

United States Coast Guard Sector Key West

Presentation for the Florida Keys

National Marine Sanctuary

Sanctuary Advisor Council

18 February 2014



Sources

- <http://www.uscg.mil/top/missions/>
- <http://www.uscg.mil/hq/cg5/cg531/LMR.asp>
- Coast Guard Fisheries Enforcement Strategic Plan (Ocean Guardian)
- CG and NOAA Cooperative Maritime Strategy
 - *Both documents available online*

Roles and Responsibilities

- By law, the Coast Guard has 11 missions.
- Listed in order of % of operating expenses:
 - Ports, waterways, and coastal security
 - Drug interdiction
 - Aids to navigation
 - Search and rescue
 - **Living marine resources**
 - **Marine safety**
 - Defense readiness
 - Migrant interdiction
 - **Marine environmental protection**
 - Ice operations
 - Other law enforcement

Authorities We Operate Under

- Statutory basis for all Coast Guard law enforcement:
 - **14 USC 2**: “The Coast Guard shall enforce or assist in the enforcement of all applicable federal laws on, under, and over the high seas and waters subject to the jurisdiction of the United States“.
 - **14 USC 89**: Provides active duty Coast Guard petty officers, warrant officers and commissioned officers authority to ***search***, ***exam***, ***arrest***, ***seize***, ***inspect***, and ***inquire*** in appropriate circumstances.

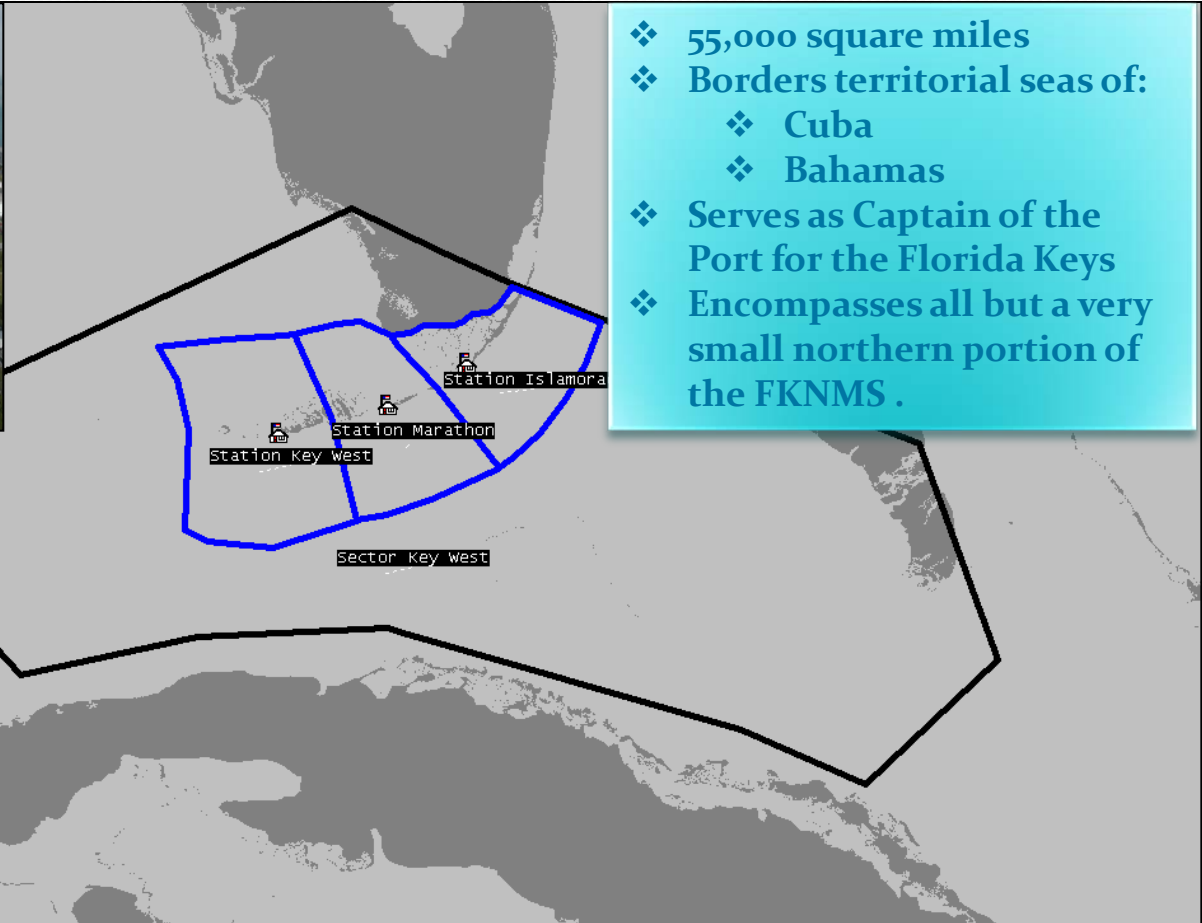
We Are Charged With Enforcing

- The Coast Guard enforces fisheries laws at sea;
- Magnuson-Stevens Fisheries Conservation and Management Act (MSFCMA).

