF Harvested (% of amount transferred)	Actual Net Pounds of IFQ Harvested as GAF	Average Length in Inches (range)	Number of GAF Permits Issued	Number of GAF Permit Holders
2018	2C	1,222	972 (80%)	64,365	54 (22-79)	332	46
	3A	304	215 (71%)	9,052	47 (25-89)	31	17
	Total	1,526	1,187 (78%)	73,417		363	63
2019	2C	1,601	1,237 (77%)	75,039	53 (22-83)	341	56
	3A	338	266 (79%)	10,652	46 (25-66)	29	13
	Total	1,939	1,503 (78%)	85,691		370	69
2020	2C	801	764 (95%)	55,061	56 (23-85)	235	48
	3A	92	38 (41%)	2,147	52 (34-64)	15	7
	Total	893	802 (90%)	57,208		250	55
2021	2C	1,312	1,031 (79%)	76,529	57 (29-75)	407	59
	3A	441	128 (29%)	3,446	39 (19-65)	24	8
	Total	1,753	1,159 (66%)	79,976		431	67
2022	2C	1,971	1,548 (79%)	99,962	55 (24-81)	459	67
	3A	499	277 (56%)	6,487	39 (25-70)	29	12
	Total	2,470	1,825 (74%)	106,449		488	79

### **Commercial Groundfish Fisheries**

#### *Halibut Bycatch*

#### Current Halibut Bycatch Amounts and Management

Halibut bycatch mortality in the Bering Sea and Aleutian Islands (BSAI) and Gulf of Alaska (GOA) groundfish fisheries is highly regulated and closely managed by the NPFMC and NMFS through the Fishery Management Plans (FMPs) for each management area. Through regulations implementing the FMPs, NMFS manages halibut bycatch by (1) establishing annual halibut prohibited species catch (PSC) limits, (2) apportioning PSC limits to fishery categories and seasons to accommodate halibut PSC needs in specific groundfish fisheries, and (3) managing groundfish fisheries to prevent PSC from exceeding the established limits.

The FMPs specify that halibut bycatch in groundfish fisheries is managed as PSC. Catch of PSC species must be avoided while fishing for groundfish and PSC species may not be retained unless required under the FMP. Halibut PSC limits are an apportioned, non-retainable amount of halibut provided to a groundfish fishery to provide an upper limit on the bycatch of halibut in a fishery. When a halibut PSC limit is reached in an area, further fishing with specific types of gear or modes of operation is prohibited by those types of operations taking halibut PSC in that area.

Although halibut PSC is taken by vessels using all types of gear (trawl, hook-and-line, pot, and jig gear), halibut PSC primarily occurs in the trawl and hook-and-line (non-trawl) groundfish fisheries. The NPFMC and NMFS annually establish halibut PSC limits for vessels in the trawl and non-

trawl groundfish fisheries in the BSAI and GOA. NMFS manages groundfish fisheries to ensure these limits are not exceeded.

The total estimated halibut PSC use for 2021 and 2022 are shown in Table 7.

**Table 10 Final Estimates of Non-directed Commercial Fishing Halibut Mortality in the Gulf of Alaska and Bering Sea/Aleutian Islands (nearest metric ton)by Area and Gear (Target). Data generated Jan 3, 2023.**

Area	2021 Total		2022 Predicted, 10/4	2022 Actual	Difference, Actual - Predicted
2C	Hook-and-line (non-sablefish)	1	2	1	-1
	Hook-and-Line (sablefish)	14	2	17	15
	Pot	2	4	4	0
	<b>Total</b>	<b>17</b>	<b>8</b>	<b>22</b>	<b>14</b>
3A	Trawl	182	266	231	-35
	Hook-and-line (non-sablefish)	44	43	21	-22
	Hook-and-Line (sablefish)	4	1	1	0
	Pot	5	22	19	-3
	<b>Total</b>	<b>235</b>	<b>332</b>	<b>272</b>	<b>-60</b>
3B	Trawl	168	141	116	-25
	Hook-and-line (non-sablefish)	18	10	10	0
	Hook-and-Line (sablefish)	4	3	2	-1
	Pot	5	7	7	0
	<b>Total</b>	<b>195</b>	<b>161</b>	<b>135</b>	<b>-26</b>
4A	Trawl	173	209	230	21
	Hook-and-line (non-sablefish)	6	6	14	8
	Hook-and-Line (sablefish)	0	0	0	0
	Pot	6	15	15	0
	<b>Total</b>	<b>185</b>	<b>230</b>	<b>259</b>	<b>29</b>
4B	Trawl	52	49	78	29
	Hook-and-line (non-sablefish)	31	7	8	1
	Hook-and-Line (sablefish)	1	0	0	0
	Pot	4	7	7	0
	<b>Total</b>	<b>88</b>	<b>63</b>	<b>93</b>	<b>30</b>
4CDE	Trawl	544	750	1,006	256
	Hook-and-line (non-sablefish)	55	85	100	15
	Hook-and-Line (sablefish)	0	0	0	0
	Pot	0	1	1	0
	<b>Total</b>	<b>599</b>	<b>836</b>	<b>1,107</b>	<b>271</b>
4 – closed	Trawl	668	808	751	-57
	Hook-and-line (non-sablefish)	2	36	42	6
	Hook-and-Line (sablefish)	0	0	0	0
	Pot	8	6	6	0
	<b>Total</b>	<b>678</b>	<b>850</b>	<b>799</b>	<b>-51</b>
All Areas	Trawl	1,787	2,223	2,412	189
	Hook-and-line (non-sablefish)	157	189	196	7
	Hook-and-Line (sablefish)	23	6	20	14
	Pot	30	62	59	-3
	<b>Total</b>	<b>1,997</b>	<b>2,480</b>	<b>2,687</b>	<b>207</b>

