

## Civil Administrative Enforcement Actions

February 1 – 28, 2025<sup>1</sup>

**During this reporting period, NOAA charged 26 cases, settled 15 cases, and otherwise resolved 3 cases.<sup>2</sup>**

### Cases Charged in February 2025<sup>3</sup>

#### **ALASKA**

1. AK2303286; F/V Arica – Owner Arica Vessel, LLC and Operator John C. Nelson were charged jointly and severally under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with exceeding the maximum retainable amount of pollock on one fishing trip and failing to timely submit one product transfer report. A \$20,818 NOVA was issued. (Andrea)
2. AK2306519; F/V Dominator – Owner Trident Seafoods and Operator Jamie Potter were charged jointly and severally under the Magnuson-Stevens Act with exceeding the maximum retainable amount of squid and sablefish. A \$4,000 NOVA was issued, and the case settled for \$3,600. (Brian)
3. AK2306853; F/V Alaska Victory – Owner AK Victory, Inc. and Operator David D. Bishop were charged jointly and severally under the Magnuson-Stevens Act with failing to comply with Vessel Monitoring System requirements. A \$36,000 NOVA was issued, and the case settled for \$32,400. (Pallavi)
4. AK2307521; F/V Pacific Star – Owner Pac Star, Inc. and Operator John P. McCarthy were charged jointly and severally under the Magnuson-Stevens Act with exceeding the maximum retainable amount of bycatch on one trip in 2023. A \$4,836 NOVA was issued, and the case settled for \$4,361. (Andrea)
5. AK2307659; C/P Defender – Owner O’Hara Corporation and Operator Dean Slater were charged jointly and severally under the Magnuson-Stevens Act with directed fishing in an Atka Mackerel no fishing zone. An \$89,834 NOVA was issued. (Brian)

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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. AK2307659B; C/P Defender – Owner O’Hara Corporation and Operator Michael Burgett were charged jointly and severally under the Magnuson-Stevens Act with directed fishing in an Atka Mackerel no fishing zone. A \$102,137 NOVA was issued. (Brian)
7. AK2403856; F/V Lady Lee Dawn – Owner/Operator Alvin J. Newman Jr. was charged under the Magnuson-Stevens Act with failing to comply with Vessel Monitoring System requirements. A \$10,000 NOVA was issued. (Pallavi)
8. AK2404901; FT US Intrepid – Owner U.S. Fishing, LLC and Operator Erin Blaine Moore were charged jointly and severally under the Magnuson-Stevens Act with failing to comply with Vessel Monitoring System requirements and for failing to submit two product transfer reports as required. A \$38,000 NOVA was issued. (Pallavi)

## **NORTHEAST**

9. NE2201046; F/V Alisha J – Owner/ Operator Jeffrey M. Kraus was charged under the Magnuson-Stevens Act with failing to timely comply with the fishing vessel trip reporting requirements. A \$500 NOVA was issued. (Pallavi)<sup>4</sup>

## **PACIFIC ISLANDS**

10. PI2407705 – Pavlo Filatov was charged under the Marine Mammal Protection Act with violating the special restrictions for Hawaiian spinner dolphins and with assaulting an authorized officer or impeding an investigation. A \$34,499 NOVA was issued. (Duane)

## **SILVER SPRING**

11. CRSRA250001; GITAI USA Inc. – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to submit a timely and complete launch and deployment notification. A \$500 NOVA was issued, and the case settled for \$450. (Mark)
12. CRSRA250003; ICEYE US, Inc. – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to request and receive approval before taking actions that changed material facts in the license, failing to timely submit a notification of launch and deployment, and submitting false information during compliance and monitoring activities. A \$12,900 NOVA was issued. (Patrick)
13. CRSRA250004; Quub, 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 \$2,000 NOVA was issued. (Patrick)

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<sup>4</sup> This NOVA was issued in January 2025, but was not included in previous reports.

## SOUTHEAST

14. SE2302371; M/V WHTSNXT – Owner James Albert Opolka was charged 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. (Jamal)
15. SE2306333; M/Y Viva – Owner Viva Holdings Ltd. and Operator Niels Ackermans were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters in 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. (Loren)
16. SE2309414; FL1876RW – Owner/Operator Russell Taylor and anglers Kelly Bond, Mark Bass, Daniel Emerson, and Mark Thomas were charged jointly and severally under the National Marine Sanctuaries Act with fishing and possessing fish in the Tortugas Ecological Reserve of the Florida Keys National Marine Sanctuary. A \$3,750 NOVA was issued. (Mark)
17. SE2314792; M/V Sunchaser – Owner SCR Inc. and Operator David Donald Nicol Burns 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. (Jamal)
18. SE2403409; M/V Silver Shadow – Owner Silversea Cruises Ltd. 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. (Duane)
19. SE2408156; M/Y Amaral – Owner Mullet II Ltd., and Operator Rodd Taylor were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters in registered length, inside an 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. (Pallavi)
20. SE2408188; FL4139LB – Anglers Carlos Enrique Suarez, Sergio Espinosa, Yamile Barbara Munoz Guerra, and Yamile Garcia Fernandez were charged jointly and severally under the the National Marine Sanctuary Act for anchoring and/or fishing within the Sombrero Key Sanctuary Preservation Area. A \$7,500 NOVA was issued. (Pallavi)
21. SE2409354; M/V Evado – Owner J&G Group Investments Inc. and Operator Eduardo Andres Linares 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. (Jamal)
22. SE2409588, M/V Sandcrab – Owner Sandcrab LLC and Operator Jeffrey Sanderson 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 \$10,000 NOVA was issued. (Loren)

