

**NOAA Fisheries Office of Law Enforcement
Southeast Division**

FISCAL YEAR 2021, QUARTER 2
FISHERY MANAGEMENT
COUNCIL REPORT

JANUARY 1, 2021- MARCH 31, 2021



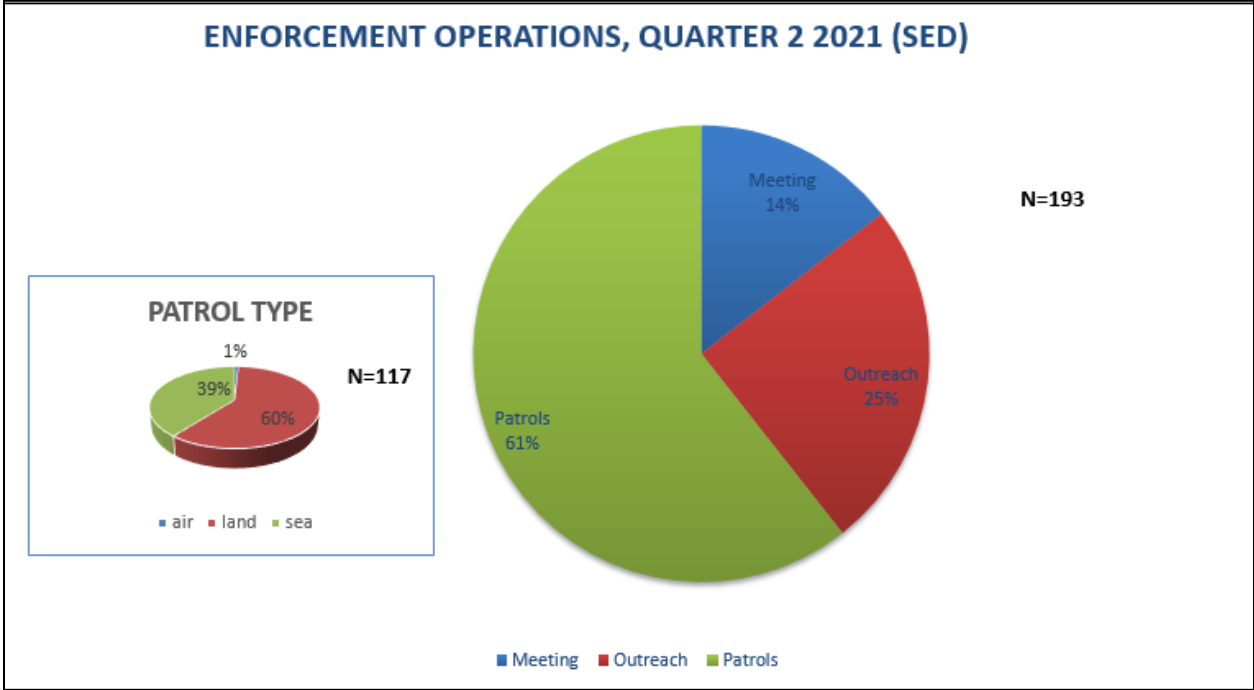
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Enforcement and Compliance

Data represent National Oceanic and Atmospheric Administration Fisheries Office of Law Enforcement (NOAA OLE) Southeast Division’s (SED) enforcement effort conducted throughout FY Quarter 2 2021, **January 1, 2021- March 31, 2021**. When appropriate, information is separated by council, South Atlantic Fishery Management Council (SAFMC), Gulf of Mexico Fishery Management Council (GMFMC) and Caribbean Fishery Management Council (CFMC).

