

**NOAA Fisheries Office of Law Enforcement  
Alaska Enforcement Division  
Report to the  
International Pacific Halibut Commission**



**January 1, 2016 to December 13, 2016**

**NOAA Fisheries Office of Law Enforcement  
Alaska Enforcement Division  
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**TO REPORT VIOLATIONS:  
Call 1-800-853-1964**

The Alaska Enforcement Division utilizes Enforcement Officers, Special Agents and partnerships with the Alaska Wildlife Troopers and the U.S. Coast Guard to enforce federal fishing regulations over 842,000 square miles of ocean, 6,600 miles of coastline and 2,690 islands off of Alaska. Compliance is achieved by providing outreach and education, conducting patrols, monitoring offloads, and by investigating violations of civil and criminal marine resource laws.

**Compliance Assistance**

During 2016, Alaska Enforcement Division personnel spent over 1711 hours providing compliance assistance by way of outreach and education with marine resource users. This is an increase from 1687 hours in 2015. This includes outreach at a number of organized events as well as daily contacts in communities, ports and harbors and at-sea to ensure that the most current and accurate regulatory information is widely distributed and understood.

\* Officers staffed a booth at the 2016 Southeast Alaska State Fair. The four day show hosted approximately 100 vendors. NOAA focused on outreach and education for 2016 charter halibut regulatory changes along with sport and subsistence halibut regulations.

\* As part of annual compliance outreach two Enforcement Officers staffed the OLE booth at the 2016 Great Alaska Sportsman’s Show in Anchorage, Alaska. The officers educated the public on charter halibut, marine mammal parts, and general questions about OLE. The officers contacted 15 charter halibut operations on site to provide updates on the 2016 regulatory changes.

\* Agents and Officers conducted Charter Halibut meetings with lodges, associations, organizations and the general public in numerous locations throughout Southcentral and Southeast Alaska to discuss the charter halibut fishing regulations for the 2016 fishing season.

**Halibut Related Violations**

	<b>2012</b> Violations Documented	<b>2013</b> Violations Documented	<b>2014</b> Violations Documented	<b>2015</b> Violations Documented	<b>2016*</b> Violations Documented
Subsistence Halibut	39	37	20	18	33
Commercial Halibut	95	176	166	178	211
Charter Halibut	75	47	99	186	309
Sport Halibut	13	18	19	36	64
<b>TOTAL</b>	<b>222</b>	<b>278</b>	<b>304</b>	<b>418</b>	<b>602</b>

\* In July 2016 OLE implemented a new records management system (RMS) that contains data migrated from the old RMS to the new RMS. Not all data fields were exact matches between the two RMS systems and some data transfer error may have occurred.

Halibut Related Violations documented by NOAA in Alaska in 2016:

**33 Subsistence halibut fishing violations were documented.**

- Unqualified person apply for SHARC
- Improperly or unmarked subsistence halibut fishing gear

- Subsistence halibut fishing without SHARC
- Unlawful sale, or attempted unlawful sale of subsistence halibut
- Exceeding bag and/or possession limits

**211 Commercial IFQ or CDQ halibut violations were documented.**

- 33 IFQ halibut overages in 2016
  - 40 IFQ halibut overages in 2015
  - 27 overages in 2014
  - 10 overages in 2013
  - 24 overages in 2012
- Area 4 clearance violations
- Record keeping or reporting violations (PNOL, Landing Report, Logbook)
- Gear marking violations
- Retain undersized halibut
- Filleting halibut onboard commercial vessel
- Hired Skipper and Permit Holder violations
- Vessel Cap Overages
- Misreporting IFQ area fished or fishing in an area with no IFQ available

**300 plus Charter halibut fishing violations were documented (186 detected on patrols).**

- Logbook violations-
  - Fail to ensure charter halibut anglers sign the logbook
  - Fail to record CHP on front of ADFG logbook, invalid CHP
  - Illegal guiding - No CHP
- GAF reporting violations- FAILURE TO REPORT GAF IN REQUIRED TIME LIMIT
- Filleting, mutilating or skinning halibut onboard a vessel-
  - Chunked-mutilated, other than skin on
- Exceeding bag limit; possession limit; size limits or annual limits
  - Over annual limit
  - Crew retaining Charter halibut
- Fishing on closed days
- Reports of high-grading / returning harvested halibut to sea to retain a different halibut
- Charter fish without a CHP

**64 Sport halibut fishing violations were documented.**

- Sale or attempted sale of sport caught halibut
- Exceeding bag and/or possession limits
- Filleting, mutilating or skinning halibut onboard a vessel-21 cases

**Example of violations of filleting, mutilating or skinning halibut onboard a vessel**



**59 Commercial fishing violations involving halibut in the ground fish fishery were documented.**

- Fail to carefully release halibut or allow halibut to contact a crucifier or hook stripper before being released.

