



NOAA FISHERIES



Office of Law Enforcement
Alaska Enforcement Division
December Report To
North Pacific Fisheries Management Council



October 2023 to September 2024
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 2024

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Alaska Enforcement Division

1. Enforcement Operational Highlights

From April 1, 2024, to September 30, 2024, the Office of Law Enforcement (OLE), Alaska Division (AKD) conducted extensive patrols for enforcement and educational purposes. In addition to daily dockside and vessel patrols, AKD conducted several multi-day patrols. OLE patrols are often coordinated with partners, including U.S. Coast Guard (USCG), Alaska Wildlife Troopers (AWT), U.S. Customs and Border Protection (CBP), U.S. Fish and Wildlife Service (USFWS), U.S. Forest Service (USFS) and National Park Service (NPS). Partnering with multiple agencies broadens enforcement and outreach opportunities and allows for mentoring across agencies.

In May, an Enforcement Officer (EO) conducted a remote port visit and patrol in Southeast Alaska with USFS and AWT. The EO met with the local police department and an ADF&G Fisheries biologist. They conducted six boardings, a full audit of an offload, and a meeting with processors to discuss reporting regulations. Three Federal violations were discovered.

In May, an EO was part of a seven-person team coordinating a final PSMA training in Lima, Peru. The training culminated in a five-year cooperative initiative funded by USAID. NOAA and several Peruvian Agencies worked together to combat the issue of Illegal, Unreported, and Undocumented (IUU) fishing in international waters regulated by Regional Fisheries Management Organizations (RFMOs).



In June, EOs conducted multiple vessel patrols along the Canadian border in Southeast Alaska. The patrols concentrated on foreign and domestic recreational and commercial fishing vessels adjacent to and within disputed zones. Twenty vessels were boarded throughout the week, and ten violations were discovered. Multiple violations were found on foreign and domestic vessels, including illegal harvest in US waters.



In June, July, and August, EOs and Special Agents (SA) conducted an operation throughout the season in the newly federally managed Cook Inlet salmon drift gillnet EEZ fishery. Section 7 of this report provides details examining noncompliance issues encountered during the operation.

In July, a SA instructed at the International Law Enforcement Academy (ILEA) Fisheries Enforcement and Prosecution Workshop in Gaborone, Botswana. Instruction included training on risk analysis determinations, vessel boarding and cargo container inspection procedures, interview techniques, and

investigative case package preparation. Throughout the workshop, participants completed practical exercises to enhance skills related to law enforcement interviews, vessel inspections, and developing case packages. Participants in attendance represented maritime, wildlife, and legal agencies from Botswana, Ghana, Liberia, Lesotho, Malawi, Ethiopia, and Mauritius.

In August, two EOs conducted a multiday patrol in Southeast Alaska. Forty vessels were boarded, and 22 violations, mostly state violations, were found. They contacted four lodges, stopped in seven small communities, and visited one processor.

2. Joint Enforcement Agreement and Enforcement Partners

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 runs from July 1, 2023, through June 30, 2024. 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. Kodiak Medium Class Vessel Hook and Line Patrol
4. Marine Mammal Protection/Endangered Species Patrols
5. Med Class patrols
Comm/Charter/Subsistence -Halibut/Sablefish & Maritime Boundary Patrol
6. CDQ Inspections



Table 2.1. AWT Reported Actions in direct support of OLE and marine resource protection.

Vessel Boardings	Field Contacts	Outreach Contacts (13 events)	Federal Violations detected	State Warnings issued	State Citations issued	Cases referred back to OLE
257	930	~1500	114	11	28	9

*4 cases remained open at the time the report was submitted.

3. Outreach and Education

NOAA OLE outreach and education efforts facilitate and encourage responsible and sustainable uses of marine resources. NOAA agents and officers visit communities throughout Alaska and utilize multiple online and in-person venues to deliver a strong message of resource protection. The table below highlights formal outreach efforts from April 1, 2024, to September 30, 2024.