*Note: Prepared by NMFS Alaska Region.*

*Table 1 includes estimates of halibut mortality from groundfish fisheries managed by the State of Alaska, and from federally managed groundfish fisheries. Table 1 estimates the amount of halibut mortality by each gear type using a method of apportioning by IPHC area.*

For additional information on halibut bycatch mortality please see the December, 2022 NMFS inseason management reports to the North Pacific Fishery Management Council; specifically slides 46 – 49 of the Bering Sea / Aleutian Islands report<sup>8</sup> and slides 45 – 50 of the Gulf of Alaska report<sup>9</sup>.

### *Halibut Bycatch Management Actions in Progress*

This report covers actions that are under development by NMFS.

#### Exempted fishing permit (EFP) application

NMFS signed and extended an EFP issued to the Alaska Seafood Cooperative (AKSC) in November 2022. The EFP will enable a collaborative study to conduct field testing of potentially improved designs on halibut excluders in the Bering Sea flatfish trawl fishery. Additional information is available on the NMFS Alaska Region webpage under the Halibut Excluder heading at: <https://www.fisheries.noaa.gov/alaska/resources-fishing/exempted-fishing-permits-alaska>.

NMFS sent a letter to the IPHC in January 2021 to provide notice of this EFP application for review and determination as to whether this action requires further consultation.

#### BSAI Pacific Cod Trawl Catcher Vessel Cooperative Program

On October 13, 2021, the NPFMC recommended implementation of Amendment 122 to the Fishery Management Plan (FMP) for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI). If approved by the Secretary of Commerce and implemented by NMFS, the Pacific cod Trawl Cooperative Program (PCTC Program) would allocate quota share (QS) to harvesters with an eligible groundfish License Limitation Program (LLP) license based on the harvest of BSAI Pacific cod during qualifying years. This Program would also allocate QS to processors based on processing history during the qualifying years. QS allocated under this program would yield an exclusive harvest privilege to members of a PCTC Program cooperative. The NPFMC's intent in recommending Amendment 122 is to improve the prosecution of the fishery by promoting safety and stability in the harvesting and processing sectors, increasing the value of the fishery, minimizing bycatch to the extent practicable, providing for the sustained participation of fishery dependent communities, and ensuring the sustainability and viability of the Pacific cod resource in the BSAI. Under the management of the PCTC program, halibut PSC limits for the A and B season of the BSAI Pacific cod fishery would be reduced by 25 percent. The Analysis, public comments, and other documents considered by the Council in recommending Amendment 122 are available under item C4 on the October NPFMC meeting agenda at: <https://meetings.npfmc.org/Meeting/Details/2352>. A proposed rule to Implement Amendment 122 to the BSAI FMP is in development and expected to publish in the Federal Register in early 2023.

#### Halibut Abundance Based Management

The NPFMC took final action on the draft Environmental Impact Statement (DEIS) for the abundance-based management (ABM) of the Amendment 80 (A80) halibut prohibited species catch (PSC) limit. The Council considered this action iteratively for 6 years. The core concept of the action is linking PSC limits in the A80 commercial groundfish trawl fleet in the Bering Sea and Aleutian Islands (BSAI) to estimated halibut abundance. The current PSC limit is set as a fixed

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<sup>8</sup> Available at: <https://meetings.npfmc.org/CommentReview/DownloadFile?p=149bc66e-0aa9-4713-9116-841bed9ae5b6.pdf&fileName=B2%20BSAI%202022%20Inseason%20Mgmt%20Report.pdf>.

<sup>9</sup> Available at: <https://meetings.npfmc.org/CommentReview/DownloadFile?p=5db0dee8-12aa-4a51-94fb-aa2bc1ed8053.pdf&fileName=B2%20GOA%202022%20Inseason%20Mgmt%20Report.pdf>.

amount at 1,745 mt, which becomes an increasingly larger proportion of total halibut removals in the BSAI when halibut abundance declines. On Friday, December 9, 2022, NMFS published a proposed rule and notice to extend the comment period on proposed Amendment 123 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands. More information is available here: [https://www.fisheries.noaa.gov/media-release/noaa-fisheries-seeks-comment-plan-abundance-based-management-halibut-bering-sea?utm\\_medium=email&utm\\_source=govdelivery](https://www.fisheries.noaa.gov/media-release/noaa-fisheries-seeks-comment-plan-abundance-based-management-halibut-bering-sea?utm_medium=email&utm_source=govdelivery).

