

FISHERIES ENFORCEMENT

NOAA/USCG

Director Dale Jones

&

LCDR Daniel Schaeffer



OVERVIEW

- **Fisheries Enforcement Components**
- **NOAA Law Enforcement**
- **NOAA (OLE) Mission/Responsibility**
- **USCG Law Enforcement**
- **USCG Mission/Responsibility**
- **Enforceability of Regulations**
- **Fishing Vessel Safety**
- **Conclusion**

United States Fisheries Enforcement Team

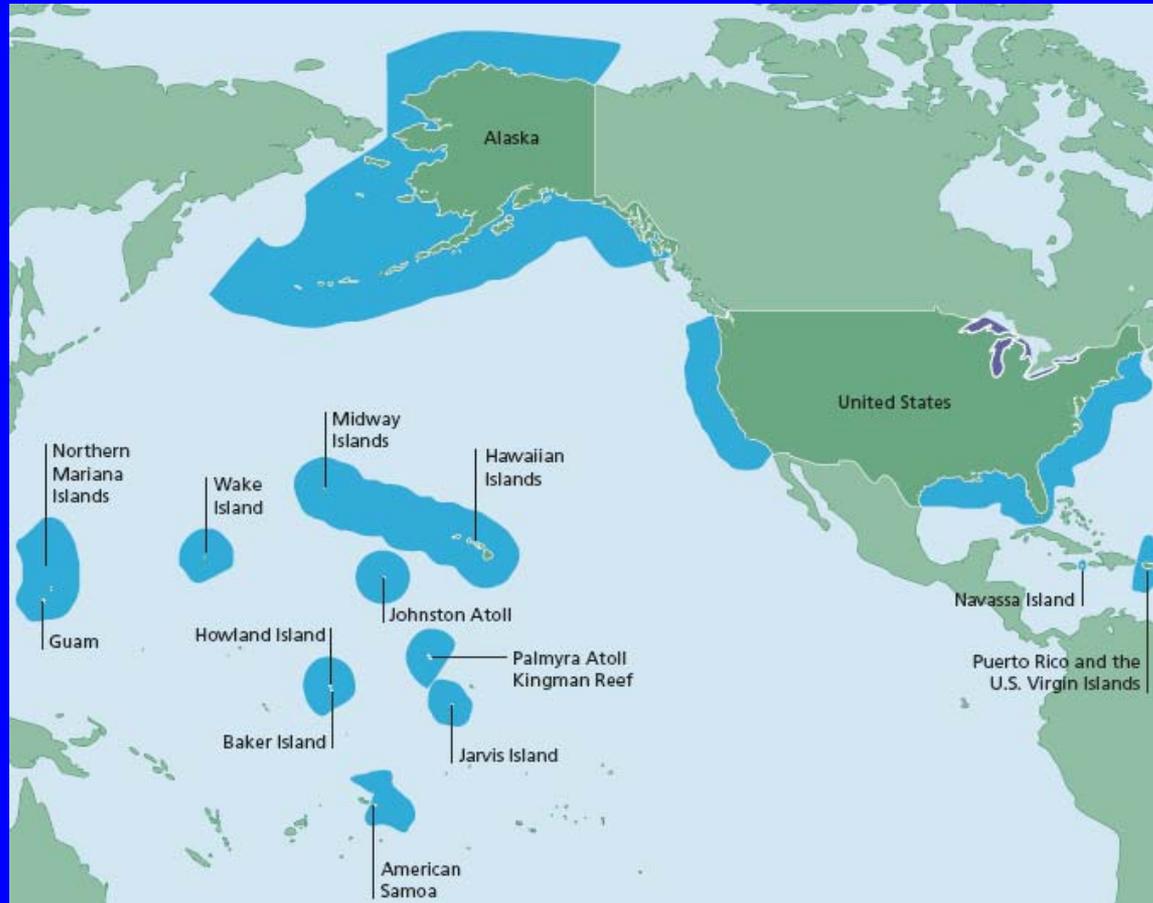
- *NOAA Fisheries Office for Law Enforcement*
 - Shore side enforcement and investigative work.
 - Present cases for prosecution.
- *United States Coast Guard*
 - At-sea enforcement.
 - Through use of vessels, aircraft, and technologies.
- *State Partners*
 - Joint Enforcement Agreements with 27 states and territories.
- *NOAA General Counsel for Enforcement Litigation*
 - Case prosecution.

