



NOAA FISHERIES

1st Quarter Fiscal Year 2016 Northeast Enforcement Division

October 1, 2015 – November 30, 2015



Council Report

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

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1st Quarter Enforcement and Compliance

Summary

So far in the first quarter, there were 63 documented patrols, allowing critical face-to-face interaction between our field staff and the industry; 28 documented instances of outreach (not an exhaustive list; includes phone calls with industry, dock visits, trade shows, presentations, etc.); and 15 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.

ACIs Reported 1ST Quarter Fiscal Year 2016

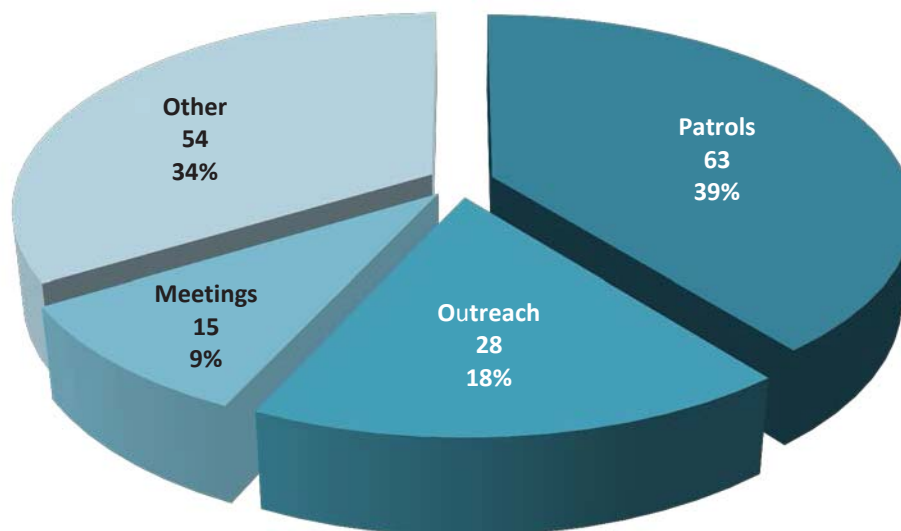


Figure 1: 160 ACIs reported from October 1, 2015 through November 25, 2015. The chart is broken down by patrols, outreach, other (collateral duties, homeland security, info gathering, education, training, MMPA) and meetings

Table 1: Summary of 1st Quarter Incidents By Types

Law/Regulation/Program	FY 16 1 st Quarter Incident Totals
ACFCMA	26
Atlantic Tuna	21
CCAMLR	0
Endangered Species Act	12
High Seas Fisheries Compliance Act	0
Lacey Act (Federal)	0
Lacey Act (Foreign)	0
Lacey Act (State)	4
Marine Mammal Protection Act	12
MSFCMA	62
Other	0
State Regulations (fisheries)	0
State Regulations (non-fisheries)	0
Total	137