## **Patrol and Boardings**

During 2016, Alaska Enforcement Division personnel spent over 4,476 hours conducting patrols to provide a visible deterrence to potential violators, to monitor fishing and other marine activities, to detect violations, to conduct compliance boardings, and to provide compliance assistance. This is an increase from 3,363 hours in 2015.

	2015			2016*		
	Vessel Boardings	Violations Discovered During Boarding	Observed Compliance	Vessel Boardings	Violations Discovered During Boarding	Observed Compliance
Subsistence Halibut	4	2	50%	18	9	50%
Commercial Halibut	195	5	97%	550	65	88%
Charter Halibut	70	18	75%	197	56	72%
Sport Halibut	229	8	97%	368	59	84%
<b>Total Vessel Boardings</b>	<b>498</b>	<b>33</b>	<b>93%</b>	<b>1133</b>	<b>189</b>	<b>83%</b>

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## **Investigations**

During 2016, NOAA's Alaska Enforcement Division opened approximately 2873 incidents that documented approximately 1591 incidents related to halibut, including vessel boardings, compliance assistance, and multiple types of violations. Of those 1591 incidents 602 were halibut related violations.

### **Alaska Enforcement Division Investigations**

	2014	2015	2016*
Total Cases Opened	547	623	2873
Total Violations Documented	1313	1,393	1741
Halibut Related Violations	340	475	602
Percentage of Violations Halibut Related	16%	34%	35%

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## **Partnerships**

NOAA OLE works closely with the U.S. Coast Guard and the Alaska Wildlife Troopers to accomplish common goals and priorities by working together on a daily basis to maximize compliance with marine resource laws and regulations.

- Three enforcement officers and a supervisory enforcement officer conducted a joint operation in Southeast Alaska with the Alaska Wildlife Troopers, National Parks Service, and a USCG officer. The team boarded 113 vessels, provided compliance assistance to 19 operators, and identified 11 fisheries violations as well as USCG safety violations.

Approximately 200 lbs. of chunked halibut was seized and three unlicensed guides were cited.

- An enforcement officer completed a 19 day patrol aboard the State of Alaska Patrol Vessel, Enforcer in Southeast Alaska. The officer and an Alaska Wildlife Trooper traveled 1285 nautical miles and performed 177 at sea vessel boardings. The boardings resulted in 581 public contacts, 41 federal fishery violations, 67 incidents compliance assistance, and the seizure of approximately 350 pounds of halibut, lingcod, and yelloweye rockfish. Notable federal violations included possession of mutilated sport caught halibut, failure to ensure anglers sign the charter logbook, charter fishing without a valid Charter Halibut Permit, and failure to properly identify Guided Angler Fish by clipping the caudal fin.
- A charter operator paid a \$6,000 NOVA for numerous over limits of halibut. Alaska Wildlife Troopers referred the case to OLE after investigators documented the crew placing halibut in buckets of water for several hours then releasing them after a larger halibut was caught.
- Enforcement officers identified approximately 1800 pounds IFQ halibut that was illegally landed, transported, and stored. A search warrant was drafted with the assistance of a special agent and the Assistant United States Attorney office. The officers worked with an Alaska Wildlife Trooper to seize the halibut and approximately 100 pounds of rockfish at two residences about 100 miles from the landing location.

### **Adjudicated Significant Halibut Investigations**

- A Special Agent completed an investigation into the operator and IFQ permit holders on a commercial fishing vessel for falsely reporting halibut IPHC areas, fishing without an IFQ permit holder on board, and reporting false information on landing reports and fish tickets. The investigation covered the fishing years of 2010-2013 and encompassed over 100 violations of criminal and civil laws and regulations. The vessel operator pleaded guilty to one felony count of conspiracy to provide false statements and was fined \$90,000 and assigned probation. A second IFQ permit holder pleaded guilty to one Lacey Act misdemeanor count for submitting false information and was fined \$10,000 and assigned probation. VMS will be required on the vessel during probationary fishing trips.
- A Special Agent audited the 2015 Charter Halibut Logbook data with assistance from nine Enforcement Officers. Over 250 violations were identified, including: Charter Halibut Permit (CHP) invalid for area fished, client failed to sign logbook, using/reporting invalid CHP in logbook, clients retaining over annual limit, inaccurate information in logbook, guide/crew retaining halibut, exceeding CHP fisherman limit, inaccurate CHP reported in logbook, reporting over daily bag limit in logbook, retention of halibut closed day in area 3A, submitting false catch information, fishing with invalid CHP, fishing with a CHP on two boats during the same day.