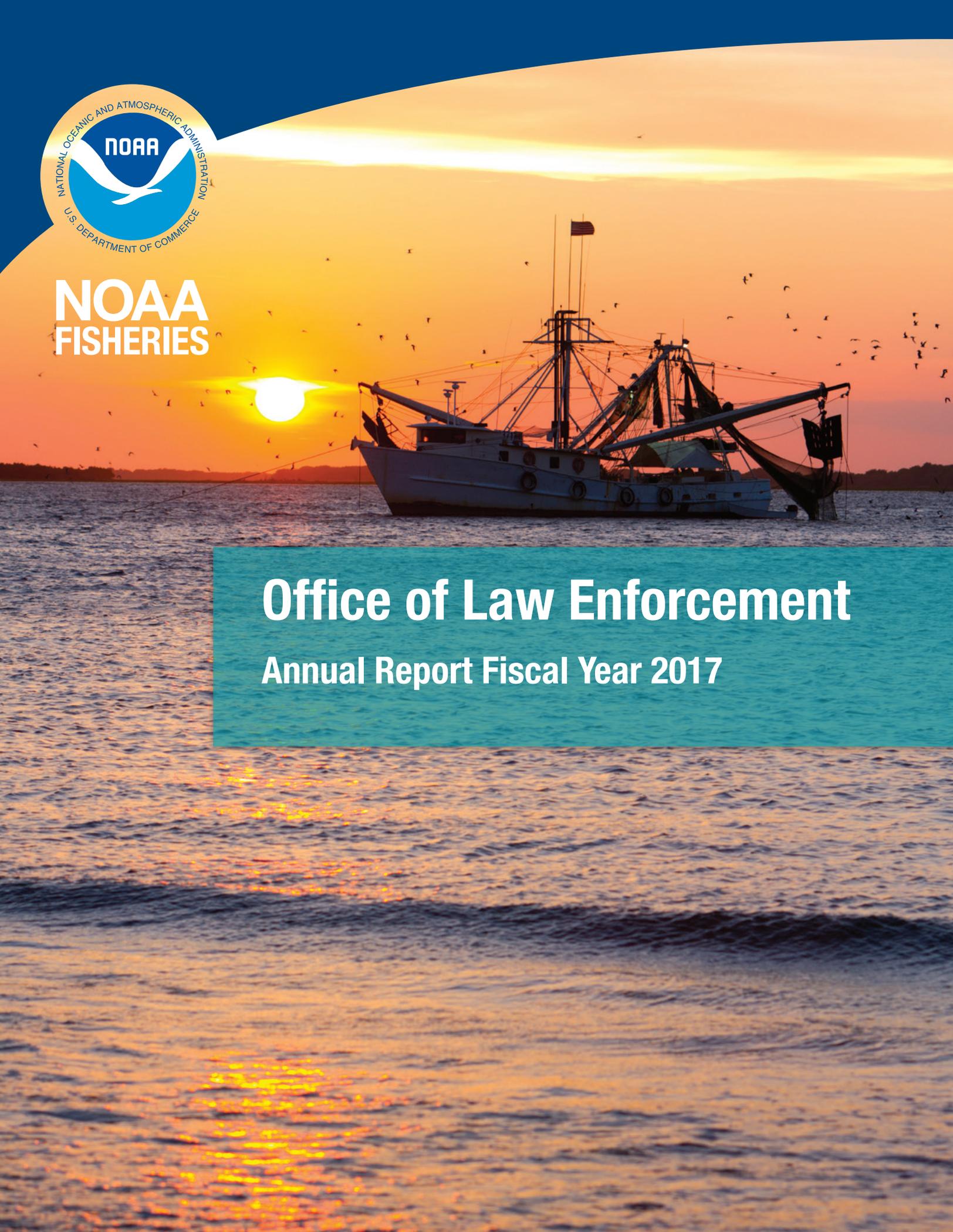




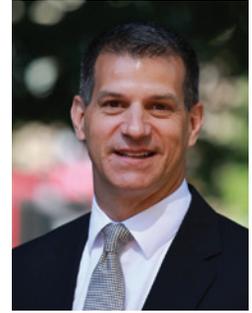
**NOAA
FISHERIES**

The background of the cover is a photograph of a fishing boat on the water during sunset. The sun is low on the horizon, creating a bright orange and yellow glow. The water is dark blue with shimmering reflections of the sun. Numerous birds are seen flying in the sky. A semi-transparent teal box is overlaid on the bottom right of the image, containing the title text.

**Office of Law Enforcement
Annual Report Fiscal Year 2017**

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Director's Message



Effective management of the marine natural resources under NOAA's stewardship depends on effective enforcement of adopted management measures. In 2017, NOAA's Office of Law Enforcement (OLE) continued to play a critical role in supporting the NOAA Fisheries mission by enforcing the laws, rules, and regulations that conserve and protect our nation's marine resources and their natural habitat. Through our efforts to promote compliance with these laws and implementing regulations, OLE aims to support sustainable fisheries, combat illegal fishing, reduce seafood fraud, and protect marine resources to ensure they're around for future generations.

In the pages that follow, you will learn more about these activities. For example, in OLE's Alaska Division, we conducted a large-scale operation focused on investigating multiple safety and data integrity incidents involving NOAA's fisheries observers; this operation underscores OLE's commitment to promoting the safety of observers, who play a critical role in supporting NOAA's science and management missions. In the Southeast Division, OLE successfully investigated a multi-defendant complex conspiracy involving the poaching of striped bass from the U.S. Exclusive Economic Zone. In the Pacific Islands Division, OLE helped our local enforcement partners investigate and bring to justice a man who physically abused a pregnant endangered Hawaiian monk seal. In the West Coast Division, OLE investigators were on the front lines uncovering a significant case of wildlife trafficking of totoaba swim bladders into the United States. Exemplifying the challenging, complex, and multi-faceted nature of modern conservation law enforcement, OLE's Northeast Division took part in a multi-agency criminal investigation of Carlos Rafael in New Bedford, Massachusetts. As a result of this investigation, Mr. Rafael pleaded guilty to multiple felony charges involving conspiracy, false labeling of fish, bulk cash smuggling, tax evasion, and falsifying federal records; he was sentenced to 46 months in prison for these crimes.

Our work does not end at our borders. The United States is a signatory to many international conservation and fishery management agreements, including the recently ratified Port State Measures Agreement (PSMA), and is a global leader in combatting illegal, unreported, and unregulated (IUU) fishing. On the international-front, OLE continued its work this year with several foreign countries to provide capacity building and training to help them combat IUU fishing within their national waters. By providing training assistance to port inspectors and law enforcement personnel from other countries on boarding techniques, information sharing, and other tools, OLE continues to support the global assault on IUU fishing.

As this annual report highlights, OLE continues to be successfully engaged in helping to ensure that domestic laws and regulations and international obligations are effectively enforced. That success, however, would not be possible without the efforts of a dedicated cadre of enforcement professionals within OLE, and the synergies realized through strong international, federal, state, and territorial partnerships. As OLE continues to strengthen both our internal staffing organization and these partnerships, I look forward to building on these successes in the year ahead.

A handwritten signature in black ink, appearing to read 'J Landon', with a long horizontal flourish extending to the right.

JAMES LANDON

Director, Office of Law Enforcement

National Marine Fisheries Service, National Oceanic and Atmospheric Administration

U.S. Department of Commerce

About NOAA's Office of Law Enforcement



Headquarters Staffing Snapshot:

- 21 Full-Time Employees
- 1 Director (Senior Exec. Service)
- 1 Deputy Director
- 7 Special Agents
- 10 Mission Support
- 2 Investigative Support
- 13 Contractors

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 stakeholders with compliance assistance and education about the nation's marine resource laws.

While OLE enforces marine resource protection laws, the Office of the General Counsel's Enforcement Section (GCES) 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—through its efforts to enforce and promote compliance with the marine resource protection laws and implementing regulations under NOAA's purview.

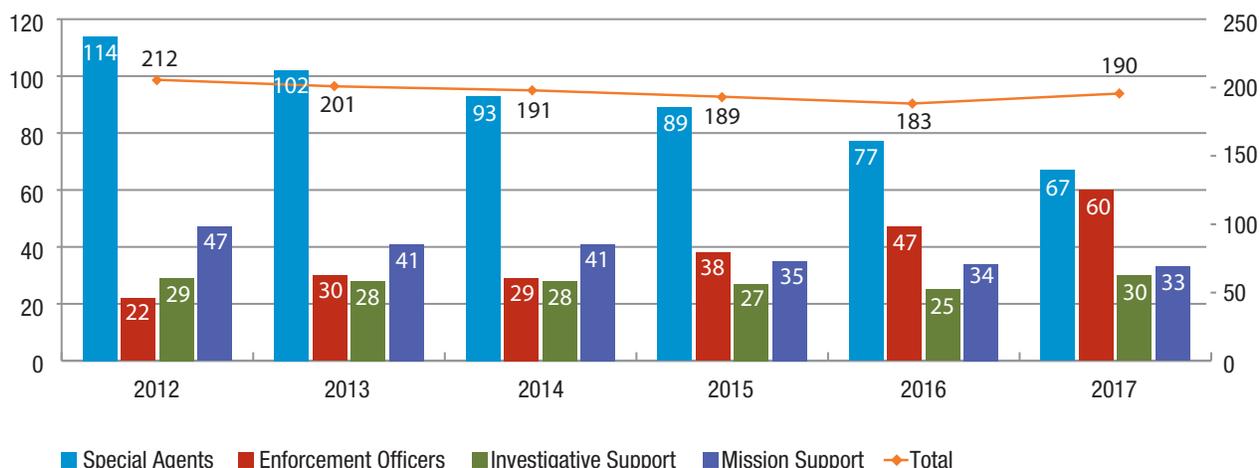
Stats and Facts about OLE

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 ocean.
- More than 95,000 miles of U.S. shoreline.
- 13 National Marine Sanctuaries and five Marine National Monuments.



