

**Civil Administrative Enforcement Actions**  
**January 1 - 31, 2024<sup>1</sup>**  
**During this reporting period, NOAA charged 16 cases, settled 8 cases,**  
**and otherwise resolved 3 cases.<sup>2</sup>**

**Cases Charged in January 2024<sup>3</sup>**

**ALASKA**

1. AK2206974; *F/V Resurrection* – Owner/Operator Severean Ivan Reutov was charged under the Magnuson-Stevens Act with operating a vessel without carrying an operable National Marine Fisheries Service (NMFS)-approved VMS and for not complying with VMS requirements. A \$16,000 NOVA was issued.
2. AK2207152; *F/V Kasatka* – Owner Christopher Artemon Basargin. and Operator Artemon A. Basargin Jr., were charged jointly and severally under the Magnuson-Stevens Act with operating a vessel without carrying an operable NMFS-approved VMS and for not complying with VMS requirements. A \$16,000 NOVA was issued.

**NORTHEAST**

3. NE2301435; *F/V Tom Slaughter II* – Owner Ronin Fisheries, Corp., Operator Everit J. Pearce, and Co-operator Benjamin F. Travers were charged jointly and severally under the Magnuson-Stevens Act with fishing for/possessing Atlantic sea scallops in a Habitat Management Area. A \$10,231 NOVA was issued.
4. NE2301476; *F/V Tied the Knot* – Owner Casco Bay Marine LLC, and Operator Michael Perrino were charged jointly and severally under the Magnuson-Stevens Act and the Atlantic Tuna Convention Act with submitting false information on an application for a General Category Tuna permit under the highly migratory species scheme, and failing to timely report the landing of an Atlantic Bluefin Tuna. A \$5,000 NOVA was issued.

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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> 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.

## **PACIFIC ISLANDS**

5. PI2303595; Robert E. Borst – Respondent was charged under the Marine Mammal Protection Act with the take of a Hawaiian monk seal. A \$20,000 NOVA was issued.

## **SILVER SPRING**

6. CRSRA230012; Massachusetts Institute of Technology – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with (1) failing to notify of the detection of an anomaly within seven days, (2) failing to notify of the disposal of an on-orbit component within seven days, and (3) failing to timely submit an Annual Compliance Certification. A Written Warning was issued.
7. CRSRA230014; University of Florida – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with (1) failing to timely submit an Annual Compliance Certification, and (2) failing to timely submit a notification after the disposal of an on-orbit component of the system. A \$2,250 NOVA was issued.
8. CRSRA230018; Iowa State University – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with (1) late submission of an Annual Compliance Certification, and (2) failing to obtain approval for a license modification before taking any action that would change a material fact in the license. A \$4,500 NOVA was issued.

## **SOUTHEAST**

9. SE2001541 – Daniel Villaroel was charged under the Antarctic Living Marine Resources Convention Act with importing frozen *Dissostichus spp.* (Patagonian Toothfish) without a preapproval. A \$48,000 NOVA was issued.
10. SE2202654, *F/V Pretty Posse* – Operator Paulo Dos Santos was charged under the Magnuson-Stevens Act with assaulting, opposing, impeding, intimidating, or interfering with a NMFS-approved observer. A \$9,500 NOVA was issued.
11. SE2303207; *M/V My Baby* – Owner/Operator Michael B. King, and Owner Ellen H. Manning were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$7,500 NOVA was issued.
12. SE2303714; *M/V Digging It* – Owner Jeffrey Laydon and Operator Cole Sikes were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$30,000 NOVA was issued.
13. SE2304375; *M/V Journey* – Owner Journey 80, LLC and Operator Daniel Bunjes were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the the North Atlantic Right Whale speed restriction regulation. A \$22,500 NOVA was issued.

14. SE2305354; *M/V Lady Lorraine* – Owner PLDRM Yachts, LLC and Operator Philip Ewing Davidson were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violations of the North Atlantic Right Whale speed restriction regulation. A \$22,500 NOVA was issued.

## WEST COAST

15. WC2203173; *F/V Doggy Style* – Joint Owner/Operators Joseph Capra and Kelly Nichols were charged jointly and severally under the Magnuson-Stevens Act with fishing in a closed area in the Pacific Coast Groundfish Fishery and submitting inaccurate information in federal landing records. A \$21,717 NOVA was issued.
16. WC2300079; *F/V Heather G* – Owner Atlantic Pacific Tuna Inc. and Operators John Allen and Oliver Jones were charged jointly and severally under the Magnuson-Stevens Act with failing to operate VMS at sea as required by Pacific Highly Migratory Species Fishery regulations and High Seas Fishing Compliance Act. A \$15,000 NOVA was issued.

