

**NOAA FISHERIES**

# **Quarter 2 2018 Fishery Management Council Report**

**NOAA Fisheries Office of Law Enforcement  
Southeast Division**

**January 1, 2018 – March 31, 2018**



To report fisheries violations,  
call our national hotline:  
**1-800-853-1964**

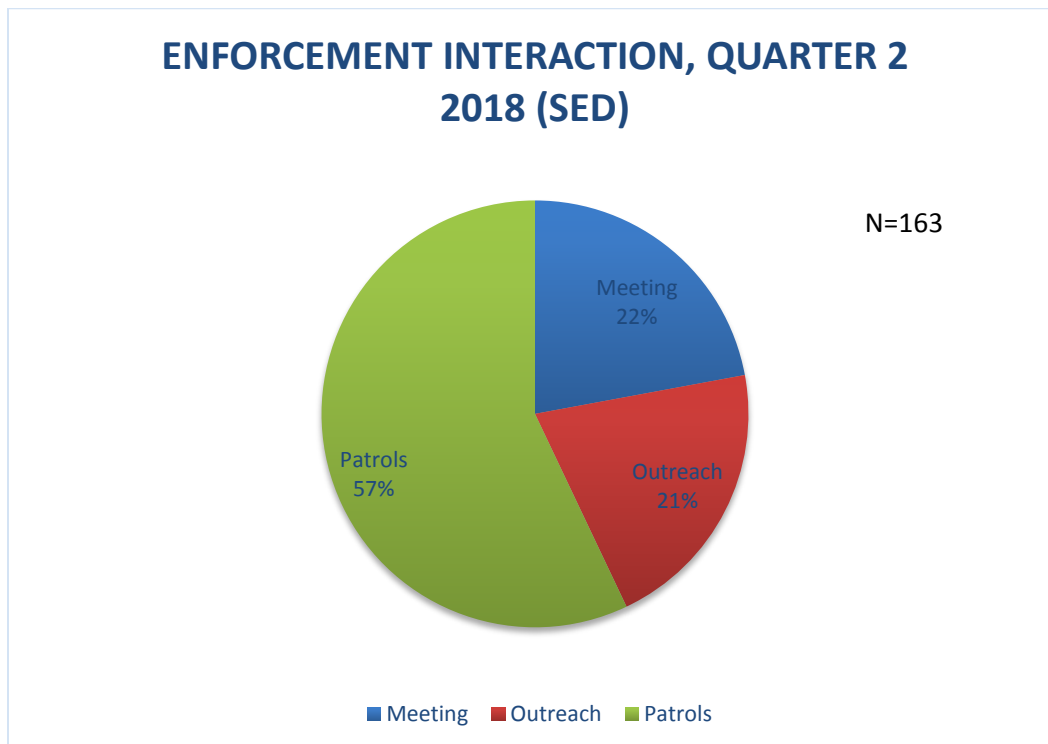
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# Enforcement and Compliance

## Summary

Data represent NOAA Fisheries Office of Law Enforcement Southeast Division's (OLE SED) enforcement effort conducted throughout Quarter 2 2018, January 1, 2018- March 31, 2018. When appropriate, information is separated by council, South Atlantic Fishery Management Council (SAFMC), Gulf of Mexico Fishery Management Council (GMFMC) and Caribbean Fishery Management Council (CFMC). There were **93** documented patrols, allowing critical face-to-face interaction between our field staff and the industry; **34** documented instances of outreach (not an exhaustive list; includes phone calls with industry, dock visits, trade shows, presentations, etc.); and **36** meetings. This list does not include the extensive outreach that the VMS team provides on a daily basis, nor can it fully capture the interaction our agents, officers, and support staff regularly have with industry.

