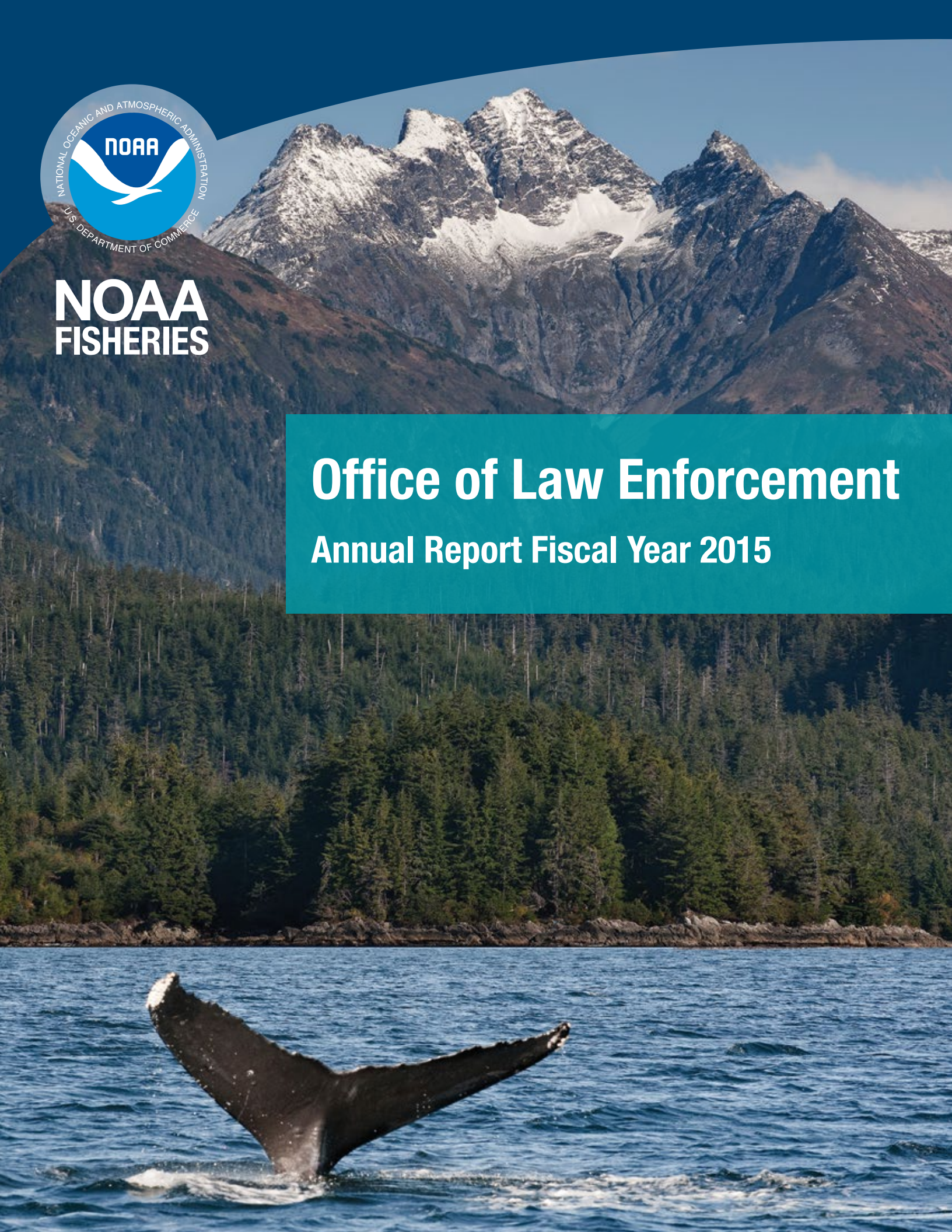




**NOAA
FISHERIES**

Office of Law Enforcement

Annual Report Fiscal Year 2015



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Director's Message



NOAA's Office of Law Enforcement (OLE) protects 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. OLE actively seeks to promote compliance with the nation's marine resource laws, and takes measured enforcement action when these laws are violated.

This Annual Report provides an overview of how OLE successfully accomplished this mandate during the last year. In the following pages, you will read about a few of the many cases our enforcement officers and special agents — supported by dedicated staff in OLE Headquarters and in each OLE Division — investigated last year, to include an ivory smuggling ring, an overfishing conspiracy, mislabeling crimes, fishing during closed seasons, and the harassment of marine mammals.

While we have had numerous successes, many would not be possible without the active participation from and alongside our state and federal partners. With our limited resources and an increased demand for those resources, we continued to rely on these partnerships to fill the gaps in our capabilities.

As we continue to navigate the challenges of resource management and budgetary constraints while adapting to new and expanding missions, we have not lost sight of our core priorities. A few of these include helping the fishing industry understand and adhere to regulations that support sustainable fish stocks and a sustainable fishing industry; monitoring fish product imports for compliance with domestic and international laws, regulations, and treaty obligations; implementing compliance and enforcement plans for catch share management; protecting fisheries observers; and preserving protected species, critical habitat, and marine sanctuaries. OLE is committed to continuing to ensure that our national and divisional enforcement priorities accomplish our mission and guide our strategic planning.

Compliance is the cornerstone to NOAA's enforcement program. To those members of the general public or regulated industries who conscientiously strive to adhere to the marine resource protection laws and regulations under NOAA's purview, I offer a word of thanks. Your efforts enhance our resolve to ensure that there is a fair and level playing field for all who use the natural marine resources under NOAA's stewardship.

A handwritten signature in black ink, appearing to read 'J Landon', written in a cursive style.

JAMES LANDON
Director, Office of Law Enforcement
National Marine Fisheries Service
National Oceanic and Atmospheric Administration
U.S. Department of Commerce

Stewardship Through Enforcement

Annual global economic losses due to illegal, unreported, and unregulated (IUU) harvesting and trafficking of fish and wildlife are rapidly rising. IUU fishing jeopardizes an industry that employs an estimated 35 million full- and part-time fishermen worldwide.

In 2013, Americans consumed 4.6 billion pounds of seafood and spent an estimated \$86.5 billion on fishery products. By producing and marketing a variety of fishery products for domestic and foreign markets, the commercial marine fishing industry added \$42.2 billion to the U.S. Gross National Product.

About the Office of Law Enforcement

NOAA's Office of Law Enforcement protects marine wildlife and habitat by enforcing domestic laws and supporting international treaty requirements designed to ensure global resources are available for future generations. OLE special agents, enforcement officers, and enforcement support staff provide compliance assistance, education, and outreach with the nation's marine resource laws.

While OLE enforces marine resource protection laws, the Office of the General Counsel is NOAA's civil prosecutor. Together, the two offices make up NOAA's enforcement program and work with other NOAA program offices to establish national law enforcement policy.

OLE supports the core mission mandates of NOAA Fisheries—maximizing productivity of sustainable fisheries and fishing communities, as well as protection, recovery, and conservation of protected species.



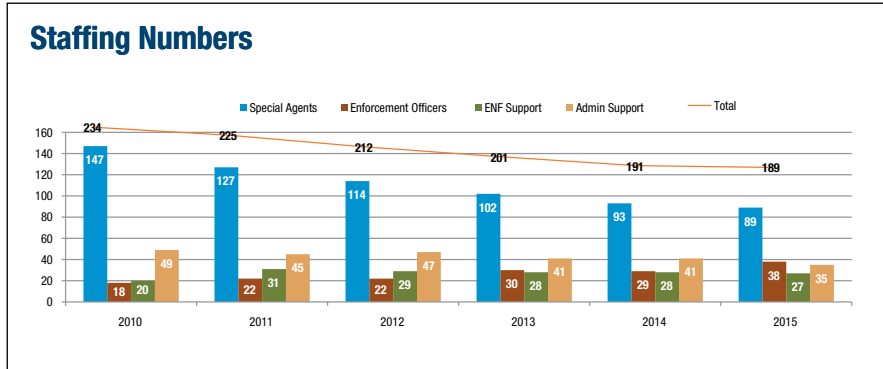
Stats and Facts about OLE

OLE jurisdiction generally covers ocean waters between 3 and 200 miles offshore and adjacent to all U.S. states and territories; this is called the Exclusive Economic Zone (EEZ).

Jurisdiction includes:

- 3.36 million square miles of open ocean.
- More than 95,000 miles of U.S. coastline.
- 14 National Marine Sanctuaries and four Marine National Monuments.
- High Seas and international trade relating to U.S. treaties and international law.

To cover this extensive territory, OLE agents and officers are assigned to five divisional offices and 53 field offices throughout the States and U.S. territories. Additionally, OLE partners with local enforcement agencies and other federal organizations to maximize efficiency.



Staffing

Protecting the nation’s marine environment requires people, both “boots on the ground” and a support staff to enable and leverage the work of our sworn staff. Normal levels of turnover in law enforcement organizations dictate a need to regularly hire and train new employees. However, government hiring freezes, budgetary constraints, and challenges related to the hiring process have resulted in a decline in the overall number of employees at OLE for the past 5 consecutive years. However, FY 2015 saw the smallest drop in full-time employees (FTEs) in any of the past 5 years and we expect the downward trend to reverse itself in FY 2016.

In FY 2015 OLE began working with an independent contractor on a comprehensive staffing analysis. The intent was to identify an operating model that will allow OLE to meet its operational mission, while providing the optimal level of support to its agents and officers in the field. The analysis and resulting recommendations, expected in FY 2016, will factor in the unique enforcement, investigative, and outreach needs in regional divisions and field offices. Additionally, it should help define strategic placement of staff based on skill sets necessary to address OLE’s mission throughout NOAA’s area of responsibility.

Although there was a small overall decrease in staff in FY 2015, OLE was able to fill a number of critical leadership roles that had been vacant including:

- The OLE Director.
- The Assistant Director for Alaska Division.
- Five Supervisory Enforcement Officers.

In order to fill critical mission needs, OLE hired three administrative officers and 13 enforcement officers. Additionally, three non-competitive reassignments were made for special agents to fill priority areas, one Knauss Sea Grant Fellow was selected and an enforcement tech was relocated to assist with demands in the International IUU fishing program.

