



NOAA FISHERIES



Office of Law Enforcement Alaska Enforcement Division

December Report To North Pacific Fisheries Management Council



October 2021 to September 2022

Report fisheries or marine mammal violations,
call our National Hotline at 1-800-853-1964

<https://www.fisheries.noaa.gov/topic/enforcement>

NOAA Fisheries, Office of Law Enforcement, Alaska Division

Report to the North Pacific Fishery Management Council

December 2022

TABLE OF CONTENTS

| | |
|--|---|
| 1. Enforcement Operational Highlights (April-September) | 1 |
| 2. Joint Enforcement Agreement (State Fiscal Year)..... | 2 |
| 3. Outreach and Education (April-September) | 2 |
| 4. Case Updates (April-September) | 5 |
| 5. Incident and Summary Settlement Information (Fiscal Year 2022)..... | 7 |
| 6. Observer Program Statement Analysis (Fiscal Year 2022) | 9 |

Alaska Enforcement Division

U.S. Department of Commerce | National Oceanic and Atmospheric Administration | National Marine Fisheries Service

On the cover from left to right – SEO Bob Marvelle, EO Mike Kreis, Dr. Rick Spinrad (Under Secretary of Commerce for Oceans and Atmosphere), Dr. Kelly Kryc (Deputy Assistant Secretary for International Fisheries), Amy Holman (NOAA Alaska Regional Coordinator), Jenny Stephenson (NMFS Program Coordination Officer), LT Shelley Devereaux (NOS Program Coordination Officer), Makeda Okolo (Director, NOAA Office of Legislative and Intergovernmental Affairs)

1. Enforcement Operational Highlights

From April 1, 2022, to September 30, 2022, the Office of Law Enforcement (OLE), Alaska Division (AKD) conducted extensive patrols for the purposes of enforcement and education. In addition to daily dockside and vessel patrols, AKD conducted several multi-day patrols. Patrols were often coordinated with partners including U.S. Customs and Border Protection (CBP), U.S. Fish and Wildlife Service (USFWS), U.S. Coast Guard (USCG), Alaska Wildlife Troopers (AWT), and National Park Service (NPS). Partnering with multiple agencies broadens enforcement and outreach opportunities and allows for mentoring across agencies.

In April, AKD, AWT, and USCG provided education and outreach, as well as a strong safety and enforcement presence during the annual King Salmon Derby in Homer, AK. The agencies split into several teams to conduct multiple boardings using the State of Alaska and Coast Guard vessels and a Coast Guard aircraft. Teams boarded 172 vessels and discovered several State and Federal violations.

AKD conducted an Operation in Dutch Harbor, AK in July and August. The operation started with 24 open cases initiated through 136 individual observer statements. Several new complaints were received during the operation including bothersome behavior towards an observer, gear conflict, failure to run AIS, and an observer access to communications issue. Eleven complaints were forwarded for enforcement action, 64 were closed, and 61 remain open. Twenty vessel boardings were conducted during the operation with no additional violations observed. As part of the operation this year, the AKD Compliance Liaison Analyst hosted formal outreach and education meetings with industry.

In August, an Enforcement Officer participated in a two-week patrol on the AWT Large Class patrol vessel P/V ENFORCER throughout southeast Alaska. During the patrol they boarded 107 vessels and found 16 violations (eight state violations, and eight federal). Multiple remote communities were visited and outreach information was provided about the IPHC 2022 regulations. The patrol also focused on the Canadian maritime boundary.

A Special Agent participated in a Port State Measures workshop in Manta, Ecuador. OLE instructed on fisheries enforcement and led interactive enforcement sessions.



2. Joint Enforcement Agreement

The purpose of the Joint Enforcement Agreement (JEA) between NOAA-OLE and the Alaska Wildlife Troopers (AWT) is to support enforcement of Federal laws and regulations under the Magnuson-Stevens Act, Endangered Species Act, Marine Mammal Protection Act, Lacey Act, and Northern Pacific Halibut Act. The reporting year for the JEA differs slightly from the Federal fiscal year: the “2021” JEA report runs from July 1, 2021 through June 30, 2022. AWT supports Federal enforcement through the following Execution Priorities:

1. Observer Assault, Harassment, or Interference Violations
2. Operation Groundfish/Observer Pulse OP/IUU Patrol
3. Southeast Alaska Commercial/Charter/Subsistence -Halibut/Sablefish Patrol
4. Kodiak Medium Class Vessel Hook and Line Patrol
5. Marine Mammal Protection/Endangered Species Patrols
6. Med Class patrols Comm/Charter/Subsistence -Halibut/Sablefish & Maritime Boundary Patrol
7. CDQ Inspections Northwestern and Bristol Bay Regions

AWT recorded the following actions in direct support of OLE and marine resource protection.

- 330 vessels boarded (commercial, charter, sportfish, and subsistence)
- 1177 contacts (industry and public) during the execution of field operations
- 930 additional contacts through 19 outreach activities
- Completed cases involving 4 Federal violations, 16 State warnings, and 31 State citations (most often jointly, state/federal managed fisheries)
- Referred 7 cases to OLE for potential/confirmed Federal violations (Primary OLE authority enforcement actions)

3. Outreach and Education

As part of the Dutch Harbor operation mentioned in Section 1, OLE collaborated with other NOAA line offices - NOAA’s Workplace Violence Prevention (WVPR) and Response Office, Dutch Harbor Fisheries Monitoring and Analysis (FMA) Division’s Observer Program Office, and the Dutch Harbor Sustainable Fisheries (SF) Office - to provide training, education, and compliance assistance with a focus on observer safety topics. OLE provided training on safe working environments for observers, compliance trends, and regulatory changes; FMA answered observer program-related questions; WVPR provided training on SASH prevention, SASH response, and efforts to support observers; and SF provided expert consultation with industry members on fisheries regulations. NMFS received positive feedback from industry members regarding proactively resolving issues and providing outreach as a resource to better understand the regulations.

In March of 2020, NMFS implemented regulations requiring fixed gear catcher vessels to retain all rockfish, irrespective of inseason prohibited species status. NMFS published a reminder of the new requirement in 2021. Recently, OLE has worked with Sustainable Fisheries and Fisheries Monitoring and Analysis partners to gather retention data from these fleets for all of Calendar Year 2021. OLE discovered persistent discarding of rockfish and is further investigating those intentional discards (i.e. other than inadvertent “drop-offs”). OLE wishes to remind fixed gear fishery participants of the requirement to retain rockfish.

