

**NOAA**  
**FISHERIES**

Headquarters



# HMS Enforcement Overview

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# NOAA Office of Law Enforcement

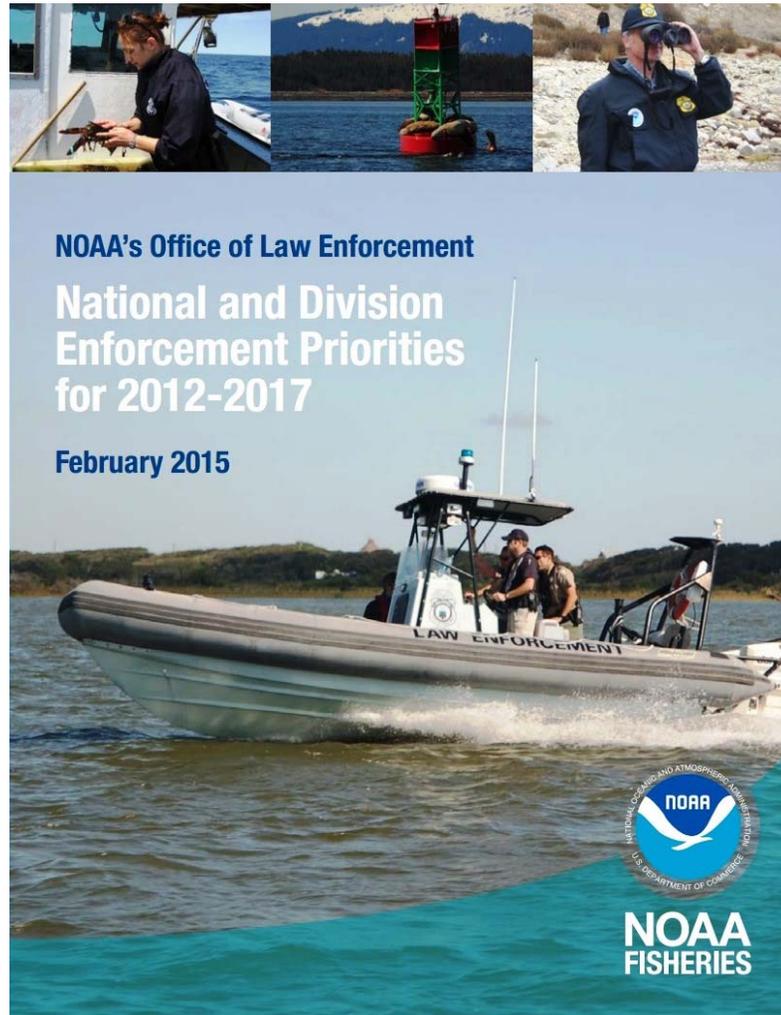
## James Landon

### Director

- Introduction
- Opening Remarks



# National and Division Priorities for 2012 - 2017



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# Sustainable Fisheries

## Supporting Sustainable Fisheries and Safe Seafood

Overall Priority	Northeast	Southeast	Northwest	Southwest	Alaska	Pacific Islands
Focus resources on overfished stocks and stocks experiencing overfishing.	Limited access, overfished, prohibited and protected species including Bluefin tuna.	Dealer non-reporting on overfished species.	Cases involving adverse impacts on overfished stocks.	Noncompliance with trip and cumulative limits, especially catch share programs.	There are no overfished stocks in Alaska that are managed by NOAA.	Tampering/obstruction of VMS equipment, data; closes area/VMS violations.
Expand contact with the regulated communities.	Maintain and foster relationships with industry.	Fishery closures: closes areas and closed seasons, highly migratory species.	Patrols at sea and shoreside.	Pacific highly migratory species fishery.	Commercialization of sport-caught or subsistence halibut.	Violations of international treaties or agreements.
Focus enforcement services to support commercial and recreational catch reporting in support of annual catch limit monitoring.	Noncompliance with trip and cumulative limits, especially catch share programs multi-species or other fisheries.	Red Snapper/ Grouper/Tilefish Catch Shares-IFQ monitor and enforcement.	Noncompliance with trip and cumulative limits, especially catch.	Catch reporting and trip limits.	Felony and major civil cases involving significant damage to the resource or the integrity of management schemes.	Felony and major civil cases involving significant damage to the resource or integrity of management schemes.



