

**NOAA/NMFS
SOUTHEAST DIVISION
OFFICE OF LAW ENFORCEMENT**

**FIRST QUARTER
FY 2008 REPORT
OCTOBER 01, 2007- DECEMBER 31, 2007**

**GULF OF MEXICO
AND
SOUTH ATLANTIC/CARIBBEAN**



To report fisheries violations,
call our National Hotline at 1-800-853-1964, or
visit our web site at www.nmfs.noaa.gov/ole/Southeast.htm

**OFFICE FOR LAW ENFORCEMENT
Southeast Division**

**FY 2008 - 1st Quarter Report
October 01, 2007- December 31, 2007**

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SIGNIFICANT ACTIONS

South Atlantic Districts

SOUTH ATLANTIC / CARIBBEAN ENFORCEMENT OPERATIONS

Significant Enforcement Activities

ESA

National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA/NMFS) Special Agents in Puerto Rico worked closely with the PDNR to address complaints of turtle poaching.

MSFCMA

NOAA/NMFS agents from Titusville, FL, were informed by the Southeast General Counsel for Enforcement and Litigation (GCEL/SE) that a \$750 NOVA was issued to a Brunswick, Georgia shrimp trawler for permit violations. The case was initiated when the vessel was boarded by a team from the USCGC Shrike west of the Oculina Bank. Penaeid shrimp was discovered onboard, however the vessel did not have a valid South Atlantic penaeid shrimp permit. NOAA agents met the vessel at the dock to conduct a dockside investigation to verify the violation.

NOAA/NMFS agents from Charleston, SC, investigated a company importing tuna without the appropriate International Trade Permit. The investigation showed the company had only had one been involved in one shipment. A Written Warning was issued.

NOAA/NMFS agents from Titusville, FL, were advised by NOAA GCEL/SE that a \$7,500 NOVA, 30 day NOPS, and Notice of Proposed Forfeiture for the proceeds from the sale of 547 lbs. of tuna were issued to the operator and owner of a Fort Pierce pelagic longliner for fishing without the required HMS permits, illegal tuna carcass condition and undersized tuna violations. The case was the result of a joint USCG/NOAA dockside boarding after research by SE VMS staff revealed that the vessel's permits were no longer valid.

NOAA/NMFS agents from Titusville, FL, attended a change of plea hearing in Jacksonville, FL, where Mr. Zane Fennelly pled guilty to 18 USC 2232(a) - Destruction or Removal of Property To Prevent Seizure. Mr. Fennelly was charged by Indictment in August 2006 for disposing, upon approach of a USCG Cutter, clipped and egg bearing lobster tails he harvested during closed season. The NOAA agents conducted an investigation into the matter and worked with the US Attorneys Office to bring charges against the subject.

NOAA/NMFS agents from Miami, FL, have worked with the Miami US Attorneys Office in a case involving criminal charges of interference and obstruction of a State Deputized Officer attempting to investigate the landing of billfish by two charter vessels, as well as wire fraud and consumer fraud stemming from a scheme to coerce customers into paying for a mount of the billfish landed during their fishing trip. Lacey act charges included failure to report HMS landings as per Florida Law, undersize billfish, and permit violations. To date three defendants have entered into plea agreements. A trial is scheduled for the remaining defendants.

MMPA

NOAA/NMFS agents from Morehead City, NC, responded to multiple investigative issues in the Outer Banks, NC, and conducted follow up investigations on humpback whale entanglement in gillnets.

NOAA/NMFS agents from Titusville, FL, investigated complaints of close approach of a right whale mother/calf pair by an aircraft off of Ponte Vedra Beach, FL. The incident was reported by a FL FWCC right whale project observer.

Lacey Act

NOAA/NMFS agents from Titusville, FL, attended the sentencing of Lawrence Beckman in U.S. District Court in West Palm Beach, FL, in connection with his illegal importation of approximately 500 pounds of live rock, coral, and sea fans illegally harvested from Bahamian waters. Mr. Beckman had previously pled guilty to the charges. A United States District Court Judge sentenced Mr. Beckman to three months in federal custody, followed by a two year term of supervised release. In addition, the Court ordered Mr. Beckman to pay a criminal fine of \$2,000. The case was initiated in October 2002 when Beckman's vessel was intercepted by a USCGC Cutter twenty miles offshore of Lake Worth Inlet, FL. A boarding revealed live well compartments and a converted fuel tank holding 500 Gorgonia sea fans and 500 lbs. of live rock and coral. The investigation conducted by NOAA agents and interview of Mr. Beckman led to an admission that he had harvested the marine life in The Bahamas and was going to sell the product at his aquarium shop.

NOAA/NMFS agents from Titusville, FL, investigated a suspect shipment imported from Guyana and entered into the U.S. in West Palm Beach, FL. The agents had samples analyzed and found the shipment contained 1,377 pounds of tarpon. The shipment of tarpon into FL was a violation of Florida law and the Lacey Act. Agents interviewed the importer of record who subsequently voluntarily abandoned the product which was later destroyed.