#### *Observer and Electronic Monitoring Coverage Rates*

Vessels in the federal fisheries off Alaska fall into one of two categories of monitoring: a full coverage category or a partial coverage category. In the full coverage category, vessels must have an observer onboard on every trip. Vessels in this category include catcher/processors as well as catcher vessels that participate in specific limited access privilege program fisheries. The vast majority of the groundfish catch falls under the full coverage category, and over 93% of the trawl catch is on trips with full coverage

All vessels that are not subject to full coverage are in the partial coverage category and are assigned observer and EM coverage according to a scientific sampling plan described in the NMFS Annual Deployment Plan (ADP). The ADP outlines the science-driven method for deployment of observers and EM systems using established random sampling methods to collect data on a statistically reliable sample of fishing trips in the partial coverage category. Deployments resulting from the sampling plan specified in the ADP are comprehensively evaluated by NMFS and published in formal reports reviewed by the NPFMC. For example, the most recent estimates of variance indicate that the coefficient of variation (CV) of the estimate of total halibut catch by partial coverage trawl vessels in the Gulf of Alaska is less than 5% (AFSC and AKRO Observer Annual Report, 2021, Appendix C).

In 2021, observers collected data on board 296 fixed gear and trawl vessels and at 12 processing facilities for a total of 35,769 observer days (32,672 full coverage days on vessels and in plants; and 3,097 partial coverage days on vessels and plants).

In 2021, EM was deployed according to trip-selection. Due to limitations on transportation and health mandates associated with COVID-19, observers were deployed according to a port-based trip selection model. Under the port-based trip selection model, observers were deployed on randomly selected trips from specific ports. In addition, this method excluded trips from observation if they did not depart and land within a port that was on the list of observable ports. In August 2021, NMFS released an Information Bulletin to announce the expansion of observer deployment for all ports throughout Alaska beginning on 1 September 2021. This change was consistent with the updated NOAA policy on observer waivers, which states that vessels are no longer eligible for release from observer coverage under the Emergency Rule if a fully vaccinated or quarantined/shelter-in-place observer is available.

A summary of the number of vessels and trips in each stratum and realized coverage rates in 2021 were as follows:

Coverage category	Strata		Total vessels	Total trips	Sampled trips	Coverage rate
Full coverage	Full		118	1,849	1,849	100.0
	Trawl EM (BSAI)		46	999	999	100.0
Partial coverage	Hook-and-Line	Jan. 1 - Aug 31	242	853	106	12.4
		Sep. 1 - Dec. 31	173	506	88	17.4
	Pot	Jan. 1 - Aug. 31	119	558	92	16.5
		Sep. 1 - Dec. 31	86	341	70	20.5
	Trawl	Jan. 1 - Aug. 31	64	418	83	19.9
		Sep. 1 - Dec. 31	25	220	62	28.2
	EM Hook-and-Line		119	656	180	27.4
	EM Pot		44	267	76	28.5
	Trawl EM (GOA)		34	432	142	32.9
	No selection	Zero Coverage		320	1,555	0
Zero Coverage- EM Research			2	20	0	0.0

In December, 2021, NMFS released the final 2022 ADP with the following strata and deployment rates:<sup>10</sup>

- No Selection – 0%
- Trawl vessels not participating in the EM EFP – 30%
- Hook-and-line – 19%
- Pot – 17%
- Fixed-Gear EM – 30%
- Trawl EM EFP–100% at-sea EM; plus: 30% shoreside monitoring in GOA or 100% shoreside monitoring in BS

In December, 2022, NMFS released the final 2023 ADP with the following strata and deployment rates:<sup>11</sup>

<sup>10</sup> The 2022 Annual Deployment Plan for Observers and Electronic Monitoring in the Groundfish and Halibut Fisheries off Alaska is available at: <https://www.fisheries.noaa.gov/resource/document/2022-annual-deployment-plan-observers-and-electronic-monitoring-groundfish-and>

<sup>11</sup> The 2023 Annual Deployment Plan for Observers and Electronic Monitoring in the Groundfish and Halibut Fisheries off Alaska is available at: <https://www.fisheries.noaa.gov/resource/document/2023-annual-deployment-plan-observers-and-electronic-monitoring-groundfish-and>.



- No Selection – 0%
- Trawl vessels not participating in the EM EFP – 23%
- Hook-and-line – 18%
- Pot – 17%
- Fixed-Gear EM – 30%
- Trawl EM – all vessels 100% at-sea coverage with EM; plus 33% shoreside monitoring in the GOA and 100% shoreside monitoring in the BSAI.

### *Improvements in Discard Estimates of Halibut in the Directed Halibut Fishery*

January 2013 marked the beginning of a new method of deploying at-sea observers into the Federal groundfish and Pacific halibut (*Hippoglossus stenolepis*) fisheries off Alaska. The new program provided for at-sea data collection on longline vessels participating in the Pacific halibut fishery. Previously, data collections on these boats was not authorized and had severely limited the NMFS's ability to estimate incidental catch and at-sea discard of halibut and groundfish species. The Pacific halibut fishery is the only federally managed groundfish fishery off Alaska with a regulatory minimum size limit and any halibut intended for commercial sale must be at least 32 inches (~81 cm) in total length.