Scope of Coast Guard Jurisdiction

- **Territorial Seas**: The sovereignty of the United States extends beyond its land territory and internal waters to its territorial sea border (*12 nautical miles from the baseline*).
- **Contiguous Zone**: The Coast Guard has jurisdiction to prevent/punish violations of its **customs**, **fiscal**, **immigration**, or **sanitary** laws and directives within its territory or territorial sea (*between 12 and 24 nautical miles from the base line*).
- **Exclusive Economic Zone**: The Coast Guard has jurisdiction over exploring, exploiting, conserving, and managing the natural resources of the water superjacent to the seabed and of the seabed and its subsoil; for the protection and preservation of the marine environment. To prevent violations of its rights and punish violations of laws and directives committed on or over the continental shelf (*between 12 nautical miles and the EEZs of the Bahamas and Cuba*).

Sector Key West



- ❖ 55,000 square miles
- ❖ Borders territorial seas of:
 - ❖ Cuba
 - ❖ Bahamas
- ❖ Serves as Captain of the Port for the Florida Keys
- ❖ Encompasses all but a very small northern portion of the FKNMS .

Cooperative Maritime Strategy

- 25 February 2013: Commandant of the Coast Guard and Under Secretary of Commerce for Oceans and Atmosphere, and NOAA Administrator, signed our Nation's first-ever *Cooperative Maritime Strategy* between the United States Coast Guard and the National Oceanic and Atmospheric Administration.

Cooperative Maritime Strategy

- **Tenants of the Cooperative Maritime Strategy:**
 - Promote a Safe, and Sustainable Marine Environment
 - Enhance Regional Collaboration
 - Foster Innovation in Science, Technology, and Youth Education

Enforcement Role in the FKNMS

- Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801, et seq.)
- Endangered Species Act of 1973 (16 USC 1531 et seq.)
- Lacey Act Amendments of 1981 (16 USC 3371 et seq.)
- Marine Mammal Protection Act (16 USC 1361 et seq.)
- Marine Protection, Research, and Sanctuaries Act (16 USC 1431 et seq.)

Enforcement Role in the FKNMS

- **Tortugas Ecological Reserve (North and South)**
 - 15 CFR Sees. 922.163, 922.164, and 922.167
- **Western Sambo Ecological Reserve / ROA**
 - 15 CFR Sees. 922.163 and 922.164
- **Sanctuary Preservation Areas and Research Only Areas**
 - 15 CFR Sees. 922.163 and 164
- **Wildlife Management Area Access Restrictions**
 - 15 CFR Sec. 922.164(c)
- **Protected Wildlife-Wild Dolphin Harassment**
 - 15 CFR Sec. 922.163(a)(10)
- **Area to Be Avoided**
 - 15 CFR Sec. 922.164(a)
- **Coral or Live rock removal, injury or possession**
 - 15 CFR Sees. 922.163(a)(2) and 922.163(a)(12)
- **Grounding Responses**
 - 15 CFR Sees. 922.163(a)(2), 922.163(a)(3) and 922.163(a)(5)
- **Discharges or Deposits**
 - 15 CFR Sees. 922.163(a)(4) and 922.164(d)(i)
- **Historical/Cultural Resources**
 - 15 CFR Sec. 922.163(a)(9)

Coast Guard Priorities

- Our fisheries priorities are, *in order of importance*:
 - Protecting U.S. Exclusive Economic Zone from foreign encroachment
 - ***Enforcing domestic fisheries law***
 - (Most applicable to FKNMS)
 - International fisheries agreements

Sector Key West LMR Priorities

- ***Enforcing domestic fisheries law***

- Coordinate patrol efforts in the FKNMS with NOAA and FWCC at quarterly meetings.
 - Supplemented with weekly NOAA check-ins for priority zones.
- Support directives from the South East (SE) and Gulf of Mexico (GOM) Regional Fisheries Offices.

Enforcing Domestic Fisheries Law

- A **significant violation** is:
 - A domestic or international living marine resource violation which results in:
 - Significant damage/impact to the resource/fisheries management plan;
 - Significant monetary advantage to the violator over his/her competitor; and/or
 - High regional or national interest.

Enforcing Domestic Fisheries Law

- **High-threat EEZ areas:**

- Bering Sea along the U.S.-Russia Maritime Boundary Line;
- Central and Western Pacific around Hawaii and outlying U.S. territories;
- U.S./Mexico maritime border in the Gulf of Mexico; and
- U.S./Canadian maritime boundaries, especially in the following locations:
 - Straits of Juan de Fuca and Puget Sound
 - Dixon Entrance
 - Hague Line
 - Great Lakes

Enforcing Domestic Fisheries Law

- Respond to all known significant violations in progress
- Patrol low threat areas of the EEZ to detect 20% of all significant violations of domestic living marine resource laws and regulations
- Annually board 10% of the U.S. fishing fleet operating in low threat areas to promote compliance with domestic living marine resource laws and regulations
- Support requests for Living Marine Resource (LMR) enforcement assistance

Marine Safety

- **Marine casualty investigations:**
Marine casualty investigations are carried out for events that cause significant harm to the environment.

