

Civil Administrative Enforcement Actions

October 1 – 31, 2024¹

During this reporting period, NOAA charged 12 cases, settled 20 cases, and otherwise resolved 2 cases.²

Cases Charged in October 2024³

ALASKA

1. AK2105310; F/V US Intrepid – Crewman Zedrick Moli (aka Zedrick Allen) was charged under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with harassing and sexually harassing a female fisheries observer. An \$18,000 NOVA was issued.
2. AK2207018; F/V Foreigner – Owner Anastasia Basargin and Operator Arseny Reutov were charged jointly and severally under the Magnuson-Stevens Act with operating a vessel without an operable VMS. A \$7,500 NOVA was issued.
3. AK2207388; F/V Ocean Invictus – Owners Ocean Bay, Inc. and Kilokak, Inc. and Operator Robert Graham were charged jointly and severally under the Magnuson-Stevens Act with failing to retain pollock, an IR/IU species, up to the maximum retainable amount. A \$5,750 NOVA was issued, and the case settled for \$5,175.
4. AK2306971; F/V G Joyce – Owner Fireweed Lodge, LLC and Operator Adam Bean were charged jointly and severally under the Northern Pacific Halibut Act with possessing an undersized halibut. A Written Warning was issued.

NORTHEAST

5. NE2301334; M/V Minchah – Owner Accordia Minchah, SA and Technical Manager OSM Ship Management Pte Ltd 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 \$37,500 NOVA was issued and the case settled for \$33,750.

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.

6. NE2403441; M/V Mediterranean Express – Owner Labrador Shipping Pte Ltd and Technical Manager Eastaway Ship Management Pte Ltd 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 \$25,000 NOVA was issued.

PACIFIC ISLANDS

None.

SOUTHEAST

7. SE2106464; F/V Reel Rush – Owner/Operator Michael Kubecka and Lessee/Permit Holder DKJSL, LLC were charged jointly and severally under the Magnuson-Stevens Act with fishing for, catching, possessing, retaining, or landing Atlantic highly migratory species without the appropriate valid vessel permit. A \$5,750 NOVA was issued, and the case settled for \$5,175.
8. SE2206440 – International Fisheries Trade Permit Holder Gamma Seafood Corporation 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. 7,560 pounds of shark filets were seized. A \$15,000 NOVA was issued.
9. SE2301493; F/V Recession and F/V Brinley Marie – Owner/Operator William Edward Curry and Seafood Dealer Pamela Ann Bertucci were charged jointly and severally under the Magnuson-Stevens Act with submitting inaccurate information required to be submitted to the Agency under the IFQ program for Gulf red snapper. An \$11,500 NOVA was issued
10. SE2401882; F/V Longway – Owner/Operator Christopher Wayne Long was charged under the Magnuson-Stevens Act with harvesting or possessing red snapper and red porgy in the South Atlantic Exclusive Economic Zone during a closed season; fishing for, possessing, and/or retaining sharpnose sharks without a valid HMS Charter/Headboat permit and endorsement; and exceeding the recreational retention limit for sharpnose sharks. A \$56,250 NOVA was issued.
11. SE2403593; M/V OOCL Berlin – Registered Owner Newcontainer 2004 Shipping Inc. and Technical Manager Orient Overseas Container Line Ltd. were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale ship speed regulation. A \$7,500 NOVA was issued, and the case settled for \$6,750.

WEST COAST

12. WC2409075 – Individual David Kimble was charged under the Marine Mammal Protection Act with take of a harbor seal. A \$500 NOVA was issued, and the case settled for \$450.

Resolved Cases Charged Before October 1, 2024

ALASKA

None.

