

August 2, 2013

**NOAA Office of the General Counsel, Enforcement Section
Enforcement Actions
January 1, 2013, through June 30, 2013¹**

NOVA and/or NOPS and/or Written Warning Issued and Served²

During this time period, NOAA charged 102 civil administrative cases, as follows:³

ALASKA

1. AK0801226; F/V Shamrock - Individual was charged under the Northern Pacific Halibut Act for submitting inaccurate vessel length overall information on a Federal Fishing Permit (FFP) application. A written warning was issued.
2. AK0804483; F/V Alaska Challenger - Owner was charged under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) for failing to have sufficient observer coverage aboard the vessel while conducting pot fishing in federal waters. A written warning was issued.
3. AK0900577; F/V Blue Star - Operator was charged under the Magnuson-Stevens Act for failing to notify a National Marine Fisheries Service (NMFS) observer 15 minutes before fish were brought on board the vessel and for failing to release prohibited species and/or improperly handling prohibited species prior to release. A written warning was issued.
4. AK0900902 - Individuals were charged under the Northern Pacific Halibut Act for retaining or possessing subsistence halibut for commercial purposes. A written warning was issued.
5. AK0901073; F/V Distant - Owner/operator was charged under the Magnuson-Stevens Act for conducting dockside sales without holding a Registered Buyer permit. A written warning was issued.

¹ Our next report will be posted on or about February 1, 2014, reporting on civil administrative cases charged and settled for the period July 1, 2013, through December 31, 2013. Earlier reports were posted on September 1, 2010, February 1, 2011, August 1, 2011, February 6, 2012, August 7, 2012, and February 11, 2013, reporting for the period March 18, 2010, through December 31, 2012. The reports are not considered to be publications. All data is provisional.

² NOVA stands for Notice of Violation and Assessment and NOPS stands for Notice of Permit Sanction. NOVAs, NOPSs and written warnings contain the agency's allegations of violations by the respondent(s). In response to receiving a NOVA, NOPS or written warning, a respondent may challenge those allegations through means set forth in NOAA's civil procedure regulations found at 15 C.F.R. Part 904.

³ These cases are listed by file number, separated by regions.

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6. AK0901082; F/V Alaska Patriot - Operator was charged under the Magnuson-Stevens Act for failing to notify a NMFS observer 15 minutes before fish were brought on board the vessel and for failing to release prohibited species and/or improperly handling prohibited species prior to release. A written warning was issued.
7. AK0902758; C/V Eclipse - Individual was charged under the Northern Pacific Halibut Act for failing to submit a charter logbook within the time limits prescribed by NMFS regulations. A written warning was issued.
8. AK0903054; F/V Dream II - Individual was charged under the Northern Pacific Halibut Act for failing to submit an Individual Fishing Quota (IFQ) charter halibut logbook in a timely manner. A written warning was issued.
9. AK0903083 - Individual was charged under the Northern Pacific Halibut Act for commercially selling subsistence harvested halibut. A \$16,317 NOVA was issued.
10. AK1001309; F/V Kasatka - Owner was charged under the Magnuson-Stevens Act for operating the vessel in the Gulf of Alaska without an operable NMFS-approved Vessel Monitoring System (VMS) when the vessel was authorized under its FFP to participate in the Pacific cod directed fishery, and the vessel's authorized species and gear type was opened to directed fishing. An \$8,264 NOVA was issued.
11. AK1001742; F/V Eclipse - Individual was charged under the Northern Pacific Halibut Act for submitting an IFQ landing report that failed to report retaining pounds of halibut for personal use that were caught while IFQ fishing. A written warning was issued.
12. AK1001897; F/V Godfather - Individual was charged under the Northern Pacific Halibut Act for harvesting halibut outside of the Annette Island Reserve, in State of Alaska waters, without possessing an IFQ permit. A written warning was issued.
13. AK1002135; F/V Thunder Jet - Individual was charged under the Northern Pacific Halibut Act for fishing for subsistence halibut without a subsistence halibut registration card. A written warning was issued.
14. AK1101141; F/V Saint Jude - Individual was charged under the Magnuson-Stevens Act for retaining on board the vessel IFQ halibut in excess of the total amount of unharvested IFQ halibut held by permit holders aboard the vessel; for failing to separate on board halibut caught in different Regulatory Areas 2C and 3A; for failing to record accurate information in the IPHC logbook; and for failing to have all marker buoys carried on board marked with the vessel's State license and registration number. A written warning was issued.
15. AK1101557; F/V Ocean Rover - Owner, and operators were charged in 64 counts under the Magnuson-Stevens Act for making adjustments to the flow scale that failed to bring performance errors closer to zero value; for processing groundfish that was not weighed on a NMFS-approved scale that meets the maximum permissible error of plus or minus 3

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percent, and which was not maintained in proper operating condition throughout its use; and for failing to accurately record the scale weight for hauls to the nearest pound or .001 metric ton. An \$848,000 NOVA was issued.

