

**NOAA Office of General Counsel, Enforcement Section  
Civil Administrative Enforcement Actions  
July 1, 2020, through December 31, 2020<sup>1</sup>**

**During this reporting period, NOAA charged 72 cases,  
settled 57 cases,<sup>2</sup> and otherwise resolved 12 additional cases.<sup>3</sup>**

**Charged Cases and Resolutions<sup>4</sup>**

**ALASKA**

1. AK1606346; Afanasy Basargin – Individual was charged under the Northern Pacific Halibut Act with unlawfully selling 150 pounds of subsistence-caught, sport-caught, or commercially-caught Pacific halibut to undercover officers. A \$5,900 NOVA was issued. The NOVA became a final administrative decision due to default.
2. AK1701779; F/V Seafisher – Crewman Iakopo Jake Vae was charged under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with forcibly assaulting and sexually harassing a fisheries observer on board the vessel. A \$60,000 NOVA was issued.
3. AK1802015; F/V Alaskan Lady – Crewman Eliman Bah (aka Eli Simpson) was charged under the Magnuson-Stevens Act with harassing a fisheries observer by conduct that had sexual connotations, the purpose or effect of interfering with the observer's work performance, or otherwise created an intimidating, hostile, or offensive environment. A \$24,000 NOVA was issued.
4. AK1804012; C/P Seafisher – Crewman Ioane Ioane was charged under the Magnuson-Stevens Act with harassing a fisheries observer by conduct that had sexual connotations, the purpose or effect of interfering with the observer's work performance, or

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<sup>1</sup> This report is not considered to be a publication. All data are provisional.

<sup>2</sup> This report provides the final settlement amount where applicable. Additional details regarding the settlement and structure of the settlement payments, including the factors considered in reaching settlement, are omitted.

<sup>3</sup> Cases are listed by file number, separated by regions. West Coast region includes cases from both the Southwest and Northwest offices, but all are given Northwest case numbers.

<sup>4</sup> Charged cases have had a Notice of Violation and Assessment (NOVA), Notice of Permit Sanction (NOPS), and/or Written Warning issued and served. 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 both the allegations and the proposed penalty or permit sanction, through means set forth in NOAA's civil procedure regulations, found at 15 C.F.R. Part 904. Where no information is provided regarding resolution of the case, the matter remained open at the end of the reporting period.

otherwise created an intimidating, hostile, or offensive environment. A \$24,000 NOVA was issued. The NOVA became a final administrative decision due to default.

5. AK1805110; Kent Huff, Gregory Taylor, and John Young – Individuals were charged jointly and severally under the Northern Pacific Halibut Act with failing to have a valid Guided Angler Fish permit on board the charter vessel. A \$500 NOVA was issued, and the case settled for \$450.
6. AK1905599; F/V Pacific Star – Vessel Owner Pacstar, Inc. and Operator John McCarthy were charged jointly and severally under the Magnuson-Stevens Act with retaining groundfish bycatch species that exceeded the maximum retainable amount. A \$13,348 NOVA was issued, and the case settled for \$12,873.
7. AK2002477; F/V Maverick – Owner F/V Maverick, LLC and Operator Scott Edward Giles were charged jointly and severally under the Northern Pacific Halibut Act with failing to record information in the vessel's Daily Fishing Logbook within the applicable time limits as required. A \$2,200 NOVA was issued, and the case settled for \$1,980.