## WEST COAST

23. WC2400098; Esteban Jimenez Sr. and Los Angeles Helicopters Inc.– Pilot and Owner of a tourist helicopter were charged jointly and severally under the National Marine Sanctuaries Act with disturbing marine mammals or seabirds by flying motorized aircraft at less than 1,000 feet above a restricted zone within Monterey Bay National Marine Sanctuary. A \$1,250 NOVA was issued. (Paul)
24. WC2402323; F/V Top Gun – Owner/Operator Christopher Partee was charged under the Magnuson-Stevens Act with failing to operate and maintain a mobile transceiver unit on board the vessel at all times. An \$18,000 NOVA was issued. (Jennifer)
25. WC2403321; F/V Aleutian Storm – Owner Fox Fisheries LLC and Operator Christopher Charles Fox were charged jointly and severally under the National Marine Sanctuaries Act with unauthorized discharging of materials in the Greater Farallones National Marine Sanctuary when their vessel ran aground and eventually disintegrated during a transit of the sanctuary. A \$5,500 NOVA was issued. (Paul)
26. WC2405221; F/V Pisces – Owner Sample & Sons Fisheries, LLC and Operator Christopher Sample were charged jointly and severally under the Magnuson-Stevens Act with fishing without an observer when one was required. A \$5,750 NOVA was issued, and the case settled for \$5,175. (Jennifer)

### **Resolved Cases Charged Before February 1, 2025**

## ALASKA

1. AK2206415; F/V Mirage – Owner JJ Mirage LLC and Operator Jeffrey Turner were charged jointly and severally under the Magnuson-Stevens Act with illegally discarding IFQ sablefish caught with fixed gear when any IFQ permit holder aboard held unused sablefish IFQ and with failing to record discard information in their vessel’s Daily Fishing Logbook. A \$8,250 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 1, from January 2025 report] (Pallavi)

## NORTHEAST

2. NE2207109; F/V Restless Kid – Owner/Operator Zachary B. Brittman was charged under the Magnuson-Stevens Act with selling Atlantic highly migratory species without the appropriate valid vessel permit with the appropriate endorsements. A \$4,346 NOVA was issued, and the case settled for \$900. [See Charged Cases, Item 5, from January 2025 report] (Pallavi)

3. NE2308029; F/V Night Prowler – Owner Terminator Fisheries Inc. and Operator Gary S. Mataronas were charged jointly and severally under the Atlantic Coastal Fisheries Cooperative Management Act and the Marine Mammal Protection Act with fishing with obstructed escape vents on 48 lobster traps and fishing with floating groundlines. A \$15,000 NOVA was issued, and the case settled for \$13,500. [See Charged Cases, Item 8, from January 2025 report] (Kate)
4. NE2407624; F/V Starbrite – Owner Glaucus LLC and Operator Richard Geronimo Jr. were charged jointly and severally under the Magnuson-Stevens Act with possessing scup in excess of what is allowed without complying with minimum mesh-size restrictions. A \$5,934.60 NOVA was issued, and the case settled for \$5,359.60. [See Charged Cases, Item 14, from January 2025 report] (Patrick)
5. NE2408336; F/V Heather Joe – Owner Heather Joe Fishing LLC and Operator Brian A. Jannelle were charged jointly and severally under the Magnuson-Stevens Act with fishing inside Canadian waters without authorization. A \$2,543.60 NOVA was issued, and the case settled for \$2,343.60. (Kate)
6. NE2303026; Land-N-Site – Owner Land-N-Site LLC and Operator Michael Byron Braddy 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. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 6, from January 2025 report] (Bob)
7. NE2403431; M/V The Experience – Owner Eat Veggies LLC and Operators Jim Tatum and Michael Picavet 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. The NOVA became a final administrative decision due to payment. [See Charged Cases, Item 12, from January 2025 report] (Kate)

## **PACIFIC ISLANDS**

None.

## **SOUTHEAST**

8. SE2201531; F/V FL8273NG – Operator/Angler Omar Javier Arcia was charged under the National Marine Sanctuary Act with fishing in the Davis Reef Sanctuary Preservation Area in the Florida Keys National Marine Sanctuary. A \$1,250 NOVA was issued, and the case settled for \$600. [See Charged Cases, Item 16, from January 2025 report] (Jamal)
9. SE2405142; F/V Intrepido II – Owner J & B Fisheries and Farms LLC and Operator Ronald Stephen Chicola were charged jointly and severally under the Magnuson-Stevens Act with fishing in the McGrail Bank Habitat Area of Particular Concern. A \$5,750 NOVA was issued,

and the case settled for \$3,500. [See Charged Cases, Item 13, from November 2024 report]  
(Loren)

## **WEST COAST**

10. WC2405541; Unnamed 35' Sailboat – Owner/Operator David A. White was charged under the National Marine Sanctuaries Act with discharging/depositing unauthorized material in Monterey Bay National Marine Sanctuary when the vessel sank in the sanctuary during transit. A \$7,500 NOVA was issued, and the case settled for \$0. [See Charged Cases, Item 9, from December 2024 report] (Paul)