NOAA OLE

“In Brief”

- **Jurisdiction of over 3.4 million square miles of ocean & 95,000 miles of coastline, 13 sanctuaries and one monument**
- **Responsible for 37 statutes, incl.**
 - **Magnuson-Stevens Fishery Conservation & Management Act**
 - **Endangered Species Act**
 - **Marine Mammal Protection Act**
 - **Lacey Act**
 - **Marine Sanctuaries Act.**
- **NOAA Fisheries is the fourth most prodigious federal regulatory agency**
- **Global enforcement authority**
- **Protecting our marine resources**
- **Approx. 235 personnel**
- **An agent or officer could potentially be responsible for over 1,400 miles of coastline**
- **Special Agents and Enforcement Officers train at Federal Law Enforcement Training Center in Glynco, GA**
- **Accredited by the Commission on Accreditation for Law Enforcement Agencies**

U.S. Jurisdiction



- **3.36 Million square miles of open ocean**
- **Over 95,000 miles of US coastline**
- **13 National Marine Sanctuaries, 4 Marine National Monuments**
- **High seas and international wildlife trade relating to U.S. treaties and International law**

NOAA Office of Law Enforcement

Mission Objective

To conserve and protect our nation's marine resources through assuring **compliance** with the laws and regulations established to manage these resources

OLE Personnel

Special Agents, Enforcement Officers and Support Staff



- **Special Agents (non-uniformed) 149**
 - Criminal and civil investigations
 - Domestic and international work
- **Enforcement Officers (uniformed) 15**
 - Patrols & boardings
 - Preliminary Investigations
- **Support Staff 71**
 - Vessel Monitoring Systems
 - Administration
 - Information technology
 - Outreach

** numbers reflect nationwide totals*

“Four Pillars” of the OLE

- 1) INVESTIGATIONS & PATROLS - Conduct investigations and patrols to enforce living marine resource laws, bring to justice violators and ensure compliance.**
- 2) COPPS - Constituent outreach and communication through Community Oriented Policing and Problem Solving (COPPS)**
- 3) TECHNOLOGY & VMS - Maximize compliance & fishery management through Vessel Management System (VMS) partnerships**
- 4) PARTNERSHIPS - Enhance and maintain our law enforcement partnerships with other federal, state, local and tribal enforcement agencies, as well as industry, non-governmental organization and “friends group” representatives.**

Primary laws of the OLE enforces

37 Statutes



- Magnuson-Stevens Fishery Conservation & Management Act
- Endangered Species Act
- Marine Mammal Protection Act
- Lacey Act
- Marine Sanctuaries Act.
- Shark Finning Prohibition Act
- American Fisheries Act

FY 2008 OLE Cases

4,883 Incidents in FY 2008

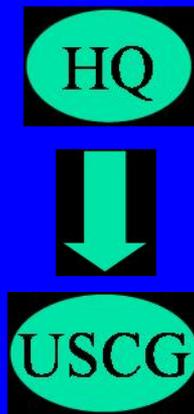
- **Endangered Species Act**
322
- **Lacey Act**
174
- **Magnuson-Stevens Act**
2,952
- **Marine Mammal Protection Act**
612
- **Marine Sanctuary Act**
320
- **All Others**
503

(others include various Tuna Acts, Halibut Act, Shark Finning Prohibition, American Fisheries Act, State Regulations Non-fisheries, Documentation and Safety and Tribal)



VMS and the Coast Guard

The NOAA OLE provides a “near real time” VMS data feed to the USCG





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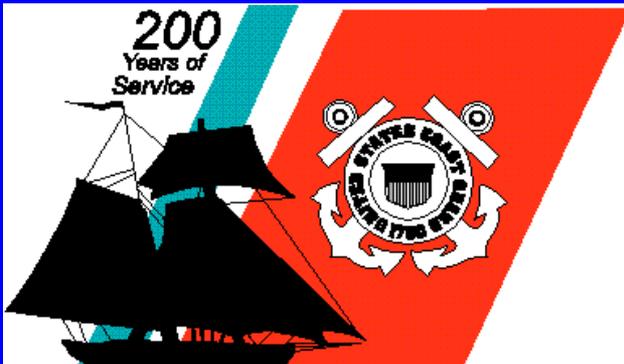