Among other uncertainties, future budgets will affect actual staffing levels and the rate at which OLE will be able to change the composition of its workforce. OLE will

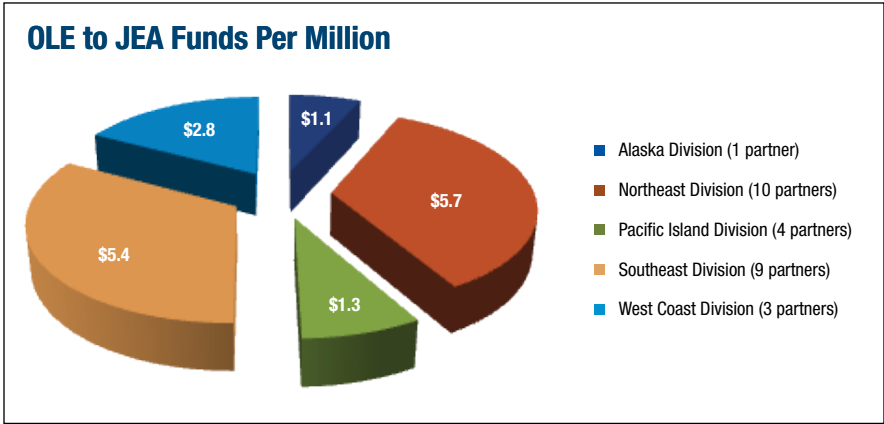
closely monitor and evaluate the implementation of staffing plans, and will adapt as needed to changes in national and regional priorities, internal and external capabilities, funding levels, and related factors.

Budget

NOAA’s FY 2015 enacted enforcement budget was \$65 million. These funds were distributed among five areas:

- \$36.65 million for the Enforcement and Surveillance Base Funds (salaries, benefits, etc.).
- \$18.18 million for the Cooperative Enforcement Program (CEP) — for more information see page 5.
- \$6.85 million for the Vessel Monitoring System (VMS) — for more information see page 5.
- \$1.93 million for NOAA Fisheries activities.
- \$1.38 million for the Driftnet Act Implementation.

During FY 2015, OLE worked closely with the Department of Commerce, Congress, and the Administration to highlight the growing importance of NOAA’s IUU fishing enforcement efforts. The FY 2016 Presidents Budget highlights these needs with a request for an additional \$3 million and 15 full time employees to directly address efforts to combat IUU fishing.



Equipment

Vessels: 16 Total

Alaska Division

Taku Wind – 5,785 lbs. / 26 feet
 Willawaw Wind – 5,785 lbs. / 26 feet
 Aleutian Wind – 6,345 lbs. / 27 feet
 Chinook Wind – 6,345 lbs. / 27 feet
 Kenai Guardian – 6,945 lbs. / 26 feet
 Susitna – 1,200 lbs. / 20 feet

Maintenance cost – \$32,858.67
 Engines – \$28,179
 Fuel – \$9,490.42
 Docking – \$3,584.40
 Towing – \$26,378
 Storage – \$24,540

Total cost for FY15 – \$125,030.49

Pacific Islands Division

SafeBoat – 13,804 lbs. / 33 feet

Maintenance cost – \$80,292.55
 Fuel – \$8,886.99
 Towing – \$2,250
 Equipment – \$84,655.88

Total cost for FY15 – \$176,085.42

Southeast Division

Carolina – 6,300 lbs. / 25 feet
 Titusville – 5,201 lbs. / 24 feet
 Galveston – 5,201 lbs. / 24 feet
 Barracuda – 5,201 lbs. / 24 feet
 Harlingen – 5,201 lbs. / 24 feet

Maintenance cost – \$34,812.04
 Fuel – \$2,900.47
 Storage – \$5,892

Total cost for FY15 – \$43,604.78

West Coast Division

Commander – 3,780 lbs. / 21 feet
 SafeBoat – 10,300 lbs. / 27 feet
 SafeBoat – 10,300 lbs. / 27 feet
 Northriver – 1,100 lbs. / 17 feet

Maintenance cost – \$13,043.98
 Fuel – \$1,141.47

Total cost for FY15 – \$14,185.45

Cost Differences

Each year the cost varies for the OLE vessel fleet. The determining factors include operational needs and maintenance costs. Regular inspections are conducted to ensure all equipment is properly maintained, and if the item has met its lifecycle it is replaced.

Vehicles: 180 Total

Headquarters – 6 vehicles

Alaska Division – 43 vehicles, 1 ATV

Northeast Division – 34 vehicles

West Coast Division – 38 vehicles

Pacific Islands Division – 14 vehicles

Southeast Division – 44 vehicles

Training

All OLE officers and agents attend training at the Federal Law Enforcement Training Center (FLETC) in Georgia. The extensive training received for initial entry to the force spans a total of 32 to 34 weeks.

Staff must also attend a periodic in-service where mandatory content includes criminal and civil law legal updates; General Counsel – Enforcement Section (GCES) summary settlement training; Agency policy and directives; Weapons qualification and use of force; Baton training; First Aid and CPR. Additional training subjects may be determined based on recommendations from the National Training Center (NTC) or from the National Leadership Team (NLT) to the Director.

Enforcement Officer:

12 Weeks – FLETC Uniformed Police Training Program (UPTP)

4 Weeks – NOAA Enforcement Training (NET) – Basic

4 Weeks – FLETC Marine Law Enforcement Training Program (MLETP)

12 Weeks – NOAA Field Training and Evaluation Program (FTEP)

Special Agent:

12 Weeks – FLETC Criminal Investigator Training Program

4 Weeks – NOAA NET

4 Weeks – FLETC MLETP

2 Weeks – FLETC Case Organization and Presentation Training Program

12 Weeks – FTEP



Cooperative Enforcement Program

The Cooperative Enforcement Program (CEP) aims to increase living marine resource conservation, endangered species protection, and critical habitat enforcement while strengthening state and territorial enforcement resources.

Under the CEP, OLE has signed 27 Joint Enforcement Agreements (JEAs), which formalize operational plans that transfer funds to state and U.S. territorial law enforcement agencies to perform law enforcement services in support of federal laws and regulations.

Below are the states with which we have signed agreements:

- Alabama
- Alaska
- American Samoa
- California
- Connecticut
- Delaware
- Florida
- Georgia
- Guam
- Hawaii
- Louisiana
- Maine
- Maryland
- Massachusetts
- Mississippi
- New Hampshire
- New Jersey
- New York
- Northern Mariana
- Oregon
- Puerto Rico
- Rhode Island
- South Carolina
- Texas
- Virginia
- USVI
- Washington

OLE ensures its active presence, visibility, and routine interactions with the regulated industry by partnering with state marine and natural resource enforcement agencies. OLE's partnerships with these enforcement agencies are vital to ensuring routine dockside monitoring and inspections and at-sea patrols.

OLE agents and officers leverage JEA partnerships to conduct joint operations to carry out OLE's mandate at the state, local, and international levels.

Vessel Monitoring System

The Vessel Monitoring System (VMS) is a satellite surveillance system primarily used to monitor the location and movement of commercial fishing vessels in the U.S. EEZ and treaty areas. The system uses satellite-based communications from on-board transceiver units, which certain vessels are required to carry. The transceiver units send position reports that include vessel identification, time, date, and location, and are mapped and displayed on the end user's computer screen.

VMS allows OLE and other enforcement agencies to monitor compliance, track violators, and provide substantial evidence for prosecution. Additional capability and uses include:

- Managing sensitive areas such as marine sanctuaries.
- Monitoring activity and arrivals in port to plan for sampling.
- Supporting catch share programs.

- Tracking, monitoring, and predicting fishing effort, activity, and location.
- Managing observer programs.
- Verifying/validating data from other sources.
- Identifying fishing vessels.

This year the VMS program saw several modifications. New agreements expanded the VMS program from 22 fisheries and added the requirement for all vessels fishing under the High Seas Fishing Compliance Act (HSFCA) and the Inter-American Tropical Tuna Commission (IATTC) have VMS units aboard.

On December 24, 2014, a final rule was published in the Federal Register that codifies the type-approval standards, specifications, and procedures for vendors to maintain approval for their VMS devices and services. This rule more clearly defines standards regarding communication devices, revised latency standards, and established type-approval, renewal, revocation, and appeals processes for vendors and users. The rule went into effect January 23, 2015 and impacted more than 1,000 VMS users.

International Program Capacity Building

OLE special agents, enforcement officers, and enforcement support staff have actively participated in capacity building activities on the international level, including law enforcement workshops in Indonesia, Philippines, Mexico, Honduras and Ghana. Capacity building, for OLE, involves providing organizations and communities the tools, resources, information, and information sharing avenues to allow them to solve IUU issues, usually through technical assistance and training workshops.

Indonesia: In partnership with U.S. Agency for International Development (USAID), OLE led a series of technical assistance workshops for the Government of Indonesia and Indonesia's Ministry of Marine Affairs and Fisheries (MMAF) in combating IUU fishing practices and the trade in

IUU fish products. Topics included intelligence tools to combat IUU fishing, use of technology, investigative methods and evidence collection, maritime interdiction of IUU vessels, Port State Measure (PSM), Monitoring Control and Surveillance (MCS) measures, market measures to combat IUU, legal tools and prosecution of fisheries violations, and global initiatives to combat IUU fishing and trade in IUU products.

Ghana: OLE participated in a regional law enforcement and prosecution workshop in Accra, Ghana. The workshop included participants from seven West African countries and the enforcement portion focused on investigative techniques necessary to inspect and investigate vessels suspected of IUU fishing.

Honduras: OLE held two workshops in Honduras that focused on the traceability of spiny lobsters. The workshops were attended by representatives from the local processing plants, local fishermen and Honduran fisheries officials.



Mexico: OLE held a training on the identification, regulation, and management efforts for sea cucumbers. The training also focused on the Lacey Act and inter-agency sharing of intelligence to combat the illegal harvest of sea cucumbers and other sea food sources.

Formal Meetings

U.S. – European Union (EU) IUU Working Group: Members of OLE’s International Program along with personnel from various other NOAA offices met with delegates of the European Commission’s Directorate-General for Maritime Affairs and Fisheries at NOAA Headquarters in Silver Spring, Maryland. The purpose of this meeting was to discuss issues of mutual interest between both law enforcement offices in regards to the fight against IUU fishing. The group reviewed their activities and initiatives within Regional Fishery Management Organizations (RFMOs), discussed areas of collaboration in regard to combating IUU fishing and arranged for an operational law enforcement meeting at the European Fisheries Control Agency headquarters in Vigo, Spain.

