

**Civil Administrative Enforcement Actions**  
**July 1 – 31, 2024<sup>1</sup>**  
**During this reporting period, NOAA charged 19 cases, settled 16 cases,**  
**and otherwise resolved 3 cases.<sup>2</sup>**

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

**ALASKA**

1. AK2206965 – Shoreside Processor Owner Peter Pan Seafoods-King Cove, LLC, and Managers Colby B. Boulton, Trevor Milich, and Ryan Piliae were charged jointly and severally under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with exceeding the maximum commerce allowance amount for rockfish. A Written Warning was issued.
2. AK2302107; F/V St. Dominick – Owners Brown Bear Fisheries, Inc. and Big Bear, LLC and Operator Nicholas Johanson were charged jointly and severally under the Magnuson-Stevens Act with failing to redeploy or remove longline pot gear within five days of deploying the gear to fish for IFQ sablefish. A \$3,600 NOVA was issued.

**NORTHEAST**

3. NE2303037; M/V Eagles Nest – Co-owners Hugh H. Riley and Deborah C. Riley and Operator Jerry Olson 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 \$12,500 NOVA was issued.
4. NE2304096; M/V Scott Free – Owner Valsco Holdings LLC was charged 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.
5. NE2306232; M/V Mona Lisa – Owner Float Maritime SA and Manager/Operator Universal Shipping Alliance 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 \$15,000 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.

6. NE2306724 – International Fisheries Trade Permit holder John Nagle Co. was charged under the Magnuson-Stevens Act with importing species subject to the Seafood Import Monitoring Program without submitting accurate and complete information at the time of entry. A \$7,000 NOVA was issued.
7. NE2408644; F/V Four Girls – Owner Dickinson Fishing Company LLC and Operator David Dickinson were charged jointly and severally under the Magnuson-Stevens Act with: (1) entering, possessing, or harvesting Atlantic scallops from a closed area; (2) fishing for, possessing, or landing scallops in excess of the vessel's IFQ; (3) interfering with an authorized officer's lawful fisheries inspection and disposing of scallops during the inspection; and (4) failing to timely comply with the fishing vessel trip reporting requirements. 711 lbs of scallops were seized and sold for \$13,965.25. A \$43,750 NOVA and a NOPF for the seized proceeds were issued.

### **PACIFIC ISLANDS**

8. PI2206498; F/V Blue Dragon – Owner B Dragon Corp. and Operator Anthony Nguyen were charged jointly and severally under the Western and Central Pacific Fisheries Convention Implementation Act with fishing on the high seas in the Western and Central Pacific Fisheries Convention Area without a valid Western and Central Pacific Fisheries Convention area endorsement. A \$7,000 NOVA was issued.

### **SILVER SPRING**

9. CRSRA240006; University of California at Davis – Remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with submitting false information in the course of a license term and/or during compliance and monitoring activities. A \$2,500 NOVA was issued, and the case settled for \$2,250.

### **SOUTHEAST**

10. SE2100421 – Timothy Prescott Maddock, Jr. was charged under the Magnuson-Stevens Act with selling swordfish without a permit. A \$5,990 NOVA was issued.
11. SE2303337; F/V FL2507SJ – Owner Christopher Shawn Harvey and Operator Christopher Shawn Harvey Jr. were charged jointly and severally under the Magnuson-Stevens Act with fishing for shrimp without the required permit. A \$9,500 NOVA was issued.
12. SE2304834; F/V Lauren Jeanne – Owner Captain Yuri's Charters, Inc. and Operator Michael Shane Leonard were charged jointly and severally under the Magnuson-Stevens Act with harvesting or possessing red snapper in the South Atlantic Exclusive Economic Zone during a closed season. A \$21,000 NOVA was issued.
13. SE2306941; F/V Miss Sea – Operator Michael Creed and Owner Thaddeus Harty were charged jointly and severally under the Magnuson-Stevens Act with fishing in violation of the

prohibitions applicable to the South Atlantic red snapper seasonal closure. A \$2,500 NOVA was issued.

14. SE2403570; M/Y Reimagine – Owner Development Reimagined LLC and Operator Michael B. Hall 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 \$30,000 NOVA was issued.

## **WEST COAST**

15. WC2205404; F/V Friesland – Owner Friesland Fishing Company LLC and Operator Simon Lala were charged jointly and severally under the Tuna Conventions Act with failing to correctly handle sharks in accordance with federal regulations. A \$2,500 NOVA was issued, and the case settled for \$2,250.
16. WC2307051; Unnamed 24' Motorboat – Owner/Operator Francisco Leal was charged under the National Marine Sanctuaries Act with discharging/depositing unauthorized material in Monterey Bay National Marine Sanctuary when the vessel ran aground in the sanctuary while attempting to fish offshore. A \$5,625 NOVA was issued.
17. WC2307857 – Seafood importer Mark Foods, Inc. was charged under the Magnuson-Stevens Act with importing patagonian toothfish without submitting complete and accurate information as required under the International Trade Documentation Scheme. A \$1,250 NOVA was issued.
18. WC2308031 – Xiaodong Cui was charged under the Magnuson-Stevens Act with transporting in interstate commerce a container or package containing abalone without a valid International Fisheries Trade Permit (IFTP). A \$15,000 NOVA was issued.
19. WC2408446 – Tiana Nicole Romine was charged under the Marine Mammal Protection Act with unlawful take of a marine mammal by taking a baby harbor seal home in her vehicle. A \$650 NOVA was issued.