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Chief Dale Jones

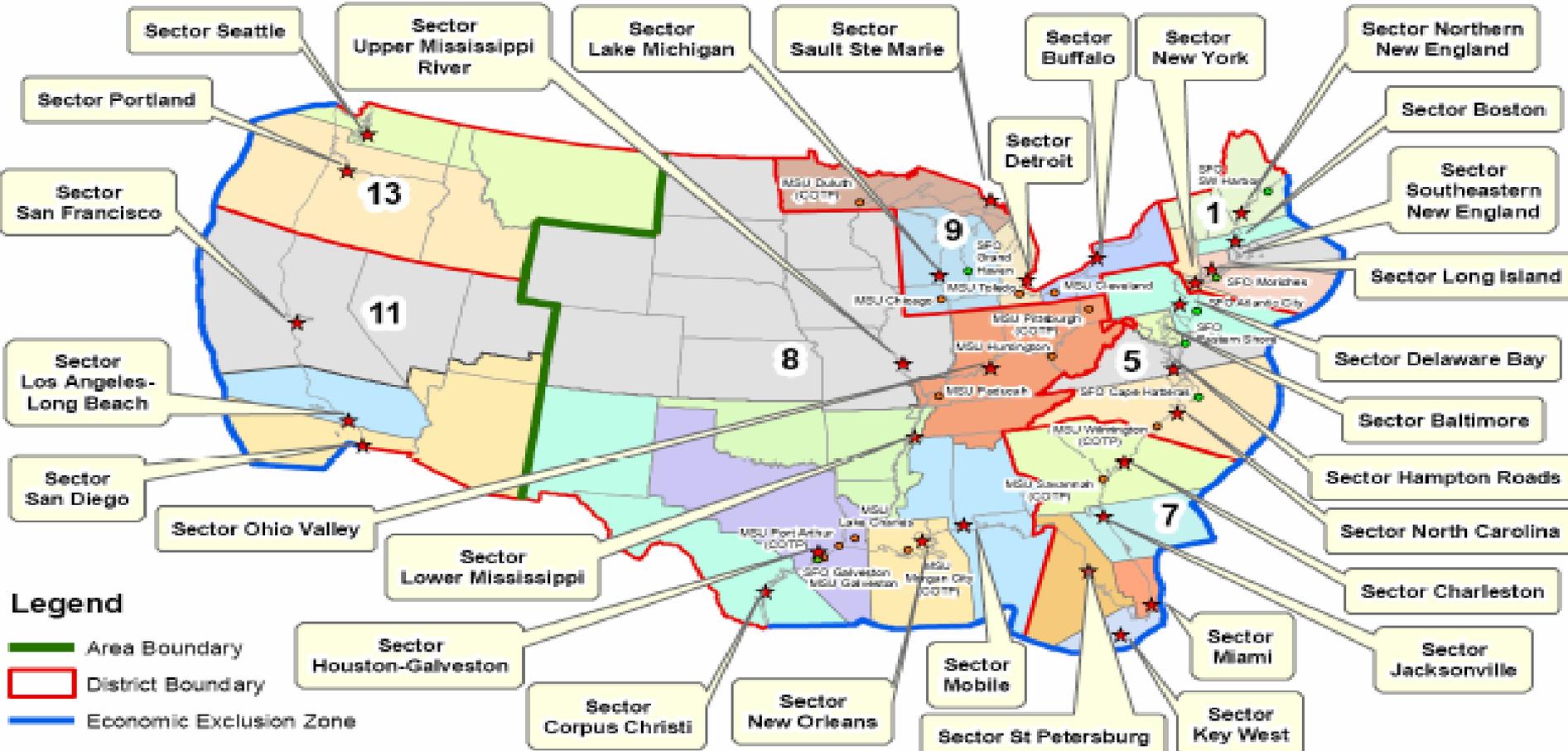
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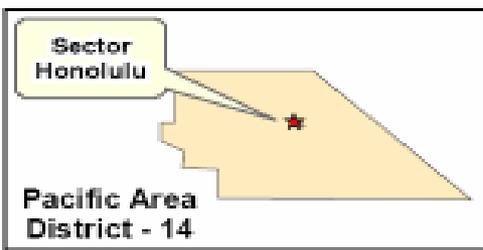
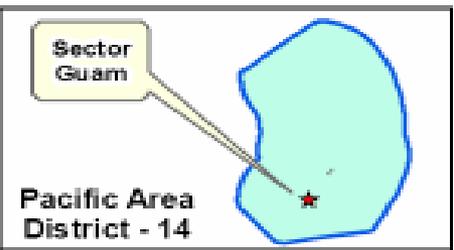
USCG ORGANIZATION

U. S. Coast Guard Sector Commands



Legend

- Area Boundary
- District Boundary
- Economic Exclusion Zone



11 Statutory USCG Missions

Maritime Security

- Illegal Drug Interdiction Law Enforcement
- Undocumented Migrant Interdiction LE
- **Other Law Enforcement (Foreign FV Enforcement)**
- Ports, Waterways, & Coastal Security
- Defense Readiness

Maritime Stewardship

- **Living Marine Resources Law Enforcement**
- Marine Environmental Protection

Maritime Safety

- Search and Rescue
- Marine Safety for Marine Transportation System
- Aids to Navigation & Waterways Management
- Ice Operations

USCG LMR Law Enforcement Mission

To provide effective and professional at-sea enforcement to advance national goals for the conservation and management of living marine resources and their environment

