



2021 Tri-State Enforcement Report

California, Oregon, and Washington Law Enforcement Agencies

Pacific Fisheries Management Council
November 2021 Meeting Report

Council Members,

Fish and Wildlife Officers across California, Oregon, and Washington have completed another successful two years in partnership with National Oceanic and Atmospheric Administration National Marine Fisheries Service Office of Law Enforcement (OLE) through the Joint Enforcement Agreement (JEA).

As you know the Joint Enforcement Agreement is authorized by the Magnuson Stevens Management and Conservation Act. The JEA provides the authority for the States to enforce federal fishery management regulations and to receive funding for such efforts. Funds received through the JEA program continue to provide a critical and necessary supplement to state funded enforcement efforts towards marine resource protection. In addition to the JEA, State Officers and Troopers performed state-funded enforcement of commercial and recreational fisheries outside of the JEA which further complements federal fisheries enforcement. The United States Coast Guard is also an essential and valued partner for the States in these efforts. The Tri-States look forward to a continued partnership with the NOAA OLE as we work together to improve the program.

These past two years have been challenging for all Law Enforcement working the front lines since the very beginning of the COVID 19 Pandemic. Both recreational and commercial fisheries remained open for the most part and Officers and Troopers remained steadfast in their commitment to protecting our natural resources. The following is a snapshot of just some of the work completed during these last two years.

Thank you for your continued support of our law enforcement efforts,

Lieutenant Ryan Howell
Oregon State Police

Captain Dan Chadwick
Washington Department of Fish and Wildlife Police

Captain Eric Kord
Lieutenant Jason Kraus
California Department of Fish and Wildlife

Sustainable Fisheries – Violations Involving Federally Managed Fisheries

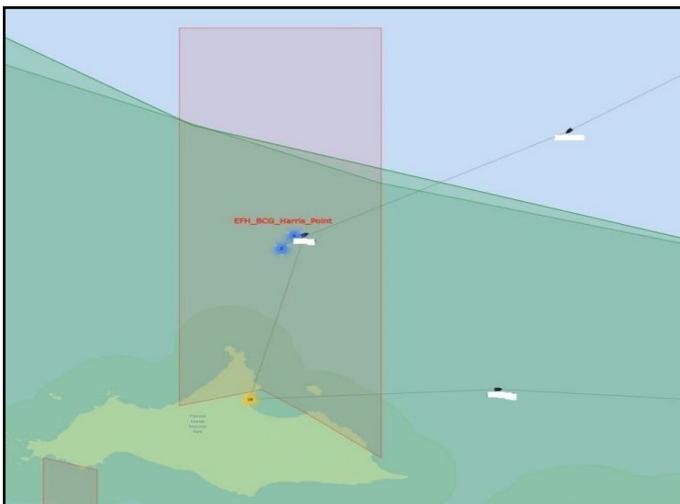


California

Southern California -LT Jason Kraus Enforcement Consultant

CDFW lieutenant Kraus was monitoring VMS when he observed a commercial groundfish vessel enter the Harris Point Essential Fish Habitat (EFH) offshore San Miguel Island. Kraus monitored the suspected unlawful fishing activity for 9 hours. During this time, Kraus coordinated with the CDFW Patrol Boat Swordfish, who was able to contact the suspect vessel at sea. The operator admitted to fishing in the EFH, had groundfish onboard the vessel, and his trip was terminated. Kraus then coordinated with NOAA OLE to have an Enforcement officer meet a CDFW Wildlife Officer in Santa Barbara Harbor, where the commercial load of groundfish was seized.

Lt. Kraus completed the case and referred it to NOAA OLE for prosecution.



CDFW lieutenant Kraus was investigating a commercial fisherman who had a previous enforcement action for fishing groundfish in the Rockfish Conservation Area (RCA). Using VMS, Kraus documented several additional RCA incursions. Kraus coordinated with the CDFW Patrol boat Swordfish during one of the vessel's incursions into the RCA offshore Santa Rosa Island. The PB Swordfish contacted the vessel while it was fishing in the RCA. There were groundfish onboard and the operator was in the process of pulling a cowcod over the vessel's rail. The operator admitted to fishing in the RCA and his trip was terminated.



In total, the operator made thirty-one commercial fishing trips in 2020, there were RCA incursions on 25 of those trips. Furthermore, three of the trips did not have an associated landing.

The operator landed 6,448.5 pounds of groundfish in 2020 which he sold for \$13,951.90. Of that total, 335.5 pounds of groundfish were taken on the 6 trips when the operator did not fish in the RCA. These groundfish were sold for \$473.79. Therefore, the operator landed 6,113.00 pounds of groundfish, which he sold for \$13,481.11 that were taken in the RCA in violation.

Lt. Kraus completed the case and referred it to NOAA OLE for prosecution.

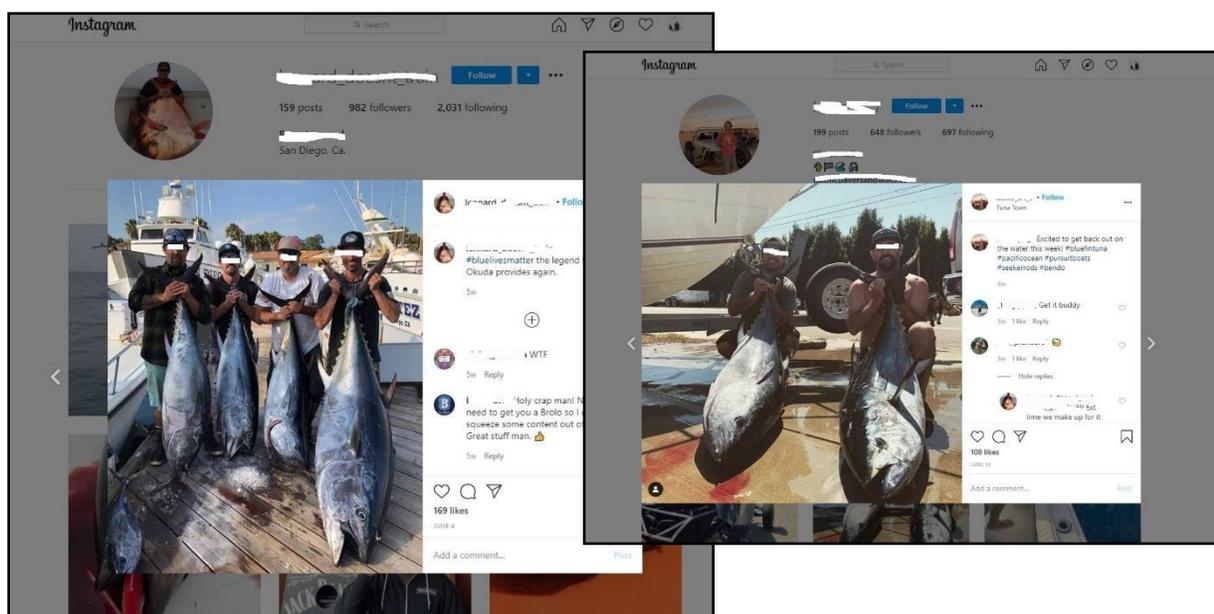
In addition to the above mentioned case, recent VMS activity indicated that the operator has made several fishing trips in the Cowcod Conservation Area (CCA) targeting blackgill rockfish. In August of 2021, Kraus coordinated with the CDFW PB Coho during one of these incursions. The PB Coho contacted the vessel, determined the operator had several pieces of vertical fixed hook and line gear set in the CCA and had approximately 150 pounds of blackgill rockfish onboard the vessel. The trip was terminated, and Kraus is filing the case with the LA City Prosecutor.