COPPS & Outreach

During their normal investigative duties, agents distributed regulation summary materials to fish houses and other user groups to help the fishing community keep up with the latest changes in the law.

NOAA/NMFS agents from St. Petersburg, FL, provided a fisheries law enforcement presentation to Environmental Politics and Policy students at Eckerd College in St. Petersburg, FL. The discussion included an overview of the MSFCMA, MMPA, EPA, and Lacey Act.

NOAA/NMFS agents from Titusville, FL, gave a presentation on Enforcement of the Marine Mammal Protection Act at the “Workshop of Florida Consortium of Minimizing Human Impacts on Wild Dolphins” The workshop was held at the Goldstein Marine Mammal Center, Mote Marine Lab, in Sarasota, FL. The consortium is comprised of stakeholders (Federal and State regulators and NGOs) dealing with marine mammal issues. The goal of the workshop was to discuss wild dolphin feeding, predation and harassment issues, and to develop consistent educational messages.

The NOAA/NMFS outreach officer attended the Diving Equipment and Marketing Association (DEMA) show in Orlando, FL. DEMA is a non-profit membership-based association created to help businesses in the Scuba Diving and Action Water Sports industries. The annual trade show it produces attracts industry members and private citizens who frequent protected sites over which NOAA OLE has enforcement jurisdiction.

NOAA/NMFS agents from Morehead City, NC, gave an overview of the NOAA Enforcement mission at a workshop provided by the North Carolina Shellfish Sanitation Division in Pine Knoll Shores, NC.

Partnerships

NOAA/NMFS agents from Morehead City, NC, assisted the NC Marine after being contacted regarding a vehicle stop that netted approximately 100 bushels of illegal oysters. SA Byrd responded to the scene and helped with interviews.

NOAA/NMFS Supervisory Agents from St. Petersburg, FL, attended the FBI sponsored “Second in Command” meeting. It is a meeting of all of the agency deputies in the area. The goal of the group is to maintain an open line of communication between agencies. The group meets once a month.

NOAA/NMFS agents from Charleston, SC, worked with multiple federal agencies at the Port of Savannah in an operation focused on refrigerated containers of seafood and perishables which were targeted for potential fish/wildlife violations. The team inspected multiple 40’ containers and prohibited items were seized.

NOAA/NMFS agents from Titusville, FL, routinely participate in the monthly NE Central Florida Maritime Law Enforcement Alliance meeting. Representatives from the USCG, CGIS, USFWS, FL FWCC, Volusia SO and Beach Patrol, Ponce Inlet and Sanford PDs are in attendance.

Training:

A NOAA/NMFS agent from Charleston, SC, gave a presentation on NOAA OLE investigations and JEA to a recently hired class of SCDNR officers undergoing Wildlife Basic training at the Federal Law Enforcement Training Center in Charleston, SC.

SIGNIFICANT ACTIONS

GULF OF MEXICO ENFORCEMENT OPERATIONS

MSFCMA

NOAA/NMFS agents from Slidell, LA, received notice from the SE General Counsel for Enforcement and Litigation (GCEL/SE) that legal action had been taken in the following cases.

The case against the F/V MISS IRENE had been settled in the amount of \$1,000.00 and the forfeiture of the seized proceeds in the amount of \$558.75, for failing to land IFQ red snapper without a proper approval code.

A Notice of Violation and Assessment (NOVA) in the amount of \$3,000.00 and a 15 day Notice of Permit Sanction (NOPS) had been issued to the F/V VIET PRIDE for possession of 16 one gallon freezer bags filled with fresh filleted fish while underway.

A NOVA in the amount of \$22,000.00 and a 60 day Notice of Permit Sanction (NOPS) was issued to the owner of the fishing vessel GYPSY WIND. This vessel was cited for landing 93 shark fins without corresponding shark carcasses and filleting approximately 75 pounds of fin fish.

A NOVA was issued to the sport fishing vessel MI-2629-AE for possession of Red Snapper during a closed season and possession of undersized Red Snapper. The NOVA was in the amount of \$1,500.00.

A NOVA in the amount of \$3,500.00 was issued to the fishing vessel BILLY B. This vessel was cited for possession of undersized Red Snapper and possession of filleted fin fish.

A NOVA in the amount of \$8,750.00 and a 70 day Notice of Permit Sanction (NOPS) was issued for the fishing vessel SEA HORSE. The vessel was cited for failure to maintain shark in its proper form (fining), Possession of a prohibited species, Possession of undersized species, possession of fillets, No shark permit and failure to display a shark permit.

A NOVA in the amount of thirty thousand (\$30,000) dollars and a sixty (60) day Notice of Permit Sanction (NOPS) was issued to the captain/owner of the F/V CECELIA II for illegally using live bait while engaged in the pelagic long line fishery and for failure to maintain a Vessel Monitoring System (VMS).

A NOVA in the amount of four thousand (\$4,000) dollars and a sixty (60) day Notice of Permit Sanction (NOPS) was issued to the captain/owner of the F/V CAPT. JIMMY II for the possession of twenty-four (24) prohibited species (red drum).