U.S. – Mexico Fisheries Law Enforcement Cooperation: During the Meeting of the Fisheries Authorities of Mexico and the United States in Washington, DC, representatives of OLE met with members of CONAPESCA and the Mexican Navy during a separate breakout meeting. This meeting focused on discussing areas of potential improvement



Selling sperm whale teeth in international and interstate commerce violates the Lacey Act.

and collaboration in the arena of information sharing, priority species in regards to IUU fishing, and EEZ incursions.

U.S. – EU Seminar on Fisheries Control: Members of OLE International Program met with law enforcement officials and inspectors of the European Fisheries Control Agency at their headquarters in Vigo, Spain, to discuss the operational aspects of fisheries law enforcement in both regions, exchange information and best practices, and find areas of potential collaboration in efforts to combat IUU fishing.

Intergovernmental Consultative Committee (ICC) meeting: Russian and U.S. negotiators signed a bilateral agreement to combat IUU fishing. The agreement aims to improve coordination among the multiple government agencies in both countries that need to work together to address IUU fishing.

Informal Meetings

April 2015: OLE hosted a meeting with environmental prosecutors from Thailand who were interested in learning how the United States responds to marine wildlife trafficking, including both the investigative and prosecutorial aspects.

July 2015: Representatives from Korea’s Ministry of Oceans and Fisheries (MOF) met with members of OLE at NOAA headquarters for the first time to discuss possible collaboration between the parties on MCS issues and combating IUU fishing. The discussions included overviews of OLE and MOF operations, each organization’s VMS programs, and possible collaboration in technical assistance specific to enforcement efforts to combat IUU fishing.



International Program Combating Illegal, Unreported, Unregulated Fishing

Background

In June 2014, the White House released a Presidential Memorandum that called for the creation of a task force to combat IUU fishing and seafood fraud, co-chaired by the Departments of State and Commerce and involving 12 other federal agencies.

In December 2014, after engaging the public and key stakeholders, the IUU Task Force identified 15 recommendations for the implementation of a comprehensive framework of integrated programs to combat IUU fishing and seafood fraud. Those 15 recommendations are divided into four broad themes:

- Combating IUU fishing and seafood fraud at the international level.
- Strengthening enforcement and enhancing enforcement tools.
- Creating and expanding partnerships with non-federal entities to identify and eliminate seafood fraud and the sale of IUU seafood products in U.S. commerce.
- Increasing information available on seafood products through additional traceability requirements.

In March 2015, the Task Force issued its action plan to implement the recommendations and the Task Force itself was dissolved; the work of the Task Force is now carried out by the National Ocean Council Committee on IUU Fishing and Seafood Fraud (NOC Committee).

OLE and the IUU Task Force

NOAA is identified as the lead or co-lead agency for 10 of the 15 recommendations, and within NOAA OLE specifically co-leads two of the recommendations.

OLE coordinates with Department of Homeland Security Customs and Border Protection (CBP) as well as the Department of Justice (DOJ) to carry out Recommendation 8, which calls for the creation of a strategy to optimize the collection, sharing, and analysis of information and resources to prevent IUU or fraudulently labeled seafood from entering U.S. commerce.

The Recommendation 8 working group has completed the July 2015 major deliverables (the creation of a memorandum of understanding (MOU) inventory and the creation of sub-working groups to focus on information sharing, joint operations, forensics, and coordination) and is

in the final clearance stages for its optimization strategy. This working group is on track to meet all of its future deadlines.

OLE also works with DOJ to lead Recommendation 11, which calls for federal agencies to work with state and local enforcement authorities to expand information sharing and develop tools that address IUU fishing and seafood fraud at the state and local level.

As of September 2015, the Recommendation 11 working group has delivered all of its major deliverables (prioritization of combating IUU fishing and seafood fraud under OLE's Cooperative Enforcement Program and DOJ's investigation and prosecution of cases) and is on track to meet all of its future deadlines.

In addition to leading the working groups on Recommendations 8 and 11, OLE is also part of the working group for Recommendations 1 (implementing Port State Measures), 2 (identifying RFMO best practices), 6 (capacity building), 12 (broadening enforcement authorities), and 14/15 (creation of a seafood traceability program).





WILL ELLIS
Assistant Director

Staffing snapshot:
29 Full Time Employees
12 Contractors

AKD Budget:
Total Allocated – \$8.0 Million
JEA Funding – \$1.1 Million

Headquarters:
709 W. 9th Street
Room 831L
Juneau, AK 99802-1767

Field Offices:
Kodiak, AK
Dutch Harbor, AK
Anchorage, AK
Homer, AK
Seward, AK
Sitka, AK
Petersburg, AK
Ketchikan, AK

**661
VMS
Vessels**

**142
VMS
Users**

Alaska Division

Alaska supports a massive seafood industry and is the largest state for domestic fish landings in America. If it were a country, Alaska would be the ninth largest seafood producer in the world, as 59 percent of all U.S. seafood landings occur in Alaska. The ex-vessel price for Alaska's fisheries is more than \$1.9 billion, while the value of Alaskan seafood sold at first wholesale breaks \$3 billion. The total economic impact of the seafood industry (direct, indirect, and induced efforts) in Alaska was estimated at \$5.4 billion in 2013.

Alaska's living marine resources also feed thousands of Alaskans. Commercially important species of seafood from Alaska include five species of salmon, five species of crab, walleye Pollock, Pacific halibut, Pacific cod, sablefish, and herring.

OLE's Alaska Division is unique in that the region only includes the State of Alaska, which is made up of the mainland and more than 200 islands. This is dramatically different from the multi-state regions of the continental United States. Similarly, there's a mix of sport, commercial, and subsistence fisheries that overlap state and federal jurisdictions and regulations. Also, the region's diversity in terrain, challenging weather, and vast distances constantly challenge the effective use of fishery enforcement resources in Alaska.

There's also an interesting international component to the AKD. The geographic proximity to foreign countries provides additional interagency cooperation and international relations challenges. The commercial fisheries include significant levels of complexity, in that international relations, regulations, and treaties all play roles in developing enforcement goals, policies, and multi-jurisdictional enforcement strategies. International complexities extend to some Alaska sport fisheries, for example, halibut are cooperatively state and federally enforced, but ultimately regulated by an international treaty (International Pacific Halibut Commission). The Alaska Division also regularly encounters IUU fishing, as well as foreign fishing vessels.

Working with Regional Partners

Alaska's large distances, limited infrastructure, and complex fisheries management scheme necessitate robust interagency partnerships, which can act as a force multiplier to maximize an enforcement footprint and minimize unnecessary enforcement duplication. Therefore, effective interagency cooperation across the spectrum of Alaska fisheries enforcement operations is a top priority for AKD. Regional partners

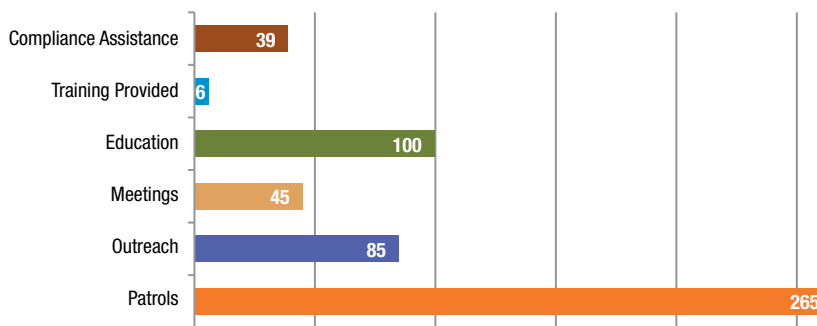
include the U.S. Coast Guard; Alaska Wildlife Troopers and Department of Fish and Game; U.S. Fish and Wildlife Service; U.S. Forest Service; NOAA Fisheries Sustainable Fisheries and Protected Resource Divisions; industry groups; and tribal governments.

Operations

For each OLE Division the vast majority of staff time is spent patrolling the waters, performing inspections, conducting interviews, and working with partnering agencies on joint-operations. The graph at right accounts for the operational actions of the division. Note: This information does not include the extensive outreach and customer service that VMS personnel provide on a daily basis, nor can it fully capture the interaction our agents, officers, and support staff regularly have with industry.

In FY 2015 the Alaska Division documented 1,875 incidents,

Patrols and Compliance Assistance Activities

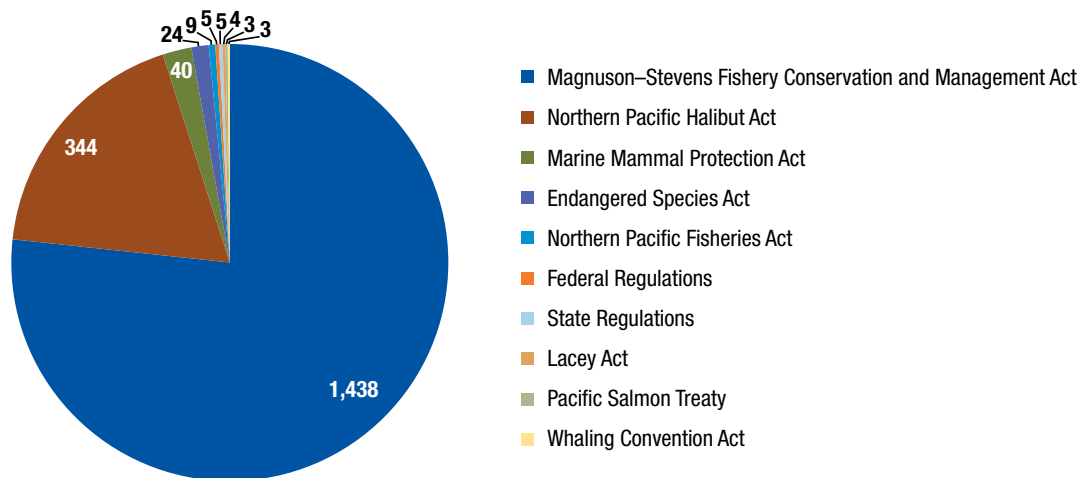


ranging from a complaint to an investigation (graph below). The majority of the incidents were related to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and Northern Pacific Halibut Act (NPHA). Each incident allows for critical face-to-face interactions between the OLE field staff and the industry.

