



## HMS Advisory Panel Report



**September 1, 2017 – February 28, 2018**

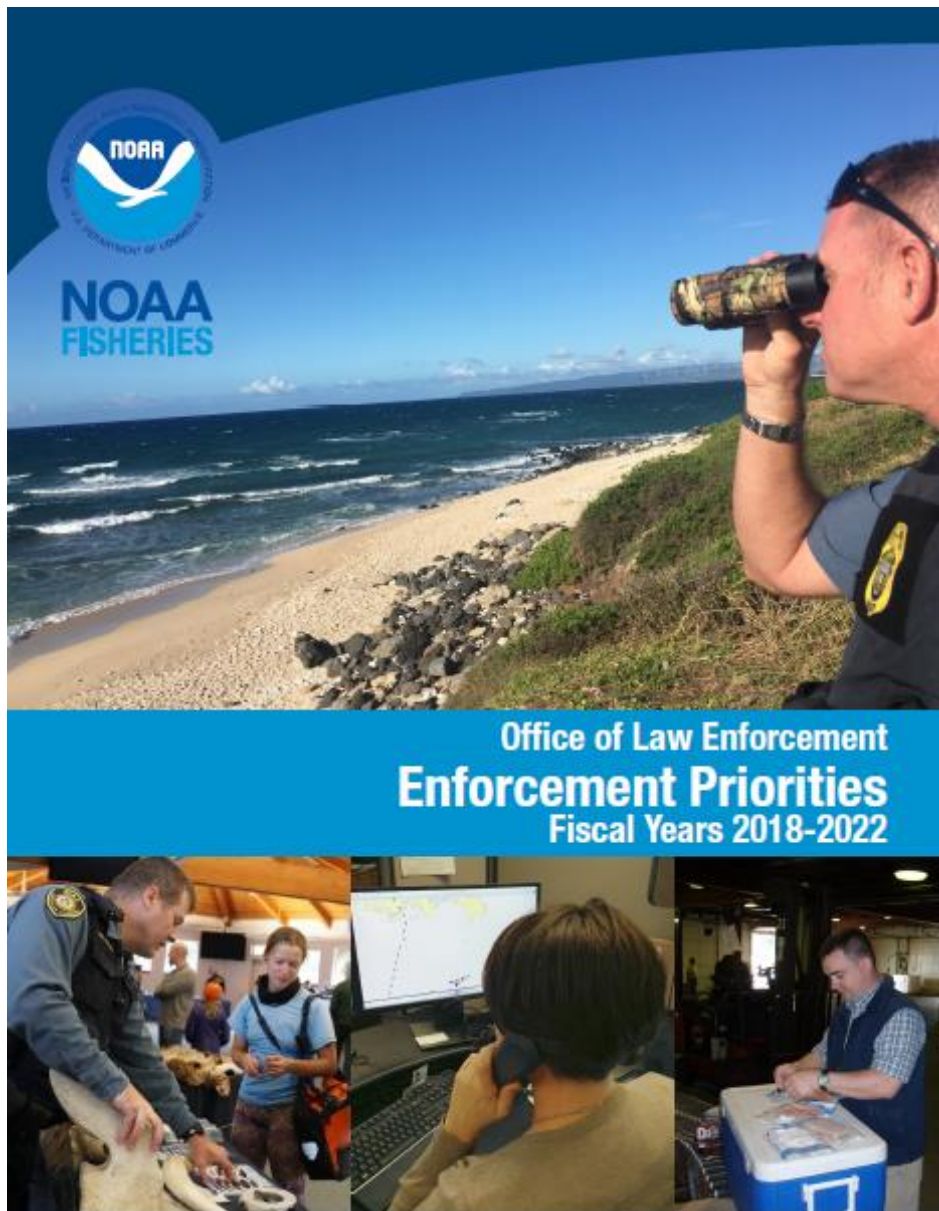
To report fisheries violations,  
call our national hotline:  
1-800-853-1964

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## Priorities in Regards to Sustainable Fisheries

- Vessel and Dealer reporting compliance; to include highly migratory species caught by recreational fishermen
- Permitting Compliance
- Monitoring and enforcement of illegal sale of fish



