

February 2014

**NOAA Office of the General Counsel, Enforcement Section  
Enforcement Actions  
July 1, 2013, through December 31, 2013<sup>1</sup>**

**NOVA and/or NOPS and/or Written Warning Issued and Served<sup>2</sup>**

**During this time period, NOAA charged 94 civil administrative cases, as follows:<sup>3</sup>**

**ALASKA**

1. AK0803641; F/V American No. 1 - Owner was charged in two counts under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) for interfering with or biasing the sampling procedure employed by an observer by sorting skates before sampling and allowing fish to remain on deck without an observer present, and for failing to record haul numbers into the flow scale; failing to reset the flow scale daily; failing to print the flow scale report at least once every 24 hours; and failing to retain the daily flow scale reports. An \$8,000 NOVA was issued.
2. AK0803875; F/V Trail Blazer - Owners and operator were charged under the Magnuson-Stevens Act for fishing for Pacific cod with pots set within the boundaries of the Bogoslof area. A \$2,800 NOVA was issued. [See, Settled cases, item 1, below, for resolution of this matter.]
3. AK0903048; F/V High Life - Individual was charged under the Northern Pacific Halibut Act (Halibut Act) for failing to submit an Individual Fishing Quota (IFQ) charter halibut logbook in a timely manner. A written warning was issued.
4. AK1003337; F/V Lone Fisherman - Individual was charged under the Magnuson-Stevens Act for exceeding the vessel use cap by harvesting IFQ sablefish in excess of the pound limit. A written warning was issued.
5. AK1100049 - Individual was charged under the Halibut Act for offering for sale and selling Pacific halibut caught by sport fishing in Alaska. An \$11,400 NOVA was issued.

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<sup>1</sup> Our next report will be posted in August 2014, reporting on civil administrative cases charged and settled for the period January 1, 2014, through June 30, 2014. Earlier reports were posted on September 1, 2010, February 1, 2011, August 1, 2011, February 6, 2012, August 7, 2012, February 11, 2013, and August 2, 2013, reporting for the period March 18, 2010, through June 30, 2013. The reports are not considered to be publications. All data is provisional.

<sup>2</sup> 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.

<sup>3</sup> These cases are listed by file number, separated by regions.

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6. AK1102317; F/V Castaway - Owner/operator was charged under the Magnuson-Stevens Act for fishing with longline gear, a type of bottom contact gear, in the Fairweather FN1 Gulf of Alaska Coral Habitat Protection Area. A \$13,335 NOVA was issued.
7. AK1104167; F/V Tanusha - Owner and operator were charged under the Magnuson-Stevens Act for engaging in directed fishing for Pacific cod from the vessel using pot gear within the Steller Sea Lion Protection Area adjacent to Marmot Island, Alaska. A \$12,000 NOVA was issued. [See, Settled cases, item 2, below, for resolution of this matter.]
8. AK1201349; F/V Pacific Sojourn - Owner and operator were charged under the Halibut Act for fishing for IFQ sablefish in Sitka Sound, and under the Magnuson-Stevens Act for deploying fixed gear in the West Yakutat Regulatory Area while retaining IFQ sablefish on the vessel, without a valid IFQ sablefish permit. A \$7,500 NOVA was issued. [See, Settled cases, item 3, below, for resolution of this matter.]

## **NORTHEAST**

9. NE0803554; F/V Déjà Vu II - Individual was charged under the Magnuson-Stevens Act for harvesting an Atlantic Bluefin tuna while receiving assistance from another vessel to harvest the tuna and for harvesting tuna with gear unauthorized by the NOAA General Category Atlantic Tuna Permit held when harvesting the tuna, and for making a false statement to a National Marine Fisheries Service (NMFS) special agent concerning the harvesting of the tuna. A written warning was issued.
10. NE0803601; F/V Bushwacker - Individual was charged under the Magnuson-Stevens Act for harvesting an Atlantic Bluefin tuna while receiving assistance from another vessel to harvest the tuna and for harvesting tuna with gear unauthorized by the NOAA General Category Atlantic Tuna Permit held when harvesting the tuna, and for making a false statement to a Maine Marine Patrol officer concerning the harvesting of the tuna. A written warning was issued.
11. NE0900218; sport F/V Chum Pot - Individual was charged under the Magnuson-Stevens Act for fishing for Atlantic Bluefin tuna without a permit, failing to report to NMFS the landing of the tuna, and selling and/or attempting to sell the tuna to an individual who was not a permitted Federal fish dealer. A written warning was issued.
12. NE0902700; F/V Adventura - Owner/operator was charged under the Magnuson-Stevens Act for making a false statement to NMFS special agents concerning the catching of fish. A \$20,000 NOVA was issued.
13. NE0902833 - Individual was charged under the Magnuson-Stevens Act for selling or attempting to sell Atlantic Bluefin tuna to individuals who are not permitted Federal fish dealers and for providing a false statement to an authorized officer concerning the sale and/or attempted sale of the tuna. A written warning was issued.

