

NOAA Fisheries Office of Law Enforcement  
Southeast Division

FISCAL YEAR 2024, QUARTER 1  
FISHERY MANAGEMENT  
COUNCIL REPORT

OCTOBER 1, 2023-DECEMBER 31, 2023



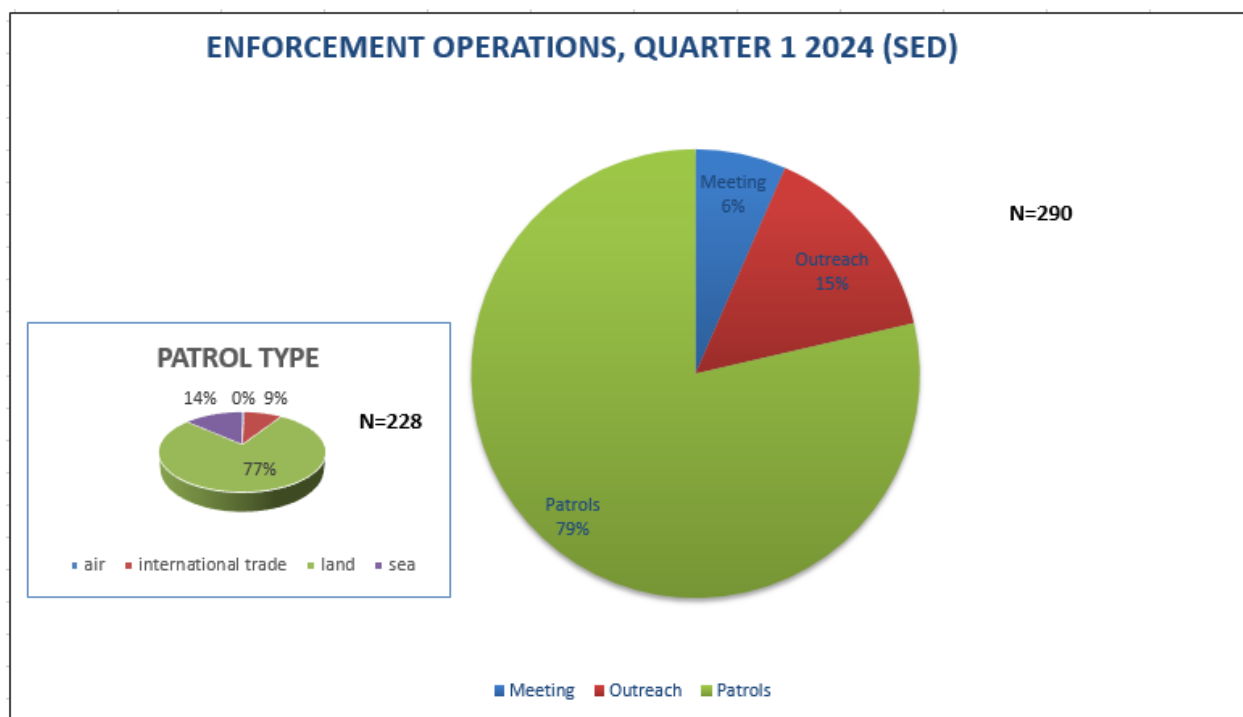
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# Enforcement and Compliance

Data represent National Oceanic and Atmospheric Administration’s Office of Law Enforcement, Southeast Division’s (OLE-SED) enforcement efforts conducted throughout FY Quarter 1, 2024, **October 1, 2023- December 31, 2023**. 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).

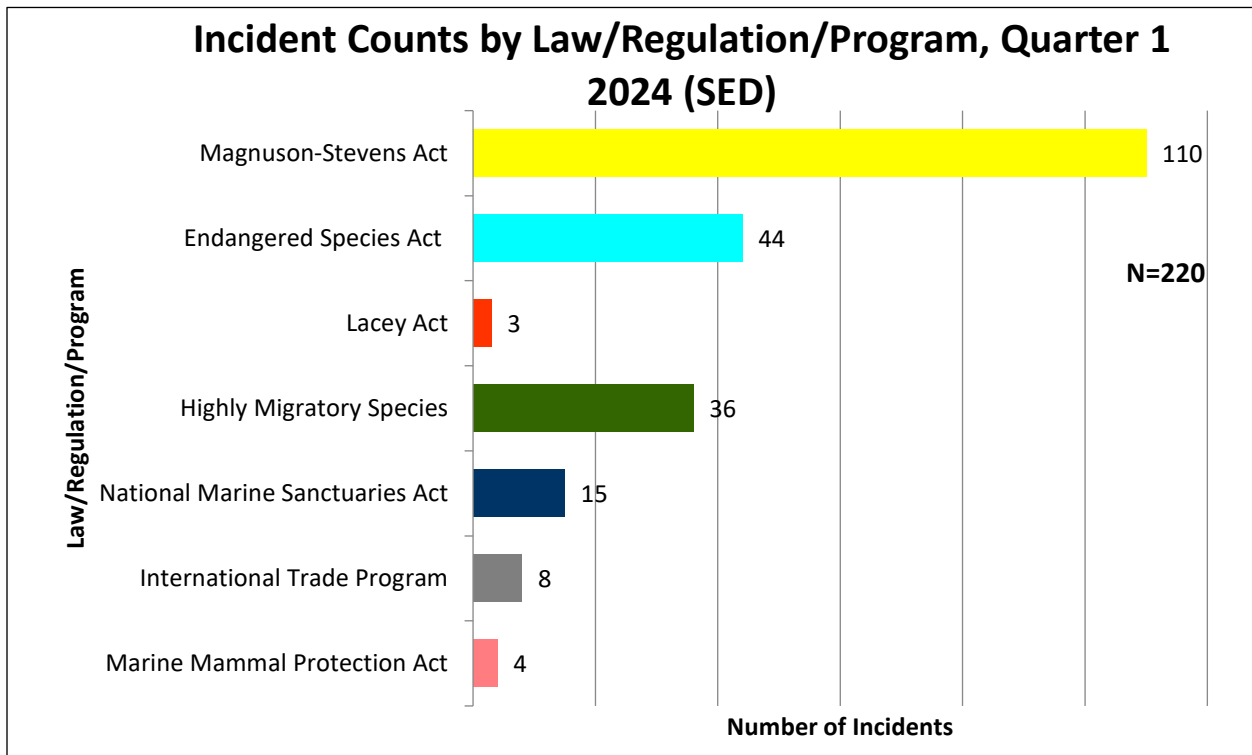
Patrols, outreach and education, compliance assistance, and investigations are the primary activities of OLE’s mission to protect marine wildlife and habitat by enforcing domestic laws and supporting international treaty requirements designed to ensure global resources are available for future generations. Specifically, five operations were conducted throughout the division. Enforcement efforts are routinely conducted with multiple federal, state and local partners throughout the division. Operation SANCTUARY SPA WATCHER was conducted in the Florida Keys National Marine Sanctuary (FKNMS), focusing on conserving sanctuary resources and habitat. Operations EL TEJANO and LOS COYOTES were conducted with state and federal partners on the Texas-Mexico border, targeting seafood imports as well as providing a presence in federal waters near the US/Mexico border. Multiple operations also focused on protecting the endangered Northern right whale, through vessel speed and gear patrols along the Eastern seaboard. This quarter, OLE-SED conducted and documented **228** patrols, **43** specific instances of outreach and attended **19** meetings.



# Incident Information

During the first quarter, OLE-SED opened **220** incidents, which included **125** counts in the SAFMC area, **123** counts in the GMFMC area and **3** counts in the CFMC area<sup>1</sup>. These incidents originate from both NOAA personnel and our enforcement partners.