Of the 1,875 incidents, AKD documented 1,452 investigations. An investigation can range from

performing a log-book or haul inspection to witness interviews and executing search warrants. Some investigations are complex and may take years to adjudicate. For that reason, not all incidents are completed and closed each fiscal year. For FY 2015, AKD closed 1,681 incidents. The majority of the incidents were completed by education and outreach (858).

Unique Incidents and Cases by Law, Regulation, Program



Cases of Significance

Sustainable Fisheries

NOAA General Counsel settled with American Seafoods Company for flow scale tampering on three of their Pollock catcher/processor vessels. The company paid a \$1.75 million civil penalty. Flow scales are used to determine the weight of the vessel's catches. By manipulating the scales, the company was able to catch more pollock than allowed. NOAA Fisheries observers on the vessels noticed discrepancies in the weight of their samples and reported their observations to OLE. The offenses took place in the Bering Sea in 2007, 2011, and 2012. The cases were investigated by two OLE Agents.

Notices of Violation and Assessment of civil penalty (NOVAs) totaling \$61,000 were issued to the captains of the F/V *Butterfly* and the F/V *Resolution*, and to an individual fishing quota (IFQ) permit holder, for harvesting halibut without the IFQ permit holder on board and unlawfully transshipping and landing the fish. Settlement agreements were reached with the *Resolution's* captain and the IFQ permit holder.

A NOVA for \$85,630 was issued to the owner/operator of the *Spicy Lady* for violations occurring in 2010 that concerned retaining IFQ halibut and sablefish in excess of the unharvested IFQ applicable to the relevant regulatory areas held by all IFQ permit holders aboard the vessel, and for failure to log halibut gear set or retrieval. The case was settled for \$68,504.

A NOVA for \$59,901 was issued to the owner/operator of the F/V *Ocean Oasis* for retaining IFQ halibut on the vessel in excess of the unharvested IFQ applicable to the relevant regulatory area held

by all IFQ permit holders aboard the vessel. The case was settled for \$59,701.

An employee of U.S. Seafoods on the F/V *Alliance* was charged with two counts of observer harassment for conduct that had the effect of interfering with observers' work performance. The conduct occurred in 2011 and 2012. The company was charged with one count of negligent supervision of the employee related to the second count. NOVAs were issued to the employee and the company. The cases settled for a total of \$57,000.

An administrative law judge issued an Initial Decision favorable to NOAA in a civil penalty case concerning the F/V *Carlynn*. The owner/operator was found liable for retaining IFQ sablefish onboard his vessel in a regulatory area for which he had no IFQ permit. The administrative law judge assessed a civil penalty of \$4,600.

IUU Fishing

A NOVA was issued for \$100,000 to the corporate owner of the Russian-flagged fishing vessel, *Admiral Kolchak*. The vessel was about 1,100 yards inside the maritime boundary line when it was detected by the U.S. Coast Guard. While the Coast Guard was unable to interdict and seize the vessel, the on-scene helicopter crew developed a case package clearly showing illegal fishing.

Protected Resources

On June 1, the Anchorage Office received a report of several dead Steller sea lions on a beach near Cordova, Alaska. A special agent and an enforcement officer traveled to Cordova to investigate; their efforts were coordinated with NOAA's Protected Resources Division biologists, and the

USCG. A total of 15 sea lions, three harbor seals, one harbor porpoise, and one gray whale were found dead over a 20-mile area of sandbars in the Copper River Delta. Though some of the animals were badly decomposed, there were indications that the animals had been killed deliberately. Investigation is ongoing; a reward of \$7,500 is offered for pertinent information leading to the conviction of the guilty party.

The owner and operator of the M/V *Look*, a tour boat operating out of Juneau, were charged with taking by harassment orcas and humpback whales. NOVAs totaling \$13,230 were issued. The cases settled for \$11,907.

Other Enforcement Activities

An enforcement officer assisted in the rescue of two male individuals from the waters of Sumner Strait. The enforcement officer was on vessel patrol with an Alaska Wildlife Trooper and a U.S. Forest Service Officer. The two victims stated their boat sank suddenly while pulling commercial halibut gear and they had no time to call for help or utilize flotation devices. Without survival suits, the two fishermen were hypothermic in the 50-degree water. The trio of law enforcement officers had to act quickly to effectively recover the fishermen from the elements without harming them with the pitching patrol vessel or the partially submerged fishing boat. While the trooper maneuvered the patrol vessel close to the sinking fishing vessel; the other two local enforcement officers pulled the men from the water; stripped wet clothes from them and wrapped them in wool blankets; and transported them back to Petersburg for medical attention and support from family members.





BILL PICKERING
Assistant Director

Staffing snapshot:
21 Full Time Employees

PID Budget:
Total Allocated – \$3.9 Million
JEA Funding – \$1.3 Million

Headquarters:
1845 Wasp Blvd.
Building 176
Honolulu, HI 96818

Field Offices:
Pago Pago, AS (American Samoa)
Hagatna, GU (Guam)

**261
VMS
Vessels**

**180
VMS
Users**

Pacific Islands Division

The Pacific Islands Division was established in October 2004 and is geographically the largest division in OLE. The Division encompasses the State of Hawaii, the territories of Guam and American Samoa, and the Commonwealth of Northern Mariana Islands (CNMI). The State of Hawaii ranks as the tenth largest for domestic fish landings.

PID has responsibilities for a number of protected resources initiatives involving marine mammals and endangered species. The Hawaiian Islands Humpback Whale National Marine Sanctuary adjacent to the Main Hawaiian Islands as well as the several endangered species of sea turtles, Hawaiian Monk Seals, and Humpback Whales that populate the area place great demands on the Division’s limited assets. In addition to the Papahānaumokuākea Marine National Monument, the Division is also charged with protecting the three relatively new Marine Monuments in the Central and Western Pacific.

Each of the four monuments poses a unique set of compliance-related challenges because of the distances involved.

PID works closely with Regional Fisheries Management Organizations and NOAA Fisheries Science Centers, and partners with local, state, and federal agencies, stakeholders, and others to find science-based solutions to complex issues.

While other divisions occasionally encounter cases related to tuna, PID regularly sees tuna incidents along with other highly migratory species. The various longline and purse seine vessels within the U.S. permitted fleet operate extensively throughout established U.S. and foreign EEZs in the Pacific, and international waters. The need to effectively monitor these U.S. vessels along with foreign vessels that engage in IUU fishing in these vast waters, poses enforcement issues for the PID rarely faced in any other part of the United States.

Working with Regional Partners

The attention to international matters, accompanied by those within the U.S. territories and the commonwealth, is a high priority for the Division. The extensive landing/importation and processing of fish within Guam, American Samoa, and CNMI, and landings by U.S. purse seine vessels in foreign ports present significant challenges to PID. The Division works

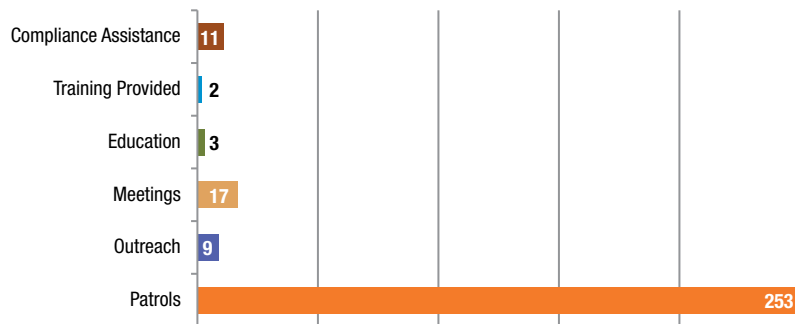
closely with the governments of the foreign nations that make up the region, the U.S. Coast Guard, and the U.S. Department of State in supporting and enforcing a number of treaties and conventions, such as the South Pacific Tuna Treaty, the Western and Central Pacific Fisheries Commission, and the Convention on the Conservation of Antarctic Marine Living Resources.

Operations

For each OLE Division the vast majority of staff time is spent patrolling the waters, performing inspections, conducting interviews, and working with partnering agencies on joint-operations. The graph at right accounts for the operational actions of the division. Note: This information does not include the extensive outreach and customer service that VMS personnel provide on a daily basis, nor can it fully capture the interaction our agents, officers, and support staff regularly have with industry.

In FY 2015 the Pacific Islands Division documented 397

Patrols and Compliance Assistance Activities



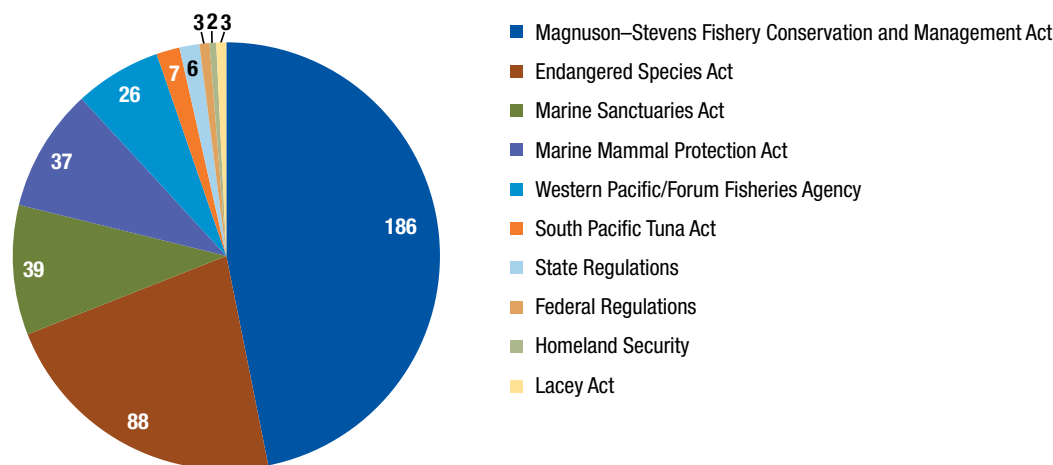
incidents, which ranges from a complaint to an investigation (graph below). The majority of the incidents were related to the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and Endangered Species Act (ESA). Each incident allows for critical face-to-face interactions between the OLE field staff and the industry.

