

August 2014

**NOAA Office of the General Counsel, Enforcement Section  
Enforcement Actions  
January 1, 2014, through June 30, 2014<sup>1</sup>**

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

**During this time period, NOAA charged 77 civil administrative cases, as follows:<sup>3</sup>**

**ALASKA**

1. AK0900718; Doc Warners Alaska Fishing, Inc. - Company and individuals were charged under the Northern Pacific Halibut Act (Halibut Act) for offering sport fish for sale, trade or barter by serving for meals sport caught halibut; violating Alaska Department of Fish and Game (ADF&G) Saltwater Sport Fishing Charter Trip Logbook provisions; and failing to ensure that the charter vessel guide complied with reporting requirements. A written warning was issued.
2. AK0902808; F/V Chaos - Owner/operator was charged under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) for retaining Individual Fishing Quota (IFQ) sablefish on a vessel in excess of the total amount of unharvested IFQ applicable to the IFQ regulatory area in which the vessel is deploying fixed gear, and that is currently held by all IFQ permit holders aboard the vessel. A \$1,000 NOVA was issued. [See, Settled cases, item 3, below, for resolution of this matter.]
3. AK0903518; F/V Saga - Owner/operator was charged in two counts under the Halibut Act for making an IFQ halibut landing other than directly to a registered buyer, and failing to submit accurate information on a landing report; and for possessing on board the vessel halibut other than whole or with gills and entrails removed. A \$6,000 NOVA was issued. [See, Settled cases, item 4, below, for resolution of this matter.]
4. AK1000171; F/V Viking Explorer - Operator was charged under the Magnuson-Stevens Act for failing to retain all Improved Retention and Improved Utilization (IR/IU) species on board until lawful transfer. A written warning was issued.

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<sup>1</sup> Our next report will be posted in February 2015, reporting on civil administrative cases charged and settled for the period July 1, 2014, through December 31, 2014. Earlier reports were posted on September 1, 2010, February 1, 2011, August 1, 2011, February 6, 2012, August 7, 2012, February 11, 2013, August 2, 2013, and February 2014, reporting for the period March 18, 2010, through December 31, 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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5. AK1001062 - Individual was charged under the Halibut Act for fishing for subsistence halibut in Convention Waters in a non-subsistence marine waters area. A written warning was issued.
6. AK1001675; F/V Pacific Sea - Operator was charged under the Halibut Act for using the vessel to harvest more than the halibut catch limit for International Pacific Halibut Commission regulatory area 2C. A written warning was issued.
7. AK1002381; F/V Christi-Rob - Individual was charged under the Halibut Act for failing to provide accurate scales weights for the ADF&G statistical area of harvest and retaining IFQ halibut on a vessel in regulatory area 2C in excess of the total amount of unharvested IFQ applicable to the regulatory area. A written warning was issued.
8. AK1004042; F/V Majesty - Individual was charged under the Magnuson-Stevens Act for discarding or releasing IR/IU species prior to being brought on board the vessel; for failing to comply with the record and recording requirements by failing to record haul weights and discard information and signing an ADF&G fish ticket which contained false information; for altering or changing an entry in a logbook; and for failing to submit the blue colored page of the logbook to the receiving shore side processor. A written warning was issued.
9. AK1101142; F/V Sunset Bay - Individual was charged under the Magnuson-Stevens Act for failing to comply with the requirements prohibiting any product from an IR/IU species from being discarded at sea, unless discharging is necessary to meet other requirements. A written warning was issued.
10. AK1102076; Seafood Producers Cooperative - Company was charged under the Magnuson-Stevens Act for submitting inaccurate information on an IFQ landing report. A written warning was issued.
11. AK1202714; F/V Indigo - Individual was charged under the Halibut Act and Magnuson-Stevens Act for not being able to provide copies of the underlying IFQ permits for inspection on request of any authorized officer. A written warning was issued.

## **NORTHEAST**

12. NE0901700; F/V Natator - Owner/operator was charged under the Magnuson-Stevens Act for landing winter flounder caught using a Federal Northeast Multi-Species Open Access Permit while fishing inside the Southern New England-Mid-Atlantic Winter Flounder Stock Area. A \$2,000 NOVA was issued.
13. NE1001053; F/V Lady Leah - Owner/operator was charged in two counts under the Magnuson-Stevens Act for possessing and landing scallops in excess of the limit for an Incidental scallop permit and for using or possessing on board gear other than handgear while in possession of, fishing for, or landing Northeast multi-species. A \$30,000 NOVA was issued.
14. NE1001505; F/V Olivia Joan - Owner and operator were charged under the Marine Mammal Protection Act for failing to take aboard an observer after being requested, by a designated contract, to carry an observer. A \$4,772 NOVA was issued. [See, Settled cases, item 9, below, for resolution of this matter.]