16. AK1101657; F/V Sherrie Marie - Individual was charged under the Northern Pacific Halibut Act for exceeding the 2011 sablefish Southeast area IFQ vessel use cap. A written warning was issued.
17. AK1102730; F/V North Light - Individual was charged under the Northern Pacific Halibut Act for fishing two IFQ areas on one trip. A written warning was issued.
18. AK1102857 - Individual was charged under the Magnuson-Stevens Act for retaining IFQ halibut without an IFQ permit. A written warning was issued.
19. AK1104427; F/V Dream Maid - Individual was charged under the Northern Pacific Halibut Act for having more IFQ halibut aboard the vessel that was conducting IFQ harvesting operations in IFQ Regulatory Area 3A without sufficient 3A IFQ quota available to cover all IFQ halibut that was aboard the vessel while harvesting in IFQ Regulatory Area 3A. A written warning was issued.
20. AK1104789 - Company and individual were charged in two counts under the Magnuson-Stevens Act for deploying an observer on the same vessel for more than 90 days in a 12-month period and for deploying an observer for more than 90 days in a single deployment. A \$10,000 NOVA was issued. [See, Settled cases, item 4, below, for resolution of this matter.]
21. AK1104881; F/V Gulf Maiden - Individual was charged under the Northern Pacific Halibut Act for exceeding the 2011 halibut IFQ vessel use cap. A written warning was issued.
22. AK1104946; F/V Perseverance - Individual was charged under the Northern Pacific Halibut Act for exceeding the 2011 sablefish Southeast area IFQ vessel use cap and for fishing two IFQ areas on one trip. A written warning was issued.
23. AK1200532; F/V Northern Eagle - Owner and operators were charged in 81 counts under the Magnuson-Stevens Act for processing groundfish that was not weighed on a NMFS-approved scale that meets the maximum permissible error of plus or minus 3 percent, and which was not maintained in proper operating condition throughout its use and for failing to record the accurate scale weight for hauls to the nearest pound or .001 metric ton. A \$1,337,000 NOVA was issued.
24. AK1200570; F/V Automatic - Individual was charged in two counts under the Magnuson-Stevens Act for intentionally submitting false information on a Prior Notice of Landing Report and on an IFQ Landing Report and for retaining sablefish caught with fixed gear without a valid IFQ permit. A \$31,303 NOVA was issued.

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NORTHEAST

25. NE0802824; F/V Reel Life - Individual was charged under the Magnuson-Stevens Act for landing an Atlantic tuna in an Atlantic coastal port with its tail removed. A written warning was issued.
26. NE0804683 - Company was charged under the Magnuson-Stevens Act for shipping, transporting, offering for sale, and selling, in foreign commerce, whole live lobster of the species *Homerus americanus* that were bearing eggs attached to their abdominal appendages. A \$12,500 NOVA was issued. [See, Settled cases, item 5, below, for resolution of this matter.]
27. NE0902601; F/V David D - Owner/operator was charged under the Magnuson-Stevens Act for impeding, harassing, intimidating, and interfering with a NMFS-approved observer conducting her duties. A \$17,500 NOVA was issued. [See, Settled cases, item 7, below, for resolution of this matter.]
28. NE0903294 - Company was charged in twelve counts under the Magnuson-Stevens Act for purchasing Atlantic herring without possessing a valid dealer permit. A \$43,200 NOVA was issued.
29. NE0904233; F/V Western Venture - Owner and operator were charged under the Magnuson-Stevens Act for failing to record haddock on a trip report. A written warning was issued.
30. NE1001348; F/V Sasquatch III - Owner and operator were charged under the Magnuson-Stevens Act for fishing without an observer when the vessel was required to take an observer. A \$22,035 NOVA was issued. [See, Settled cases, item 8, below, for resolution of this matter.]
31. NE1002244; F/V Double Vision and Doubled Vision - Owner/operator were charged in four counts under the Magnuson-Stevens Act for fishing without an observer when the vessel was required to take an observer. A \$70,000 NOVA was issued.
32. NE1004133; F/V Perry's Pride IV - Owner and operator were charged in two counts under the Magnuson-Stevens Act for fishing for Northeast multispecies without having a valid Federal fishing Permit onboard the vessel to do so and for fishing for Northeast multispecies inside Cashes Ledge Closed Area and Rolling Closure Area III with bottom tending long line gear. A \$14,500 NOVA was issued.
33. NE1202710; F/V Capt. Joe - Owner and operator were charged in two counts under the Magnuson-Stevens Act for using a trawl net with a constricted and obstructed cod end. A \$74,411 NOVA was issued.

