

ENFORCEMENT CONSULTANT REPORT ON  
AGENDA ITEM B.1.B, REPORT FROM THE ENFORCEMENT CONSULTANTS  
REPRESENTING THE STATES OF WASHINGTON AND OREGON REGARDING  
SUPPLEMENTAL WDFW/ODFW REPORT

Enforcement Consultants (EC) representing the states of Washington, Oregon, and California have reviewed the Supplemental WDFW/ODFW Report regarding Agenda Item B.1.b. The EC representatives from Washington, Oregon, and California ask the council to consider the following information which details the importance of continued Joint Enforcement Agreement (JEA) funding to their states.

The Magnuson Stevens Management and Conservation Act (MSA) authorized the National Oceanic and Atmospheric Administration (NOAA) to enter into JEAs in 2001 with participating state marine enforcement agencies. JEAs maximize the effectiveness of law enforcement efforts by defining national marine fisheries priorities, support comprehensive cooperative planning efforts, and enable inter-jurisdictional fisheries enforcement. The JEAs provide the states with funding for this important work.

**Statement of Problem**

The Department of Commerce FY19 budget, based on the President's budget proposal, calls for the elimination of funding for JEAs. This highly productive and results-oriented program, funded at a rate of \$17-\$18 million per year, allows states to leverage more than 3,500 officers to partner with NOAA to protect living marine resources. Just in FY17, the west coast states of Washington, Oregon, and California have agreed to direct over 25,000 hours of enforcement work towards Federal priorities in support of their respective JEAs. One significant reason JEA funding should be maintained is simply because the states, through the Cooperative Enforcement Agreements, are carrying out responsibilities for enforcing Federal laws that apply in the Exclusive Economic Zone as well as other Federal laws.

While harvests of west coast fisheries contribute over a billion dollars annually to the nation's economy, there is a continued need to enhance the Federal enforcement presence at landing sites and on the water not go the other direction. Many stocks of federally regulated fish have been designated as "overfished" or listed as "threatened" or "endangered." In the last ten years, new management strategies to address conservation concerns have resulted in a magnified patrol responsibility for the entities charged with the enforcement of a very complex, but important, set of regulations.

**Statement of Need**

Without question, state officer deployment through JEAs has proven to be an extremely valuable and effective approach to achieving compliance in federally managed

fisheries and is important to achieve the conservation objectives set by Regional Fishery Management Councils.

Losing or diverting JEA funds will result in less protection at a greater cost to the Federal government, the states, and the communities that rely on sustainable fisheries.

With adequate and protected funding, the states have demonstrated they are capable of fulfilling the fisheries enforcement mission with officers who:

- have the ability to leverage state authorities that fill gaps in Federal authority and regulations;
- can relate to the communities that depend on these resources; and
- can demonstrate a greater result for the investment.

### **At Risk Activities**

- I. Maintaining order in domestic federally regulated fisheries requires consistent law enforcement presence. JEA funding to eligible states provides for increased patrol effort and increased ability to support compliance programs.
- II. Millions of dollars in illegal natural resources are imported and exported annually to ready markets. JEAs have provided funding for an increase in the monitoring of this activity with measurable results. This monitoring is now at risk. With funding surety, states are able to leverage additional local authorities to conduct inspections and more effectively discover violations.
- III. Federal regulations associated with fish habitat enforcement are limited. JEAs have provided funding for more law enforcement presence to address habitat destruction in areas where species are sensitive. Without adequate protection, commercial, recreational, and Native American communities are negatively affected.

### **Requested Funding Protection**

*To maintain the best use of Federal and state law enforcement resources and support fisheries protection at the highest level and support state efforts to enforce Federal laws, we respectfully request that Congress protect and maintain funding for this important JEA program as a line item in the budget.*

PFMC  
04/11/18