## Summary of Incidents by Law/Regulation/Program; Quarter 1, 2024



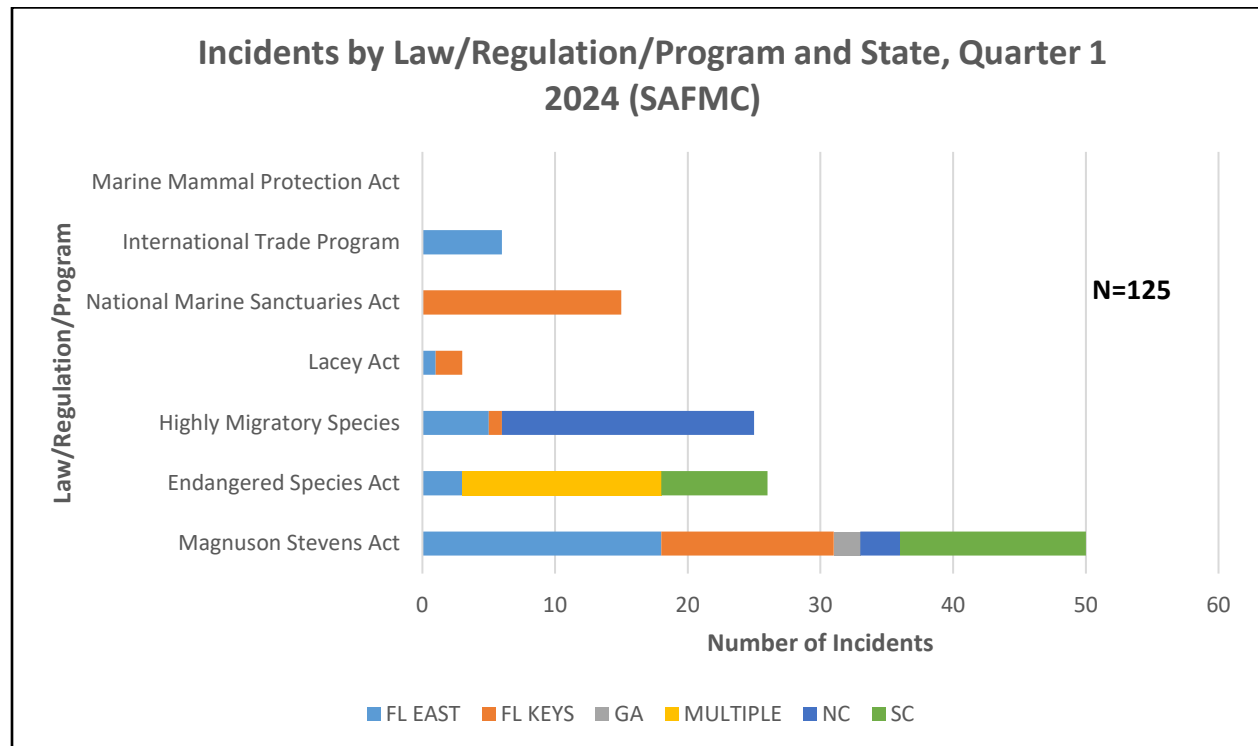
<sup>1</sup> Incidents occurring in the Florida Keys area are included in both SAFMC and GMFMC counts; total individual counts are greater than opened incidents due to multiple counts charged for separate incidents

## South Atlantic Fishery Management Council Summary

\*\*Total number of incidents listed below includes effort by OLE and enforcement partners, by location

### Number of Incidents by Law/Regulation/Program and Location; Quarter 1, 2024 (SAFMC)

Law/Regulation/Program	FL EAST	FL KEYS	GA	MULTIPLE	NC	SC	Total
Magnuson Stevens Act	18	13	2		3	14	50
Endangered Species Act	3			15		8	26
Highly Migratory Species	5	1			19		25
Lacey Act	1	2					3
National Marine Sanctuaries Act		15					15
International Trade Program	6						6
Marine Mammal Protection Act							0
<b>TOTAL</b>	<b>33</b>	<b>31</b>	<b>2</b>	<b>15</b>	<b>22</b>	<b>22</b>	<b>125</b>

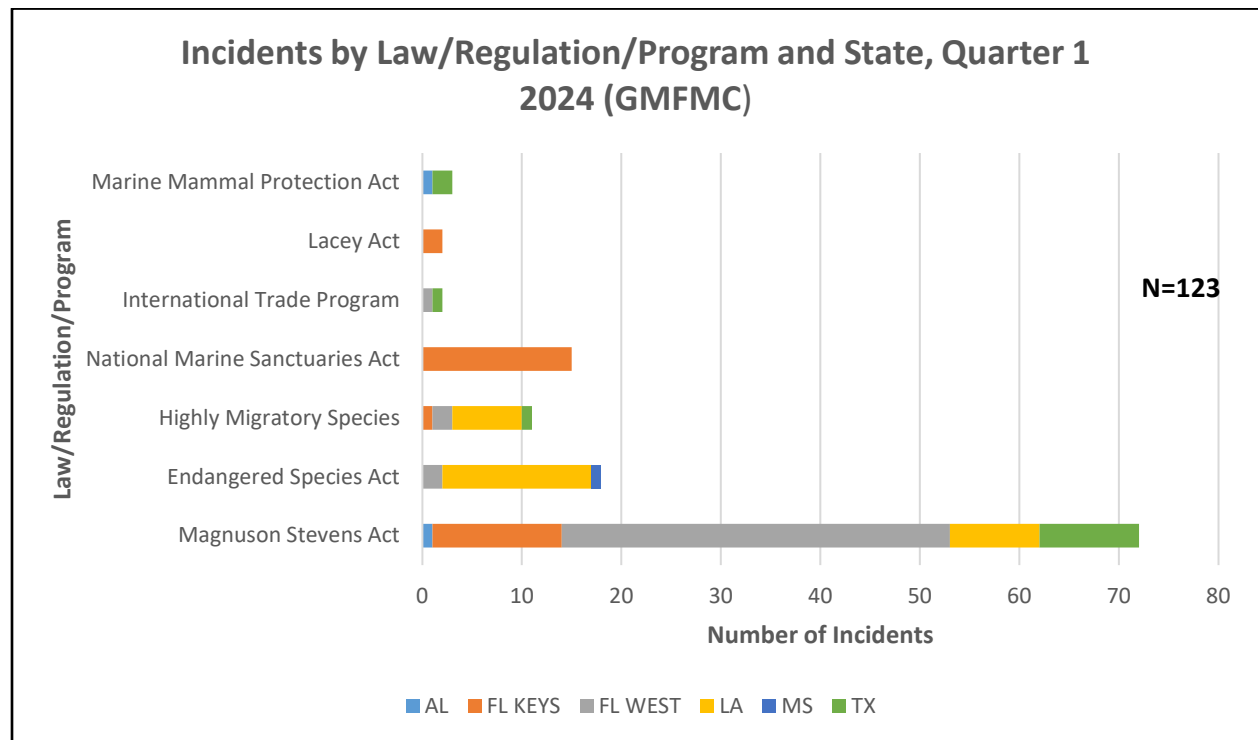


## Gulf of Mexico Fishery Management Council Summary

\*\*Total number of incidents listed below includes effort by OLE and enforcement partners, by location

### Number of Incidents by Law/Regulation/Program and Location; Quarter 1, 2024 (GMFMC)

Law/Regulation/Program	AL	FL KEYS	FL WEST	LA	MS	TX	Total
Magnuson Stevens Act	1	13	39	9		10	72
Endangered Species Act			2	15	1		18
Highly Migratory Species		1	2	7		1	11
National Marine Sanctuaries Act		15					15
International Trade Program			1			1	2
Lacey Act		2					2
Marine Mammal Protection Act	1					2	3
<b>TOTAL</b>	<b>2</b>	<b>31</b>	<b>44</b>	<b>31</b>	<b>1</b>	<b>14</b>	<b>123</b>

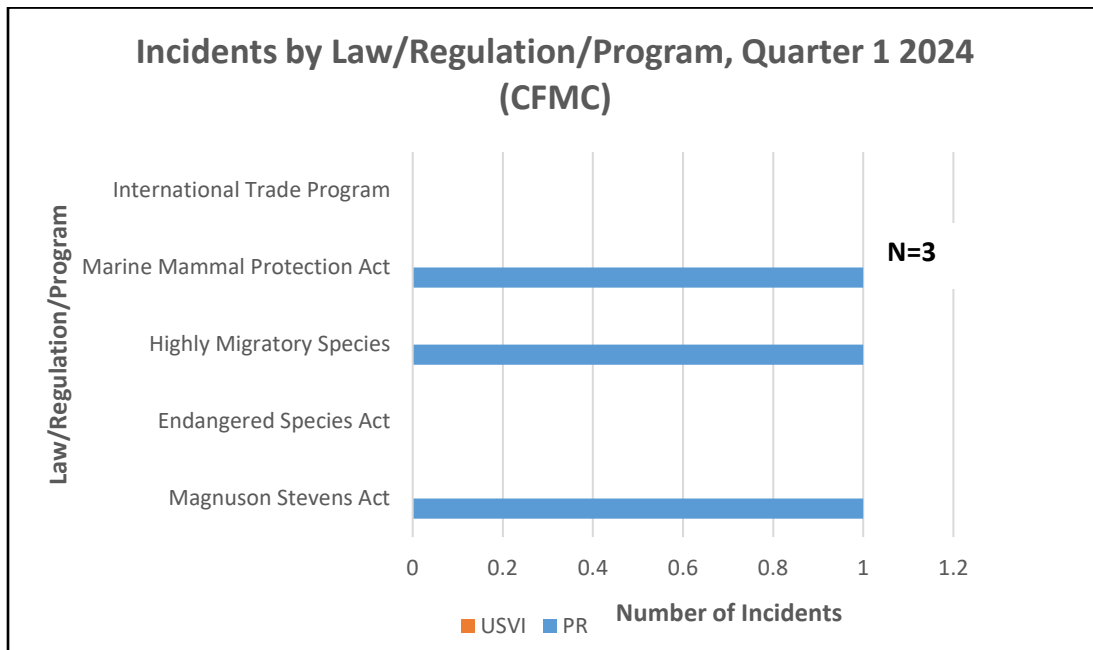


## Caribbean Fishery Management Council Summary

\*\*Total number of incidents listed below includes effort by OLE and enforcement partners, by location