Stakeholder outreach and education are critical components driving fisheries compliance, and NOAA OLE outreach and education efforts facilitate and encourage responsible and sustainable uses of marine resources. This year AKD was able to return to many in person outreach events. NOAA agents and officers visited communities throughout Alaska and utilized multiple online and in-person venues to deliver a strong message of marine resource protection. The table below provides a summary of OLE formal outreach efforts from April 1, to September 30, 2022.



Table 3-1: Outreach and Education

| Date | Description |
|-----------|--|
| April 6-8 | Three Enforcement Officers staffed an outreach and education booth at the Sports Rec and Trade show in Southcentral Alaska. Over 4,500 people attended the show and nearly 1,000 people stopped by the AKD booth. The Officers answered multiple questions covering a broad spectrum of regulations related to sportfishing, charter fishing, transporting Halibut, IFQ/CDQ, and MMPA/ESA. |
| April 13 | Enforcement Officers attended the Juneau Whale Watching Captain’s Meeting and the Juneau Charter Fishing Captain’s Meeting to discuss proper marine mammal interaction, answer questions, and provide NOAA OLE Tide Booklets/educational pamphlets. |
| April 19 | An Enforcement Officer presented at the Kachemak Bay Marine Mammal Public Forum in Homer, AK. The Officer presented on NOAA Law enforcement and boater operation around marine mammals in Kachemak Bay. |
| May 8 | Compliance Analyst Liaison provided outreach and education to members of the public at the Great Aviation Gathering in Palmer. |
| May 12 | An Enforcement Officer gave a presentation on marine mammal viewing and interaction guidelines in Alaska to employees of a cruise company. A follow-up was provided on information about “Whale SENSE,” Be Whale Wise, and Alaska Marine Mammal Viewing Guidelines Brochure. |

| | |
|----------------------|--|
| June 15 | Enforcement Officers conducted outreach at a charter lodge with all boat crews, captains, and lodge personnel. AKD covered 2022 halibut regulations, GAF, and GAF reporting to include CHP stacking and not eating halibut onboard vessels. Additionally, eLogbook information was presented. |
| June 16 | An Enforcement Officer conducted outreach to guides for a Southeast lodge. AKD covered what is to be expected during boardings, GAF, and GAF reporting for the guides and the business. |
| June 21 | A Special Agent, Compliance Analyst Liaison, and Observer Program Liaison met with Amendment 80 coop managers and Agency partners regarding the Halibut Deck Sorting program. |
| July 13 | Two Special Agents virtually attended the Alaska Eskimo Whaling Commission conference. Each of the villages provided a report regarding recent hunts. |
| July 13- August 4 | Compliance Analyst Liaison and Observer Program Liaison conducted twelve telephonic or virtual meetings for industry leaders with Unalaska Fleet Coop, Westward Fleet Coop, Bering North Fleet Coop, Trident Seafoods, Ocean Peace, American Seafoods, O'Hara, Fishermen's Finest, Glacier Fish, North Star Fishing, Alaska Groundfish Data Bank, and US Seafoods. |
| July 25 | Petersburg Indian Association Youth Summer Program came to the AKD Petersburg office to learn about resource management and NMFS. An Enforcement Officer presented a lesson about laws and regulations, and the importance of fisheries enforcement. Other Enforcement Officers and a Special Agent assisted with answering questions from the participants. |
| August 11 | Enforcement Officers staffed the OLE booth at the Southeast Alaska State Fair. They provided outreach and education about federal fisheries, Marine Mammal Protection Act (MMPA), Endangered Species Act (ESA) regulations, and NOAA OLE's mission. This was the first year in person since the 2019 Fair and the border reopened for travel. |
| August 25 | Compliance Analyst Liaison, Supervisory Enforcement Officer, and Enforcement Officer met with representatives from Alaska Groundfish Data Bank, Alaska Whitefish Trawlers Association, and Kodiak Trawl Fleet/Processor cooperative members to discuss general enforcement concerns. |
| September 22 | Compliance Analyst Liaison, with Protected Resource Division (PRD) hosted a booth in Central Alaska as part of the Belugas Count public outreach and education event. Over 165 staff interacted with over 1050 members of the public, informing them of efforts to monitor and protect ESA-listed endangered Cook Inlet Beluga whales. |

4. Case Updates - April 1, 2022 to September 30, 2022

Notices of Violation and Assessment

The NOAA Office of General Counsel, Enforcement Section (GCES) issued Notices of Violation and Assessment (NOVA) in the following civil administrative cases. A NOVA is not evidence of liability; it is only an allegation. A respondent is entitled to a fair hearing before an administrative law judge at which the government must prove liability by a preponderance of the evidence.

AK2100828; F/V Aldebaran – Operator Terry Fisher was charged under the Magnuson-Stevens Act with assaulting, sexually harassing, and harassing a fisheries observer assigned to his vessel. A \$24,000 NOVA was issued.

AK2101775; F/V Sentinel – Owner/operator Arseny Polushkin was charged under the Magnuson - Stevens Act for interfering with and harassing authorized officers during the lawful discharge of their duties. An \$8,500 NOVA was issued. The defaulted NOVA remains unpaid and a Notice of Permit Sanction for nonpayment was issued.

AK2102696 and AK2105897; F/V Arlice – In count one, owner Arlice, Inc. and operator Charles Jeffrey Petticrew, Sr. were charged jointly and severally under the Magnuson-Stevens Act with fishing with bottom gear in a Gulf of Alaska Coral Protection Area. In count two, owner Arlice, Inc. and Charles Jeffrey Petticrew, Jr. were charged jointly and severally under the Halibut Act with retaining IFQ halibut in excess of the total amount of IFQ available. A \$21,421 NOVA was issued.

AK2005062; F/V Devotion – Owner One Turn Fisheries, LLC, owner Rick Bakovic, LLC, and operator James Hayden were charged jointly and severally under the Magnuson-Stevens Act with retaining sablefish without a valid IFQ permit and fishing for IFQ sablefish without complying with VMS requirements. A \$3,000 NOVA was issued for the sablefish retention violation and a Written Warning was issued for the VMS violation.

AK2006003; F/V Laura – Owner O'Callaghan Fisheries, LLC and operator Michael O'Callaghan were charged jointly and severally under the Magnuson-Stevens Act with retaining Pollock that exceeded the maximum retainable amount. A \$4,461 NOVA was issued.