CDFW lieutenant Kraus was investigating a commercial fisherman who he suspected had been selling bluefin tuna unlawfully taken on a sportfishing vessel. The subject had been landing the bluefin tuna, indicating they were taken on a vessel that had a commercial license and an HMS permit. However, the dates of the landings lined up with pictures the subject had posted on Instagram while fishing with unlicensed friends on his unlicensed sportfishing vessel.

Kraus interviewed the owner of the commercial fishing vessel associated with the landings, who claimed the suspect had fished with him a few times a few years ago but had never used his commercial vessel to take and sell bluefin tuna commercially. Kraus then contacted the suspect, who at first claimed that he had taken the tuna on the commercial vessel documented on the Electronic Fish Ticket. However, after Kraus informed him what the owner of the commercial vessel had just told him, the suspect admitted that he had taken the bluefin tuna on his sport fishing vessel and had falsified the Electronic Fish Tickets to hide the unlawful activity from enforcement.

Kraus completed the case and referred it to NOAA OLE for prosecution.



Southern California – Patrol Boat Swordfish

The PB Swordfish observed a vessel with six passengers actively angling at the Osborn Bank. The Osborn bank is well beyond the established depth constraints for recreational groundfish. While launching the patrol skiff to make contact, the anglers retrieved their lines and began to motor away from the area.

The patrol skiff quickly caught up with the vessel and conducted a boarding to inspect licenses and fish.

Wildlife Officer Coats quickly observed various rockfish species. After verifying fishing licenses, Officer Coats began counting fish with the help of Officer Cohen. A total of 84 rockfish were counted, well over the boat limit for the day. While Officer Coats was explaining the depth constraint/overlimit violations to the anglers, Officer Cohen began to recognize one of the subjects, but could not put his finger on why.

On a hunch, Cohen returned to the Swordfish and conducted a records check on the vessel and captain. With the help of EFINS and documented boat logs, Cohen was able to determine the captain had been issued a citation in the exact same location less than two years ago and had also been cited by the Swordfish crew for unlawfully fishing in the Point Dume State Marine Reserve last year. Given the captain's history and willful disregard of the resource, the Officers seized all 84 rockfish (and 41 assorted finfish) and all the fishing equipment on the vessel. Every subject on the vessel was issued misdemeanor citations through Santa Barbara Superior Court.



Osborn Bank with Santa Barbara Island in the background

Southern California – Patrol Boat Swordfish (Continued)

On a busy holiday weekend, the Patrol Boat Swordfish was on patrol near Anacapa Island, Ventura County. Lt. Lengning noticed a radar hit on a large vessel adrift in an area outside of the depth constraints for the Southern Management Area, but still in a prime bottom fishing zone. Using stabilized binoculars, the crew was able to identify the vessel from almost 3 miles away as a Commercial Passenger Fishing Vessel.

The PB Swordfish crew decided it would be easier to approach the vessel for better observations using the patrol skiff since it is considerably smaller than the PB Swordfish. Wildlife Officers Coats, Vargas, and Johnson maneuvered the skiff closer and determined the passengers aboard were actively angling while the vessel was in the rockfish conservation area. Officer Coats and Vargas subsequently boarded the vessel and found various species of rockfish aboard.

During the interview, the captain of the vessel explained he was filling in for the normal captain and had just been going off the marked fishing locations on the vessel's chart plotter. The captain was issued a citation for the violation and an education on determining legal fishing grounds for groundfish.



The CPFV with passengers actively angling in the Rockfish Conservation Area and an unlawfully taken rockfish floating away from the vessel (right)



Large load of rockfish seized from six individuals fishing at the 14 Mile Bank

Southern California, San Diego – Patrol Boat Thresher

During the past year, the Patrol Boat Thresher Crew spent a good portion of their enforcement efforts at the 14 Mile Bank/Lasuen Knoll for the purpose of enforcing the regulations as they pertain to the unlawful take of rockfish species seaward of the 100 Fathom Depth Contour. Despite extensive amounts of educational outreach, there were still several instances where violations have occurred. The case photos below document some of the Patrol Boat Thresher’s enforcement effort.



Suspect vessel being boarded at the 14-mile bank. Fishing in closed waters and taking an overlimit of 52 rockfish

Southern California - Patrol Boat Coho

Wildlife Officers contacted a limited entry groundfish vessel on the front side of Santa Catalina Island. The operator had blackgill rockfish onboard and was tending fixed hook and-line-gear targeting additional blackgill rockfish. During the contact, the Wildlife Officers determined the vessel had already taken the cumulative limit of blackgill rockfish for the period and was now in excess. The operator was cited for the overage.



Central California – Patrol boat Bluefin

Since January, the Patrol Boat Bluefin has covered over 350 miles of the California’s coastline from Pigeon Pt., San Mateo County to all of the Channel Islands. In total, the boat patrolled 87 days at sea boarding 690 sport and commercial boats with thousands of contacts.

The crew issued 77 verbal warnings and 124 citations for the following violations: fishing without a license, take of Cowcod and Yelloweye rockfish, overlimit of rockfish, using more than two hooks for rockfish, take of rockfish in the RCA, take of rockfish in the Portuguese Ledge SMCA, take in the Pt Lobos SMR, using barbed hooks trolling for salmon, no commercial fishing license, no commercial boat registration in possession, commercial take of Dungeness crab with no Dungeness crab permit, take invertebrates in the Morro Bay SMRMA, overlimit of Vermilion rockfish, take of rockfish in the Piedras Blancas SMCA, take of rockfish in the Pt. Buchon SMCA, take in the Piedras Blancas SMR, take in the White Rock SMCA, take of rockfish with more than one line, undersized lingcod, undersized sheephead, fishing inside Blue Caverns SMCA, fishing inside Pt Buchon SMR, commercial overlimit of Vermillion rockfish and take of Coho salmon.

The PB Bluefin assisted with an entangled whale found at Santa Cruz Island. The crew notified NOAA, noting the type of commercial rope gear the whale was entangled in, and followed the whale for as long as possible until a disentanglement team arrived.



Part of a load of Vermillion rockfish where the fisherman was 144 pounds overlimit. Warden Megan Cisneros inspecting a commercial lobster trap and lobster at the Channel Islands.



Warden Roth aboard a commercial groundfish boat found to be overlimit of Vermillion rockfish by 223 pounds. P/B Bluefin on patrol

Northern California – Patrol boat Mako

In October 2020, the newest vessel in the California Department of Fish and Wildlife’s Marine Enforcement District arrived at its new home in Eureka, Ca. The P/V Mako is a 36 ft Metalcraft vessel with twin 300hp Yamaha outboards. The vessel was purchased with JEA funds and boasts an impressive array of Raymarine electronics, FLIR infrared camera, and an electric davit. The vessel has enabled the crew to carry out a multitude of missions over the past year. These missions have covered both State and Federal fisheries and their enforcement. The crew averages approximately 8 days at sea per month. The crew of the P/V Mako has contacted numerous recreational and commercial vessels at sea. The contacts have led to investigations and citations for overlimits of rockfish, possession of rockfish in Rockfish Conservation Areas, possession of Coho salmon, illegal methods of take for rockfish, Pacific halibut, and salmon just to name a few.



The crew has also participated in joint operations with Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, NOAA Enforcement, and the United States Coast Guard targeting commercial Pacific halibut. Both dockside and at-sea boardings were performed during the multi day season.

The crew of the P/V Mako not only performed at-sea boardings and joint operations, but it responded to two possible whale entanglements, taking personnel from Humboldt State University's Whale Entanglement team to the area to investigate the entanglements. Additionally, the United States Coast Guard assisted in the search efforts with a helicopter. Due to the efforts of the USCG helicopter and the P/V Mako, they were happy to confidently report in both cases, that the reports of entanglement turned out to be false.