# HMS Offenses

## Breakdown of Closed HMS Offenses

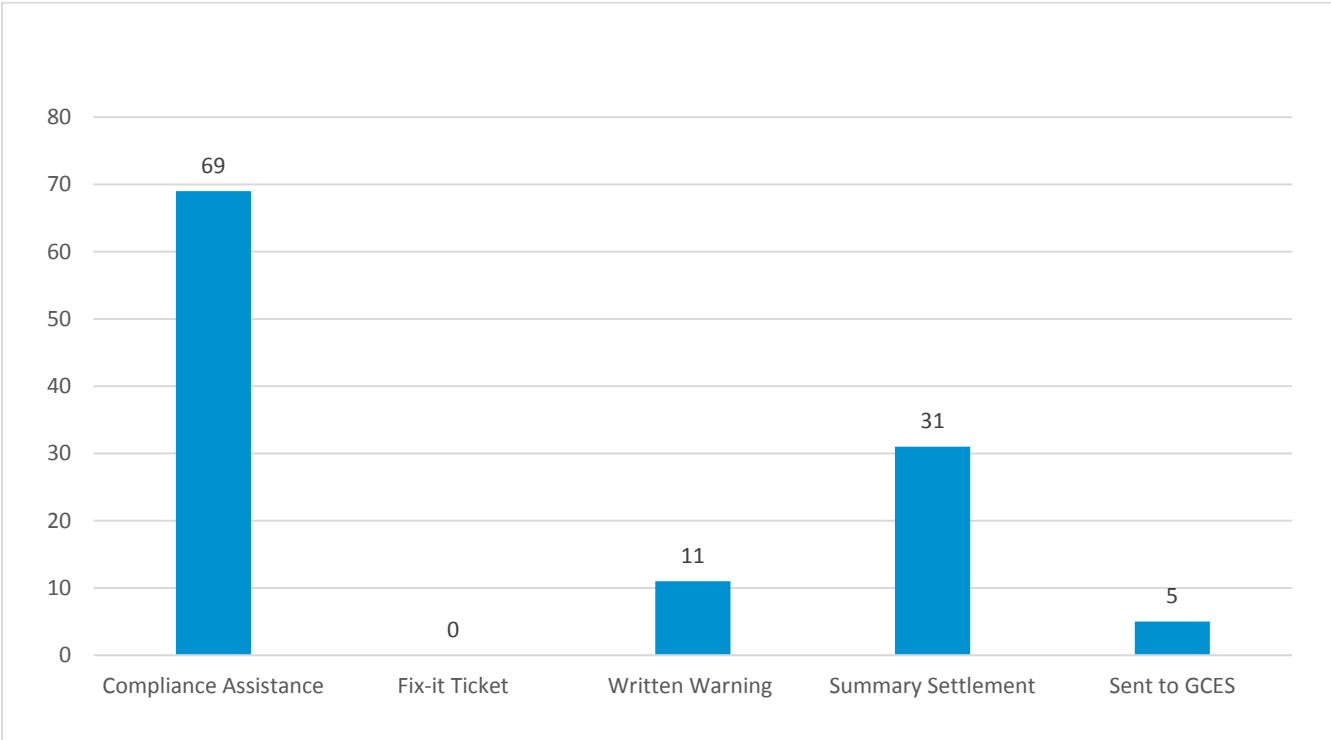


Figure 1. There were 116 closed offenses from September 1, 2017 through March 7, 2017.

# Overview of Summary Settlements

Table 1. Summary of NED Summary Settlements Issued

Program/Law	Violation	State	Amount
HMS	Purchase Atlantic HMS without a valid dealer permit	DE	\$750
HMS	Sell Atlantic HMS to a non-permitted dealer	DE	CA
HMS	Sell Atlantic HMS without a valid commercial HMS permit	DE	CA
HMS	Failure to report Atlantic HMS through the electronic eDealer system (4 counts)		\$4,000
HMS	Failure to report Atlantic HMS through the electronic eDealer system	NJ	\$1,000
HMS	Failure to report Atlantic HMS through the electronic eDealer system	VA	\$1,000
HMS	Failure to report Atlantic HMS	MA	\$250
HMS	Failure to report Bluefin tuna (2 counts)	NJ	\$500
HMS	Falisy HMS permit application to obtain a HMS Atlantic Tunas General Category permit	DE	CA
HMS	Possession of Atlantic HMS without a vaild HMS permit	DE	\$500
HMS	Possession of shark without an appropriate valid vessel permit	CG case	\$250
HMS	Possession of shark without the appropriate valid vessel permit	NH	\$250
HMS	Possession of Atlantic HMS without an appropriate valid vessel permit	VA	\$500
HMS	Exceed catch limit of Atlantic HMS (2 counts)	DE	\$200
HMS	Exceed catch limit of Atlantic HMS	NJ	\$100
HMS	Failure to make available for inspection an Atlantic HMS	VA	\$250
HMS	Failure to land shark with fins naturally attached	CG case	\$1,000
HMS	Failure to maintain Atlantic HMS in specified form	MA	\$750
HMS	Failure to maintain Atlantic HMS in specified form (2 counts)	NY	\$1,500
HMS	Failure to maintain Atlantic HMS in specified form	NJ	\$750
HMS	Failure to maintain Atlantic HMS in specified form	VA	\$750
HMS	Failure to maintain Atlantic HMS in specified form	MA	\$750
HMS	Failure to maintain Atlantic HMS on specified form (2 counts)	NJ	\$1,500
HMS	Failure to maintain Atlantic HMS in specified form	RI	\$750
HMS	Failure to release Atlantic HMS in manner specified	NJ	\$500
HMS	Failure to release Atlantic HMS in manner specified	MA	\$500
<b>TOTAL</b>			<b>\$18,300</b>