The minimum size limit complicates estimation of halibut discard due to the limited amount of disposition-specific data collected by observers available to calculate mean weights. Observers collect fish weights that are used to estimate the mean weight per fish from the unsorted (retained and discarded) catch. They also collect counts of retained fish to estimate the percent of the catch retained. The calculation of the mean weight per fish using observer data may overestimate the mean weight of discarded fish and underestimate the weight of retained fish. While estimates of retained catch are based on landings data and thus are not biased, the haul-specific estimates of at-sea discards of halibut in the halibut fishery are biased. To correct for this bias, NMFS has developed an analytic method to mitigate the bias by adjusting the percentage of halibut retained to reflect the differences in mean weight for retained (and discarded) halibut. NOAA-AKFS Technical Memorandum 432 (2022) describes the methodology.

### **Commercial Halibut IFQ Program**

Effective June 6, 2022 through December 31, 2022, NOAA Fisheries issued a final rule to remove limits on the maximum amount of halibut Individual Fishing Quota (IFQ) that may be harvested by a vessel, commonly known as vessel use caps, in IFQ regulatory areas 4A (Eastern Aleutian Islands), 4B (Central and Western Aleutian Islands), 4C (Central Bering Sea), and 4D (Eastern Bering Sea) for the 2022 IFQ fishing year (87 FR 34215, June 6, 2022).

### *IFQ Omnibus Analysis*

On November 23, 2022, NMFS issued a proposed rule to implement Amendment 124 to the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI FMP) and Amendment 112 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (GOA FMP) (87 FR 71559, November 23, 2022). In April 2022, the NPFMC recommended several revisions to the Halibut and Sablefish Individual Fishing Quota (IFQ) Program regulations.<sup>12</sup> First, this proposed rule would amend regulations for the Individual Fishing Quota (IFQ) and Community Development Quota (CDQ) Programs for pot gear configurations,

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<sup>12</sup> The NPFMC final motion recommending this action is available under Agenda Item C1 at: <https://meetings.npfmc.org/Meeting/Details/2854>.

pot gear tending and retrieval requirements, pot limits, and associated recordkeeping and reporting requirements. These changes would increase operational efficiency and flexibility for IFQ holders and CDQ groups. Second, this proposed rule would authorize jig gear as a legal gear type for harvesting sablefish IFQ and CDQ, increasing opportunities for entry-level participants. Third, this proposed rule would temporarily remove the Adak community quota entity (CQE) residency requirement for a period of five years.

### **Subsistence**

#### *Subsistence Harvests of Pacific Halibut in Alaska, 2020*

Although this is a 2021 report, the Division of Subsistence collects and analyzes subsistence halibut harvest data biennially. As such, the most recent available data are for 2020 (summarized below); the department will be collecting and analyzing harvest data for the 2022 study year that will be included in next year's report.

Through a grant from the National Marine Fisheries Service (NMFS) (NA18NMF4370086), the Alaska Department of Fish and Game (ADF&G) Subsistence Section conducted a study to estimate the subsistence harvests of Pacific halibut in Alaska in 2020. The full results appear in Technical Paper No. 485, "Subsistence Harvests of Pacific Halibut in Alaska, 2020" (Sill and Koster 2022).

To estimate the 2020 harvests, a one-page survey form was mailed to SHARC holders in early 2021. Staff also remotely administered surveys in four communities using modified methods due to the COVID-19 pandemic. After three mailings and community outreach, 5,127 of 8,135 potential subsistence halibut fishers (63%) responded. Participation in the survey was voluntary.

An estimated 3,777 individuals subsistence fished for halibut in Alaska in 2020, about 8% below the 2018 fishing year and 26% below the long-term average since 2003. The estimated subsistence harvest was 27,241 halibut or 530,757 pounds net weight. This was the lowest harvest estimate since the new regulations were adopted in 2003 and, as expressed in pounds net weight, nearly 14% below 2018 harvests and 41% below the previous 13-year average. It is important to note that the 2020 study year included the unusual circumstances of the COVID-19 global pandemic and it is unclear exactly how this pandemic affected subsistence harvesting activities. Of the 2020 total subsistence halibut harvest, 75% was harvested with setline (stationary) gear (longline or skate) and 25% was harvested with hand-operated gear (handline or rod and reel). This pattern was similar to other study years.

Also similar to all other years, in 2020, the largest subsistence harvests of halibut occurred in Southeast Alaska (Halibut Regulatory Area 2C), with 55% of the total, followed by Southcentral Alaska (Area 3A) at 33%, and East Bering Sea Coast (Area 4E) at 6%. Remaining areas combined accounted for about 6% of the state total.

Based on data from the International Pacific Halibut Commission and the 2020 study year, subsistence harvests accounted for 2% of the 2020 total.

This study was the second year of inclusion of a new question about whether survey respondents had met their needs for halibut; in 2020, 51% of survey respondents said they had and 49% said they had not. Family or personal reasons, lack of effort, inoperative equipment, and time constraints were the most-cited reasons for not meeting needs. As noted above, the effect of the COVID-19 pandemic on subsistence harvesting activities remains unknown; however, approximately 10% of survey respondents who reported that their needs were not met indicated that the pandemic was the reason.

The 2020 data collection effort was a success, with good response rates and a reliable estimate of subsistence halibut harvests in Alaska for 2020. Outreach continues to be necessary to

maximize enrollment of fishers in the SHARC program, as is additional research to understand trends in the fishery. However, section staff were limited in their outreach capacity because of limitations on travel to rural Alaska due to the pandemic. Budget constraints dictate that a survey to estimate subsistence halibut harvests in Alaska in 2021 will not take place. However, preparations for data collection for the 2022 study year are underway and are expected to occur on schedule.