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15. NE1002961; F/V Neskone - Company and individual were charged under the Magnuson-Stevens Act for catching and possessing Black Sea Bass, in the Exclusive Economic Zone (EEZ), without being issued a valid permit for that species. A \$1,000 NOVA was issued. [See, Settled cases, item 10, below, for resolution of this matter.]
16. NE1003243; F/V Paulo-Marc - Company and individual were charged under the Magnuson-Stevens Act for fishing in the EEZ without a valid Federal permit and for fishing in the EEZ without an operational Vessel Monitoring System (VMS). A written warning was issued.
17. NE1100556; Pearlmark Foods, Inc. - Company was charged under the Antarctic Marine Living Resources Convention Act for importing Patagonia toothfish without a valid Antarctic Marine Living Resource dealer permit and without preapproval. A \$5,750 NOVA was issued. [See, Settled cases, item 11, below, for resolution of this matter.]
18. NE1102117; F/V Three Graces - Owner and operator were charged in four counts under the Magnuson-Stevens Act for fishing without an observer when the vessel was required to carry an observer; for failing to comply with observer program notification requirements; for embarking on fishing trips without carrying an observer despite having been notified; and for refusing to carry an observer who approached the operator at the dock. A \$47,500 NOVA was issued.
19. NE1104392; F/V Delphinus - Owners and operator were charged in two counts under the Magnuson-Stevens Act for fishing in the Atlantic Ocean for tuna, billfish, shark, and swordfish from the vessel without an observer, when the vessel was selected for observer coverage, and for failing to notify the Pelagic Observer Program before the vessel departed on fishing trips for tuna, billfish, shark, and swordfish. An \$18,000 NOVA was issued.
20. NE1202630; F/V Last Stand - Owner and operator were charged under the Magnuson-Stevens Act for landing and possessing overages of Atlantic sea scallops that were caught by the vessel on three separate fishing trips in the U.S. EEZ of the Atlantic Ocean. A \$7,000 NOVA was issued. [See, Settled cases, item 19, below, for resolution of this matter.]
21. NE1202743; F/V Vila Nova Do Corvo I - Owner and operator were charged under the Magnuson-Stevens Act for landing and possessing more Atlantic sea scallops than was allowed by regulation, after declaring a fishing trip into a Sea Scallop Access Area. A \$6,000 NOVA was issued.
22. NE1203347; F/V Odyssey - Owner was charged under the Magnuson-Stevens Act for taking deep sea fishing charter trips into the EEZ to catch cod and other species without a Northeast Multi-Species Open Access Permit. A \$2,000 NOVA was issued.
23. NE1204120; F/V Apollo - Owner and operator were charged under the Magnuson-Stevens Act for failing to declare through the vessel's VMS the type of Day-at-Sea they intended to use while fishing aboard the vessel. A \$1,000 NOVA was issued. [See, Settled cases, item 22, below, for resolution of this matter.]
24. NE1300190; F/V Bank Tank - Owner/operator was charged under the Magnuson-Stevens Act for possessing on board the vessel Atlantic tunas in improper forms. A \$15,000 NOVA was issued.

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25. NE1301004; F/V Donna Marie - Owner and operator were charged under the Magnuson-Stevens Act for landing and possessing an overage of shucked Atlantic sea scallops that were caught by the vessel on a single fishing trips in the U.S. EEZ of the Atlantic Ocean. A \$2,000 NOVA was issued. [See, Settled cases, item 24, below, for resolution of this matter.]
26. NE1301129; F/V White Cap VI, F/V Sherry Ann, and A&A Seafood, Inc. - Owner and operator were charged under the Magnuson-Stevens Act for possessing, landing, and selling skate caught aboard the vessels from the U.S. EEZ portion of the Skate Management Unit, without the required Federal skate permits for the vessels. A \$1,000 NOVA was issued. Company was charged under the Magnuson-Stevens Act for purchasing skate from vessels that were not issued the required skate permits. A \$1,500 NOVA was issued. [See, Settled cases, item 25, below, for resolution of this matter.]

## **NORTHWEST**

See, Settled cases, below, for actions taken during this reporting period.