## **NORTHEAST**

8. NE1705085; F/V The Whistler – Owner FV The Whistler, LLC and Operator Kevin Granfield were charged jointly and severally under the Magnuson-Stevens Act with failing to timely report Atlantic Bluefin tuna landed and sold on 24 different occasions between July 2017 and October 2017. A \$4,750 NOVA was issued, and the case settled for \$3,750.
9. NE1708788; F/V Miss Mae & Son – Owner Christopher T. Eager and Operator John P. Clark III were charged jointly and severally under the Magnuson-Stevens Act with possessing a 177 pound overage of Atlantic sea scallops. A \$10,000 NOVA was issued. The proceeds of the violation (\$2,285.43) were forfeited. The case settled for \$8,000 with the owner. The operator defaulted and is liable for the remaining \$2,000.
10. NE1800193; F/V Sao Jacinto – Operator Lloyd Reposa was charged under the Magnuson-Stevens Act with violating the terms of a letter of authorization by possessing and/or landing skate in excess of the maximum-size limit. A \$4,750 NOVA was issued. The NOVA became a final administrative decision due to default.
11. NE1803544; F/V ESS Endeavor – Owner F/V Ocean View, Inc. and Operator Jeffrey Shell were charged jointly and severally under the Magnuson-Stevens Act with fishing for, possessing, or landing scallops without a valid federal scallop permit. The proceeds of the violation (\$3,136.50) were forfeited. A \$24,000 NOVA was issued, and the case settled for \$21,600.
12. NE1805695; F/V Jarrod Seth – Owner/Operator Robert D. Morris was charged under the Magnuson-Stevens Act with failing to have the vessel's trip-report logbook on board the vessel and, therefore, being unable to fill out the report prior to entering port. A \$1,000

NOVA was issued.

13. NE1805725; F/V Beverly Joyce – Owner/Operator Samuel R. Lash was charged under the Atlantic Coastal Fisheries Cooperative Management Act with failing to carry a valid NOAA Operator’s Permit and with fishing for and retaining American lobster in federal waters without a valid fisheries permit. An \$8,250 NOVA was issued. The NOVA became a final administrative decision due to default.
14. NE1806356; New Food Worldwide, LLC – Seafood Importer was charged under the Marine Mammal Protection Act with unlawfully importing yellowfin tuna product from a nation subject to an embargo. A \$28,520 NOVA was issued.
15. NE1807536; F/V Voyager – Owner/Operator John Sportfishing, LLC was charged under the Endangered Species Act and the Marine Mammal Protection Act with exceeding speed restrictions through the Mid-Atlantic right whale seasonal management areas. A \$22,500 NOVA was issued.
16. NE1807823; F/V Tiger Jo – Owner/Operator Terence J. Mulvey was charged under the Magnuson-Stevens Act with fishing in the U.S. Exclusive Economic Zone (EEZ) without a valid federal fishing permit. The proceeds of the violation (\$480.10) were forfeited. A \$6,250 NOVA was issued.
17. NE1900597; F/V Brizo – Owner Offshore Endeavors, Inc. and Operator David E. Stewart were charged jointly and severally under the Magnuson-Stevens Act with exceeding the possession limit for Atlantic sea scallops by a vessel holding a limited-access general category permit. An \$11,000 NOVA was issued, and the case settled for \$9,900.
18. NE1900598; F/V Gracelyn Jane – Owner Danny Boy Fisheries, Inc. and Operator Brian D. Pearce were charged jointly and severally under the Magnuson-Stevens Act with failing to accurately report discards of Atlantic cod. A \$500 NOVA was issued, and the case settled for \$450.
19. NE1901111; F/V Explorer IV – Owner Explorer II Corporation and Operator Shawn S. Grasso were charged jointly and severally under the Magnuson-Stevens Act for fishing with non-compliant gear. An \$8,228 NOVA was issued, and the case settled for \$7,405.
20. NE1906033; F/V Miss Mae & Son – Owner Christopher T. Eager was charged under the Magnuson-Stevens Act with failing to pay the observer program in a timely manner for observers assigned to his vessel on two occasions. A Written Warning was issued.
21. NE1906079; F/V Justified & F/V Cash Flow – The *pro hac vice* Owner/Operator Roberto Amaral was charged under the Magnuson-Stevens Act with possessing an HMS shark without a valid shark endorsement permit and with possessing a bluefin tuna without a valid HMS permit. A \$9,500 NOVA was issued, and the case settled for \$ 7,500.