**NOAA Fisheries Law Enforcement - Alaska**

***Alaska Enforcement Division***

The Alaska Enforcement Division (AKD) utilizes enforcement officers, special agents, and partnerships with the Alaska Wildlife Troopers and the U.S. Coast Guard to enforce federal fishing regulations in Alaska, covering over 1.4 million square miles of ocean, 66,000 miles of Arctic and Subarctic coastline, and 2,690 named islands. Compliance is achieved by providing outreach and education, conducting patrols, monitoring offloads, and investigating violations of civil and criminal marine resource laws, including the Northern Pacific Halibut Act.



In 2022, there were 3375 Individual Fishing quota (IFQ) halibut permits issued in Alaska and 30 IFQ landing ports. There were 881 charter halibut permits issued (495 for IPHC Area 2C; 386 for IPHC Area 3A), and 6,394 subsistence halibut permits.

***Patrol and Boardings***

In 2022, AKD personnel spent over 2353 hours conducting patrols to deter potential violators, monitor fishing and other marine activities, detect violations, provide compliance assistance, and provide outreach and education to halibut fishery participants. OLE boarded 790 vessels with 522 of those boardings being related to halibut. Alaska Wildlife Troopers conducted additional boardings and investigations under state authority that are not reported here.

**Table 11 Results of NOAA OLE AKD Vessel Boardings**

	2020	2021	2022
	Vessel Boardings	Vessel Boardings	Vessel Boardings
Subsistence Halibut	27	14	11
Commercial Halibut	314	334	306
Charter Halibut	136	149	108
Sport Halibut	171	195	97
<b>Total</b>	<b><u>648</u></b>	<b><u>692</u></b>	<b><u>522</u></b>

**Compliance Assistance**

In 2022, AKD personnel spent over 1499 hours providing outreach and education to marine resource users. The goal of OLE outreach efforts is to ensure the most current and accurate regulatory information is widely distributed and understood.

**Incidents**

In 2022, AKD opened 1515 halibut-related incidents, including outreach, vessel boardings, dockside monitoring, and compliance assistance. Of those incidents; agents and officers identified 354 halibut-related violations, which were resolved by Compliance Assistance, Summary Settlement, Notice of Volition Assessment, or a Written Warning.

**Table 12. NOAA Fisheries OLE Alaska Halibut Violations**

	<b>2020</b>	<b>2021</b>	<b>2022</b>
Subsistence Halibut	14	18	6
Commercial Halibut	197	123	287
Charter Halibut	50	133	38
Sport Halibut	51	54	26
Commercial Groundfish involving Halibut	84	52	22
<b>Total</b>	<b>396</b>	<b>380</b>	<b>354</b>

**\*Not all violations resulted in an enforcement action.**

**2022 Halibut-Related Violations documented by NOAA in Alaska:**

6 Subsistence halibut fishing violations; most common violations included:

- Unqualified person applied for a SHARC
- Subsistence halibut with sport caught halibut.
- Subsistence halibut fishing without a SHARC
- Subsistence halibut offered for sale.

287 Commercial IFQ/CDQ halibut violations; most common violations included::

- IFQ halibut overages greater than 10%
- Record keeping or reporting violations (PNOL, Landing Report, Logbook, PTR, Production Reports)
- Gear marking violations
- Failure to release undersized halibut with a minimum of injury by allowing fish to hit the crucifier, remain on deck for a prolonged period of time, and other mishandling issues (e.g. lifting fish solely by caudal peduncle).
- Hired master and permit holder violations
- Vessel cap overages
- Misreporting IFQ area fished or fishing in an area with no IFQ available
- Fishing without an FFP
- Unreported halibut found after offloads.
- Class D vessel size limit violations (vessels over 36 ft. LOA fishing D class quota)

22 Commercial groundfish violations involving halibut; most common violations included:

- Failure to carefully release halibut or allow halibut to contact a crucifier or hook stripper
- Puncture halibut with a gaff or other device

26 Sport halibut violations; most common violations included:

- Sale or attempted sale of sport caught halibut
- Exceeding bag and/or possession limits
- Filleting, mutilating or skinning halibut onboard a vessel, other than 2 ventral pieces, 2 dorsal pieces, and 2 cheek pieces, with a patch of skin on each piece, naturally attached
- Fishing without a license/permit
- Sport caught halibut onboard with commercial caught salmon

38 Charter halibut fishing violations; most common violations included:

- Logbook violations-
- Failure to report GAF in the required time period or submitting inaccurate information
- Illegal guiding - no CHP
- Filleting, mutilating or skinning halibut onboard a vessel, other than 2 ventral pieces, 2 dorsal pieces, and 2 cheek pieces, with a patch of skin on each piece, naturally attached
- Exceeding bag limit, possession limit, size limits, or annual limits
- Charter fish without a CHP
- Could not produce the original CHP

### ***Partnerships & Patrols Highlights***

From April 1, 2022, to September 30, 2022, the Office of Law Enforcement (OLE), Alaska

Division (AKD) conducted extensive patrols for the purposes of enforcement and education. In addition to daily dockside and vessel patrols, AKD conducted several multi-day patrols. Patrols were often coordinated with partners including U.S. Customs and Border Protection (CBP), U.S.