Oregon

No Troll Salmon Permit

A Fish and Wildlife Trooper was contacted by ODFW regarding a commercial troll salmon boat who made two landings of salmon without renewing his 2020 troll salmon permit. The fisherman was contacted while he was headed out on a third trip and said he thought he renewed it when he renewed his crab license but apparently, he had not. He returned to port and renewed his license the next day. The fisherman was cited for No Troll Salmon Permit.

OSP/USCG Joint Halibut Patrol

OSP Marine Fisheries Team (MFT) partnered with US Coast Guard (USCG) Station Yaquina Bay to conduct ocean patrols out of Newport for all depth halibut season and commercial salmon troll season. While catch rates were low, there was a lot of pressure. Multiple sport and commercial vessels were boarded. The following citations were issued: Fail to Validate Harvest Tag (3), No Harvest Tag, No Angling License. One halibut was seized and donated to the Newport Senior Center.



Commercial Captain Cited for Barbed Hooks

A Fish and Wildlife Trooper observed a commercial vessel trolling for salmon and subsequently boarded the vessel, discovering the captain had placed a barbed hook on his fourth spread of each line. In addition, one line was discovered with five spreads. The captain was cited for Commercial Angling Prohibited Method: Barbed Hooks and warned for angling with more than four spreads per line.

Seabird Avoidance and VMS Violations

Marine Fisheries Team Troopers conducted a joint operation on board the Patrol Vessel Guardian with USCG boarding team from the USCG Cutter Alert. Troopers and Coastguard personnel focused enforcement efforts on the commercial halibut opener. Multiple contacts were made. Two vessels were found out of compliance with the new seabird avoidance rules when deploying gear to minimize impacts to Albatross. Another Vessel Monitoring Systems (VMS) violation was detected for a vessel fishing without transmitting required VMS positioning. The cases were referred to NOAA for enforcement action.

MFT Trooper Joins USCG Halibut Patrol

A Fish and Wildlife Trooper worked a three-day patrol aboard the US Coast Guard Cutter Robert Ward during the commercial halibut fishery. The three-day patrol covered halibut fishing areas between Newport and the California border. Multiple fishing vessels were contacted with no violations observed. A fishing vessel was contacted off Coos Bay while the crew was pulling in a longline. There were eight halibut on the deck of the vessel which were below the 32-inch minimum size limit. The captain was interviewed, and he stated he was going to wait until they were done pulling in the longline and then measure the fish. Several of the undersized halibut had lower jaws ripped apart and all eight fish were dead. The captain was issued a citation for Unlawful Take/Possession of Undersized Halibut. The eight halibut were seized.



Tip Leads to Citations - Winchester Bay

Fish and Wildlife Troopers responded to Winchester Bay on a tip that two subjects, who had been exceeding their daily limits of marine fish on several recent occasions, had just launched their boat to go fishing. The vessel was located and the Troopers observed the anglers for several hours. The anglers were contacted when they returned to the boat ramp, and both subjects were initially evasive in their responses to questions about their fishing trip. After further questioning, one of the subjects admitted to exceeding his daily limit of Lingcod, and that two of the fish were undersized. The other subject, a local guide, was dishonest about who caught the additional Lingcod, saying that another buddy caught it and went home because he got cold. The guide even went so far as to call a buddy and coach him over the phone about what he wanted him to say. The guide eventually admitted that there was never a third person on the boat. A consent search of the boat revealed five Lingcod, two of which were undersized, and several Dungeness crab, two of which were also undersized. The subject who admitted to catching the extra Lingcod and the undersized Lingcod, was issued a violation citation for Exceeding Daily Limit of Marine Fish, and warned for Take Undersized Fish. The guide was issued a violation citation for Take Undersized Dungeness Crab. The crab were released to the bay, and the fish were seized and donated to charity.



Too Many Rockfish - Cannon Beach

Astoria Fish and Wildlife Troopers conducted an ocean patrol from the Columbia River to Cannon Beach. A boat with two subjects onboard was contacted while angling for bottomfish off of Cannon Beach. The two subjects each had a limit of six rockfish, and said that they were continuing to angle for lingcod. In addition to the 12 legal rockfish onboard, the subjects also had nine rockfish on the deck of their boat. The subjects claimed that they were planning on descending the extra rockfish at some point when they were done with their lingcod. They were both cited for Fail to Immediately Release Fish Unharmed, and the nine fish were seized. Multiple marine board warnings were given on the patrol as well.

Multiple Marine Fishing Violations

A Fish and Wildlife Trooper on the Marine Fisheries Team (MFT) received a referral from the National Oceanic and Atmospheric Administration (NOAA) and the US Coast Guard (USCG) regarding a recreational boat that was fishing out of Newport. A USCG cutter boarding team contacted the boat with three anglers. There were three halibut and one petrale on board in the fish box. The boarding team discovered a fourth halibut in a cooler on board the vessel that had been filleted and on ice. When asked about the fish, one of the subjects took responsibility for the fish saying he guessed they caught too many. The boat owner and other subject said they were unaware of what happened with the extra fish and claimed no responsibility. The Trooper conducted interviews on all three subjects multiple times. All of the subjects involved had different statements each time they were interviewed on the extra fish as well as all three had different stories as to who caught the fish, who filleted the fish, and why the fish was retained. The subject who claimed responsibility for actually catching the extra halibut, had already reached his annual limit with his first fish for that day. During the investigation, it was also determined that two of the subjects had what appeared to be altered tags where dates and lengths had been changed on their halibut entries. The following criminal charges were issued with potentially more to follow:

Subject #1

- Aiding in a Wildlife Offense: Possession of Mutilated Fish
- Possession of Altered Angling Tag

Subject #2

- Aiding in a Wildlife Offense: Exceeding Daily Limit of Halibut
- Aiding in a Wildlife Offense: Exceeding Annual Limit of Halibut
- Possession of Mutilated Marine Fish

Subject #3

- Exceeding Daily Limit of Halibut
- Exceeding Annual Limit of Halibut
- Aiding in a Wildlife Offense: Possession of Mutilated Marine Fish
- Possession of Altered Angling Tag

Unlawful Take Lingcod and Cabezon

A Fish and Wildlife Trooper conducted a boat patrol from Cannon Beach to Tillamook Head. One boat was contacted fishing off Tillamook Rock, and the two subjects on board said that they had three lingcod on board. The subjects said there were no more fish on board, but a subsequent consent search revealed three more lingcod in another compartment (two of which were undersized). The subjects again said that there were no more fish on board, but the Trooper located a cabezon in a bucket. The subjects knew the limits and size restrictions on lingcod, and knew that cabezon angling was closed. The subjects were cited for Unlawful Taking Undersized Lingcod, Exceed the Daily Limit of Lingcod, and Unlawful Taking Cabezon Closed Season.

South Coast Guardian Ocean Patrol

Members of the Marine Fisheries Team (MFT) and Newport office conducted a three day south coast Guardian ocean patrol from Newport to Brookings. The focus of the patrol was enforcement of both commercial and sport fisheries. The end of the commercial crab season was August 14th and all commercial gear is required to be removed from the ocean. The patrol focused on ensuring that there were not strings of gear still fishing as well as locate and log any derelict gear. With the help of US Coast Guard (USCG) North Bend and Columbia River, USCG and OSP located approximately 50 pieces of derelict gear. That gear will get reported to ODFW and later retrieved during the derelict gear program in September.