AK2005958; C/P Bristol Leader – Owner Bristol Leader Fisheries, LLC and operator Joseph Pohl were charged jointly and severally under the Magnuson-Stevens Act with two counts of conducting directed fishing for Pacific cod in Steller Sea Lion Protection Areas. A \$34,425 NOVA was issued.

AK2100641; F/V Currency – Owner F/V Currency, LLC and operator Ilia N. Kuzmin were charged jointly and severally under the Halibut Act with fishing for, or possessing, Pacific halibut before the authorized fishing period started. A \$4,400 NOVA was issued.

AK2200857; F/V Competition – Owner/operator Alexander E. Reutov was charged under the Halibut Act with fishing for, or possessing, Pacific halibut before the authorized fishing period started. A \$4,400 NOVA was issued.

AK2107450; Joseph Langston – Individual recreational boat operator was charged under the Marine Mammal Protection Act with harassing humpback whales or, in the alternative, approaching within 100 yards of any humpback whale. A \$4,250 NOVA was issued.

AK1708987B; F/V Sovereign Grace – IFQ permit holder Gregory Beam was charged under the Northern Pacific Halibut Act with an IFQ two-area violation and for making false statements. The previously-issued \$195,555.34 NOVA was amended to \$37,690 as to Beam in June 2022.

Cases Settled

NOAA GCES entered into settlement agreements in the following civil administrative cases:

AK2100530; F/V Magnus Martens – Owner Magnus A. Martens, LLC and Operator Jeb Phillips were charged jointly and severally under the Magnuson-Stevens Act with operating a vessel in the Bering Sea Pacific cod pot fishery without carrying an operable NMFS-approved vessel monitoring system (VMS) and without complying with VMS requirements. A \$36,000 NOVA was issued, and the case and the settled for \$24,000.

AK2100828; F/V Aldebaran – Operator Terry Fisher was charged under the Magnuson-Stevens Act with assaulting, sexually harassing, and harassing a fisheries observer assigned to his vessel. A \$24,000 NOVA was issued and the case settled for \$21,600.

AK2102696 and AK2105897; F/V Arlice – In count one, owner Arlice, Inc. and operator Charles Jeffrey Petticrew, Sr. were charged jointly and severally under the Magnuson-Stevens Act with fishing with bottom gear in a Gulf of Alaska Coral Protection Area. In count two, owner Arlice, Inc. and Charles Jeffrey Petticrew, Jr. were charged jointly and severally under the Halibut Act with retaining IFQ halibut in excess of the total amount of IFQ available. A \$21,421 NOVA was issued and the case settled for \$19,278.90.

AK2005062; F/V Devotion – Owner One Turn Fisheries, LLC, owner Rick Bakovic, LLC, and operator James Hayden were charged jointly and severally under the Magnuson-Stevens Act with retaining sablefish without a valid IFQ permit and fishing for IFQ sablefish without complying with VMS requirements. A \$3,000 NOVA was issued for the sablefish retention violation and a Written Warning was issued for the VMS violation. The NOVA portion of the case settled for \$2,700.

AK2006003; F/V Laura – Owner O'Callaghan Fisheries, LLC and operator Michael O'Callaghan were charged jointly and severally under the Magnuson-Stevens Act with retaining Pollock exceeding the maximum retainable amount. A \$4,461 NOVA was issued, and the case settled for \$4,211.

AK2005958; C/P Bristol Leader – Owner Bristol Leader Fisheries, LLC and operator Joseph Pohl were charged jointly and severally under the Magnuson-Stevens Act with two counts of conducting directed fishing for Pacific cod in Steller Sea Lion Protection Areas. A \$34,425 NOVA was issued, and the case settled for \$32,025.

AK2100641; F/V Currency – Owner F/V Currency, LLC and operator Ilia N. Kuzmin were charged jointly and severally under the Halibut Act with fishing for, or possessing, Pacific halibut before the authorized fishing period started. A \$4,400 NOVA was issued, and the case settled for \$3,960.

AK2107450; Joseph Langston – Individual recreational boat operator was charged under the Marine Mammal Protection Act with harassing humpback whales or, in the alternative, approaching within 100 yards of any humpback whale. A \$4,250 NOVA was issued, and the case settled for \$3,400.

5. Incident and Summary Settlement Information

From October 1, 2021, to September 18, 2022, NOAA officers and agents opened 1354 incidents including 867 Magnuson Stevens Act, 301 Northern Pacific Halibut Act, 65 Marine Mammal Protection Act, 46 Endangered Species Act, 27 State Law/Regulations, and 48 regarding other statutes and regulations (High Seas Fisheries Compliance Act, International Trade Program, Lacey Act, etc). (Figure 5.1)

The majority of incidents were closed or completed: of 1152 closed incidents, 724 recorded no violation and required no enforcement action. 158 incidents remain under investigation. (Figures 5.2 and 5.3).

Figure 5.1 – Incidents by percent October 1, 2021, to September 18, 2022, categorized by primary law.