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34. NE1300388; F/V Princess Laura - Owner and operator were charged in two counts under the Magnuson-Stevens Act for fishing with trawl gear that contained a net liner and for interfering with a United States Coast Guard boarding team. A \$40,000 NOVA was issued.

NORTHWEST

35. NW0800923; F/V Ocean Beaut - Owners and operator were charged under the Magnuson-Stevens Act for operating a vessel registered to a limited entry permit with a trawl endorsement and trawl gear on board in an applicable Groundfish Conservation Area (GCA), by operating the fishing vessel while using limited entry groundfish trawl gear to fish within the trawl Rockfish Conservation Area (RCA). A written warning was issued.
36. NW0803474 - Company was charged under the Magnuson-Stevens Act for failing to sort fish received from a Pacific whiting shoreside vessel prior to first weighing after offloading. A written warning was issued.
37. NW0803662; F/V Privateer - Vessel owner and operator were charged under the Magnuson-Stevens Act for taking, retaining, possessing, and landing more than a single cumulative limit of a particular species (arrowtooth flounder) per vessel, per applicable cumulative limit period. A written warning was issued.
38. NW0803745; F/V Ocean Beaut - Owners and operator were charged under the Magnuson-Stevens Act for operating a vessel registered to a limited entry permit with a trawl endorsement and trawl gear on board in an applicable GCA, by operating the fishing vessel while using limited entry groundfish trawl gear to fish within the trawl RCA. A written warning was issued.
39. NW0804614 - Company was charged under the Magnuson-Stevens Act for violating the terms and conditions of a Pacific Coast Groundfish Fishery Exempted Fishing Permit (EFP), by failing to notify the catch monitor prior to the receipt of fish from fishing vessels. A written warning was issued.
40. NW0900567; F/V Gloria II - Owner/operator was charged under the Magnuson-Stevens Act for failing to submit required Highly Migratory Species (HMS) logbook forms to either the NMFS Regional Administrator or the appropriate state management agency within 30 days of landing albacore tuna. A written warning was issued.
41. NW0901366; F/V Lily Marlene - Owner/operator was charged under the Magnuson-Stevens Act for fishing for and landing groundfish without observer coverage when a vessel is required to carry an observer. A written warning was issued.
42. NW0902152; F/V Wesco - Owner and operator were charged under the Magnuson-Stevens Act for fishing with salmon troll gear within the Salmon Troll Yelloweye RCA. A written warning was issued.

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43. NW0902417 - Company was charged under the Magnuson-Stevens Act for violating the terms and conditions of a Pacific Coast Groundfish Fishery EFP, by failing to have catch monitor coverage of deliveries from fishing vessels. A written warning was issued.
44. NW0903134; F/V Vigorous - Owners and operator were charged under the Magnuson-Stevens Act for operating a vessel registered to a limited entry permit with a longline or trap (pot) endorsement and longline and/or trap gear onboard in an applicable GCA. A written warning was issued.
45. NW1000009; F/V Nicole - Owner and operator were charged under the Magnuson-Stevens Act for operating a vessel registered to a limited entry permit with a trawl endorsement and trawl gear onboard in an applicable GCA, by operating the fishing vessel with trawl gear on board, within the trawl RCA, for purposes other than continuous transiting, with all groundfish trawl gear stowed. A written warning was issued.
46. NW1000412; F/V Dominion - Owner and operator were charged under the Magnuson-Stevens Act and Northern Pacific Halibut Act for using longline fishing gear within the non-trawl RCA. A \$12,466.60 NOVA was issued. [See, Settled cases, item 11, below, for resolution of this matter.]
47. NW1001318; F/V Western Breeze - Owner and operator were charged under the Magnuson-Stevens Act for operating a vessel registered to a limited entry permit with a trawl endorsement and trawl gear onboard in an applicable GCA, by operating the fishing vessel while using limited entry groundfish trawl gear to fish within the trawl RCA. A \$12,500 NOVA was issued.
48. NW1001768; F/V Jamie K - Owners and operator were charged in two counts under the Magnuson-Stevens Act for operating a vessel registered to a limited entry permit with a trawl endorsement and trawl gear onboard in an applicable GCA, by operating the fishing vessel while using limited entry groundfish trawl gear to fish within the trawl RCA and the Bandon High Spot Essential Fish Habitat Conservation Area. A \$39,982.65 NOVA was issued. [See, Settled cases, item 12, below, for resolution of this matter.]
49. NW1001792 - Individuals were charged under the Marine Mammal Protection Act for taking and transporting a marine mammal (harbor seal) in waters or on lands under the jurisdiction of the United States. A \$1,000 NOVA was issued. [See, Settled cases, item 13, below, for resolution of this matter.]
50. NW1202708 - Individual was charged under the Magnuson-Stevens Act for disclosing confidential observer information, by disclosing confidential observer information collected by another observer concerning fish harvested by one vessel to the owner/operator of another vessel. A written warning was issued.