Table 3.1: Outreach and Education

Date	Description
4/10/2024	EOs and AWT attended a meeting with the Juneau Charter Boat Owner's Association. OLE reviewed all new applicable 2C IPHC charter regulations, including new reverse slot limits and limitations on Friday retention.
4/11-4/13/2024	An EO and SA manned the NOAA OLE booth and answered questions at ComFish Alaska in Kodiak, Alaska.
4/12/2024	An EO presented to elementary students in Western Alaska. The presentation involved identifying the common marine mammals found around the area and safe approaches, interactions, reporting, and necropsy studies. After the presentation, the children were given coloring books, a marine mammal guide card, and Junior officer badges.
4/25/2024	An EO conducted outreach and education about marine mammals at a Southeast Alaska elementary school family STEAM night (Science, Technology, Engineering, Art, and Mathematics).
5/1/2024	An EO was invited to talk with charter owners about Salmon/Halibut enforcement at the annual pre-season meeting held by ADFG in Southcentral Alaska
5/3-5/5/2024	EOs hosted a booth at the Kenai Sport, Rec, and Trade Show in Southcentral Alaska. Educational materials included OLE-specific tri-folds and badge stickers, marine mammal materials, IPHC recreational charter and commercial regulations, and information about the new Cook Inlet Salmon EEZ Fishery.
5/4/2024	An EO hosted a booth at the Juneau Maritime Festival. They provided information on commercial, charter, and sport fishing regulations as well as marine mammal viewing guidelines and regulations.
5/5/2024	An EO attended the SE Whale Watch Association meeting with representatives from the local Whale Watch companies. They discussed MMPA and ESA regulations, specifically the 100-yard humpback approach rule and prohibited taking/harassment. Provided whale-watching guideline references and contact information to 70+ industry members.
5/7-5/10/2024	An EO traveled to Haines Junction for the joint US/Canada Conservation Law Enforcement Conference North of 60°. The Yukon Conservation Officer Services Branch hosted this year's event. AWT, Canadian Parks, DFO, RCMP, USFW, USNP, USCBP, and Yukon Parks were represented. Each agency gave a brief history of its agency and its responsibilities and gave case updates. Plans for joint enforcement efforts were discussed for the various areas known as high-crossing areas.

5/15/2024	EOs attended the 2024 Sitka charter fleet meeting with ADFG, AWT, and USCG-MSD Sitka. The officers answered questions regarding the marking and landing of GAF and subsistence halibut.
5/15/2024, 5/16/2024, and 5/22/2024	An EO attended outreach meetings with industry about the Cook Inlet Salmon EEZ fishery in Kenai on May 15th and in Homer on May 16th and answered any questions about enforcement. On May 22nd, the OLE Compliance Analyst Liaison (CAL) attended and presented at a public webinar about the commercial Cook Inlet Salmon EEZ fishery and answered questions from commercial fishermen regarding VMS requirements and enforcement issues.
6/1/2024	OLE and Protected Resources Division (PRD) hosted an interactive education table at the Potter Marsh Discovery Day in Anchorage, AK. Families were able to interact with different marine mammal bones and teeth and were given stickers and other information about the Cook Inlet Belugas for families to take home.
7/10/2024	OLE CAL and an Investigative Support Technician (IST) attended and presented to the quarterly inter-divisional (AKD, FMA, SF) Halibut Deck Sort meeting.
7/25/2024	Two EOs staffed the NOAA OLE Booth at the Southeast Alaska State Fair in Haines, AK. They provided handouts and discussed regulations with the public.
8/14/2024	An EO and CAL met with Trident industry representatives to answer regulatory questions regarding the Pollock Trawl EM Final Rule and program implementation. Questions primarily focused on MRA overages (exemptions), directed fishing, and Incentive Plan Agreement requirements.
8/29/2024	The CAL attended and presented at the public meeting of the Kodiak Trawl Fleet. They provided reminders to correctly record management code for eLandings fish tickets, updates on the Pollock Trawl Electronic Monitoring Program implementation, answers to regulatory questions, and the local office contact for logbooks.
9/10/2024	An EO attended the Seward Science Bowl meeting to discuss NOAA OLE's role in ocean resource management with the kids. They discussed the MSFCMA, the history of NOAA OLE, the MMPA, the ESA, and IFQ rationalization for Halibut and Sablefish.
9/19/2024	In collaboration with Workplace Violence Prevention and Response and the North Pacific Observer Program, a SA and IST hosted a full-day innovative session at the American Fisheries Society conference in Honolulu, HI. The session included oral presentations, poster discussions, and hands-on activities demonstrating the elements of the risk reduction strategy meant to ensure a safe work environment for observers.
9/21/2024	OLE CAL and a Support Services Specialist staffed booths at Belugas Count! outreach event at Kincaid Park and the Anchorage Zoo. They handed out beluga-specific educational materials and OLE materials.