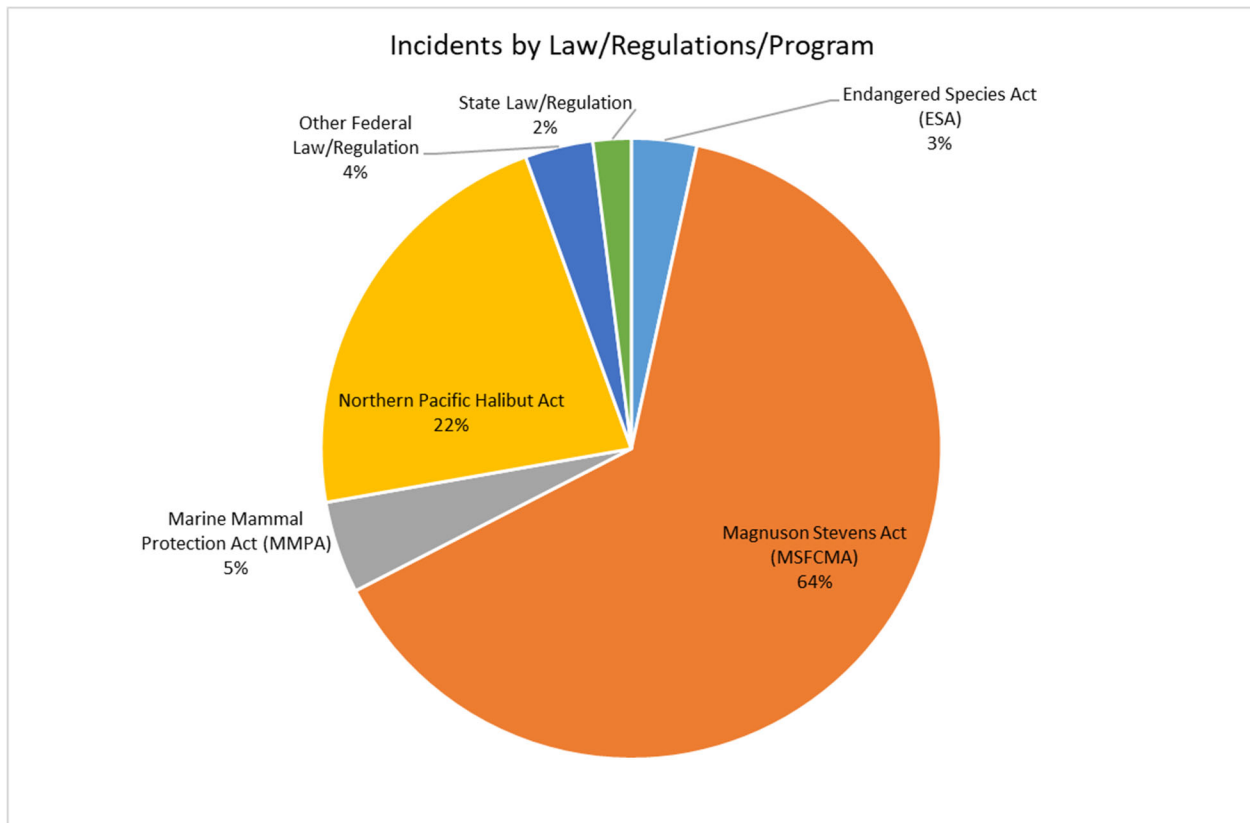


Figure 5.2 – Dispositions of Incidents Opened October 1, 2021, to September 18, 2022

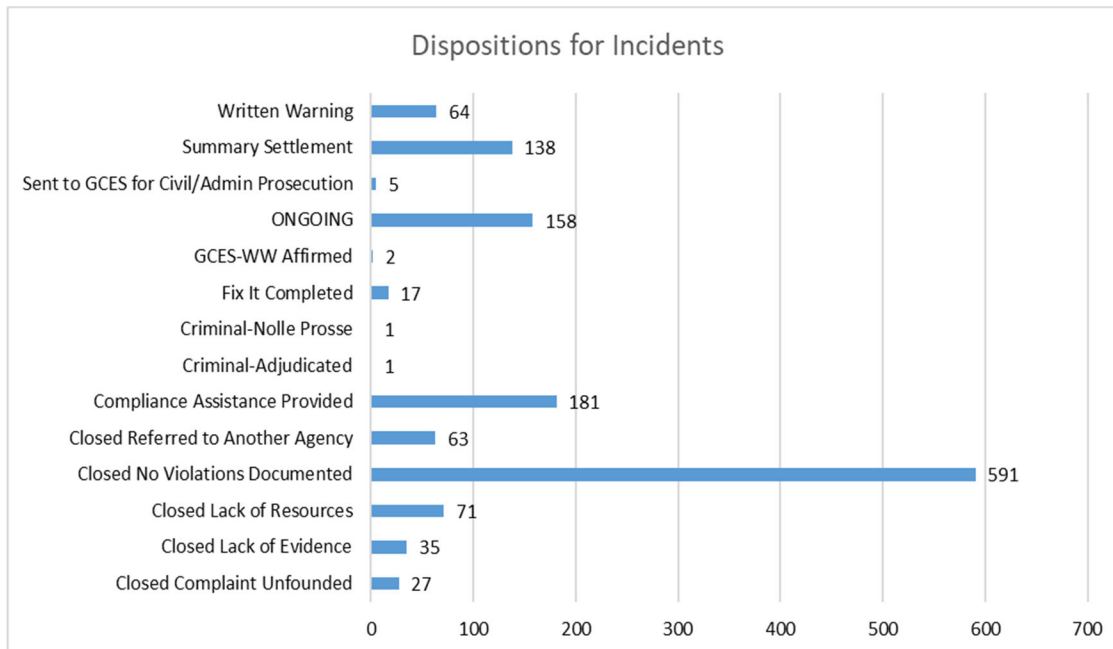
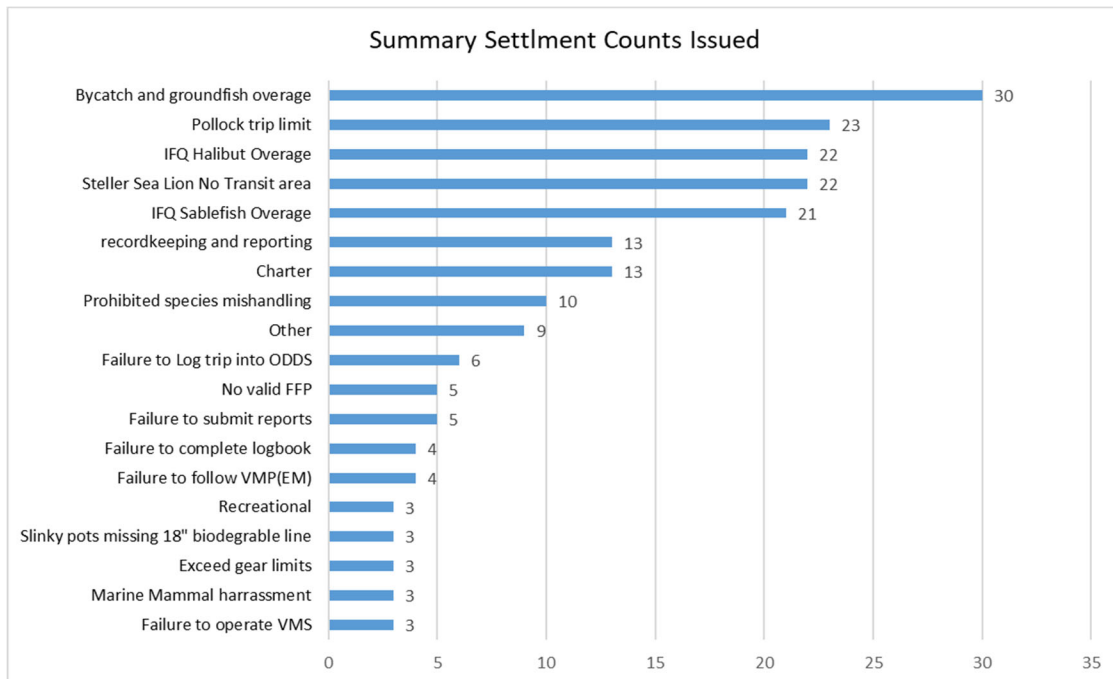


Figure 5.3 Summary Settlements Counts Issued (many incidents include multiple counts) October 1, 2021, to September 30, 2022.