Of the 397 incidents, PID documented 333 investigations. An investigation can range from performing a log-book or haul inspection to witness interviews and executing search warrants.

Some investigations are complex and may take years to adjudicate. For that reason, not all incidents are completed and closed each fiscal year. For FY 2015, PID closed 376 incidents, including 43 investigations that were initiated in previous years.

Note: During FY 2015, the NOAA-General Counsel for Enforcement Section (GCES) issued 15 Notice of Violations and Assessments (NOVA) with a total value of approximately \$1.14 million from cases referred by the PID.

Unique Incidents and Cases by Law, Regulation, Program



Cases of Significance

IUU/Port State Measures

A special agent developed an operation targeting the illegal sale and trafficking of sperm whale teeth and marine mammal ivory in Hawaii. The operation purchased and sold contemporary sperm whale teeth/walrus ivory in an undercover capacity on multiple occasions to various targets. During operational activities, enforcement personnel uncovered wildlife smuggling and trafficking activities allegedly perpetrated by a local Honolulu-based business. Following this joint OLE/USFWS investigation, a Federal Grand Jury indicted the Hawaii-based retail business and five individuals for conspiring to illegally import whale bone carvings, walrus ivory carvings, black coral carvings, and other products derived from protected species of wildlife into the United States.

The indictment, totaling 21 counts, included charges of conspiracy to smuggle, smuggling, Lacey Act trafficking, Lacey Act mislabeling, and export smuggling. If convicted, the individual defendants face up to 20 years in prison for each count of illegally importing merchandise; up to 10 years in prison for exporting ivory; and up to 5 years in prison on each of the other charges, including conspiracy. Additionally, each charge carries a maximum fine of \$250,000 for the individuals and \$500,000 for the business/corporation.

Sustainable Fisheries

A special agent completed an investigation involving a U.S. flagged purse seine vessel that allegedly conducted multiple sets on fish associated with one or more live whales in violation of



the Marine Mammal Protection Act (MMPA). This same vessel is also alleged to have fished on fish aggregating devices (FADs) during the Western and Central Pacific Fisheries Commission (WCPFC) FAD closure period. This case stems from allegations made by an Forum Fisheries Agency (FFA) observer working aboard the subject vessel.

An enforcement officer issued a \$3,000 summary settlement to a Hawaii longline fishing vessel where the owner/operator fished with an expired WCPFC permit, an expired Limited Entry permit and an expired High Seas Fishing permit.

Sanctuaries and Monuments

An administrative law judge upheld joint and several liability on an investigation and subsequently assessed the owner of a longline fishing vessel \$54,366 for three counts of removing and harvesting fish within the Papahānaumokuākea Marine National Monument.

Protected Resources

A special agent has an ongoing investigation involving the death of a baby Hawaiian monk seal on

the Island of Kauai that apparently had been killed by dog bites. This case is being worked jointly with Hawaii DOCARE (JEA partner) on Kauai, and with assistance from the NOAA Fisheries Office of Protected Resources. Currently, the special agent has been gathering records of statements and necropsy findings related to the attack, and continuing to coordinate with DOCARE.

A PID special agent is conducting an investigation regarding a juvenile Hawaiian monk seal that was found dead on the Island of Kauai, with a crushed skull. The case is being worked jointly with Kauai DOCARE.

An investigation involved a U.S. purse seine vessel that has been the focus of two previous investigations for setting on whales while conducting purse seine fishing operations. The investigation involved multiple fishing masters and captains as potential targets, as well as the company. The investigation resulted in a total of six MMPA counts of setting on whales.





LOGAN GREGORY
Assistant Director

Staffing snapshot:

42 Full Time Employees
3 Contractors

NED Budget:

Total Allocated – \$6.4 Million
JEA Funding – \$5.7 Million

Headquarters:

55 Great Republic Drive
Suite 02-300
Gloucester, MA 01930

Field Offices:

Boston, MA
Ellsworth, ME
Portland, ME
New Bedford, MA
Wall, NJ
Bellport, NY
Marmora, NJ
Salisbury, MD
Newport News, VA

**995
VMS
Vessels**

**944
VMS
Users**

Northeast Division

Unlike its counterpart divisions to the west, the Northeast Division is comprised of 10 coastal states. With so many partners to work with, NED embraces a collaborative approach to our mission.

Four of the top 10 international landing ports, by weight and value, are found in the NED — New York, Portland (ME), Boston, and Norfolk. Among the most common imports found in this region are crab, lobster, and shrimp. Additionally, NED has four of the top 10 states for domestic fish landings in America, including Massachusetts, where the 14-year leading port, New Bedford, is found. The Port of New Bedford’s ranking status is the direct result of the scallop fishery; scallop landings account for more than 81 percent of New Bedford seafood landings.

The NED established a compliance assistance liaison position, to improve education and communications within the Northeast fishing industry and with other stakeholders. A central part of this position is to work directly with industry to solve problems, whether those issues involve understanding the regulations, ensuring their gear is in compliance, or providing additional information regarding fishing and other marine resource regulations.

Working with Regional Partners

The NED has strong working relationships with the coastal state fishery enforcement agencies under the NOAA Cooperative Enforcement Program. These Joint Enforcement Agreements enable OLE to leverage our budget and improve our enforcement of federal fishery regulations and improve compliance. In addition to state partners, NED works closely with two U.S. Coast Guard Districts and their Living Marine Resource branches in Districts 1 and 5. Recent partnerships have expanded with key federal agencies such as the Food and Drug Administration (FDA) and Customs and Border Protection (CBP), involved in ensuring consumer safety and integrity as it relates to seafood fraud.

NED also works closely with two regional fishery management councils and one major interstate commission.

The New England Fishery Management Council (NEFMC) is one of eight regional councils established by the MSA. The NEFMC manages fishery resources within the federal 200-mile limit off the coasts of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut. The Mid-Atlantic Fishery Management Council is responsible for management

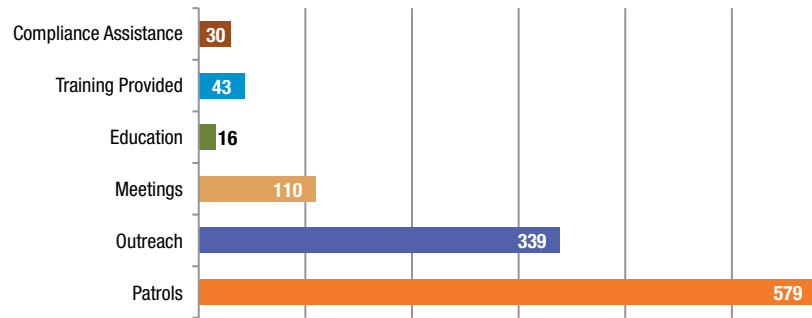
of fisheries in federal waters that occur predominantly off the mid-Atlantic coast. States with voting representation on the Mid-Atlantic Council include New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and North Carolina.

NED also provides support to the Atlantic States Marine Fisheries Commission. This group was formed by the 15 Atlantic coast states in 1942 in recognition that fish do not adhere to political boundaries. The Commission serves as a deliberative body, coordinating the conservation and management of the states shared near shore fishery resources – marine, shell, and anadromous – for sustainable use.

Operations

For each OLE Division the vast majority of staff time is spent patrolling the waters, performing inspections, conducting interviews, and working with partnering agencies on joint-operations. The graph at right accounts for the operational actions of the division.

Patrols and Compliance Assistance Activities



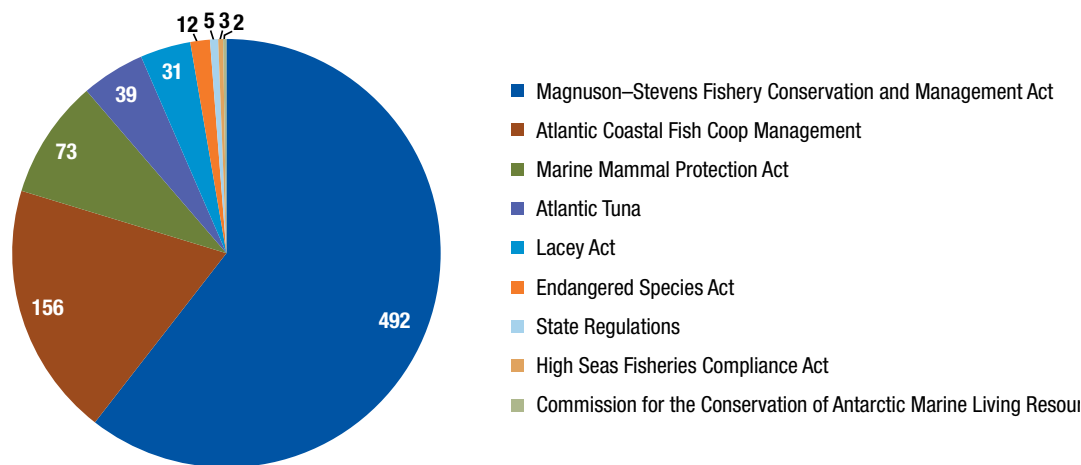
Note: This information does not include the extensive outreach and customer service that VMS personnel provide on a daily basis, nor can it fully capture the interaction our agents, officers, and support staff regularly have with industry.

face-to-face interactions between the OLE field staff and the industry.

In FY 2015 the Northeast Division documented 813 incidents, ranging from a complaint to an investigation (graph below). The majority of the incidents were related to the MSA and the Atlantic Coastal Fish Cooperative Management Act (ACFCMA). Each incident allows for critical

Of the 813 incidents, NED documented 726 investigations. An investigation can range from performing a log-book or haul inspection to witness interviews and executing search warrants. Some investigations are complex and may take years to adjudicate. For that reason, not all incidents are completed and closed each fiscal year. For FY 2015, NED closed 697 incidents. The majority of the incidents were completed by education and outreach (276).