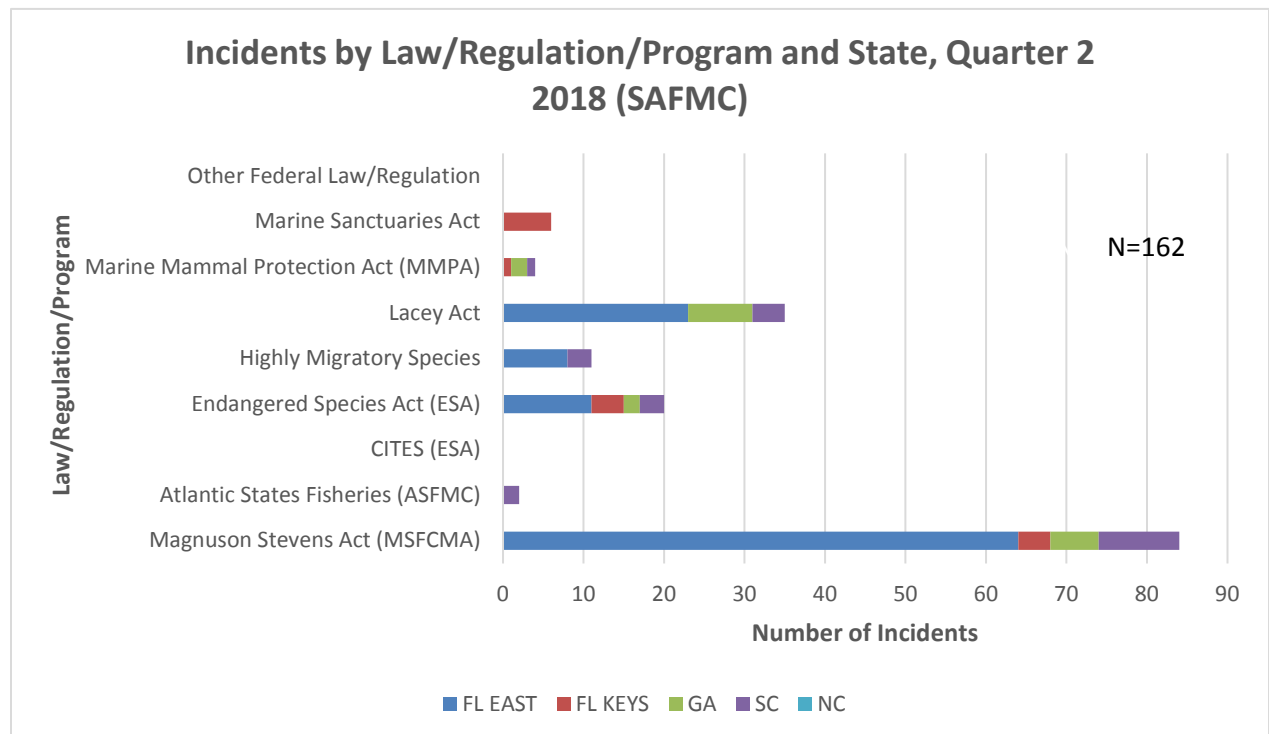


# Incident Information

During the second quarter, OLE opened **245** incidents in the SED, which included 287 incident violation counts- **162** incident violation counts in the SAFMC area and **140** incident violation counts in the GMFMC area<sup>1</sup>.

