



NOAA
FISHERIES

Pacific Halibut Area 2A

Annual Enforcement Report

NOAA Fisheries Office of Law Enforcement
West Coast Division

December 2023

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TABLE OF CONTENTS

WEST COAST ENFORCEMENT OVERVIEW.....3 - 6

WASHINGTON DEPARTMENT OF FISH AND WILDLIFE, ENFORCEMENT PROGRAM.....7 - 10

OREGON STATE POLICE, FISH & WILDLIFE DIVISION.....11

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE, ENFORCEMENT PROGRAM.....12

OFFICE OF LAW ENFORCEMENT - WEST COAST DIVISION.....13 - 15

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WEST COAST ENFORCEMENT - OVERVIEW



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 2023 Pacific Halibut 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, as attachments 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 1 through 3 present a consolidated summary of IPHC Area 2A Commercial-Directed, Commercial-Incidental and Recreational enforcement statistics for 2023 using available data elements provided by OLE, USCG, WDFW, OSP, and CDFW enforcement partners. Table 1 summarizes *Effort*, *Actions* and *Results* data for the directed commercial Pacific halibut fishery south of Point Chehalis, Washington (46°53'30" N). Tables 2 and 3 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 1.







2023 IPHC AREA 2A ENFORCEMENT STATISTICS							
<u>COMMERCIAL - DIRECTED</u>							
	USCG D-13	USCG D-11	NOAA OLE	WDFW	OSP	CDFW	
							
EFFORT							CONSOLIDATED EFFORT
AIR PATROLS							
Number of Air Patrols	11	6					17
Air Patrol Hours	16	12					28
VESSEL PATROLS							
Number of USCG Cutter Patrols	2	2					4
USCG Cutter Patrol Hours	210	115					325
Number of Shore-Based Vessel Patrols	5	2	7	2	1	11	28
Shore-Based Vessel Patrol Hours	15	3	49	17	13	38	135
At-Sea Personnel Hours			97	33	13	52	195
Number of Boardings	17		9	11	12	78	127
SHORESIDE PATROLS							
Number of Shoreside Patrols			27		16		43
Shoreside Personnel Hours			245		78		323
Number of Boardings/Contacts			64		92		156
OFFICERS/AGENTS/WARDENS							
Number of Assigned Personnel	73	33	7	8	4	8	133
ACTIONS							CONSOLIDATED ACTIONS
Compliance Assistance			2				2
Written Warnings			13		2		15
Summary Settlements			2				2
Verbal Warnings				2			2
Referral to Other Agency/State			3				3
RESULTS (Violations)							CONSOLIDATED RESULTS
*Seabird Avoidance Gear			7				7
Overage			5		1		6
Gear Violation			3	1			4
Vessel Marking/Boarding Ladder Issue			3				3
Gear Marking			2				2
Closed Area			1				1
VMS			1				1
Permit/License				1			1
*Groundfish violations that were documented during a combined Directed Halibut/Open Access Groundfish trip.							

Table 2.








2023 IPHC AREA 2A ENFORCEMENT STATISTICS							
<u>COMMERCIAL - INCIDENTAL</u>							
	USCG D-13	USCG D-11	NOAA OLE	WDFW	OSP*	CDFW	
							
EFFORT							CONSOLIDATED EFFORT
AIR PATROLS							
Number of Air Patrols	173	183					356
Air Patrol Hours	346	415					761
VESSEL PATROLS							
Number of USCG Cutter Patrols	103	46					149
USCG Cutter Patrol Hours	3192	2458					5650
Number of Shore-Based Vessel Patrols	129	54				11	194
Shore-Based Vessel Patrol Hours	349	110				38	497
At-Sea Personnel Hours						52	52
Number of Boardings	49	0				78	127
SHORESIDE PATROLS							
Number of Shoreside Patrols			1	2			3
Shoreside Personnel Hours			3	10			13
Number of Contacts			1	4			5
OFFICERS/AGENTS/WARDENS							
Number of Assigned Personnel	73	33	6	14		8	134
ACTIONS							CONSOLIDATED ACTIONS
Verbal Warning				1			1
*OSP does not collect commercial incidental statistics.							

Table 3.