4. Case Updates

Notices of Violation and Assessment

The NOAA Office of General Counsel, Enforcement Section (GCES) issued and served 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. This report provides the final settlement amount where applicable. Additional details regarding the settlement and structure of the settlement payments, including the factors considered in reaching settlement, are omitted. Where no information is provided regarding resolution of the case, the matter remained open at the end of the reporting period.

1. AK2201896; F/V Mar Del Norte – Owner North Sea Fisheries, LLC and Operator Robert W. Harrington were charged jointly and severally under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with exceeding the maximum retainable amount of Pacific cod and rockfish. A \$10,690 NOVA was issued, and the case settled for \$10,290.
2. AK2104142; F/V Pacific Star – Owner Pac Star Inc. and Operator John P. McCarthy were charged jointly and severally under the Magnuson-Stevens Act for interfering with the sampling procedure employed by an observer by discarding catch before sampling. A \$3,000 NOVA was issued, and the case settled for \$2,700.
3. AK2206272; M/V Ramsey & M/V George Ryan – Owner Alaska Tales, LLC was charged under the Marine Mammal Protection Act with approaching humpback whales in Alaska and harassing a killer whale. A \$19,500 NOVA was issued.
4. AK2300242; F/V Farrar Sea – Owner RLB Vessel, LLC and Operator James Carl Wilson were charged jointly and severally under the Magnuson-Stevens Act with failing to log four fishing trips in the Observer Deploy and Declare System. A \$5,750 NOVA was issued, and the case settled for \$5,175.
5. AK2300711; F/V Marathon – Owner Marathon Fisheries, Inc. and Operator Martin Stam were charged jointly and severally under the Magnuson-Stevens Act with exceeding the maximum retainable amount of groundfish bycatch on two trips. A \$4,105.33 NOVA was issued, and the case settled for \$3,694.79.
6. AK2307520; F/V Dawn – Owner Dawn Fisheries, LLC and Operator Matthew Rohde were charged jointly and severally under the Magnuson-Stevens Act with exceeding the maximum retainable amounts of redstripe rockfish and silvergray rockfish in the Gulf of Alaska. A \$5,119.68 NOVA was issued, and the case settled for \$4,607.71.
7. AK2301796; F/V Vanguard – Owner Vanguard Fisheries, LLC and Operator Per Hesberg were charged jointly and severally under the Magnuson-Stevens Act with fishing with, and having on board, non-pelagic trawl gear in Federal reporting areas open only to pelagic trawl gear; not complying with vessel monitoring system (VMS) requirements; and inaccurate reporting. A \$59,784 NOVA was issued. The case settled for \$15,000 as to the VMS violation; the Agency withdrew the remaining violations.
8. AK2204546 – Stuart Erwin Merchant was charged under the Northern Pacific Halibut Act for failing to provide a valid charter halibut permit to lessees and failing to annually register his charter halibut permit as required by regulation. A \$3,200 NOVA was issued, and the case settled for \$2,880.
9. AK2205471; F/V Dark Knight – Owner, Operator, and Permit Holder Dionisy Basargin was charged under the Magnuson-Stevens Act with failing to comply with VMS requirements and under the

Northern Pacific Halibut Act with violating IPHC Area 4 clearance requirements. An \$18,000 NOVA was issued, and the case settled for \$300.