The Troopers also conducted ocean patrols targeting recreational salmon and groundfish anglers. Multiple offenses were found to include:

- Angling Prohibited Method Barbed Hooks
- Fail to Validate Harvest Card
- Possession of Altered Harvest Card
- Unlawful Possession of Non-fin Clipped Coho Salmon. Subject initially told Troopers they had only one chinook but was later found to have a coho hidden in his cooler. One fish seized and donated to charity.
- Unlawful Possession of Marine Fish Closed Season. Boat was not aware of the closure of China/Quillback/Copper Rockfish and retained three China and six Quillback Rockfish. A total of nine fish were seized and donated to charity.



Commercial Halibut Opener Patrol

Newport Fish and Wildlife Troopers conducted an offshore patrol out of Newport for a commercial halibut opener. Seven commercial fishing vessels were monitored to ensure they didn't start setting gear until the legal set time. Additionally once gear was legally allowed to be set, the Troopers monitored the vessels to ensure they were deploying the required seabird avoidance devices for vessels retaining sablefish. One vessel had deployed avoidance gear but it was not working properly. The captain of the vessel was able to remedy the issue with the gear and was able to have a functional streamer line for his second set of longline gear. Two vessels were found without deploying any type of avoidance devices but later it was determined they did not retain any sablefish so therefore were not required to have avoidance gear. Another vessel suspected of fishing his sablefish tier permit without having the required permit holder onboard was contacted and it was verified the permit holder was in fact onboard the vessel for that trip.

Yelloweye Rockfish Conservation Area Violated

A Newport Fish and Wildlife Trooper was notified of a recreational fishing vessel (F/V) which was observed fishing within the Stonewall Bank Yelloweye Rockfish Conservation Area (YRCA). The F/V was observed for an extended period of time actively angling within the YRCA. The Trooper and two U.S. Coast Guard Boarding Officers contacted and boarded the F/V later in the day as it returned to South Beach Marina in Newport. Four subjects on board were criminally cited for Angling Prohibited Area: Stonewall Bank YRCA and warned for Take/Possession of Marine Fish Closed Season: Copper Rockfish and two copper rockfish were seized as evidence.

Charter Vessel Crew Plead Guilty

In late July, OSP received a complaint on a Newport charter vessel from May 21st. The complainant stated he observed approximately 12 rockfish released without a descending device while 30 miles offshore on a Halibut trip. In early August, a Newport Fish and Wildlife Trooper interviewed the skipper and deckhand regarding the complaint. The skipper admitted to not using a device when things were busy, and claimed responsibility for the activities of his deckhand. The deckhand was interviewed and admitted to not using a descending device and further explained he sometimes just "pokes" the inflated swim bladder and throws them back overboard. On September 17th, both men pleaded guilty in Lincoln County Circuit Court. The skipper pleaded guilty to a violation and received a \$200 fine. The Deckhand pleaded guilty to a crime and received the following:

- 3 year angling license suspension
- \$1,100 in fines
- \$100 to TIP fund
- \$600 restitution (\$50/fish)
- \$400 fines

Subjects Conceal Wild Coho Salmon

Fish and Wildlife Troopers conducted an ocean patrol off Tillamook Bay. A boat with two subjects on board was contacted off of Rockaway. The subjects said that they had two salmon on board, and the

Troopers could see the subjects attempting to validate their salmon as they approached their boat. One of the Troopers boarded the boat, and inspected two hatchery Coho that were in a cooler (that had not been validated). The subjects appeared nervous, and one of the subjects said that he had forgotten his license and tag at home. The subjects said that the two hatchery Coho were the only fish on board. The Trooper conducted a consent search of the boat. In a compartment under the bow of the boat he found a garbage bag with two wild Coho inside of it. Subsequent investigation also revealed that the subject without the license was suspended from angling. One of the subjects was cited and released criminally for Unlawful Taking Non Adipose Fin-Clipped Coho Salmon and Fail to Immediately Validate Harvest Card. The other subject was cited and released criminally for Aid in a Wildlife Offense. Angling while Suspended charges were referred to the District Attorney after further investigation. The two wild Coho were seized.

Washington

Three separate boats found with wild Coho

Sgt. Alexander, Sgt. Dielman and Officer Baldwin conducted a vessel patrol in MA2 for halibut and salmon anglers. Two subjects were contacted preparing to fish for salmon with two unrecorded halibut on board. Three additional vessels that were contacted were found to be in possession of unlawful wild Coho.

An old Norwegian trick

Officers Baldwin and Sergeants Alexander and Dielman were heading out for a boat patrol in Marine Area 2 when they saw a boat running in their direction. The patrol turned around and began following beside the vessel. The passenger appeared to be intentionally not looking at the patrol vessel. Eventually the vessel stopped, and the patrol made contact. When asked how the fishing was, the two men said they had caught one coho and the passenger was sick, so they were going in. Prior to boarding the pair had been asked where the fish was located, and they indicated a cooler on the starboard side of the transom. One of the anglers lifted the fish for the officers to inspect and returned it to its cooler. Sergeant Dielman then pointed out blood on a cooler on the port side of the transom. The anglers were asked if there were any fish in that cooler and told no. Sergeant Alexander had one angler open the cooler and looked inside, seeing three wild coho. The owner of the vessel feigned surprise at the presence of the fish. Officer Baldwin and Sergeant Alexander boarded the vessel, checked other compartments, and measured their crab. No other fish were found. None of the fish, to include the legal coho, had been recorded on a catch record card. When asked why they had lied about the fish, the boat owner replied saying it was “an old Norwegian trick,” “we’re born liars.” The pair were cited for failing to submit, closed season wild salmon, and failure to record.



Charges Referred to NOAA for Several Vessels Failing to Utilize Bird Avoidance Gear

During the 2021 commercial halibut season, several vessels were observed fishing for and retaining halibut and groundfish while failing to use bird avoidance gear as is federally required. One boat contacted not only failed to use the gear, but failed to even possess the gear on board as is required. Crewmember license violations for one of these vessels was handled by WDFW Police. Bird avoidance violations are being referred to NOAA.



Vessels deploying gear without bird avoidance streamers deployed.



Officer Ariss & NOAA Officer Young boarding a vessel whose captain admitted not using avoidance gear.

Same Angler Charged with Similar Offenses in Different Parts of the State

In August of 2019, WDFW Officers Bolt and Dielman were working the Columbia River when a salmon angler came in from the ocean. The angler had failed to record his catch and was later found to possess two wild coho salmon hidden in a compartment in the floor of his boat. He was cited for being 2x over his limit of fish, possession of wild coho, and failing to submit his catch for inspection. This same angler was contacted by Officer Dielman and Sgt. Rosenberger hundreds of miles away in the Straits of Juan de Fuca the following year. Upon inspection, he was found in possession of partially filleted salmon hidden in the livewell of his boat while fishing in an area closed to salmon. He admitted to discarding the bulk of the fish upon seeing the patrol boat approaching. The violations included possession of salmon closed season, fail to submit catch for inspection, wastage and fish in unlawful condition.



Suspect boat in Columbia River and Strait of Juan de Fuca violations.

Anglers Caught in Closed Area Forgot About Their Fish

While patrolling the Columbia River Control Zone (an area closed to salmon fishing), WDFW Officer Ariss and Sgt. Dielman contacted a vessel with 5 anglers aboard and lines actively fishing. As the officer approached, they informed the anglers they were in a closed area and asked if they had any fish. The captain of the vessel hesitated a bit too long before saying "no". Once alongside the vessel, the large pool of blood on the floor of the boat confirmed the officer's suspicion. The suspects were actually in

possession of 5 Chinook salmon including an undersized fish. When asked why they had lied about the fish, they were told “because we did not have time to record them”. This contradicted their later statement when they tried to convince the officers most of the fish had been caught upriver in an open area earlier in the day.