## Summary of Incidents by Law/Regulation/Program and State; Quarter 2 2018 (SAFMC)

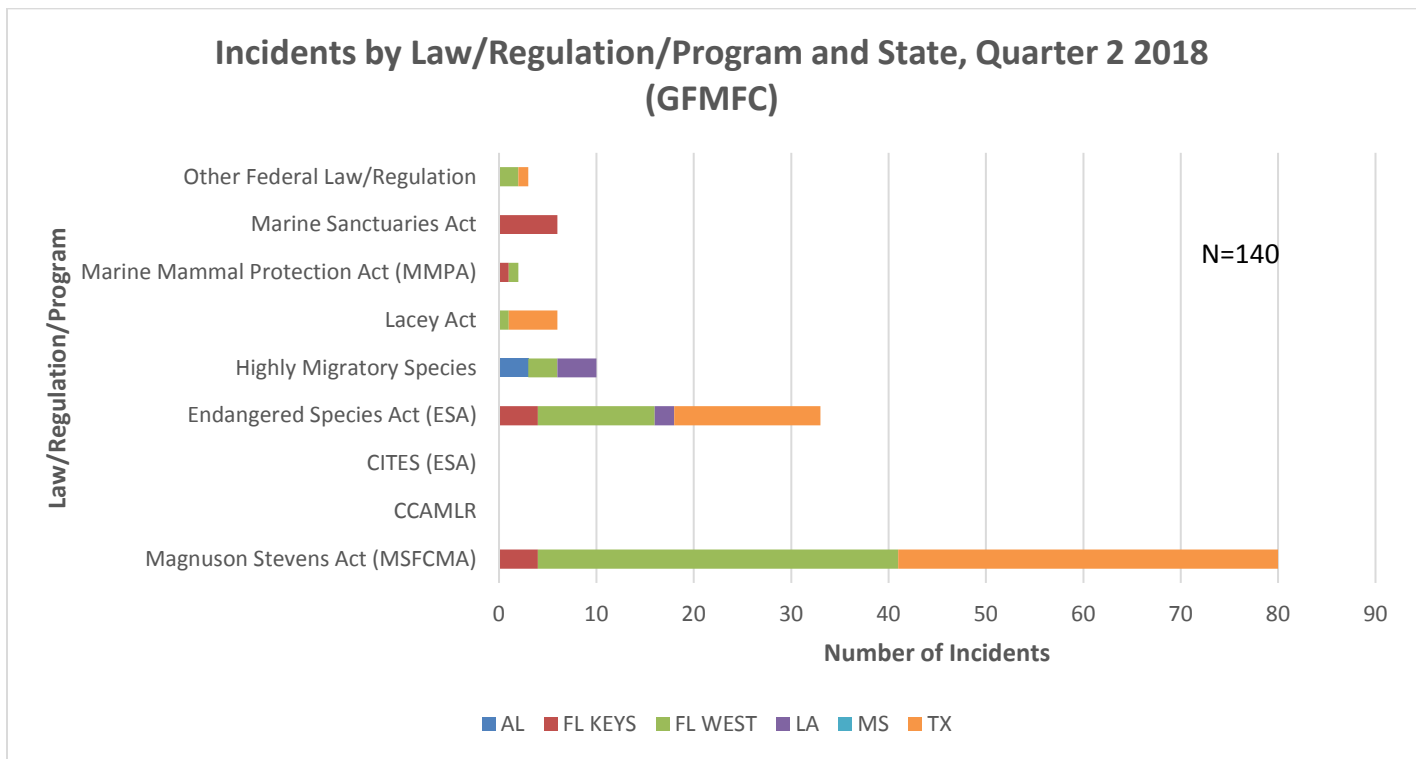
Law/Regulation/Program	FL EAST	FL KEYS	GA	SC	NC	Total
Magnuson Stevens Act (MSFCMA)	64	4	6	10		84
Atlantic States Fisheries (ASFMC)				2		2
CITES (ESA)						0
Endangered Species Act (ESA)	11	4	2	3		20
Highly Migratory Species	8			3		11
Lacey Act	23		8	4		35
Marine Mammal Protection Act (MMPA)		1	2	1		4
Marine Sanctuaries Act		6				6
Other Federal Law/Regulation						0
						<b>162</b>



<sup>1</sup> Incident violations occurring in the Florida Keys area are included in both SAFMC and GMFMC counts; total incident violation counts greater than incidents due to multiple counts