## **PACIFIC ISLANDS**

27. PI1302417; F/V Fetuolemoana - Owner and operator were charged under the Magnuson-Stevens Act for failing to comply with a term or condition governing longline gear configuration. An \$11,500 NOVA was issued. [See, Settled cases, item 28, below, for resolution of this matter.]
28. PI1302848; F/V Pacific Horizon - Owner and operator were charged under the Magnuson-Stevens Act for failing to comply with a term or condition governing longline gear configuration. Owner and operator were charged in two counts under the Endangered Species Act for taking a threatened Olive Ridley sea turtle and an endangered Leatherback sea turtle. A \$30,250 NOVA was issued.
29. PI1305122; F/V Princess Jasmine II - Owner and operator were charged under the Magnuson-Stevens Act for conducting longline fishing in the longline fishing prohibited area surrounding the Main Hawaiian Islands. A \$14,422.61 NOVA was issued.
30. PI1400276; F/V Hana Hou - Owner and operator were charged under the National Marine Sanctuaries Act for causing a vessel to approach within 100 yards of a humpback whale while operating within the Hawaiian Islands Humpback Whale National Marine Sanctuary. A \$4,500 NOVA was issued.

## **SOUTHEAST**

31. SE1100514; F/V Lady - Owner and operator were charged under the Magnuson-Stevens Act for possessing on board a vessel, or landing, or selling, king mackerel in excess of the commercial trip limits. An \$18,829.40 NOVA was issued.

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32. SE1100534; F/V High Bidder - Owner/operator was charged under the Magnuson-Stevens Act for possessing on board a vessel, or landing, or selling, king mackerel in excess of the commercial trip limits. A \$7,111.10 NOVA was issued.
33. SE1100537; F/V Brandi Lee - Owners and operator were charged under the Magnuson-Stevens Act for possessing on board a vessel, or landing, or selling, king mackerel in excess of the commercial trip limits. A \$6,776.30 NOVA was issued.
34. SE1100753; Seafood Shoppe, Inc. - Company was charged under the Magnuson-Stevens Act for possessing a north or south Atlantic swordfish taken from its management unit that was less than 29 inches, as measured from cleithrum to caudal keel. A \$2,000 NOVA was issued.
35. SE1100942; Mobil Fish, Inc. - Company was charged in two counts under the Magnuson-Stevens Act for importing shipments of swordfish without a valid International Trade Permit. A \$40,000 NOVA was issued.
36. SE1101518; Florida state registered vessel - Owner/operator was charged under the Lacey Act for importing queen conch and filleted fish in violation of underlying Bahamian law. A \$2,000 NOVA was issued. [See, Settled cases, item 41, below, for resolution of this matter.]
37. SE1101983; aircraft - Owner/operator was charged under the Lacey Act for importing Stone Crab claws in excess of what is authorized, in violation of underlying Bahamian law. A \$5,000 NOVA was issued.
38. SE1102616; F/V Rey Del Mar - Owner/operator was charged under the Magnuson-Stevens Act for failing to immediately return to the water unharmed egg-bearing Stone Crabs. A \$4,000 NOVA was issued.
39. SE1102757; F/V Patricia Lee - Owner and operator were charged under the Magnuson-Stevens Act for failing to have bycatch reduction devices installed in nets that were rigged for fishing on a shrimp trawler. A \$5,000 NOVA was issued.
40. SE1103717; F/V Tuan Kiet - Individuals were charged under the Magnuson-Stevens Act for fishing with an expired limited access permit. A written warning was issued.
41. SE1103830; Kendell Seafood - Company was charged in three counts under the Antarctic Marine Living Resources Convention Act for importing frozen Patagonia toothfish without preapproval from the National Marine Fisheries Service (NMFS). A \$15,000 NOVA was issued.
42. SE1104188; Florida state registered vessel - Operator was charged under the Magnuson-Stevens Act for possessing on board the vessel spiny lobster in excess of the allowable bag limit. A \$2,000 NOVA was issued.
43. SE1104542; F/V Andy & Johnny, Jr. - Owner and operator were charged in two counts under the Magnuson-Stevens Act for fishing for shrimp in the Gulf EEZ without a valid Federal permit, license, or endorsement and for possessing or failing to comply with the release requirements of red drum, a prohibited species. A \$20,800 NOVA was issued.

