

CNMI DFW Enforcement Report

164th Council Meeting

Oct. 19 to 23, 2015

Gov. H. Rex Lee Auditorium

(Fale Laumei), Utulei, American Samoa

The CNMI Division of Fish and Wildlife Conservation Enforcement Officer position is created by CNMI statute. A Conservation Enforcement Officer is deemed as a law enforcement officer and has the power of law to carry arms and to make arrests pursuant to enabling statute. The Secretary of Lands and Natural Resources and the Director of Fish and Wildlife are the Conservation Enforcement Officers ex officio. Pursuant to CNMI Public Law 10-57 Article 2 § 2661, the Director of Fish and Wildlife has the responsibility to enforce local fish and game laws, rules and regulations, including the local Endangered Species Act but serve under the supervision and control of the Secretary of Lands and Natural Resources.

The Conservation Enforcement Officers enforces the CNMI terrestrial and marine conservation laws. Through our Joint Enforcement Agreement (JEA) with the National Oceanic and Atmospheric Administration (NOAA) Office of Law Enforcement (OLE) our Conservation Enforcement Officers also enforces federal laws, rules and regulations, e.g. Magnuson Stevens Act, Federal Endangered Species Act, and the Marine Mammal Protection Act.

The following marine enforcement activities took place between July to September 2015.

Dockside Inspection Activities: The Conservation Enforcement Officers performed a total of 147 hours of dockside inspection and conducted the following activities.

- Inspection on domestic vessels, monitor unloaded cargoes from vessels at docksides for evidence of ESA and MMPA violations such as turtle, dolphin, and/or whale take. The inspection involved boarding vessels when fishermen returned from fishing.
- Part of dockside inspection also includes providing enforcement support to the turtle program during nesting period. No turtle take was observed or encountered on known nesting sites.
- One illegal fishing activity took place at the Tank Beach sanctuary during one of the turtle monitoring activity. Case is still pending.
- Conduct dockside inspections for domestic fishing vessels once they are dockside or portside for bottom fishing and pelagic fishing violations and illegal take of shark finning prohibition act.

At Sea-Patrol: The Conservation Enforcement Officers performed a total of 147 At-Sea Vessel hours and 101 At-Sea Personnel hours. During these patrols, the Enforcement Officers conducted the following activities:

- Boarded and inspected domestic vessels for turtle, dolphin, and/or whale takes. No turtle, dolphin, and/or whale takes were observed.
- Conducted surveillance, spot checks, boarding, education and outreach on domestic vessels for bottom fishing and pelagic fishing violations. Inspect fishing vessels for violations of shark finning prohibition act. A total of eleven vessels have been issued federal permits to do bottom fishing in the CNMI. During these marine patrol, it is reported that the Conservation Enforcement Officer made a total of 142 at-sea contacts.

Vendor Inspections: Aside from dockside, near shore and vessel patrol enforcement activities, Conservation Enforcement Officers also performed inspections at fishing markets and roadside fish vendors. Conservation Officers inspect and monitor for any illegal fishing, violation of ESA or MMPA.

Non- enforcement Activities (Outreach):

- Conservation Enforcement Officers continue to distribute brochures on bottom fishing to fish markets, roadside fish vendors and recreational and commercial fishermen.
- Conservation Enforcement Officers also monitor gill net fishing for violation of ESA and for assisting in gathering fish data. No special permits were issued during this period.

Problem Encountered: The CNMI main patrol boat, the Safe Boat is currently inoperable due to the coming apart of the starboard liner. DFW is communicating with NOAA-OLE and Safe Boat, Inc. for the repair of the Safe Boat. Currently, the Safe Boat is stored in a warehouse to prevent further damage from direct contact of the sun and rain.

OLE Workshop: Our JEA partners conducted workshop in August 2015 on bottom fishing, fishing in the Marianas Trench, and western pacific longline fishing. Workshop was conducted by OLE Special Agent Jeff Pollack and OLE Special Agent Chuck Raterman.

In closing, the CNMI Division of Fish and Wildlife valued its partnership with the NOAA-OLE. Without the funding made available through our Joint Enforcement Agreement, our marine enforcement activities would be challenging. The CNMI Division of Fish and Wildlife recognizes the importance and the value of this partnership. The NOAA-OLE has been a tremendous help to our marine enforcement activities not only through the funding they made available to CNMI-DFW Conservation Enforcement Section but also by providing technical guidance.