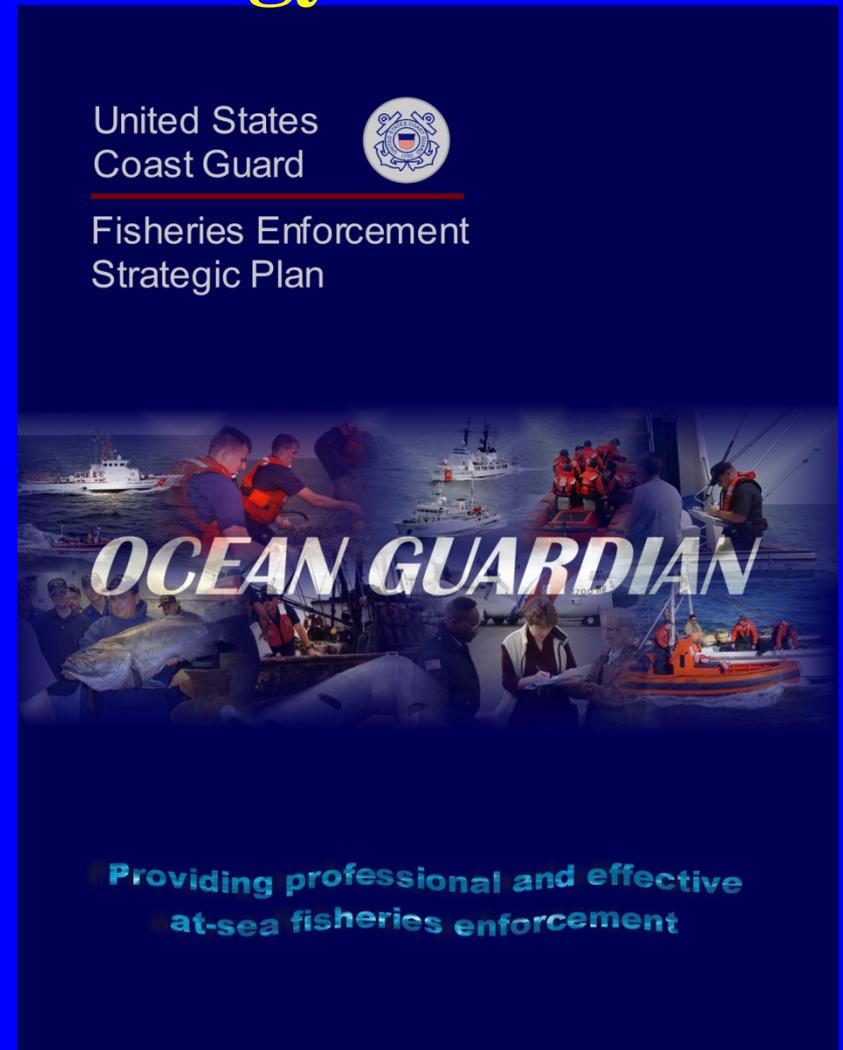


Ocean Guardian

USCG Living Marine Resource Enforcement Strategy

PRIORITIES:

- **Protect our EEZ from illegal foreign fishing vessel fleets**
- **Ensure compliance with domestic LMR laws**
- **Ensure compliance with international LMR agreements**



Coast Guard Living Marine Resource Law Enforcement Cornerstones

- **Sound Regulations**
- **Effective Presence**
- **Technology**
- **Productive
Partnerships**



REGIONAL FISHERIES LE TRAINING CENTERS

- Northeast
- Southeast
- Gulf
- Pacific
- North Pacific



WHAT IS A WELL DESIGNED REGULATION?

- **1st – Must accomplish management goals**

Assume no compliance = failure of management goals

- **Consider enforcement as a component of regime compliance...How?**
- **Simple, Minimal, & Easy to Understand**
- **Consider available Law Enforcement Resources and their capabilities**
- **Safety at Sea – element of consideration**

Fishery Enforcement Modes

- **Surveillance**
 - Aircraft
 - Cutters/Boats
 - VMS
- **At-Sea Boarding**
- **Dockside**



Fishery Management Measures

- Limiting Amount/ Percent Landed
- Limiting Amount/ Percent Onboard
- Prohibiting Retention
- Requiring Retention
- Size Restrictions
- Closed Areas
- Closed Seasons
- Gear/Vessel Restrictions
- Limited Access Privilege Programs
- Recordkeeping/ Reporting
- Permits
- Observers



Commercial Fishing Vessel Safety

- Vessel Stability & Watertight Integrity
- Stability Training & Assessments
- Vessel Maintenance & Self-Examinations
- Immersion Suits
- Crew Preparedness
- Safety Training
- Emergency Preparation
- Safety Equipment

COAST GUARD

WWW.

FishSafe . info



QUESTIONS