Marine Environmental Protection

- MEP missions cover oil and chemical response and include:
 - **Prevention**: Stop pollution before it occurs.
 - **Enforcement**: Civil and criminal penalties for illegal acts
 - **Surveillance**: Protect marine environment:
 - Pollution overflights
 - Vessel boardings
 - Harbor patrols
 - Transfer monitoring
 - Facility inspections
 - **Response**: Containment of oil/chemical discharge
 - **In-house abatement**: Ensure that Coast Guard vessels and facilities comply with federal pollution laws and regulations.

Resources, Capabilities, Assets

Coast Guard Sector Capabilities

**Response
Department
(Enforcement)**

**Prevention
Department
(Safety and
Environmental
Protection)**

**Auxiliary
(Civilian)**

Resources, Capabilities, Assets

- **Response Department**

- Patrol Boats

- 1 Fast Response Cutter s (FRC) (8 due to commission)
- 4 / 110' Patrol Boats (phased out as FRCs arrive)
- 1 / 87' Patrol Boat

- Small Boat Stations (Key West, Marathon, Islamorada):

- Response Boats
- Law Enforcement Boats
- Shallow Water Boats (Key West and Islamorada)
- Coordinates air assets from Miami and Clearwater.

Assets



Resources, Capabilities, Assets

- **Boarding Officer Training:**
 - Graduate from the Maritime Law Enforcement Academy
 - Complete annual currency requirements
 - Attend follow on GOM and SE regional fisheries courses
 - Complete 18-month currency requirements for GOM/SE regional fisheries

Resources, Capabilities, Assets

- **Patrol Boat FKNMS Enforcement Capabilities:**

- Tortugas North and Tortugas south reserves
- Area to be Avoided
- Shrimp vessel incursions along FKNMS/GOM border
- GOM/SE regional fisheries regulations
- Lacey Act Violations

How Are Resources Allocated

- **Patrol Boat FKNMS Enforcement Limitations:**
 - Normally engaged in other law enforcement missions
 - Also tasked with port security
 - Draft of vessel limits ability to patrol within the reef

Resources, Capabilities, Assets

- **Small Boat Station FKNMS Enforcement Capabilities:**
 - Wildlife Management Areas
 - Sanctuary Preservation Areas
 - Western Sambo Ecological Reserve (Station Key West)
 - Existing Management Areas
 - Special-use Areas (One in each station AOR)
 - Area to be Avoided
 - Sanitation/discharge requirements
 - GOM/SE regional fisheries regulations
 - Lacy Act Violations

How Are Resources Allocated

- **Small Boat Station Resource Hour Distribution:**
 - Search and Rescue (SAR)
 - Training
 - Migrant / Drug Interdiction
 - Sanitation/discharge enforcement
 - LMR Enforcement Inside the FKNMS
 - LMR Enforcement Outside the FKNMS
 - LMR Enforcement Inside the Everglades National Park (*Islamorada*)

Resources, Capabilities, Assets

- **Small Boat Station FKNMS Enforcement Limitations:**
 - Primary mission is maintaining SAR response posture
 - Secondary mission is maintaining pursuit capability
 - Station Key West also charged with port security
 - Crew limits on daily underway hours
 - Boat hulls have limited annual hours

Resources, Capabilities, Assets

- **Prevention Department**
 - Inspections Division: Environmental protection responsibilities on vessels and facilities.
 - Waterways Management Division:
 - Aids to Navigation Team Key West
 - Investigations Division: Pollution

Resources, Capabilities, Assets

- **Coast Guard Auxiliary**
 - Boater education patrols
 - Distribute educational packets
 - Help maintain the integrity of sanctuary zones
 - Relay locations of heavy traffic to Small Boat Stations

How Are Resources Allocated

- **Auxiliary Resource Hour Distribution:**
 - Training
 - Support Air Station Miami/Clearwater training missions
 - Search and Rescue (SAR) standby
 - Boating safety / FKNMS education patrols

Resources, Capabilities, Assets

- **Coast Guard Auxiliary Limitations**
 - Patrols when volunteers are available
 - No law enforcement authority

Reporting Violations to SKW

- Contact Coast Guard on VHF channel 16
 - Contact FWCC

Questions from Advisory Council?



*FKNMS Image from <http://floridakeys.noaa.gov/>

- Promote a Safe, and Sustainable Marine Environment
- Enhance Regional Collaboration
- Foster Innovation in Science, Technology, Youth Education

Semper Paratus