A NOVA in the amount of \$22,000.00 and a 60 day Notice of Permit Sanction (NOPS) was issued to the owner of the fishing vessel GYPSY WIND. This vessel was cited for landing 93 shark fins without corresponding shark carcasses and filleting approximately 75 pounds of fin fish.

NOAA/NMFS agents from Niceville, FL, received notice from the SE General Counsel for Enforcement and Litigation (GCEL/SE) that legal action had been taken in the following cases.

Vessel owners Martin Arnold and Lloyd Cuthrell, and the operator of the F/V SIR MARTIN E, recently settled charges stemming from a permit and red snapper IFQ violation. The parties agreed to pay a \$3,750 NOVA, forfeit \$1,576 worth of seized fish and accept a 15 day permit sanction.

A \$5,000 NOVA and 15 day NOPS was issued to Captain Lloyd Cuthrell and Martin Arnold, owner of the F/V SIR MARTIN E. The above were charged with violating Gulf of Mexico IFQ red snapper regulations.

Jorge Hernandez, captain of the F/V WOLF, also owned by Martin Arnold, received an \$8,000 NOVA, 45 day NOPS and forfeiture of it's catch of undersized red grouper.

Agents located in Gulf of Mexico duties stations have been doing random monitoring of Red Snapper IFQ off loads while conducting their investigative duties. The random checks have proven to be worthwhile based on information provided by other contacts in the fishing community

NOAA/NMFS agents from Galveston, TX, accompanied the USCG on an at sea patrol in the Gulf of Mexico. With the assistance of SE VMS Enforcement staff, the boarding team located a longline vessel fishing for Tuna using live bait. On approach by the boarding team, the fishing vessel crew began throwing the live bait back into the ocean. All in violation of the federal permitted HMS regulations. The agent interviewed the vessel captain who gave him a confession. The vessel was escorted to Galveston by the cutter and its crew. Approximately 3,000 pounds of yellowfin tuna was seized and sold.

Lacey Act

NOAA/NMFS agents from Harlingen, TX; Galveston, TX; Slidell, LA and Niceville, FL, participated in joint NOAA OLE, CBP, ICE, TPW and FDA border operation located in Brownsville, Texas. The operation targeted imported seafood crossing into Texas from Mexico. Shipments were inspected and follow up investigations were scheduled. As a result of the operation, CBP agreed to monitor imports and exports of seafood at the Mexico borders for NOAA OLE.

COPPS & Outreach

NOAA/NMFS agents from Slidell, LA, received a copy of the December issue of the *Louisiana Game & Fish* magazine that contained a press release covering the conviction of a Louisiana Shark Fin Dealer. The article covered a case initiated and jointly investigated NOAA OLE agents and the Louisiana Department of Wildlife and Fisheries (LDWF). The case involved a Louisiana dealer with no state wholesale/retail dealer's permit that had purchased 7,130 pounds of dried shark fins and illegally shipped them to two dealers in California. The fins in the case represented over 200 tons of whole sharks. The suspect, NGUYEN-MUSSELMAN, was found guilty of violations of the criminal Lacey Act in the Eastern District of Louisiana and was sentenced to 3 years supervised probation, ordered to pay a \$5,000 criminal penalty, a \$25 special court assessment and \$500 in restitution to the Louisiana Department of Wildlife and Fisheries.

[SF] GOM Reef Fish: SA Tyer followed up on a complaint regarding a VMS violation on a commercial red snapper vessel in Galveston, TX. SA Tyer received information from the VMS staff in St. Petersburg, FL that the FV FALCON had made fourteen Gulf of Mexico Reef Fish fishing trips without a properly operating VMS onboard. Using his knowledge of the area and industry, SA Tyer contacted the vessel owner and determined that the VMS had been operating properly. SA Tyer then determined that the VMS unit was sending data to Boatracs, but Boatracs was not sending the data to the NOAA database. Based on SA Tyer's findings, the complaint was closed as unfounded and the Boatracs issue was resolved. The data from the FV FALCON's VMS unit can now be seen by NOAA OLE.

Partnerships

NOAA/NMFS agents from Slidell, LA, have been working with the USCG to address complaints about live bait violations. As part of the cooperative effort, the agents assisted U.S. Coast Guard personnel in initiating several Vessel Monitoring (VMS) and live bait cases on pelagic long line vessels that were boarded by the USCG during long range offshore patrols.

NOAA/NMFS agents from Slidell, LA, participated in a JEA weigh station operation at the LA and MS state line. Approximately 30 officers with the LDWF and MSDMR participated in the operation in which 25 commercial trucks carrying around 500,000 pounds of seafood were examined. Three cases were initiated involving seafood companies from Mexico, Texas, Louisiana and Florida.

NOAA/NMFS agents participated in the U.S. Attorney's Anti-Terrorism Task Force meetings held in New Orleans, LA. The agency representatives in attendance discussed topics such as port and railway security, intermodal communication and current intelligence and threat assessment.