**Other includes counts of two or fewer related to chunked halibut, failure to retain, fishing within a closed area, haul mixing, IFQ crab overage, failure to maintain wheel watch, observer exceeding 90 days in a single deployment.*

6. Observer Program Statement Analysis

OLE continues to report potential violation rates as a comparable measure across fiscal years. Examining rates of potential violations enables OLE to normalize yearly fluctuations in fishing and observer coverage to more accurately illuminate trends. This facilitates prioritization of OLE outreach and investigative resources. The tables may also facilitate industry members examining compliance rates and trends.

Fiscal Year 2022 Observer Statement Comparative Analysis *(Data courtesy of Fisheries Monitoring and Analysis)*

OLE received 715 observer statements of potential violation(s) in FY22, with 4563 occurrences described (**Table 6-1**). By comparison, in FY21, OLE received 715 statements describing 4247 occurrences.

Table 6-1. Status of Statements and Incidents *(data taken October 31, 2022).*

| Statements | Incidents | Statuses |
|---|--|---|
| 715 statements received and reviewed in FY2022; 61 statements did not document an actual violation (no incident created in TRIDENT) | 599 statements were forwarded to agents and officers; assigned to 262 unique incidents | 127 Ongoing (335 statements) |
| | | 1 Forwarded for prosecution (1 statement) |
| | | 5 Written Warnings issued (8 statements) |
| | | 5 Summary Settlements issued (7 statements) |
| | | 44 Compliance Assistance Provided (125 statements) |
| | | 5 Closed - Referred to another Agency (16 statements) |
| | | 96 Closed - No OLE Action (128 statements) |

'No OLE Action' includes incidents determined not to be a violation after investigation and incidents closed for info. Statements involving the same vessel, operator, and/or company are usually combined into a single incident.

OLE requested observer deployed day data for FY22 from the North Pacific Observer Program (**Table 6-2**). With these data, OLE compiled a rolling four-year summary. We continue to calculate rates using the number of occurrences recorded per deployed days multiplied by 1000 observer deployed days, resulting in a rate of occurrences per 1000 observed days (**Table 6-4**). CDQ and Pollock trawl EFP sector analyses are captured under overlapping management programs. Gulf of Alaska trawl fleets (OA and RPP) are analyzed by generalized trawl gear type because the vessels often deploy both bottom and pelagic trawl gear during a fishing trip.

As with FY21, OLE applied the following additional rules for analysis:

- We **exclude** statements from separate observers reporting the same potential occurrence(s).
- We **exclude** reports depicting incidents not involving the observer’s assigned vessel/processor.
- We **exclude** observer reports that did not record a potential violation and were not investigated.
- We **include** all cases forwarded for investigation regardless of the outcome of a case.
- We **include** analysis and descriptions for only categories where we see noteworthy trends.

Table 6-2. Observer Deployed Days by coverage type under the Annual Deployment Plan (ADP).

| FISCAL YEAR | COVERAGE TYPE | TOTAL DISTINCT OBSERVER DEPLOYED DAYS | | TOTAL VESSEL-PLANT DEPLOYED DAYS | | TOTAL CRUISES | | TOTAL VESSEL-PLANT ASSIGNMENTS | | TOTAL OBSERVERS | |
|-------------|---------------|---------------------------------------|---------------|----------------------------------|---------------|---------------|--------------|--------------------------------|---------------|-----------------|---------------|
| | | Value | YOY | Value | YOY | Value | YOY | Value | YOY | Value | YOY |
| 2019 | FULL | 35940 | | 36004 | | 686 | | 993 | | 344 | |
| | PARTIAL | 3849 | | 3867 | | 141 | | 660 | | 69 | |
| | ALL | 39789 | | 39871 | | 827 | | 1653 | | 413 | |
| 2020 | FULL | 37957 | 5.6% | 38000 | 5.5% | 652 | -5.0% | 824 | -17.0% | 339 | -1.5% |
| | PARTIAL | 1826 | -52.6% | 1867 | -51.7% | 109 | -22.7% | 293 | -55.6% | 59 | -14.5% |
| | ALL | 39783 | 0.0% | 39867 | 0.0% | 761 | -8.0% | 1117 | -32.4% | 398 | -3.6% |
| 2021 | FULL | 34613 | -8.8% | 34824 | -8.4% | 599 | -8.1% | 794 | -3.6% | 361 | 6.5% |
| | PARTIAL | 2678 | 46.7% | 2771 | 48.4% | 101 | -7.3% | 349 | 19.1% | 64 | 8.5% |
| | ALL | 37291 | -6.3% | 37595 | -5.7% | 700 | -8.0% | 1143 | 2.3% | 425 | 6.8% |
| 2022 | FULL | 28454 | -17.8% | 28870 | -17.1% | 547 | -8.7% | 756 | -4.8% | 311 | -13.9% |
| | PARTIAL | 3411 | 27.4% | 3419 | 23.4% | 120 | 18.8% | 513 | 47.0% | 70 | 9.4% |
| | ALL | 31865 | -14.6% | 32289 | -14.1% | 667 | -4.7% | 1269 | 11.0% | 381 | -10.4% |

Table 6-3. Factor Descriptions used in rate calculations.

| Factor | Value | Description |
|--------------------|---------|--|
| Coverage Type | FULL | Full Coverage |
| | PARTIAL | Partial Coverage |
| Vessel Type | CP/MS | Catcher-Processor/Mothership vessel |
| | CV | Catcher Vessel |
| | PLANT | Shorebased Processor (floating or land) |
| FMP Area | BSAI | Bering Sea/Aleutian Islands |
| | GOA | Gulf of Alaska |
| Gear Type | HAL | Hook-and-Line |
| | NPT | Non-Pelagic Trawl |
| | POT | Pot (single or strung) |
| | PTR | Pelagic Trawl |
| | TRW | Trawl (combined when multiple types are used in a fishery or trip) |
| Management Program | A80 | Amendment 80 |
| | AFA | American Fisheries Act |
| | CDQ | Community Development Quota |
| | IFQ | Individual Fishing Quota |
| | OA | Open Access |
| | RPP | Rockfish Pilot Program (CGOA Rockfish Program) |

