

NORTHWESTERN HAWAIIAN ISLANDS MARINE NATIONAL MONUMENT PENALTY SCHEDULE

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Fishing in the Monument without a valid commercial bottomfish permit.	\$1,000 - \$15,000 plus the catch or its fair market value	\$15,000 - \$75,000 plus the catch or its fair market value	\$45,000 to \$130,000 plus the catch or its fair market value, and/or permit sanctions, and/or up to seizure of the vessel.
Fishing within any Ecological Reserve, Special Preservation Area, and in the Midway Atoll Special Management Area.	\$15,000 - \$30,000 plus the catch or its fair market value, and/or permit sanctions.	\$30,000 - \$75,000 plus the catch or its fair market value, and/or permit sanctions	\$75,000 to \$130,000 plus the catch or its fair market value, and/or permit sanctions, and/or up to seizure of the vessel.
Failure of any person conducting commercial fishing to notify NOAA at least 72 hours before entering the Monument or within 12 hours after leaving the Monument.	\$1,500 - \$5,000	\$3,000 - \$10,000	\$5,000 - \$20,000
Failure to maintain, make, keep or submit any logbook or logbook form or other required record or report.	\$1,000 - \$2,000	\$2,000 - \$3,500	\$3,500 - \$5,000

Falsify any logbook or logbook form or other required record or report.	\$3,000 - \$10,000 plus the catch or its fair market value	\$5,000 - \$25,000 plus the catch or its fair market value	\$25,000 - \$40,000 plus the catch or its fair market value, and/or permit sanctions.
Interfere with, obstruct, delay, or prevent by any means a lawful investigation or search.	\$5,000 - \$15,000 plus the catch or its fair market value.	\$10,000 - \$25,000 plus the catch or its fair market value.	\$25,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.
Fish using gear not authorized by permit	\$5,000 - \$15,000 plus the catch or its fair market value.	\$15,000 - \$30,000 plus the catch or its fair market value.	\$30,000 - \$50,000 plus the catch or its fair market value.
Fishing for bottomfish species after the total landing limit has been reached	\$5,000 - \$10,000	\$10,000 - \$20,000	\$20,000 - \$40,000
Fishing for pelagic species after the total landing limit has been reached	\$10,000 - \$20,000	\$20,000 - \$30,000	\$30,000 - \$50,000
Fish for, take or retain lobsters from the NWHI Monument in violation of the zero annual harvest limit.	\$25,000 plus seizure of entire catch or value of entire catch.	\$50,000 plus two times the FMV of the catch.	\$75,000 plus two times the FMV of the catch and seizure of the vessel.
Fish or operate a fishing vessel in the NWHI Monument without installing, activating, repairing, or replacing a VMS unit prior to leaving port	\$7,500 - \$15,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days	\$15,000 - \$30,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days	\$30,000 - \$130,000 per day, plus the catch or FMV, and/or permit sanction up to revocation, and/or seizure of the vessel

<p>Fish or operate a fishing vessel in the NWHI Monument without operating and maintaining a required VMS unit on board the vessel, or tamper with, damage, alter, or in any way render useless, inoperative, ineffective, or inaccurate, or attempt to do so, a required VMS unit or VMS signal.</p>	<p>\$7,500 - \$15,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days</p>	<p>\$15,000 - \$30,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days</p>	<p>\$30,000 - \$130,000 per day, plus the catch or FMV, and/or permit sanction up to revocation, and/or seizure of the vessel</p>
<p>Fish or operate a fishing vessel in the NWHI Monument without contacting NMFS OLE or following OLE instructions when VMS signal is interrupted.</p>	<p>\$7,500 - \$15,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days</p>	<p>\$15,000 - \$30,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days</p>	<p>\$30,000 - \$130,000 per day, plus the catch or FMV, and/or permit sanction up to revocation, and/or seizure of the vessel</p>
<p>Fish or operate a fishing vessel in the NWHI Monument while using a VMS unit registered to more than one vessel at the same time</p>	<p>\$7,500 - \$15,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days</p>	<p>\$15,000 - \$30,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days</p>	<p>\$30,000 - \$130,000 per day, plus the catch or FMV, and/or permit sanction up to revocation, and/or seizure of the vessel</p>

Fish or operate a fishing vessel in the NWHI Monument while connecting or leaving connected additional equipment to a VMS unit without the prior approval of OLE.	\$7,500 - \$15,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days	\$15,000 - \$30,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days	\$30,000 - \$130,000 per day, plus the catch or FMV, and/or permit sanction up to revocation, and/or seizure of the vessel
Make a false statement, oral or written, regarding the installation, use, operation or maintenance of a VMS unit.	\$7,500 - \$15,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days	\$15,000 - \$30,000 per day, plus the catch or FMV, and/or permit sanction up to 90 days	\$30,000 - \$130,000 per day, plus the catch or FMV, and/or permit sanction up to revocation, and/or seizure of the vessel
Failure to carry an observer when requested to do so	\$5,000 - \$15,000 plus the catch or its fair market value.	\$10,000 - \$25,000 plus the catch or its fair market value.	\$20,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.
Interfere with observer (includes assault, impede, intimidate, influence or attempt to influence or to harass or sexually harass).	\$5,000 - \$25,000 plus the catch or its fair market value.	\$10,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.	\$50,000 - \$130,000 plus the catch or its fair market value, and/or permit sanctions, and/or up to seizure of the vessel.
Possess fishing gear, except when stowed and not available for use, during passage without interruption	\$2,500 - \$7,500	\$7,500 - \$15,000	\$15,000 - \$30,000

Taking, possessing, injuring, disturbing, or attempting to do so, a marine mammal in the Monument.	\$3,250 – \$11,000	\$4,500 – \$11,000	\$8,500 – \$11,000
Taking, possessing, injuring, disturbing, or attempting to do so, an or endangered species	\$3,500 – \$27,500	\$7,500 – \$27,500	\$13,000 – \$27,500