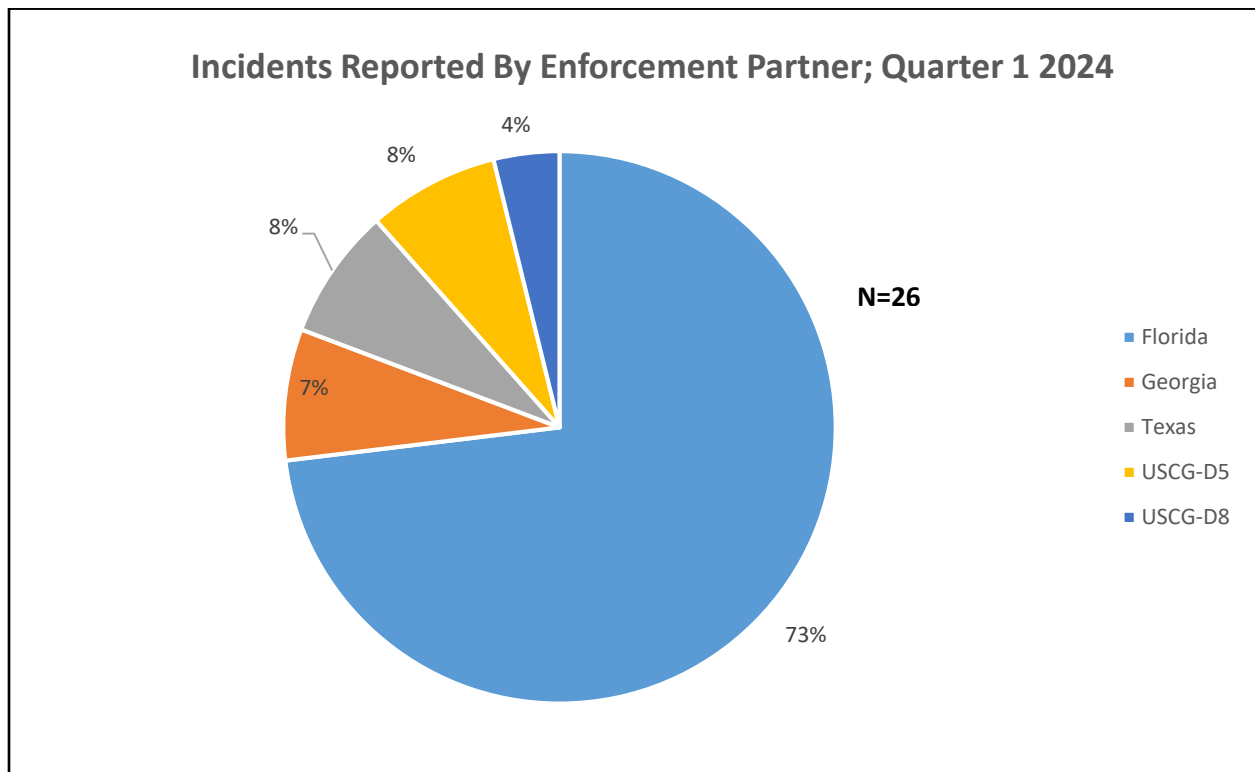
### Number of Incidents by Law/Regulation/Program and Location; Quarter 1, 2024 (CFMC)

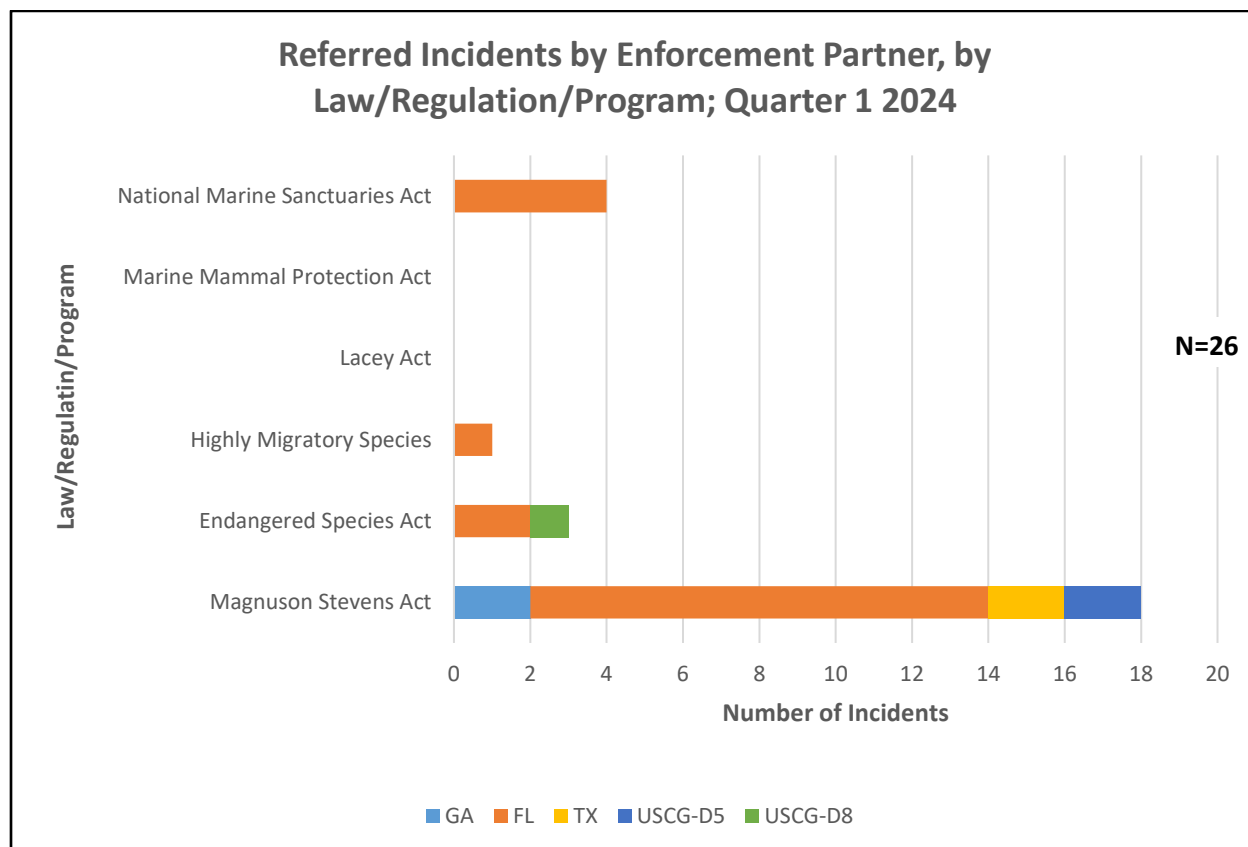
Law/Regulation/Program	PR	USVI	Total
Magnuson Stevens Act	1		1
Endangered Species Act			0
Highly Migratory Species	1		1
Marine Mammal Protection Act	1		1
International Trade Program			0
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>3</b>



# Summary of Cases by Joint Enforcement Agreement and United States Coast Guard Partners

Throughout Quarter 1, 2024, there were **26** cases referred to OLE-SED through Joint Enforcement Agreement (JEA) and United States Coast Guard (USCG) partners. Below is a summary showing the overall distribution of cases initiated by partner, and a breakdown of case counts by law/regulation/program per enforcement partner<sup>1</sup>. Effort consisted of dockside vessel boardings, offshore vessel boardings and interaction with the general public and industry members.