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44. SE1104572; F/V Julie Dang - Individuals were charged under the Magnuson-Stevens Act for fishing without a valid limited access permit. A written warning was issued.
45. SE1105096; F/V Sarah Brent - Owner/operator was charged under the Magnuson-Stevens Act for possessing sharks in excess of that allowed per trip while holding a shark research permit. A \$23,366.97 NOVA was issued.
46. SE1105098; F/V Watersport - Owner and operator were charged under the Magnuson-Stevens Act for failing to maintain a shark in its proper form through offloading by removing shark fins from the shark carcasses at sea. A \$5,015 NOVA was issued.
47. SE1200414; F/V Jonathan - Owner/operator was charged in two counts under the Endangered Species Act for having a vessel not in compliance with Turtle Excluder Device (TED) regulations. A \$500 NOVA was issued. [See, Settled cases, item 47, below, for resolution of this matter.]
48. SE1200522; Mississippi state registered vessel - Owner and crewmember were charged in two counts under the Magnuson-Stevens Act for exceeding the recreational catch limit for sharks and for possessing sharks under the minimum required size. A \$4,000 NOVA was issued.
49. SE1200638; Florida state registered vessel - Owner/operator and passengers were charged under the Magnuson-Stevens Act for fishing for, harvesting, or possessing South Atlantic red snapper, a prohibited species, and/or for failing to maintain fish intact through offloading ashore. A \$2,000 NOVA was issued. [See, Settled cases, item 48, below, for resolution of this matter.]
50. SE1201731; F/V Capt. Mason - Company and individual were charged under the Magnuson-Stevens Act for fishing without a valid limited access permit. A written warning was issued.
51. SE1202288; Pescanova, USA - Company was charged under the Magnuson-Stevens Act for importing spiny lobsters with eggs attached and spiny lobsters from which eggs or pleopods (swimmerets) were removed or stripped. A \$60,000 NOVA was issued. [See, Settled cases, item 51, below, for resolution of this matter.]
52. SE1300086; F/V Capt. J - Owner and operator were charged under the Endangered Species Act for having a vessel not in compliance with TED regulations. A \$3,500 NOVA was issued.
53. SE1301021; F/V Angler - Owner and operator were charged under the Magnuson-Stevens Act for exceeding bag limits for reef fish while using bottom longline gear to target reef fish shoreward of the longline buoy gear restricted area. A \$17,500 NOVA was issued.
54. SE1301549; Georgia state registered vessel - Owner and operator were charged under the National Marine Sanctuaries Act for anchoring in the Looe Key Sanctuary Preservation Area, in the Florida Keys National Marine Sanctuary. A \$3,000 NOVA was issued.
55. SE1301691; Fish House Wholesalers, LLC - Company was charged under the Antarctic Marine Living Resources Convention Act for importing frozen Patagonia toothfish without preapproval from the NMFS and without complete and accurate Dissostichus Catch Documents for some of the shipment. A \$5,000 NOVA was issued.

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56. SE1302846; F/V Father Dan - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper, some of which were undersized, during the closure of the recreational fishery when the bag limit was zero. A \$1,000 NOVA was issued. [See, Settled cases, item 59, below, for resolution of this matter.]
57. SE1303153 - Individual was charged under the Endangered Species Act for taking a listed species, by harassing an endangered smalltooth sawfish. A \$4,750 NOVA was issued.
58. SE1303417; 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. [See, Settled cases, item 61, below, for resolution of this matter.]
59. SE1303478; F/V Dorado Cruz - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper and undersized red snapper during the closure of the recreational red snapper fishery when the bag limit was zero. A \$1,000 NOVA was issued. [See, Settled cases, item 62, below, for resolution of this matter.]
60. SE1304824; F/V Justin Time - Owner and operator were charged under the Magnuson-Stevens Act for engaging in an activity for which a valid charter vessel/headboat permit for Gulf reef fish must have been issued to the vessel and must be on board. A \$2,000 NOVA was issued.
61. SE1304858; F/V La Pacha - Owner and operator were charged under the Magnuson-Stevens Act for possessing whole red snapper and pounds of red snapper not maintained intact through offloading ashore, during the closure of the recreational fishery when the bag limit was zero. A \$1,000 NOVA was issued. [See, Settled cases, item 65, below, for resolution of this matter.]
62. SE1305029; F/V Lady Ida - Owner and operator were charged under the Magnuson-Stevens Act for possessing red snapper during the recreational closure when the bag limit was zero. A \$1,000 NOVA was issued.
63. SE1305037 - Individual was charged under the Marine Mammal Protection Act for lethally taking a marine mammal, by causing the death of a bottlenose dolphin with a gillnet. A \$6,500 NOVA was issued.
64. SE1305317; F/V Apalachee Warrior - Owners and operator were charged in four counts under the Endangered Species Act for having a vessel not in compliance with TED regulations. A \$7,500 NOVA was issued.
65. SE1305424; Florida state registered vessel - Owner/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 Peterson Key Bank/Lignumvitae Key Botanical State Park, Florida, in the Florida Keys National Marine Sanctuary. A \$6,000 NOVA was issued. [See, Settled cases, item 66, below, for resolution of this matter.]
66. SE1400018; Florida state registered vessel - Owner was charged under the Magnuson-Stevens Act for failing to comply with any provision related to the IFQ program for Gulf red snapper. A written warning was issued.

