

Civil Administrative Enforcement Actions
May 1 – 31, 2024¹
During this reporting period, NOAA charged 16 cases, settled 9 cases,
and otherwise resolved 2 cases.²

Cases Charged in May 2024³

ALASKA

1. AK2104142; F/V Pacific Star – Owner Pac Star Inc. and Operator John P. McCarthy were charged jointly and severally under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) for interfering with the sampling procedure employed by an observer by discarding catch before sampling. A \$3,000 NOVA was issued.
2. AK2206272; M/V Ramsey & M/V George Ryan – Owner Alaska Tales, LLC was charged under the Marine Mammal Protection Act with approaching humpback whales in Alaska and harassing a killer whale. A \$19,500 NOVA was issued.
3. AK2300242; F/V Farrar Sea – Owner RLB Vessel, LLC and Operator James Carl Wilson were charged jointly and severally under the Magnuson-Stevens Act with failing to log four fishing trips in the Observer Deploy and Declare System. A \$5,750 NOVA was issued, and the case settled for \$5,175.
4. AK2300711; F/V Marathon – Owner Marathon Fisheries, Inc. and Operator Martin Stam were charged jointly and severally under the Magnuson-Stevens Act with exceeding the maximum retainable amount of groundfish bycatch on two trips. A \$4,105.33 NOVA was issued, and the case settled for \$3,694.79.
5. AK2300843; F/V Saga – Owner Inter-Cooperative Exchange and Operator Jakob Anderson were charged jointly and severally under the Magnuson-Stevens Act with making an IFQ crab landing without holding a crab IFQ permit or a crab IFQ hired master permit issued under their name. A Written Warning was issued.
6. AK2307520; F/V Dawn – Owner Dawn Fisheries, LLC and Operator Matthew Rohde were charged jointly and severally under the Magnuson-Stevens Act with exceeding the maximum

¹ This report is not considered to be a publication. All data are provisional.

² 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.

³ 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.

retainable amounts of redstripe rockfish and silvergray rockfish in the Gulf of Alaska. A \$5,119.68 NOVA was issued.

NORTHEAST

7. NE2303039; M/V Rhino Fish – Owner Rhino Fish, LLC and Operator Brian Smith were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed regulation. A \$15,000 NOVA was issued, and the case settled for \$13,500.
8. NE2306830; F/V #MS2988BS – Owner/Operator James D. Currie was charged under the Magnuson-Stevens Act with possessing black sea bass in or harvested from the EEZ in excess of the possession limit without a black sea bass moratorium permit. A \$12,000 NOVA was issued.
9. NE2314474; M/Y Perfect Sense – Owner Perfect Sense, LLC and Operator Brad Booher were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed regulation. A \$7,500 NOVA was issued.

PACIFIC ISLANDS

None.

SILVER SPRING

10. CRSRA240004; Georgia Institute of Technology – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to submit written notification within seven days of the launch and deployment of a system component; the detection of an anomaly; and the disposal of an on-orbit component of the system. A \$4,000 NOVA was issued.

SOUTHEAST

11. SE2001305; Tristan International, LLC – Seafood Importer Tristan International, LLC was charged under the Marine Mammal Protection Act with unlawfully importing yellowfin tuna and/or yellowfin tuna products from a nation subject to embargo and of importing yellowfin tuna and/or yellowfin tuna products without an accurate and complete Fisheries Certificate of Origin. A \$42,188 NOVA was issued.
12. SE2306432; Archimedes – Owner Knossos Ltd., Operating Company Euclidean Capital, LLC, and Operator Christopher Walsh, were charged jointly and severally under the National

Marine Sanctuaries Act with operating a vessel greater than 50 meters in an Area To Be Avoided in the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued.

13. SE2310377; F/V Mahi Tuna – Owner/Operator Adrian Enrique Martinez was charged under the National Marine Sanctuary Act with fishing in the Tortugas South Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$23,232 NOVA was issued.
14. SE2313514; M/V Day Sea – Owner DLRD, LLC and Operator Luke Krenik 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 \$20,250 NOVA was issued, and the case settled for \$18,225.
15. SE2313694; M/Y Elandess – Owner Esselco Marine LLP and Operator Charles Norbert-Muns 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.

WEST COAST

16. WC2207360; F/V Speranza Marie – Owner Ocean Angel VI, LLC and Operator Jason Lapeyriof were charged jointly and severally under the National Marine Sanctuaries Act for discharging unauthorized materials into the Channel Islands National Marine Sanctuary when the vessel ran aground in the sanctuary during transit. A \$8,250 NOVA was issued.
17. WC2300079; F/V Heather G – Owner Atlantic Pacific Tuna Inc. and Operator John Allen 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, and Operator Oliver Jones was dismissed from the case. A \$15,000 Amended NOVA was issued. [See Charged Cases, Item 16, from January 2024 report]

Resolved Cases Charged Before May 1, 2024

ALASKA

1. AK2301796; F/V Vanguard – Owner Vanguard Fisheries, LLC and Operator Per Hesberg were charged jointly and severally under the Magnuson-Stevens Act with fishing with, and having on board, non-pelagic trawl gear in Federal reporting areas open only to pelagic trawl gear; not complying with vessel monitoring system (VMS) requirements; and inaccurate reporting. A \$59,784 NOVA was issued. The case settled for \$15,000 as to the VMS violation; the Agency withdrew the remaining violations. [See Charged Cases, Item 5, from December 2023 report]

NORTHEAST

2. NE2300789; M/V Real Slick – Owner RS Adventures, LLC was charged under the Endangered Species Act and the Marine Mammal Protection Act with violations of the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued, and the case was dismissed. [See Charged Cases, Item 5, from February 2024 report]
3. NE2301597; F/V Megan Marie – Operator Scott Norris was charged under the Magnuson-Stevens Act with possessing seven undersized Atlantic halibut. Seven Atlantic halibut were forfeited by abandonment. A \$10,000 NOVA was issued, and the case settled for \$7,500. [See Charged Cases, Item 2, from March 2024 report]

PACIFIC ISLANDS

None.

SILVER SPRING

None.

SOUTHEAST

4. SE2311115; T/V Adeline Marie – Owner JMB Shipping ATB 205, LLC and Operator Michael Angel Figueroa-Arocho III were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters inside the Area To Be Avoided in and around the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued, and the case settled for \$6,750. [See Charged Cases, Item 19, from February 2024 report]
5. SE2302309; F/V FL9642NY – Recreational Anglers Paul Lee Libretto and Michael Scot Edwards were charged jointly and severally under the Magnuson-Stevens Act with fishing for and/or possessing red snapper during a recreational sector seasonal closure. An \$8,500 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 7, from April 2024 report]
6. SE2315349; F/V El Duro Punetazo de la Pesca – Owner/Operator Melvin Serrano-Ramos was charged under the Magnuson-Stevens Act with fishing in the Abrir La Sierra Bank closed area off Puerto Rico. A \$2,500 NOVA was issued, and the case settled for \$2,250. [See Charged Cases, Item 10, from April 2024 report]

WEST COAST

None