Incidents by Type 1st Quarter Fiscal Year 2016

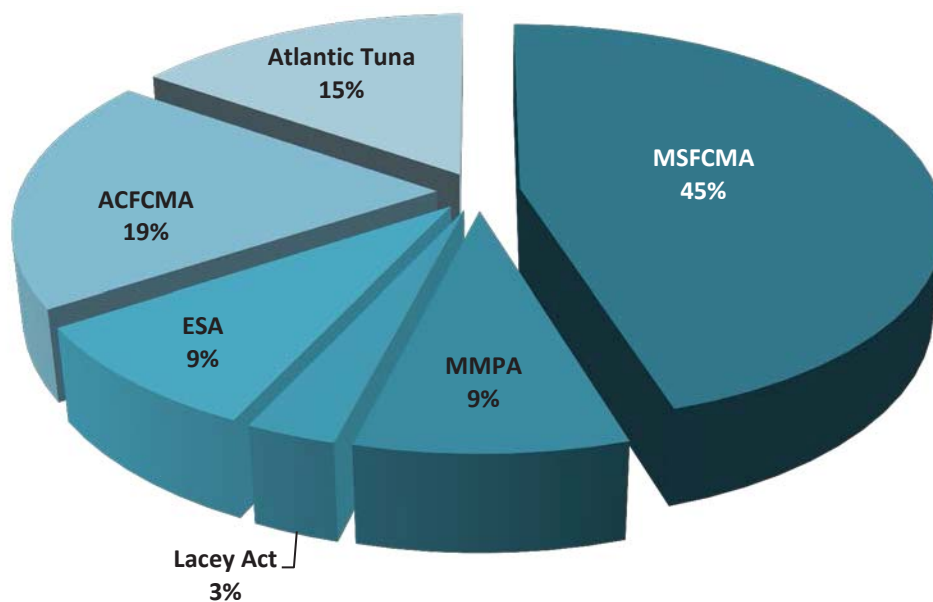


Figure 2: Incidents opened from October 1, 2015 through November 25, 2015. 137 incidents were opened.

Table 2: Summary of 1st Quarter Complaints By Types

Law/Regulation/Program	FY 16 1 st Quarter Complaint Totals
ACFCMA	0
Atlantic Tuna	1
Endangered Species Act	0
Federal Regulations (non-fisheries)	0
Lacey Act (Federal)	0
Lacey Act (Foreign)	0
Lacey Act (State)	1
Marine Mammal Protection Act	0
MSFCMA	2
State Regulations (fisheries)	0
Total	4

Complaints by Type 1st Quarter Fiscal Year 2016

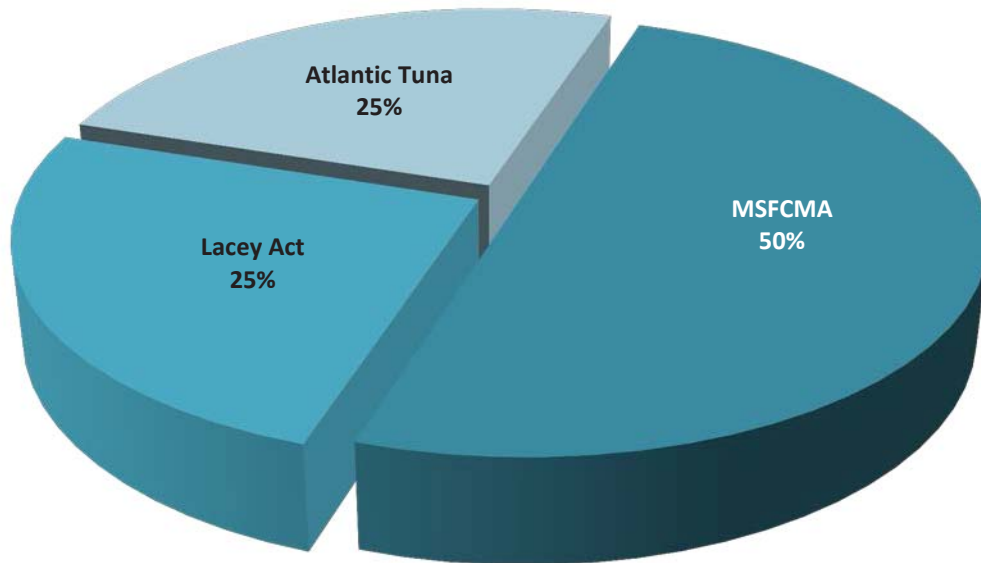


Figure 3: Complaints opened from October 1, 2015 through November 25, 2015. 4 complaints were opened.