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14. NE0903312 - Individual was charged under the Magnuson-Stevens Act for exceeding the Atlantic Bluefin tuna limit associated with an Atlantic Highly Migratory Species (HMS) Angling Category permit; possessing filleted tuna at the time of landing; fishing for and retaining dolphin without an Atlantic dolphin and wahoo permit; operating a charter vessel or headboat as a hired captain; fishing for and retaining dolphin without an operator's permit; and making a false statement to an authorized officer concerning the hidden tuna steaks on board the vessel. A written warning was issued.
15. NE0903991; F/V Ocean Explorer - Owner and operator were charged under the Magnuson-Stevens Act for fishing for/possessing black sea bass during a closure, giving a false statement to an officer, and obstructing an investigation. A written warning was issued.
16. NE1001894; F/V Diane - Owner/operator was charged in two counts under the Magnuson-Stevens Act for fishing for an Atlantic HMS without the appropriate valid vessel permit and for possessing a prohibited shark. A \$6,650 NOVA was issued.
17. NE1002525 - Individual was charged under the Magnuson-Stevens Act for retaining and landing an Atlantic Bluefin tuna less than the large medium size class. A \$5,945.65 NOVA was issued.
18. NE1002587; North Atlantic Traders Ltd. - Company was charged in three counts under the Magnuson-Stevens Act for purchasing an Atlantic Bluefin tuna less than the large medium size class; for making a false statement to authorized officers; and for submitting a false landing report. A \$24,000 NOVA was issued.
19. NE1003176; F/V Elz Bellz - Owner/operator was charged under the Magnuson-Stevens Act for harvesting a swordfish without an Atlantic HMS swordfish permit. A \$6,440 NOVA was issued.
20. NE1004233; F/V Revolution - Owner/operator was charged under the Magnuson-Stevens Act for retaining on board and possessing female American lobsters with standard v-shaped notches. A \$2,000 NOVA was issued.
21. NE1101453; M/V New England - Owner and manager were charged under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$5,750 NOVA was issued.
22. NE1101458; M/V Pacific Pearl - Owner and manager were 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. [See, Settled cases, item 4, below, for resolution of this matter.]
23. NE1101476; M/V Stena Polaris - Owner and manager were charged in three counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$17,250 NOVA was issued.

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24. NE1101477; M/V Al Sabahia - Owner/manager 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; and for failing to enter required information into the logbook of the vessel, including, but not limited to, the reasons why a deviation from the 10-knot speed limit was necessary; and for failing to attest to the accuracy of the required logbook entry. A \$1,000 amended NOVA was issued. [See, Settled cases, item 5, below, for resolution of this matter.]
25. NE1101488; M/V Rhourd Enouss - Owner and manager 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.
26. NE1101489; M/V CS Victory - Owner and manager were charged in five counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$28,750 NOVA was issued. [See, Settled cases, item 6, below, for resolution of this matter.]
27. NE1101490; M/V Eastern Power - Owner and manager were charged in four counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$23,000 NOVA was issued.
28. NE1101492; M/V Tian Sheng He - Owner and manager were charged in three counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$17,250 NOVA was issued.
29. NE1101530; M/V Susana S - Owner/manager was charged in twenty-two counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$126,500 NOVA was issued.
30. NE1101532; M/V Star Kilimanjaro - Owner and manager were charged under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$5,750 NOVA was issued. [See, Settled cases, item 7, below, for resolution of this matter.]
31. NE1101535; M/V Aegean Power - Owner and manager were charged under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$5,750 NOVA was issued.
32. NE1101605; M/V Hosanger - Owner/manager 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. [See, Settled cases, item 8, below, for resolution of this matter.]
33. NE1101606; M/V South Hampton Star - Owner and manager were charged in twenty-one counts under the Endangered Species Act and Marine Mammal Protection Act for violating speed restrictions to protect endangered North Atlantic right whales. A \$120,750 NOVA was issued.