Table 6-4. Factor combinations where at least 3 observer cruises were deployed in FY2022, depicting total days, number of observers, total cruises, and distinct observer assignments.

| FISCAL YEAR | COVERAGE TYPE | VESSEL TYPE | GEAR TYPE | MANAGEMENT PROGRAM | NMFS REGION | TOTAL DAYS | TOTAL OBSERVERS | TOTAL CRUISES | DISTINCT OBSERVER ASSIGNMENTS |
|-------------|---------------|-------------|-----------|--------------------|-------------|------------|-----------------|---------------|-------------------------------|
| 2022 | FULL | CP/MS | HAL | CDQ | BSAI | 348 | 13 | 15 | 15 |
| | | | | IFQ | BSAI | 44 | 5 | 5 | 5 |
| | | | | OA | BSAI | 3617 | 61 | 71 | 74 |
| | | | | GOA | 97 | 6 | 6 | 6 | |
| | | | NPT | A80 | BSAI | 9415 | 167 | 232 | 250 |
| | | | | CDQ | BSAI | 1366 | 84 | 95 | 98 |
| | | | | | BSAI | 1212 | 68 | 78 | 81 |
| | | | | | GOA | 743 | 32 | 33 | 34 |
| | | | | RPP | GOA | 392 | 18 | 18 | 18 |
| | | | | | BSAI | 230 | 10 | 10 | 10 |
| | | | POT | | BSAI | 90 | 7 | 7 | 7 |
| | | | | | GOA | 122 | 4 | 4 | 4 |
| | | OA | | BSAI | 204 | 9 | 9 | 9 | |
| | | PTR | AFA | BSAI | 3464 | 66 | 73 | 74 | |
| | | | CDQ | BSAI | 981 | 53 | 56 | 56 | |
| | | | RPP | GOA | 95 | 5 | 5 | 5 | |
| | | CV | NPT | OA | BSAI | 171 | 19 | 19 | 20 |
| | | | | RPP | GOA | 334 | 26 | 29 | 31 |
| | | | PTR | AFA | BSAI | 2643 | 65 | 73 | 81 |
| | | | | RPP | GOA | 387 | 28 | 28 | 36 |
| | | PLANT | | AFA | BSAI | 3322 | 95 | 103 | 105 |
| | | | | OA | BSAI | 171 | 26 | 26 | 26 |
| | | | | GOA | 1323 | 42 | 44 | 59 | |
| | | PARTIAL | CV | HAL | CDQ | BSAI | 23 | 3 | 3 |
| | | | | | BSAI | 205 | 17 | 18 | 21 |
| | | | | | GOA | 999 | 57 | 76 | 179 |
| | | | | GOA | 63 | 16 | 18 | 18 | |
| | NPT | | | OA | BSAI | 164 | 19 | 20 | 32 |
| | | | | | GOA | 180 | 28 | 32 | 46 |
| | POT | | | CDQ | BSAI | 19 | 3 | 3 | 3 |
| | | | | | BSAI | 69 | 13 | 13 | 14 |
| | | | | | GOA | 925 | 54 | 73 | 134 |
| | | | | OA | BSAI | 212 | 16 | 16 | 20 |
| | PTR | | | | GOA | 100 | 16 | 17 | 18 |
| | | | | OA | GOA | 500 | 38 | 45 | 98 |

Because vessels may simultaneously participate in multiple factor combinations in a day (e.g. CDQ and non-CDQ, PT and NPT) and each of the observer deployed days are counted independently, the total number of deployed days for Table 6-4 exceeds the total numbers in Table 6-2.

OLE Priority Statements:

Statements types that affect observers personally comprise the first two categories, OLE Priority: “Interpersonal,” (Table 6-5) and “Safety and Duties” (Table 6-6). Assault, sexual harassment, sexual assault, and rape are OLE’s highest priorities. Harassment-Assault statement types may describe a physical altercation or, most often, an instances where an observer feared for their safety. Safety and Interference/Sample Biasing statement types may impact observer safety and ability to collect data. For several categories within OLE Priority, the number of occurrences remain low. Therefore, caution must be used interpreting trends.

Interpersonal (Table 6-5)

| OLE Priority: Interpersonal | | FULL | | | | | | | | | | | | | | | | | PARTIAL | | | | | | | | | | | | |
|---|------|-------|------|-------|-------|------|------|------|-----|------|------|-----|-------|------|------|------|------|------|---------|------|-------|------|------|-------|------|------|------|------|-------|-------|-------|
| | | Plant | | CP/MS | | | | | | | | | | | | | CV | | CV | | | | | | | | | | | | |
| | | NA | | TRW | | NPT | | | PTR | | HAL | | | | POT | | NPT | PTR | TRW | NPT | TRW | HAL | | | POT | | | | | | |
| | | AFA | OA | A80 | RPP | CDQ | OA | AFA | CDQ | CDQ | IFQ | OA | IFQ | OA | OA | AFA | RPP | OA | OA | CDQ | IFQ | OA | CDQ | IFQ | OA | CDQ | IFQ | OA | | | |
| STATEMENT TYPE | YEAR | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | BSAI | GOA | GOA | BSAI | BSAI | BSAI | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | GOA | BSAI | GOA | | | |
| Harassment-Assault | 22 | | | | 0.21 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 21 | 0.23 | | | 0.11 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 20 | | | | 0.31 | | | | | | | | | | | | | | | | | | | | 2.02 | | | | | | |
| | 19 | | | | 0.10 | | | | | | | | 0.22 | | | | | | | | | | | | | | | | | | |
| Harassment-Sexual | 22 | 0.30 | | | 1.06 | | | | | | | | 2.31 | | | | | | 0.28 | | | | | | | | | 4.72 | | | |
| | 21 | 0.93 | | 2.87 | 0.84 | 6.83 | | | | | | | 6.10 | | | | | | 1.02 | | | | | | 1.05 | | | | | | |
| | 20 | 0.24 | | 1.31 | | | | | | | | | 0.18 | | | | | | | | | | | | | | | | | | |
| | 19 | 0.44 | | | | | | | | | | | 0.66 | | | | | | | | | | | | 1.07 | | 2.02 | | | | |
| Intimidation, Coercion, Hostile Work Environment | 22 | 0.90 | | | 4.99 | 2.05 | | | | | | | 17.61 | | | | | 1.11 | 19.61 | | 12.86 | 1.39 | | 10.00 | | | 2.00 | | 14.49 | 5.41 | |
| | 21 | 1.39 | | 1.72 | 5.04 | 4.56 | | | | | | | 5.36 | | | | | | | | 5.55 | 3.88 | | 4.46 | | 2.10 | | | | 39.06 | |
| | 20 | 1.45 | | | 13.55 | | | | | | | | 5.36 | | | | | | | | 1.04 | | | 9.42 | 1.30 | 4.35 | | 3.37 | | | 31.50 |
| | 19 | 0.44 | | | 3.25 | | | 0.93 | | | | | 18.64 | | | | | 0.22 | | | 6.25 | | | 2.85 | 1.29 | 4.07 | 3.09 | | | | |