Table 2. Summary of SED Summary Settlements Issued

Program/Law	Violation	State	Amount
HMS	Possession of prohibited Sandbar shark	SC	\$1,000
HMS	Possession of Atlantic HMS without the appropriate valid vessel permit	FL	\$500
HMS	Possession of Atlantic HMS without the appropriate valid vessel permit	FL	\$500
HMS	Fish for Atlantic HMS without the appropriate valid vessel permit	FL	\$500
HMS	Possession of undersized sailfish	FL	\$500
<b>TOTAL</b>			<b>\$3,000</b>

# Overview of Written Warnings

Table 3. Summary of NED Written Warnings Issued

Program/Law	Violation	State
HMS	Illegal sale of Atlantic HMS	DE
HMS	Illegal sale of Atlantic HMS	DE
HMS	Sale of Atlantic HMS to a non-permitted dealer	DE
HMS	Purchase of Atlantic HMS without a valid HMS dealer permit	NY
HMS	Failure to release Atlantic HMS in manner specified	VA
HMS	Failure to maintain Atlantic HMS in specified landing form	VA
HMS	Retention of Prohibited shark	MA
HMS	Failure to comply in an accurate and timely fashion with HMS reporting	NJ
HMS	Possession of recreational size Bluefin tuna without the appropriate permit category	NC
HMS	Purchase of Atlantic HMS without a valid HMS dealer permit	NC

Table 4. Summary of SED Written Warnings Issued

Program/Law	Violation	State
HMS	Failure to release Atlantic HMS in manner specified	FL

# Focused Operations

## HMS Dealer Reporting

The HMS division referred 24 non-compliant dealers to SED and NED officers. The officers are working on contacting every dealer in person to evaluate the referral and to determine enforcement actions. Currently, enforcement actions range from compliance assistance to \$1,000 summary settlements.

## Bluefin Tuna Operation – Central North Carolina – December

The focus of the operation was to check compliance with HMS dealers and vessels targeting bluefin tuna in Morehead City and Beaufort, NC area. Personnel conducted dockside patrols and collaborated with the USCG conducting at sea patrols. 25 vessels were boarded to include Atlantic tunas general category, charter/headboat, and angling. Reporting by the vessels was 100%. Violations detected were two charter vessels not in possession of USCG license and a USCG safety violation of a charter vessel. Subsequent checks showed the operators had valid USCG licenses and the USCG safety violation was referred to the USCG.

## Bluefin Tuna Operation – Northern North Carolina - Ongoing

The focus of the operation was to check compliance with HMS dealers and vessels targeting Bluefin tuna in the Oregon Inlet and Wanchese, NC area. The operation is still ongoing and to date has consisted of 34 boardings of commercial and recreational vessels targeting HMS and checks of dealers. The operation served to ensure compliance with HMS regulations and consisted of a partnership with USCG Station Oregon Inlet and the North Carolina Marine Patrol.

Table 5. Summary of Operation

Vessels/Gear Contacted	34
Vessels/Gear in Violation	7
Dealers in Violation	1
Total Violations	8
Written Warnings Issued	2
Compliance Assistance Provided	3
Summary Settlements Issued	3
Total Summary Settlement Fine Amounts Issued	\$3,500

Table 6. Summary of Violations

Violation	Enforcement Action
Failure to report Bluefin Tuna – By Vessels	3 Incidents of Failure to report Bluefin Tuna - 3 closed with Compliance Assistance
Dealer reporting violation & dealer purchasing from a non-commercial endorsement charter permit vessel	- Compliance assistance - purchase - Summary Settlement - Reporting
Improper Bluefin tuna size landed for permit category	1 General Category Vessel landing undersize BFT - Written Warning
HMS improper landing form (Yellowfin tuna)	1 Incident of Gen Cat HMS improper landing form - Written Warning
No HMS permit No commercial sale endorsement	- 2 Summary settlements