Observed Compliance Rates from Inspections 1st Quarter Fiscal Year 2016

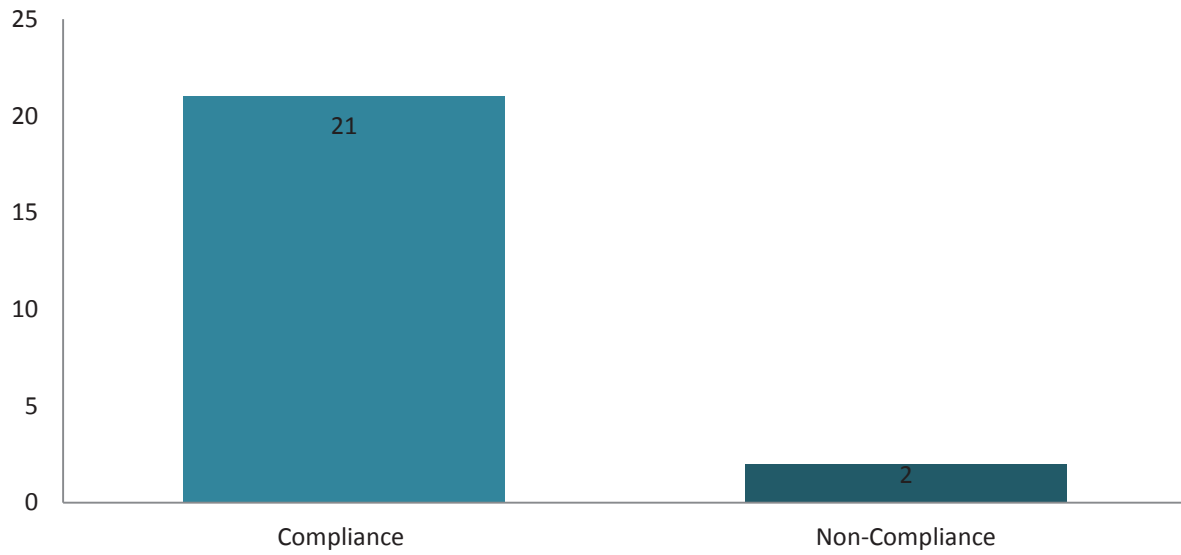


Figure 4: Inspections performed from October 1, 2015 through November 25, 2015. 23 inspections were performed. 21 inspections observed compliance and 2 inspections observed non-compliance.