**Summary of Incidents by Law/Regulation/Program and State; Quarter 2 2018 (GMFMC)**

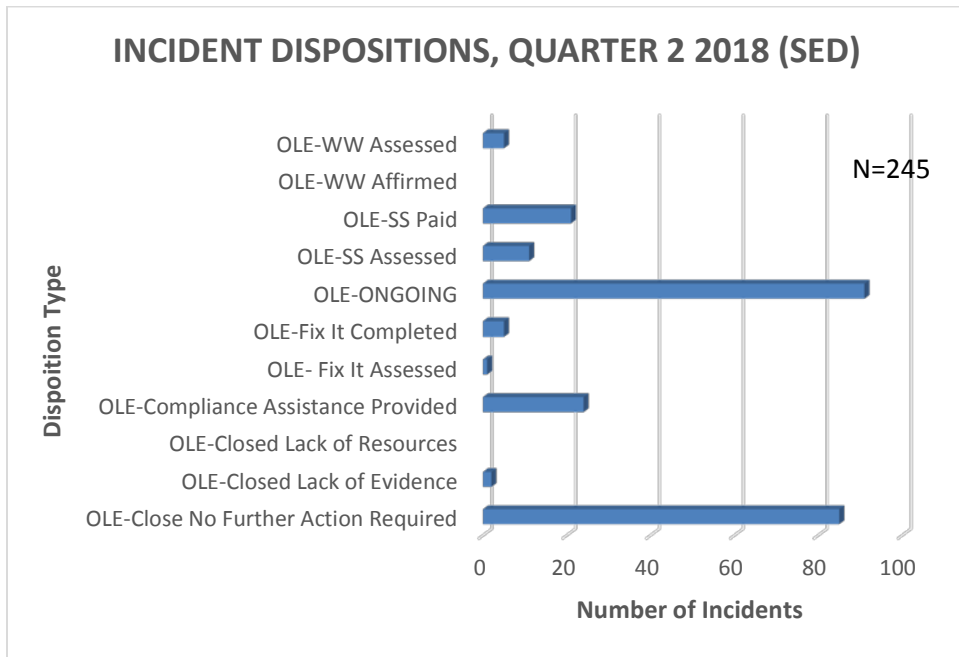
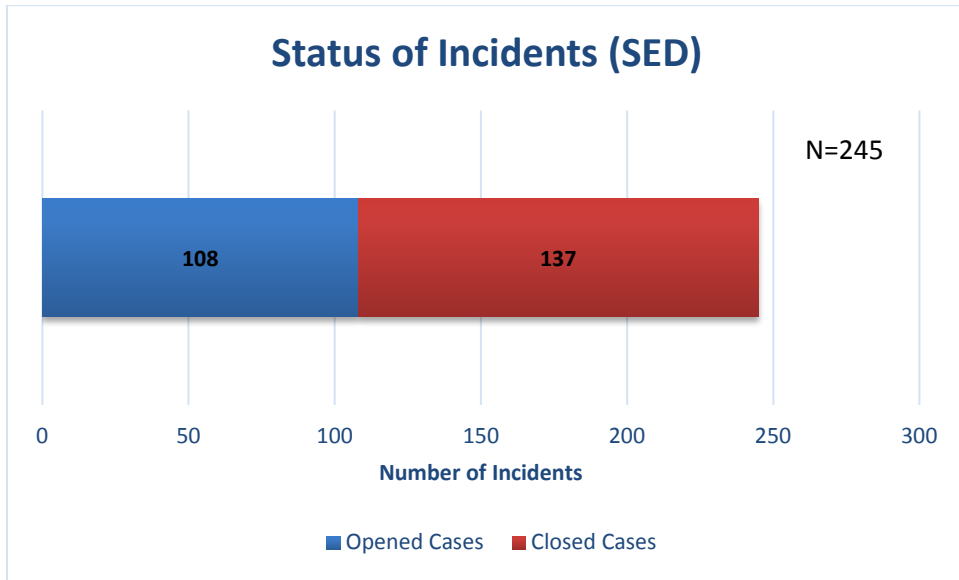
Law/Regulation/Program	AL	FL KEYS	FL WEST	LA	MS	TX	Total
Magnuson Stevens Act (MSFCMA)		4	37			39	80
CCAMLR							0
CITES (ESA)							0
Endangered Species Act (ESA)		4	12	2		15	33
Highly Migratory Species	3		3	4			10
Lacey Act			1			5	6
Marine Mammal Protection Act (MMPA)		1	1				2
Marine Sanctuaries Act		6					6
Other Federal Law/Regulation			2			1	3
							140



**Summary of Incidents by Law/Regulation/Program and State; Quarter 2 2018 (CFMC)**

No reported incidents during this quarter. OLE has two vacant Caribbean enforcement positions at this time. OLE intends to hire one special agent and one enforcement officer in Puerto Rico.

# Caseload Snapshot



# Enforcement Highlights

## **Magnuson-Stevens Fishery Conservation and Management Act - Tortugas Shrimp Sanctuary**

On January 18, 2018, NOAA OLE enforcement officers from St Petersburg, FL and the Florida Keys initiated an investigation during a joint patrol with USCG aboard the USCGC Raymond Evans. During the patrol, officers documented the FV RONALD E actively trawling inside the Tortugas Shrimp Sanctuary. The vessel was escorted back to port for further investigation. NOAA OLE enforcement officers ultimately seized the vessel's catch, which consisted of 6,173 pounds of Key West Pink Shrimp. The seized product was forfeited to the United States. This case is pending.