Safety and Duties (Table 6-6)

| OLE Priority: Safety and Duties | | FULL | | | | | | | | | | | | | | | | | PARTIAL | | | | | | | | | | | | |
|------------------------------------|------|-------|------|-------|-------|-----|------|------|-----|------|------|-----|-----|-------|-------|-------|------|------|---------|------|------|-------|------|------|------|------|------|-----|--------|-----|------|
| | | Plant | | CP/MS | | | | | | | | | | | | | CV | | CV | | | | | | | | | | | | |
| | | NA | | TRW | | NPT | | | PTR | | HAL | | | | POT | | NPT | PTR | TRW | NPT | TRW | HAL | | | POT | | | | | | |
| | | AFA | OA | A80 | RPP | CDQ | OA | AFA | CDQ | CDQ | IFQ | OA | IFQ | OA | OA | AFA | RPP | OA | OA | CDQ | IFQ | OA | CDQ | IFQ | OA | CDQ | IFQ | OA | | | |
| STATEMENT TYPE | YEAR | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | BSAI | GOA | GOA | BSAI | BSAI | BSAI | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | GOA | BSAI | GOA | BSAI | GOA | |
| Interference/Sample Biasing | 22 | 1.20 | | | 34.94 | | | | | 2.69 | 1.15 | | | 0.55 | 11.11 | 19.61 | | | 3.78 | 1.39 | | | 4.72 | | | 9.01 | | | 14.05 | | 4.72 |
| | 21 | 0.23 | | 8.61 | 6.72 | | | | | | | | | 10.50 | | | | | | 2.24 | 1.29 | 19.23 | 2.23 | | | | | | 45.45 | | |
| | 20 | 0.24 | | | | | | | | | | | | 0.26 | | | | | | 0.83 | 7.25 | 12.50 | | | | | | | 149.61 | | |
| | 19 | 1.33 | | | | | | | | | | | | 46.92 | | | | | | 0.24 | 6.43 | | | 2.31 | | | 2.69 | | | | 8.24 |

Safety-NMFS: In order to present useful information, 2022 safety reports are described below. Note that a statement may include more than one issue.

- 12 - unsafe working conditions (e.g. high traffic lanes, parting gear, power loss, etc.) (22 in FY21; 13 in FY20)
- 5 - lack of safety orientation (none, incomplete, or not timely) (13 in FY21; two in FY20)
- 6 - unsanitary conditions, inadequate food/water (eight in FY21, one in FY20)
- 2 - lack of wheel watch (seven in FY21; three in FY20)
- 3 - reported/suspected drug or alcohol use (six in FY21; two in FY20)
- 3 - toxic material/chemical exposure (two in FY21; one in FY20)
- 4- bedbugs (one in FY21; seven in FY20)

Table 6-7. Protected Species and Prohibited Species

Protected Resources and Prohibited Species Category comprises potential violations noted that impact salmon (namely Chinook), other prohibited species (e.g. Halibut and crab), marine mammals, and seabirds.

| Protected Resources and Prohibited Species | STATEMENT TYPE | YEAR | FULL | | | | | | | | | | | | | | | | | PARTIAL | | | | | | | | | |
|---|----------------|------|-------|--------|-------|------|-----|------|-------|------|-----|-----|------|-------|------|-------|------|-------|-------|---------|--------|--------|-------|--------|--------|--------|--|--|--|
| | | | Plant | | CP/MS | | | | | | | | | | | | | | | CV | | | | | CV | | | | |
| | | | NA | | TRW | | NPT | | | PTR | | HAL | | | POT | | NPT | PTR | TRW | NPT | TRW | HAL | | | POT | | | | |
| | | | AFA | OA | A80 | RPP | CDQ | OA | AFA | CDQ | CDQ | IFQ | OA | CDQ | OA | OA | AFA | RPP | OA | OA | CDQ | IFQ | OA | CDQ | IFQ | OA | | | |
| BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | BSAI | BSAI | GOA | GOA | BSAI | BSAI | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | GOA | BSAI | GOA | | | |
| Amendment 91 Salmon | 22 | | 3.01 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 21 | | 5.35 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 20 | | 3.38 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 19 | | 17.29 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Gulf of Alaska Salmon | 22 | | | 48.37 | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 21 | | | 64.29 | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 20 | | | 171.24 | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 19=NA | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Prohibited Species- Mishandling and Retaining (combined) | 22 | | | | 5.95 | | | | 17.50 | | | | | 15.48 | | | | 1.89 | 1.39 | 1.47 | | | 48.78 | 18.02 | | | | | |
| | 21 | 0.93 | | | 8.62 | 2.28 | | | 8.13 | | | | | 7.66 | | | | 11.63 | 11.64 | 19.23 | 2.23 | | | 24.19 | | 28.47 | | | |
| | 20 | | | | 4.28 | | | | 15.71 | | | | | 3.13 | | | | 18.83 | 0.35 | 4.35 | 300.00 | 15.18 | | | 17.42 | | | | |
| | 19 | | | | 13.10 | | | 5.13 | 1.75 | | | | | 11.57 | 6.25 | 62.34 | 0.12 | 11.57 | 44.72 | 23.15 | | 5.32 | 18.17 | | | | | | |
| Marine Mammal-Sample Bias, Feeding, and Harassment | 22 | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | 21 | | | 2.30 | 31.94 | | | | 74.51 | | | | | | | | | | 0.41 | | | | | | | 136.36 | | | |
| | 20 | | | | 24.66 | | | | | | | | | | | | | | 0.12 | | | | 3.48 | | | | | | |
| | 19 | | | | | | | | | | | | | | | | | | 0.12 | | | | 0.67 | | | | | | |
| Seabirds: Sample Bias, Avoidance Measures, and Harassment | 22 | | | | | | | | | | | | | | | | | | | | | 107.32 | 10.01 | | 317.46 | | | | |
| | 21 | 0.23 | | 1.15 | | | | | | | | | | 0.57 | | | | | | | | | 15.77 | | | | | | |
| | 20 | | | | | | | | | | | | | 0.26 | | | | | | | | | 27.87 | 153.85 | | | | | |
| | 19 | 1.77 | | | | | | | | | | | | 1.75 | | | | | 0.12 | | | 69.15 | 37.01 | | 262.30 | | | | |
| Halibut Deck Sorting | 22 | | | | 12.21 | | | | | | | | | | | | | | | | | | | | | | | | |
| | 21 | | | | 3.15 | | | | | | | | | | | | | | | | | | | | | | | | |
| | 20 | | | | 2.34 | | | | | 1.29 | | | | | | | | | | | | | | | | | | | |
| | 19=NA | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