Lawn Chair Commercial Fishermen

While patrolling the commercial halibut grounds on a commercial halibut day, Officers Barabasz and Ariss along with Sgt. Dielman observed a large commercial vessel. When they approached, they did not see any commercial gear as they were expecting, but rather two elderly gentlemen fishing for bottomfish in lawn chairs on the deck of the boat. Upon inspecting their gear and catch, they were found to be in possession of a yelloweye rockfish and in violation of Oregon’s longleader fishery regulations as far as gear was concerned. The angler who caught the yelloweye was cited and OSP was made aware of the longleader violations.



Yelloweye rockfish

WDFW Student Officers Thoma and Tupen and Officers Davidson and Hillman patrolled MA4. They found multiple instances of failing to record halibut, not having purchased a Halibut endorsement, overlimit of rockfish, over possession limit of halibut, and retention of Yellow Eye Rockfish. Violators were cited accordingly.



Taking a chance when no one was watching

Sgt. Rosenberger and Capt. Chadwick performed a boat patrol in MA 4 and 5 on Sunday. They cited anglers for possession of closed area rockfish, undersized cabezon, fishing for salmon with two poles, amongst other violations. Another noteworthy contact was a Charter vessel returning from the ocean side of Marine Area 4. The vessel was contacted as it just passed through the cut by Tatoosh Island. The two men aboard the vessel showed the Sgt. limits of ocean rockfish, one cabezon and one lingcod. When the Sgt. asked the men if there was any fish aboard in the holds of the vessel the men stated that they had 2 halibut which they had previously caught in Marine Area 5. (Marine Area 5 was open for halibut that day, but Marine Area 4 was not.) The Sgt. advised the men that he did not believe their story, but even if they had caught the halibut in Marine Area 5 that morning it would be unlawful to fish in a Marine Area closed to halibut fishing with halibut onboard. The halibut were seized and charges were later filed. The investigation included retaining over the annual limit of halibut, closed area halibut fishing/possession, and providing false information. Both men have been under investigation for similar violations in the past.

How did that extra halibut get in there?

Officer Dielman and Sgt. Rosenberger patrolled out of La Push for three days working the Ocean recreational halibut opener. One of the first vessels contacted Thursday contained nine anglers who had claimed to have retained their limits of halibut. Only two of the halibut had been recorded on catch record cards. The skipper of the vessel failed to have his license or catch record card on him, and Sgt. Rosenberger's inspection yielded a total of 10 halibut onboard for the nine anglers. The skipper claimed responsibility for the over limit. The anglers will all be cited through the mail for the violations. The illegal halibut were seized. Other violations found over the patrol included possessing more than one daily limit of halibut onboard a vessel, fail to record halibut, and no license on persons.



Getting an early jump on fishing the YRCA off Westport

Officers Dielman and Cilk patrolled Marine Area 2 during a recent recreational halibut opener. They contacted 5 vessels fishing in the YRCA. All five vessels had the YRCA pre-programmed into their GPS units. The captains of the vessels were cited and the fish seized. The total take was 10 halibut, 11 lingcod, 7 canary, one bocaccio, and one yelloweye. The haul of fish was so large it more than filled the fish box on DFW #21. The fish were donated to the local mission.



You can run but....

Officers Dielman and Cilk were attempting to contact a vessel heading in from the halibut grounds. The vessel was travelling at a high rate and the officers pulled alongside. One subject, who is a known offender came out on deck while the boat was still underway. The vessel turned sharply in front of the patrol boat and Officer Cilk needed to react quickly to avoid a collision. The subject on the deck then dumped the contents of a 5-gallon bucket over the far side of the boat. Officer Dielman observed what appeared to be white fillets sinking to the bottom. Once on board, the subjects denied dumping anything. Two of their three halibut were unrecorded. They were cited for this and charges for fail to submit catch for inspection was forwarded to the prosecutor.

Fishing in a closed area

Officers Bolt, Dielman, and Baldwin conducted a boat patrol of salmon and halibut anglers in Marine Area 2. In addition to issuing several barbed hook citations, the officers contacted and cited three groups of anglers fishing in the Westport Yelloweye Rockfish Conservation Area. One of the vessels contacted in the closure was in possession of 7 lingcod and a skate, which were seized and donated. Additional violations were handled including fishing with two poles and barbed hooks.



Officers Bolt & Baldwin with seized bottomfish / Officer Baldwin boarding a boat fishing the YRCA

Officer Bolt, Officer Baldwin and Officer Cilk patrolled recreational halibut anglers in Marine Area 2 during the opener. Compliance was poor, with 16 citations issued in total. One boat with 3 anglers was found in possession of 6 halibut, despite two of the anglers not having a halibut Catch Record Card. The skipper also failed to record his halibut. The anglers were cited for No License, Fail to Record, and First-Degree Overlimit. 5 out of the 6 fish were seized. The officers also cited several other individuals for Fail to Record and several additional anglers for No License. 8 halibut in total were seized.



Eight sport halibut seized on opening day offshore of Westport by Officers Cilk, Bolt, and Baldwin.

Directed Commercial Halibut

Detachments 2 and 3 worked planned joint patrols with NOAA, USCG, OR, and CA for the annual Pacific Coast commercial halibut season opener. Officer Dielman, SO Ariss, and Sgt. John conducted a boat patrol on the opener's south WA coast, while Officer Cilk, Officer Baldwin, and Sgt. Alexander conducted a boat patrol on the WA central coast. Participation in the fishery was low due to COVID19 impacted markets and low quotas. Education was provided on the new seabird avoidance gear rules implemented for groundfish protection. Officer Jacobson monitored several commercial halibut off loads in Ilwaco issuing one verbal warning for a small over quota limit.

The overage was seized by WDFW.



Officer Dielman piloting one of WDFW's coastal 29' RHIBs during the commercial halibut opener off the WA south coast.

132 Halibut Seized

While investigating suspicious circumstances surrounding a late commercial halibut offload in Westport, Sgt. John found the skipper had caught his halibut within a rockfish conservation area closure. The offload of 132 halibut was seized



Yelloweye or Canary?

Officer Bolt, Officer Cilk, and Officer Baldwin patrolled Marine Area 2 for a combined recreational salmon/halibut patrol. Compliance continued to be poor, with 13 citations issued in total. The first boat the officers contacted was fishing just off the Grays Harbor south jetty inside the closed Grays Harbor Control Zone. The four occupants had 3 Chinook salmon on board and were actively fishing. Three of the four anglers were cited for closed-season possession and their salmon (2 wild, 1 hatchery) were seized. Two other anglers in the Control Zone were cited infractions for fishing closed-season without possession, and another angler was cited for barbed hooks. Although compliance with halibut-specific regulations was slightly better than the previous week, the officers still found several vessels in violation. Two anglers were cited for No License and their halibut seized. Several anglers were cited for Failure to Record, and one angler was cited for a rockfish overlimit. The officers also contacted a vessel with four limits of halibut and four limits of rockfish on board. Officer Bolt boarded the boat to inspect their catch and found 3 closed-season yelloweye rockfish on board. The anglers claimed they could not tell the difference between a yelloweye and a canary rockfish. The yelloweye were seized for evidence and the anglers cited.



Officers Cilk, Bolt, and Baldwin with seized Chinook, yelloweye rockfish, and halibut from a very productive vessel patrol offshore of Point Chehalis.

Protected Resources - Illegal Takes of ESA Listed Species - Habitat Cases



Contractor Violates Essential Salmon Habitat

An Astoria Fish and Wildlife Trooper investigated a complaint of a contractor that had placed gravel and large boulders in the back yard of a home on Arch Cape Creek. Arch Cape Creek is a small coastal stream that has a wild Coho salmon and steelhead population (that are currently spawning in the stream), and is designated as Essential Salmon Habitat. The Trooper investigated the site and conducted interviews, then referred the information to the Department of State Lands who will be enforcing civil penalties against the contractor and homeowner.