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67. SE1400539; M/Y Veloce - Owner and operator 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. A \$9,000 NOVA was issued.
68. SE1400619; F/V Windancer IV - 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 Grecian Rocks reef, Florida, in the Florida Keys National Marine Sanctuary. A \$2,700 NOVA was issued.
69. SE1400686 - Individual was charged under the Endangered Species Act for possessing a green sea turtle in a manner contrary to the handling requirements. A written warning was issued.
70. SE1400790; F/V Hot Reels - Owner/operator was charged in two counts under the Magnuson-Stevens Act for failing to comply with any provision related to a VMS and for failing to comply with the protected species conservation measures, regarding sea turtle mitigation gear, and the species specific limitation, regarding non-stainless steel circle hooks. A \$35,000 NOVA was issued.
71. SE1401536; 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 Knight Key Bank, Florida, in the Florida Keys National Marine Sanctuary. A \$3,000 NOVA was issued.

## **SOUTHWEST**

72. SW1000862; M/V Itajai Express - Owner was charged under the National Marine Sanctuaries Act for discharging or depositing, from within or into the Gulf of the Farallones National Marine Sanctuary, non-exempt materials -- shipping containers. A \$9,000 NOVA was issued. [See, Settled cases, item 68, below, for resolution of this matter.]
73. SW1003118; Bill's Seafood II - Company was charged under the Lacey Act for attempting to purchase, acquire and subsequently sell Klamath River Chinook salmon taken in violation of Yurok tribal law. A \$9,500 NOVA was issued. [See, Settled cases, item 69, below, for resolution of this matter.]
74. SW1105129; F/V Kaya C - Owner and operator were charged under the Magnuson Act for leaving port with the vessel on fishing trips as participants in the West Coast Groundfish Fishery without activating the VMS mobile transceiver unit on the vessel. A \$12,500 NOVA was issued. [See, Settled cases, item 70, below, for resolution of this matter.]
75. SW1201547; G&J Express, Inc. - 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 from the purchase of California coastal Dungeness Crab. A \$30,000 NOVA was issued.
76. SW1300849 - Individual was charged under the Marine Mammal Protection Act for lethally taking a California sea lion. A written warning was issued.



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77. SW1302737; F/V Johnny L - Owner/operator was charged under the Magnuson-Stevens Act for fishing for, or landing fish, without observer coverage on a fishing trip where the vessel was required to carry a fishery observer. An \$18,500 NOVA was issued.

### **Settlement Agreement**

**During this time period, there were settlements in 71 civil administrative cases, as follows:**

#### **ALASKA**

1. AK0803641; American No. 1 - Magnuson-Stevens Act \$8,000 NOVA settled for \$5,000 and dismissed one count. [See, Charged cases, item 1, from February 2014 posting for initial charging information.]
2. AK0900589, AK1000315, and AK1003465; F/V Alpine Cove - Magnuson-Stevens Act \$15,911, \$18,494, and \$20,223 NOVAs settled for a 30 day suspension of two permits relating to the F/V Alpine Cove. [See, Charged cases, items 4, 7, and 8, from August 7, 2012 posting for initial charging information.]
3. AK0902808; F/V Chaos - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 2, above, for initial charging information.]
4. AK0903518; F/V Saga - Halibut Act \$6,000 NOVA settled for \$5,400. [See, Charged cases, item 3, above, for initial charging information.]
5. AK1100049; Individual - Halibut Act \$11,400 NOVA settled for \$6,000. [See, Charged cases, item 5, from February 2014 posting for initial charging information.]
6. AK1102317; F/V Castaway - Magnuson-Stevens Act \$13,335 NOVA settled for \$12,035. [See, Charged cases, item 6, from February 2014 posting for initial charging information.]
7. AK1200570; F/V Automatic - Magnuson-Stevens Act \$31,303 NOVA settled for \$1,303 and an 11 month suspension of the operator's IFQ Annual Fishing Permit. [See, Charged cases, item 24, from August 2, 2013 posting for initial charging information.]