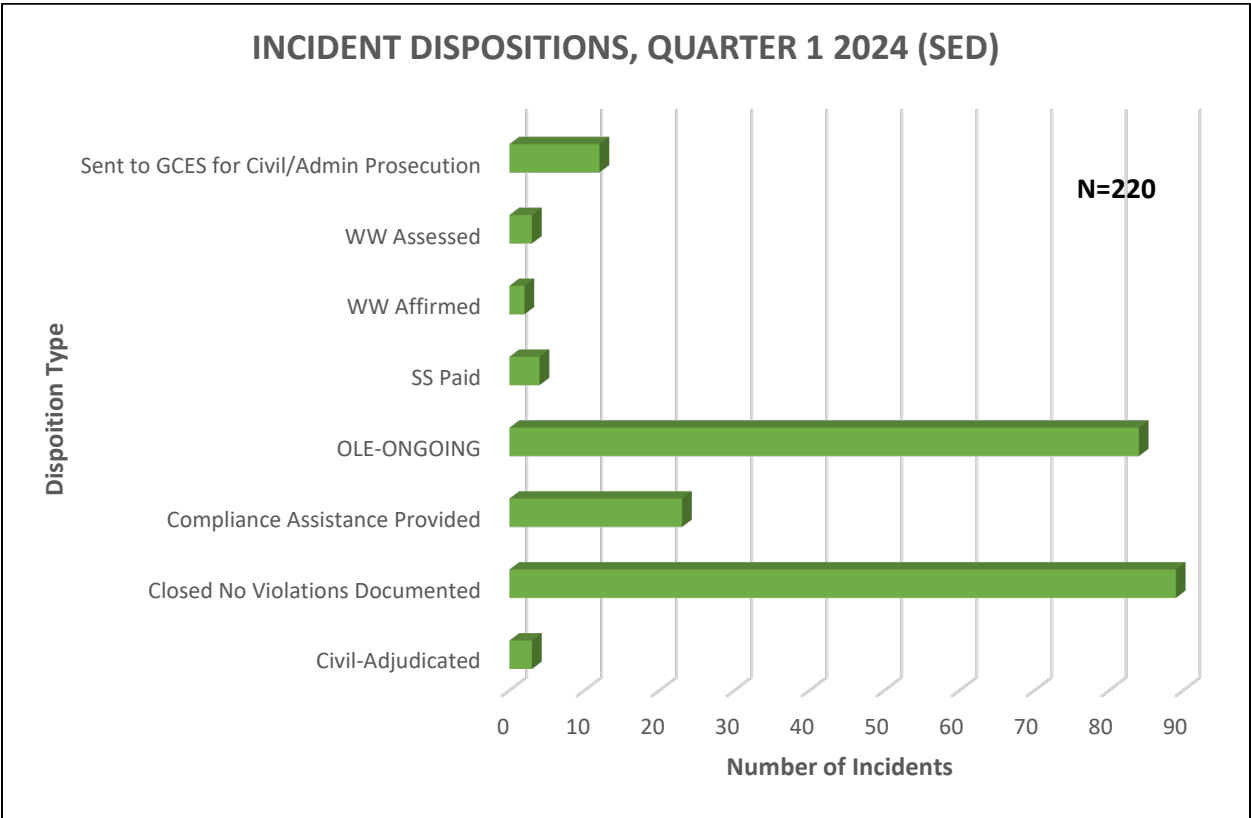
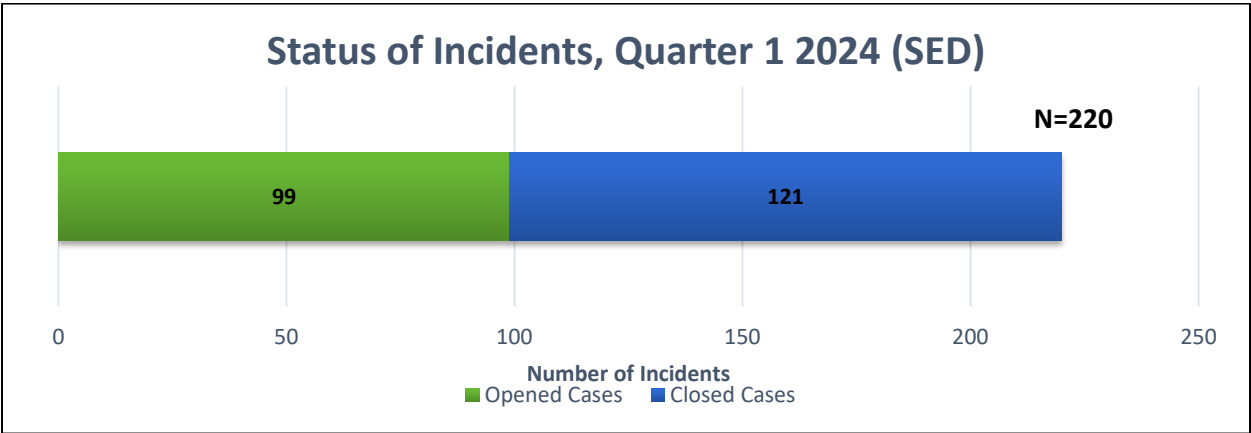




<sup>1</sup> total individual counts may be greater than opened cases due to multiple counts charged for separate cases

# Caseload Snapshot

Below is a breakdown of the initiated incidents (220) throughout the quarter, by status and disposition. The total also includes cases referred to OLE-SED by our enforcement partners. Throughout the quarter, enforcement personnel were able to complete investigations and close 55% of the incoming workload.



# Enforcement Highlights

## Highly Migratory Species

A San Juan, Puerto Rico Special Agent (SA) initiated an investigation into a vessel that U.S. Customs and Border Protection (CBP) agents boarded which possessed large fish fillets. The vessel was escorted to port and the SA determined they were marlin fillets. The SA interviewed the fisherman who admitted to catching a blue marlin in federal waters and filleting it at sea. Fisherman did not have a HMS permit. The SA collected an evidence sample of the fillets to be sent to the forensic laboratory for species identification. Also, the CBP agents conducted a search of the vessel and discovered 350 bricks of narcotic contraband hidden inside the vessel. The contraband field-tested positive to cocaine. Agents took custody of the subject and the contraband.

A Houma, LA Enforcement Officer (EO) received notification from the HMS program staff regarding multiple commercial longline vessels that harvested and sold shortfin mako shark when the retention limit was zero. The EO confirmed the sale and purchase by interviewing the captains and dealer. The EO issued all captains and dealer a \$750 summary settlement offer (SSO).



A North Carolina EO completed 18 vessel boardings during the December 2023 Bluefin Tuna season prior to their commercial offload.

A Houma, LA EO conducted a land based patrol in Dulac, LA. During the patrol, three offloads of longline HMS vessels were observed. During one of the offloads, the EO observed the vessel was landing tuna with both pectoral fins removed, in violation of HMS regulations. The EO provided compliance assistance to the captain.

A Charleston, SC SA and EO conducted initial interviews regarding an unregistered swordfish tournament. One of the subjects admitting to hosting the tournament which had a \$25,000 payout. Ten swordfish were landed, only two of which were reported. The fish are in the process of being reported now.

## Lacey Act



The St. Petersburg, FL Assistant Special Agent in Charge (ASAC), SA, and EO participated in an inspection detail with Florida Fish and Wildlife (FWC), Florida Highway Patrol, and the Florida Department of Agriculture and Consumer Services. The detail was conducted at a weigh station on a secondary highway east

of Tampa. It targeted eastbound and westbound shipments to detect shipments of illegal seafood and other regulated wildlife.

## Illegal, Unregulated and Unreported (IUU) Fishing

A Charleston, SC SA and Jacksonville, FL SA contacted multiple Jacksonville area restaurants and grocery stores where they reviewed purchase records for shrimp on hand in an attempt to find product which was purchased from a dealer who is potentially falsely labeling imported shrimp.