Repeat Offender Cited for Multiple Violations During ESA Patrols

The Astoria Fish and Wildlife team investigated a known violator who was angling for spring Chinook Salmon in the Columbia River despite the closure. The subject's ODFW licenses are suspended for failure to pay restitution on several significant fish and wildlife cases from the past few years. After locating the subject's skiff tied up to a pier at a remote location, a Fish and Wildlife Sergeant and two Washington Department of Fish and Wildlife (WDFW) Officers conducted a plainclothes boat patrol in an area where the subject was known to fish. The boat was located and after several hours of surveillance the two subjects on board were contacted. They admitted to angling for steelhead despite the closure. The boat operator was cited criminally for Angling While Suspended, Angling for Salmon/Steelhead Closed Season, Angling Prohibited Method: Barbed Hooks for Salmon/Steelhead, and Angling Prohibited Method: More than One Rod/Line. The second subject was cited criminally for Angling for Salmon/Steelhead Closed Season.

A Columbia River Gillnetter was Charged with Unlawful Use of a Net and Possession of Unlawful Fish

During an ESA directed patrol, WDFW Officer Jacobson observed a vessel gillnetting salmon on the Columbia River who had exceeded the maximum soak time from the shore. The Officer Jacobson notified WDFW Officer Dielman on a vessel patrol with an Oregon State Trooper Herman who were able to locate the vessel and make contact. The Officer Dielman boarded the gillnet boat as the captain was

retrieving the net. As the net came in, Officer Dielman noticed several large lead cannonballs tied to the bottom of the gillnet essentially turning it into a set net. Upon inspection of the fish, Officer Dielman found two illegal, wild coho salmon. Charges were referred to the prosecutor for the unlawful fish and the illegal net.



Cannonball attached to end of drift gillnet.

“Yes, because you have two fish in here”

Officer Bahrenburg organized an ESA directed patrol on Saturday focusing on boats retaining fish in the Cowlitz and boats fishing in the Columbia which was closed. Chinook retention is currently prohibited on the Cowlitz but numerous anglers were out trying to catch coho. On Saturday Officers staged in the brush along the river and made observations. Two vessels were contacted who had retained fish. Both ended up being chinook salmon and were seized and citations issued. An infraction for closed area was also issued to an angler fishing in the Columbia River. On Sunday and Monday Officer Bahrenburg and Sergeant Anderson patrolled the area via shore. On Sunday Sergeant Anderson observed a vessel retain a chinook salmon and begin making their way towards Gerhart Gardens boat launch. They were contacted and denied keeping any fish stating they had let one go. Upon inspecting the vessel, the fish was found in the front cubby underneath several life jackets. The fish was a hatchery chinook salmon. The subject was cited. On Monday they hit the river again early to watch the morning bite. Sergeant Anderson again observed a vessel retain two large adult fish that were suspected chinook salmon. Several others were seen caught but released. As the suspect vessel returned to Gerhart Gardens he

was contacted by Anderson and Bahrenburg. The subject and his wife denied keeping any fish. Sergeant Anderson inspected the vessel and started with the front cubby area. As he was removing life jackets to see further into the space the owner asked, "Do you have to take all my stuff out?" Right about that time Sergeant Anderson found the two fish in a large pillowcase at the bottom of the cubby. He replied, "Yes, because you have two fish in here." Upon inspecting the fish they were found to be a wild chinook salmon and a wild coho salmon. Both fish were seized. Both subjects were cited for possession of wild fish during a closed time and fail to submit catch for inspection.

ESA float down the Puyallup

Sgt. Rosenberger, and Officer Murray floated the Puyallup River to patrol the recreational salmon opener. The officers cited folks for fishing with barbed hooks, no license, fail to record, and retention of wild chinook. Sgt. Rosenberger, cited one man who tried to conceal the fact that he retained a wild chinook by cutting off the adipose fin.



Wild chinook where angler cut off adipose fin.

Black Corks

On Labor Day Officers received a call from a concerned citizen who was witnessing a subject mending a gillnet in his front yard. Some photos showed that the gillnet had black corks and a suspect vehicle. Officer Bahrenburg responded in a undercover vehicle and began tracking the vehicle. A short while later the vehicle left and went to the Abernathy Creek mouth. Two men stayed in the area for several hours. Officer Budai and Officer Van Vladricken responded to assist. Officers set up in multiple locations to make observations. After darkness fell the two men carried a large tote to the large rock at the mouth of Abernathy Creek in the Columbia River. The two men deployed the net and then gathered their things and left towards Longview. One subject was driving a small pickup and the other was on a motorcycle. Officers followed the vehicles towards Longview and made a traffic stop as they neared town. The main subject admitted to placing the net in an attempt to catch some fish for himself. Sergeant Anderson responded to the scene. He and Officer Budai returned to the net location and removed the net. One wild Coho jack was caught in the net before it was removed. Both subjects were booked into Cowlitz County jail for fishing for commercial purposes during a closed season and unlawful use of a net and Driving While License Suspended (DWLS).

Seafood Fraud/IUU – Mislabeling & Misreporting of Seafood Product



Grand jury indictment

In 2019, Sgt. Olson received information from Alaska Wildlife Trooper John Ryan about a subject who had shipped 46 cases of geoduck from Alaska to Washington State that was deemed by Alaska to be unsafe for human consumption. This was due to the fact that some of the geoduck were harvested from a closed area and intermingled with legally harvested geoduck. Since there was no way to determine which geoduck were harvested from the closed site and which were harvested from the open site, all the geoduck were required to be destroyed. The owner of the company who purchased the geoduck had subsequently shipped it to Washington State. He was instructed by Alaska health officials and Alaska Wildlife Troopers to dispose of the geoduck in Washington State by taking the product to a garbage dump. The subject was required to email proof via a dump receipt and pictures that the product was in fact destroyed. The subject submitted an illegible blurry photo of a receipt and a picture of 10 boxes of geoduck indicating that the 10 boxes were a representative sample of the shipment of 46 boxes. WDFW was asked by Alaska Wildlife Trooper John Ryan to follow-up to determine if the subject disposed of the geoduck. Since the geoduck had a very high dollar value in excess of \$150,000, it was suspected that the subject may not have disposed of the product as instructed. SIU and NOAA were brought into the investigation. Through numerous search warrants composed by Officer Greshock and through a whole lot of investigative efforts by all of Detachment 1, SIU, Alaska Wildlife Trooper John Ryan and California Fish and Game Warden Ryan McCoy, the case was eventually made.