# Marine and Coastal Species and Healthy Habitats

## Supporting Recovered and Healthy Marine and Coastal Species and Healthy Habitats

Overall Priority	Northeast	Southeast	Northwest	Southwest	Alaska	Pacific Islands
Improve compliance with regulations to protect endangered species.	Violations involving the Convention on International Trade in Endangered Species (CITES).	Turtle excluder device (TED) education and enforcement.	Inadequate water volume and/or barriers to fish passage in streams that impact migration or spawning.	Habitat protection and inadequate water flow and/or barriers to fish passage in streams that impact migration or spawning.	Lethal takes and Level "A" harassment with the potential to injure marine mammals.	Plans for Hawaiian Monk Seal habitat protection.
Expand enforcement services provided to support National Marine Sanctuaries.	Fixed gear violations (e.g., lobster traps, gillnets) within sanctuaries.	Prohibitive taking of commercial quantities of sanctuary artifacts or protected marine resources.	Unlawful discharges or groundings of vessels within sanctuaries.	Unlawful discharges or groundings of vessels within sanctuaries.	There are no National Marine Sanctuaries in Alaska.	Unlawful discharges or groundings of vessels within sanctuaries.
Reduce illegal vessel/person/marine mammal interactions.	Review and analysis of Automatic Identification System (AIS) data for enforcement of right whale ship strike reduction speed rule.	Right Whale approach and vessel speed restriction enforcement in South Atlantic waters.	Lethal, intentional and/or egregious take of any marine mammal.	Lethal takes, Level A harassment with the potential to injure marine mammals.	Any violation involving injury or potential injury to marine mammals, such as a vessel-whale collision..	An observed or reported ongoing/in-progress take as well as any vessel strike.



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## Northeast Enforcement Division

- OLE responded to a complaint that a vessel landed a shark during the annual Hudson Anglers Tournament in Freeport, NY without a HMS permit.
- GCES advised that the respondent in a case where a great white shark was taken and landed at the Star Island Shark Tournament in Montauk, NY in 2010 agreed to pay \$5,985 to settle the case. Respondent was charged with taking HMS without a valid permit and landing a prohibited shark species.



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## Northeast Enforcement Division - Continued

- OLE enforcement officers and state JEA partners conducted patrols in the southern area of the Chesapeake Bay at Rudee Inlet and Lynnhaven Inlet. Recreational fishing vessels and charter/headboats were inspected for compliance with HMS regulations and outreach was conducted regarding Bluefin tuna and billfish safe handling and release recommendations.



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## Northeast Enforcement Division - Continued

- NOAA OLE partnered with the Massachusetts Environmental Police, and the Massachusetts State Police Commercial Vehicle Enforcement Unit to conduct inspections of commercial trucks in the Gloucester area serving the seafood industry. Enforcement personnel issued 17 violations and placed two trucks out of service while the Environmental Police issued a summons for an undersized Atlantic halibut and two more for seafood license display violations.

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## Northeast Enforcement Division - Continued

- An enforcement officer issued a \$500 summary settlement to the owner and operator of a fishing vessel that failed to report a recreationally caught Atlantic Bluefin Tuna.



# Southeast Enforcement Division

- A special agent in Galveston, TX responded to a complaint regarding a Facebook post of an individual holding a yellow fin tuna believed to have been caught in the EEZ. The allegation was that the tuna had been caught on either an oil rig or supply vessel without a valid HMS permit. The agent conducted a brief investigation, and learned that the photo was taken and posted in 2013, and the employee was no longer with the company. The agent contacted the legal counsel for the oil company and warned the company regarding HMS and other fishing regulations including which permits would be required.