NOAA/NMFS agents from Galveston, TX, have taken time from their investigative duties to accompany USCG and Texas Parks and Wildlife boarding crews on patrols as part of their cooperative relationship.

NOAA/NMFS agents from Galveston, TX, assisted Texas Parks and Wildlife (JEA partners) with VMS and IFQ information on a commercial snapper vessel in Galveston, TX. The vessel has prior red snapper IFQ violations. The information provided by SA Tyer allowed the TP&W Officers to locate and inspect the vessel. No violations were found.

NOAA/NMFS agents from Galveston, TX, participated in Homeland Security Terrorism Exercise by partnering with the Texas Parks and Wildlife division in a support role for the exercise. The basic scenario was a simulated attack on a local port which loads petroleum products onto large oil container vessels. Other agencies participating included the FBI, Coast Guard, and various local agencies.

Training:

NOAA/NMFS agents from Slidell, LA, and Galveston, TX, provided a presentation for several classes conducted by the Gulf Regional Fisheries Training Center (GRFTC). The agents taught fishery investigative techniques, interviewing and interrogation, evidence collection, Individual Fish Quotas (IFQ), Vessel Monitoring Systems (VMS), live bait long lining and turtle release regulations and equipment requirements, and case package preparation.

NOAA/NMFS agents from Galveston, TX, coordinated with the Texas Marine Mammal Stranding network to educate a local Boy Scout Troop on Marine Mammal issues. Approximately 50 scouts and their parents attended the event. The scouts were allowed to conduct mock dolphin strandings on the beach in Galveston, TX. Several of the scouts took turns being the stranded dolphin while the other scouts used proper methods of rolling the dolphin onto the stretcher.

SIGNIFICANT ACTIONS

VMS & OTHER ENFORCEMENT TECHNOLOGIES

The SED VMS Team detected longline vessels frequenting known live bait sites during their trips. In response, NOAA Special Agents coordinated a joint offshore patrol operation with the U.S. Coast Guard and the Louisiana Department of Wildlife and Fisheries to target the illegal use of live bait by the pelagic longline fleet. During an offshore patrol in excess of 200 nautical miles agents discovered the pelagic longline gear deployed from the F/V KIM THAN PN had live bait affixed to the hooks. The incident was documented and the gear was covertly marked. NOAA Special Agents, LDWF Officers, and the USCG met the vessel when it returned to Dulac, LA. After confirming the gear belonged to the vessel NOAA Special Agents seized over \$34,000.00 worth of illegally harvested yellowfin tuna.

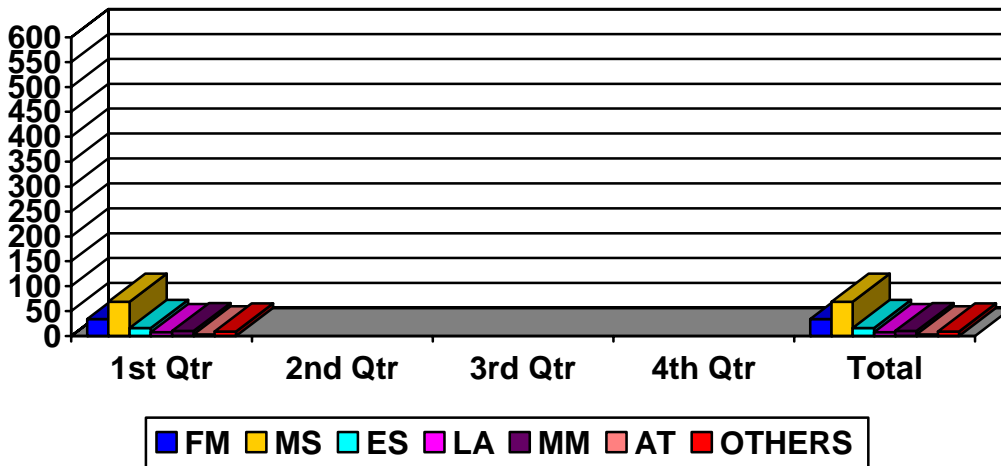
The SED VMS Team provided twice daily real time VMS snapshots to support an ongoing Coast Guard District Eight offshore fishery operation employing several CG assets. Utilizing the VMS snapshots provided, the USCGC DAUNTLESS located and boarded the longline F/V QUEENSLAND and found active live bait wells containing over 1,000lbs of live bait in addition to three undersize Yellow Fin Tuna. The vessel was cited with two fishery violations and was ordered to dump all live bait overboard. A subsequent re-boarding of the vessel later in the week confirmed that no further live bait was being used.

SED VMS snapshots later assisted the USCGC DAUNTLESS in locating and boarding the F/V ST. PAUL PETER which was found to be in possession of live bait fish. During the approach to the vessel, the crew attempted to discard the bait overboard. A few remaining fish were found in the live wells. The captain admitted to using 400-500 live bait fish during two sets. The vessel was directed to return to Galveston, TX where the seized catch was sold for \$11,525.75.