## **PACIFIC ISLANDS**

22. PI1601873; F/V No. 1 Ji Hyun – Corporate Owner Ji Hyun Inc., Corporation Principal Shi Yeong Oh, and Operator Andrew Kaisiano were charged jointly and severally under the National Marine Sanctuaries Act with damaging or injuring sanctuary resources. A \$20,000 NOVA was issued. The NOVA became a final administrative decision due to default.
23. PI1902624; F/V Pacific Dragon – Owner LNK Fishery, LLC and Operator Nam Nguyen were charged jointly and severally under the Magnuson-Stevens Act with failing to deploy seabird take mitigation measures by failing to dye bait or side-set while fishing north of 23 degrees. A \$2,500 NOVA was issued, and the case settled for \$2,250.
24. PI1903615; F/V Kaimi – Owner RS Fishery LLC and Operator Captain Richard McQuade were charged jointly and severally under the Marine Mammal Protection Act with fishing in the Southern Exclusion Zone (SEZ) after it had been closed to fishing in 2019. Public notice was issued on February 21, 2019 that the SEZ would be temporarily closed to deep set longline fishing starting on February 22, 2019, due to the annual trigger of two observed false killer whale mortalities or serious injuries. A \$13,250 NOVA was issued, and the case settled for \$4,000.
25. PI1903675; F/V Ocean Expedition – Owners South Pacific Tuna Corporation, Ocean Global Fisheries, LLC, and Ocean Expedition, LLC and Operator/Captain Author P. Ferreira were charged jointly and severally under the Marine Mammal Protection Act with seven counts of illegally taking marine mammals in waters on the high seas by intentionally setting the vessel's purse seine net on a school of tuna while marine mammals were present and visible before the sets began. A \$204,673 NOVA was issued, and the case settled for \$184,206.
26. PI1903876; F/V Green Mountain – Owner Green Mountain LLC was charged under the Marine Mammal Protection Act with fishing in the SEZ after it had been closed to fishing in 2019. An \$11,000 NOVA was issued. The case against Green Mountain LLC settled for \$5,000.
27. PI1904508; F/V Lady Mocha II – Owner Lady Mocha II, Inc., Permit Owner RS Fishery LLC, and Operator Tam Van Nguyen were charged jointly and severally under the Marine Mammal Protection Act with fishing in the SEZ after it had been closed to fishing in 2019. Public notice was issued on February 21, 2019 that the SEZ would be temporarily closed to deep set longline fishing starting on February 22, 2019, due to the annual trigger of two observed false killer whale mortalities or serious injuries. An \$8,000 NOVA was issued. The case settled with Lady Mocha II, Inc. for \$3,500 and with RS Fishery LLC and Tam Van Nguyen for \$2,000.
28. PI2001613; F/V Lady Betty – Owner RBKL Inc. and Operator William Nichols were charged jointly and severally under the Marine Mammal Protection Act with fishing in the SEZ after it had been closed to fishing in 2019. A \$2,500 NOVA was issued, and the case settled for \$1,875.

