

National Marine Fisheries Service
Office for Law Enforcement

ALASKA ENFORCEMENT DIVISION

**SEMI-ANNUAL REPORT
TO
NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL**



FY2014 Third and Fourth Quarters
April 1, 2014, to September 30, 2014

To report fisheries violations,
call our National Hotline at 1-800-853-1964.

http://www.nmfs.noaa.gov/ole/ak_alaska.html

I. CASES HIGHLIGHTS

Endangered Species Act

AKD received information from the Protected Resource Division and the Observer Program regarding the confirmed take of two short-tailed albatross in the Bering Sea/Aleutian Islands hook-and-line groundfish fishery. *Status - OLE/USFWS investigation ongoing.*

Northern Pacific Halibut Act

A person was indicted by the Grand Jury for one count of assaulting, resisting, or impeding an officer during a routine investigation under the authority of the Northern Pacific Halibut Act. The person was arrested and remains incarcerated while awaiting trial. *Status - criminal case ongoing.*

Magnuson-Stevens Fishery Conservation and Management Act

An observer requested to be removed from a catcher/processor due to alleged harassment. AKD conducted interviews of the crew with the vessel human resources director present. Vessel management took immediate administrative action against the employee and held mandatory training for all vessel operators and first mates. *Status - OLE investigation forwarded for prosecution.*

Magnuson-Stevens Fishery Conservation and Management Act

An observer alleged that access to food was restricted on a fishing vessel due to religious beliefs of the crew. AKD contacted the vessel operator and discussed approaches to communicate dietary restrictions. AKD also discussed the incident with observer program staff. *Status - closed outreach/compliance assistance.*

Magnuson-Stevens Fishery Conservation and Management Act

NOAA and American Seafoods Company (ASC) agreed to settle three civil enforcement cases involving flow scale inaccuracy on board three ASC fishing vessels. The cases relate to events that occurred during 2007, 2008, 2011, and 2012. Pursuant to the settlement, ASC agreed to pay a combined civil penalty of \$1.75 million.

Marine Mammal Protection Act

AKD received a report of human interaction with a seal pup. The pup had been subsequently orphaned. The pup was transferred to the Alaska SeaLife Center for rehabilitation and released. *Status - closed Written Warning.*

Whaling Convention Act

The Alaska Eskimo Whaling Commission reported a native individual who was participating in the spring bowhead whale hunt while openly refusing to register as a hunter. Investigation revealed the individual had taken a similar position in the 1980s. AKD worked with the individual and he is now registered. *Status - closed outreach/compliance assistance.*

II. COMMUNITY OUTREACH AND EDUCATION

AKD attended multiple trade shows and community events including the Great Alaska Airmen Gathering, Anchorage; Alaska State Fair in Palmer and Haines; ComFish, Kodiak; Kenai Peninsula Sportsman Show,

Soldotna; Whalefest, Kodiak; Pride Program meeting, Homer; and Youth Game Warden Camp, Soldotna. During the events, OLE reached children, industry, public, and other vendors. Topics included – Fisheries regulation, Marine Mammal Protection, Endangered Species, marine mammal viewing and identification, collection of marine mammal hard parts, participation in the annual beluga whale count, fishing permits, VMS, sea bird avoidance gear, IFQ halibut, charter halibut, and subsistence halibut.

AKD officers coordinated community meetings for charter halibut operators and associations in Pelican, Homer, Soldotna and Valdez. Officers explained regulations with focus on geographic areas and 2014 changes.

An AKD Special Agent traveled to Western Africa to provide investigative training and fisheries enforcement capacity building. Liberian government attendees included representatives from the Liberian Bureau of National Fisheries, Ministry of Justice, Ministry of Agriculture, Coast Guard, Customs, and National Police.

An Enforcement Officer and a Special Agent contributed to USCG training in Kodiak. AKD contributions focused on IFQ, sport, subsistence, and charter halibut regulations for approximately 40 participants.

III. OBSERVER PROGRAM LIAISON ACTIVITIES

Outreach and Education:

- Distributed outreach letters and posters to vessel owners selected for observer coverage.
- Engaged industry at the Freezer Longline Symposium recordkeeping workshop and flowscale regulatory workshop in Seattle, WA.
- At the request of industry, provided outreach to the Amendment 80 Catcher Processor fleet regarding interactions with observers and support of observer sampling.
- Provided compliance monitoring training to 168 new and returning observers.

Program Development and Publications:

- Attended End Violence Against Women International (EVAWI) annual conference in Seattle, WA.
- Coordinated victim support training by King County Sexual Assault Resource Center.
- Published an article in the Science Center Newsletter highlighting OLE support of the Observer Program.

Investigative Assistance:

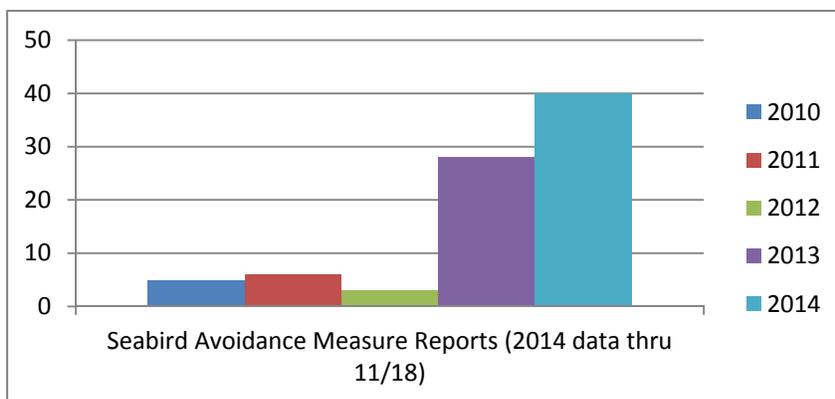
- Assisted FMA staff and observers to identify and report potential fisheries violations.
- Evaluated more than 600 statements of potential compliance information reported by observers.
- Referred about 125 observer related incidents to agents and officers for investigation.

Observer Feedback to OLE:

During prior observer trainings, observers were asked to provide feedback on training received from OLE and on OLE support while deployed. Overwhelmingly, observers praised OLE interactions during training. Observers expressed a generally high level of confidence in the support of observers in the field. They appreciated having options to report compliance information, especially in victim situations. Observers indicated they would like to see more of AKD officers in the field and more follow-up with observers after compliance reports are made.

IV. Compliance Trends

- OLE has received increased numbers of seabird avoidance measure compliance reports, Figure 1. Note: coverage on hook-and line vessels increased during 2013 and 2014. Summary settlement penalties for confirmed violations range from a Written Warning (first violation) to \$500 (repeat violations).



- OLE is tracking higher numbers of observer sample bias, harassment, and interference complaints related to limited access and cooperatively managed fisheries. During May – October, 2014, OLE received 8 such complaints from observers. These incidents have been distributed to special agents as high priority criminal and civil investigations.
- During 2014, failure to notify the observer of expected fishing operations and reasonable assistance compliance complaints have been trending lower by about 40% over prior years.