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34. NE1101726; F/V Dorothy M - Individual was charged under the Magnuson-Stevens Act for landing Atlantic scallops in excess of the IFQ trip limit. A \$2,000 NOVA was issued. [See, Settled cases, item 9, below, for resolution of this matter.]
35. NE1104629; F/V Blue Water III - Owner and operator were charged under the Magnuson-Stevens Act for having a trawl net with a mesh size smaller than the mesh size required within the Gulf of Maine Regulated Mesh Area. A \$5,250 NOVA was issued.
36. NE1200228; The Fishman Lobster Company Ltd. - Company was charged under the Lacey Act for importing and transporting in foreign commerce female v-notched lobsters, and under the Magnuson-Stevens Act for shipping in foreign commerce lobsters of the species Homerus americanus that were smaller than the minimum possession size. A \$5,000 NOVA was issued.
37. NE1200581; By The Water Shellfish Inc. - Company was charged under the Lacey Act for importing and transporting in foreign commerce female v-notched lobsters. A \$6,500 NOVA was issued.
38. NE1200646; North 49 Holdings Ltd. - Company was charged under the Lacey Act for importing and transporting in foreign commerce female v-notched lobsters, and under the Magnuson-Stevens Act for shipping and transporting in foreign commerce lobsters of the species Homerus americanus that were smaller than the minimum possession size. A \$5,000 NOVA was issued.
39. NE1200938; James L. Mood Fisheries Ltd. - Company was charged in two counts under the Magnuson-Stevens Act for shipping and transporting in foreign commerce lobsters of the species Homerus americanus that were egg-bearing, as well as live lobsters of the species Homerus americanus that were smaller than the minimum possession size, and under the Lacey Act for importing and transporting in interstate and foreign commerce female v-notched lobsters. A \$22,500 NOVA was issued.
40. NE1202124; F/V Black Bear - Owner and operator were charged under the Magnuson-Stevens Act for fishing for Atlantic sea scallops in the Exclusive Economic Zone (EEZ) of the United States (U.S.) without the required Atlantic sea scallop permit for the vessel. A \$15,000 NOVA was issued.
41. NE1203325; Young's Lobster Company Ltd. - Company was charged under the Magnuson-Stevens Act for shipping and transporting in interstate and foreign commerce lobsters of the species Homerus americanus that were egg-bearing, as well as smaller than the minimum possession size, and under the Lacey Act for importing and transporting in interstate and foreign commerce female v-notched lobsters. A \$20,500 NOVA was issued.
42. NE1204050; F/V Perry's Pride II - Individual was charged under the Magnuson-Stevens Act for possessing or landing skate wings contrary to the possession and landing limit per fishing trip. A \$1,500 NOVA was issued.

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43. NE1300489; F/V Fatty - Owner and operator were charged in three counts under the Magnuson-Stevens Act for engaging in fishing from the vessel and for taking or retaining fish while on board the vessel, both while in waters subject to the fisheries jurisdiction of Canada, without the express authorization of the Government of Canada, and for having fishing rods that were readily available for immediate use and were not stowed below deck or in an area where fishing rods are not normally used. A \$7,980 NOVA was issued.

### **NORTHWEST**

44. NW1300816; F/V Steve C - Owner and operator were charged under the Magnuson-Stevens Act for discarding canary rockfish, an IFQ species, at sea from the vessel before the observer on board had documented or estimated the discarded canary rockfish. A \$16,500 NOVA was issued.

### **PACIFIC ISLANDS**

45. PI1201802; F/V Sapphire III - Owner and operator were charged in three counts under the Magnuson-Stevens Act for fishing in the Papahānaumokuākea Marine National Monument and catching, or attempting to catch, swordfish and other fish species. A \$59,616.48 NOVA was issued.
46. PI1204167; F/V Vui Vui - Owners and operator were charged under the Magnuson-Stevens Act for fishing using longlines in the Main Hawaiian Islands longline prohibited area. A \$17,770 NOVA was issued.
47. PI1300352; F/V Gloria Park - Owner and operators were charged under the Magnuson-Stevens Act for using a large vessel to fish for Western Pacific Pelagic management unit species in the Large Vessel Prohibited Area. A \$13,945 NOVA was issued. [See, Settled cases, item 11, below, for resolution of this matter.]