10. AK2300770; F/V Intrepid – Owner F/V Intrepid, LLC and Operator Alexey P. Fefelov were charged jointly and severally under the Northern Pacific Halibut Act with failing to return halibut discards to the sea with a minimum of injury. A \$49,500 NOVA was issued, and the case settled for \$39,600.

11. AK2302665 – As previously reported, Fabian Estrada Castaneda was charged with take-by-feeding or attempting to feed a Steller sea lion under the Marine Mammal Protection Act and a \$500 NOVA was issued. During this reporting period, the NOVA became a final administrative decision due to default.

12. AK2302107; F/V St. Dominick – Owners Brown Bear Fisheries, Inc. and Big Bear, LLC and Operator Nicholas Johanson were charged jointly and severally under the Magnuson-Stevens Act with failing to redeploy or remove longline pot gear within five days of deploying the gear to fish for IFQ sablefish. A \$3,600 NOVA was issued.

13. AK2201367; C/P Arica – As previously reported, male Assistant Cook Jordan St. Martin-Reyes was charged under the Magnuson-Stevens Act with harassing and sexually harassing two female observers on board a vessel and a \$19,000 NOVA was issued. During this reporting period, the case settled for \$4,000.

14. AK2202348; C/P Northern Eagle – Owners American Seafoods Company, LLC and Northern Eagle, LLC were charged jointly and severally under the Magnuson-Stevens Act with failing to ensure no salmon of any species passed the observer collection point. A \$15,000 NOVA was issued.

15. AK2205728; F/V Norse Maid – Operator/IFQ Hired Master Nick A. Carlson was charged under the Northern Pacific Halibut Act with failing to log one fishing trip in the Observer Deploy and Declare System as required. A \$4,500 NOVA issued.

16. AK2300850; F/V America's Finest – Owner America's Finest Fishing, LLC, was charged under the Magnuson-Stevens Act with directed fishing for groundfish with trawl gear in the Nearshore Bristol Bay Trawl Area when that area was closed to trawling. A \$121,984.48 NOVA was issued, and the case settled for \$41,000.

Written Warnings

GCES issued and served Written Warnings under the Magnuson-Stevens Act in the following cases:

1. AK2300843; F/V Saga – Owner Inter-Cooperative Exchange and Operator Jakob Anderson were issued a Written Warning for making an IFQ crab landing without holding a crab IFQ permit or a crab IFQ hired master permit issued under their name.

2. AK2206965 – Shoreside Processor Owner Peter Pan Seafoods-King Cove, LLC, and Managers Colby B. Boulton, Trevor Milich, and Ryan Piliae were issued a Written Warning for exceeding the maximum commerce allowance amount for rockfish.

5. Incident and Summary Settlement Information

From October 1, 2023, to September 30, 2024, NOAA officers and agents opened 1599 incidents, including 913 Magnuson Stevens Act, 411 Northern Pacific Halibut Act, 120 Endangered Species Act, 95 Marine Mammal Protection Act, and 60 regarding other statutes and regulations (Lacey Act, Port State Measures Act, Referred to State and other Federal Agencies., etc.). (Figure 4.1)

Most incidents were closed or completed: of 1003 closed incidents, 551 recorded no violation and required no enforcement action. 267 incidents remain “open” or under investigation. (Figures 4.2 and 4.3).

Figure 5.1 – Incidents by Percent from October 1, 2023, to September 30, 2024, categorized by primary law.