2023 IPHC AREA 2A ENFORCEMENT STATISTICS							
<i>RECREATIONAL</i>							
	USCG D-13	USCG D-11	NOAA OLE	WDFW	OSP	CDFW	
							
EFFORT							CONSOLIDATED EFFORT
AIR PATROLS							
Number of Air Patrols	148	82					230
Air Patrol Hours	279	183					462
VESSEL PATROLS							
Number of USCG Cutter Patrols	86	20					106
USCG Cutter Patrol Hours	2859	1038					3897
Number of Shore-Based Vessel Patrols	107	19	1	16	7	11	161
Shore-Based Vessel Patrol Hours	297	41	4	97	35	38	512
At-Sea Personnel Hours			8	194	35	52	289
Number of Boardings/Contacts	163	4	5	63	124	78	437
SHORESIDE PATROLS							
Number of Shoreside Patrols			1	33	9	38	81
Shoreside Personnel Hours			2	161	20	81	264
Number of Contacts			1*	1156	68	113	1337
OFFICERS/AGENTS/WARDENS							
Number of Assigned Personnel	73	33	6	14	7	8	141
ACTIONS							CONSOLIDATED ACTIONS
Written Warnings					9		9
Citations				227	9		236
Verbal Warnings				65		3	68
RESULTS (Violations)							CONSOLIDATED RESULTS
Overage				18	1		19
Gear Violation				13	1		14
Permit/License				7	4	3	14
Fail to Validate Tag				6	6		12
No Tag					4		4
Closed Season (early/late fishing)				3			3
Logbook/Record Keeping				2			2
Non-Designated Vessel - Charter				2			2
Illegal Harvest					1		1
Possess Groundfish w/Halibut On Board					1		1
Other State Violations - Halibut Fishery Related				242			242
*Charter - Recreational Halibut							



Washington Department of Fish & Wildlife (WDFW) - Police

WDFW Police spend many hours patrolling the Pacific halibut fisheries off the Coast of Washington. Patrols are conducted by multiple vessels positioned up and down the Coast. Officers also spend many hours monitoring the fishery at the docks. Land-based enforcement activities include conducting dockside patrols to monitor commercial catch off-loads (including incidental catch), insuring individual and vessel license compliance, Catch accounting and conducting collaborative enforcement efforts with the United States Coast Guard, Oregon State Police and NOAA Officers. WDFW at-sea responsibilities include patrolling the Pacific Ocean, conducting operations, joint enforcement, and inspecting at-sea vessels and personnel for licenses, federal permits, logbooks, marine permits and registration, and catch on board, with emphasis on activities within the Exclusive Economic Zone. The following details a few cases over the past year.

North Coast Patrols Near Neah Bay

Officers conducted a boat patrol off the North Coast near Neah Bay. Two boats were found to be fishing in the C shape closure area. One vessel with two men aboard claimed to have just caught their second halibut. The two men were found to have failed to submit a 3rd (over limit) halibut. The men were informed they would be cited criminally for over limit halibut, and for failing to submit catch for inspection. They will also be mailed an infraction for failure to immediately record any of the halibut. The 2nd vessel was also cited for fishing in closed waters for halibut.



Officer Wessel boarding vessel found fishing in "C" shaped bottomfish/halibut closure off North Coast.

During another boat patrol off the North Coast of Neah Bay officers contacted twenty-nine boats (100+ anglers) and inspected many halibut and bottom fish. Four boats were found to be in possession of closed season rockfish species. About ten quillback and copper rockfish were seized from these boats and anglers were cited.

Additionally, four anglers were cited for failing to immediately record their halibut.

Officers patrolled the docks in La Push, Sekiu and Neah Bay this week, multiple citations were issued for fail to record Halibut. Multiple warnings for no halibut license with no possession were issued as the fishermen fail to have a Halibut catch card.

WDFW Officers were first on scene of a vessel taking on water out of Neah Bay, the weather was worse than forecasted and the vessel took a couple waves the bilge pump could not handle. The vessel was escorted until the Coast Guard arrived and followed the vessel into port.