### **SOUTHEAST**

48. SE0802631; F/V Boomerang - Company and individual were charged under the Magnuson-Stevens Act for landing a sailfish without an HMS Charter/Headboat Category permit and failing to report to NMFS the landing of the sailfish within 24 hours of the landing. A written warning was issued.
49. SE0804532; Bryant Products Inc. - Company was charged under the Magnuson-Stevens Act for possessing red snapper without first obtaining a red snapper IFQ approval code from NMFS and possessing shark fins from a prohibited shark species. A written warning was issued. Individual was charged under the Magnuson-Stevens Act for possessing red snapper without first obtaining a red snapper IFQ approval code from NMFS, landing red snapper without first completing a red snapper IFQ three hour landing notification, and possessing recreationally caught red snapper during a closed season. A written warning was issued.
50. SE0804967; F/V Sir Martin E - Individuals were charged under the Magnuson-Stevens Act for using pieces of red grouper, snapper, and shark to bait pelagic longline gear being fished in Federal waters in the Gulf of Mexico. A written warning was issued.

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51. SE0900110; F/V Provider - Company and individual were charged under the Magnuson-Stevens Act for fishing for Atlantic HMS without carrying an observer on board the vessel when required to do so by NMFS. A written warning was issued.
52. SE0900161; North Star Seafood - Company was charged under the Magnuson-Stevens Act for purchasing swordfish as a regular part of business with an expired Federal fisheries dealer permit and failing to report to NMFS the purchase of the swordfish. A written warning was issued.
53. SE0900396 - Individual was charged under the Magnuson-Stevens Act for landing King Mackerel in excess of the legal limit. A written warning was issued.
54. SE0901858; F/V Juan Andres - Company and individual were charged under the Magnuson-Stevens Act for fishing with an expired limited access permit. A written warning was issued.
55. SE0902325; sport F/V Bar Pirate - Individual was charged under the Magnuson-Stevens Act for harvesting Atlantic Bluefin tuna without a valid Federal permit and by selling Atlantic Bluefin tuna without a valid Federal permit. A written warning was issued.
56. SE0903247; B & J Seafood Company Inc. - Company was charged under the Lacey Act for transporting shellfish in interstate commerce in violation of underlying state laws. A written warning was issued.
57. SE0903421; F/V Rosa Maria - Individuals were charged under the Magnuson-Stevens Act for fishing a foreign flag fishing vessel in the U.S. EEZ. A written warning was issued.
58. SE0903624; F/V Lady Kristie II - Individuals were charged under the Magnuson-Stevens Act for possessing shark fins without the corresponding carcasses and possessing undersized red snapper. A written warning was issued.
59. SE0903831; F/V Osprey - Company and individual were charged under the Magnuson-Stevens Act for charter fishing in Federal waters for Atlantic HMS without an Atlantic HMS Charter/Headboat Category permit, failing to make such permit available for inspection by law enforcement, and failing to display such permit. A written warning was issued.
60. SE0904245 - Individuals were charged under the Magnuson-Stevens Act for fishing with traps that failed to have a second escape opening, and under the Marine Mammal Protection Act for fishing with traps that failed to have weak-links installed. A written warning was issued.
61. SE0904446 - Company and individual were charged under the Marine Mammal Protection Act for fishing with a gillnet that did not have weak-links installed. A written warning was issued.
62. SE1000094; F/V Master Kelvin - Company and individual were charged under the Magnuson-Stevens Act for fishing with an expired limited access permit. A written warning was issued.
63. SE1000763 - Individuals were charged under the Lacey Act for transporting, possessing, and selling or purchasing red drum in interstate commerce in violation of underlying state laws. A written warning was issued.