Staffing Numbers Per Year



Staffing

To cover this extensive territory, OLE personnel are assigned to five divisional offices and 51 field offices throughout the states and U.S. territories. Additionally, OLE partners with state and territory law enforcement agencies and other federal organizations to maximize efficiency. OLE is staffed by 190 employees—67 special agents, 60 enforcement officers, and 63 mission and investigative support personnel.¹

Protecting the nation’s marine environment and helping to ensure a level playing field for those whose jobs and businesses rely on the fair use of our marine resources requires a significant commitment of personnel.

Guided by the staffing plan that was written and approved in FY 2016, OLE recruited 22 new uniformed enforcement officers—nine of whom came to us through Veterans Recruitment Appointments.

Budget

The FY 2017 allocation for Fisheries Enforcement was \$67.1 million. OLE distributed these funds among five sub Program, Project, and Activities, which are:

- \$39.2 million for Enforcement and Surveillance.
- \$18.2 million for the Cooperative Enforcement Program (CEP), which provides joint enforcement agreements with state and U.S. territory natural resources enforcement agencies.
- \$6.7 million for the Vessel Monitoring System (VMS) program.
- \$1.9 million for the High Seas Driftnet Act Implementation.
- \$1.1 million for NOAA Fisheries activities related to Driftnet Act Implementation.

Equipment

Vessel Procurement

Cost: \$1.28 million

In FY 2017, the NOAA Acquisitions and Grants Office approved a contract to purchase four new patrol vessels that will be used in OLE’s Alaska Division. Two vessels will measure approximately 35 feet and will be used in the South Central Alaska area and Kodiak; together the vessels cost \$864,900. The other two vessels will measure 30 feet and will be used in Southeast Alaska area; combined the vessels cost \$431,764.72. The Southeast Alaska vessels are scheduled for delivery in April 2018 and the South Central Alaska and Kodiak vessels are scheduled for delivery in May 2018.

¹ Data as of September 30, 2017.

Vessels

Alaska Division

- Taku Wind—26 feet
- Williwaw Wind—26 feet
- Aleutian Wind—27 feet
- Chinook Wind—27 feet
- Kenai Guardian—26 feet
- Susitna—20 feet

Pacific Islands Division

- SafeBoat—33 feet

Southeast Division

- Carolina—25 feet
- Titusville—24 feet
- Galveston—24 feet
- Barracuda—24 feet
- Harlingen—24 feet

West Coast Division

- Commander—21 feet
- SafeBoat—27 feet
- SafeBoat—27 feet
- Northriver—17 feet

Training

All OLE enforcement officers and special agents attend training at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. The extensive training received for initial entry to the force spans a total of 28 to 30 weeks.

Enforcement officers and special agents must also attend a yearly law enforcement refresher in-service training. During the week-long course, mandatory content includes a variety of topics designed to ensure our special agents and enforcement officers are maintaining required qualifications and have the most up-to-date case law review, legal requirements, and policy information.

Becoming an Enforcement Officer:

- 12 Weeks—FLETC Uniformed Police Training Program
- 4 Weeks—FLETC Marine Law Enforcement Training Program
- 12 Weeks—NOAA Field Training and Evaluation Program

Becoming a Special Agent:

- 12 Weeks—FLETC Criminal Investigator Training Program
- 4 Weeks—FLETC Marine Law Enforcement Training Program
- 2 Weeks—FLETC Case Organization and Presentation Training Program
- 12 Weeks—NOAA Field Training and Evaluation Program

Port State Measures Training Program

As the primary office responsible for enforcing the Agreement on Port State Measures to Prevent, Deter, and Eliminate Illegal, Unreported, and Unregulated Fishing (PSMA), OLE developed a domestic training program for implementing the Agreement in 2016. Specific training modules were designed to ensure law enforcement personnel are well versed in the requirements of the U.S. implementing legislation—the PSMA Act of 2015 (16 USC § 7401 et. seq.), the Agreement itself, and relevant regional fisheries management organizations’ (RFMO) conservation and management measures. All sworn personnel from OLE received PSMA training during the FY 2017 national in-service.

For more information about Port State Measures and international training information, see page 8.



Headquarters: Special Programs

Vessel Monitoring System

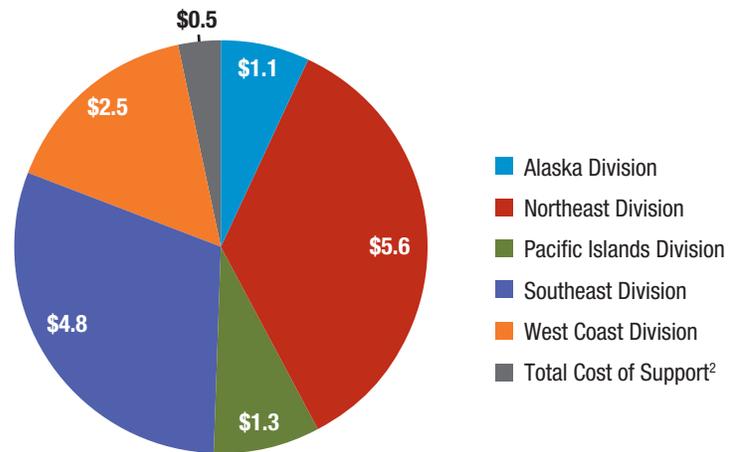
The Vessel Monitoring System (VMS) is a satellite surveillance system primarily used to monitor the location and movement of commercial fishing vessels in the U.S. EEZ and treaty areas for compliance purposes. The system uses satellite-based communications from transceiver units on-board vessels that are required to carry them. The transceiver units send data that include vessel identification, time, date, and GPS location. The vessel operators can also use these units to communicate by sending electronic forms, fishing declarations, and even text messages over email.

In FY 2017, the OLE VMS program monitored more than 4,000 vessels. The VMS program shares data with authorized partners such as the U.S. Coast Guard for homeland security and fisheries enforcement purposes, NOAA's science centers for fisheries management purposes, the Department of Defense for national security missions, and the public (in aggregated form) for a variety of uses and studies.

Additional capabilities and uses of VMS include:

- Monitoring sensitive areas such as marine sanctuaries and marine national monuments.
- Monitoring activity and arrivals in port to plan for sampling.
- Supporting catch share programs.
- Tracking, monitoring, and predicting fishing effort, activity, and location.
- Coordinating observer trips.

Funding to the States and Territories per Million¹



1. Agreements represent dollars allocated directly to the state partners.
2. Support cost consists of labor and travel cost of OLE staff supporting JEAs, such as JEA enforcement technicians and JEA program manager.

- Verifying/validating data from other sources.
- Identifying fishing vessels.

This year, NOAA issued approximately \$500,000 in reimbursement payments to fishermen to ease the cost burden associated with the purchase of their onboard transceivers.

Cooperative Enforcement Program

OLE enhances its active presence, visibility, and interactions with the regulated industry by partnering with state and territorial marine and natural resource enforcement agencies through the Cooperative Enforcement Program (CEP). OLE's partnerships with these agencies help promote compliance with federal laws and regulations under the purview of NOAA. Through the CEP, OLE deputizes state and territorial marine law enforcement personnel to enforce federal laws and regulations, and has entered into 28 joint enforcement agreements (JEAs) to provide direction and funding to CEP

activities. Below are the states and territories with which we have JEAs:

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

Investigative Analysis

Background

OLE's Analyst Team provides in-depth research and analytic support on a broad range of international fisheries law enforcement issues—e.g., criminal networks, enforcement operations, investigations, suspected import trade violations, and cooperative international fisheries enforcement—and support for policy development. The Analyst Team fuses information and data from a variety of official and open sources, evaluates its reliability, and applies analytic techniques to develop judgments or additional context that significantly enhance OLE's operations.

Through a memorandum of understanding with U.S. Customs and Border Protection (CBP), OLE participates as a member agency of CBP's Commercial Targeting and Analysis Center (CTAC). This multi-agency facility provides OLE analysts with direct access to CBP import processing, targeting, and law enforcement systems, as well as other member agencies' data systems. Leveraging the CTAC resources, the Analyst Team identifies suspicious shipments prior to their U.S. arrival, places "holds" for physical examinations of selected consignments by OLE, and coordinates with other CTAC participating agencies.

Team Support

The analysts provide support such as sharing of resources and databases, review of products, and general support for requests for information (RFIs) from OLE agents and officers. In FY 2017, the Analyst Team responded to more than 250 RFIs in support of investigations through the use of proprietary databases and intelligence research tools. The team leveraged its presence at CTAC to respond to an additional 450 requests to research or support operational action on suspicious international shipments of seafood entering the United States. In addition, the Analyst Team completed approximately 300 RFIs that supported international policies, the Presidential Task Force to Combat IUU Fishing and Seafood Fraud, and RFMO annual meetings.

The analysts are responsible for reviewing all foreign flagged fishing and fishing support vessels prior to arriving in a U.S. port. For FY 2017, the Analyst Team reviewed approximately 1,000 vessel entries and forwarded about 7 percent of those to the respective OLE division for further screening.