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

### **ALASKA**

1. AK2201367; C/P Arica – Male Assistant Cook Jordan St. Martin-Reyes was charged under the Magnuson-Stevens Act with harassing and sexually harassing two female observers on board a vessel. A \$19,000 NOVA was issued, and the case settled for \$4,000. [See Charged Cases, Item 1, from March 2024 report]
2. AK2204546 – Stuart Erwin Merchant was charged under the Northern Pacific Halibut Act for failing to provide a valid charter halibut permit to lessees and failing to annually register his

charter halibut permit as required by regulation. A \$3,200 NOVA was issued, and the case settled for \$2,880. [See Charged Cases, Item 1, from June 2024 report]

## **NORTHEAST**

3. NE2206548; F/V Ligia – Owner Ligia Pereira Scalloping Company LLC and Operator Antonio Alvernaz were charged jointly and severally under the Magnuson-Stevens Act with fishing for and harvesting Atlantic sea scallops from a closed area. A \$63,905.85 NOVA was issued, and the case settled for \$57,515.27. [See Charged Cases, Item 6, from December 2023 report]
4. NE2300230; F/V Ligia – Owner Ligia Pereira Scalloping Company LLC and Operator Alexander T. Hall were charged jointly and severally under the Magnuson-Stevens Act with fishing for and harvesting Atlantic scallops from a closed area. A \$37,525 NOVA was issued, and the case settled for \$33,772.50. [See Charged Cases, Item 3, from November 2023 report]
5. NE2305039; M/V Singularity – Owner Alpha Cas LLC and Operator Joshua Summers 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 7, from June 2024 report]
6. 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 restriction regulation. A \$7,500 NOVA was issued, and the case settled for \$6,750. [See Charged Cases, Item 9, from May 2024 report]

## **PACIFIC ISLANDS**

7. PI2201037 – Business Owner Viliami Pasina was charged under the Endangered Species Act with selling jewelry made from sperm whale, an endangered species, in interstate commerce for a purpose other than public display, scientific research, or enhancing the survival of the species. A \$9,600 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 3, from March 2024 report]
8. PI2408521 – Lesley Macpherson and James Armstrong Lyman were charged jointly and severally under the Marine Mammal Protection Act with the take of a Hawaiian monk seal. A \$20,000 NOVA was issued, and the case settled for \$18,000. [See Charged Cases, Item 8, from June 2024 report]

## **SILVER SPRING**

9. CRSRA240005; Tyvak Nano-Satellite Systems Inc. – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with submitting false information during compliance and monitoring activities. A \$3,300 NOVA was issued, and the case settled for \$2,970. [See Charged Cases, Item 10, from June 2024 report]

## **SOUTHEAST**

10. SE2206861; F/V Big Chief – Owner/Operator Matthew Lasinski was charged under the National Marine Sanctuaries Act with operating a vessel in such a manner as to strike or otherwise injure seagrass. A \$2,500 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 13, from June 2024 report]
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 during the 2022 season. A \$7,500 NOVA was issued in January. The NOVA was amended to add two additional counts of violating the North Atlantic Right Whale speed restriction regulation during the 2023 season for a total penalty of \$32,500, and the case settled for \$22,500. [See Charged Cases, Item 8, from April 2024 report]
12. SE2307849; M/V Freedom – Owners Freedom Unlimited and Aereon Marine Inc., and Operator David Passmore 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, which was later amended to dismiss the Owners. The case settled with the Operator for \$6,750. [See Charged Cases, Item 14, from June 2024 report]
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, and the case settled for \$5,000. [See Charged Cases, Item 13, from May 2024 report]
14. SE2314663; F/V Inverted Fishing Charters – Owner Inverted Fishing Charters, LLC and Operator Martin Lane were charged jointly and severally under the Magnuson-Stevens Act with fishing for Gulf reef fish in the EEZ aboard a charter vessel without a federal charter permit. A \$20,200 NOVA was issued, and the case settled for \$2,500. [See Charged Cases, Item 6, from March 2024 report]
15. SE2314666; M/V American Serenade – Owner American Cruise Lines Inc. and Operator Gregg Scheiferstein 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 \$22,500 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 15, from June 2024 report]

16. SE2315277; M/V Done Deal – Owner Outside Centre LLC and Operator Joseph A. Walker 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 \$7,500 NOVA was issued, and the case settled for \$6,750. [See Charged Cases, Item 16, from June 2024 report]

## **WEST COAST**

17. WC2205612; M/V Cypress Point – Operator Matt Ryan was charged under the Marine Mammal Protection Act with causing a vessel to approach in any manner, within 200 yards of a killer whale. A \$3,000 NOVA was issued, and the case settled for \$1,000. [See Charged Cases, Item 11, from April 2024 report]