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64. SE1001597; F/V Lucky Star I - Individuals were charged under the Magnuson-Stevens Act for fishing with an expired limited access permit. A written warning was issued.
65. SE1002229; F/V Kevin Rico II - Individual was charged under the Magnuson-Stevens Act for fishing in that portion of the Gulf EEZ off Texas closed to shrimp trawling. A written warning was issued.
66. SE1003196 - Individual was charged under the Magnuson-Stevens Act for fishing for Atlantic HMS without an Atlantic HMS Angling Category permit and possessing undersized HMS. A written warning was issued.
67. SE1004274 - Individual was charged under the Magnuson-Stevens Act for possessing undersized swordfish and possessing on board the fishing vessel improperly marked buoy gear. A written warning was issued.
68. SE1100674; F/V Whiskey Joe - Owner and operator were charged in two counts under the Magnuson-Stevens Act for possessing shark fins on board the vessel and not having a valid Atlantic HMS permit, and for failing to maintain naturally attached shark fins through offloading. A \$13,000 NOVA was issued.
69. SE1101495; F/V Patti Sue - Co-owners were charged under the Magnuson-Stevens Act for failing to maintain a fish intact through offloading ashore. A \$1,000 NOVA was issued. [See, Settled cases, item 16, below, for resolution of this matter.]
70. SE1101510; F/V El Sueno - Owner and operator were charged in two counts under the Magnuson-Stevens Act for possessing blacktip sharks without an Atlantic HMS permit on board the vessel and for possessing twice the number of red snapper while on a commercial shrimp trawling trip. A \$6,000 NOVA was issued.
71. SE1201467; F/V Island Way - Owner/operator was charged in two counts under the Magnuson-Stevens Act for failing to comply with any provision of the IFQ program for Gulf reef snapper and groupers. A \$13,101 NOVA was issued. [See, Settled cases, item 20, below, for resolution of this matter.]
72. SE1201902; Florida state registered vessel - Owner/operator and individuals were charged under the Lacey Act for importing fish, lobster, and turtle meat possessed or exported in violation of Bahamian law. A \$5,000 NOVA was issued. [See, Settled cases, item 21, below, for resolution of this matter.]
73. SE1203258; F/V Excalibur II - Operator and individuals were charged under the Magnuson-Stevens Act for possessing undersized dolphin and/or exceeding a bag or possession limit for South Atlantic black sea bass. A \$2,000 NOVA was issued.
74. SE1300035; F/V Fish Bounty - Owner/operator was charged in two counts under the Magnuson-Stevens Act for purchasing Gulf reef fish without a valid Gulf reef fish dealer permit and selling Gulf reef fish to an unpermitted Gulf reef fish dealer, and for failing to comply with any provision related to the IFQ program for Gulf groupers. A \$7,000 NOVA was issued.



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75. SE1300083; F/V Don Nico - Owner and operator were charged in two counts under the Endangered Species Act for having a vessel not in compliance with Turtle Excluder Device (TED) regulations. A \$4,275 NOVA was issued.
76. SE1300084; F/V Salvador R - Owner and operator were charged in four counts under the Endangered Species Act for having a vessel not in compliance with TED regulations. An \$8,550 NOVA was issued.
77. SE1300335; Florida state registered vessel - Operator and individuals were charged under the Magnuson-Stevens Act for exceeding a bag or possession limit for South Atlantic black sea bass. A \$1,800 NOVA was issued.
78. SE1300657; F/V Lady Kim T - Owner and operator were charged in two counts under the Endangered Species Act for having a vessel not in compliance with TED regulations. A \$4,275 NOVA was issued.
79. SE1301740; Louisiana state registered vessel - Owner/operator was charged under the Magnuson-Stevens Act for possessing red snapper during the seasonal closure of the recreational sector. A \$500 NOVA was issued.
80. SE1301781; Louisiana state registered vessel - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper during the seasonal closure of the recreational sector. A \$500 NOVA was issued. [See, Settled cases, item 38, below, for resolution of this matter.]
81. SE1302148; Louisiana state registered vessel - Operator was charged under the Magnuson-Stevens Act for possessing red snapper during the seasonal closure of the recreational sector. A \$500 NOVA was issued. [See, Settled cases, item 39, below, for resolution of this matter.]
82. SE1302150; Louisiana state registered vessel - Owner/operator was charged under the Magnuson-Stevens Act for possessing red snapper during the seasonal closure of the recreational sector. A \$500 NOVA was issued.
83. SE1302629 - Owner was charged under the Magnuson-Stevens Act for transferring a giant Atlantic Bluefin tuna landed on board a vessel to a dealer that did not have a valid dealer permit issued for commercial purposes. A \$12,500 NOVA was issued. Individual was charged under the Magnuson-Stevens Act for receiving a giant Atlantic Bluefin tuna for commercial purposes from the owner of a vessel not permitted to sell the tuna. A \$15,000 NOVA was issued. [See, Settled cases, item 40, below, for resolution of the matter with the owner.]
84. SE1303052; M/V Onego Trader - Owner/manager 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 within the Florida Keys National Marine Sanctuary. A \$6,000 NOVA was issued. [See, Settled cases, item 41, below, for resolution of this matter.]
85. SE1303117; F/V Christina Ann - 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.