**NUMBER OF CASES OPENED BY INVESTIGATION TYPE
 FY 2007 and FY 2008 1st QUARTER
 Southeast Division**

Investigation Type	FY 2007		FY 2008	
	1st Quarter	Total For Year	1st Quarter	Year To Date
AT	3	22	5	5
ESA	16	90	21	21
Lacey Act	8	43	6	6
Magnuson Act	34	278	56	56
MMPA	10	33	5	5
MS	69	391	48	48
Other Federal or State Regulations	9	21	4	4
TOTAL	149	878	145	145

Cases Opened By Investigation Types



National Marine Fisheries Service



NOAA Office for Law Enforcement

First Quarter - FY2008
SOUTHEAST REGION
JOINT ENFORCEMENT AGREEMENT

Alabama
JEA QUARTERLY REPORT / FY08-1ST QUARTER

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		40	59	34	133	118
HOURS	JEA	218.00	251.00	123.50	592.50	681.50
	Personnel	261.50	336.50	148.50	746.50	1027.00
CONTACTS	Vessels Boarded	266	328	223	817	1037
	Vessels Not Boarded	0	9	0	9	2
	Dockside Boardings	179	215	174	568	545
	At-Sea Boardings	87	122	49	258	494
	TOTAL	266	337	223	826	1039
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	22	10	8	40	27
	Federal	0	0	0	0	9
CITATIONS	State	7	11	5	23	34
	Federal	0	0	0	0	3
TOTAL TICKETS		29	21	13	63	73

Florida
JEA QUARTERLY REPORT / FY08-1ST QUARTER

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		93	91	84	268	5
HOURS	JEA	392.16	416.59	349.23	1157.98	16.50
	Personnel	416.66	619.57	417.73	1453.96	43.00
CONTACTS	Vessels Boarded	100	152	166	418	3
	Vessels Not Boarded	17	18	0	35	0
	Dockside Boardings	59	63	106	228	1
	At-Sea Boardings	58	107	60	225	2
	TOTAL	117	170	166	453	3
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	58	93	72	223	1
	Federal	0	0	0	0	0
CITATIONS	State	14	26	30	70	0
	Federal	0	0	2	2	0
TOTAL TICKETS		72	119	104	295	1

**GEORGIA
JEA QUARTERLY REPORT / FY08-1ST QUARTER**

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		8	14	30	52	26
HOURS	JEA	54.50	104.50	207.50	366.50	120.00
	Personnel	84.50	150.00	393.50	628.00	209.00
CONTACTS	Vessels Boarded	14	17	40	71	11
	Vessels Not Boarded	0	0	0	0	3
	Dockside Boardings	1	2	1	4	3
	At-Sea Boardings	13	15	39	67	11
	TOTAL	14	17	40	71	14
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	0	0	5	5	2
	Federal	0	0	3	3	0
CITATIONS	State	0	4	5	9	2
	Federal	0	1	2	3	0
TOTAL TICKETS		0	5	15	20	4

**Louisiana
JEA QUARTERLY REPORT / FY08-1ST QUARTER**

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		24	18	12	54	796
HOURS	JEA	360.50	411.50	253.50	1025.50	1566.50
	Personnel	610.00	586.00	489.00	1685.00	2229.00
CONTACTS	Vessels Boarded	181	161	92	434	434
	Vessels Not Boarded	0	0	0	0	0
	Dockside Boardings	19	0	9	28	185
	At-Sea Boardings	162	161	83	406	249
	TOTAL	181	161	92	434	434
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	2	3	1	6	7
	Federal	0	0	0	0	0
CITATIONS	State	7	16	9	32	51
	Federal	0	0	0	0	3
TOTAL TICKETS		9	19	10	38	61

**Mississippi
JEA QUARTERLY REPORT / FY08-1ST QUARTER**

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		32	26	10	68	96
HOURS	JEA	300.00	281.50	105.50	687.00	925.91
	Personnel	449.00	431.00	195.00	1075.00	1596.88
CONTACTS	Vessels Boarded	247	207	50	504	693
	Vessels Not Boarded	4	6	0	10	0
	Dockside Boardings	128	73	11	212	69
	At-Sea Boardings	123	140	39	302	624
	TOTAL	251	213	50	514	693
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	0	1	0	1	1
	Federal	0	0	0	0	0
CITATIONS	State	5	10	1	16	12
	Federal	0	0	0	0	2
TOTAL TICKETS		5	11	1	17	15

Puerto Rico
JEA QUARTERLY REPORT / FY08-1ST QUARTER

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols						
HOURS	JEA					
	Personnel					
CONTACTS	Vessels Boarded	NOT REPORTED				
	Vessels Not Boarded					
	Dockside Boardings					
	At-Sea Boardings					
	TOTAL					
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State					
	Federal					
CITATIONS	State					
	Federal					
TOTAL TICKETS						