Unique Incidents and Cases by Law, Regulation, Program



Cases of Significance

Sustainable Fisheries

Lou's Fish Market Inc. and company president Mark Parente pleaded guilty to federal felonies stemming from their role in systematically covering up purchases of illegal fluke, scup, and black sea bass that were being harvested in violation of the federal RSA Program. Parente pleaded guilty to two counts of wire fraud, one count of aiding and abetting mail fraud and one count of falsification of federal records for fraud schemes that ran from May through December 2011. Parente directed unwitting company personnel to prepare and file at least 78 false dealer reports to OLE, which omitted or misidentified approximately 203,000 pounds of fluke, 50,000 pounds of scup, and 12,000 pounds of black sea bass with a wholesale value stipulated as \$481,000. Lou's Fish Market Inc. pleaded guilty to the falsification of federal records charge and one count of Lacey Act, false labeling for the knowing use of false documents in connection with approximately 70,000 pounds of fluke that was shipped to interstate customers. The two defendants agreed to pay \$932,000 in combined fines and restitution. The defendants also agreed to make a \$110,000 community service payment for the enhancement of seagrass and fluke habitat around Long Island, among other monitoring and future fishing restrictions.

Alan Dresner pled guilty in federal court to one count of wire fraud for criminal violations stemming from his role in systematically underreporting fluke that was being harvested as part of the federal Research Set-Aside (RSA) Program. Dresner was a Brooklyn, New York, based federally permitted dealer who conspired

with Anthony Joseph to under-report summer flounder landings under the guise of RSA quota. The scheme involved his falsification and internet submission of at least 120 fisheries dealer reports from July 2009 to December 2011 resulting in over-harvested and underreported fluke valued at \$510,000. As part of his sentence, Dresner will serve 4 months in prison followed by 3 years of supervised release. The defendant was fined \$6,000 and ordered to make a \$15,000 community service payment to the Cornell Cooperative Extension of Suffolk County in order to pay for the enhancement of fluke habitat in the waters of Long Island through the CCE's Marine Meadows Program. Dresner was ordered to pay \$510,000 in restitution to the Marine Resources Account of the New York State Conservation Fund and ordered to surrender his federal dealer license.

IUU/Port State Measures

Todd Reeves, Thomas Reeves, Renee Reeves, and their oyster dealer company, Shellrock LLC, were sentenced for their roles in a scheme to traffic in illegally harvested oyster. The defendants had been previously convicted of creating false oyster records, trafficking in illegally possessed oysters and obstructing U.S. Food and Drug Administration regulations pertaining to public health and safety. Todd Reeves was sentenced to serve 26 months in prison and 3 years of supervised release, to pay a \$7,000 fine, and to pay New Jersey \$140,000 for the restoration of oyster beds in Delaware Bay. Thomas Reeves was sentenced to serve 16 months in prison and 3 years of supervised release and pay a \$7,000 fine, and Renee Reeves was sentenced to serve 5 years of probation and pay a \$2,500 fine. Todd, Thomas, Renee and Shellrock were found liable for the

restitution. Todd and Thomas Reeves were additionally ordered to forfeit \$144,000 to substitute assets for the vessels that they used to over-harvest the oysters. The Reeves' business, Shellrock, also known as "Reeves Brothers," was ordered to pay a fine of \$70,000 and complete a term of 5 years of probation.

Mark Bryan and his company Harbor House Inc. were sentenced for their role in the Reeves et. al. oyster trafficking case. Bryan was sentenced to 26 months in prison and 3 years of supervised release. He was fined \$62,500 and is jointly responsible for restitution to New Jersey Division of Fish and Wildlife in the amount of \$140,000. His special assessment is \$500. Harbor House Inc. was fined \$250,000 and received 5 years of probation. The company is jointly liable for the \$140,000 in restitution and its special assessment is \$2,000.

A fourth person, Kenneth Bailey was sentenced for creating false oyster records and trafficking in illegal oysters. He was sentenced to 6 months incarceration, followed by 6 months of home confinement and 3 years of supervised release, as well as to pay a \$10,000 fine. Bailey was also ordered to forfeit \$75,000 in substitute assets for the vessels used to over-harvest the oysters.

Robert Thompson, the former operations manager of Maine's largest lobster cooperative, the Spruce Head Fishermen's Cooperative, pleaded guilty in U.S. District Court in Portland, Maine, to one aggregated count of felony tax evasion and one aggregated count of misdemeanor Lacey Act trafficking. The plea stems from Thompson's involvement in a scheme to move nearly \$1.8 million in unreported American lobster in interstate commerce.





TRACY DUNN
Assistant Director

Staffing snapshot:
40 Full Time Employees
2 Contractors

SED Budget:
Total Allocated – \$6.9 Million
JEA Funding – \$5.4 Million

Headquarters:
263 13th Avenue South
St. Petersburg, FL 33701

Field Offices:
Morehead City, NC
Charleston, SC
Port Orange, FL
Miami, FL
Marathon, FL
Niceville, FL
St. Petersburg, FL
Slidell, LA
Galveston, TX
Harlingen, TX
Guaynabo, PR
Aguadilla, PR

**1,095
VMS
Vessels**

**586
VMS
Users**

Southeast Division

The Southeast Division is comprised of eight coastal states, extending from Texas to North Carolina. SED is also responsible for Puerto Rico and the U.S. Virgin Islands. The SED is responsible for enforcing laws mandated by three fishery management councils, enforcing conservation and protection laws in three national marine sanctuaries, and ensuring compliance with commercial and federal recreational laws and regulations throughout nearly 350,000 square miles of EEZ.

SED covers more than 3,160 miles of coastline, second only to AKD. However, the SED coastline offers a vastly greater number of potential landing sites where commercial and recreational vessels have the ability to land economically important species, such as red snapper and grouper, and IFQ managed fish stocks, swordfish, tuna and other federally regulated species.

SED also has the largest recreational fisheries sector in the continental United States. In 2013, recreational anglers conducted nearly 71 million fishing trips and SED accounted for more than 50 percent of these trips. Making the necessary number of contacts to ensure compliance in this sector poses a huge enforcement challenge.

In addition to the recreational fishery, SED has a robust commercial industry. In 2014, federally permitted vessel conducted more than 202,000 trips totaling \$843,133,280 in revenue. SED also has the fifth (Louisiana), sixth (Florida), and seventh (Texas) ranked states for domestic fish landings in the United States.

Four of the top 10 international landing ports, by weight and value, are found in this region — Miami, Savannah, Galveston, and Tampa — as well as the ports of entry on the U.S.–Mexico border. Among the most common imports found in this region are tuna, shrimp, and crab.

Working With Regional Partners

To accomplish its mission, the SED works closely with the Southeast Regional Office, Fisheries Science Center, and two interstate marine fisheries commissions, and also partners with local, state and federal agencies.

One of the partners that SED works with is the South Atlantic Fishery Management Council, which is charged with managing fisheries off the coasts of Florida, Georgia, South Carolina, and North Carolina.

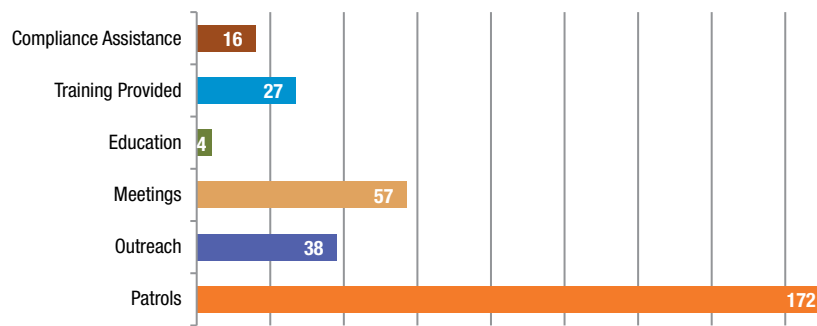
Working with the South Atlantic Council, SED is first to know about regulation and amendment developments and fishing closures to prevent overfishing if landings approach annual catch limits.

The main partner program providing the SED with the means to increase patrol, monitoring, and inspection services is the Cooperative Enforcement Program (CEP). Seven states and two territories have entered into Joint Enforcement Agreements (JEAs) allowing state officers authority to enforce Federal regulations under NOAA's jurisdiction.

Operations

For each OLE Division the vast majority of staff time is spent patrolling the waters, performing inspections, conducting interviews, and working with partnering agencies on joint-operations. The graph at right accounts for the operational actions of the division. Note: This information does not include the extensive outreach and customer service that VMS

Patrols and Compliance Assistance Activities

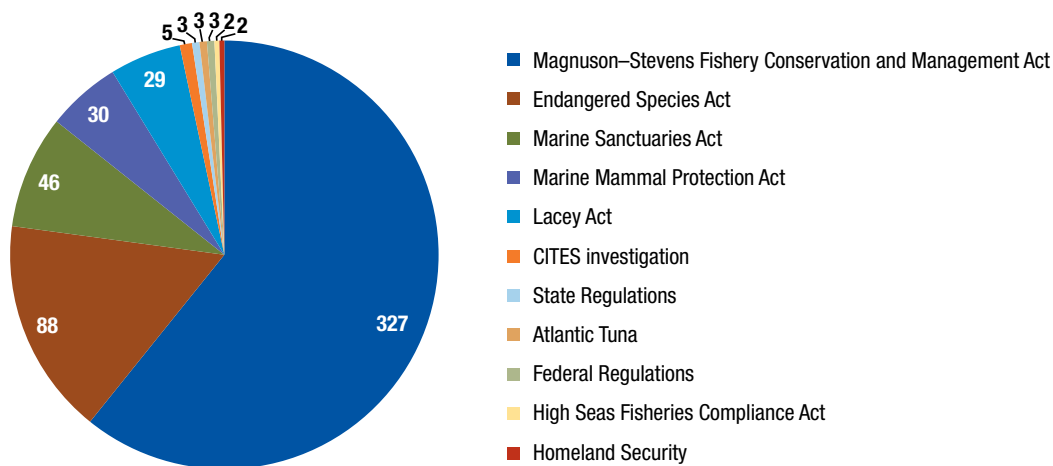


personnel provide on a daily basis, nor can it fully capture the interaction our agents, officers, and support staff regularly have with industry.