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PACIFIC ISLANDS

51. PI1204062; F/V Lady Luck - Owner/operator was charged under the Magnuson-Stevens Act for interfering with and/or intimidating a NMFS-approved observer. A \$9,000 NOVA was issued.

SOUTHEAST

52. SE0803576 - Company was charged under the Magnuson-Stevens Act for purchasing Gulf reef fish without a dealer permit. A written warning was issued.

53. SE0901042; F/V I II Many - Owner/operator was charged under the Magnuson-Stevens Act for failing to maintain fish intact through offloading ashore -- regarding red snapper fillets, and for fishing in violation of the prohibitions, restrictions, and requirements applicable to seasonal and/or area closures -- regarding closure of the recreational fishery for red snapper. A written warning was issued.

54. SE0902611 - Individuals were charged under the Magnuson-Stevens Act for using or possessing prohibited gear or methods or possessing fish in association with possession or use of prohibited gear -- regarding fish traps in the Gulf of Mexico. A written warning was issued.

55. SE1003801; F/V Big Eye - Owner and operator were charged in five counts under the Magnuson-Stevens Act for fishing with an expired United States Coast Guard safety decal during a time period when they were requested by NMFS to carry an observer; for failing to submit vessel logbook form(s) postmarked within 7 days of offloading all Atlantic HMS; for filing a "No Fishing Reporting Form" and then fishing anyways without an observer; for fishing inside of the Cape Hatteras Special Research Area with pelagic longline gear without requesting an observer; and for fishing for and landing Atlantic HMS without an observer on board when requested by NMFS to carry an observer on board the vessel. A \$57,500 NOVA was issued.

56. SE1100185; F/V Angler - Operator was charged under the Magnuson-Stevens Act for failing to comply with the restrictions on sale/purchase of reef fish and IFQ species. A \$15,000 NOVA was issued.

57. SE1100807; F/V El Sol - Owner and operator were charged under the National Marine Sanctuaries Act for fishing in the Tortugas Ecological Reserve North, in the Florida Keys National Marine Sanctuary. A \$5,400 NOVA was issued.

58. SE1101045; Vessel Praia - Owner and operator were charged in seven counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$40,250 NOVA was issued.

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59. SE1101047; Vessel Mare Lycium - Owner and operator were charged in twenty-five counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$143,750 NOVA was issued.
60. SE1101642; F/V Lisa M. Belle - Owner and operator were charged under the Magnuson-Stevens Act for fishing in violation of the prohibitions, restrictions, and requirements applicable to seasonal and/or area closures -- regarding Steamboat Lumps and Edges closure area. A \$13,500 NOVA was issued.
61. SE1102522; Vessel Janus - Owner and operator were charged in twelve counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$69,000 NOVA was issued.
62. SE1104082; F/V SS Enterprise - Owner and operator were charged under the Magnuson-Stevens Act for engaging in an activity for which a valid Federal Gulf reef fish charter permit is required, without such permit. A \$12,500 NOVA was issued.
63. SE1104187; Vessel Savannah - Owner/operator was charged in two counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. An \$11,500 NOVA was issued.
64. SE1104321; F/V Perserverance - Owner, operator, and company were charged under the Magnuson-Stevens Act for possessing on board a vessel or landed snowy grouper and red porgy in excess of the commercial trip limits. A \$3,600 NOVA was issued. [See, Settled cases, item 23, below, for resolution of this matter.]
65. SE1105152; F/V Kalije Belle - Owner and operator were charged under the Magnuson-Stevens Act for fishing longline gear in the United States Exclusive Economic Zone (EEZ) with cut-up pieces of shark as bait. A \$25,723.17 NOVA was issued.
66. SE1200013; F/V Capt. M & M - Owner and operator were charged under the Endangered Species Act for having a vessel not in compliance with Turtle Excluder Device (TED) regulations. A \$1,250 NOVA was issued.
67. SE1200785; F/V My Way II - Owner/operator was charged under the Endangered Species Act for having a vessel not in compliance with TED regulations. An \$8,000 NOVA was issued.
68. SE1200818; F/V Miss Sonia - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper during the recreational closure. A \$1,000 NOVA was issued.
69. SE1200886; F/V Sari III - Co-owner/operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the

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vicinity of Snake Creek, Florida, in the Florida Keys National Marine Sanctuary. A \$12,000 NOVA was issued. [See, Settled cases, item 29, below, for resolution of this matter.]