## SOUTHEAST

29. SE1803456; F/V Manana – Owner Sea Kirk Inc. and Operator Glenn Myers Dixon were charged jointly and severally under the Magnuson-Stevens Act with possessing red snapper aboard a shrimp trawler during the closed season. A \$2,500 NOVA was issued. The NOVA became a final agency action against Sea Kirk Inc. due to default.
30. SE1805698; M/V Hildegard – Owner/Operator Richard Maynard was charged under the National Marine Sanctuaries Act with operating a vessel in such a manner as to strike or otherwise injure seagrass. A \$1,250 NOVA was issued. The NOVA became a final administrative decision due to default.
31. SE1805760; JD Boca Sales Company and President Jason Evan Cohen were charged jointly and severally under the Antarctic Marine Living Resources Convention Act with importing frozen toothfish (*Dissostichus spp.*) without preapproval from NMFS. A \$5,000 NOVA was issued, and the case settled for \$4,500.
32. SE1806275 (merged with SE1902352); F/V Amy Michelle – Owner Headley Inc. and Operator David Eugene Smith were charged jointly and severally under the Magnuson-Stevens Act with engaging in an activity for which a federal permit for South Atlantic snapper-grouper, dolphin/wahoo, and king mackerel is required; exceeding a commercial trip limit for vermillion snapper; and possessing shallow water grouper before the opening of the commercial season. An \$11,237.20 NOVA was issued, and the case settled for \$10,113.30.
33. SE1807529; F/V Edrick & Joanna – Owner Two Girls Inc. and Operator Alejandro Rodriguez were charged jointly and severally under the Endangered Species Act with fishing for shrimp without compliant Turtle Excluder Devices. A \$10,000 NOVA was issued, and the case settled for \$9,000.
34. SE1807831; F/V Get You Some – Operator Michael Meyers was charged under the Magnuson-Stevens Act with fishing for gray triggerfish after NOAA closed the fishery. A \$21,000 NOVA was issued.
35. SE1901349; F/V Brigadiere SR – Owner Sebastiano A. Valastro and Operator Miguel Leon Antunez were charged jointly and severally under the Magnuson-Stevens Act with possessing 135 lane snapper over the limit. A \$2,500 NOVA was issued, and the case settled for \$2,250.
36. SE1901952; F/V Making Memories – Owner Family Tradition Charters Inc. and Operator John Keys were charged jointly and severally under the Magnuson-Stevens Act with using Gulf reef fish as bait and possessing undersized fish. A \$7,250 NOVA was issued.
37. SE1902554; F/V Rising Sun – Owner/Operator Nghia Van Nguyen was charged under the Endangered Species Act with exceeding tow time limits and/or taking a threatened sea turtle,

under the Magnuson-Stevens Act with fishing for shrimp without a federal permit and landing blacknose sharks from the Gulf of Mexico region, and under the Marine Mammal Protection Act with unlawfully collecting marine mammal parts. The proceeds of the violation (\$1,696.80) were forfeited. A \$25,313 NOVA was issued for the Endangered Species Act and Magnuson-Stevens Act violations and a Written Warning was issued for the Marine Mammal Protection Act violation. The case settled for \$18,250.

38. SE1903513; F/V Warrior V – Owners Dean and Maria Pruitt and Operator Ricky Baker were charged jointly and severally under the Magnuson-Stevens Act with exceeding the possession limits for Gulf reef fish. The proceeds of the violation (\$2,337.43) were voluntarily abandoned. A \$15,000 NOVA was issued, and the case settled for \$13,500.
39. SE1903534; M/V K-Storm – Owners Fifth Third Equipment et al. and Technical Managers K&K/Knuppel Schiffahrts GmbH & Co KG were charged jointly and severally under the Endangered Species Act with 13 counts of violating speed restrictions to protect endangered North Atlantic Right Whales in the Mid-Atlantic Seasonal Management Area in the vicinity of Cape Fear/Wilmington, NC. A \$97,500 NOVA was issued.
40. SE1904713; FL2618RT – Owner/Operator Joseph Causey was charged under the Endangered Species Act with fishing for shrimp in the Gulf of Mexico with a non-compliant Turtle Excluder Device. A \$2,000 NOVA was issued.
41. SE1904746; F/V High Roller – Owner/Operator Lloyd Jackson Kight was charged under the Endangered Species Act with violating the Turtle Excluder Device regulations. A Written Warning was issued.
42. SE1904784; #FL9190GW – Owner Jua Joel Morales-Jimenez and Angler Manuel Alejandro Roldan-Almeida were charged jointly and severally under the National Marine Sanctuaries Act with possessing fish inside Western Sambo Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$2,500 NOVA was issued, and the case settled for \$2,250.
43. SE1905313; #FL2822LE – Owner/Operator Erik Chang was charged under the National Marine Sanctuaries Act with possessing fish inside the Western Sambo Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$1,250 NOVA was issued. The NOVA became a final administrative decision due to default.
44. SE1905634; #FL0510LN – Owner/Operator Robert Harellson was charged under the National Marine Sanctuaries Act with fishing inside the Western Sambo Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$1,250 NOVA was issued, and the case settled for \$400.
45. SE1906682; T/V Jay Michael – Owner Sterling Equipment, Inc. and Operator Sean O’Keefe were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters in registered length in an Area To Be Avoided in the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued, and the case settled for \$6,750.