#### **NORTHEAST**

8. NE0802159 and NE0802453; F/V Karen Lynn I - Magnuson-Stevens Act \$44,602 NOVA settled for \$12,000, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 12, from February 11, 2013 posting for initial charging information.]
9. NE1001505; F/V Olivia Joan - Marine Mammal Protection Act \$4,772 NOVA settled for \$4,294.80. [See, Charged cases, item 14, above, for initial charging information.]

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10. NE1002961; F/V Neskone - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 15, above, for initial charging information.]
11. NE1100556; Pearlmark Foods, Inc. - Antarctic Marine Living Resources Convention Act \$5,750 NOVA settled for \$5,175. [See, Charged cases, item 17, above, for initial charging information.]
12. NE1101453; M/V New England - Endangered Species and Marine Mammal Protection Act \$5,750 NOVA settled for \$5,750, with \$1,150 suspended for 1 year. [See, Charged cases, item 21, from February 2014 posting for initial charging information.]
13. NE1101476; M/V Stena Polaris - Endangered Species and Marine Mammal Protection Act \$17,250 NOVA settled for \$15,525. [See, Charged cases, item 23, from February 2014 posting for initial charging information.]
14. NE1101488; M/V Rhourd Enouss - Endangered Species and Marine Mammal Protection Act \$40,250 NOVA settled for \$40,250, with \$8,050 suspended for 1 year. [See, Charged cases, item 25, from February 2014 posting for initial charging information.]
15. NE1101490; M/V Eastern Power - Endangered Species and Marine Mammal Protection Act \$23,000 NOVA settled for \$20,700. [See, Charged cases, item 27, from February 2014 posting for initial charging information.]
16. NE1101535; M/V Aegean Power - Endangered Species and Marine Mammal Protection Act \$5,750 NOVA settled for \$5,175. [See, Charged cases, item 31, from February 2014 posting for initial charging information.]
17. NE1101606; M/V Southampton Star - Endangered Species and Marine Mammal Protection Act \$120,750 NOVA settled for \$120,750, with \$24,150 suspended for 1 year. [See, Charged cases, item 33, from February 2014 posting for initial charging information.]
18. NE1104629; F/V Blue Water III - Magnuson-Stevens Act \$5,250 NOVA settled for \$4,462.50. [See, Charged cases, item 35, from February 2014 posting for initial charging information.]
19. NE1202630; F/V Last Stand - Magnuson-Stevens Act \$7,000 NOVA settled for \$6,300. [See, Charged cases, item 20, above, for initial charging information.]
20. NE1203325; Young's Lobster Company, Ltd. - Magnuson-Stevens Act and Lacey Act \$20,500 NOVA settled for \$20,500, with \$18,000 suspended for 1 year, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 41, from February 2014 posting for initial charging information.]
21. NE1204050; F/V Perrys Pride II - Magnuson-Stevens Act \$1,500 NOVA settled for \$1,350. [See, Charged cases, item 42, from February 2014 posting for initial charging information.]
22. NE1204120; F/V Apollo - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 23, above, for initial charging information.]

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23. NE1300489; F/V Fatty - Magnuson-Stevens Act \$7,980 NOVA settled for \$7,480. [See, Charged cases, item 43, from February 2014 posting for initial charging information.]
24. NE1301004; F/V Donna Marie - Magnuson-Stevens Act \$2,000 NOVA settled for \$1,800. [See, Charged cases, item 25, above, for initial charging information.]
25. NE1301129; F/V White Cap VI, F/V Sherry Ann, and A&A Seafood, Inc. - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. Magnuson-Stevens Act \$1,500 NOVA settled for \$1,350. [See, Charged cases, item 26, above, for initial charging information.]

## **NORTHWEST**

26. NW1300816; F/V Steve C - Magnuson-Stevens Act \$16,500 NOVA settled for \$14,850. Additionally, a suspended penalty amount of \$3,500 was added from NW1101601. [See, Charged cases, item 44, from February 2014 posting for initial charging information. See, Settled cases, item 8, from February 11, 2013 posting for suspended penalty amount in NW1101601.]

## **PACIFIC ISLANDS**

27. PI1204062; F/V Lady Luck - Magnuson-Stevens Act \$9,000 Amended NOVA settled for \$9,000, with \$1,800 suspended for 2 years, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 51, from August 2, 2013 posting for initial charging information.]
28. PI1302417; F/V Fetuolemoana - Magnuson-Stevens Act \$11,500 NOVA settled for \$10,350. [See, Charged cases, item 27, above, for initial charging information.]