Combating Wildlife Trafficking

OLE's work in wildlife trafficking largely encompasses the illegal handling of marine wildlife products protected under the Endangered Species Act, Marine Mammal Protection Act, and Shark Finning Prohibition Act. Our sworn personnel enforce these statutes

by working with enforcement counterparts at ports and borders to identify illegal trade routes and the possession, purchase, and transfer of such products.

As one of several agencies included in the Presidential Task Force on Wildlife Trafficking, OLE assisted with the development of guiding principles and priorities that will inform the U.S. strategic plans to combat wildlife trafficking within focus countries and engage in collaboration with non-governmental agencies. Additionally, as directed by the Eliminate, Neutralize, and Disrupt (END) Wildlife Trafficking Act of 2016, OLE assisted with the drafting of the first END wildlife trafficking report to Congress, as well as the annual strategic assessment of the implementation of the Act.

OLE also participated in joint enforcement inspections targeting illegal or illicit marine wildlife products with both Canadian and Mexican counterparts at different points this year, alongside the U.S. Fish and Wildlife Service (U.S. FWS), CBP, the Food and Drug Administration (FDA), and state enforcement partners. OLE has also participated in international representation and engagement with respect to wildlife trafficking, including attending and presenting at the China-Mexico-U.S. Trilateral on the totoaba this year.

International Programs

Combating Illegal, Unreported, and Unregulated Fishing

The United States is one of the world's leading destinations for globally harvested seafood. Estimates indicate that more than 90 percent of the seafood consumed annually in the United States is imported. OLE's mission includes ensuring that the seafood products being sold in American markets, whether domestically caught or imported, are legally harvested so that honest fishermen have a fair market in which to compete. The OLE International Program plays a key role in this mission by combating illegal, unreported, and unregulated (IUU) fishing and, fishing-related activities, as well as trade in IUU fish and fish products. This requires a multi-faceted approach that includes:

- Monitoring imports into the United States, as well as seafood products in global trade.
- Partnering with other federal and state law enforcement agencies to combat IUU fishing and seafood fraud throughout the United States.
- Engaging in multilateral and bilateral discussions with international partners to create enforceable provisions to combat IUU fishing and develop

cooperation and collaboration in detecting, deterring, and interdicting IUU fishing activity and trade.

- Providing technical assistance to global partners, with emphasis on major exporters of seafood to the United States, to assist in developing the fisheries enforcement capacity to detect and interdict IUU fish and fish products before they enter the global market.
- Educating the public, consumers, and international audiences about the impacts of IUU fishing and fishing-related activities.

Engagement in multilateral and bilateral efforts to combat IUU fishing involves OLE serving on U.S. delegations to various RFMOs and taking part in meetings

with foreign governments. Our mission is to develop positive working relationships with fisheries enforcement and management agencies globally to ensure that international obligations are both enforceable and compatible with U.S. fisheries requirements.

OLE is also an active member of international organizations specifically designed to combat IUU fishing, such as the INTERPOL Fisheries Crime Working Group and the International Monitoring, Control and Surveillance (MCS) Network. These organizations bring together global fisheries enforcement resources to combat IUU fishing and to enhance communication and collaboration between international partners.



Implementing the Port State Measures

Background

On June 5, 2016, the Port State Measures Agreement (PSMA) entered into force, after 29 countries, including the United States and the European Union (EU), ratified the Agreement. As one of the most significant global initiatives to combat IUU fishing, the PSMA sets minimum standards for exercising port state controls for foreign-flagged fishing and fishing support vessels seeking entry into ports, as well as activities conducted while in a country's port. The implementation of the PSMA also ensures compliance with RFMOs' conservation and management measures. Another major provision of the PSMA is an emphasis on increased information sharing and communications among participating nations, relevant enforcement agencies, and relevant international organizations, such as RFMOs.

Note: Ratifications of the PSMA steadily continued throughout FY 2017. The Agreement reached 51 Parties covering 77 countries and roughly half of the coastal countries worldwide.

International Port State Measures Training Programs

Through collaboration with the Food and Agriculture Organization of the United Nations (FAO), OLE has been providing technical assistance for the operational implementation of the PSMA. OLE has provided PSMA training in Indonesia, through a partnership with the U.S. Agency for International Development (USAID).



OLE's training consists of classroom lessons as well as interactive vessel boarding scenarios for fisheries inspectors and port officials on best practices to implement the PSMA. These lessons are designed to ensure fisheries inspectors and other authorized law enforcement personnel are familiar with the requirements of the PSMA and can successfully complete an Agreement-compliant inspection, and to help ensure a country's national PSMA obligations are met.

In FY 2017, OLE presented its International Port State Measures Inspector Training Program to the Association of Southeast Asian Nations (ASEAN) and Southeast Asian Fisheries Development Center at the PSMA Implementation Workshop; at the Safe Ocean Network Meeting; and at the Regional Plan of Action IUU Coordination Committee Meeting, among other workshops. As a result of this work, USAID/Regional Development Mission for Asia formally requested OLE to develop

a PSMA regional workshop for managers and decision-makers within member countries in the southeast Asian region.

In FY 2017, OLE and GCES entered into an agreement with FAO to assist with operational training to enhance capability for the effective implementation of the provisions of the PSMA and to provide fisheries inspector PSMA training during the next 3 years in five Caribbean and Latin American countries.

Operations

OLE special agents, enforcement officers, and enforcement support staff regularly participate in international operations. The scope of these engagements includes providing foreign governments, organizations, and communities with the tools, resources, and information sharing avenues to allow them to address complex IUU fishing issues. This is usually accomplished through technical assistance and training workshops.

Training and Technical Assistance

Philippines: In October 2016, a team of OLE instructors and subject matter experts held the first Combating IUU Fishing Workshop in Manila, Philippines. This workshop, in partnership with the State Department's Bureau of International Narcotics and Law Enforcement (INL), focused on fisheries enforcement and prosecution in transboundary areas between the Philippines, Indonesia, and Malaysia. In attendance were 35 fisheries enforcement officers and lawyers from the three countries. OLE continued to collaborate with INL staff to host a second workshop in Cavite City, Philippines, in June 2017. Officials from the Government of Philippines attended this Combating IUU Fishing Workshop, which focused on conducting counter-IUU fishing investigations and case package development.

Republic of South Korea: In May 2017, OLE held a workshop that focused on tools and technologies to combat IUU fishing for participants from the Republic of South Korea at the NOAA Western Regional Center in Seattle. Representatives from the Korean Ministry of Oceans and Fisheries, Korean Coast Guard, Korean National Police, and Environmental Justice Foundation attended.

Ghana: In March 2017, a team of OLE special agents assisted the U.S. Naval Forces Africa Office and Ghanaian Navy in their training operation in Ghana. The training workshop focused on sharing

best enforcement practices, with both classroom and on-the-water components.

OLE returned to Ghana in September 2017 to provide joint training on fisheries inspections, import and container inspections, vessel bridge inspections, and information analysis in partnership with INL, the Fisheries Committee for the West Central Gulf of Guinea's West Africa Task Force, and Trygg Mat Tracking. Thirty-five participants attended this workshop, including representatives from the fisheries departments, navies, and maritime agencies of Liberia, Côte d'Ivoire, Ghana, Togo, Benin, Nigeria, Senegal, and Sierra Leone.

Formal Meetings

Coordination Committee Meeting of the Regional Plan of Action, Southeast Asia: In November 2016, OLE participated as an observer in the Coordination Committee Meeting. OLE provided presentations on how the United States is combating IUU fishing, implementing PSMA, and ways to combat the trade of IUU fish and fish products.

Caribbean Regional Wildlife Enforcement Workshop: In May 2017, OLE participated in the Caribbean Wildlife Enforcement Network (CaribWEN) Workshop in Bridgetown, Barbados. This meeting reaffirmed that enhanced cooperation benefits efforts to deter, prevent, and combat illegal wildlife trade, while promoting wildlife enforcement as an essential need for sustainable development.

Safe Ocean Network: OLE attended and presented at the Safe Ocean Network Meeting, hosted at the Department of State in June 2017. Participants included representatives from the EU, Canada, Norway, Spain, Ghana, Kenya, Indonesia, Japan, New Zealand, Australia, and the United States.

U.S.-Russia Intergovernmental Consultative Committee Meeting: In September 2017, representatives from OLE, NOAA's General Counsel, NOAA Fisheries' Office of International Affairs and Seafood Inspection, NOAA's Alaska Region, U.S. Department of State, U.S. Coast Guard, and industry attended the meeting in La Jolla, California.

U.S.-Chinese Taipei Fisheries Bilateral: In September 2017, OLE provided law enforcement expertise on topics related to combating IUU fishing by attending the U.S.-Chinese Taipei Fisheries Bilateral Meeting in La Jolla, California. OLE reported on our collaborative efforts with Chinese Taipei to conduct joint boardings, share best law enforcement practices, and enhance information sharing. OLE also led discussions on crosscutting issues related to combating IUU fishing.

INTERPOL Fisheries Crime Working Group: In September 2017, OLE special agents attended INTERPOL's Fisheries Crime Working Group meeting in Vienna, Austria. An OLE special agent was elected by the countries as a member of the Executive Board for the working group.