46. SE1906952A; #FL3100KP – Owner Lisa Craft Farnell and Operator Adam Wolff were charged jointly and severally under the Magnuson-Stevens Act with fishing for shrimp in the Gulf EEZ without a federal permit. A \$5,750 NOVA was issued. The NOVA became a final administrative decision due to default.
47. SE1906952B; #FL3100KP – Owner Lisa Craft Farnell and Operator David Bliss were charged jointly and severally under the Magnuson-Stevens Act with fishing for shrimp in the Gulf EEZ without a federal permit. A \$5,750 NOVA was issued. The NOVA became a final administrative decision due to default.
48. SE2000107; F/V Maritza - Owner Demar Fishing, Inc. and Operator Matthew Zoladz were charged jointly and severally under the Magnuson-Stevens Act with possessing undersized fish. A \$2,500 NOVA was issued. The NOVA became a final administrative decision due to default.
49. SE2000687; F/V Lisa Ann – Owner Lucas McCain Rawlings and Operator Gabriel Lopez were charged jointly and severally under the Endangered Species Act with Turtle Excluder Device violations involving a tied double-cover flap, which obstructed/modified the escape opening, and excessive bar spacing, and under the Magnuson-Stevens Act with possessing of a single closed season/undersized red snapper. A \$7,825 NOVA was issued for the Turtle Excluder Device violations and a Written Warning was issued for the red snapper violation. The case settled for \$7,042.50.
50. SE2000716; T & L Elite – Owner T & L Elite, Inc., Operator Hai Ho, and Principal of Corporate Owner Stephany Thai were charged jointly and severally under the Magnuson-Stevens Act with fishing without a valid permit and with making a false statement to an authorized officer. A \$38,500 NOVA was issued, and the case settled for \$34,650.
51. SE2001836; #F17061RN – Owner/Operator John Coulter was charged under the Magnuson-Stevens Act with possessing red snapper during the recreational closure and with failing to maintain the fish intact through offloading ashore. An \$18,500 NOVA was issued, and the case settled for \$14,800 with a suspension of \$3,700 pending no additional violations for twelve months.
52. SE2003365; M/V Just J's – Owner Dartmore Assets Ltd. and Operator Karl Eric Edscorn were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters in registered length inside the Area To Be Avoided in and around the Florida Keys National Marine Sanctuary. A \$7,500.00 NOVA was issued.

## **WEST COAST**

53. CRSRA20003; Planet Labs, Inc. – Satellite License Holder was charged under the National and Commercial Space Programs Act with violating a condition of its Flock XX-XX license

by not encrypting its satellite data transmission and storage. A \$3,400 NOVA was issued, and the case settled for \$3,060.

54. NW1500618; F/V Sea Hunter – Owner/Operator Robert Moss was charged under the Magnuson-Stevens Act with operating outside the Makah Tribe’s usual and accustomed fishing area while fishing under the Makah tribal allocation. A \$23,750 NOVA was issued, and the case settled for \$20,000.
55. NW1700924; F/V Tia Elise – Owner Patricia Balderson and Operator Saxon Parker were charged jointly and severally under the Magnuson-Stevens Act with operating outside the Makah Tribe’s usual and accustomed fishing area while fishing under the Makah tribal allocation. A Written Warning was issued.
56. NW1701025; F/V Wrangler – Owner Joseph Bruney was charged under the Magnuson-Stevens Act with failing to operate and maintain a mobile transceiver unit on board the vessel at all times and with failing to provide NMFS OLE with an accurate declaration report before leaving port. A \$23,500 NOVA was issued, and the case settled for \$6,000.
57. NW1708040; F/V Ruby Princess – Owner Princess Cruise Lines, Ltd. was charged under the National Marine Sanctuaries Act with discharging or depositing, from within or into the Sanctuary, engine gas cleaning system water from the Ruby Princess cruise ship. An \$8,500 NOVA was issued.
58. NW1800243; Wastewater plant, Monterey One Water, was charged under the National Marine Sanctuaries Act with unlawfully discharging 2.87m gallons of untreated sewage into the Monterey Bay National Marine Sanctuary. A \$110,000.00 NOVA was issued, and the case settled for \$84,000.
59. NW1800678; F/V Margaret O – Owner/Operator John Bateman was charged under the Marine Mammal Protection Act with failing to submit a mortality/injury form to the Marine Mammal Authorization Program and under the Magnuson-Stevens Act with failing to accurately record bycatch in a logbook. An \$8,750 NOVA was issued, and the case settled for \$7,875.
60. NW1802157; F/V Revival – Owner Slammin Salmon Inc. and Operator Houston Waldron Vaughan were charged jointly and severally under the Marine Mammal Protection Act with failing to submit a marine mammal mortality/injury form as required by federal regulation. A \$3,000 NOVA was issued, and the case settled for \$2,700.
61. NW1802199; F/V Albatro – Owner Rivas Fish Company, Inc. and Operator Carlos Rivas, Sr. were charged jointly and severally under the Marine Mammal Protection Act with taking of a marine mammal, failing to use pingers as required by a take reduction plan, and failing to submit a mortality/injury form to the Marine Mammal Authorization Program. In addition, Respondents were charged under the Magnuson-Stevens Act with failing to accurately record bycatch in a logbook and with finning sharks at sea. A \$40,750 NOVA was issued.