### **Resolved Cases Charged Before January 1, 2024**

## ALASKA

1. AK2104985; *F/V Sedna* – Co-owner/Operator/User for Registered Buyer, Satcher K. Gorton, Co-owner Riley K. Wilson, and Registered Buyer Sedna Fish Co. LLC were charged jointly and severally under the Northern Pacific Halibut Act with making an Individual Fishing Quota (IFQ) halibut landing other than directly to a registered buyer; possessing, selling, and transporting IFQ halibut landed in violation of 50 C.F.R. part 679; and failing to submit a report required under 50 C.F.R. part 679. A \$3,250 NOVA was issued, and the case settled for \$2,925. [See Charged Cases, Item 1, from December 2023 report]
2. AK2105968; Big Blue Charters – Charter Vessel Guide, Michael R. Keating, was charged under the Northern Pacific Halibut Act with failing to retain Guided Angler Fish (GAF) records, failing to mark and report GAF harvests, and allowing a crewman to fish during a charter vessel trip. A \$21,600 NOVA was issued, and the case settled for \$17,420. [See Charged Cases, Item 2, from November 2023 report]
3. AK2206703; *F/V Lea* – IFQ Permit Holder and Owner/Operator Robert J. Bateman and Owner Laura S. Coleman were charged jointly and severally under the Magnuson-Stevens Act with possessing, selling, and transporting 5,459 pounds of IFQ sablefish harvested in excess of what the IFQ permit on board authorized, a 417% overage. The proceeds (\$11,078.57) of the violation were forfeited by abandonment. A \$3,000 NOVA was issued, and the case settled for \$2,700. [See Charged Cases, Item 2, from December 2023 report]
4. AK2300315; *F/V Nordic Fox* – Owner Nordic Fox, LLC and Operator Jacob P. Jansen were charged under the Magnuson-Stevens Act with failing to have a functioning VMS onboard during

two federal Pacific cod fishing trips using pot gear. A \$10,000 NOVA was issued, and the case settled for \$2,500. [See Charged Cases, Item 3, from December 2023 report]

## **NORTHEAST**

5. NE2303158; *C/S MSC Los Angeles* – Owner Los Angeles Navigation Ltd. and Operator MSC Mediterranean Shipping Ltd. were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$7,500 NOVA was issued, and the case settled for \$6,750. [See Charged Cases, Item 8, from December 2023 report]

## **PACIFIC ISLANDS**

6. PI2300982; *F/V St. Damien* – Owner Okay LLC and Operator Kinh Anthony Nguyen were charged jointly and severally under the High Seas Fishing Compliance Act with conducting commercial fishing without a valid permit. A \$10,000 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 7, from August 2023 report]

## **SILVER SPRING**

7. CRSRA230015; University of Texas at El Paso – Remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to timely submit an Annual Compliance Certification and failing to timely submit a notification after the disposal of an on-orbit component of the system. A \$3,000 NOVA was issued, and the case settled for \$2,700. [See Charged Cases, Item 10, from December 2023 report]
8. CRSRA230021; Sidus Space – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to timely submit an Annual Compliance Certification and failing to obtain approval for a license modification before taking any action that would change a material fact in the license. A \$1,500 NOVA was issued, and the case settled for \$1,350. [See Charged Cases, Item 14, from December 2023 report]

## **SOUTHEAST**

9. SE2207110; *F/V Frankie D* – Owner Orbel Rivero Gonzalez was charged under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 6, from September 2023 report.]
10. SE2103273; *F/V Knotty Knelly* – Owner/Operator Nelson Joseph Milian and Anglers Andrew Martinez, Michael Edward Stella, and Abel Jesus Arabitg were charged jointly and severally under the National Marine Sanctuaries Act with illegally possessing fish or engaging in fishing inside the Tortugas South Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$3,750 NOVA

was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 9, from November 2023 report.]

11. SE2304395; *M/V Pinguinito* – Owner Frhraga LLC and Operator Bruce Brooks were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued, and the case settled for \$13,500. [See Charged Cases, Item 18, from December 2023 report.]

## **WEST COAST**

None.