## **Endangered Species Act - Turtle Excluder Devices (TEDs)**

On January 5, 2018, NOAA GCES issued a NOVA for \$66,000 to the owners/operator of the F/V JIMMY & JOHNNY for TED violations, which included TEDs that were sewn shut. The NOVA was issued as a result of an investigation worked by special agents in Slidell, LA and in partnership with USCG boarding officers who discovered the violations during an at sea boarding of the vessel.

On January 5, 2018, NOAA GCES issued a NOVA for \$9,000 to the owners/operator of the F/V MISS SALENA, for TEDs that were documented without the required flotation. The NOVA was issued as a result of an investigation worked by agents in Slidell, LA and in partnership with the Mississippi Department of Marine Resource's officers who documented the violations during an at sea boarding of the vessel.

# Overview of Summary Settlements

LAW/REG/PROGRAM	VIOLATION	AMOUNT	STATE
Atlantic States Fisheries - ASFMC	Possess prohibited species	\$300	SC
CCAMLR	Import without preapproval	\$2,000	FL EAST
Endangered Species Act (ESA)	TED requirements	\$200	AL
Endangered Species Act (ESA)	TED requirements	\$500	FL EAST
Endangered Species Act (ESA)	TED requirements	\$1,100	FL WEST
Endangered Species Act (ESA)	TED requirements; Possess prohibited species	\$1,575	FL WEST
Endangered Species Act (ESA)	TED requirements	\$300	FL WEST
Endangered Species Act (ESA)	TED requirements	\$500	FL WEST
Endangered Species Act (ESA)	TED and BRD requirements	\$750	LA
Endangered Species Act (ESA)	Fail to comply with protected species conservation measure	\$1,500	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$1,300	AL
Magnuson Stevens Act (MSFCMA)	Engage in activity without permit	\$750	AL
Magnuson Stevens Act (MSFCMA)	Engage in activity without permit	\$3,000	AL
Magnuson Stevens Act (MSFCMA)	Possess in excess of trip limits	\$500	FL EAST
Magnuson Stevens Act (MSFCMA)	Engage in activity without permit	\$500	FL EAST
Magnuson Stevens Act (MSFCMA)	Engage in activity without permit	\$500	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$325	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$275	FL EAST
Magnuson Stevens Act (MSFCMA)	Possess prohibited species	\$275	FL EAST
Magnuson Stevens Act (MSFCMA)	Possess prohibited species	\$625	FL EAST
Magnuson Stevens Act (MSFCMA)	Possess prohibited species	\$275	FL EAST
Magnuson Stevens Act (MSFCMA)	Possess prohibited species	\$275	FL EAST
Magnuson Stevens Act (MSFCMA)	Engage in activity without permit; Possess in excess of trip limits	\$1,250	FL EAST
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$275	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$275	FL KEYS
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$275	FL WEST
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$275	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$325	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$800	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$325	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$325	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$700	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$350	FL WEST
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$300	FL WEST



Magnuson Stevens Act (MSFCMA)	Retention during closure; possess undersize species	\$550	FL WEST
Magnuson Stevens Act (MSFCMA)	TED requirements	\$200	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$275	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$300	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$3,000	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$350	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$500	FL WEST
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$375	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$1,000	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$425	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$375	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$450	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$300	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$300	FL WEST
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$275	GA
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$350	GA
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$900	GA
Magnuson Stevens Act (MSFCMA)	Engage in activity without permit	\$750	NC
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$500	SC
Magnuson Stevens Act (MSFCMA)	Possess in excess of trip limits	\$550	SC
Magnuson Stevens Act (MSFCMA)	Fail to maintain fish intact	\$275	SC
Magnuson Stevens Act (MSFCMA)	Possess prohibited species	\$850	SC
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$325	SC
Magnuson Stevens Act (MSFCMA)	Possess undersize species	\$325	SC
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$350	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$975	TX
Magnuson Stevens Act (MSFCMA)	Possess in excess of trip limits	\$1,100	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$900	TX
Magnuson Stevens Act (MSFCMA)	Possess in excess of trip limits	\$1,450	TX
Marine Mammal Protection Act (MMPA)	Gear violation	\$500	SC
Marine Mammal Protection Act (MMPA)	Gear violation	\$500	SC
Marine Sanctuaries Act	Gear violation; improper mooring	\$1,800	FL KEYS