62. NW1803769; F/V Grand Princess – Owner Princess Cruise Lines, Ltd. was charged under the National Marine Sanctuaries Act with discharging or depositing, from within or into the Sanctuary, engine gas cleaning system water from the Grand Princess cruise ship. An \$8,500 NOVA was issued.
63. NW1806947; F/V Eurodam – Owner Holland America Line was charged under the National Marine Sanctuaries Act with discharging or depositing, from within or into the Sanctuary, engine gas cleaning system water from the Eurodam cruise ship. A \$4,750 NOVA was issued.
64. NW1902286; Carsen Hayward-Winters – Individual was charged under the Marine Mammal Protection Act with the unlawful taking of a sea lion by feeding it. A \$1,500 NOVA was issued.
65. NW1902615; F/V Marian – Owner/Operator Patrick Roy Harper was charged under the National Marine Sanctuaries Act with destroying, causing the loss of, or injuring, sanctuary resources in the Greater Farallones National Marine Sanctuary, through his fishing vessel grounding in protected seagrass habitat. A \$5,000 NOVA was issued.
66. NW1902951; Glacier Fish Company – Company was charged under the Lacey Act with presenting a fraudulent catch certificate for pollock and thereby making or submitting a false record, account, or label for any fish which has been or is intended to be transported in interstate or foreign commerce. A \$1,250 NOVA was issued, and the assessed penalty was paid in full.
67. NW1903973; F/V Midnight Sun – Owner Leana Baer and Operator Paul Munowitch were charged jointly and severally under the Magnuson-Stevens Act with fishing without observer coverage on two trips when the vessel was required to carry an observer. A \$15,250 NOVA was issued, and the case settled for \$1,800.
68. NW1906645; JC and L Inc. – Seafood importer was charged under the Lacey Act Amendments of 1981 with importing abalone taken in violation of Mexican law. A \$7,500 NOVA was issued, and the case settled for \$6,750.
69. NW2001045; Bornstein Seafoods Company – Company was charged under the Magnuson-Stevens Act with allowing part of any prohibited species to reach commercial markets. A Written Warning was issued.
70. NW2002057; Pacific Seafood – Newport LLC was charged under the Magnuson-Stevens Act with receiving a delivery of groundfish without coverage by a catch monitor when one was required. A \$5,750 NOVA was issued, and the case settled for \$4,025.
71. NW2002368; F/V Sunward – Owner Carol M., Inc. and Operator Clint Mecham were charged jointly and severally under the Magnuson-Stevens Act with fishing without required observer coverage and being on board a fishing vessel in waters subject to the fisheries

jurisdiction of Canada without stowing all fishing gear on board. A \$12,250 NOVA was issued, and the case settled for \$8,000.