Table 6-8. Other Statement Categories

The following statement categories capture other impactful observer statement types.

| Other Statement Types | | FULL | | | | | | | | | | | | | | | | | PARTIAL | | | | | | | | | | | | | | |
|---|------|-------|------|-------|------|------|-------|------|------|-------|------|-----|-------|--------|-------|--------|-------|-------|---------|-------|-------|-------|-----|-------|-------|-------|-------|--------|--|-------|-------|-------|--------|
| | | Plant | | | | | CP/MS | | | | | | | CV | | | | | CV | | | | | | | | | | | | | | |
| | | NA | | TRW | | NPT | | PTR | | HAL | | | POT | | NPT | PTR | TRW | NPT | TRW | HAL | | | POT | | | | | | | | | | |
| | | AFA | OA | A80 | RPP | CDQ | OA | AFA | CDQ | CDQ | IFQ | OA | CDQ | OA | OA | AFA | RPP | OA | OA | CDQ | IFQ | OA | CDQ | IFQ | OA | | | | | | | | |
| STATEMENT TYPE | YEAR | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | BSAI | GOA | GOA | BSAI | BSAI | BSAI | BSAI | GOA | BSAI | GOA | BSAI | BSAI | GOA | BSAI | BSAI | GOA | BSAI | GOA | | | | | |
| Disruptive/ Bothersome Behavior - Conflict Resolved | 22 | 0.90 | | 1.51 | 2.87 | | | | | | 0.87 | | | | 1.11 | 188.89 | | 5.85 | | 2.77 | | | | | 4.88 | | | 15.87 | | | 1.08 | | |
| | 21 | 1.63 | | 1.15 | 3.68 | 2.28 | | | | | 1.48 | | | | 0.28 | | | 18.60 | 5.29 | 1.29 | | | | | 4.46 | | | 1.05 | | | | | |
| | 20 | 1.45 | | 1.31 | | | | | | | 2.22 | | | 7.25 | 1.30 | | 6.76 | | 0.59 | 4.35 | 50.00 | 8.43 | | | | | | | | | | | |
| | 19 | 1.77 | | | | 4.46 | | 0.47 | | | 1.32 | | | | 7.30 | 1.09 | | | | 0.24 | 1.29 | | | | 0.77 | | | | | | | | |
| Reasonable Assistance | 22 | 1.51 | | 55.18 | | | | | 1.06 | 2.31 | | | 22.73 | | 2.21 | 66.67 | | | 3.41 | 4.16 | 54.88 | | | | 1.00 | | | 126.98 | | 14.49 | | 9.43 | 580.00 |
| | 21 | 1.16 | | 5.17 | 0.42 | | | | | | | | | | 6.53 | | | 4.65 | 6.52 | 2.59 | | | | | 2.10 | | | | | | 31.25 | | |
| | 20 | 0.48 | | 30.06 | 0.41 | | | | | 1.11 | | | | | 2.61 | | | | | 10.14 | | 5.06 | | | 13.16 | 10.45 | | | | | | | |
| | 19 | | | | 0.38 | | | | | 3.73 | | | | 21.90 | 33.39 | 9.01 | 25.00 | 10.39 | 0.95 | 5.14 | | 10.80 | | | 5.32 | 2.69 | | 16.39 | | | | 13.74 | |
| Failure to Notify | 22 | 13.25 | | 18.14 | 1.59 | | | | | 18.48 | | | | 1.38 | | | | | 1.51 | 1.39 | | 4.41 | | | | 23.02 | | 31.75 | | 14.49 | 4.32 | | |
| | 21 | 3.02 | | 99.31 | 2.21 | | | | | 31.43 | | | | 1.70 | | | | | 10.79 | | | 2.23 | | | | | | | | | | | |
| | 20 | 2.65 | | 81.04 | 1.02 | | | | | 3.14 | | | | 2.61 | | | | | 0.47 | 10.14 | 12.50 | 1.69 | | | | | | | | 7.87 | | | |
| | 19 | 5.77 | | | 1.24 | | 3.73 | | | 53.72 | | | | 0.87 | | | | 2.60 | 8.21 | 17.99 | | 2.31 | | 10.64 | 2.69 | | 16.39 | | | | | 2.75 | |
| Inadequate Accommodations | 22 | 22.28 | | 0.76 | 4.78 | | | | | | | | | 144.44 | | | | | 0.38 | 1.39 | | | | | 8.01 | | | | | | | | |
| | 21 | 2.79 | | 22.96 | 0.53 | | | | | | | | 4.54 | | | | | | | 1.29 | | 24.55 | | | 2.10 | | | | | | | | |
| | 20 | 5.80 | | | 0.92 | | | | | 0.37 | | | | | | | | | 0.71 | | | 1.69 | | | | | | | | 7.87 | | | |
| | 19 | 41.23 | | | 0.10 | | | | | 5.92 | | | | 1.31 | | | | | | | | | | | 7.40 | | | | | | | | |

Disruptive/Bothersome Behavior - Conflict Resolved: These statements describe situations where observers and industry work together to successfully address conflict at sea. We noted that rates in all trawl fisheries improved in FY22.

Reasonable Assistance: The reasonable assistance category of statements describe scenarios where observers determined a vessel or processor may not have provided adequate assistance to facilitate successful completion of duties, including physical to mechanical assistance.

Failure to Notify: This statement type generally refers to a vessel or plant requirements to inform an observer of fishing related activity, most commonly bringing fish onboard. The highest rates were found in the CV hook and line sectors in the Gulf. There was an overall improvement for plants participating in the pollock trawl EFP in the Gulf.