In FY 2015 the Southeast Division documented 538 incidents, ranging from a complaint to an investigation (graph below). The majority of the incidents were related to the MSA and the Atlantic Coastal Fish Cooperative Management Act (ACFCMA). Each incident allows for critical face-to-face interactions between the OLE field staff and the industry.

Of the 538 incidents, SED documented 477 investigations. An investigation can range from performing a log-book or haul inspection to witness interviews and executing search warrants. Some investigations are complex and may take years to adjudicate. For that reason, not all incidents are completed and closed each fiscal year. For FY 2015, SED closed 493 incidents, which includes 16 previously initiated investigations. In order to close 139 incidents, OLE worked with the General Counsel to adjudicate cases.

Unique Incidents and Cases by Law, Regulation, Program



Cases of Significance

IUU/Port State Measures

Garcia Shrimp Company, LLC, pleaded guilty to a one count felony violation for mislabeling more than 35,000 pounds of imported Mexican shrimp as product of the United States. The company purchased the imported shrimp and removed the labels identifying it as product of Mexico. It then created false bills of lading and unloading tickets to make the shrimp appear harvested aboard a U.S. flagged vessel. Pursuant to the plea agreement Garcia Shrimp was ordered to pay a criminal fine of \$150,000. Garcia Shrimp was also sentenced to a 3-year term of probation with conditions that subject the company to increased labeling, record keeping, and auditing requirements. The 35,000 pounds of shrimp previously seized was later sold in a forfeiture auction for \$120,800.

Charles Veach, Ryan Veach, and Tyson Veach were each sentenced to serve a term of imprisonment of 6 months, followed by a 1-year period of supervised release. Additionally, the Court ordered the forfeiture of the fishing vessel used in the offense, including its engines, tackle, and gear. Each of the three defendants was also sentenced to pay a \$25,000 fine.

Each defendant was sentenced based on their prior guilty pleas to the offense of knowingly transporting, selling, receiving, acquiring, and purchasing lobster in violation of the laws and regulations of the State of Florida. Additionally, the corporate entity operated by the defendants, Super Grouper, Inc., was sentenced

based on its previous conviction for knowingly engaging and attempting to engage in conduct that involved the offer, sale, and intent to purchase spiny lobster in interstate commerce in violation of the laws and regulations.

Bob Kelton and Bruce Brande were convicted of Lacey Act and conspiracy to violate the Lacey Act charges. In their sentencing, Kelton received 2 years of imprisonment followed by 3 years of supervised release and a \$200 special assessment, while Brande received 1 year and 1 day of imprisonment followed by 1 year of supervised release and a \$200 special assessment. As owners of DR Imports, a marine life business based in Miami, they were falsely labeling illegally harvested Florida live rock from the Florida Keys National Marine Sanctuary (FKNMS) as a lawfully harvested product of Haiti.

Charles Jamison was sentenced after previously pleading guilty to a Lacey Act conspiracy violation for the sale and purchase of juvenile bonnethead sharks. Jamison will complete an 18-month term of probation and will pay a \$2,000 fine. He is barred from engaging in the marine wildlife industry during the period of probation and will forfeit the vessel, trailer, tackle, and gear he used in the illegal activity.

Between June 2012 and October 2012, Jamison engaged in the illegal harvest and sale of bonnethead sharks taken from the waters off the Florida Keys, and in the FKNMS. The animals were then shipped by a variety of means, including rental truck and as commercial air cargo.



Protected Resources

An \$86,250 NOVA was issued to the owner and operator of the Motor Vessel Cosco Nagoya. The OLE investigation revealed that the vessel had far exceeded the 10-knot speed restrictions during 49 separate incidents in the Seasonal Management Areas off of the East Coast. Official logbook records from the South Korean company were analyzed along with evidence provided by the U.S. Coast Guard showing false entries.

Cory James Moseley and Cade Ryan Moseley pleaded guilty to a federal wildlife violation in connection with the death of a bottlenose dolphin in Cow Bayou last year, were sentenced to 1 year of probation, including a ban on hunting and fishing, and will share \$7,354 in restitution.

The brothers received identical punishments, which also included 50 hours of community service and a \$500 fine. Officially, the Moseleys were charged with one count of taking a marine mammal from U.S. waters, a misdemeanor.





BILL GILES
Assistant Director

Staffing snapshot:

40 Full Time Employees
2 Contractors

WCD Budget:

Total Allocated – \$6.4 Million
JEA Funding – \$2.8 Million

Headquarters:

7600 Sand Point Way NE
Seattle, WA 98115

Field Offices:

Bellingham, WA
Westport, WA
Lacey, WA
Portland, OR
Roseburg, OR
Astoria, OR
Newport, OR
San Diego, CA
Monterey, CA
Sacramento, CA
Santa Rosa, CA
Arcata, CA

**1,047
VMS
Vessels**

**361
VMS
Users**

West Coast Division

The West Coast Division is comprised of the coastal states Washington, Oregon, and California. Throughout the WCD are managed fisheries for salmon and steelhead, more than 90 species of groundfish, coastal pelagics such as anchovy and sardine, and highly migratory species such as billfish, sharks and tunas.

Two of the top 10 international landing ports, by weight and value, are found in the WCD — Seattle and Los Angeles. Among the most common imports found in this region are tuna, salmon, and squid.

The WCD shares borders with two countries and has five national marine sanctuaries along its coast. The division has its own Endangered Species Act listed Southern Resident Killer Whale population in the Puget Sound and deals with complex threats to salmon and steelhead habitat through stream alteration, water depletion, and drought conditions.

Working with Regional Partners

The number of violations detected throughout the WCD exceeds the division's capacity to investigate them. The division leverages federal partners, the CEP, enforcement officers, and special agents to mitigate criminal activity. Federal partners like the U.S. Coast Guard, CBP, USFWS, and the EPA help the division identify and investigate crimes at sea, in critical habitat, and on the borders. State police, through the CEP, are given broad authority and specific direction to conduct patrols and outreach in areas where division resources are scarce or violations are low-level but prevalent. Enforcement officers enhance the CEP patrols with their subject matter expertise and conduct short-term investigations while special agents identify the most impactful cases to investigate and prosecute.

The WCD regional partners designate critical habitat areas and develop protective regulations that become part of the OLE education and outreach efforts. Ensuring the general public has the latest information is of the utmost importance to maintaining sustainability and conservation standards.

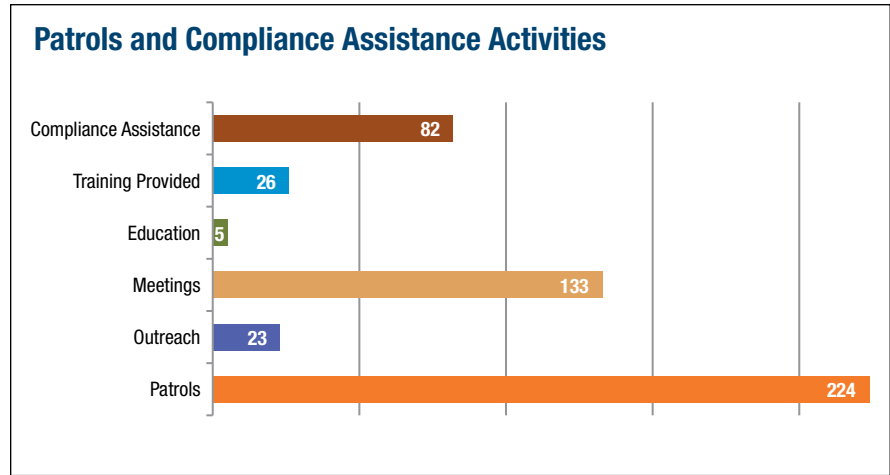
Upon notice of upcoming operations and waterway-related construction, WCD agents and officers follow up to ensure these actions, plans, and programs do not harm native species. Of the marine mammal species in the West, some are abundant and healthy, such as harbor seals and gray whales, while others are protected under the Endangered Species Act, in addition to

their protections under the Marine Mammal Protection Act. In the Northwest, Southern Resident killer whales in Puget Sound are listed as endangered under the ESA.

Operations

For each OLE Division the vast majority of the staff time is spent patrolling the waters, performing inspections, conducting interviews, and working with partnering agencies on joint-operations. The graph at right accounts for the operational actions of the division. Note: This information does not include the extensive outreach and customer service that VMS personnel provide on a daily basis, nor can it fully capture the interaction our agents, officers, and support staff regularly have with industry.

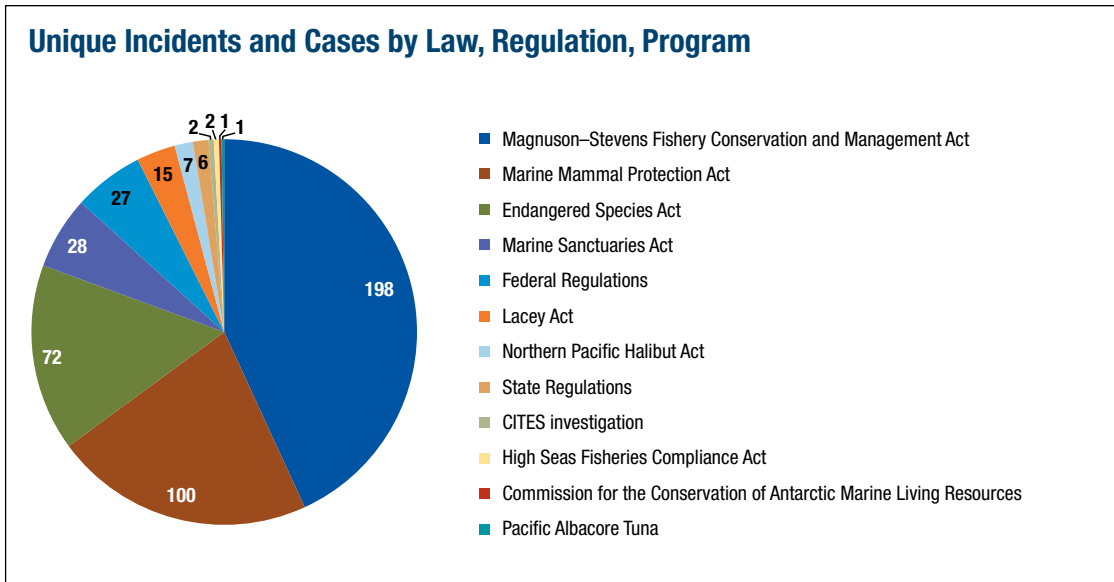
In FY 2015 the WCD documented 459 incidents, ranging from a complaint to an investigation (graph below). The majority of



the incidents were related to the MSA and the Marine Mammal Protection Act (MMPA). Each incident allows for critical face-to-face interactions between the OLE field staff and the industry.

and may take years to adjudicate. For that reason, not all incidents are completed and closed each fiscal year. For FY 2015, WCD closed 430 incidents, which includes 105 previously initiated investigations.