WILL ELLIS
Assistant Director

Staffing snapshot:

- 36 Full-Time Employees
- 9 Special Agents
- 19 Enforcement Officers
- 5 Mission Support
- 3 Investigative Support
- 15 Contractors

AKD Budget: \$5.3 million

Headquarters:

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

Field Offices:

Anchorage
Dutch Harbor
Homer
Juneau
Ketchikan
Kodiak
Petersburg
Seward
Sitka

VMS:

618 Reporting Vessels

Alaska Division

Alaska supports a massive seafood industry and has the greatest number of domestic fish landings in the United States, with 59 percent of all U.S. seafood landings (measured by weight) occurring in Alaska. If it were a country, Alaska would be the ninth largest seafood producer in the world. The geographic area of responsibility for the Alaska Division covers 28 percent of the U.S. EEZ, 70 percent of the U.S. continental shelf, and five of the 11 Large Marine Ecosystems located within the U.S. EEZ.

OLE's Alaska Division is unique in that the region only includes the state of Alaska, which is comprised of the mainland and more than 200 islands. Within this boundary lie some of most productive fishing grounds on the planet. Waters off Alaska account for more than half of all annual U.S. seafood harvests. Alaska also has five of the nation's top 10 fishing ports ranked by value of landings.

Working with Regional Partners

Alaska's vast geography, limited infrastructure, and complex fisheries management scheme necessitate robust interagency partnerships. These partnerships act as a force multiplier to maximize our enforcement footprint and minimize duplicative efforts. Although nationally OLE partners with the U.S. Coast Guard, U.S. Fish and Wildlife Service, and U.S. Forest Service, our regional partners are also essential. The Cooperative Enforcement Program provides the Division the ability to leverage the resources and assistance of the Alaska Wildlife Troopers. Additional strong working relationships with Alaska's Department of Fish and Game, industry groups, and tribal governments are





instrumental in the successful enforcement of marine resources laws.

The Division also relies on close working relationships with the North Pacific Fishery Management Council, International Whaling Commission, International Pacific Halibut Commission, Pacific Salmon Commission, North Pacific Anadromous Fish Commission, North Pacific Fisheries Commission, Pacific States Marine Fisheries Commission, and parties to the Convention on the Conservation and Management of Pollock Resources in the Central Bering Sea. Fishery management, along with the conservation of marine mammals and habitat, is

supported by a robust scientific enterprise led by the NOAA Alaska Fisheries Science Center. It is within this governance and scientific framework that policy is created by NOAA and then enforced by the Division.

Significant Investigations

Protected Resources

OLE concluded an investigation involving the operator of a fishing vessel discharging a firearm at, or within 100 yards of, endangered Steller sea lions. The unlawful behavior occurred in June 2016 near Sand Point, Alaska. In February 2017, NOAA's GCES issued a Notice of Violation and Assessment (NOVA). The

Respondent admitted liability and the case was settled for \$4,500 in September 2017.

Sustainable Fisheries

OLE completed an investigation involving a company in Sand Point, Alaska, for biasing observer samples by sending boats with observers to a tender vessel docked at the processing plant. NOAA's GCES issued a written warning to the company and its plant manager. The warning addressed the purposeful engagement in delivery practices by vessels to lower salmon bycatch numbers and impede the observers from collecting samples. This action resulted in a biasing of the observers' sampling

procedures and a biasing of data collected by NOAA Fisheries. This was the first time this regulation has been applied to a processor for systemic action. The case resulted in fishery management council-level discussions into the need for regulatory and/or observer deployment changes.

Magnuson-Stevens Act

In February 2017, a team of six officers and special agents participated in a two-part operation that focused on investigating and resolving complaints made by fisheries observers. These complaints included safety infractions, vessel monitoring system issues, and gear violations, as well as allegations of observer interference and harassment. Collectively, there were more than 100 separate incidents involving just as many vessels and processors. More than 60 incidents

were resolved by compliance assistance, written warning, or summary settlement. Additional progress was made on several complex investigations during the operation. Federal, state, and local law enforcement partners participated in the operation.

Northern Pacific Halibut Act

OLE, with the support of Alaska Wildlife Troopers, completed an investigation where a Subsistence Halibut Registration Certificate (SHARC) holder was selling his subsistence-caught fish in Ketchikan. The investigation revealed an Alaska-based company purchased \$1,870 worth of halibut from the SHARC holder. NOAA's GCES issued a \$6,870 NOVA, charging both seller and buyer jointly and severally.

During a routine halibut offload, OLE's enforcement officers noticed

that the halibut seemed to be small. As the offload continued, all halibut under 10 pounds were measured. In total, 21 halibut were determined to be undersize; these fish were seized. Four of the undersized halibut were retained as evidence. NOAA GCES issued a \$7,500 NOVA, charging the owner/operator with one count of retaining undersized halibut in violation of the Halibut Act.

OLE completed an investigation into the unlawful harvest and retention of halibut from the Sitka Sound Local Area Management Plan (LAMP) Area in FY 2017. The logbook and trip reports revealed that the owner/operator of the vessel under investigation retained 127 pounds of halibut fished from inside the LAMP closed area. NOAA GCES issued a \$5,000 NOVA.



Enforcement Activities at a Glance

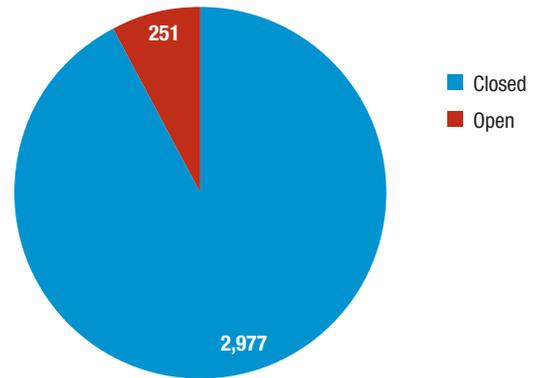
Number of Incidents Reported in FY 2017



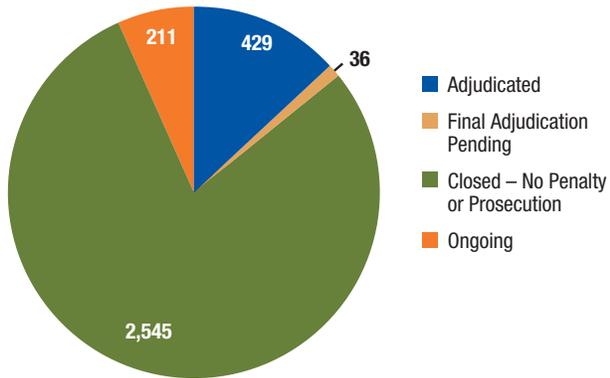
Complaint: Information reported to OLE from any source outside OLE regarding an alleged violation(s).

Investigation: An inquiry initiated by OLE personnel. This includes all vessel boardings, dealer inquiries, etc. when checking for compliance with all applicable laws and regulations under the purview of NOAA.

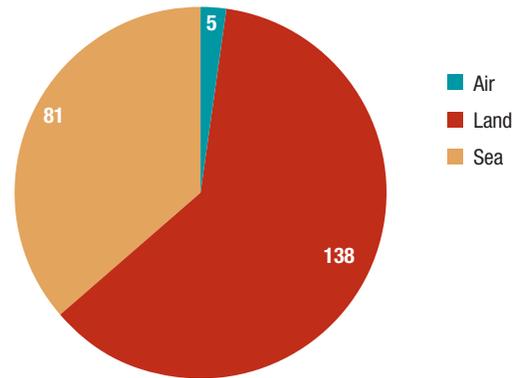
FY 2017 Incident Status



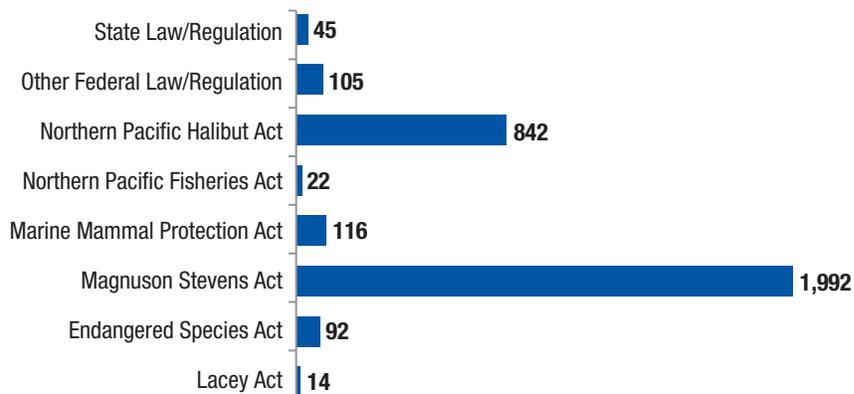
Investigation Dispositions



Number of Patrols



Incidents by Law/Program





TIM DONOVAN
Assistant Director

Staffing snapshot:

37 Full-Time Employees

- 15 Special Agents
- 12 Enforcement Officers
- 5 Mission Support
- 5 Investigative Support
- 5 Contractors

NED Budget: \$12.7 million

Headquarters:

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

Field Offices:

Bellport, NY
Boston, MA
Ellsworth, ME
Falmouth, MA
Gloucester, MA
New Bedford, MA
Newport News, VA
Northfield, NJ
Portland, ME
Portsmouth, NH
Salisbury, MD
Scituate, MA
Wall, NJ

VMS:

957 Reporting Vessels

Northeast Division

The Northeast Division covers the 20 northeastern states from Virginia to Maine to Minnesota and includes the Great Lakes. The Division's area of responsibility covers more than 100,000 square nautical miles of the U.S. EEZ, 110 international Ports of Entry, and 265 individual domestic ports.

Four of the top 10 international landing ports, by weight and value, are found in the Division—New York, Portland, Boston, and Norfolk. Additionally, the Division has four of the top 10 states for domestic fish landings in the nation; this includes Massachusetts with the port of New Bedford, which has led the United States for 14 years as the top port in terms of value landed—a direct result of the scallop fishery.