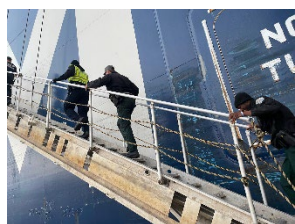


A Harlingen, TX EO conducted joint IUU Fishing Operation Los Coyotes with Texas Parks and Wildlife (TPWD), CBP and U.S. Coast Guard (USCG) along the southern border of Texas. During the operation, the EO worked alongside TPWD and USCG and assisted them with the seizure of five Mexican illegal fishing vessels, also known as lanchas. The USCG seized approximately 2,640 lbs of red snapper that was illegally harvested in the EEZ. Additionally, 20 Mexican nationals were taken into custody and transferred to Customs and Border Protection Agents for further processing.

<https://www.mysanantonio.com/news/local/article/illegal-red-snapper-seized-texas-18546775.php>

## Seafood Import Monitoring Program (SIMP) and Port State Measures Act (PSMA)

A Houston, TX EO conducted an International Trade Patrol at the customs examination station in Houston, TX. The EO completed 3 SIMP inspections and obtained samples of shrimp for DNA analysis to ensure compliance with SIMP.



A Savannah, GA EO conducted container inspections of Freight Remaining on Board (FROB) containers with Georgia Department of Natural Resources (GADNR) and CBP's Anti-Terrorism Contraband Enforcement Team (A-TCET) aboard two cargo vessels at the Port of Savannah. Shipping containers not being imported into the US were searched for contraband inducing marine products.

A Miami, FL SA conducted a refrigerated container exam at the CBP A-TCET unit at Port Everglades. A South Florida company had multiple TECS hits for money laundering linked to their product. The 40ft container was filled with boxes of mixed seafood (squid, shrimp, scallops, and snail) from Peru. Samples were taken and sent to the Charleston lab for analysis. A SIMP audit was requested from the SIMP audit team to verify proper documentation.



A Harlingen, TX EO conducted an International Trade Patrol with the TPWD at the Veterans port of entry. During the patrol, the team conducted three SIMP inspections of shipments containing 1,818 lbs of red snapper and 18,920 lbs of yellowfin tuna. No violations were documented and all three shipments were released into commerce.

A Savannah, GA EO conducted a patrol to the Port of Savannah and met with the trade and targeting units. FROB (Freight Remaining on Board) containers were targeted for protected species. These containerized ships are not being imported into the US, but could still contain ESA species.

A Miami, FL EO performed a SIMP inspection of dolphin fish, swordfish, and yellowfin tuna from the port city of Guayaquil, Ecuador. No violations were found.

## **Marine Mammal Protection Act**

A Jacksonville, FL SA issued SSOs to three subjects who handled, removed from the water, and posted pictures on social media of a juvenile bottlenose dolphin. The dolphin was discovered deceased on the same day the subjects handled it. A FWC biologist completed a necropsy and the cause of death was undetermined. During interviews all three subjects provided written statements stating the dolphin was dead when they found it and they were unaware of the MMPA regulations. One subject provided the SA with a short video clip of the incident. In the video clip, the dolphin appeared to be motionless/lifeless. After reviewing the national summary settlement scheduled it was determined to issue a \$100 SSO to each subject for, “direct contact of marine mammals by humans.”

The SED Compliance Liaison (CL) attended the 2023 North Atlantic Right Whale Consortium meeting, virtually. Presentations were held regarding vessel strikes, entanglements, offshore wind, technology and biology related to right whales. Attendees ranged from U.S and Canadian government fisheries, academia and NGOs. Outcomes from the meeting included steps on how best to engage industry and stakeholders in order to increase awareness and safety of right whales.

A San Juan, PR SA initiated an investigation regarding an individual who posted on social media a whale bone he had found on the beach. A Department of Natural and Environmental Resources (DNER) biologist contacted the SA because she had tried to retrieve the whale bone but was unsuccessful. The SA contacted the person in possession of the bone who agreed to meet and turn in the whale bone.



A Jacksonville, FL ASAC and SA deployed the M2 radar system in preparation of the start of the North Atlantic right whale (NARW) Seasonal Management Areas (SMA) season. The system will be utilized to detect violations and assist with future operations.



A Charleston, SC SA, EO, and Savannah, GA EO conducted an offshore patrol focusing on the NARW speed zone and Atlantic Large Whale Take Reduction Plan (ALWTRP) gear. Multiple vessel speeds were monitored and in compliance. No blue crab gear was located. Three shrimp trawlers were boarded and one violation was found. An Atlantic shortnose sturgeon was found in a shrimp

trawlers net that was ultimately released alive.

A Charleston, SC SA and EO and Savannah, GA EO conducted a patrol out of Charleston, SC to enforce NARW SMA speed rule regulations. One 210' supply vessel was observed transiting at 11.5kts and was contacted via VHF radio and given compliance assistance. During the patrol one recreational and two commercial fishing vessels were boarded. One of the commercial vessels was observed fishing in the Charleston-Edisto Marine Protected Area. A case package was sent to GCES for prosecution for fishing in an area closed to bottom fishing.



A Charleston, SC EO, and Savannah, GA EO conducted an offshore patrol on focusing on the NARW speed zone and ALWTRP gear. The patrol targeted vessels in transit to the anchorage zone for the Port of Savannah. No NARW speed or ALWTRP gear violations were documented. During the patrol, two shrimp trawlers were boarded, and one was provided with compliance assistance regarding the

leading edge on one of its nets. A charter vessel was boarded that was fishing for snapper/grouper without a permit. A recreational vessel was boarded that had cut-up and undersized black sea bass and snapper/grouper gear violations.

A Savannah, GA EO and Cape Canaveral, FL EO conducted a two day underway operation out of Jacksonville, FL to enforce NARW SMA speed restrictions. A Jacksonville, FL SA operated the M2 radar and located a vessel transiting the SMA at 24kts for 10 miles. EOs stopped and identified an 83ft sport fisher transiting the SMA without its AIS on.

A Charleston, SC Supervisory Enforcement Officer (SEO), SA, and EO and New Bern, NC EO conducted a two day underway operation out of Myrtle Beach, SC to enforce NARW SMA speed restrictions. One vessel greater than 65 feet was monitored and in compliance. Two shrimping vessels were boarded and TEDS checked. Compliance assistance was given for large tears in the net.

## Magnuson-Stevens Fishery Conservation and Management Act



A Niceville, FL EO and a Homer, AK EO conducted a dockside boarding of a commercial fishing vessel in Panama City, FL and monitored the offload of IFQ species. The EOs documented violations for a VMS that was not reporting during the fishing trip, no vessel identification affixed, exceeding the gray triggerfish commercial trip limit, and possessing undersized reef fish.



A Houston, TX EO conducted a land based patrol of the surrounding marinas in Freeport, TX. During the patrol, two dockside boardings of recreational fishing vessels were conducted. On one of the boardings, a recreational angler was found in possession of 23 red snapper. The captain admitted to catching the red snapper 80 miles offshore and provided coordinates of where the fish were caught. Red snapper season was closed in the EEZ. The EO issued the captain a SSO.

A Houma, LA EO provided compliance assistance to the captain of an IFQ vessel after the EO noticed the vessel was not landing at the location listed on the three hour landing notice. After interviewing the captain, the EO discovered the captain was using the wrong landing location code after copying one number wrong when recording the location code.

The Compliance Liaison, a St Petersburg, FL SEO and SERO staff met with Mote Marine managers and two commercial fishermen involved in an upcoming Exempted Fishing Permit project. Undersize red grouper will be caught and sold. Accountability and reporting measures were discussed, so the participants understand how to fish legally. Local EOs and state officers were notified of project details before fishing commences for awareness.

## Endangered Species Act



A Corpus Christi, TX SA received notification that the U.S. Fish and Wildlife Service (USFWS) had initiated an investigation into the possible attempt to remove the shell of a stranded loggerhead sea turtle. This turtle had been recovered by the Texas Marine Mammal Stranding Network on Mustang Island near Port Aransas, TX. The turtle was transferred to the National Park Service Turtle Lab on the Padre Island National Seashore for necropsy and NOAA will assist in determining if the injuries on the turtle were inflicted pre or post-mortem.

A Puerto Rico SA and USFWS SA went to an uninhabited island 10 miles south of Puerto Rico to investigate a report received from Border Patrol regarding a dead sea turtle found at the beach. The sea turtle was found with only the bones and scutes remaining. Due to the bones that were discovered, specifically the pectoral flippers, it is believed the sea turtle died of natural causes or at least was not killed for the meat.

A Houma, LA EO conducted two boardings on skimmer trawl vessels and found minor TED violations on both vessels. Each captain was able to fix the discrepancies on site and education was provided by the EO on the newer inshore TED regulations.