**South Carolina
JEA QUARTERLY REPORT / FY08-1ST QUARTER**

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		16	6	6	28	39
HOURS	JEA	207.90	28.00	20.00	255.90	368.00
	Personnel	215.50	26.00	22.00	263.50	508.00
CONTACTS	Vessels Boarded	90	13	4	107	174
	Vessels Not Boarded	73	0	4	77	0
	Dockside Boardings	100	2	4	106	0
	At-Sea Boardings	63	11	4	78	174
	TOTAL	163	13	8	184	174
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	5	0	2	7	12
	Federal	0	0	0	0	6
CITATIONS	State	11	2	1	14	9
	Federal	0	0	0	0	0
TOTAL TICKETS		16	2	3	21	27

Texas
JEA QUARTERLY REPORT / FY08-1ST QUARTER

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		64	38	26	128	28
HOURS	JEA	334.18	159.47	113.25	606.90	163.20
	Personnel	543.49	214.09	150.25	934.83	380.96
CONTACTS	Vessels Boarded	76	36	31	143	29
	Vessels Not Boarded	0	0	0	0	0
	Dockside Boardings	32	25	20	77	3
	At-Sea Boardings	44	10	11	65	26
	TOTAL	76	36	31	143	29
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	0	2	1	3	2
	Federal	0	0	0	0	0
CITATIONS	State	6	0	2	8	11
	Federal	0	0	0	0	0
TOTAL TICKETS		6	2	3	11	13

**Virgin Islands
JEA QUARTERLY REPORT / FY08-1ST QUARTER**

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols						13
HOURS	JEA					38.00
	Personnel	NOT REPORTED				56.50
CONTACTS	Vessels Boarded	NOT REPORTED				20
	Vessels Not Boarded					0
	Dockside Boardings					9
	At-Sea Boardings					11
	TOTAL					20
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State					0
	Federal					0
CITATIONS	State					0
	Federal					0
TOTAL TICKETS						0

Summary
JEA QUARTERLY REPORT / FY08-1ST QUARTER

PATROL ACTIVITY		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
No. of Patrols		277	252	202	731	1116
HOURS	JEA	1867.24	1652.56	1172.48	4692.28	3863.11
	Personnel	2580.65	2363.16	1815.98	6786.79	6007.34
CONTACTS	Vessels Boarded	974	914	606	2494	2398
	Vessels Not Boarded	94	33	4	131	5
	Dockside Boardings	518	381	325	1224	814
	At-Sea Boardings	550	566	285	1401	1589
	TOTAL	1068	946	610	2625	2403
ENFORCEMENT ACTIONS		MONTH			TOTALS	
		OCT	NOV	DEC	FY08 1ST QTR	FY07 1ST QTR
WARNINGS	State	87	109	89	285	51
	Federal	0	0	3	3	15
CITATIONS	State	50	69	53	172	119
	Federal	0	1	4	5	8
TOTAL TICKETS		137	179	149	465	193

**National Marine Fisheries Service
Southeast Division
Office of Law Enforcement**

**NEWS
RELEASES**



**First Quarter FY2008
October 01, 2007 – December 31, 2007**

Department of Justice
United States Attorney's Office
-Southern District of Florida

FOR IMMEDIATE RELEASE

October 18, 2007

CONTACT: Alicia Valle
(305) 961-9001

LAKE PARK AQUARIUM SHOP OWNER PLEADS GUILTY TO ILLEGALLY HARVESTING AND IMPORTING CORALS INTO THE UNITED STATES

R. Alexander Acosta, United States Attorney for the Southern District of Florida, and Hal Robbins, Special Agent in Charge, NOAA Fisheries Office of Law Enforcement, Southeast Division, announced today that defendant Lawrence W. Beckman, 57, of Lake Park, Florida, pled guilty in federal District Court in West Palm Beach in connection with the illegal importation of approximately 500 pounds of live rock, coral, and sea fans illegally harvested from Bahamian waters. The defendant was charged with failing to obtain written permission from Bahamian authorities, as required by Bahamian conservation laws, to harvest hard and soft coral species within the Commonwealth of the Bahamas, all in violation of the federal Lacey Act, Title 16, United States Code, Sections 3372 and 3373.

United States District Court Judge Kenneth A. Marra, who accepted Beckman's guilty plea, set sentencing in the matter for December 20, 2007 at 9:00 am. Beckman faces a possible statutory maximum sentence of up to five years in prison, a fine of up to \$250,000, and supervised release of three years

According to the Indictment filed in this matter, and statements during court proceedings, in October 2002, Beckman made a commercial harvesting trip from Lake Worth Inlet, Florida, to the area of West End in the Bahamas aboard his vessel the MARY ANNE. The purpose of the trip was to acquire merchandise to sell in an aquarium supply business located in Lake Park, owned by Beckman. After securing 500 specimens of *Gorgonia*, commonly referred to as sea fans, and 500 pounds of live rock and coral, Beckman steered a course for Lake Worth Inlet. Enroute, the Coast Guard Cutter Bluefin spotted the MARY ANNE running without required navigation lights and intercepted Beckman's vessel.