Fish and Wildlife Service (USFWS), U.S. Coast Guard (USCG), Alaska Wildlife Troopers (AWT), and National Park Service (NPS). Partnering with multiple agencies broadens enforcement and outreach opportunities and allows for shared knowledge across agencies.

In April, AKD, AWT, and USCG provided education and outreach, as well as a strong safety and enforcement presence during the annual King Salmon Derby in Homer, AK. The agencies split into several teams to conduct multiple boardings using the State of Alaska and Coast Guard vessels and a Coast Guard aircraft. Teams boarded 172 vessels and discovered several State and Federal violations.

In July a team of Enforcement Officers conducted a patrol from Seward, AK to Kodiak, AK with NPS. The team swapped patrol vessels in Kodiak and then proceeded to patrol back to Seward, up to the Prince William Sound, and back to Seward. The team conducted 17 boardings at sea resulting in eleven violations being discovered.



A Special Agent and an Enforcement Officer conducted a vessel patrol in Southeast Alaska in July. They boarded 19 Vessels, resulting in four violations found, two state violations-for no Sport Fishing License on Person, One Written Warning issued for no logbook, and one fix-it issued for not possessing a legible copy of an IFQ permit.



In July, an Enforcement Officer participated in a two-week patrol on the AWT Large Class patrol vessel P/V ENFORCER throughout southeast Alaska. During the patrol they boarded 107 vessels and found 16 violations (eight state violations, and eight federal). Multiple remote communities were visited and outreach information was provided about the IPHC 2022 regulations. The patrol also focused on the Canadian maritime boundary.

## **Case Updates**

### *Notice of Violation and Assessment*

The NOAA Office of General Counsel, Enforcement Section (GCES) issued Notices of Violation and Assessment (NOVA) in the following civil administrative cases. A NOVA is not evidence of liability; it is only an allegation. A respondent is entitled to a fair hearing before an administrative law judge at which the government must prove liability by a preponderance of the evidence.

AK2102696 and AK2105897; F/V Arlice – In count one, owner Arlice, Inc. and operator Charles Jeffrey Petticrew, Sr. were charged jointly and severally under the Magnuson-Stevens Act with fishing with bottom gear in a Gulf of Alaska Coral Protection Area. In count two, owner Arlice, Inc. and Charles Jeffrey Petticrew, Jr. were charged jointly and severally under the Halibut Act with retaining IFQ halibut in excess of the total amount of IFQ available. A \$21,421 NOVA was issued.

AK2100641; F/V Currency – Owner F/V Currency, LLC and operator Iliia N. Kuzmin were charged jointly and severally under the Halibut Act with fishing for, or possessing, Pacific halibut before the authorized fishing period started. A \$4,400 NOVA was issued.

AK2200857; F/V Competition – Owner/operator Alexander E. Reutov was charged under the Halibut Act with fishing for, or possessing, Pacific halibut before the authorized fishing period started. A \$4,400 NOVA was issued.

AK1708987B; F/V Sovereign Grace – IFQ permit holder Gregory Beam was charged under the Northern Pacific Halibut Act with an IFQ two-area violation and for making false statements. The previously-issued \$195,555.34 NOVA was amended to \$37,690 as to Beam in June 2022.

### *Cases Settled*

NOAA GCES entered into settlement agreements in the following civil administrative cases:

AK2102696 and AK2105897; F/V Arlice – In count one, owner Arlice, Inc. and operator Charles Jeffrey Petticrew, Sr. were charged jointly and severally under the Magnuson-Stevens Act with fishing with bottom gear in a Gulf of Alaska Coral Protection Area. In count two, owner Arlice, Inc. and Charles Jeffrey Petticrew, Jr. were charged jointly and severally under the Halibut Act with retaining IFQ halibut in excess of the total amount of IFQ available. A \$21,421 NOVA was issued and the case settled for \$19,278.90.

AK2100641; F/V Currency – Owner F/V Currency, LLC and operator Iliia N. Kuzmin were charged jointly and severally under the Halibut Act with fishing for, or possessing, Pacific halibut before the authorized fishing period started. A \$4,400 NOVA was issued, and the case settled for \$3,960.

## **United States Coast Guard Enforcement Report – Alaska Region**

### ***I. Coast Guard Resources in Alaska***

The U.S. Coast Guard (USCG) 17<sup>th</sup> District (D17) covers the U.S. waters of Alaska out to 200 nautical miles, and encompasses the IPHC Areas 2C, 3A, 3B, 4A, 4B, 4C, 4D, and 4E. Resources used for fisheries enforcement include cutters, aircraft, and boats from coastal stations.

#### ***Cutters:***

- 418-foot National Security Cutters (NSCs) in California and Hawaii are assigned to patrol D17 waters throughout the year.
- The 282-foot Medium Endurance Cutter USCGC ALEX HALEY home-ported in Kodiak regularly patrols the Bering Sea and Aleutian Islands.
- Four 225-foot Buoy Tenders conduct law enforcement throughout Alaska and are home-ported in Sitka, Cordova, Kodiak, and Homer.
- Three 154-foot Fast Response Cutters (FRCs) home-ported in Ketchikan conduct routine law enforcement throughout Southeast and South-Central Alaska.
- Three 110-foot patrol boats conduct routine law enforcement in South-Central Alaska and are home-ported in Valdez, Seward, and Homer.
- Two 87-foot Coastal Patrol Boats conduct routine law enforcement patrols in Southeast Alaska and are homeported in Juneau and Petersburg. Additionally, 87-foot Coastal Patrol Boats homeported in Washington make occasional patrols in Southeast Alaska.