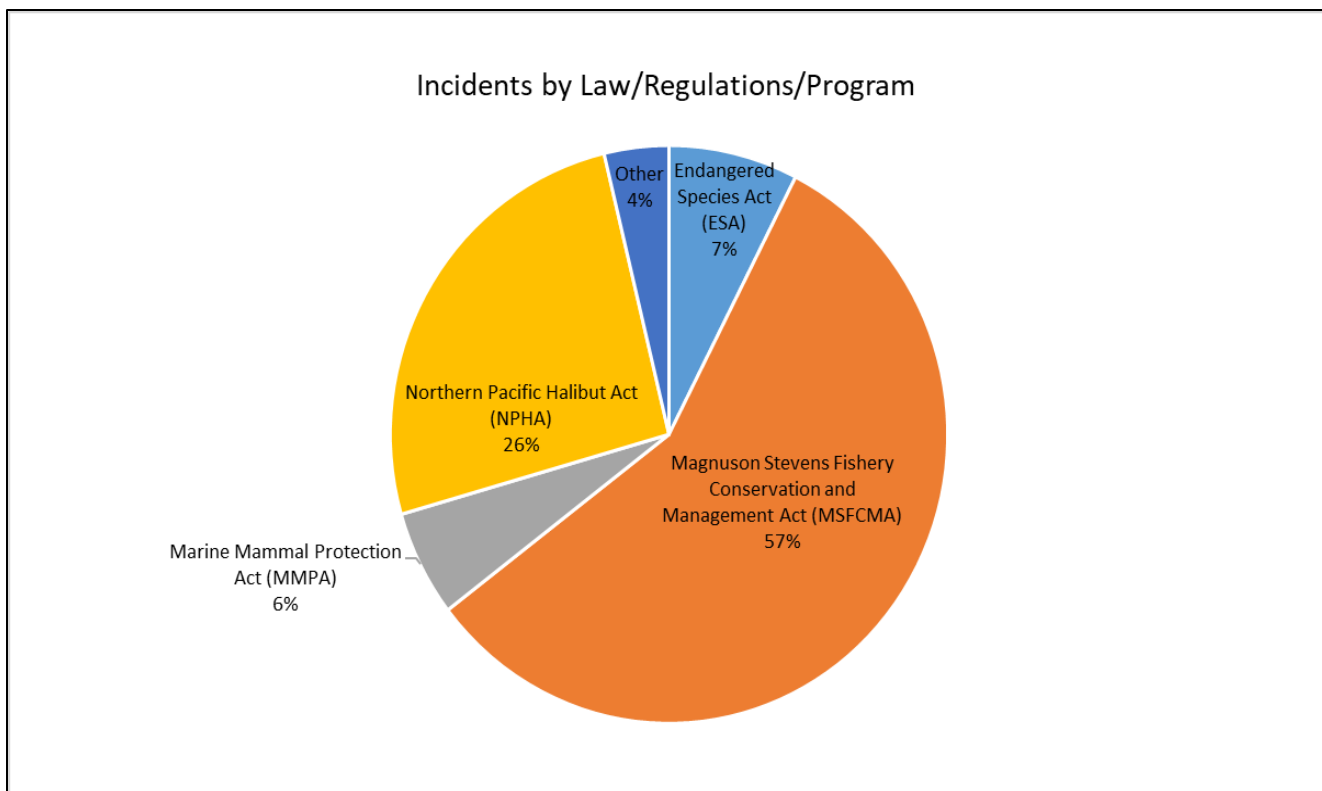


Figure 5.2 – Incident dispositions for incidents created from Oct 1, 2023, to Sep 30, 2024.