Incident and Case Information

INCIDENTS INITIATED 1st Quarter 2015 & 2016

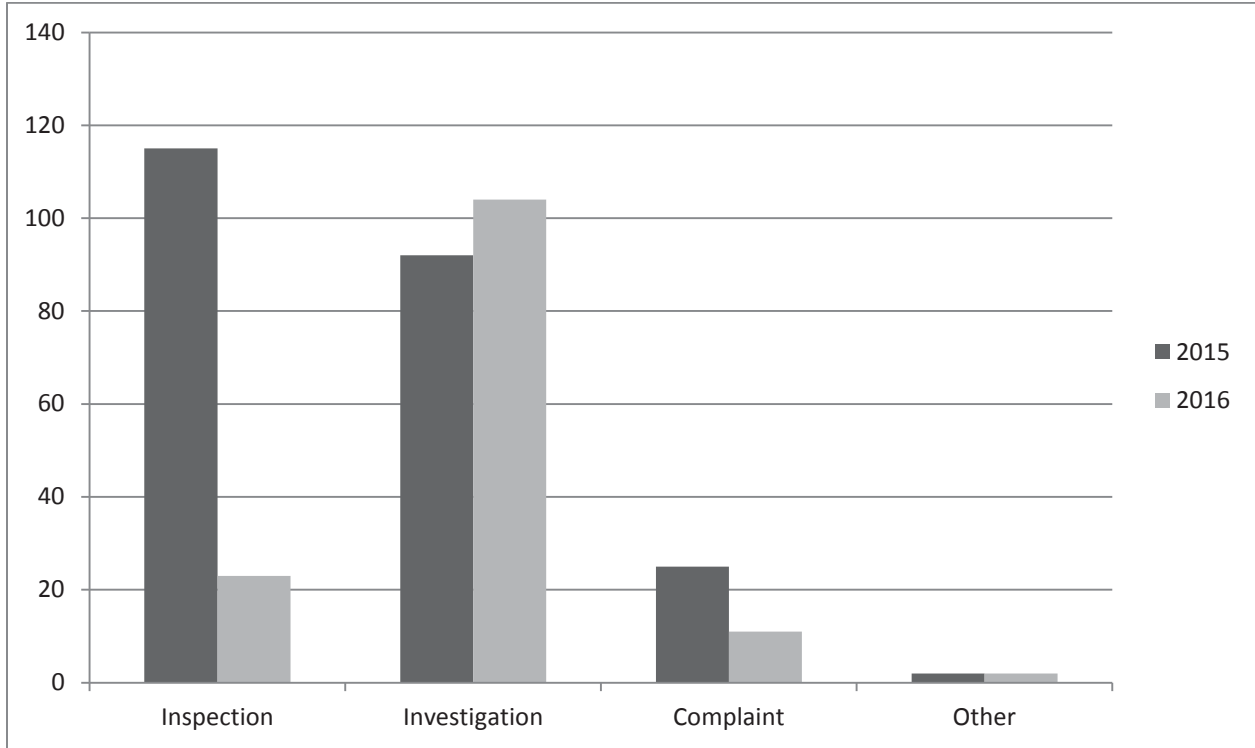


Figure 5. FY2016 1st quarter: 23 inspections, 104 investigations, 11 complaints, 1 other. **140 total**
FY2015 1st quarter: 115 inspections, 92 investigations, 25 complaints, 2 other. **234 total**

INCIDENTS DISPOSITIONS 1st Quarter 2015 & 2016

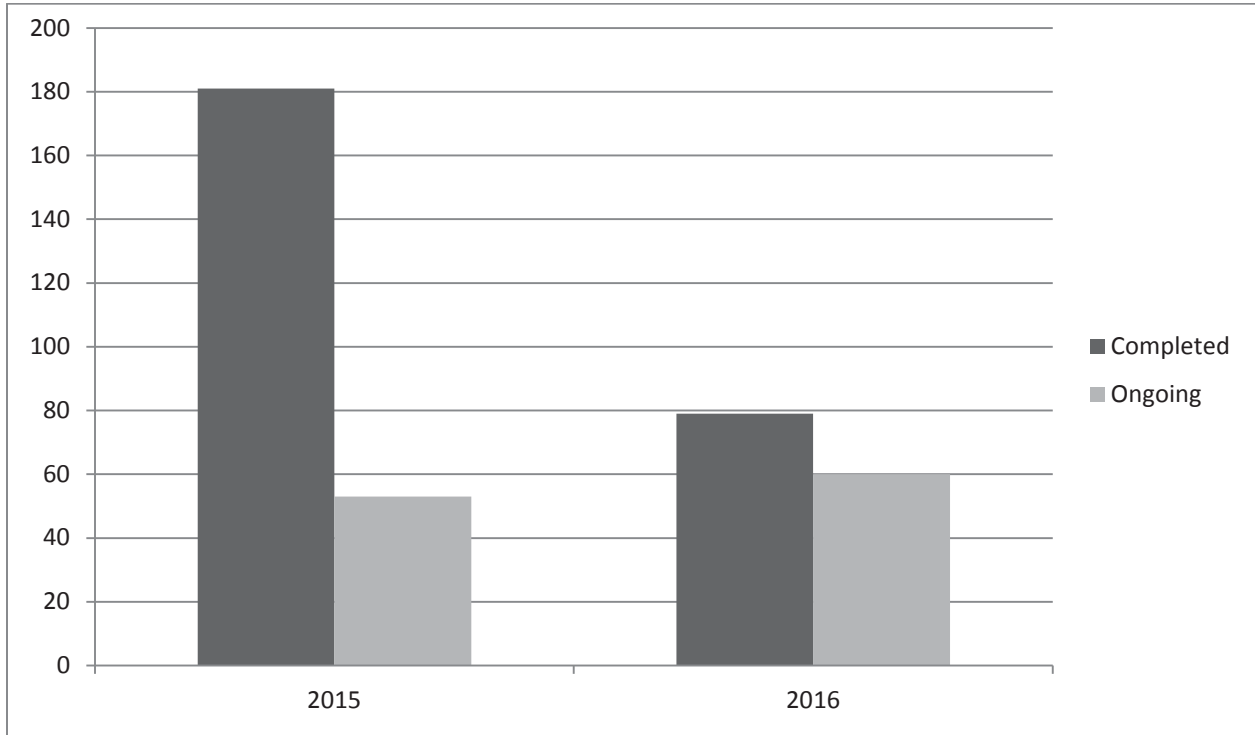


Figure 6. Status of incidents in the 1st quarter of FY2015 (181 completed, 53 ongoing) and 1st quarter FY2016 (79 completed, 60 ongoing).