A Houma, LA EO conducted a patrol in Venice, LA with members of the NOAA Gear Monitoring Team (GMT) and several instructors from the USCG Gulf Regional Fisheries Training Center (GRFTC). The EO received several requests from the shrimping fleet asking for compliance checks of their TEDs. The team was able to conduct inspections on three commercial shrimp trawlers and provided compliance assistance to the captains for minor TED discrepancies. The EO, GMT personnel, and GRFTC instructors also discussed how to incorporate newer TED trends and patterns in the instruction at GRFTC.

A San Juan, PR SA and a St. Thomas, USVI EO executed an arrest warrant on a subject charged with the take of an endangered sea turtle. NOAA OLE and two USFWS SAs with the support of local police strike force officer conducted the arrest. The subject was arrested at his residence without incident. Agents took him for processing, and later to the federal courthouse for the initial appearance.

A San Juan, FL SA concluded an investigation of a commercial fisherman fishing inside a closed area with fish traps. The closed area is a documented area of Nassau Grouper aggregation. The case was referred to General Counsel.

## National Marine Sanctuaries



A St Petersburg, FL SEO and EO along with two Florida Keys EOs conducted a weeklong patrol operation, SPA Watcher, within the Florida Keys National Marine Sanctuary in the upper Keys. Officers documented 19 hours of vessel patrol resulting in 11 vessel stops with 12 violations identified.

## Cooperative Enforcement/Partnerships

A Miami, FL EO and a West Coast Division SA attended the REGIONAL SEMINAR ON IUU FISHING in Costa Rica, September 25 – 29, 2023. Participating countries: Costa Rica, Colombia, Ecuador, El Salvador, Panama and USA. The Regional Seminar on IUU Fishing in Costa Rica was a significant gathering of experts and stakeholders committed to combating IUU fishing. The seminar featured a range of courses, discussions, and practical exercises aimed at addressing IUU. The small group scenarios and practical exercises were particularly well-received, facilitating productive and contrasting discussions among participants. It is evident that the commitment to combating IUU fishing remains strong, and this seminar has contributed significantly to the global effort to address this critical issue. The presence of a NOAA enforcement officer and Special Agent provided valuable insights into the enforcement and compliance aspects of fisheries management. Their expertise in investigating and prosecuting IUU fishing cases contributed to a more comprehensive understanding of the challenges and strategies involved in maintaining regulatory compliance.

A Miami, FL SA virtually attended a meeting of the Agricultural Intelligence and Terrorism Group (AGINT) hosted by the U.S. Food and Drug Administration (FDA). This is a monthly meeting of all federal agencies dealing with America's food supply. The focus of the meeting is sharing intelligence information related to any foreign or domestic threat to America's food supply.

A Jacksonville, FL SA assisted the St. John's County Sheriff's Office with incident involving a federally permitted rock shrimp vessel. The vessel damaged its nets while fishing south of the Oculina Bank when it snagged a current buoy and brought it aboard. The buoy was placed approximately 1 nautical mile south of the Oculina Bank in 300 feet of water by Florida Institute of Technology (FIT). The buoy sits in the water column underneath the surface and is anchored to the seafloor by a 900 pound weight. FIT stated the buoy is worth around \$40,000.00 and they wished it to be returned. The shrimp vessel brought the buoy and sea anchor to port in St. Augustine, FL, where the captain stated he would not return it until he was compensated for the damage to his nets. The captain was advised he must return the buoy to its legal owner or he may be charged with theft and any compensation would be a civil matter between the two parties. A meeting to return the buoy was set by the Sheriff's office to facilitate returning the buoy.



A Niceville, FL EO and a Mobile, AL EO attended a Gulf Coast Illegal Charter (GCIC) Task Force meeting in Mobile, AL. Multiple local, state, and federal agencies attended. The USCG provided task force yearly highlights, 2024 objectives, and presented an award for the GCIC Task Force Officer of the Year to the Mobile EO.

A Jacksonville, FL SA assisted the USCG with a boarding of a commercial shrimp trawler off Jacksonville, FL. The USCG contacted the SA to determine if the vessel had active permits, as there were none aboard the vessel. The SA determined the vessel's South Atlantic penaeid shrimp permit had expired in May of this year. The vessel was actively shrimping with 150 lbs currently on board. The USCG boarding team and completed a case package documenting the violation.

A North Carolina EO worked with US Coast Guard Cutters and Stations during the December 2023 bluefin season to direct units to areas with the best possibilities of intercepting and boarding commercial vessels.

A San Juan, PR SA assisted in the arrest of three subjects for violations of the Clean Water Act and the Harbors and Rivers Act in a NOAA designated reserve. The arrests were part of a joint operation of the Caribbean Environmental Crimes Task Force. The three arrestees were taken to the FBI building for processing and to the federal courthouse for initial appearance.

## Patrols/VMS/Catch Shares



A Niceville, FL EO conducted an at-sea patrol aboard FWC Offshore Patrol Vessel VIGILANCE in the Gulf of Mexico off Destin, FL. During the patrol, OLE conducted two boardings of recreational fishing vessels in federal waters. OLE also assisted with the boarding of a for-hire fishing vessel in state waters. No violations were identified.

A Houma, LA EO conducted an underway patrol with USCG personnel out of Venice, LA. The patrol was primarily focused on skimmer trawl vessels. The team completed four TED boardings and issued an Enforcement Violation Report (EVR) to two of the trawlers for multiple TED violations.

A Houma, LA EO conducted an underway patrol with Louisiana Department of Wildlife and Fisheries agents out of Port Sulphur, LA. During the patrol, the team conducted TED inspections on two vessels and issued an EVR to one trawler for multiple TED violations.

A Key West, FL SA issued a commercial fisherman a SSO for offloading IFQ fish after hours, and a written warning for inoperable VMS and landing IFQ fish at an unauthorized landing location. The vessel was fishing near the Dry Tortugas when it appeared the vessel's VMS turned off just prior to returning to homeport. An advanced notification of landing was provided, yet the vessel never landed at that location. The subject and vessel were later found at the subject's home. The subject admitted to landing at a location other than the one given under his advance notification, and offloading after the 6pm deadline.

A Niceville, FL EO conducted a land patrol to Shalimar, FL and Destin, FL to board commercial fishing vessels. During the patrol, the EO monitored the offload of IFQ species from a vessel and identified violations for landing prior to the time given in the advanced notice of landing and failing to affix vessel identification.

A Charleston, SC EO conducted a land based patrol from Mclellanville to Murrells Inlet, SC. Three commercial docks were checked, one dealer inspected, and one offload monitored.

A Key West, FL EO initiated a land based patrol to Sunset Marina in Key West, FL. The EO conducted a dockside boarding of a commercial fishing vessel that failed to submit an advanced notification of landing. The EO documented multiple IFQ and FKNMS violations.

## Compliance Assistance/Outreach/Education/Public Affairs



A Niceville, FL EO represented OLE during a first responders appreciation week event at the Woodlawn Baptist Church Early Learning Center in Crestview, FL. The EO provided general education to preschoolers about NOAA/OLE responsibilities and utilized a patrol vessel as a static display.

Investigative Support (IS) Personnel sent targeted education/outreach emails and logged phone calls with numerous operators of commercial Reef fish, HMS, and Rock Shrimp vessel operators informing them of their VMS requirements and unauthorized powerdowns.



Cape Canaveral, FL and Miami, FL EOs participated in Sebastian Police Department's National Night Out. The event drew a large amount of the local population which served as an ideal opportunity to interact with the youth and pass on information to their parents on federal regulations and OLE mission. Special focus was given to the NARW distance rule as we are at the time of year they migrate south.



Cape Canaveral, FL and Savannah, GA EOs and the SED Compliance Liaison participated in the Right Whale Festival in Fernandina Beach. Outreach and education was conducted by manning a booth and an OLE vessel. Special attention was given to NARW issues such as

the distance rules, speed rules, etc. Additionally, information on OLE's mission and fisheries regulations including descending devices and circle hooks was also provided to the general public.



A St. Petersburg, FL EO and Assistant Director (AD) participated in the annual Great American Teach-in. Elementary students learned about OLE's role and mission.