## **SOUTHEAST**

29. SE0804647; F/V Workin' On It - Magnuson-Stevens Act \$13,000 settled for \$6,500, in consideration of financial information submitted to the Agency, supporting inability to pay. Owner and operator were charged in two counts for engaging in an activity for which a valid Gulf Reef fish charter vessel permit was required and for failing to comply with the species specific limitations, regarding non-stainless steel circle hooks.
30. SE0805003; F/V Nauti Gal - Magnuson-Stevens Act \$10,000 NOVA and 18 day NOPS settled for \$1,200 and no permit sanction, in consideration of financial information submitted to the Agency, supporting inability to pay. Owner/operator was charged for failing to comply with the requirements for observer coverage and/or fishing without an observer when required to carry an observer.
31. SE0900168; F/V Adriana - Endangered Species Act \$8,000 NOVA settled for \$8,000. Owner and operator were charged under the Endangered Species Act for having a vessel not in compliance with TED regulations.

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32. SE0903392; F/V Fishful Thinking - Magnuson-Stevens Act \$5,000 NOVA settled for \$1,000. [See, Charged cases, item 73, from February 11, 2013 posting for initial charging information.]
33. SE1001421; F/V Southern Kid - Endangered Species Act \$22,200 NOVA settled for \$3,600, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 30, from February 6, 2012 posting for initial charging information.]
34. SE1002278; F/V La Borrachita - Magnuson-Stevens Act \$15,000 NOVA settled for \$13,500. [See, Charged cases, item 67, from February 1, 2011 posting for initial charging information.]
35. SE1002363; F/V Miss Kimberly II - Endangered Species Act \$14,000 NOVA settled for \$12,600. [See, Charged cases, item 34, from February 6, 2012 posting for initial charging information.]
36. SE1002576; F/V Cap Cleveland - Endangered Species Act and Marine Mammal Protection Act \$22,000 settled for \$5,500 and three counts were downgraded to a written warning. [See, Charged cases, item 70, from February 1, 2011 posting for initial charging information.]
37. SE1002579; F/V Maersk Dhahran - Endangered Species Act and Marine Mammal Protection Act \$38,500 settled for \$5,500 and three counts were dismissed and three counts were downgraded to a written warning. [See, Charged cases, item 71, from February 1, 2011 posting for initial charging information.]
38. SE1003112; F/V Master Peter - Magnuson-Stevens Act 13,000 NOVA settled for \$11,700. [See, Charged cases, item 46, from February 6, 2012 posting for initial charging information.]
39. SE1003562; registered vessel - Endangered Species Act \$5,750 Amended NOVA settled for \$5,175. [See, Charged cases, item 52, from February 6, 2012 posting for initial charging information.]
40. SE1101047; M/V Mare Lycium - Endangered Species Act and Marine Mammal Protection Act \$143,750 NOVA settled for \$124,200 and one count was dismissed. [See, Charged cases, item 59, from August 2, 2013 posting for initial charging information.]
41. SE1101518; Florida state registered vessel - Lacey Act \$2,000 NOVA settled for \$1,800. [See, Charged cases, item 36, above, for initial charging information.]
42. SE1102672; F/V Sunrise - Endangered Species Act \$9,250 NOVA settled for \$8,325. [See, Charged cases, item 75, from February 6, 2012 posting for initial charging information.]
43. SE1102678; F/V Kien Giang II - Endangered Species Act \$7,000 NOVA settled for \$6,300. [See, Charged cases, item 76, from February 6, 2012 posting for initial charging information.]
44. SE1103400; F/V Lady Kathleen - Endangered Species Act \$4,750 NOVA settled for \$4,275. [See, Charged cases, item 81, from February 6, 2012 posting for initial charging information.]
45. SE1104155; F/V Mol Endurance - Endangered Species Act and Marine Mammal Protection Act \$86,250 NOVA settled for \$17,250 and twelve counts were dismissed. [See, Charged cases, item 108, from February 11, 2013 posting for initial charging information.]