Airway bill documenting geoduck shipped as Yelloweye rockfish - 10 boxes of geoduck claimed to have been destroyed 10 boxes of geoduck being screened at Seatac Airport

027 SEA 3974 7330		027-3974 7330	
Shipper's Name and Address [Redacted] Tel: 907-738-0134		Shipper's Account Number 27442476612 Customer's ID Number 37211	
Consignee's Name and Address [Redacted] Tel: 907-738-0134		Air Waybill Issued by [Redacted]	
Issuing Office's Agent and City Seattle		Airline Tel: [Redacted]	
Airport of Departure (Acronym of Port Called) and Requested Routing Seattle		Priority Cargo	
Origin of Consignation Oakland		Flight/Date AS 2010/23	
No. of Pieces 10		Gross Weight 566.0	
Commodity (Latin No.) L 0		Chargeable Weight 566.0	
Rate AS AGREED		Total AS AGREED	
Nature and Quantity of Goods (Inc. Dimensions or Volume) FRESH YELLOW EYE Dims: 27 x 14 x14 x 10 Pri: PES Volume: 30.625		Declared Value For Carriage NVD	
Declared Value For Customs NCV		Currency USD	
Prepaid AS AGREED		Other Charges XBC 22.64	
Total Other Charges Due Agent		For: Absolute Seafoods Inc	
Total Other Charges Due Carrier		THIS SHIPMENT DOES NOT CONTAIN DANGEROUS GOODS	
Total Prepaid AS AGREED		Total Collected	
Date and Time 22 Feb 2010 21:27		City Seattle	
Issued (In Field)		Signed [Signature]	
027-3974 7330		027-3974 7330	

It was discovered that the subject shipped 36 boxes of geoduck from Washington State to Canada. The geoduck were then shipped from Canada to Hong Kong. The remaining 10 boxes, which were removed from the shipment heading for Hong Kong, which oddly enough equated to the amount of geoduck that was harvested from the closed site. It was later found that the subject removed the 10 boxes just in case he was caught he could claim that he was able to separate out the lawful from the unlawful. When the main suspect discovered WDFW was working the case and conducting interviews in Washington State he changed his story and stated that he was able to determine which geoduck were illegally harvested. He further stated that he destroyed the 10 boxes of geoduck. Interviews with all of his employees and the shipping company confirmed that it was not possible to separate out the lawful geoduck from the

unlawful. This was also acknowledged by the main suspect, as well as the freight forwarder who removed the boxes from the truck. The 10 boxes of geoduck were then delivered to Seatac Airport and shipped to Oakland, CA labeled as "Yelloweye Rockfish" in order to hide contents. The geoduck were then delivered to a wholesale dealer.

The main suspect informed all of the geoduck fishermen from whom he purchased the geoduck that made up the 46 boxes that he was forced to destroy the geoduck so he refused to pay them, in spite of the fact that he had secretly sold all of the 46 boxes of geoduck. The fisherman who harvested from the closed area elected to pay all of the geoduck fishermen for the shipment, since he had created the problem. Once it was discovered that the main suspect had sold the geoduck and pocketed all of the money, Alaska Wildlife Troopers served search warrants for felony scheme to defraud. The information obtained through these warrants, as well as a myriad of search warrants composed by WDFW and served in Washington State, unearthed a tremendous amount of evidence.

A very thorough case packet was composed by Officer Greshock and hand delivered to the U.S. Attorney, since the case involved three States and three countries, the U.S. Attorney was very interested in federal charges. An additional copy was mailed to NOAA. In April 2021, for only the 2nd time in the last 15 years in WDFW, a grand jury indictment was obtained by the U.S. Attorney. The federal referral included smuggling of shellfish, false labeling of shellfish, fraud, false information, theft, and customs violations. Detachment 1, specifically Officer Greshock, and SIU, specifically Detective Clementson, did a spectacular job on this case. This was truly a team effort that included WDFW, Alaska Fish and Wildlife, California Fish and Wildlife, NOAA and Canada Department of Fisheries and Oceans.

Woman Convicted in Shark Fin Trafficking Case

Illegal shark fin sales in a Portland grocery store marks the first conviction under an Oregon law that prohibits possession, sale, trade or distribution of shark fins. The June 4 conviction calls into play a law created in 2011 to preserve vulnerable shark populations. Agnes Yu, 52, of Happy Valley, pleaded guilty to one count of possessing, selling, or trading shark fin, after selling dried shark fin through Wing Ming Herbs, a specialty food store in SE Portland that she and her husband own. She was sentenced to 12 months bench probation, \$1,000 in fines and \$360 in restitutions for the Class A Misdemeanor. The case was prosecuted by the Multnomah County District Attorney's office and decided by The Hon. Christopher Marshall, concluded an investigation that lasted over a year and involved Oregon State Police Fish and Wildlife Troopers (OSP F&W), and the National Oceanic Atmospheric Administration (NOAA). An undercover informant was instrumental in discovering and then making the case. Marketing shark fin, like many illegal endeavors, is through word-of-mouth. When an anonymous source approached OSP F&W Troopers and said they had heard Wing Ming Herbs was selling shark fin, detectives enlisted the source as an undercover informant to assist in a sting operation.

According to OSP Lieutenant Ryan Howell, on January 23rd, 2018, the informant was able to record the purchase of six packages of dried, processed shark fin from Yu. Yu was not cited for the offense until September of 2019 due to a separate investigation by the US Fish and Wildlife Service.

Shark fin is a delicacy in some cultures and broth made with the fin is traditional fare for weddings and other occasions. Large single fins are most prized, with trimmings from those fins creating a lesser product. Howell said DNA testing of the dried fins from Wing Ming Herbs returned trimmings from five shark species: Blue shark, black-nose shark, Caribbean sharp-nosed shark, small tail shark and small eye hammerhead shark. Blue sharks are native to Oregon waters, according to Meghan Dugan, public information officer for the Oregon Department of Fish and Wildlife. NOAA’s test results did not distinguish whether the blue shark in the packages was from Oregon waters or elsewhere in the Pacific. US laws forbid animal parts trafficking. Trafficking of shark fin is both damaging to global populations and difficult to detect. Oregon sentencing standards are tougher than Federal guidelines and Yu’s sentencing reflects Oregon’s strict laws against selling, trading or distributing shark fins. The Oregon Zoo, which is a member of the Wildlife Trafficking Alliance and partners on a range of policy, awareness, and enforcement efforts to combat the illegal wildlife trade, is pleased with the conviction, according to Zoo Director Don Moore. “Now, poachers and traffickers are finding it harder to find safe haven in our state, and the timing is critical. This case shows that Oregonians can and will take action in our own backyard to protect endangered wildlife around the world,” said Moore. A lot has changed for illegal wildlife trade and poaching in Oregon. Defenders of Wildlife’s work in protecting wildlife species doesn’t stop at the border according to Dr. Sristi Kamal, Senior NW Representative with Defenders of Wildlife. “Timely enforcement and prosecution can go a long way in acting as a deterrent to both the demand and the supply of the illegal wildlife trade. We can prevent the treatment of wildlife from different parts of the world as mere commodities to trade in our state,” she said. ODFW Stop Poaching campaign coordinator Yvonne Shaw agrees. “When people create avenues for illegally selling imported wildlife, it creates the infrastructure for Oregon wildlife like bears, raptors, turtles and sturgeon, to be illegally traded as well,” she said, “This is a win not only because it stopped wildlife trafficking, but also because it weakens those illegal networks.”



Nearshore Fish Sold Without Permit

A Coos Bay Fish and Wildlife Trooper investigated a commercial fisherman who sold a large amount of live nearshore fish to a mobile buyer from Portland in November 2020. The subject landed 186 pounds of nearshore fish without a Black and Blue Rockfish Permit or a Nearshore Fish Endorsement. The subject was contacted in early December 2020 and had an additional 95 pounds of nearshore fish on board from a separate landing. The subject had already sold a few live fish. The remaining live fish were released back into the bay and the dead fish were seized and donated. The subject had been warned for

this offense in March 2019. The subject was cited and released in lieu of custody for two counts of No Black/Blue Rockfish Permit with Nearshore Endorsement.

Global Sea Cucumber Processing

In late 2018, Detective Wendy Willette was proactively conducting key-word searches in a law enforcement report database and came across a burglary report out of the City of Federal Way, detailing the theft of \$45,000 worth of sea cucumber from an unlicensed wholesale fish dealer that had occurred in April of that same year. She investigated the case, eventually serving multiple search warrants on financial institutions, cell phone and email service providers, and finally, the primary suspect's residence where he housed his home office. The suspect was in Alaska during the service, so a hasty Alaska search warrant was obtained via telephone to search his person and seize his phone. NOAA OLE, the Lummi Tribe and Alaska State Troopers all participated in the investigation. The suspect immediately flew home to be interviewed by Detective Willette and Sergeant Olson at SeaTac Airport. In all, the unlicensed suspect illegally purchased, processed, and sold over 35,000 pounds of sea cucumber. He is facing multiple felony charges in Whatcom County Superior Court and trial is currently set for 2021. He also remains a person of interest in a NOAA OLE, USFW, and Canada's DFO case out of Alaska and Nova Scotia.