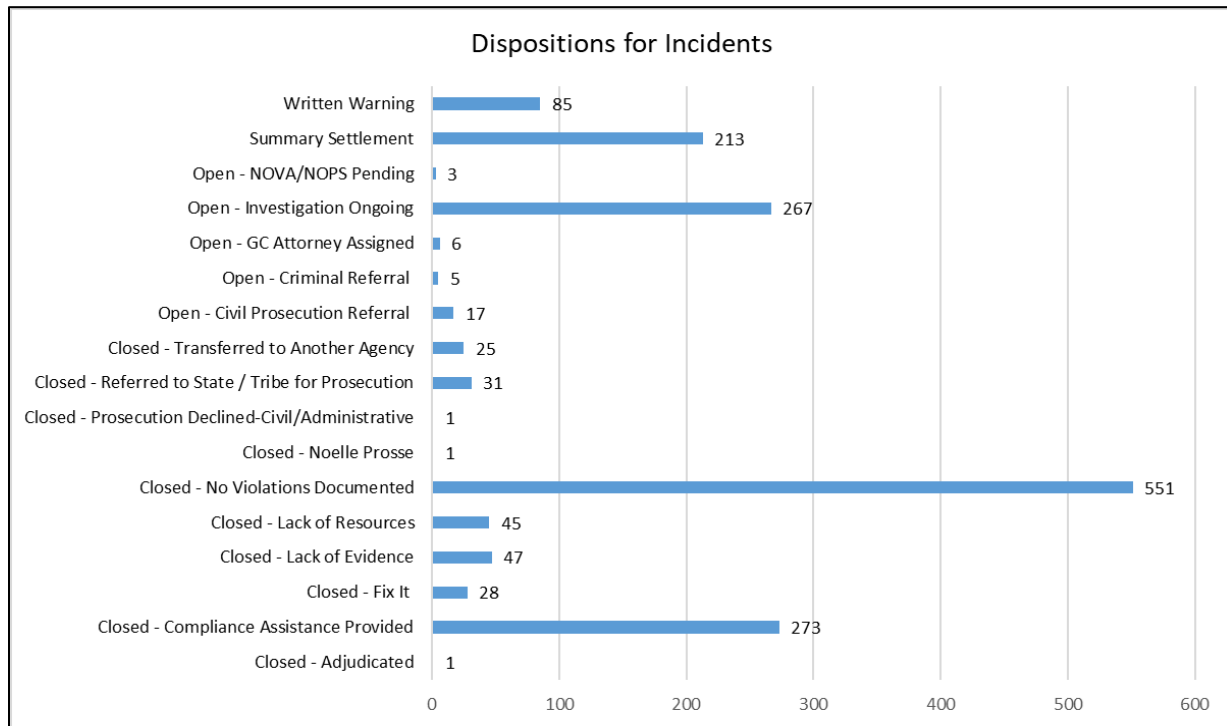
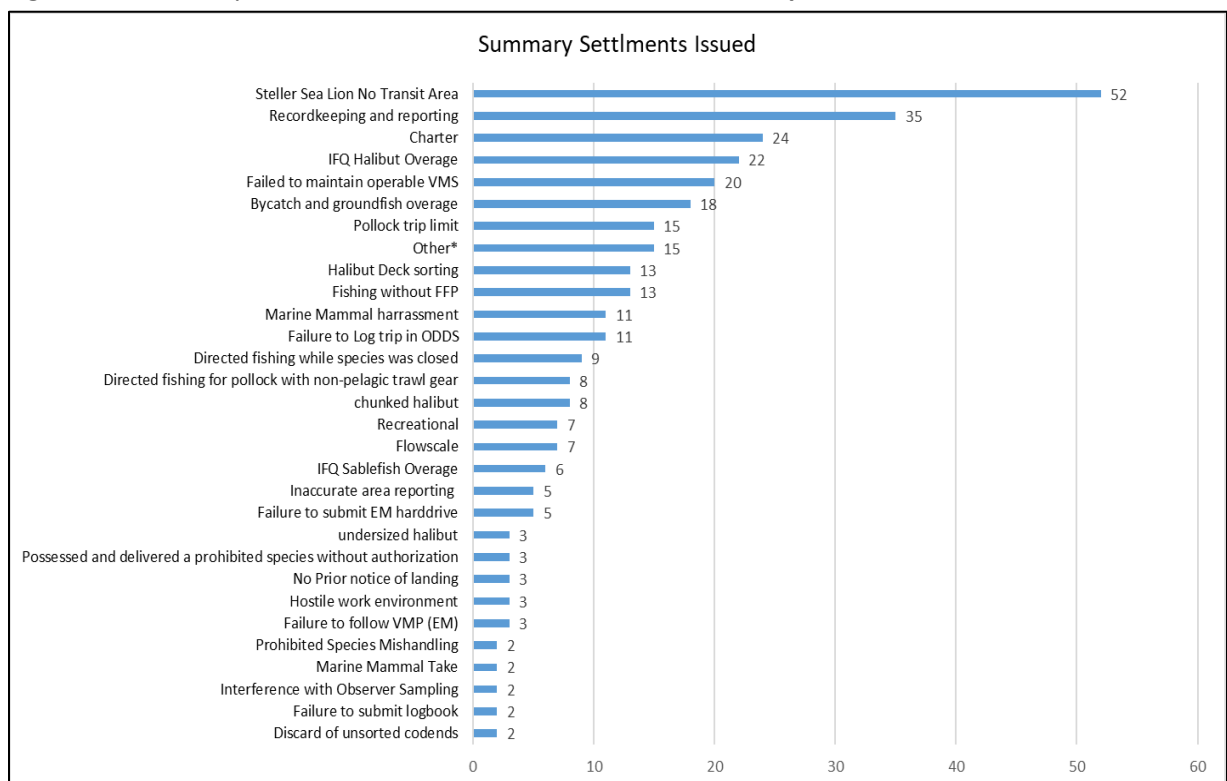