70. SE1201474; F/V Fish Hunter - Owner and operator were charged under the Magnuson-Stevens Act for failing to comply with any provision related to a VMS, including but not limited to, requirements for use, installation, activation, access to data, procedures related to interruption of VMS operation, and prohibitions on interference with the VMS. A written warning was issued.
71. SE1201651; F/V Mon Ami - Owner/operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the vicinity of Jewfish Bush Bank, Florida, in the Florida Keys National Marine Sanctuary. A \$9,000 NOVA was issued. [See, Settled cases, item 34, below, for resolution of this matter.]
72. SE1202100; F/V Master Jimmy - Owner/operator was charged under the Magnuson-Stevens Act for trawling within a closed area off of Texas. A \$12,500 NOVA was issued.
73. SE1202149; F/V Seaweed - Operator was charged under the Magnuson-Stevens Act for fishing in violation of the prohibitions, restrictions, and requirements applicable to the South Atlantic vermilion snapper seasonal closure and/or possessing undersized South Atlantic gag grouper. A \$3,600 NOVA was issued. [See, Settled cases, item 37, below, for resolution of this matter.]
74. SE1202509; F/V St. Martin - Owner and operator were charged in four counts under the Endangered Species Act for having a vessel not in compliance with TED regulations. An \$11,750 NOVA was issued. [See, Settled cases, item 38, below, for resolution of this matter.]
75. SE1202530; F/V Ms Eva - Owner and operator were charged under the Magnuson-Stevens Act for trawling within a closed area off of Texas. A \$14,075 NOVA was issued.
76. SE1202552; F/V Huachinango - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper during the recreational closure. A \$1,000 NOVA was issued.
77. SE1202569 - Company and operator were charged under the Marine Mammal Protection Act for feeding a wild marine mammal (dolphin). A \$5,000 NOVA was issued.
78. SE1202694; F/V Seminole Wind - Owner and operator were charged in two counts under the Magnuson-Stevens Act for fishing in violation of the prohibitions applicable to bottom longline fishing for Gulf reef fish and for disposing of gear after the approach of an enforcement aircraft. A \$32,500 NOVA was issued.

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79. SE1203307; F/V Papa Hobart - Owner and operator were charged in two counts under the Endangered Species Act for having a vessel not in compliance with TED regulations. A \$3,750 NOVA was issued.
80. SE1203610; F/V Life is Good - Owner/operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the vicinity of Red Bay Bank, Florida, in the Florida Keys National Marine Sanctuary. A \$6,000 NOVA was issued. [See, Settled cases, item 40, below, for resolution of this matter.]
81. SE1203686; F/V Howard McCall - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper during the recreational closure. A \$2,000 NOVA was issued.
82. SE1203799; Florida State registered vessel - Owner/operator was charged under the National Marine Sanctuaries Act for anchoring in the Tortugas Ecological Reserve South, in the Florida Keys National Marine Sanctuary. A \$2,700 NOVA was issued. Owner/operator and passengers were charged under the National Marine Sanctuaries Act for fishing in the Tortugas Ecological Reserve South, in the Florida Keys National Marine Sanctuary. A written warning was issued.
83. SE1204008 - Company and operator were charged in two counts under the Marine Mammal Protection Act for feeding a wild marine mammal (dolphin). A \$10,000 NOVA was issued.
84. SE1300061; F/V Fanta Seas - Owner and operator were charged under the Magnuson-Stevens Act for failing to comply with the protected species conservation measures -- regarding sea turtle mitigation gear. A \$5,000 NOVA was issued.
85. SE1300133; Vessel Dragon Glory - Owner and operators were charged under the National Marine Sanctuaries Act for operating a tank vessel or a vessel greater than 50 meters in registered length in an Area to be Avoided. A \$6,000 NOVA was issued. [See, Settled cases, item 41, below, for resolution of this matter.]
86. SE1300262; Florida State registered vessel - Operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the vicinity of Snake Creek, Florida, in the Florida Keys National Marine Sanctuary. A \$6,000 NOVA was issued.
87. SE1300549; F/V Lil Loo'er - Co-owner and passengers were charged under the Magnuson-Stevens Act for exceeding a bag or possession limit for South Atlantic black sea bass. A \$4,000 NOVA was issued.
88. SE1300621; F/V Laid Back - Operator and passenger were charged under the National Marine Sanctuaries Act for moving, removing, taking, cutting, or otherwise injuring any living or dead coral, or coral formation and/or operating a vessel in such a manner to cause

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prop-scarring in the vicinity of Sand Key Light, Florida, in the Florida Keys National Marine Sanctuary. A \$5,400 NOVA was issued.