The Division is also responsible for the protection and enforcement of regulations in the three national marine sanctuaries—Thunder Bay, Stellwagen Bank, and Monitor.

Throughout FY 2017, the Division had more than 227,000 individual fishing trips, which resulted in the landing of more than 5.2 billion pounds of fish at a total value surpassing \$1.2 billion.

Working with Regional Partners

The Division has strong working relationships with the 10 coastal state fishery enforcement agencies under the Cooperative Enforcement Program. These relationships enable OLE to leverage resources and improve compliance with federal fishery regulations. In addition to state partners, the Division works closely with three U.S. Coast Guard districts. Recent partnerships have expanded with key federal agencies, including the Food and Drug Administration and Customs and Border Protection, which are involved in ensuring consumer safety and integrity as it relates to seafood fraud and wildlife trafficking.



The Division also works closely with two regional fishery management councils and one major interstate commission. The New England Fishery Management Council is one of eight regional councils established by the Magnuson-Stevens Fishery Conservation and Management Act (MSA) and manages fishery resources within the EEZ off the coasts of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut. The Mid-Atlantic 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.

The Division 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.

Significant Investigations

Protected Resources

The Division completed an investigation related to the illegal take of a seal. The investigation revealed that while fishing off the coast of Acadia National Park a vessel's captain intentionally discharged his rifle into the water in an effort to scare away seals. After this shooting, one seal was found floating in the water. The captain pleaded guilty and was sentenced



in U.S. District Court to 3 days of imprisonment and a \$1,000 fine for killing a federally protected marine mammal.

Sustainable Fisheries

The Division completed a halibut focused operation, which was created in response to a request from the New England Fishery Management Council. The Council requested that OLE, alongside the State of Maine and U.S. Coast Guard, make the halibut fishery a priority for the 2017 season.

The operation lasted 60 days and tallied approximately 225 patrol hours. During this time, 52 vessels were boarded and eight dealers were checked for compliance with Atlantic halibut and other applicable laws and regulations, which resulted in a total of 16 violations. The violations included expired permits (dealer, operator, and fisheries), retaining undersized lobster, and retaining a v-notched lobster, among other violations. Two summary settlements totaling \$1,000 were

issued for fishing for halibut in federal waters without a federal permit and failing to renew operators permit for 6 years. Also during operation hours and while on patrol with the Maine Marine Patrol, OLE participated in two rescues where vessels were taking on water and had to be towed to safety.

Carlos Rafael, owner of one of the largest commercial fishing businesses in the United States, was sentenced to 46 months in prison and 3 years of supervised release, during which he is banned

from working in the fishing industry. The Court also ordered Rafael to pay a fine of \$200,000, restitution to the U.S. Treasury of \$108,929, and forfeited four fishing vessels with an appraised value of \$2.2 million.

In March 2017, Rafael pleaded guilty to one count of conspiring to commit offenses against the United States, 23 counts of false labeling and fish identification, two counts of falsifying federal records, one count of bulk cash smuggling, and one count of tax evasion. The charges arose out of an undercover

investigation in which federal agents posed as organized crime figures interested in buying Carlos Seafood. From 2012 to January 2016, Rafael intentionally misreported to NOAA approximately 782,812 pounds of fish in order to evade federal quotas designed to guarantee the sustainability of certain fish species.

Magnuson-Stevens Act

OLE opened an investigation involving false statements

made by a fishing vessel operator to a Massachusetts Environmental Police Officer. The investigation revealed that the vessel operator concealed over 360 pounds of Atlantic sea scallops and did not report the total catch to NOAA Fisheries. The Office of General Counsel, Enforcement Section (GCES) issued a joint and several NOVA civil penalty for \$15,000 to the respondents.

Seafood Fraud

An investigation into clam fishing inside the New York Bight closed area found that a fishing vessel operator, on two occasions, fished for, possessed, and landed 18 cages of surf clams. This area is closed to surf clam and ocean quahog fishing due to adverse environmental conditions, specifically contamination by hazardous pollutants. OLE contacted the U.S. Food and Drug Administration, New Jersey Department of Health, and New Jersey Department of Environmental Protection to notify them of the situation. State and federal officials were able to work together to destroy the hazardous product. GCES issued a \$27,000 NOVA to the fishing vessel owner and operator.



Enforcement Activities at a Glance

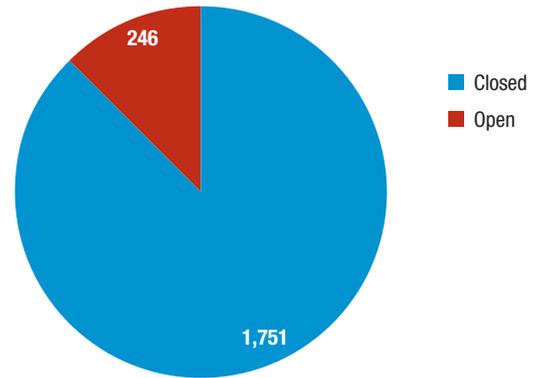
Number of Incidents Reported in FY 2017



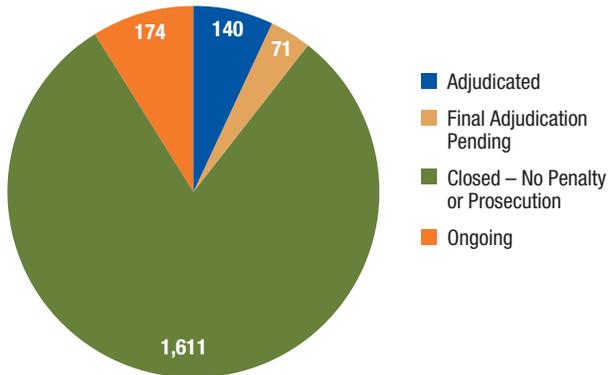
Complaint: Information reported to OLE from any source outside OLE regarding an alleged violation(s).

Investigation: An inquiry initiated by OLE personnel. This includes all vessel boardings, dealer inquiries, etc. when checking for compliance with all applicable laws and regulations under the purview of NOAA.

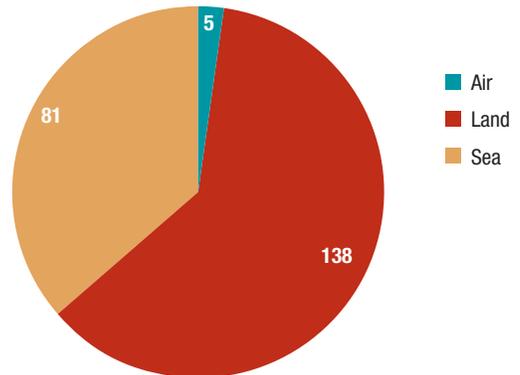
FY 2017 Incident Status



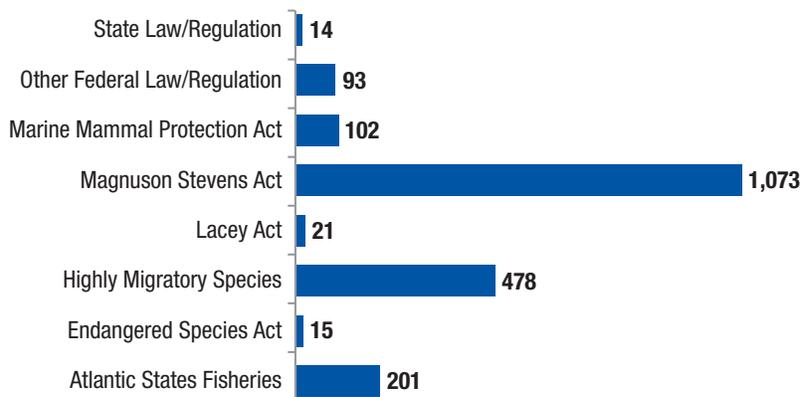
Investigation Dispositions



Number of Patrols



Incidents by Law/Program





BILL PICKERING
Assistant Director

Staffing snapshot:

- 27 Full-Time Employees
- 9 Special Agents
- 8 Enforcement Officers
- 4 Mission Support
- 6 Investigative Support
- 0 Contractors

PID Budget: \$6.6 million

Headquarters:

1845 Wasp Blvd.
Building 176
Honolulu, HI 96818

Field Offices:

American Samoa
Guam
Honolulu, HI

VMS:

270 Reporting Vessels

Pacific Islands Division

The Pacific Islands Division was established in October 2004 and is geographically the largest division in OLE. Bound by the Hawaiian Islands in the north, American Samoa and U.S. Pacific remote island areas in the south, and the Mariana Archipelago (including Guam) in the west, the Division encompasses the largest geographical management area within both NOAA Fisheries and the regional fishery management council system. The total area of the U.S. EEZ waters included in the region is more than 1.5 million square nautical miles, which accounts for nearly half of the entire U.S. EEZ.

Within this massive marine area is the Papahānaumokuākea Marine National Monument—which OLE is charged with protecting and spans nearly 583,000 square miles—the Marianas Trench, Pacific Remote Islands, and Rose Atoll Marine National Monuments, as well as the Hawaiian Islands Humpback Whale National Marine Sanctuary and National Marine Sanctuary of American Samoa.

The Division serves as the center of activity for implementation of both domestic and international responsibilities related to the Port State Measures Agreement. Numerous longline and purse seine vessels within the U.S. permitted fleet operate extensively throughout U.S. and international waters. The need to effectively monitor these U.S. vessels, along with foreign vessels that engage in IUU fishing, poses a unique enforcement challenge for the Division.