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86. SE1303166; F/V Compromise - Operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner as to cause prop-scarring in the vicinity of West Washerwoman Shoal, in the Florida Keys National Marine Sanctuary. A written warning was issued.
87. SE1304144; Florida state registered vessel - Operator was charged under the National Marine Sanctuaries Act for operating a vessel in such a manner as to cause prop-scarring in the vicinity of Middle Ground Northwest Channel, Florida, in the Florida Keys National Marine Sanctuary. A \$1,800 NOVA was issued. [See, Settled cases, item 42, below, for resolution of this matter.]
88. SE1304381; F/V Ethan G - Owner and operator were charged under the Magnuson-Stevens Act for exceeding the bag limit for red snapper. A \$1,000 NOVA was issued.
89. SE1304471; F/V My Dad Whitney - Owner, operator, and individuals were charged under the Magnuson-Stevens Act for exceeding the bag and possession limit of red snapper and greater amberjack, all of which were not maintained intact through offloading. A \$2,300 NOVA was issued.

## **SOUTHWEST**

90. SW0703940; Pacific Paradise Foods, Inc. - Company was charged under the Magnuson-Stevens Act for importing shipments of Bluefin tuna, without possessing a valid trade permit or submitting bi-weekly dealer reports or Bluefin Catch Documents. A \$20,000 NOVA was issued. [See, Settled cases, item 43, below, for resolution of this matter.]
91. SW1001058; Stanford Vina Ranch Irrigation Co. - Company was charged under the Endangered Species Act for taking threatened Central Valley spring-run Chinook salmon, by operating a diversion dam. A \$9,000 NOVA was issued.
92. SW1100571 - Individual was charged under the Marine Mammal Protection Act for selling whale vertebrae, and offering for sale whale vertebrae, through a consignment agreement. A \$5,100 NOVA was issued.
93. SW1103390; Jennifer Cattle Company, Inc. - Company was charged under the Endangered Species Act for taking threatened Southern Oregon/Northern California Coast coho salmon, by operating a water diversion. An \$8,000 NOVA was issued.
94. SW1301455; F/V Victoria - Owner/operator was charged in two counts under the Magnuson-Stevens Act for operating the vessel in the Cowcod Conservation Area (CCA) while having non-trawl gear on board, not being registered to a limited entry permit, while retaining or possessing groundfish in the U.S. EEZ, and not continuously transmitting the CCA. A \$63,738 NOVA was issued.

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**Agreed Disposition or Settlement Agreement**

**During this time period, there were settlements in 47 civil administrative cases, as follows:**

**ALASKA**

1. AK0803875; F/V Trail Blazer - Magnuson-Stevens Act \$2,800 NOVA settled for \$2,800. [See, Charged cases, item 2, above, for initial charging information.]
2. AK1104167; F/V Tanusha - Magnuson-Stevens Act \$12,000 NOVA settled for \$10,800. [See, Charged cases, item 7, above, for initial charging information.]
3. AK1201349; F/V Pacific Sojourn - Halibut Act and Magnuson-Stevens Act \$7,500 NOVA settled for \$6,750. [See, Charged cases, item 8, above, for initial charging information.]

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4. NE1101458; F/V Pacific Pearl - Endangered Species Act and Marine Mammal Protection Act \$11,500 NOVA settled for \$11,500. [See, Charged cases, item 22, above, for initial charging information.]
5. NE1101477; F/V Al Sabahia - Endangered Species Act and Marine Mammal Protection Act \$1,000 amended NOVA settled for \$1,000. [See, Charged cases, item 24, above, for initial charging information.]
6. NE1101489; F/V CS Victory - Endangered Species Act and Marine Mammal Protection Act \$28,750 NOVA settled for \$28,750. [See, Charged cases, item 26, above, for initial charging information.]
7. NE1101532; F/V Star Kilimanjaro - Endangered Species Act and Marine Mammal Protection Act \$5,750 NOVA settled for \$5,175. [See, Charged cases, item 30, above, for initial charging information.]
8. NE1101605; F/V Hosanger - Endangered Species Act and Marine Mammal Protection Act \$11,500 NOVA settled for \$10,350. [See, Charged cases, item 32, above, for initial charging information.]
9. NE1101726; F/V Dorothy M - Magnuson-Stevens Act \$2,000 NOVA settled for \$1,800. [See, Charged cases, item 34, above, for initial charging information.]