89. SE1300741; F/V Gail Force - Operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the vicinity of Knight Key Bank, Florida, in the Florida Keys National Marine Sanctuary. A \$6,000 NOVA was issued.
90. SE1300751; F/V Annabel C - Co-owner and operator were charged under the National Marine Sanctuaries Act for having a marine sanitation device (MSD) that was not secured in a manner that prevents discharges or deposits of treated and untreated sewage. A \$3,000 NOVA was issued. [See, Settled cases, item 42, below, for resolution of this matter.]
91. SE1300820; Florida State registered vessel - Operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the vicinity of Tom's Harbor, Florida, in the Florida Keys National Marine Sanctuary. A \$5,400 NOVA was issued. [See, Settled cases, item 43, below, for resolution of this matter.]
92. SE1300878; F/V Sea Explorer - Owner and operator were charged in six counts under the National Marine Sanctuaries Act and the Endangered Species Act for anchoring in the Tortugas Ecological Reserve North; for having a MSD that was not secured in a manner that prevents discharges or deposits of treated and untreated sewage; and for having a vessel not in compliance with TED regulations. A \$16,950 NOVA was issued.
93. SE1300909; Florida State registered vessel - Operator and passenger were charged under the Magnuson-Stevens Act for fishing in violation of the prohibitions, restrictions, and requirements applicable to the South Atlantic Shallow Water Grouper seasonal closure and/or for exceeding a bag or possession limit for the South Atlantic black sea bass. A \$900 NOVA was issued. [See, Settled cases, item 44, below, for resolution of this matter.]
94. SE1301095 - Company and operator were charged under the Marine Mammal Protection Act for feeding a wild marine mammal (dolphin). A \$5,000 NOVA was issued.
95. SE1301618; F/V My Janu - Owner/operator and passengers were charged under the Magnuson-Stevens Act for harvesting or possessing South Atlantic red snapper in or from the South Atlantic EEZ and/or for exceeding the bag or possession limit for the South Atlantic black sea bass. A \$900 NOVA was issued.
96. SE1302035; F/V Halo - Operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner to cause prop-scarring in the vicinity of Newfound Harbor, Florida, in the Florida Keys National Marine Sanctuary. A \$5,400 NOVA was issued.

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SOUTHWEST

97. SW0804717; F/V Catherine - Owner/operator was charged under the Magnuson-Stevens Act for departing on a fishing trip without a VMS transceiver unit on the vessel. A written warning was issued.
98. SW1001526; F/V Pale Horse - Owner/operator was charged under the Magnuson-Stevens Act for operating the vessel inside the Non-Trawl RCA while having non-trawl gear on board, not being registered to a limited entry permit, while retaining groundfish, and not continuously transiting the RCA. A \$12,614 NOVA was issued.
99. SW1003250; F/V Renabel - Owner/operator was charged under the Magnuson-Stevens Act for failing to submit a new declaration report prior to leaving port on a trip in which a gear type that was different from the gear type most recently declared for the vessel was used. A \$1,000 NOVA was issued.
100. SW1100183; F/V Gina B - Owner/operator was charged under the Magnuson-Stevens Act for failing to submit a declaration report prior to leaving port on a trip. A \$1,000 NOVA was issued.
101. SW1201394 - Company was charged under the Magnuson-Stevens Act for failing to fully and properly deposit on time the full amount of all fee revenue collected under the Pacific Coast Groundfish Capacity Reduction Program. A \$30,000 NOVA was issued.
102. SW1201771; F/V Donna J - Operator was charged under the Magnuson-Stevens Act for harassing a groundfish observer by conduct that had the purpose or effect of interfering with the observer's work performance, and/or creating an intimidating, hostile or offensive environment. An \$18,500 NOVA was issued.

Agreed Disposition or Settlement Agreement

During this time period, there were settlements in 48 civil administrative cases, as follows:

ALASKA

1. AK0804849A and AK080489B; F/V Blue Pacific - Magnuson-Stevens Act \$26,000 NOVA and \$10,000 NOVA settled for \$24,000. [See, Charged cases, item 2 and item 3, from August 7, 2012, posting for initial charging information.]
2. AK1102181 - Northern Pacific Halibut Act \$30,300 NOVA settled for \$15,000. [See, Charged cases, item 2, from February 11, 2013, posting for initial charging information.]

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3. AK1103859; F/V Letun - Northern Pacific Halibut Act \$30,000 NOVA and \$89,713.96 NOVA settled for a permit sanction on halibut IFQ. [See, Charged cases, item 11, from August 7, 2012, posting for initial charging information.]
4. AK1104789 - Magnuson-Stevens Act \$10,000 NOVA settled for \$10,000. [See, Charged cases, item 20, above, for initial charging information.]