#### ***Aircraft:***

- Fixed wing and rotary wing aircraft are based out of Air Stations in Kodiak and Sitka. Both conduct routine law enforcement patrols throughout Alaska.
  - Five C-130 fixed wing aircraft
  - Nine MH-60 rotary wing aircraft
  - Four MH-65 rotary wing aircraft

#### ***Stations:***

- The three coastal small boat stations operating 29-foot and 45-foot boats are located in Ketchikan, Juneau, and Valdez.
- D17 routinely deploys Maritime Safety and Security Teams (MSSTs) to specific locations for safety and law enforcement during periods of high commercial, charter, and recreational fishing activity.

The primary at-sea fisheries enforcement assets are our cutters, ranging in size from the 87-foot patrol boats up to 418-foot NSCs. Patrol boats are limited in sea keeping abilities, and conduct the majority of enforcement inside of 50 nautical miles from shore and along the 100-fathom curve. This role is filled by 154-foot FRCs, 110-foot patrol boats, and 87-foot patrol boats. Patrol boats provide regular law enforcement presence in the commercial, charter, subsistence, and recreational fishing fleets closer to shore. By 2025, D17 anticipates the addition of three more 154-foot FRCs to greatly enhance boarding capabilities.

Beyond 50 nautical miles, we rely on our larger cutters to enforce federal fisheries regulations, with USCGC ALEX HALEY and NSCs from throughout the west coast assigned to patrol Alaskan waters. Additionally, 225-foot Buoy Tenders effectively patrol both offshore and inshore waters.

Small boat stations primarily focus on recreational, subsistence, and charter halibut activity in their local regions. This does not preclude them from boarding larger commercial vessels operating closer to shore.

The USCG routinely conducts fisheries law enforcement flights from Air Stations in Kodiak and Sitka using a variety of fixed wing C-130 aircraft and rotary wing MH60 and MH65 helicopters. These flights provide sightings of vessels while fishing and in transit. Additionally, queries by the aircraft record target species, permits, and whether there is catch onboard.

All units involved in fisheries enforcement receive training from the Coast Guard's North Pacific Regional Fisheries Training Center in Kodiak prior to patrolling the region. NOAA's Office of Law Enforcement (OLE) agents and state fisheries enforcement officers routinely participate in the training. The success of USCG fisheries enforcement operations is enhanced by collaboration with our enforcement partners from NOAA OLE and the state of Alaska, ensuring consistent presence on the fishing grounds and at landing sites.

## ***II. Halibut Enforcement***

In Calendar Year 2022, the USCG distributed its enforcement assets throughout the Alaska IPHC Areas, with boarding numbers listed in Table 10. The USCG's enforcement focus is to protect the resource in accordance with the Fishery Management Plan, to ensure equal economic opportunity for all participants, and to ensure safety of life at sea.

**Table 13 2020, 2021 & 2022 Geographic Distribution of Boardings on Vessels Targeting Halibut**

<b>IPHC Area</b>	<b>2020 Boardings</b>	<b>2021 Boardings</b>	<b>2022 Boardings</b>
2C	264	203	413
3A	131	250	112
3B	0	0	0
4A	13	12	1
4B	4	2	1
4C	0	0	0
4D	1	1	0
4E	0	0	0
<b>Total</b>	<b>413</b>	<b>468</b>	<b>527</b>

## ***III. Commercial Halibut Enforcement***

D17 law enforcement assets routinely patrolled the fishing grounds, often conducting joint boardings in collaboration with NOAA OLE throughout the season from the Bering Sea to Southeast Alaska. These operations included at-sea boardings, aircraft patrols, and dockside inspections. Joint agency efforts are a regular and important aspect of law enforcement coordination as they enable the broadest contact rate with the fishing fleets in order to ensure compliance with federal regulations while also providing the most accurate and complete picture of fishing activity on the fishing grounds and at catch landing sites.

The lack of a universal requirement for fishing vessels targeting halibut to be equipped with VMS onboard means there is not a centralized means to assess and monitor fishing activity in Areas 2C through 4E. Time intensive patrols by surface and aviation assets are the primary means to identify where vessels are fishing for halibut. The need for patrols is amplified when market forces and/or fair weather conditions cause an increase in fishing activity.



During boardings of the commercial hook and line vessels, USCG enforcement efforts focus on (1) adherence to permit requirements for area and individual quota, (2) safe release of halibut bycatch by other commercial vessels, (3) consistent use of seabird avoidance gear, (4) indicators of high-grading catch, (5) retention of rockfish and Pacific Cod, (6) complete offload of catch, and (7) timely compliance with all recordkeeping requirements.

**IV. Recreational and Charter Halibut Enforcement**

Recreational activity most often occurs in Areas 2C, 3A, and 3B in the form of individual sport and charter fishing. The season lasts from 01 February to 31 December, but is most prevalent from May through September. USCG assets increase fisheries patrols during this time to focus on popular fishing grounds in Southeast Alaska, Prince William Sound, Cook Inlet, and the Gulf of Alaska. Recreational and charter vessels comprised 85.8% of the halibut boardings in D17.