Working with Regional Partners

The extensive landing, importation, and processing of fish within Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands (CNMI), and landings by U.S. purse seine vessels in foreign ports, demand a significant amount of the Division's attention. The Division works closely with the governments of the foreign nations in 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, Western and Central Pacific Fisheries Commission, South Pacific Regional Fisheries Management

Organization, Inter-American Tropical Tuna Commission, and Convention on the Conservation of Antarctic Marine Living Resources.

Significant Investigations

Marine Mammal Protection Act

A 3-year case related to the harassment of spinner dolphins closed after an Administrative Law Judge upheld the penalty assessed by NOAA GCES. The investigation began when an officer with the State of Hawaii Department of Land and Natural Resources, a state JEA partner of the Division, observed a commercial dolphin tour vessel doing circles around a pod of spinner dolphins at what appeared to be a high rate of speed. A \$2,500 NOVA was issued to the vessel

owner and vessel operator for the unlawful take of a marine mammal.

Magnuson-Stevens Act

The captain of a longline fishing vessel conducted unwanted sexual touching of a female fishery observer on a Hawaii-based longline fishing vessel. The advance occurred while the female observer was alone with the captain in the galley on the day the vessel was returning to port from a fishing trip. The observer, who resisted the captain's advance, reported the incident to OLE and was subsequently interviewed. Follow-on interviews conducted with the captain, crew, and another female fishery observer, who had previously served on the vessel, led to the issuance of a NOVA for

\$80,000 and a 120-day Notice of Permit Sanction for the respective vessel.

Endangered Species Act

In July 2017, an individual was sentenced to 4 years in prison for harassing a pregnant Hawaiian monk seal. The investigation began in 2016 when an online video recording was shared over social media that depicted a male repeatedly assaulting and aggressively harassing a Hawaiian monk seal with his bare hands at Salt Pond Beach on the west

side of the island of Kauai. Kauai County Prosecuting Office charged this investigation under the State of Hawaii laws, which makes it a Class C felony for the take of a Hawaiian monk seal. The defendant was arrested for his crime and later entered a no contest plea to the felony charges. This case is the first conviction under the new felony monk seal harassment law in the State of Hawaii.

International Fisheries

A Hawaii longline fishing vessel was fishing on the high seas with

an expired permit under the High Seas Fishing Compliance Act and an expired area endorsement for the Western and Central Pacific Fisheries Commission. The vessel completed three fishing trips from December 23, 2015, through March 15, 2016, after the permits expired. GCES issued a NOVA for \$11,000.

OLE completed an investigation involving a U.S.-flagged longline vessel that conducted fishing activities within the waters of Samoa. GCES issued a NOVA for \$52,217.80 to the owner and operator of the fishing vessel for illegally fishing within the Samoan EEZ without authorization.

In FY 2017, OLE and GCES completed enforcement actions on seven purse seine cases. Collectively, the assessed penalties totaled \$2,317,516.



Enforcement Activities at a Glance

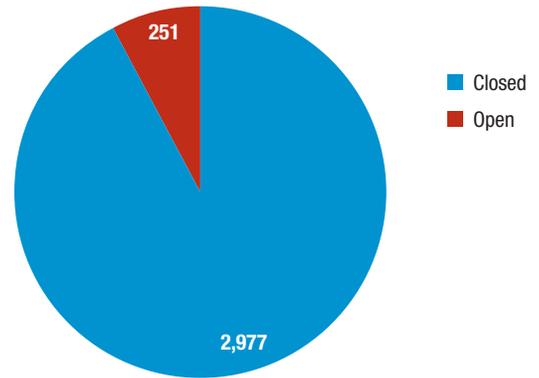
Number of Incidents Reported in FY 2017



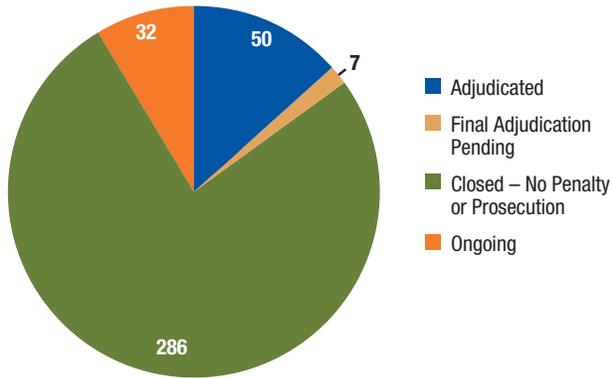
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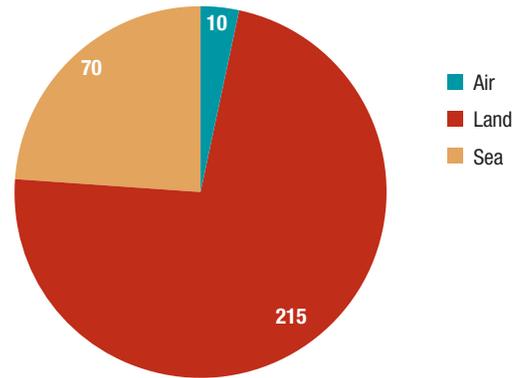
FY 2017 Incident Status



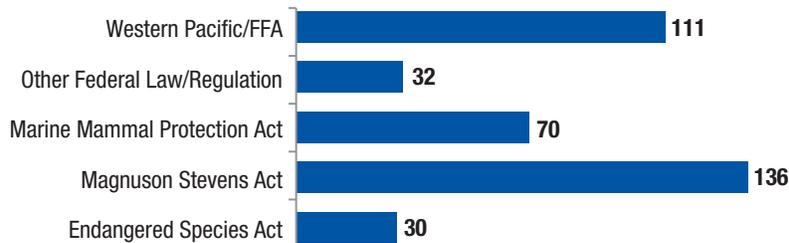
Investigation Dispositions



Number of Patrols



Incidents by Law/Program





TRACY DUNN
Assistant Director

Staffing snapshot:

- 38 Full-Time Employees
- 19 Special Agents
 - 11 Enforcement Officers
 - 2 Mission Support
 - 6 Investigative Support
- 2 Contractors

SED Budget: \$12 million

Headquarters:

263 13th Avenue South
St. Petersburg, FL 33701

Field Offices:

Charleston, SC
Corpus Christi, TX
Houston/Galveston, TX
Marathon, FL
Miami/Sunrise, FL
Morehead City, NC
New Orleans, LA
Panama City, FL
Port Orange, FL
San Juan, Puerto Rico
St. Petersburg, FL

VMS:

1,147 Reporting Vessels

Southeast Division

The Southeast Division is the largest of the continental divisions, with approximately 3,230 miles of coastline covering the South Atlantic, Gulf of Mexico, and the Caribbean. North Carolina is the northern-most state of the Division, followed by South Carolina, Georgia, and the East Coast of Florida; the Dry Tortugas at the western extent of the Florida Keys is the southern boundary. The Gulf of Mexico picks up at 83 degrees west longitude following the coast of western Florida, around the Florida Panhandle, Alabama, Mississippi, and then down the Texas coast to the international border with Mexico. The Caribbean area of responsibility surrounds Puerto Rico and the U.S. Virgin Islands, completing the Division's area of responsibility. In total, the Division is charged with monitoring and enforcing marine resource laws over 350,000 square miles of the EEZ.

The fishery fleet in the Division is comprised of smaller commercial vessels relative to other areas of the nation, but has the largest recreational fisheries sector in the continental United States. The Division's federally permitted commercial fleet conducted more than 184,700 trips in 2016 totaling upward of \$643.5 million in revenue, while the number of recreational fishing trips far exceeded those numbers with an estimated 55.5 million fishing trips.

In addition to domestic fisheries, the Division is responsible for three national marine sanctuaries—the Florida Keys, Gray's Reef, and Flower Garden Banks—and is actively engaged in combatting IUU fishing and seafood fraud through the monitoring of seafood entering through U.S.-Mexico gateways.

Working with Regional Partners

To accomplish its mission, the Division works closely with the NOAA Fisheries Southeast Regional Office and the Southeast Fisheries Science Center, two interstate marine fisheries commissions, three regional fishery management councils (Gulf of Mexico, South Atlantic, and Caribbean), as well as numerous local, state, territorial, and federal agency partners.

The CEP is the main partner program that the Division relies on to increase patrol, monitoring, and inspection services across the region. Seven states, one commonwealth, and one territory have signed agreements to partner with the Division.



Significant Investigations

Lacey Act

The Division concluded a criminal investigation of 13 individuals stemming from a February 2010 commercial poaching of striped bass from the U.S. EEZ off the North Carolina coast. For the 2010 winter Atlantic striped bass ocean trawl season, an estimated 90,000 pounds of North Carolina's 160,000-pound ocean trawl quota was taken illegally from the EEZ.

OLE was able to identify multiple individuals involved in the poaching activity. In March 2015, the investigative findings resulted in federal criminal Lacey Act indictments of 13 individual commercial ocean trawl captains in the Eastern District of North Carolina for the illegal harvest and sale of Atlantic striped bass from federal waters off the coast of North Carolina.

Of the 13 defendants, 12 pleaded guilty and one died before being prosecuted. Collectively, the sentencings concluded in 2017 and resulted in 35.5 years of probation, 30 months of home confinement, 900 hours of community service, \$3,000 in fines, \$1.23 million in restitution costs, and the forfeiture of seven vessels.