Officers patrolled the Sekiu docks. One contact consisted of four anglers who stated they were fishing in Marine Area 4 East. When they opened their cooler, the Officer observed a halibut mixed in with some bottom fish. The Officer confirmed they had caught the halibut in MA 4 and advised halibut fishing was not open in MA 4 on Sundays. The anglers immediately contested this saying they had checked the Fish WA app and it said it was open. The Officer had one of the men pull up the app and observed that it clearly stated halibut was not open on this day. Additionally, the Officer inspected licenses and observed that none of the anglers possessed a halibut catch record card. The angler responsible for catching the halibut was cited.

While patrolling the docks in Neah Bay, a WDFW Officer contacted a charter boat. The Officer inspected their catch as the deckhand unloaded their fish holds. Immediately, the Officer suspected a possible overlimit of halibut. The Officer discovered seven of the eight people onboard had valid fishing licenses (including the captain) and all seven had recorded a halibut. However, nine halibut were offloaded from the boat, making them overlimit by two. When confronted on this, the captain argued that the Officer had missed checking more of his clients as they exited the boat, and all the halibut should be accounted for. The Officer advised the captain to be honest about the situation and the captain then admitted there were only six clients onboard that day. The captain then tried to argue that his deckhand was allowed to keep a halibut, however the deckhand was found to have no state fishing license and had no identification on him at all. A thorough count of the fish was conducted, and the boat was found to be overlimit on lingcod as well (1 fish overlimit). Two halibut and one lingcod were seized from the boat. Charges against the captain of the boat will be filed with Clallam County Prosecutor's Office.



Nine halibut brought in by seven fishermen.

Marine Area 2 Near Westport

Officers patrolled Westport for recreational and commercial activity. While checking the end of a groundfish offload, an Officer made contact with the captain as he was pulling away from the dock. The captain stated he

had more fish on board, but was taking it to another location to sell. Halibut must all be unloaded and the Captain stated he had unloaded some and kept some for another buyer. The Officer followed the Captain to another location and found he still possessed 7 halibut and some additional rockfish and lingcod. The Captain was counseled on unloading all halibut during an offload and instructed on how he can “split” the load to different buyers. The Captain and the additional buyer were counseled together to avoid future trouble for both of them.



Halibut offload.

While off-duty, a WDFW Officer became aware of a charter boat that was planning on taking 6 clients out of Westport to open area 3 and then returning with halibut to closed area 2. The unwitting clients were told the activity was legal by the charter captain, despite the captain having been counseled and warned about doing the same thing two years prior. As the clients kept asking questions the captain kept changing the answers. The potential clients cancelled the trip as the captain was committed to conducting the trip despite a phone call placed to him by the WDFW Police Captain reminding him the activity was not legal.

South Coast Near the Columbia River

WDFW Officers conducted a vessel patrol of the recreational halibut opener. They contacted vessels and found moderate compliance. The most notable inspection led to Officers discovering a group of five individuals who were overlimit on halibut. They had also all failed to record their halibut. The halibut was seized, and the group was cited. The halibut was donated to a group of unsuccessful fishermen.

Officers monitored numerous commercial Halibut offloads throughout the first week the fishery was open. Acting on a tip from the Sergeant they located a fisherman who retained, and delivered two Yelloweye Rockfish.

The Captain was cited. Officers conducted a boat patrol during a commercial Halibut opener. Two vessels were observed not using bird avoidance gear and then retaining groundfish. One of the vessels also had an unlicensed crewmember. Both of these vessels committed the same violations two years ago. Also, one of the two boats brought in two yelloweye rockfish referenced in the report above. And the other boat was contacted after an Officer learned they were selling their halibut off the boat after listing them as "Takehome" on the fish ticket.



White vessel deploying long line w/o bird avoidance gear.



Oregon State Police (OSP) - Fish & Wildlife Division

A Trooper contacted nine anglers targeting rockfish on the Yaquina Bay South Jetty, and 12 anglers returning by boat from ocean halibut fishing. One citation was issued for Fail to Immediately Validate Harvest Card to a subject that was unable to login to his phone and did not tag his halibut. One citation was issued for No Resident Angling License. A warning for Angling with More than One Line/Rod was issued to a subject using two rods. The angler was under the impression that he was allowed to do so with a two-rod endorsement. The subject was educated on the two-rod endorsement regulation for Bays and Ocean waters. Another subject was warned for No Valid Electronic License in their possession.