Coast Guard boarding officers noted 4 large drums of fuel on the deck of the vessel and multiple sets of scuba equipment. During a safety and document check, they located the contraband corals in specially equipped "live wells" and in a converted fuel tank below a hatch cover in the main cabin, and took the MARY ANNE to the Coast Guard Station at Lake Worth Inlet. Beckman admitted to the Coast Guardsmen that he had been on a commercial harvesting trip to an area about 1.5 nautical miles east of

Sandy Cay in the Bahamas and that he did not possess any permit from the Commonwealth allowing him to harvest marine resources from Bahamian waters.

The Government of the Bahamas, under the Fisheries Resources (Jurisdiction and Conservation) Regulations of the Commonwealth, Section 19, prohibits any person from taking or selling and hard or soft coral without the written permission of the Minister of Fisheries. This measure is intended to allow for the monitoring, control, and conservation of the coral resources of the Bahamian archipelagic waters. The protection extends to all coral rock, which is an invertebrate within the phylum *coelenterate*. The Lacey Act, the oldest national wildlife protection law in the United States, among other things, prohibits the possession, import, and transport of wildlife, including the corals involved in this case, which has been taken or possessed in violation of a conservation law of a foreign country.

Coral reef destruction has been the subject of intense debate both within the United States and at the meetings of the parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, a treaty to which the United States and approximately 150 other countries are party. Loss of reef habitat, which is one of the most productive and diverse ecosystems, is a world-wide concern. As nurseries for marine species of commercial value, as well as a source of income from recreational fishing and eco-tourists, and a protective barrier for coastlines, a significant effort is underway to preserve the existing reef structures and reverse their decline.

Mr. Acosta commended the coordinated efforts of the NOAA Fisheries Office of Law Enforcement and the United States Coast Guard, which brought the matter to a successful conclusion. This case is being prosecuted by Assistant United States Attorney Thomas Watts-FitzGerald.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at www.usdoj.gov/usao/fls. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at www.flsd.uscourts.gov or on <http://pacer.flsd.uscourts.gov>.

Department of the Interior
U.S. Fish & Wildlife Service
- Southeast Region

FOR IMMEDIATE RELEASE

Oct. 11, 2007

CONTACT: Tom MacKenzie
(404) 679-7291

**Canadian and U.S. Wildlife Officers Break-Up Major Endangered Species Smuggling Ring -
Record-Breaking 27 Metric Tonnes of Meat Confiscated**

Environment Canada's Wildlife Enforcement Division along with the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration Fisheries Service officers have dismantled a major smuggling organization of queen conch meat, an internationally protected endangered species. The smuggling operation is believed to have been responsible for illegally importing and/or exporting 119,978 kilograms (263,953 lbs, the equivalent of nearly seven fully loaded semi trailers) of queen conch (*Strombus gigas*) meat from several Caribbean and South American countries to Canada and the United States.

Between November and December 2006, over 27 metric tonnes of falsely declared queen conch meat were detained by Environment Canada wildlife officers: in Montréal, 9,886 kilograms (21,750 lbs.), and Halifax, 17,672 kilograms (38,880 lbs.) - the largest ever confiscations of smuggled endangered species in this country. As well, 955 kilograms (2,100 lbs.) were seized by U.S. officials in Buffalo, NY in March 2006.

According to documents filed in Canadian and American courts in September 2007, it is alleged that between 2004 and 2006, 119,978 kilograms of protected queen conch meat from the Dominican Republic, Haiti, Jamaica, Honduras and Colombia was shipped to Canada using false descriptions to avoid detection by officials. Once in Canada, the meat was either sold on the local market or re-packaged - sometimes as 'whelk meat', a non-endangered cold water species - from where it was shipped to the United States. Charges have been laid in Canada and the U.S. against persons and companies located in Florida, British Columbia and Nova Scotia. The investigation is continuing.

Twelve charges under the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) were laid against Pacific Marine Union Corp. of Vancouver, BC and its CEO, Zamorro Gabriel Shone, also of Vancouver, BC. First appearance in Vancouver Provincial Court for both accused is scheduled for 9:00 a.m. on October 10, 2007. No plea has been entered pending first appearance in court. One charge for unlawfully importing as well as one for exporting queen conch contrary to the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) have also been laid against Placeres and Sons Seafood Inc., Ramon Placeres and Janitse Martinez. A first court date

has been set for November 6, 2007 in Halifax, Nova Scotia. Under Canadian law, those charged are presumed innocent until proven guilty.

Based on average weight per specimen, the meat of between 798,000 and 1.05 million individual conchs were illegally imported into and/or exported from Canada. DNA testing was used to positively identify the detained shipments from 2006 as being queen conch.

Queen conch, also known as pink conch, is protected under the Convention on International Trade of Endangered Species of Wild Fauna and Flora (CITES). Operation Shell Game, an 18-month long investigation, involved federal wildlife officers in Ontario, Quebec, British Columbia, Nova Scotia, and Florida. Canadian and U.S. border officials also contributed to the investigation.