The SED AD, St. Petersburg ASAC and CL gave a presentation on OLE to the Marine Resources Education Program (MREP) - Southeast Workshop in St. Pete Beach, FL. The previous day, the SED's Investigative Analyst gave a presentation OLE's VMS program to several groups of attendees while they visited the Southeast Regional Office. MREP brings together commercial, charter, and recreational fishermen with scientists, managers, and other marine resource professionals from the South Atlantic, Gulf of Mexico, and the Caribbean to learn, share insights, and network in a neutral and professional setting.

A Harlingen, TX EO received phone calls from an individual importing shrimp into the United States from Mexico. The subject was seeking immediate assistance with getting the shrimp import/export form (DS-2031) form signed by a Mexican Government official. The EO was able to help the subject and guide him to the correct office for signature.

## Training/Other

A Panama City, FL and Niceville, FL EO conducted a training presentation to over 50+ recruits in the FWC Recruit Class 46 at the FWC Law Enforcement Academy in Midway, FL. Training covered the Joint Enforcement Agreement, Case Package Protocol, TED's and National Marine Sanctuaries.



The Charleston, SC SEO was presented a Patriot Award from the Employer Support of the Guard and Reserve (ESGR) organization. This award is presented to employers and supervisors of service members who go above and beyond to support the member and their family before, during, and after deployments. It was presented by the State Chair for South Carolina ESGR.

A Key West, FL EO recently returned from three weeks of temporary duty in the Pacific islands Division on the Big Island of Hawaii. The EO completed 18 MMPA patrols, opened 12 investigations and issued 10 Summary Settlement Offers for harassment of Hawaiian Spinner Dolphins.

A Miami, FL SA was asked to speak at a virtual meeting with FWC officers and investigators. The meeting was to explain how FWC and NOAA can work together in the ports as well as what qualifies as IUU/JEA for FWC. A lot of officers and investigators had questions on what and how to document IUU/JEA work.

The St. Petersburg ASAC attended the Gulf and Caribbean Fisheries Institute conference in Nassau, Bahamas. This included meetings with fisheries enforcement officials from several Caribbean countries as well as an NGO regarding capacity-building training.

A Houma, LA met with the Louisiana Department of Wildlife and Fisheries (LDWF) in Baton Rouge, LA. The EO presented case package training so LDWF command staff could preview it before releasing the training to the coastal regions. This is part of an effort to assist the field agents in being better prepared to submit case packages to NOAA OLE.

A Corpus Christi, TX EO and SA along with a Harlingen, TX EO attended and participated in the Marine Mammal Stranding Network meeting hosted by NOAA Southeast Fisheries Science Center at the Texas State Aquarium. The meeting was focused on enhancing response capabilities for marine mammal strandings in the area, primarily south Texas.

A Houma EO gave a presentation at the USCG Gulf Regional Fisheries Training Center for students. The EO spoke about how NOAA and the USCG work together and worked through a couple case package reviews for the students.



A St. Petersburg, FL EO initiated and completed Living Marine Resource (LMR) training for USCG boarding officers. The training consisted of classroom training and scenarios involving role players and vessels. Ten USCG officers received the training and eight role players from FWC and NOAA were in attendance. USCG personnel commented that the training which allowed USCG officers to apply investigative skills with knowledge learned in their USCG LMR classroom training was valuable and are looking forward to more of it.

The Compliance Liaison and a League City, TX SA prepared material for an observer program refresher course. The CL created new reporting forms that will capture needed information and streamline the reporting process for case investigations, as well as a presentation on OLE and Observer Program overview/reporting. The SA conducted the training course and reviewed scenarios, reporting tips, observer safety and emergency protocol with the class.

## Media

Jobos Bay, PR Environmental Crimes Task Force: <https://apnews.com/article/puerto-rico-jobos-estuary-indicted-environmental-crimes-e7f6c2c2ba3848a679d4d9d7bdc9ac5e>

## Overview of Summary Settlements

Listed below is a summary of the **56** Summary Settlement penalties issued during the quarter. The most frequently observed violation types cited involved retention during closure, undersize possession and/or lack of descender or turtle mitigation devices (14), Sanctuary related violations (14), TED/BRD Requirements (5) and Prohibited species sold (5). **17** violations were cited throughout the Gulf region, **20** violations were cited throughout the South Atlantic region and there were **19** violations in the Keys area.

LAW/REG/PROGRAM	VIOLATION	AMOUNT	STATE
Endangered Species Act	TED/BRD Requirements	\$100	FL WEST
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	\$500	MULTIPLE
Endangered Species Act	TED/BRD Requirements	\$200	TX
Endangered Species Act	TED/BRD Requirements	\$1,000	FL KEYS
Endangered Species Act	TED/BRD Requirements	\$800	FL KEYS
Endangered Species Act	TED/BRD Requirements	\$600	FL KEYS
Highly Migratory Species Act	Prohibited Species Sold; Gear Requirements; Improper Handling	\$1,350	LA
Highly Migratory Species Act	Fail to Maintain Shark in Whole Condition; Undersize Possession	\$1,050	FL WEST
Highly Migratory Species Act	Prohibited Species Sold	\$750	LA
Highly Migratory Species Act	Prohibited Species Sold	\$750	LA
Highly Migratory Species Act	Prohibited Species Sold	\$750	LA
Highly Migratory Species Act	Prohibited Species Sold	\$750	LA
Highly Migratory Species Act	Prohibited Species Sold	\$750	LA
Highly Migratory Species Act	Failure to Maintain Fish in Whole Condition	\$1,250	FL EAST
Lacey Act	Retaining and Selling Catch	\$2,000	FL EAST

Lacey Act	Possession Requirements	\$1,000	FL EAST
Magnuson Stevens Act	Retention During Closure; Undersize Possession; Lack of Descender Device	\$650	GA
Magnuson Stevens Act	Retention During Closure	\$675	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Open Access Permit	\$500	FL KEYS
Magnuson Stevens Act	Bag Limit Exceeded	\$700	FL EAST
Magnuson Stevens Act	Bag Limit Exceeded	\$275	NC
Magnuson Stevens Act	Fishing in a Closed Area	\$775	FL WEST
Magnuson Stevens Act	Unpermitted Shrimp Activity	\$500	FL WEST
Magnuson Stevens Act	Undersize Possession; Lack of Descender Device	\$650	FL EAST
Magnuson Stevens Act	Fishing in a Closed Area	\$275	FL WEST
Magnuson Stevens Act	Undersize Possession	\$350	GA
Magnuson Stevens Act	Sea Turtle Gear Mitigation and Gear Requirements; Lack of Descender Device	\$500	SC
Magnuson Stevens Act	Lack of Descender Device	\$250	SC
Magnuson Stevens Act	Fail to Maintain Fish Intact	\$1,825	FL EAST
Magnuson Stevens Act	Retention During Closure	\$350	FL EAST
Magnuson Stevens Act	Unpermitted Charter Activity-Open Access Permit	\$500	NC
Magnuson Stevens Act	Retention During Closure; Lack of Descender Device	\$650	FL EAST
Magnuson Stevens Act	Retention During Closure	\$600	FL EAST
Magnuson Stevens Act	Retention During Closure	\$1,000	FL WEST
Magnuson Stevens Act	Failure to Maintain Fish in Whole Condition	\$350	FL EAST
Magnuson Stevens Act	Retention During Closure	\$775	FL WEST

Magnuson Stevens Act	Retention During Closure	\$275	FL WEST
Magnuson Stevens Act	IFQ Program Requirements	\$344	FL WEST
Magnuson Stevens Act	VMS Requirements	\$2,000	FL KEYS
Marine Mammal Protection Act	Illegal Take/Harassment	\$100	FL EAST
Marine Mammal Protection Act	Illegal Take/Harassment	\$100	FL EAST
Marine Mammal Protection Act	Illegal Take/Harassment	\$100	FL EAST
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS

# Investigative Support Program

Southeast Division Active Vessel Monitoring System (VMS) Population: **1159**

## Population Breakdown by (VMS) Fisheries and VMS Vendor

FISHERY	ADDVALUE	ATLANTICRT	FARIA	METOCEAN	NAUTIC ALERT	NI	SKYMATE	WOODSHOLE	TOTAL
HMS Pelagic Longline			13			2	15	55	85
HMS Shark			1				1	5	7
Gulf Reef Fish	1		71	86	2	61	110	322	653
Rock Shrimp			2	5		4	8	47	66
Southeast For Hire*	3	2	4	1	6		69	263	348
TOTAL	4	2	91	92	8	67	203	692	1159

The Investigative Support Program staff play a vital role in ensuring compliance and provide assistance to enforcement officers and special agents. Staff received and processed **28** referrals from JEA partners. Case support to the field was provided as well, with work ranging from processing summary settlements (**48**), preparing incident reports for GCES, in support of prosecution (**17**), confirming vessel ownership and track lines, validating AIS data and creating chartlets. During the quarter, commercial and charter trips were monitored via VMS to detect potential violations. Violations, ranging from fishing in closed areas, improper gear use and failure to comply with reporting requirements (trip declarations, daily reports, and pre-landing notices) were detected by Investigative Support staff and referred to enforcement officers or special agents for follow-up. Staff technicians initiated targeted warnings to **41** vessels following observation of suspected VMS or fishing violations. **6** investigations were referred for VMS violations. Additionally, staff conducted **503** calls/emails with industry related to compliance during the quarter.