Figure 5.3 Summary Settlements Counts Issued Oct 1, 2023, to Sep 30, 2024.



**Other includes multiple types of violations resulting in only one summary settlement count being issued.*

6. Observer Program

To remind the Council, new Observer Program statement database changes became effective July 19, 2023. As discussed in our previous Report to Council in December, 2023, and the North Pacific Observer Program 2023 Annual Report (June 2024), this means that year-over-year comparisons to highlight trends does not carry through smoothly to the new database system. Therefore, the new analysis we brought forward in our December 2023 report, demonstrating the number of statements received by OLE from the Observer Program, by Management Program and statement type, and resulting enforcement actions of Compliance Assistance and above, will be resumed in next year’s June report, as statement categories were changed. To further clarify, Calendar Year 2024 will be the first full year with the new database system and structure, so that OLE can begin anew with tracking like trends, incorporating the new changes.

Figure 6.1. Summary of Observer Program Statements, Fiscal Year 2024.

Statements	Incidents	Statuses of ASSIGNED
848 statements received and reviewed in FY2024; 105 of these did not document an actual violation (no incident created in Case Management System)	691 statements were forwarded to agents and officers (plus 52 not yet assigned); 295 unique incidents created	101 Ongoing (315 statements)
		16 Forwarded for prosecution (46 statements)
		12 Written Warnings issued (16 statements)
		27 Summary Settlements issued (84 statements)
		40 Compliance Assistance Provided (100 statements)
		7 Closed - Referred to another Agency (15 statements)
		92 Closed - No OLE Action (167 statements)

In FY 2024, OLE received 848 observer statements describing potential violations; by comparison, in FY23, OLE received 631 statements. As described in the North Pacific Observer Program 2023 Annual Report, the new statement database, integrated into the debriefing process, has improved the ability to accurately determine when statements should be written.

7. Cook Inlet Salmon EEZ Fishery

In 2024, its first year under Federal management authority, the Cook Inlet Salmon EEZ fishery opened June 20th, and closed on August 15th. Over the course of the season, there were 15 openings. NOAA Fisheries received landing reports for 969 individual commercial trips wherein eLandings designated Federal Exclusive Economic Zone fishing. Landings occurred at seven unique locations.

Below are some summary statistics from the first year of the fishery:

Number of Boardings by OLE (including joint boardings performed with partners).

- At sea: 9
- Dockside: 33
- Percent of total trips with boardings: 4.3%

Noncompliance issues detected: 46 total

- No Salmon Federal Fisheries Permit (SFFP): 5
- No Vessel Monitoring System (VMS)/VMS not transmitting: 5
- Fishing in State and Federal Waters on the same day: 1
- Fishing in closed waters or on a closed day: 1
- Recordkeeping and Reporting Issues:
 - Detected Chinook originally not logged: at least 10
 - Percent of total landed Chinook $10/31=32\%$
 - Percent of total trips with boardings $42/969=4.3\%$. 10 Chinook discovered by boardings at 4.3% would extrapolate to 231 total Chinook (of the 240 Chinook quota).