NORTHEAST

1. NE2202011; F/V William Lee – Owner Carkez Fisheries, Inc. and Operator Ezan L. Maguire were charged jointly and severally under the Magnuson-Stevens Act with fishing for or possessing scallops from a Habitat Management Area and exceeding the possession limits on a scallop access area trip. A \$117,650 NOVA was issued, and the case settled for \$1,500. [See Charged Cases, Item 3, from July 2023 report]
2. NE2205648; Starkist Corp. – International Fisheries Trade Permit Holder Starkist Corp. was charged under the Magnuson-Stevens Act with submitting incomplete and inaccurate information and with failing to maintain records for inspection under the Seafood Import Monitoring Program. A \$12,750 NOVA was issued, and the case settled for \$11,475. [See Charged Cases, Item 3, from September 2024 report]
3. NE2304399; M/V Sweetie – Owner/Operator George P. Denny III was charged 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. The case was dismissed. [See Charged Cases, Item 4, from September 2024 report]
4. 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, and the case settled for \$13,500. [See Charged Cases, Item 5, from July 2024 report]
5. NE2314319; M/V Boardwalk – Owner Boardwalk Ltd., Technical Manager Vessel Safety Management, LLC, and Operator Tristan Judson 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 6, from September 2024 report]

PACIFIC ISLANDS

None.

SOUTHEAST

6. SE2202043; F/V Gypsea – Owner/Operator Eliu Gonzalez was charged under the Magnuson-Stevens Act with failing to have sufficient allocation in the IFQ vessel account or linked shareholder account equal to pounds estimated to be landed at the time of the advance notice of landing. \$7,485.55 in proceeds from the sale of red snapper and red grouper were voluntarily abandoned. A \$20,000 NOVA was issued, and the case settled for \$18,000. [See Charged Cases, Item 12, from June 2024 report]
7. SE2206610; F/V Coastal Cowboy – Owner/Operator Louis James Krolczyk dba Coastal Cowboy Fishing Charters was charged under the Magnuson-Stevens Act with fishing for Gulf reef fish and coastal migratory pelagic fish in the EEZ aboard a charter vessel without a federal charter permit. A \$21,900 NOVA was issued, and the case settled for \$1,000. [See Charged Cases, Item 8, from September report]
8. SE2301758; F/V/White Water II – Owner White Water Seafoods Corp. and Operator Kevin Beland were charged jointly and severally under the Magnuson-Stevens Act with fishing in the Charleston Bump closed area while pelagic longline gear was on board. A \$38,435.91 NOVA was issued, and the case settled for \$25,000. [See Charged Cases, Item 6, from April 2024 report]
9. 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. The case settled with the Operator for \$5,000 and with the Owner for \$10,500. [See Charged Cases, Item 12, from July 2024 report]
10. SE2400743; M/V GOL Cowboy – Owner GOL, LLC and Operator Steven Brooks 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 7, from August 2024 report]
11. SE2400745; M/V Caribe Legend – Owner Caribe Shipping LTD and Operators Hyde Shipping Corporation and Manuel Morales 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. An \$11,000 NOVA was issued, and the case settled for \$9,900. [See Charged Cases, Item 14, from September 2024 report]
12. SE2403525, M/V EM Spetses – Owner Spetses Shipowners Ltd. and Operator Zim Integrated Shipping Services Ltd. 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 15, from September 2024 report]

13. 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, and the case settled for \$20,000. [See Charged Cases, Item 14, from July 2024 report]
14. SE2403795; F/V Freak Show – Owner Contagious LLC and Operator Jarrett Thomas Anthony O’Grady were charged jointly and severally under the Magnuson-Stevens Act with fishing for, catching, possessing, or retaining Atlantic highly migratory species without the appropriate valid vessel permit. A \$5,750 NOVA was issued, and the case settled for \$5,175. [See Charged Cases, Item 17, from September 2024 report]

WEST COAST

15. WC2202849; M/S Noordham – Owner HAL Antillen N.V. was charged under the National Marine Sanctuaries Act for discharge of unauthorized substances within Monterey Bay National Marine Sanctuary. A \$47,850 NOVA was issued, and the case settled for \$35,887.50.⁴
16. 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, and the case settled for \$875. [See Charged Cases, Item 17, from July 2024 report]
17. 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. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 18, from July 2024 report]

⁴ This case became final in October 2024, but was not included in previous reports.