Of the 459 incidents, WCD documented 325 investigations. An investigation can range from performing a log-book or haul inspection to witness interviews and executing search warrants. Some investigations are complex



Cases of Significance

Protected Resources

Kam Wing Chan, a Los Angeles business owner pleaded guilty in San Diego federal court to one count of smuggling 37 pounds of dried abalone into the United States at the San Ysidro Port of Entry (POE) from Mexico. Chan's furniture business, Kaven Company, pleaded guilty to one count of smuggling 58 totoaba swim bladders into the United States. In addition to his furniture business, Kaven Company was also involved in importing seafood (sea cucumber, shark fins, and fish) from Mexico and exporting it to Hong Kong. The investigation revealed Chan was sending product, using his sister's business in Hong Kong.

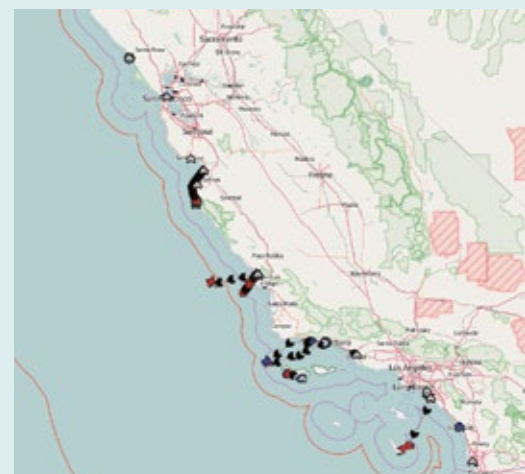
A joint investigation with EPA and WDFW resulted in the Washington Attorney General's Office charging William Cayo, Sr. in Mason County District Court with violations of the Water Pollution Control Act and Shoreline Management Act, and with conducting unpermitted hydraulic activities in connection with the alteration of the channel of the Tahuya River in early February 2013. Cayo used an excavator and bulldozer to fill the river channel near his home, and to redirect the river, which is critical habitat for threatened Hood Canal chum salmon and Puget Sound steelhead. In all, Cayo filled and graded nearly 1.5 acres of river bed. Cayo was tried in Mason County District court and was convicted by a jury on all counts. Cayo was subsequently sentenced to 30 days in jail for each count, to be served concurrently. He was also fined \$8,143, received 2 years of probation, and was ordered to follow civil and criminal

environmental laws applicable to the Acts above.

IUU/Port State Measures

Tony Ahn pleaded guilty in federal court in San Diego to one misdemeanor Lacey Act count of importing eight totoaba swim bladders into the United States in violation of Mexican law. In May 2014, Ahn attempted to drive across the U.S.-Mexico border and declared only two fish he was bringing into the United States. A secondary inspection uncovered eight dried totoaba swim bladders. Ahn forfeited the product to the U.S. government and is providing information on other targets.

UK citizen Steven Hedley and his company Hedley Humpers Inc. entered into a plea agreement with the U.S. DOJ that was accepted by the U.S. District Court for the Northern District of California. This plea agreement stemmed from an investigation and undercover buy operation, which determined that Hedley and his company conspired with a United States company to ship marine mammal products falsely declared as antiques and household goods to the United States avoiding the required permits. Pursuant to the plea agreement, Hedley and Hedley Humpers Inc. pleaded guilty to a single count of smuggling wildlife (specifically, sea turtle shells and a giant clam shell) into the United States. Sentencing took place in July. Hedley was ordered to pay a fine of \$75,000 as criminal penalty, and a \$25,000 penalty in lieu of community service that will be transferred to the National Wildlife Fund. The corporation was sentenced to three years' probation and was ordered to pay \$100,000 in fines and community service payments.



VMS view of the California coast

Sustainable Fisheries

An open access groundfish vessel landed sablefish from federal waters without a functioning VMS unit a violation of the MSA. The vessel has a prior history of violating fisheries regulations. A total of 2,100 pounds of federal groundfish were offloaded, including a trip limit overage of sablefish. The catch proceeds, valued at approximately \$5,400, were seized. Additionally, it was discovered that a vessel crew member had an arrest warrant for a state violation. The crew member was taken into custody by a California Department of Fish and Wildlife (CDFW) warden and transported to Ventura County jail.

The captain of an open access vessel was issued a \$4,000 summary settlement after an initial investigation determined he fished in federal waters and landed \$1,033 worth of groundfish without a VMS unit. The violation to the MSA was referred by a JEA CDFW warden who had conducted a boarding, and review of the landing ticket showed the vessel landed federal groundfish but did not have a VMS unit onboard.



Appendix: Laws Enforced

NOAA's Office of Law Enforcement has the responsibility for enforcing more than 35 federal statutes, with the majority of cases falling under the MMPA, MSA, Lacey Act, ESA, and NMSA.

Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407). This act establishes a moratorium on the take and importation of marine mammals, including parts and products, and defines federal responsibilities for the conservation of marine mammals. The Department of Commerce through the National Marine Fisheries Service is charged with protecting whales, dolphins, porpoises, seals, and seal lions. Walrus, manatees, otters, and polar bears are protected by the Department of the Interior through the U.S. Fish and Wildlife Service. The Animal and Plant Health Inspection Service, a part of the Department of Agriculture, is responsible for regulations managing marine mammals in captivity.

Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801-1882). This act is the primary law governing marine fisheries management in U.S. federal waters. First passed in 1976, the MSA fosters long-term biological and economic sustainability of our nation's marine fisheries out to 200 nautical miles from shore. Key objectives of the MSA are to prevent overfishing, rebuild overfished stocks, increase long-term economic and social benefits, and ensure a safe and sustainable supply of seafood.

Lacey Act Amendments of 1981 (16 U.S.C. 3371-3378). This act prohibits the importation, exportation, transportation, sale, or purchase of fish, wildlife, or plants taken or possessed in violation of state, federal, tribal, and foreign laws. It also authorizes the Secretary of the Interior to designate injurious wildlife and ensure the humane treatment of wildlife shipped to the United States. Originally enacted in 1900, the Lacey Act is the nation's oldest federal wildlife protection law.

Endangered Species Act of 1973 (16 U.S.C. 1531-1543). This act prohibits the importation, exportation, taking, and commercialization in interstate or foreign commerce of fish, wildlife, and plants that are listed as threatened or endangered species. The act also implements the provisions of the Convention on International Trade in Endangered Species (CITES).

National Marine Sanctuaries Act (16 U.S.C. 1431-1439). This act authorizes the Secretary of Commerce to designate and protect areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or esthetic qualities as national marine sanctuaries. Day-to-day management of national marine sanctuaries has been delegated by the Secretary of Commerce to NOAA's Office of National Marine Sanctuaries. The primary objective of the NMSA is to protect marine resources, such as coral reefs, sunken historical vessels, or unique habitats.

Other Statutes and Responsibilities

American Fisheries Act of 1998 (Pub. Law 105-277).

Anadromous Fish Products Act (16 U.S.C. 1822 note, Section 801(f)).

Antarctic Conservation Act of 1978 (16 U.S.C. 2401-2413).

Antarctic Marine Living Resources Convention Act of 1984 (16 U.S.C. 2431-2444).

Antarctic Protection Act of 1990 (16 U.S.C. 2465(a)).

Antigua Convention Implementing Act of 2015 (Pub. Law 114-181).

Atlantic Coastal Fisheries Cooperative Management Act (16 U.S.C. 5103(b)).

Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3601-3608).

Atlantic Striped Bass Conservation Act (16 U.S.C. 1851 note).

Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971-971k).

Billfish Conservation Act of 2012 (Pub. Law 112-183, 126 Stat. 1422-1423).

Deep Seabed Hard Mineral Resources Act (30 U.S.C. 1401 et seq.).

Dolphin Protection Consumer Information Act (16 U.S.C. 1385 et seq.).

Driftnet Impact Monitoring, Assessment, and Control Act (16 U.S.C. § 1822 note, section 4006).

Fish and Seafood Promotion Act of 1986 (16 U.S.C. 4001-4017).

Fisherman's Protective Act of 1967 (22 U.S.C. 1980(g)).

Fur Seal Act Amendments of 1983 (16 U.S.C. 1151-1175).

High Seas Driftnet Fishing Moratorium Protection Act (16 U.S.C. 1826(d)-1826(k)).

High Seas Fishing Compliance Act (16 U.S.C. 5506(a)).

Land Remote-Sensing Policy Act of 1992 (15 U.S.C. 5601 et seq.).

North Pacific Anadromous Stocks Convention Act of 1992 (16 U.S.C. 5002-5012).

Northern Pacific Halibut Act of 1982 (16 U.S.C. 773-773k).

Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601-5612).

Ocean Thermal Energy Conversion Act of 1980 (42 U.S.C. 9101 et seq.).

Pacific Albacore Tuna Treaty Act (Pub. Law 108-219, 118 Stat. 615-617, 16 U.S.C. 1821 note)

Shark and Fishery Conservation Act (Pub. Law 111-348, 124 Stat. 3668-3673, 16 U.S.C. 1801 note).

Shark Finning Prohibition Act (Pub. Law 106-557, 114 Stat. 2772-2775, 16 U.S.C. 1822 note).

South Pacific Tuna Act of 1988 (16 U.S.C. 973-973r).

Sponge Act (16 U.S.C. 781 et seq.).

Tuna Conventions Act of 1950 (16 U.S.C. §§ 951-961).

Weather Modifications Reporting Act (15 U.S.C. 330-330e).

Western and Central Pacific Convention Implementation Act (16 U.S.C. 6901 et seq.).

Whaling Convention Act of 1949 (16 U.S.C. 916-9161).





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