**NORTHWEST**

10. NW1001318; F/V Western Breeze - Magnuson-Stevens Act \$12,500 NOVA settled for \$5,000 with the owner. [See, Charged cases, item 47, from August 2, 2013 posting for initial charging information.]

**PACIFIC ISLANDS**

11. PI1300352; F/V Gloria Park - Magnuson-Stevens Act \$13,945 NOVA settled for \$12,695. [See, Charged cases, item 47, above, for initial charging information.]

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**SOUTHEAST**

12. SE0901889; F/V Bold Venture - Magnuson-Stevens Act \$5,000 NOVA settled for \$5,000. Owner and operator were charged for failing to comply with the restrictions that apply after closure of a fishery.
13. SE1100430; F/V Miss Rita - Magnuson-Stevens Act \$12,500 NOVA settled for \$2,000. [See, Charged cases, item 36, from August 1, 2011 posting for initial charging information.]
14. SE1100807; F/V El Sol - National Marine Sanctuaries Act \$5,400 NOVA settled for a suspended civil penalty. [See, Charged cases, item 57, from August 2, 2013 posting for initial charging information.]
15. SE1101045; Vessel Praia - Endangered Species Act and Marine Mammal Protection Act \$40,250 NOVA settled for \$40,250. [See, Charged cases, item 58, from August 2, 2013 posting for initial charging information.]
16. SE1101495; F/V Patti Sue - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 69, above, for initial charging information.]
17. SE1102484; F/V Trade Winds - Magnuson-Stevens Act \$5,000 NOVA settled for \$5,000, with \$4,500 suspended for 1 year. Owner and operator were charged for failing to comply with protected species conservation measures for turtles.
18. SE1104187; F/V Savannah - Endangered Species Act and Marine Mammal Protection Act \$11,500 NOVA settled for \$5,750. One of the counts was dismissed. [See, Charged cases, item 63 from August 2, 2013 posting for initial charging information.]
19. SE1200818; F/V Miss Sonia - Magnuson-Stevens Act \$1,000 NOVA settled for \$1,000. [See, Charged cases, item 68, from August 2, 2013 posting for initial charging information.]
20. SE1201467; F/V Island Way - Magnuson-Stevens Act \$13,101 NOVA settled for a waived civil penalty. [See, Charged cases, item 71, above, for initial charging information.]
21. SE1201902; Florida state registered vessel - Magnuson-Stevens Act \$5,000 NOVA settled for \$4,500. [See, Charged cases, item 72, above, for initial charging information.]
22. SE1202100; F/V Master Jimmy - Magnuson-Stevens Act \$12,500 NOVA settled for \$12,500, with \$2,500 suspended for 1 year. [See, Charged cases, item 72, from August 2, 2013 posting for initial charging information.]
23. SE1202168; F/V Angelina - Magnuson-Stevens Act \$14,000 NOVA settled for \$14,000, with \$2,800 suspended for 1 year. [See, Charged cases, item 139, from February 11, 2013 posting for initial charging information.]
24. SE1202170; F/V Miz Shirley - Magnuson-Stevens Act \$12,500 NOVA settled for \$12,500, with \$2,500 suspended for 1 year. [See, Charged cases, item 140, from February 11, 2013 posting for initial charging information.]