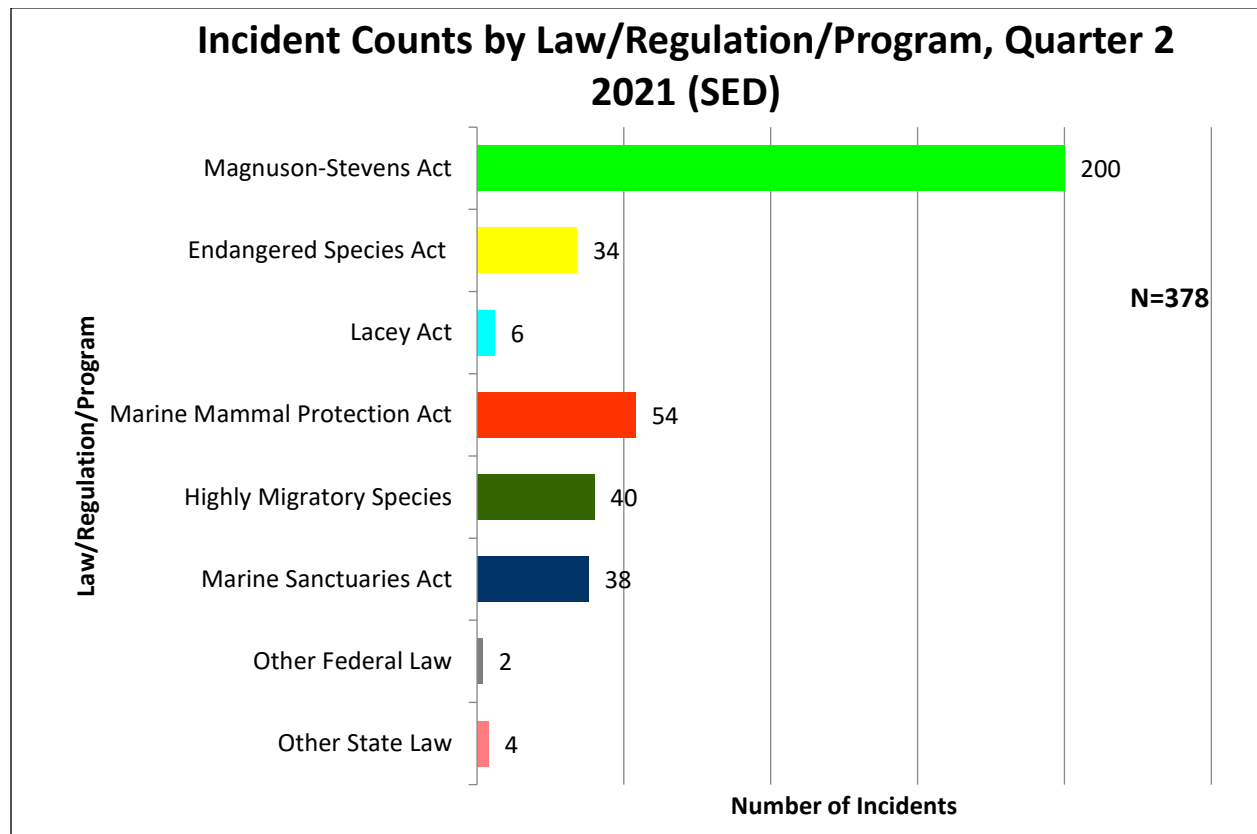
Patrols, outreach and investigations are vital to OLE’s mission. Specifically, two operations (Operation Reef Line and Operation Palm City) concentrated on federally permitted charter vessel compliance throughout the Florida Keys National Marine Sanctuary and Gulf areas. There was also a targeted effort in Louisiana focusing on imports to combat IUU fishing. Overall this quarter, there were **117** documented patrols, **48** documented instances of outreach and **28** meetings.



Incident Information

During the second quarter, NOAA OLE opened **378** incidents in the SED, which included **378** individual counts- **233** counts in the SAFMC area, **211** counts in the GMFMC area and **10** counts in the CFMC area¹. Opened incidents originate from both NOAA personnel and our enforcement partners.

Summary of Incidents by Law/Regulation/Program; Quarter 2 2021



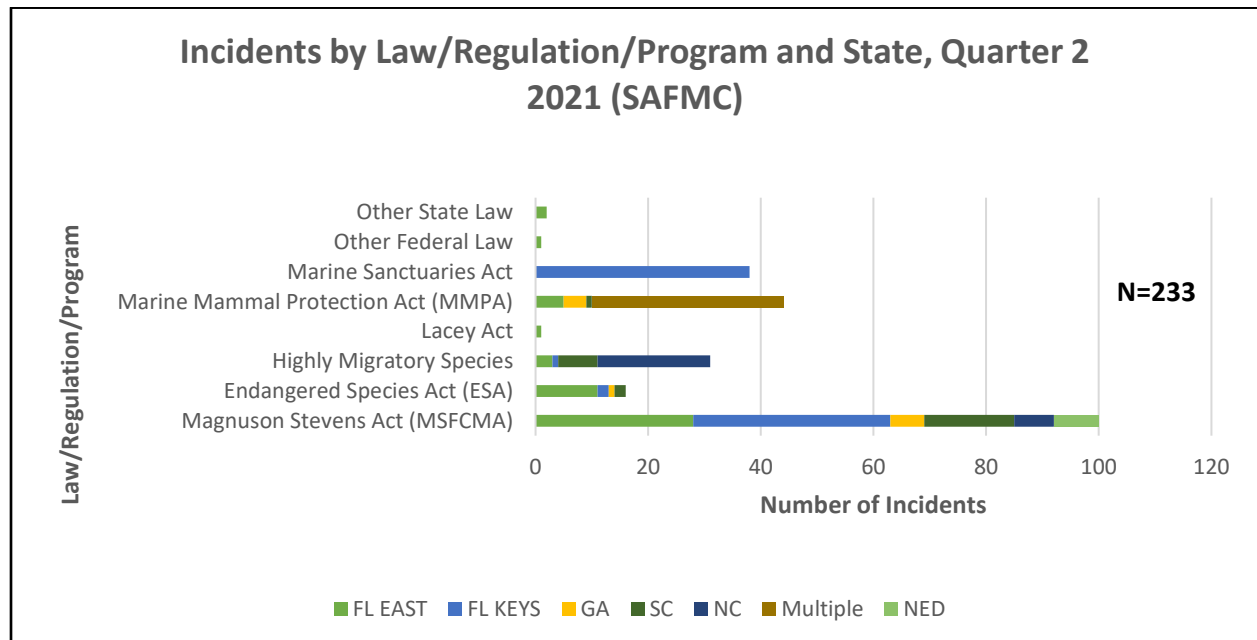
¹ Incidents occurring in the Florida Keys area are included in both SAFMC and GMFMC counts; total individual counts are greater than opened incidents due to multiple counts charged for separate incidents