The Division concluded a joint investigation by OLE, the U.S. Fish and Wildlife Service, Mississippi Department of Marine Resources, and U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives. The subject of the investigation was prosecuted for violation of the Lacey Act for selling illegally caught seafood, failing to report seafood purchases, and buying fish from recreational anglers for commercial use. He was also prosecuted for the illegal possession of a short-barreled shotgun. In July 2017, he was sentenced to 25 months'

incarceration, followed by 3 years of supervised release. He was also ordered to pay a \$3,000 fine.

In 2017, the Division completed an investigation that uncovered a year-long scheme where commercial shrimp trawlers were being used to land shrimp in Texas that were harvested in Louisiana. The nine fishermen under investigation did not have the proper state permits for their activities, nor did they file proper trip tickets. Their actions caused the shrimp season to remain open too long, thereby impacting the status of the stock. Seven of the defendants pleaded guilty to a misdemeanor count of the Lacey Act and received fines; one defendant pleaded guilty to one felony count of the Lacey Act and was sentenced to 5 years of supervised release and a \$2,000 fine. The last defendant pleaded guilty to two felony counts of the Lacey Act and received 2 years'



probation and is prohibited from recreational hunting or fishing within those 2 years. He was also assessed an \$8,000 fine. This investigation was worked jointly with the U.S. Coast Guard, Louisiana Department of Wildlife and Fisheries, and Texas Parks and Wildlife Department.

Marine Protection and Sanctuaries Act

As a result of an investigation a defendant was sentenced to pay a \$2,500 fine, received a 2-year probation term, and publish a letter of apology on fishing websites for violating the Marine Protection and Sanctuaries Act when he was caught spearfishing illegally in Key Largo, Florida. The defendant also forfeited his spearfishing gear used in the commission of the crime.

Magnuson-Stevens Act

From 2013 to 2016, two individuals illegally harvested and sold American red snapper from the Gulf of Mexico EEZ to multiple restaurants and markets in Texas. The Division began to uncover the violations in March 2016 when the

fishermen used a 36-foot vessel to illegally harvest and land 488 red snapper and 152 vermillion snapper during a closed season. The retail value of the fish was approximately \$30,000. Upon further investigation, it was found that collectively the duo illegally harvested more than 1,900 pounds of fish. In August 2017, both defendants pleaded guilty to one felony count of false statements. Sentencing took place in November 2017—one defendant was sentenced to 2 months' imprisonment and 4 months home confinement, and the other was sentenced to 6 months in prison, followed by 6 months of home confinement and 3 years of probation, during which time they are prohibited from fishing.

OLE uncovered information pertaining to a vessel conducting illegal sales of prohibited red snapper and coordinated with CBP, Coast Guard Investigative Service, and Texas Parks and Wildlife to board the vessel at sea. Upon inspection, a hidden compartment professionally built into the vessel was found to contain 268 illegal

red snapper, 60 vermillion snapper, and four trigger fish. These fish were all caught in federal waters during a closed season. The vessel was seized by CBP for having the hidden compartment, while OLE seized the fish and all fishing gear. The subsequent investigation revealed that the operator had illegally sold to markets at least 15 separate times. GCES issued a NOVA in the amount of \$30,000 for the closed season harvest and \$15,000 for making false statements during the investigation.

In coordination with the Florida Fish and Wildlife Commission, OLE boarded a vessel that was inside the bottom longline closure area and that was found to be operating without a Gulf of Mexico longline endorsement and using reef fish as bait. The vessel was escorted into port and their catch of 449 pounds of reef fish was seized. A subsequent investigation indicated that the owner of the vessel had knowledge of the vessel's illegal activity. GCES issued a NOVA in the amount of \$22,000 for the violations.

Enforcement Activities at a Glance

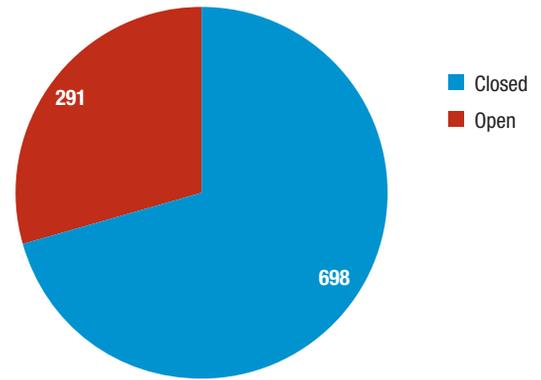
Number of Incidents Reported in FY 2017



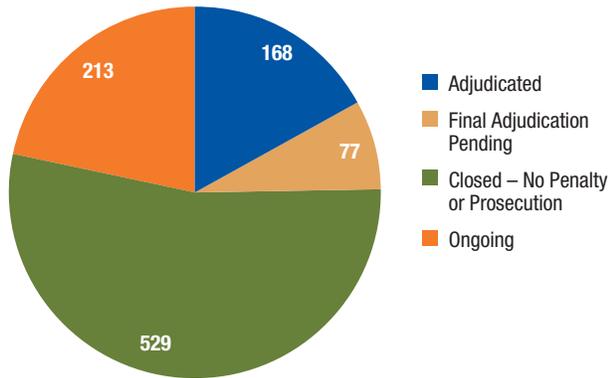
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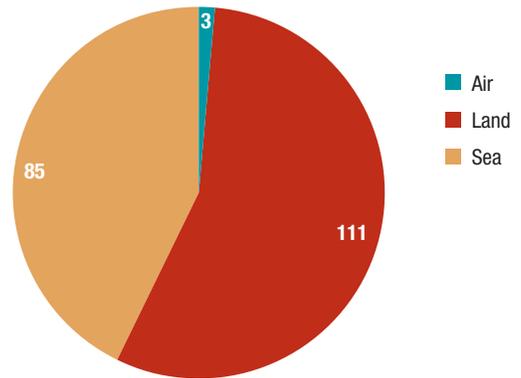
FY 2017 Incident Status



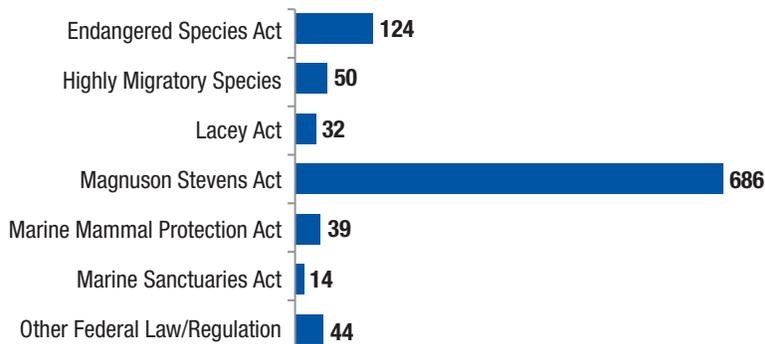
Investigation Dispositions



Number of Patrols



Incidents by Law/Program





GREG BUSCH,
Assistant Director

Staffing snapshot:

- 33 Full-Time Employees
- 9 Special Agents
- 9 Enforcement Officers
- 7 Mission Support
- 8 Investigative Support
- 0 Contractors

WCD Budget: \$8.3 million

Headquarters:

7600 Sand Point Way NE
Seattle, WA 98115

Field Offices:

- Alameda, CA
- Arcata, CA
- Astoria, OR
- Bellingham, WA
- Coos Bay, OR
- Lacey, WA
- Long Beach, CA
- Monterey, CA
- Newport, OR
- Portland, OR
- Sacramento, CA
- San Diego, CA
- Santa Rosa, CA
- Seattle, WA
- Westport, WA

VMS:

1,249 Reporting Vessels

West Coast Division

The West Coast Division encompasses the coastal states of Washington, Oregon, and California. The area of responsibility also extends inland to Idaho, North and South Dakota, and Montana.

This unique division shares borders with Canada and Mexico, has five national marine sanctuaries along its coast, and includes 290 Marine Conservation Areas. The Division is responsible for 1,293 miles of Pacific coastline and 7,863 miles of tidal shoreline, 222,471 nautical miles of EEZ, and 339,375 square miles of land encompassing numerous rivers and tributaries feeding into the Pacific Ocean.

Two of the top 10 international ports for exporting and importing seafood products by weight and value are found in the Division—Seattle and Los Angeles. In addition, the Division monitors 16 international airports, 21 seaports, and numerous border crossings for imports/exports of seafood products.

Working with Regional Partners

The Division’s enforcement officers and special agents rely on federal and state partnerships to address a wide variety of federal violations. Federal partners like the U.S. Coast Guard, Customs and Border Protection, U.S. Fish and Wildlife Service, and the Environmental Protection Agency also help the Division identify and investigate incidents at sea, in critical





habitat, and on the borders. Our state law enforcement partners in Washington, Oregon, and California are given authority and responsibility to conduct patrols and outreach in support of the CEP.

Native Tribes located throughout the region have long been an asset to the Division, but recently cooperative efforts have been a focal point that has provided additional resources.

An integral part of OLE's enforcement effort is done through education and outreach efforts. Ensuring that the general public, importers/exporters, and the commercial fishing industry have the latest information on regulations is of the utmost importance to maintaining sustainability and conservation standards.

