

## Northeast Division: Enforcement Priorities\*

### Magnuson-Stevens Act

#### HIGH PRIORITY

- Dealer and Vessel Reporting Requirements
  - Noncompliance with trip and cumulative limits and recordkeeping requirements directly for landings of federally managed marine species, and specifically catch share programs
- Sector/catch shares enforcement
  - Dockside monitoring
  - At-sea boardings in coordination with State and USCG partners
  - Trip/reporting analysis
- Limited access, fishery management plans, overfished, prohibited and protected species, for example:
  - Atlantic sea scallops
  - Northeast Multispecies
  - Atlantic bluefin tuna
- Fishing in closed or other prohibited areas
  - Commercial vessel incursions into closed areas or other Marine Protected Areas
- Criminal and civil/administrative investigations involving violations that could potentially cause significant damage to a fishery resource or the integrity of a management scheme
- Investigate complaints of observer assault, harassment and/or interference
- Maintain and foster relationships with industry and the general public through voluntary compliance assistance efforts, outreach and education events

#### MEDIUM PRIORITY

- At-sea enforcement of unlawful gear violations in coordination with state and USCG partners
  - Deployment of unlawful gear utilized in commercial fisheries
- Fishing for and possessing Atlantic striped bass in EEZ

#### LOW PRIORITY

- Open access permit violations
  - Noncompliance with state/federal fisheries permitting requirements pertaining to fisheries under NOAA's jurisdiction (open access permits)
  - Operator permit violations
  - Charter/headboat permit violations

### Endangered Species Act & Marine Mammal Protection Act

#### HIGH PRIORITY

- Atlantic Large Whale Take Reduction Plan
  - Review and analysis of Automatic Identification System (AIS) data for enforcement of right whale ship strike reduction speed rule
- Large Whale Disentanglement Program
  - Investigate non-compliant gear removed from entangled large whales
- Lethal takes and Level A harassment with the potential to injure marine mammal stock
- Atlantic sturgeon – Aid in plan development, outreach, and education

\* NOAA will enforce any and all violations of the law as we are able to and all of these items are a priority for us. In the list above, High Priority includes items with low rates of compliance, or areas where there could be significant impact to the resources for non-compliance. Medium priorities includes items where there maybe he good levels of compliance, but a large risk of impact for non-compliance. Low priority may include items where there are good levels of compliance and lower levels of risk to the resource for non-compliance.



- Complaint response and gear inspections concerning compliance with configuration requirements designed to limit marine mammal and endangered species gear interactions for example:
  - Turtle Excluder Devices for trawl gear
  - Turtle Deflector Dredges for dredge gear
  - Pinger and weak link requirements for gillnets

#### **MEDIUM PRIORITY**

- Harbor porpoise take reduction regulations
- Fisheries in which NMFS has established specified target bycatch rates within certain New England management areas that, if exceeded after two consecutive management seasons, would trigger seasonal closure areas
- Particular areas of focus could include Mid-Coast Management Area (area of historically high bycatch) as well as the new Southern New England Management Area due to new pinger requirements going into effect
- Non-lethal takes, Level B harassment with the potential to disturb a marine mammal stock in the wild by causing a disruption of behavioral patterns including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering
- Wayward marine mammals—significant strandings
  - Lost or stranded marine mammals
- Complaint response regarding compliance with poundnet gear restrictions

#### **LOW PRIORITY**

- Marine Mammal Stranding Network response
  - OLE presence on site during events as needed that do not involve apparent gear and/or other human interaction causes of stranding
- Permit violations
  - Proceeding with a project in a manner inconsistent with the terms and conditions of the permit
  - Noncompliance with conditions of any permit associated with taking or possessing of marine mammals or parts thereof
- Harassment, incidental
  - Harassment caused by careless, but unintentional acts (e.g., flushing of group of marine mammals due to boating or beach activities)
- Wayward marine mammals—strandings
  - Remote stranding or wayward marine mammal

#### **International Laws and Treaties/Lacey Act/Seafood Fraud**

##### **HIGH PRIORITY**

- Violations involving the Convention on International Trade in Endangered Species (CITES)
  - CITES-listed animal or animal parts illegally sold in interstate/international commerce under the jurisdiction of NOAA
- Trafficking in marine mammal and/or endangered species parts



- Marine mammals (parts) and sea turtles (parts) (e.g., whale meat, sea turtle meat, ivory, shells, illegally imported or exported)
- Fraudulent activity that has a nexus to public health and/or safety
- Seafood fraud/product substitution/false labeling
- Large scale trafficking in unlawfully taken or possessed fish or wildlife

#### **MEDIUM PRIORITY**

- Fraudulent importation/exportation
  - Fraudulent documentation is evident or likely, for a commodity in interstate/international commerce under the jurisdiction of NOAA
- Non CITES violations
  - Non-CITES listed products illegally imported or exported under the jurisdiction of NOAA
- Import/export live marine species
  - Live animals illegally transported/sold in interstate/international commerce under the jurisdiction of NOAA

#### **LOW PRIORITY**

- Marking violations
- Minor labeling violations on commodities transported and/or sold in interstate/international commerce under the jurisdiction of NOAA

#### **Marine Sanctuaries Act**

#### **HIGH PRIORITY**

- Fixed gear unlawfully positioned within the sanctuary boundaries
  - Lobster traps, sink gillnets, bottom longlines, etc.
- Whale harassment/approach and vessel speed restriction enforcement
- Closed area violations
  - Unlawful operation of a vessel in a closed area within any sanctuary boundary

#### **MEDIUM PRIORITY**

- Shipwreck protection