Troopers conducted an ocean boat patrol with an emphasis on recreational halibut and groundfish fisheries. Multiple anglers were contacted and compliance with immediately tagging fish was extremely low. There were 14 citations issued for Fail to Immediately Validate Harvest Tag. Most of these issues were with anglers who had chosen electronic tagging.

A Trooper conducted an ocean boat patrol with NOAA Office of Law Enforcement. Multiple Recreational salmon, rock fish and halibut anglers were contacted. A recreational Halibut boat was found 31 miles offshore with 3 anglers on board and 4 fishing poles deployed in the water. Upon contact, 2 of the anglers were observed attempting to quickly fill out harvest tags. Upon inspection, 3 halibut had been caught with not a single halibut tagged. One angler was unable to provide an angling license or combined angling tag. Citations were issued for Fail to Immediately Validate Harvest Card, No Valid License/Tag in Possession. One Halibut was seized and donated to Loaves and Fishes in Astoria. NOAA OLE was referred the violation for Angling with Two Rods.

Troopers and a Senior Trooper conducted an offshore boat patrol from Tillamook Bay to Pacific City targeting Rockfish and Halibut anglers. Multiple anglers were contacted, and multiple citations were issued for Fail to Properly Validate Harvest Card.

Marine Fisheries Team Troopers conducted multiple patrols for the 3 day Commercial Halibut Season in conjunction with a targeted NOAA enforcement operation. Troopers did on-water and shore-based patrols to ensure compliance with season start and end times, gear markings, seabird avoidance measures, vessel monitoring, declarations, and dockside offload checks.

Troopers and Marine Fisheries Team Troopers conducted multiple patrols for the 3 day Commercial Halibut Season in conjunction with a targeted NOAA enforcement operation. Troopers did on-water and shore-based patrols to ensure compliance with season start and end times, gear markings, seabird avoidance measures, vessel monitoring, declarations, and dockside offload checks.



California Department of Fish & Wildlife (CDFW) – Law Enforcement Division

8 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.

81 halibut dockside hours were worked during Northern California patrols. Patrols covered the major ports in Mendocino, Humboldt and Del Norte Counties, and approximately 15 sport boat launch ramps. CDFW Wildlife Officers patrolled, contacted, and regularly checked 9 party boats targeting halibut.

52 at-sea personnel hours were worked in support of halibut.

38 hours of near-shore vessel hours were used in support of halibut.

0 commercial contacts and 191 recreational contacts were made enforcing halibut regulations. 191 total halibut contacts were made this year enforcing halibut regulations.

During the 2023 Pacific Halibut season the patrols by CDFW Wildlife Officers covered the major ports in Mendocino, Humboldt, and Del Norte Counties, and approximately 15 sport boat launch ramps. CDFW patrolled, contacted, and regularly checked 9 party boats targeting halibut between Shelter Cove and Crescent City. Offshore halibut patrols were made in combination with salmon and rockfish patrols. Three verbal warnings were issued this year to recreational fisherman for license violations.

No halibut regulation enforcement challenges or concerns to report for the upcoming year.



CDFW Patrol Vessel Mako - Eureka



CDFW Patrol Vessel Lingcod - Crescent City



NOAA Fisheries Office of Law Enforcement - West Coast Division

During 2023, NOAA Fisheries' Office of Law Enforcement (OLE) West Coast Division (WCD) worked collaboratively 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 and NMFS West Coast management measures for the 2023 Area 2A Pacific halibut commercial directed, incidental sablefish and salmon troll, recreational and charter fisheries. 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 shorebased 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 incidental halibut for compliance with seabird bycatch minimization measures.

OPERATION FLATFISH FRENZY

Operation Flatfish Frenzy is planned and executed in support of the annual IPHC Area 2A directed commercial fishery halibut openers. Enforcement efforts of the 2023 operation focused on ensuring commercial fisherman participating in the annual directed fishery complied with opener start and stop times, adhered to area restrictions, properly recorded catch and offloads, and followed retention and discard requirements. This was also the fourth year longline fishing vessels landing groundfish, including Pacific halibut, were required to use seabird avoidance gear (SBAG) when setting gear.