Significant Investigations

Endangered Species Act

In 2014, a well-known fishing guide led a promotional fishing trip on the Cowlitz River in Washington State with the top salespeople from a national fishing bait company. He encouraged two of the men on the trip to catch and retain two native Coho salmon, which are protected under the Endangered Species Act and are not to be removed from the water. After the clients landed the fish, the guide clubbed the fish and cut off their adipose fins, in an effort to make it appear they were hatchery fish and therefore legal to catch. However, the catching and clubbing of the ESA-listed fish was broadcast on the web and later reported. In 2017, the guide pleaded guilty to a single misdemeanor count of violating the

ESA and was sentenced to pay a \$7,500 fine, placed on 1-year of probation, and ordered to serve 40 hours of community service and to publish an article in a reputable fish and game magazine admitting what he did.

Lacey Act

The Division completed an investigation regarding the illegal fishing and sale of Chinook salmon. In 2014, a Yakama Tribal member offered for sale "fresh caught" Chinook salmon from the Columbia River to undercover special agents from OLE and the U.S. Fish and Wildlife Service, as well as to an undercover detective with the Oregon State Police. The salmon were being offered during a period when sales of salmon by Yakama Tribal members is prohibited. The subject pleaded guilty to three

misdeemeanor counts of unlawful fishing during a closed season and was ordered to pay \$720 restitution, placed on 2 years of probation, and ordered to perform 25 hours of community service.

An investigation into the importation of abalone was completed after the suspect entered a guilty plea and an agreement to forfeit profit to the U.S. Government. The investigation revealed that on 43 occasions between February 2012 and July 2015 a company knowingly imported 148,500 pounds of abalone with a declared value of approximately \$3 million through the Otay Mesa Commercial Port of Entry in San Diego using false Mexican invoices. The owner of the company pleaded guilty to submitting a false record for the imported product.

Wildlife Trafficking

In October 2014, a U.S. citizen attempted to smuggle eight dried totoaba swim bladders in his vehicle from Mexico through the San Diego port of entry. The discovery of these items initiated an investigation which during FY 2017 resulted in the arrest, indictment, and sentencing of four individuals involved in the smuggling conspiracy. In February 2017, the fourth defendant pleaded guilty to one count of smuggling for his role in the swim bladder smuggling operation. The defendant was sentenced to 5 years' probation and required to pay a \$100 penalty and restitution to Mexico in the amount of \$15,000.

Northern Pacific Halibut Act

OLE completed a 2016 investigation of a commercial halibut vessel boarded at sea by

the U.S. Coast Guard and an OLE officer. The owner/operator was charged with failure to facilitate a boarding, interference with an inspection, and careful release violations. Undersized halibut were observed being brought aboard the vessel and run through an automatic hook removal system that can split the jaw or otherwise severely injure the fish prior to being returned to the sea. The owner/operator also failed to provide a boarding ladder or otherwise assist in the boarding, and directed the crew to discard undersized halibut run through the hook removal system after they were directed by the officer to retain for inspection. NOAA GCES issued a \$6,000 NOVA to the owner/operator.



Enforcement Activities at a Glance

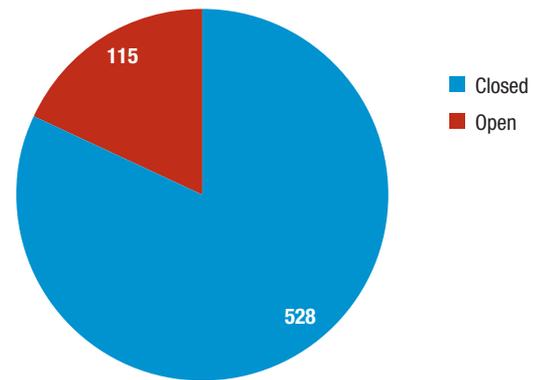
Number of Incidents Reported in FY 2017



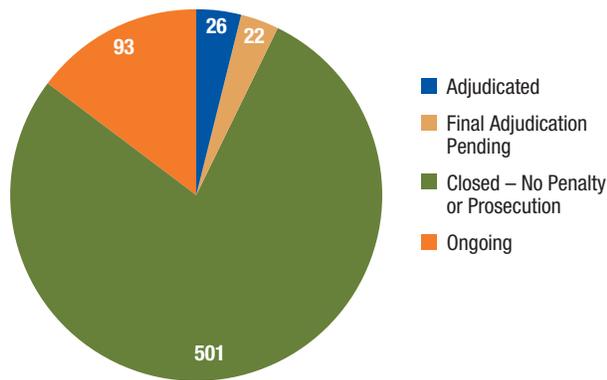
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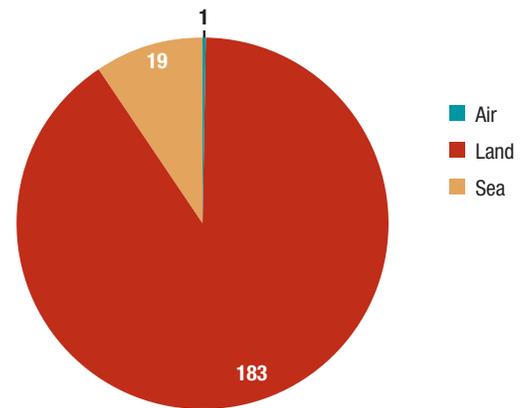
FY 2017 Incident Status



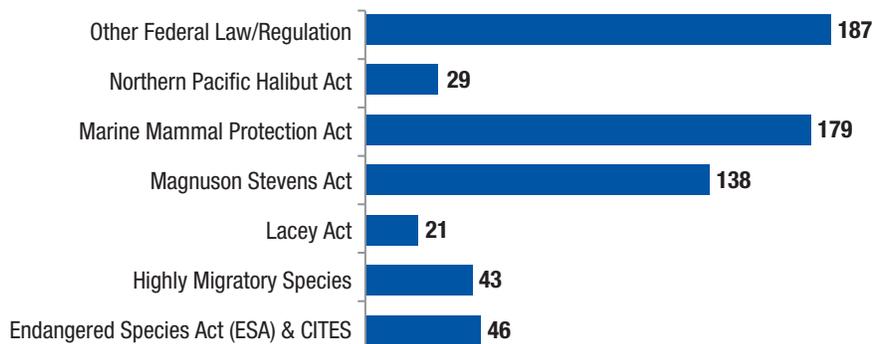
Investigation Dispositions



Number of Patrols



Incidents by Law/Program



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

Appendix

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).

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.

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 within the U.S. EEZ. 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.

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 sea 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 U.S. Department of Agriculture, is responsible for regulations managing marine mammals in captivity.

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.

Northern Pacific Halibut Act of 1982 (16 U.S.C. 773-773k). This act is the implementing legislation for the Convention between the United States and Canada for the preservation of the halibut fishery of the northern Pacific Ocean and Bering Sea. The act authorizes the Secretary of State, with the concurrence of the Secretary of Commerce, to accept or reject on behalf of the United States the halibut fishery regulations and management recommendations developed by the International Pacific Halibut Commission (IPHC). The act also authorizes the North Pacific Fishery Management Council and the Pacific Fishery Management Council to develop, and the Secretary of Commerce to implement, additional halibut fishery regulations governing the U.S. portion of Convention waters. Ultimately, the act was created to conserve, manage, and rebuild the halibut stocks in the Convention Area to those levels that would achieve and maintain the maximum sustainable yield from the fishery.

Other Statutes and Responsibilities

Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing 2015 (16 U.S.C. 7401-7409)

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)

Convention on the Conservation and Management of High Seas Fishery Resources in the South Pacific 2017 (16 U.S.C. 7801-7810)

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)

Eliminate, Neutralize, and Disrupt Wildlife Trafficking 2015 (16 U.S.C. 7601-7644)

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))

Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (Public Law 114-81)

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)

North Pacific Fisheries Convention 2017 (16 U.S.C. 7701-7710)

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 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 Fisheries Convention Implementation Act (16 U.S.C. 6901 et seq.)

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

Call: (800) 853-1964

To report a violation in the regions, the main numbers are:

- Alaska: (907) 586-7225
- Northeast: (978) 281-9213
- Pacific Islands: (808) 725-6100
- Southeast: (727) 824-5344
- West Coast: (206) 526-6133

Examples of information to include in your report are:

- Location, time, and date of the activity.
- Description of the activity.
- Name(s) of the vessel, owner/operator, captain, crew, or additional witnesses.

Reporting Violations

NOAA Fisheries' Enforcement Hotline provides live operator coverage 24 hours a day, 7 days a week for anyone in the United States to report a federal marine resource violation. During regular business hours, you may also contact the closest NOAA Office of Law Enforcement field office to report a possible violation.

Examples of Violations

- Marine mammal harassment and takes.
- Exceed commercial possession, landing, or trip limit.
- Fishing in closed areas.
- Harvesting in closed season.
- Permit violations.
- Illegal activity within National Marine Sanctuaries.
- Observer program violations.
- Gear and equipment violations.
- Record-keeping and reporting violations.
- Recreational, charter, party boat violations.
- Dealer violations.
- Turtle excluder device violations.
- Sport fishing violations.
- Subsistence fishing violations.
- Illegal Imports.
- Seafood fraud or intentional mislabeling.
- Shark finning.

Rewards

Protecting our nation's living marine resources is a team effort, and information from the public plays a vital role. OLE may, on a case-by-case basis, issue rewards to individuals who provide information that leads to an arrest, conviction, civil penalty assessment, or forfeiture of property for violation(s) of the laws and regulations NOAA enforces. In determining whether a reward is appropriate, OLE will evaluate whether the information provided was sufficiently substantial such that the unlawful activity would likely have continued undetected and/or a successful prosecution would not have been able to have been obtained without the information provided.

For more information, visit: www.fisheries.noaa.gov/enforcement



Director, Office of Law Enforcement
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www.fisheries.noaa.gov/enforcement

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