72. NW2003501; F/V Deacon – Owner Crabby Fish, Inc. and Operator Keith Jameson Huguley were charged jointly and severally under the Magnuson-Stevens Act with landing 1,268 pounds of sablefish over the applicable weekly trip limits. A \$3,986.70 NOVA was issued, and the case settled for \$3,588.03.

### **Settled Cases Charged Before July 1, 2020<sup>5</sup>**

#### **ALASKA**

1. AK1803714; F/V Foreigner – Owner/Operator Nazary Basargin and Operator/IFQ permit holder Vonifonti Basargin were charged jointly and severally under the Northern Pacific Halibut Act with landing an undersized halibut. A \$500 NOVA was issued, and the case settled for \$450. [See Charged Cases, Item 2, from January - June 2020 report.]
2. AK1805481; F/V Jean C – Owner Moderation Enterprises, Inc., Operator/IFQ permit holder Harley Ethelbah, and IFQ permit holder Aaron Phillips were charged jointly and severally under the Northern Pacific Halibut Act with a two-area violation. A \$44,494.10 NOVA was issued, and the case settled for \$22,000. [See Charged Cases, Item 3, from January - June 2020 report.]
3. AK1806859; Business Owner Baranof Fishing Excursions, LLC; Vessel Owner Slagle, LLC; and Operator/Charter Captain Todd Monson were charged jointly and severally under the Northern Pacific Halibut Act with exceeding the angler limit on a charter halibut permit on one occasion. A \$1,500 NOVA was issued, and the case settled for \$1,000. [See Charged Cases, Item 5, from January - June 2020 report.]
4. AK1905035; F/V AK7338AL – Owner/Operator Patrick H. Harmon was charged under the Marine Mammal Protection Act with taking a humpback whale by striking a humpback whale with his vessel at a high rate of speed and leaving a gash in front of the whale's dorsal fin. A \$7,500 NOVA was issued, and the case settled for \$4,000. [See Charged Cases, Item 8, from January - June 2020 report.]

#### **NORTHEAST**

5. NE1504098; F/V Humbak – Owner Humbak Fishing Corp. and Operator Stanley Adamczewski were charged jointly and severally under the Magnuson-Stevens Act with engaging in stock area misreporting for winter flounder and yellowtail flounder in fishing years 2014 to 2015. A \$160,087.95 NOVA was issued, and the case settled for \$120,000.<sup>6</sup>

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<sup>5</sup> All settled cases in this portion of the report were charged before July 1, 2020, but settled during this six-month period.

<sup>6</sup> This NOVA was served in March and April, 2019, but the case was not included in the January - June 2019 report.

6. NE1804974; F/V Never Home – Owner American Dream Fisheries, Inc. and Operator Eric Moniz were charged jointly and severally under the Magnuson-Stevens Act with observer harassment/interference and with failing to provide an observer with accommodations equivalent to those provided to the crew. A \$14,250 NOVA was issued, and the case settled for \$10,000. [See Charged Cases, Item 14, from January - June 2020 report.]
7. NE1806996; F/V Baby Doll – Owner Joseph P. Horvath, Jr. and Operator Adam J. Horvath were charged jointly and severally under the Atlantic Coastal Fisheries Cooperative Management Act with embarking on a fishing trip without an observer, after being selected to carry one. A \$6,750 NOVA was issued, and the case settled for \$6,075. [See Charged Cases, Item 17, from January - June 2020 report.]
8. NE1807032; F/V Fully Loaded – Owner/Operator Joseph P. Horvath, Sr. was charged under the Atlantic Coastal Fisheries Cooperative Management Act with embarking on a fishing trip without an observer, after being selected to carry one. A \$6,750 NOVA was issued, and the case settled for \$6,075. [See Charged Cases, Item 18, from January - June 2020 report.]
9. NE1900228; F/V Perry's Pride II – Owner/Operator Timothy D. Linnell was charged under the Marine Mammal Protection Act with observer interference and with failing to report three incidental takes of marine mammals and under the Magnuson-Stevens Act with failing to provide requisite pre-trip notification on 57 sector trips in 2017 and 2018. A \$15,000 NOVA was issued, and the case settled for \$ 7,500. [See Charged Cases, Item 19, from January - June 2020 report.]