NOAA OLE Enforcement Officers (EO's) participated in air, shorebased, and at-sea patrols utilizing available USCG, state, and OLE assets. Air operations were conducted aboard USCG helicopters, primarily on the first and last days of openers to observe start stop times, and SBAG deployment. Additional mid-week air operations were planned to monitor compliance with fishery regulations as schedules and weather permitted. Dockside patrols were also conducted at the start of the openers, and the day after closing, with an EO assigned temporary duty in Newport, OR for additional enforcement coverage. The shorebased patrols focused on offload monitoring, permit verification, and logbook review. An OLE Special Agent (SA) was assigned to provide investigative support for any complex incidents arising during the operation.



**Patrol North SEO and USCG MH-65 Crew
Air Station North Bend (Coos Bay)**



Patrol South EO and USCG MH-60 Crew - Air Station Astoria

The first IPHC opener was scheduled for June 27th to June 29th. Follow-up dockside patrols were conducted on June 30th to monitor offloads. EOs were assigned to patrol shore-based fishing operations in Coos Bay, OR, and Arcata CA; and daily at-sea patrols off the coast of Newport, OR, in conjunction with dockside patrols and offload monitoring. EOs were also assigned to conduct at-sea patrols in the coastal area off the Columbia River utilizing Patrol Vessel (P/V) F2706 to observe start and stop times, seabird avoidance gear deployment, practice of careful release, and compliance with other fishery regulations.

Planned patrols aboard USCG cutters operating out of Newport, OR were scaled back due to vessel maintenance issues and staffing shortages. Cutter patrols were subsequently limited to only the first day of the opener. Previously scheduled USCG C-27 fixed-wing air operations were canceled due to aircraft maintenance issues. Enforcement statistics for the first IPHC opener included 7 vessel patrols providing 46 hours of at-sea enforcement presence, 3 helicopter patrols providing 16 hours of aerial surveillance, and 12 shore-based patrols providing a total of 119 hours of dockside boarding and offload monitoring activities.



Patrol South EO with USCG Boarding Team - USCG Cutter ORCAS

The second IPHC opener ran from July 11th to July 13th, with follow-up operations on July 14th. At-sea, aerial, and shore-based patrol schedules and activities were similar to the first opener. Enforcement statistics for the second opener consisted of 7 vessel patrols providing 42 hours of at-sea enforcement presence, 2 helicopter patrols providing 7 hours of aerial surveillance, and 8 shore-based patrols providing a total of 84 hours of dockside boarding and offload monitoring activities

The third IPHC opener was conducted August 1st to August 3rd, with follow-up operations on August 4th. At-sea, aerial, and shore-based patrol schedules and activities were similar to the first and second openers. An EO on an air patrol aboard a USCG helicopter out of Astoria, OR, identified two vessels not utilizing seabird avoidance gear during the start of the opener. After the flight was concluded, the EO boarded OLE P/V F2706 in Ilwaco, WA, then proceeded with an at-sea patrol and contacted both vessels to continue the investigation. Both vessel operators admitted to not using the required SBAG. Enforcement statistics for the third and final opener consisted of 4 vessel patrols providing 31 hours of at-sea enforcement presence, 2 helicopter patrols providing 7 hours of aerial surveillance, and 7 shore-based patrols providing 43 hours of dockside boarding and offload monitoring activities. Two SBAG and one recreational salmon violations were recorded during the third opener.

In 2023, OLE P/V F2706 previously stationed to the north in Bellingham, WA, was deployed south to Ilwaco to facilitate additional at-sea patrol and boarding capabilities in the southern-Washington and northern-Oregon

coastal areas. Seven OLE patrols utilizing P/V F2706 and a combined total of 98 crew hours were provided for the three openers; resulting in 28 at-sea boardings of vessels participating in the Area 2A directed commercial halibut openers, as well as other vessels participating in other federal fisheries. Seven violations were recorded and resolved through compliance assistance, written warnings, and summary settlements. Enforcement incidents consisted of 2 recreational fishing gear violations, 1 commercial fishing vessel without required boarding ladder onboard, and 4 groundfish vessels in non-compliance with SBAG requirements.



NOAA OLE Patrol North EO - P/V F2706



NOAA OLE Patrol South EO - P/V F2706