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25. SE1202530; F/V Miss Eva - Magnuson-Stevens Act \$14,075 NOVA settled for \$14,075, with \$2,075 suspended for 2 years. [See, Charged cases, item 75, from August 2, 2013 posting for initial charging information.]
26. SE1202569 - Marine Mammal Protection Act \$5,000 NOVA settled for \$5,000, with \$1,000 suspended for 1 year. [See, Charged cases, item 77, from August 2, 2013 posting for initial charging information.]
27. SE1203235; F/V Wing Shot - Magnuson-Stevens Act \$5,000 NOVA settled for \$4,500. Owner and operator were charged for failing to comply with any provision related to the Gulf red snapper IFQ program and IFQ program for Gulf groupers.
28. SE1203307; F/V Papa Hobart - Endangered Species Act \$3,750 NOVA settled for \$3,750. [See, Charged cases, item 79, from August 2, 2013 posting for initial charging information.]
29. SE1203686; F/V Howard McCall - Magnuson-Stevens Act \$2,000 NOVA settled for \$2,000. [See, Charged cases, item 81, from August 2, 2013 posting for initial charging information.]
30. SE1203799; Florida state registered vessel - National Marine Sanctuaries Act \$2,700 NOVA settled for \$2,700. [See, Charged cases, item 82, from August 2, 2013 posting for initial charging information.]
31. SE1204008 - Marine Mammal Protection Act \$10,000 NOVA settled for \$10,000, with \$2,000 suspended for 1 year. [See, Charged cases, item 83, from August 2, 2013 posting for initial charging information.]
32. SE1300061; F/V Fanta Seas - Magnuson-Stevens Act \$5,000 NOVA settled for \$4,500. [See, Charged cases, item 84, from August 2, 2013 posting for initial charging information.]
33. SE1300262; Florida state registered vessel - National Marine Sanctuaries Act \$6,000 NOVA settled for \$6,000. [See, Charged cases, item 86, from August 2, 2013 posting for initial charging information.]
34. SE1300549; F/V Lil Loo-er - Magnuson-Stevens Act \$4,000 NOVA settled for \$1,000. [See, Charged cases, item 87, from August 2, 2013 posting for initial charging information.]
35. SE1300621; F/V Laid Back - National Marine Sanctuaries Act \$5,400 NOVA settled for \$5,400. [See, Charged cases, item 88, from August 2, 2013 posting for initial charging information.]
36. SE1300741; F/V Gail Force - National Marine Sanctuaries Act \$6,000 NOVA settled for \$2,000. [See, Charged cases, item 89, from August 2, 2013 posting for initial charging information.]
37. SE1301618; F/V My Janu - Magnuson-Stevens Act \$900 NOVA settled for \$900. [See, Charged cases, item 95, from August 2, 2013 posting for initial charging information.]
38. SE1301781; Louisiana state registered vessel - Magnuson-Stevens Act \$500 NOVA settled for \$450. [See, Charged cases, item 80, above, for initial charging information.]

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39. SE1302148; Louisiana state registered vessel - Magnuson-Stevens Act \$500 NOVA settled for \$500. [See, Charged cases, item 81, above, for initial charging information.]
40. SE1302629 - Magnuson-Stevens Act \$12,500 NOVA settled for \$11,250 with the owner. [See, Charged cases, item 83, above, for initial charging information.]
41. SE1303052; M/V Onego Trader - National Marine Sanctuaries Act \$6,000 NOVA settled for \$6,000. [See, Charged cases, item 84, above, for initial charging information.]
42. SE1304144; Florida state registered vessel - National Marine Sanctuaries Act \$1,800 NOVA settled for \$1,800. [See, Charged cases, item 87, above, for initial charging information.]

## **SOUTHWEST**

43. SW0703940; Pacific Paradise Foods, Inc. - Magnuson-Stevens Act \$20,000 NOVA settled for \$20,000. [See, Charged cases, item 90, above, for initial charging information.]
44. SW0803338; F/V Irene's Way - Magnuson-Stevens Act \$109,271 NOVA settled for \$109,271, with \$109,271 suspended for 2 years. [See, Charged cases, item 101, from August 7, 2012 posting for initial charging information.]
45. SW1100183; F/V Gina B - Magnuson-Stevens \$1,000 NOVA settled for \$800. [See, Charged cases, item 100, from August 2, 2013 posting for initial charging information.]
46. SW1104886; F/V Miss Emily - Magnuson-Stevens Act \$7,000 NOVA settled for \$7,000, with \$1,400 suspended for 18 months, with the owner. Owner and operator were charged in two counts under the Endangered Species Act for having a vessel not in compliance with TED regulations.
47. SW1201771; F/V Donna J - Magnuson-Stevens Act \$18,500 NOVA settled for \$18,500, with \$5,500 suspended for 1 year. [See, Charged cases, item 102, from August 2, 2013 posting for initial charging information.]