Unlicensed Urchin Sales Uncovered

A Fish and Wildlife Trooper concluded a long term investigation into a California commercial fish dealer buying urchins in Oregon without a license. Beginning in 2017, the California dealer began buying urchins from a commercial dive boat from southern Oregon. In 2018, the California dealer obtained an Oregon Wholesale license at a location in Roseburg that was a residence of one of the commercial urchin divers. During the investigation it was determined that the California dealer was paying the commercial divers a much higher price than what was being recorded on the Oregon fish tickets. Since the California dealer started buying urchins in Oregon they had underreported to ODFW over \$400,000 worth of urchins. In January 2020, members of the Marine Fisheries Team and south coast Troopers conducted simultaneous interviews in Grants Pass, Roseburg, Tillamook, and Port Orford with California Fish and Game assisting with interviews in Manchester and Oxnard California. Criminal citations were forwarded to California Fish and Game for issuance to the California dealer for Falsifying Commercial Fish Report, Fail to Maintain Proper Fish Dealer Records, and No Wholesale Fish Dealer License.

Commercial Tuna Fisher Charged for License Violations and Fish Ticket Violations

In the past few years, a number of recreational tuna anglers have obtained commercial licenses. This allows them to continue to recreationally fish for tuna and then sell their catch to offset the hefty fuel and bait bills associated with this fishery. Some have also used this commercial license in an attempt to sidestep the limited entry charter license. In this instance, a recreational tuna fisherman obtained a commercial license and began selling his catch while not following the rules associated with the commercial enterprise. The captain would take his friends fishing while not possessing a crewmember licenses, falsified fish tickets by failing to declare take-home fish. He also did not have appropriate logbooks on board and failed to display 10-inch numbers while commercial fishing. Charges have been filed by the Pacific County Prosecutor.



Captain of suspect boat and unlicensed “crewmember” holding a bluefin tuna.

Unlawful Smelt Sales

Oregon and Washington Fish and Wildlife Troopers followed up on a case from earlier in 2020 where a subject had placed a Craigslist ad for Columbia River smelt. The subject sold some of the smelt to a wholesale dealer, but also sold various amounts to consumers without being reported on a fish ticket. Most of the sales occurred in Clatsop County, while some of the sales occurred in Washington. In one instance, the subject loaded several hundred pounds of smelt into his vehicle and drove them to Bothell, Washington where they were sold. The subject, through a friend, had set up a Craigslist account the day the season had opened. The subject admitted to selling the fish without reporting them to a dealer. The subject was benefiting from selling directly to the consumer because the price per pound was \$4.00, while the price paid to the subject by the dealer would have been \$1.50 per pound. The subject stated the dealer was to blame because they would not always buy all of the fish he had to sell them. The subject was cited for Failure to Sell Food Fish to a Wholesale Fish Dealer. Additional charges are pending in Washington to the subject and the friend for Unlawful Brokering of Fish.

Protected Resources – Protection & Enforcement of MMPA Listed and Protected Species



Trying to get away from the Orcas?

Sergeant Rosenberger and SO Tupen spent a few days in Marine Area 7 conducting SRKW patrol. Several orcas from J pod and L pod were monitored near Point Roberts. Sergeant Rosenberger and SO Tupen noticed a recreational sailboat approaching the pods at a fast pace. SO Tupen used binoculars and his phone to record the sailboat's movements. The sailboat appeared to be trying to intersect by altering course towards the orcas. Within ten minutes, the sailboat was well within 100 yards of the orcas. Sergeant Rosenberger got on the boat's PA system and instructed the boat to stop pursuing the whales. When questioned about what he was doing, the man steering the boat claimed that he was trying to get away from the orcas. This was completely counter to what Sergeant Rosenberger and SO Tupen witnessed and recorded with their phones. The man was issued an infraction for unlawfully approaching Southern Resident Killer Whales.



Suspect vessel too close to SRKW's.



Officer Davidson and SGT Rosenberger conducted a boat patrol in the Straits of Juan de Fuca to monitor salmon anglers and protect SRKW. Activity and participation were good in Marine Area 6 with high success rates and some big kings checked. Marine Area 5 was a bit slower due to being closed for King retention, but several anglers were still out and about catching pinks and small silvers. Unfortunately, several groups of anglers did not observe or understand the salmon fishing closure between Sail Rock and the Sekiu River in Marine Area 4. Many vessels were contacted and educated, and some other violations were addressed as well. Violations observed were fishing illegally with barbed hooks, fail to record salmon, salmon fishing closed waters, and over limit/undersized chinook. Officers wrote numerous tickets for these violations and gave several warnings as well.

Officer Wessel and Officer Davidson patrolled marine area 7. J K and L pods of Resident Orcas were in the area. Officers observed a pleasure craft heading North along the West side of the islands at a slow rate. The vessel was hailed twice over the radio and advised of the Orcas presence and to maintain distance. The vessel was later seen encroaching on the Orcas at Turn Point. When contacted the skipper stated they had rented the boat and he had taken a course about them. The skipper was cited for the violation.



**Though not part of the JEA Officers are still out protecting fish gravel to gravel.
Below is an example of this work**



Three Sentenced in Spotighting Case

In November, 2019, while flying in Coos and Curry counties looking for spotlighters, the southwest region pilot located subjects with flashlights in a closed section of the Elk River at approximately 10:00 PM. Fish & Wildlife Troopers on the ground responded to the area and attempted to stop the vehicle as they left the beach. As soon as the vehicle stopped the right front passenger ran on foot. The other three subjects were detained and interviewed. Nine Chinook salmon were located in the bed of the truck. When back up officers arrived the fourth subject was located a short distance away hiding in the brush. Three of the subjects admitted to angling for the salmon for approximately 30 minutes. It was determined that the fourth subject (who was suspended from angling) had not fished. Six fishing rods and a night vision scope were seized from the vehicle. One subject was detained by her parole officer, transported to the Curry County jail and cited and released for Angling Prohibited Area, Angling Prohibited Hours, Angling Prohibited Method –Snagging, Take/Possession of Game Fish, No Angling License, and No Combined Angling Tag. Two other subjects were arrested, transported to the Curry County jail and lodged for the same offenses. The charge of Interfering with a Police Officer will additionally be referred to the DA on the subject who ran from the vehicle. The fish were seized and donated. OSP received notice that the three subjects were sentenced. Daniel Knapp pleaded guilty to Angling Prohibited Hours, Angling Prohibited Method and Angling Closed Stream. The disposition included: 24 month bench probation, 15 days in jail, 36 month angling license suspension, \$100 fine, \$2,250 restitution to ODFW, Miranda Wagner pleaded guilty to Angling Prohibited Hours, Angling, Prohibited Method and Angling Closed Stream. The disposition included: 24 month bench probation, 15 days in jail, 36 month angling license suspension, \$460 fine, \$4,500 restitution to ODFW, Joseph Gish was found guilty for Angling Prohibited Hours, Angling, Prohibited Method, Angling Closed Stream, No Angling License and, Exceeding the Daily Limit. The disposition included: 36 month bench probation, 30 days in jail, 36 month angling license suspension, \$100 fine, \$1,500 restitution to ODFW



Photo Gallery of Officers at Work