## **PACIFIC ISLANDS**

10. PI1806013; F/V Ocean Galaxy – Owners South Pacific Tuna Corporation, Ocean Global Fisheries LLC, Ocean Galaxy LLC, and operator Albert Larson were charged with 17 counts under the Western and Central Pacific Fisheries Convention Implementation Act with failing to release silky sharks as soon as possible after the shark was caught and failing to take reasonable steps for its safe release. A \$119,000 NOVA was issued, and the case settled for \$63,000. [See Charged Cases, Item 24, from January - June 2020 report.]
11. PI1806581; F/V Ocean Conquest – Owners South Pacific Tuna Corporation, Ocean Global Fisheries LLC, Ocean Conquest LLC, and Operator Ernie Camacho were charged jointly and severally under the Western and Central Pacific Fisheries Convention Implementation Act with interfering with an observer by blocking access to a specific logbook during the trip and with failing to retain juvenile tuna in violation of the catch retention requirements. A \$34,000 NOVA was issued, and the case settled for \$20,000. [See Charged Cases, Item 28, from July - December 2019 report.]

## **SOUTHEAST**

12. SE1804955; F/V TX9830EB – Owner/Operator Michel Dean Seagall d/b/a/ Reel Threel Charters was charged under the Magnuson-Stevens Act with fishing in federal waters without a valid Gulf reef fish charter permit or Gulf coastal migratory pelagic fish charter permit. A \$7,500 NOVA was issued, and the case settled for \$6,750. [See Charged Cases, Item 34, from January - June 2020 report.]
13. SE1806786; F/V Justin Time - Owner Laura Simmons and Owner/Operator Justin Simmons were charged jointly and severally under the Magnuson-Stevens Act with operating a charter fishing vessel in federal waters without the required federal permit. A \$16,350 NOVA was issued, and the case settled for \$7,000 with a suspension of \$9,350 pending no additional violations for thirty-six months. [See Charged Cases, Item 39, from January - June 2020 report.]

## **WEST COAST**

14. CRSRA20001; Orbital Sidekick – Satellite license holder was charged under the National and Commercial Space Programs Act with violating a condition of its ISS-HEIST license by not encrypting its satellite data transmission and storage. A \$4,400 NOVA was issued, and the case settled for \$3,960. [See Charged Cases, Item 44, from January - June 2020 report.]
15. NW1803812; Sean Rogers – Observer Sean Rogers was charged under the Magnuson-Stevens Act with accepting any gratuity or anything of monetary value from any person who either conducts activities that are regulated by NMFS in the Pacific coast or North Pacific regions or has interests that may be substantially affected by the performance or nonperformance of the observers' official duties. A \$300 NOVA was issued, and the case settled for \$270. [See Charged Cases, Item 49, from January - June 2020 report.]
16. NW1806154; Pacific Coast Seafoods – Company was charged under the Lacey Act with making or submitting any false record, account, or label for any fish which has been or is intended to be transported in interstate or foreign commerce. A \$1,000 NOVA was issued, and the case settled for \$900. [See Charged Cases, Item 50, from January - June 2020 report.]
17. NW1806723; Market/Restaurant Partners Deli & Arcade – Market/Restaurant was charged under the Lacey Act with the purchase, acquisition and attempted sale of Chinook salmon that were taken or sold in violation of Indian tribal law. A \$2,500 NOVA was issued, and the case settled for a two year probation/suspension of the penalty. [See Charged Cases, Item 51, from January - June 2020 report.]
18. NW1900933; F/V Northern Ram – Owner Trident Seafoods Corporation and Operator Kelly Chirrick were charged jointly and severally under the Magnuson-Stevens Act with operating a vessel within a Groundfish Conservation Area for purposes other than continuous transit without an Exempted Fishing Permit. A \$5,500 NOVA was issued, and the case settled for \$4,950. [See Charged Cases, Item 53, from January - June 2020 report.]