NORTHEAST

5. NE0804683 - Magnuson-Stevens Act \$12,500 NOVA settled for \$7,500. [See, Charged cases, item 26, above, for initial charging information.]
6. NE0900213; F/V Lori B and NE0900216; F/V Sea Dancer - Magnuson-Stevens Act \$5,633 NOVA and \$9,150 NOVA settled for \$2,200. [See, Charged cases, item 25 and item 26, from February 11, 2013, posting for initial charging information.]
7. NE0902601; F/V David D - Magnuson-Stevens Act \$17,500 NOVA settled for \$17,500, with \$17,500 suspended for two years. [See, Charged cases, item 27, above, for initial charging information.]
8. NE1001348; F/V Sasquatch III - Magnuson-Stevens Act \$22,035 NOVA settled for \$22,035, with \$21,035 suspended for one year. [See, Charged cases, item 30, above, for initial charging information.]
9. NE1103161A - Antarctic Marine Living Resources Convention Act \$6,500 NOVA settled for \$6,500. [See, Charged cases, item 54, from February 11, 2013, posting for initial charging information.]
10. NE1103161B - Antarctic Marine Living Resources Convention Act \$6,500 NOVA settled for \$6,500. [See, Charged cases, item 55, from February 11, 2013, posting for initial charging information.]

NORTHWEST

11. NW1000412; F/V Dominion - Magnuson-Stevens Act and Northern Pacific Halibut Act \$12,466.60 NOVA settled for \$11,716.60. [See, Charged cases, item 46, above, for initial charging information.]
12. NW1001768 and NW1102834; F/V Jamie K - Magnuson-Stevens Act \$39,982.65 NOVA and \$26,000 NOVA, settled for \$65,982.65, with \$58,982.65 suspended for one year. [See, Charged case, item 48, above, for initial charging information in NW1001768; see, Charged cases, item 58, from February 11, 2013, posting for initial charging information in NW1102834.]

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13. NW1001792 - Marine Mammal Protection Act \$1,000 NOVA settled for \$1,000, with \$800 suspended for one year. [See, Charged cases, item 49, above, for initial charging information.]
14. NW1102664; F/V Lady Cecelia - Magnuson-Stevens Act \$11,500 NOVA settled for \$4,500 with owner. [See, Charged cases, item 57, from February 11, 2013, posting for initial charging information.]

PACIFIC ISLANDS

15. PI1104728; F/V Jon Boy - Endangered Species Act \$500 NOVA settled for \$500. Owner and operator were charged in two counts for having a vessel not in compliance with TED regulations.
16. PI1104729; F/V Nguyen TJ II - Endangered Species Act \$6,375 NOVA settled for \$6,375, with \$637.50 suspended for eighteen months. [See, Charged cases, item 62, from February 11, 2013, posting for initial charging information.]
17. PI1105072; F/V Cape Breton - Magnuson-Stevens Act \$33,750 NOVA settled for \$26,800. [See, Charged cases, item 63, from February 11, 2013, posting for initial charging information.]
18. PI1201207; F/V Cape May - Magnuson-Stevens Act \$80,000 NOVA settled for \$70,000. [See, Charged cases, item 64, from February 11, 2013, posting for initial charging information.]

SOUTHEAST

19. SE1003831; F/V Nguyen TJ II - Magnuson-Stevens Act \$20,000 NOVA settled for \$20,000, with \$2,000 suspended for eighteen months. [See, Charged cases, item 27, from August 1, 2011, posting for initial charging information.]
20. SE1100885; F/V Lucy B - Magnuson-Stevens Act \$2,450 NOVA settled for \$1,000. [See, Charged cases, item 56, from August 7, 2012, posting for initial charging information.]
21. SE1100908; F/V Play Pen - Magnuson-Stevens Act \$4,450 NOVA settled for \$2,000. [See, Charged cases, item 58, from August 7, 2012, posting for initial charging information.]
22. SE1102515; Vessel Tsing Ma Bridge - Endangered Species Act and Marine Mammal Protection Act \$74,750 NOVA settled for \$74,750. [See, Charged cases, item 98, from February 11, 2013, posting for initial charging information.]