Another continued area of focus this quarter involves North Atlantic Right Whale protection, as comprehensive investigative work was completed for **13** vessels referred to GCES for violating speed restrictions. During this quarter, OLE drafted and mailed **108** compliance assistance letters to stakeholders regarding right whale speed rule violations, with the majority of letters targeting foreign owned vessels. Items of interest to industry include program progress on streamlining VMS report forms (**remove SEFHIER forms from respective units and allow for greenstick gear, under HMS Set Reports**). Also, **Faria Watchdog VMS Type Approval** has been **revoked**, due to age and software errors. Upcoming regulation changes regarding VMS Power Down Exemptions are also being developed by ISP staff.

\*VMS no longer required for the for-hire fleet, but units still reporting are noted.

## Observer Program Highlights

During FY Quarter 1, 2024, the Southeast Division Observer Programs deployed on **98** trips for **629** sea days. Approximately **97%** of all selected trips were completed without an observer related enforcement incident [assault/harassment (sexual and non-sexual), safety]. Observer programs reported **4** International Convention for the Prevention of Pollution From Ships (MARPOL) violations and **21** potential fishery violations to OLE-SED. The Galveston Shrimp Program deployed on **16** trips for **295** sea days, and the Galveston Reef Fish Program deployed on **12** trips for **62** sea days. The Panama City Gillnet Program deployed on **18** trips for **18** sea days, Panama City deepwater longline project deployed on **4** trips for **25** sea days and the Panama City South Atlantic Reef Fish Program deployed on **22** trips for **41** sea days. The Miami Pelagic Observer Program deployed on **18** trips for **180** sea days. The summary below details the type of observer related complaints received during Quarter 4 (calendar year) of 2023, for all three programs.

COMPLAINT TYPE	Galveston Programs	Panama City Programs	Miami Observer Program	Totals
ASSAULT				0
HARASSMENT/INTIMIDATE/IMPEDEMENT			1	1
SAFETY	2			2
NON-COMPLIANT FOR OBSERVER COVERAGE		2		2
HANDLING	1		5	6
GEAR		2	11	13
RETENTION				0
SPATIAL				0
MARPOL-USCG			4	4
TOTALS	3	4	21	28

## Cases Referred For Prosecution

Listed below is a summary of the **24** cases forwarded to NOAA Office of General Counsel Enforcement Section (GCES) and/or the United States Attorney Office/Department of Justice for this quarter. Cases varied in violation type, with nine occurring in the South Atlantic area, eight in the Gulf area and seven in the Florida Keys area.

LAW/REG/PROGRAM	VIOLATION	STATE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
International Trade Program	Improper Paperwork, Chain of Custody	FL EAST
Magnuson Stevens Act	Seafood Import Monitoring Program	FL EAST
Magnuson Stevens Act	Reporting Requirements	FL EAST
Magnuson Stevens Act	Observer Harassment	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL WEST
Magnuson Stevens Act	Unpermitted Shrimp Activity	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL WEST

Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL WEST
Magnuson Stevens Act	Retention During Closure	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	FL KEYS
National Marine Sanctuaries Act	Grounding	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS

\*Cases sent to the United States Attorney Office/Department of Justice for criminal prosecution.

## NOAA General Counsel Enforcement Section Charging Information

The following Civil Administrative Enforcement Actions are results from NOAA GCES that occurred in the Southeast Division, from **October 2023-November 2023** (available information since last report). Nationwide results may also be found at the [enforcement charging information site](#)

1. M/V CMA CGM Alcazar – Owner GSL Alcazar Inc. and Operator Slawomir Krzewski were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters inside the Area To Be Avoided in and around the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued, and the case settled for \$6,750.
2. F/V Katy – Owner Mariela M Borrego and Lessee Jacob Marine Corp. were charged under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued, and the case settled for \$2,250.
3. F/V Niquero – Owner Niquero Seafood Inc. and Lessee Miguel Basilio Revuelta were charged jointly and severally under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500.00 NOVA was issued, and the case settled for \$2,250.

4. F/V Daisy – Owner Kimanys Lemus aka Kimanys Lemus Rodriguez and Lessees David Jordan Goldner and Jeri Lynn Goldner were charged jointly and severally under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued.
5. F/V FL5610SG – Owner Arnaldo Aday was charged under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$1,000 NOVA was issued.
6. F/V Capt Luu – Owner Le Corporation and Operator Luu Nguyen were charged jointly and severally under the Magnuson-Stevens Act with failing to retain all dead bluefin tuna that are 73 inches or greater CFL (Curved Fork Length) and with landing 29 yellowfin tuna in improper form, tails removed. A \$19,000 NOVA was issued and became a final administrative decision due to default. A Notice of Intent to Deny Permit and Notice of Permit Sanction were issued for nonpayment. [See Resolved Cases, Item 12 , from March 2023 report]
7. F/V Knotty Knelly – Owner/Operator Nelson Joseph Milian and Anglers Andrew Martinez, Michael Edward Stella, and Abel Jesus Arabitg were charged jointly and severally under the National Marine Sanctuaries Act with illegally possessing fish or engaging in fishing inside the Tortugas South Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$3,750 NOVA was issued.
8. M/V Waste Knot – Owner Waste Knot LLC and Operator Michael Ray Tickle were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$22,500 NOVA was issued.
9. M/V Determination III – Owner Determination III 130 Westport LLC and Operator Gerald L Eubanks were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued.
10. M/V Aldebaran J – Owner MS Aldebaran J Schiffahrtsgesellschaft UG Haftungsbeschränkt & Co KG was charged under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters inside the Area To Be Avoided in and around the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued.
11. FL2841FP– Operator Leduan Gonzalez Silva was charged under the National Marine Sanctuaries Act with illegally fishing with spearguns inside the Key Largo Management Area in the Florida Keys National Marine Sanctuary. A \$1,250 NOVA was issued, and the case settled for \$1,125.

12. FL2666SY – Owner/Operator Larry Dewayne Hatfield (d/b/a Tidelife LLC) was charged under the Magnuson-Stevens Act with operating a Gulf reef fish charter in the EEZ without a federal permit. A \$5,750 NOVA was issued.

## **Resolved Cases Charged October 1, 2023 to November 30, 2023<sup>1</sup>**

1. F/V Leslie Diana – Owner Lester La Rosa Del Castillo was charged under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued, and the case settled for \$2,250. [See Charged Cases, Item 3, from September 2023 report]
2. F/V Velia – Owner Roger T. Rojas and Permit Holder/Lessee Juan Aurelio Salazar were charged jointly and severally under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued, and the case settled for \$2,250. [See Charged Cases, Item 7, from September 2023 report]
3. M/V Persistence III – Owner Persistence II Holdings, LLC, and Operator Patrick Longley were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$30,000 NOVA was issued, and the case settled for \$20,000. [See Charged Cases, Item 12, from June 2023 report]
4. F/V Super Grouper – Owner Super Grouper Inc. and Operator Charles Veach were charged jointly and severally under the Magnuson-Stevens Act with failing to report, fishing without an activated VMS, failing to submit advance notice of landing of IFQ species, and selling South Atlantic snapper/grouper from a vessel operating as a charter. A \$19,750 NOVA was issued, and the case settled for \$14,850. [See Charged Cases, Item 11, from July 2023 report].
5. F/V Daisy – Owner Kimanys Lemus aka Kimanys Lemus Rodriguez and Lessees David Jordan Goldner and Jeri Lynn Goldner were charged jointly and severally under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued, and the case settled for \$2,250. [See Charged Cases, Item 11, from July 2023 report].

<sup>1</sup>All cases in this portion of the report were previously charged.