# Vessel Monitoring System (VMS) Program

Southeast Division Active VMS Vessel Population: 1,078

Population Breakdown by (VMS) Fisheries:

Fisheries	NETWORK INNOVATIONS	CLS	SKYMATE	FARIA	BOATRACS	TOTAL
HMS PELAGIC LL	20	42	14	30	6	<b>112</b>
HMS SHARK	0	4	1	3	0	<b>8</b>
GULF REEF FISH	254	265	32	129	194	<b>874</b>
ROCK SHRIMP	18	16	6	14	30	<b>84</b>
<b>TOTAL</b>	<b>292</b>	<b>327</b>	<b>53</b>	<b>176</b>	<b>230</b>	<b>1078</b>

Violations ranging from fishing in a closed area, improper gear use and failure to comply with reporting requirements (trip declarations, daily reports, pre-landing notices) were detected by VMS staff and referred to enforcement officers or special agents for follow-up. Additionally, the VMS staff conducted 266 calls with the industry relating to compliance during the quarter.

## Significant VMS Issues:

**SED Software Updates:** Software for all vendors and vessels operating in the Catch Shares System, for reef fish, were updated to numeric VMS codes for dealer and landing locations. Outreach has been ongoing to assist with this upgrade.

## Observer Program Highlights

During quarter 2 2018; the observer programs deployed on **98** trips for **872** sea days. Approximately **93%** of all selected trips were completed without an observer related enforcement incident (assault/harassment, safety). Effort conducted in the Gulf of Mexico consisted of observer coverage from the Galveston and Panama City Programs. The Gulf of Mexico Shrimp Program deployed on 21 trips for 428 sea days, and the Gulf of Mexico Reef Fish Program deployed on 15 trips for 74 sea days. The Panama City Gillnet Program deployed on 8 trips for 19 sea days, and the Panama City Bottom Longline Program (includes Shark Research Fishery) deployed on 31 trips for 38 sea days. The Pelagic Observer Program (POP) deployed on 23 trips for 313 sea days. The summary below details the status of observer related complaints during Quarter 2 of 2018, for all 3 programs.

Complaint Type	Gulf of Mexico	POP
	Q2	Q2
Handling	0	8
Gear	12	0
Retention	0	1
Spatial	0	0
Assault/Harassment	2	1(REFERRAL)
Safety	4	0
Non-Compliance for Coverage	20	0

# Cases sent to NOAA General Counsel Enforcement Section (GCES)

- 20 cases forwarded to GCES

LAW/REG/PROGRAM	VIOLATION	STATE
<b>Endangered Species Act (ESA)</b>	TED Requirements	FL EAST
	TED Requirements	MS
	TED Requirements	MS
	TED Requirements	TX
<b>Highly Migratory Species</b>	Retention during closure	NC
<b>Magnuson Stevens Act (MSFCMA)</b>	TED Requirements	AL
	Exceed commercial retention; fail to maintain shark; sell species to non-permitted dealer; resist/impede investigation	AL
	Fishing in closure area	FL EAST
	Possess prohibited species; disposal of fish after law enforcement communication	FL EAST
	IFQ landing no allocation	FL WEST
	Fishing in closure area	FL WEST
	Possession of shark fins; fail to maintain shark	LA
	Retention during closure	LA
	Fish without an observer or exemption	LA
	Engage in activity without permit	LA
<b>Marine Mammal Protection Act (MMPA)</b>	Purchase and sell species without permit; failure to report species	LA
	Fishing in closure area	TX
<b>Marine Sanctuaries Act</b>	Prohibiting fishing; gear infractions; false statements	NC
	Vessel operation causing damage to resources	FL KEYS
	Possess undersize species	FL KEYS