# Southeast Enforcement Division - Continued

- OLE conducted an inspection on a commercial fishing vessel targeting large coastal sharks. The vessel offloaded 46 large coastal sharks, one over the limit. A warning was issued.
- An enforcement officer from Charleston, SC conducted a roadside seafood vendor inspection. During the inspection 5 sharks were identified as Atlantic sharpnose which were closed for commercial harvest in the area. The enforcement officer identified and contacted the fisherman that caught and sold the sharks who admitted to harvesting them but stated that he was in state waters. The enforcement officer conducted an interview at the suspect's house the following day with SCDNR where he again maintained that the sharks were caught in SC state waters. The SCDNR officer explained that SC adopts federal shark regulations and applies them to state waters and issued a \$450 state ticket for commercially harvesting closed season sharks.



# Southeast Enforcement Division - Continued

- A Charleston, SC enforcement officer reported to a shark tournament being held at a local marina and discovered that the tournament had not been registered with NMFS. The person hosting the tournament had registered the event with the state but did not realize there were federal registration requirements. The officer explained the requirements, used his computer to show how to register the tournament in the future and issued a written warning. Several sharks were landed that were all legal length and species. All anglers in federal waters had proper HMS permits.
- An enforcement officer from Charleston, SC completed an investigation into the landing of a blue marlin by a recreational vessel that did not have a HMS permit and failure to report the fish. A \$500 summary settlement was issued joint and several to the owner and the operator for failure to report the fish. A verbal warning was given for landing a billfish without an HMS permit.



# Southeast Enforcement Division - Continued

- An enforcement officer conducted a patrol on Edisto Island, SC during a recreational shark tournament while two SCDNR officers patrolled on the water checking anglers at sea. A number of vessels were checked at the dock and ramps and all anglers were found to be compliant with federal regulations, many of which purchased their HMS permits the night before after a SCDNR officer attended the Captain's meeting to explain the federal requirement.
- An enforcement officer conducted a dockside boarding of a recreational angler during patrol in Murrells Inlet, SC. The angler displayed a photo and stated that he recently caught and released a blue marlin over 60 miles offshore that day. The subject did not have a HMS permit and did not realize he was required to have this permit. The officer explained HMS regulations, showed the subject how to obtain an HMS permit and issued a verbal warning.



## Southeast Enforcement Division - Continued

- An OLE agent from St. Petersburg, FL continued their investigation of the operator of a vessel, boarded by FWC officers, who was found using prohibited bait (shark) and had an excess of longline gangions and illegal gear. The operator admitted to the violation.
- A \$750 Summary Settlement Offer was accepted and paid by a recreational fisher from Tampa, FL for possession of undersized HMS (sailfish). The case was the result of a wildlife alert received by FWCC officers who responded offshore of Port Canaveral, FL and performed an inspection on the vessel.



# Southeast Enforcement Division - Continued

- GCES advised that a \$5,000 NOVA for failure to maintain tuna, dolphin and wahoo intact was paid by the respondent. Subject(s) possessed filleted fish consisting of 82.5 lbs. of Yellowfin Tuna, 20.5 lbs. of Dolphin, and 3.5 lbs. of Wahoo in or from the Atlantic U.S. EEZ a violation of the MSFCA.
- OLE conducted a joint border inspection operation with USFWS, USFDA, and CBP at the Veterans Port of Entry Commercial Import Dock in Brownsville, TX. The 3 day operation was designed to specifically address the SERO milestone goal of conducting 8 IUU border operations. During the three day operation, the team was able to identify and search 8 commercial loads of seafood coming from Mexico to the United States valued at nearly \$1.2 million dollars. Some of the species inspected included 5 semi-truck loads of blue and yellow fin tuna valued at \$500-\$750K, one shipment of commercial reef fish valued at \$35k, two shipments of processed fresh blue crab valued at \$400,000.





# Questions?

NOAA Fisheries Office for Law Enforcement



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