CITES is an international agreement that regulates the trade of certain wild animal and plant species, including their parts, organs and derived products. In Canada, CITES is implemented by the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act. Under that Act, offences are punishable upon conviction to a maximum fine of \$300,000 or imprisonment up to five years, or both. In the United States, the Lacey Act provides for penalties upon conviction of up to five years imprisonment and fines up to twice the profit made, in this case over \$1 million U.S. dollars.

Environment Canada and the U.S. Fish and Wildlife Service are responsible for enforcing each country's federal laws concerning wildlife trade including endangered and invasive species as well as protecting species at risk, migratory birds, and areas protected for wildlife. To report the smuggling or trafficking of endangered species or any infraction of federal wildlife law, the public is invited to contact the U.S. Fish and Wildlife Service at (404) 679-7057 or Environment Canada's Wildlife Enforcement Division toll free at 1-800-463-4311.

Department of Justice
United States Attorney's Office
- Southern District of Florida

FOR IMMEDIATE RELEASE
October 2, 2007

CONTACT: Yovanny Lopez, Public Affairs Specialist
(305) 961-9316

KEY WEST CHARTER BOAT OPERATOR CONVICTED OF INTERFERING WITH LAW ENFORCEMENT OFFICERS AT DRY TORTUGAS NATIONAL PARK

R. Alexander Acosta, United States Attorney for the Southern District of Florida, H. Jeff Radonski, Assistant Special Agent in Charge, National Oceanic & Atmospheric Administration (NOAA), Office of Law Enforcement, Bonnie Foist, Chief Ranger for Everglades and Dry Tortugas National Park, and Major Mike Edwards, Regional Commander, South Region, Florida Fish & Wildlife Conservation Commission (FWCC), announced that defendant Robert Demauro, of Sugarloaf Key, Florida, was convicted and sentenced on October 1, 2007 as a result of charges brought against him that he interfered with federal agency functions by threatening, resisting, intimidating, or intentionally interfering with government agents engaged in the performance of their duties, in violation of National Park Service Regulations, Title 36, Code of Federal Regulations, Section 2.32(a)(1).

The trial was conducted in the Key West federal Courthouse before the Honorable Lurana S. Snow, United States Magistrate Judge. Demauro was adjudicated guilty on the charge brought against him and was sentenced to pay a fine of \$500.00 and court costs. The charge carried a possible sentence of up to six months in jail and a criminal fine of up to \$5,000.

According to the allegations of the Violation Notice, and testimony in Court, on June 9, 2007, the defendant Demauro was acting as one of the Coast Guard licensed masters aboard the charter boat M/V PLAYMATE, which was anchored in Garden Key Harbor at Dry Tortugas National Park. Law enforcement officers, including a Special Agent with NOAA and two FWCC Officers were conducting fisheries and safety inspections of vessels within the Park, and acquainting boaters with the requirements of the nearby Dry Tortugas Ecological Preserves, which have been established as "no-take" replenishment zones. The PLAYMATE, at the time, had a group of customers aboard who were on a multi-day spear fishing charter, and advised they had fish aboard, taken that day.

After boarding the PLAYMATE, the officers spoke with some of the passengers and crew, and decided to examine the vessel's navigation gear, a Global Positioning System located in the wheelhouse. A crew member escorted the officers to the wheel house where defendant Demauro was asleep in the aft area of the wheel house. After being awakened by the crew member, he subsequently confronted two of the uniformed officers, challenging their legal authority to conduct an inspection of the vessel, yelling and

cursing at the officers, and physically interfering with their activities. Refusing to be baited by Demauro's repeated demands that he be arrested and taken to Key West, the officers completed their inspection.

Mr. Acosta commended the coordinated efforts of the National Park Service, NOAA, and the Florida Fish & Wildlife Conservation Commission which brought the matter to a successful conclusion. This case was prosecuted by Assistant United States Attorney Thomas Watts-FitzGerald.

A copy of this press release may be found on the website of the United States Attorney's Office for the Southern District of Florida at <http://www.usdoj.gov/usao/fls>. Related court documents and information may be found on the website of the District Court for the Southern District of Florida at <http://www.flsd.uscourts.gov> or on <http://pacer.flsd.uscourts.gov>.

Technical comments about this website can be e-mailed to the [Webmaster](#). PLEASE NOTE: The United States Attorney's Office does not respond to non-technical inquiries made to this website. If you wish to make a request for information, you may contact our office at 305-961-9001, or you may send a written inquiry to the United States Attorney's Office, Southern District of Florida, 99 NE 4th Street, Miami, FL 33132.

MEDIA:

[Lake Park man pleads guilty to illegally harvesting live coral -- South Florida Sun-Sentinel.com](#)

[Man Pleads Guilty to Harvesting Coral](#) – Military.com

[Hardbeatnews of the Caribbean: Floridian pleads guilty to illegally harvesting Bahamas coral](#)

Beckman coral case: [Southern District of Florida - Press Release](#)
<http://www.usdoj.gov/usao/fls/PressReleases/071018-02.html>