1st Quarter, Fiscal Year 2016 Highlights

Logan Gregory has been selected to be OLE's next Deputy Director. From Student Intern to Assistant Director, Logan has dedicated himself to accomplishing OLE's mission to protect marine wildlife, sanctuaries and monuments, and critical habitat by enforcing domestic laws and international treaty obligations designed to ensure these natural resources are available for future generations. Logan's long list of accomplishments with OLE over the last 22 years is nothing short of remarkable – from his earliest days as an Enforcement Officer in the Southeast, through assignments with increasing levels of responsibility as a Special Agent, Assistant Special Agent in Charge, and Assistant Director in the Northeast, Logan has truly covered the waterfront. Logan will officially assume his new duties as Deputy Director on December 13, 2015.

Magnuson-Stevens Fishery Conservation and Management Act

A \$750 Summary Settlement was issued to a charter boat captain who sold yellowfin tuna to a non-federally permitted dealer.

A \$500 Summary Settlement was issued to a recreational angler who retained an undersized white marlin.

A \$1,000 Summary Settlement was issued to a charter boat captain who on two separate occasions failed to report the landing of a swordfish and white marlin.

Two separate summary settlements, each worth \$1000, were issued to the owner and operator(s) of a New York charter boat fishing vessel that fished on several trips without federal permits.

A \$500 Summary Settlement was issued to a charter boat operator who was in possession of black seabass without proper northeast permits. The operator was also issued a written warning for failing to obtain an operator permit.

A \$500 summary settlement was issued to a recreational vessel owner for possession of two Cod in the Gulf of Maine.

A \$250 summary settlement was issued to the owner/operator of a lobster boat in Marshfield, MA for failing to maintain a VTR logbook.

Cooperative Enforcement

OLE officers conducted joint patrols with JEA partners in Delaware and Maryland as part of a black sea bass saturation during the closed black sea bass season in the EEZ. An emphasis was placed on detecting black seabass being retained during the closed season and illegal black sea bass commercial traps in closed gear artificial reefs. Numerous charter and recreational vessels were contacted that resulted in 1 written warning being issued and 2 Summary Settlements pending for possession of black sea bass in closed season and possession of undersized/mutilated summer flounder.

Northeast VMS Program

The Fixed Gear Sector Manager sent a letter to the GARFO Regional Administrator requesting consideration to use 'Harbor Mode' or a Power Down exemption for member vessels that recently transitioned from the old SkyMate to a McMurdo VMS. These vessels are on moorings and the high power consumption is draining their batteries. OLE has agreed that 'Harbor Mode' (as described by McMurdo) may be used by vessel owners with McMurdo-equipped vessels in port as long as the owners continue to meet the reporting requirements of the regulations at 50 CFR 648.10. Harbor Mode is not authorized for use when the vessel is away from the dock/mooring.

Observer Program Highlights

There was a total of 3 reported violation reports received and acted upon this quarter. The summary below details the status of observer related complaints during the 1st Quarter of 2016

Table 3: Summary of Observer Program complaints and status

Type of complaint	Number of complaints and status
Refusal	1 observer refusal complaint: 1 ongoing
Assault	None
Harassment/Intimidation	None
Interference	1 observer interference complaint: 1 ongoing
Vessel Safety	None
Observer Safety	None
Failure to provide reasonable assistance	None
Observer gear/sample tampering	None
Observer program notification	None
Other	1 other observer complaint: 1 ongoing

Cases sent to NOAA General Counsel Enforcement Section (GCES)

- 15 cases opened
- 14 summary settlements issued (\$5,492)
 - \$3,348.5 collected
- 1 cases forwarded to GCES

Table 4. Cases sent to GCES

Program/Law	Violation
MSFCMA (1 case)	Observer Harassment