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46. SE1104485; F/V Lucky Jean II - Endangered Species Act \$14,000 NOVA settled for \$7,800, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 73, from August 7, 2012 posting for initial charging information.]
47. SE1200414; F/V Jonathan - Endangered Species Act \$500 NOVA settled for \$450. [See, Charged cases, item 47, above, for initial charging information.]
48. SE1200638; Florida state registered vessel - Magnuson-Stevens Act \$2,000 NOVA settled for \$1,800. [See, Charged cases, item 49, from posting for initial charging information.]
49. SE1200787; F/V Miss Bertha - Magnuson-Stevens Act \$12,500 NOVA settled for \$12,500, with \$5,500 suspended for 2 years, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 123, from February 11, 2013 posting for initial charging information.]
50. SE1202103, SE1203237, SE1203564, and SE1300778; F/V Blue Fin - Magnuson-Stevens Act \$64,500, \$62,500, \$64,500, and \$62,500 NOVAs settled for \$10,000. Owner and operator were charged in four cases for various Atlantic highly migratory species violations.
51. SE1202288; Pescanova, USA - Magnuson-Stevens Act \$60,000 NOVA settled for \$60,000. [See, Charged cases, item 51, above, for initial charging information.]
52. SE1202694; F/V Seminole Wind - Magnuson-Stevens Act \$32,500 NOVA settled for \$29,250. [See, Charged cases, item 78, from August 2, 2013 posting for initial charging information.]
53. SE1203258; F/V Excalibur II - Magnuson-Stevens Act \$2,000 NOVA settled for \$1,800. [See, Charged cases, item 73, from February 2014 posting for initial charging information.]
54. SE1300035; F/V Fish Bounty - Magnuson-Stevens Act \$7,000 NOVA was reduced to zero, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 74, from February 2014 posting for initial charging information.]
55. SE1300083; F/V Don Nico - Endangered Species Act \$4,275 NOVA settled for \$3,847.50. [See, Charged cases, item 75, from February 2014 posting for initial charging information.]
56. SE1300084; F/V Salvador R - Endangered Species Act \$8,550 NOVA settled for \$7,695. [See, Charged cases, item 76, from February 2014 posting for initial charging information.]
57. SE1300657; F/V Lady Kim T - Endangered Species Act \$4,275 NOVA settled for \$4,275. [See, Charged cases, item 78, from February 2014 posting for initial charging information.]
58. SE1301740; Louisiana state registered vessel - Magnuson Stevens Act \$500 NOVA settled for \$500. [See, Charged cases, item 79, from February 2014 posting for initial charging information.]
59. SE1302846; F/V Father Dan - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 56, above, for initial charging information.]

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60. SE1303117; F/V Christina Ann - Endangered Species Act \$11,750 NOVA settled for \$10,575. [See, Charged cases, item 85, from February 2014 posting for initial charging information.]
61. SE1303417; Louisiana state registered vessel - Magnuson-Stevens Act \$500 NOVA settled for \$450. [See, Charged cases, item 58, above, for initial charging information.]
62. SE1303478; F/V Dorado Cruz - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 59, above, for initial charging information.]
63. SE1304381; F/V Ethan G - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 88, from February 2014 posting for initial charging information.]
64. SE1304471; F/V My Dad Whitney - Magnuson-Stevens Act \$2,300 NOVA settled for \$2,070. [See, Charged cases, item 89, from February 2014 posting for initial charging information.]
65. SE1304858; F/V La Pacha - Magnuson-Stevens Act \$1,000 NOVA settled for \$900. [See, Charged cases, item 61, above, for initial charging information.]
66. SE1305424; Florida state registered vessel - National Marine Sanctuaries Act \$6,000 NOVA settled for \$5,400. [See, Charged cases, item 65, from posting for initial charging information.]

## **SOUTHWEST**

67. SW0904489; The Seafood Guys, LLC - Magnuson-Stevens Act \$42,500 NOVA settled for \$42,500, with \$42,500 suspended for 2 years, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 120, from August 7, 2012 posting for initial charging information.]
68. SW1000862; F/V Itajai Express - National Marine Sanctuaries Act \$9,000 NOVA settled for \$8,100. [See, Charged cases, item 72, above, for initial charging information.]
69. SW1003118; Bill's Seafood II - Lacey Act \$9,500 NOVA settled for \$8,550. [See, Charged cases, item 73, above, for initial charging information.]
70. SW1105129; F/V Kaya C - Magnuson-Stevens Act \$12,500 NOVA settled for \$11,250. [See, Charged cases, item 74, above, for initial charging information.]
71. SW1201394; Next Seafood Company, Inc. - Magnuson-Stevens Act \$30,000 NOVA settled for \$30,000, with \$30,000 suspended for 2 years, in consideration of financial information submitted to the Agency, supporting inability to pay. [See, Charged cases, item 101, from August 72 2013 posting for initial charging information.]