During recreational and charter boardings, the USCG places emphasis on compliance with licensing and charter operation requirements, size limits, daily catch limits, trip limits, and at-sea processing of halibut.

**V. Violations and Enforcement Summary**

In 2022, USCG assets boarded a total of 527 vessels and detected 13 violations on 11 vessels. The USCG documented these violations and referred them to NOAA OLE or Alaska Wildlife Troopers for final action as appropriate. Table 11 compares at-sea boardings and violations between 2021 and 2022.

**Table 14 2021 & 2022 Boarding and Violation Summaries by Industry Sector**

2021 Boardings/Violations	2022 Boardings/Violations
Total At-Sea Boardings .....468	Total At-Sea Boardings .....527
Commercial.....112	Commercial.....75
Charter.....101	Charter.....110
Recreational/Subsistence .....255	Recreational/Subsistence .....342
Fisheries Violations .....16	Fisheries Violations .....13
Commercial.....14	Commercial.....8
Charter.....0	Charter.....3 (1 vessel)
Recreational/Subsistence .....2	Recreational/Subsistence .....2
Fisheries Compliance Rates .....96.6%	Fisheries Compliance Rates .....97.9%
Commercial.....87.5%	Commercial.....89.3%
Charter.....100%	Charter.....99.1%
Recreational/Subsistence .....99.2%	Recreational/Subsistence .....99.4%

*In Area 2C:*

- One commercial vessel was cited for failing to have an IFQ permit onboard.
- Two commercial vessels were cited for not having a logbook onboard.
- One charter vessel was cited for not having a guided operating license or master’s license, clients not having Alaska fishing licenses, and failing to maintain charter halibut logbook. This was considered an illegal charter operation.
- Two recreational vessels were cited for having too many fishing lines in the water for the number of recreational anglers onboard.

*In Area 3A:*

- One commercial vessel was cited for having 117 lbs. of illegally retained recreational halibut onboard that was not logged, and the halibut was mutilated so that the number of fish retained could not be determined. The catch was seized and transferred to NOAA OLE.
- One commercial vessel fishing for Pacific Cod was cited for having 18 illegally retained halibut onboard with no IFQ permit. The halibut was seized and transferred to NOAA OLE.
- One commercial vessel was cited for improper longline buoy markings.

*In Area 4A:*

- One commercial vessel was cited for failing to have an IFQ permit onboard..

*In Area 4B:*

- One commercial vessel was cited for not retaining rockfish bycatch that was required to be retained.

The USCG transferred detected violations to NOAA OLE for disposition, and outcomes included compliance assistance, summary settlements, or catch seizures.

In addition to the IPHC violations summarized in Table 2, USCG assets documented 25 safety violations including insufficient fire extinguishers, expired visual distress signals, and expired hydrostatic releases for survival craft and/or EPIRB. One vessel's voyage was terminated since it was identified as an illegal charter operation, with a second vessel suspected of being an illegal charter operation with no violations cited.

An apparent rise in the number of remote lodges providing guests boats to rent without having a guide onboard led to a significant rise in people operating small boats in Southeast and South-Central Alaska that were both unfamiliar with the area and vessel. Demand for these unguided/bareboat charters result from regulations that allow sport fishers to retain two halibut of any size, rather than one size-restricted halibut per day as a client on a charter.

This trend significantly increases the safety risk in these lodge areas, as one situation provided a perfect example of the hazards involved with this practice. A small boat left a lodge without a guide onboard, the vessel sank, and the individuals were adrift and swam to a beach where they remained overnight without shelter, communications, or means of signaling distress. It was not until the following day that another lodge client contacted the Coast Guard because of the people missing, the stranded clients were located by the Coast Guard, and rescued.

## **VI. Enforcement Plans for 2023**

The USCG continues to pursue increased at-sea boarding opportunities to promote compliance with both safety and fisheries regulations in all IPHC Areas and across all fishery sectors.

The USCG will continue joint pulse operations with NOAA and state partners to focus enforcement efforts across the commercial, charter, subsistence, and sport sectors of the halibut fishery. Additionally, the USCG will examine the practice of unguided/bareboat charters and their effect on boating safety. Charter and recreational halibut regulations incentivize lodges to offer bareboat charters so that clients can retain more halibut per day that are not size-restricted. Considering recent Search and Rescue cases involving the sunken unguided charter vessel, numerous safety violations resulting in voyage terminations, and other safety violations, the USCG will focus boardings in this fishery sector.

The commercial and recreational halibut fisheries in Alaskan waters continue to draw high national and international interest. D17 will continue to actively patrol throughout the season and

emphasize joint operations with our federal and state partners, NOAA OLE, and the Alaska Wildlife Troopers.

By sustaining efforts to monitor and patrol areas where halibut fisheries occur, the USCG will strive to continually promote a level playing field for all participants and enhance safety at sea. Our goal is a consistent and targeted enforcement presence applied fairly across all commercial, charter, subsistence, and recreational fleets. This will encourage compliance across fishing fleets to help management efforts sustain the fisheries.

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### **TO REPORT VIOLATIONS:**

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