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23. SE1104321; F/V Perversance - Magnuson-Stevens Act \$3,600 NOVA settled for \$3,600. [See, Charged cases, item 64, above, for initial charging information.]
24. SE1104323; F/V Rebellious - National Marine Sanctuaries Act \$3,000 NOVA settled for \$3,000. [See, Charged cases, item 70, from August 7, 2012, posting for initial charging information.]
25. SE1104687; F/V Ike & Zack - Endangered Species Act \$7,500 NOVA settled for \$7,500, with \$1,500 suspended for eighteen months. Owner/operator was charged in three counts for having a vessel not in compliance with TED regulations.
26. SE1200305; F/V First Priority - National Marine Sanctuaries Act \$9,000 NOVA settled for \$3,500. [See, Charged cases, item 91, from August 7, 2012, posting for initial charging information.]
27. SE1200443 and SE1200444; F/V Nastasia - National Marine Sanctuaries Act \$18,000 NOVA settled for \$18,000, with \$18,000 suspended. The vessel operator agreed not to pilot a marine vessel after the effective date of the agreement. [See, Charged cases, item 121, from February 11, 2013, posting for initial charging information.]
28. SE1200635; F/V Queen B - Endangered Species Act \$7,000 NOVA settled for \$7,000, with \$5,200 suspended for eighteen months. [See, Charged cases, item 122, from February 11, 2013, posting for initial charging information.]
29. SE1200886; F/V Sari III - National Marine Sanctuaries Act \$12,000 NOVA settled for \$12,000, with \$7,500 suspended for ten months. [See, Charged cases, item 69, above, for initial charging information.]
30. SE1200947; M/V Charger - Magnuson-Stevens Act \$2,000 NOVA settled for \$2,000. [See, Charged cases, item 125, from February 11, 2013, posting for initial charging information.]
31. SE1200966; F/V Catch Dog - Magnuson-Stevens \$5,000 NOVA settled for \$1,600. [See, Charged cases, item 126, from February 11, 2013, posting for initial charging information.]
32. SE1201240; F/V Fish III - Magnuson-Stevens Act \$1,000 NOVA settled for \$1,000. [See, Charged cases, item 129, from February 11, 2013, posting for initial charging information.]
33. SE1201650; F/V Mary Brent - Magnuson-Stevens Act \$10,000 NOVA settled for \$10,000, with \$10,000 suspended. The vessel and vessel owner/operator agreed to a permit sanction, in which they are forbidden to fish for, possess, or deal in commercial Gulf reef fishing for a period of one year. [See, Charged cases, item 132, from February 11, 2013, posting for initial charging information.]
34. SE1201651; F/V Mon Ami - National Marine Sanctuaries Act \$9,000 NOVA settled for \$9,000. [See, Charged cases, item 71, above, for initial charging information.]

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35. SE1202101; F/V Si Se Puede - Magnuson-Stevens Act \$13,500 NOVA settled for \$13,500, with \$2,700 suspended for one year. [See, Charged cases, item 136, from February 11, 2013, posting for initial charging information.]
36. SE1202104; F/V Miro - Magnuson-Stevens Act \$13,750 NOVA settled for \$13,750, with \$2,750 suspended for one year. [See, Charged cases, item 138, from February 11, 2013, posting for initial charging information.]
37. SE1202149; F/V Seaweed - Magnuson-Stevens Act \$3,600 NOVA settled for \$500. [See, Charged cases, item 73, above, for initial charging information.]
38. SE1202509; F/V St. Martin - Endangered Species Act \$11,750 NOVA settled for \$11,750, with \$7,628 suspended for eighteen months. [See, Charged cases, item 74, above, for initial charging information.]
39. SE1203248; F/V Endless Summer III - Magnuson-Stevens Act \$1,000 NOVA against the owner settled for \$800. [See, Charged cases, item 143, from February 11, 2013, posting for initial charging information against the owner.]
40. SE1203610; F/V Life is Good - National Marine Sanctuaries Act \$6,000 NOVA settled for \$6,000. [See, Charged cases, item 80, above, for initial charging information.]
41. SE1300133; Vessel Dragon Glory - National Marine Sanctuaries Act \$6,000 NOVA settled for \$6,000. [See, Charged cases, item 85, above, for initial charging information.]
42. SE1300751; F/V Annabel C - National Marine Sanctuaries Act \$3,000 NOVA settled for \$3,000. [See, Charged cases, item 90, above, for initial charging information.]
43. SE1300820; Florida State registered vessel - National Marine Sanctuaries Act \$5,400 NOVA settled for \$5,400. [See, Charged cases, item 91, above, for initial charging information.]
44. SE1300909; Florida State registered vessel - Magnuson-Stevens Act \$900 NOVA settled for \$900. [See, Charged cases, item 93, above, for initial charging information.]

SOUTHWEST

45. SW0801471 - Endangered Species Act \$115,500 NOVA settled for \$115,500, with \$115,500 suspended for two years. [See, Charged cases, item 15, from September 1, 2010, posting for initial charging information.]
46. SW0803838; F/V Giovanni - Magnuson-Stevens Act \$33,545 NOVA settled for \$33,545, with \$33,545 suspended for two years. [See, Charged cases, item 103, from August 7, 2012, posting for initial charging information.]

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47. SW0904416; F/V Kathryn H - Magnuson-Stevens Act \$12,538 NOVA settled for \$12,538, with \$2,538 suspended for two years. [See, Charged cases, item 145, from February 11, 2013, posting for initial charging information.]

48. SW1003280; F/V Cheryl M. - Magnuson-Stevens Act \$13,950 NOVA settled for \$13,950, with \$2,800 suspended for two years. [See, Charged cases, item 146, from February 11, 2013, posting for initial charging information.]