South Atlantic Fishery Management Council Summary

**Total number of incidents listed below include OLE and enforcement partner initiated cases, by location

Number of Incidents by Law/Regulation/Program and Location; Quarter 2 2021 (SAFMC)

| Law/Regulation/Program | FL EAST | FL KEYS | GA | SC | NC | Multiple | NED | Total |
|-------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|----------|------------|
| Magnuson Stevens Act (MSFCMA) | 28 | 35 | 6 | 16 | 7 | | 8 | 100 |
| Endangered Species Act (ESA) | 11 | 2 | 1 | 2 | | | | 16 |
| Highly Migratory Species | 3 | 1 | | 7 | 20 | | | 31 |
| Lacey Act | 1 | | | | | | | 1 |
| Marine Mammal Protection Act (MMPA) | 5 | | 4 | 1 | | 34 | | 44 |
| Marine Sanctuaries Act | | 38 | | | | | | 38 |
| Other Federal Law | 1 | | | | | | | 1 |
| Other State Law | 2 | | | | | | | 2 |
| TOTAL | 51 | 76 | 11 | 26 | 27 | 34 | 8 | 233 |

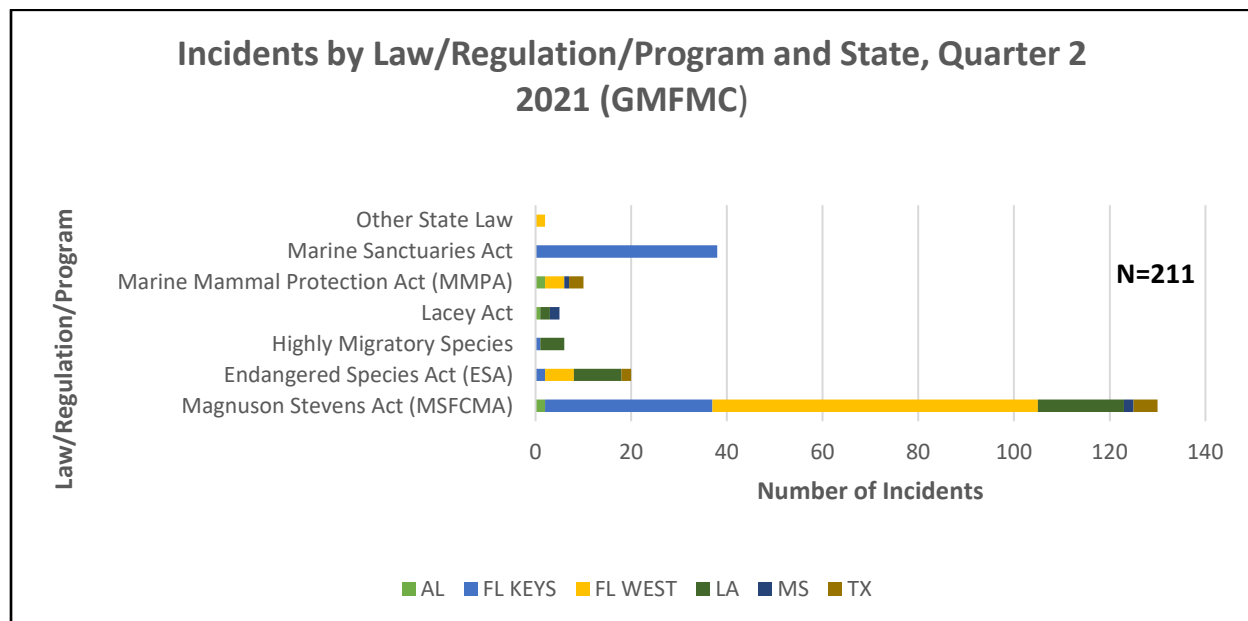


Gulf of Mexico Fishery Management Council Summary

**Total number of incidents listed below include OLE and enforcement partner initiated cases, by location

Number of Incidents by Law/Regulation/Program and Location; Quarter 2 2021 (GMFMC)

| Law/Regulation/Program | AL | FL KEYS | FL WEST | LA | MS | TX | Total |
|-------------------------------------|----------|-----------|-----------|-----------|----------|-----------|------------|
| Magnuson Stevens Act (MSFCMA) | 2 | 35 | 68 | 18 | 2 | 5 | 130 |
| Endangered Species Act (ESA) | | 2 | 6 | 10 | | 2 | 20 |
| Highly Migratory Species | | 1 | | 5 | | | 6 |
| Lacey Act | 1 | | | 2 | 2 | | 5 |
| Marine Mammal Protection Act (MMPA) | 2 | | 4 | | 1 | 3 | 10 |
| Marine Sanctuaries Act | | 38 | | | | | 38 |
| Other State Law | | | 2 | | | | 2 |
| TOTAL | 5 | 76 | 80 | 35 | 5 | 10 | 211 |

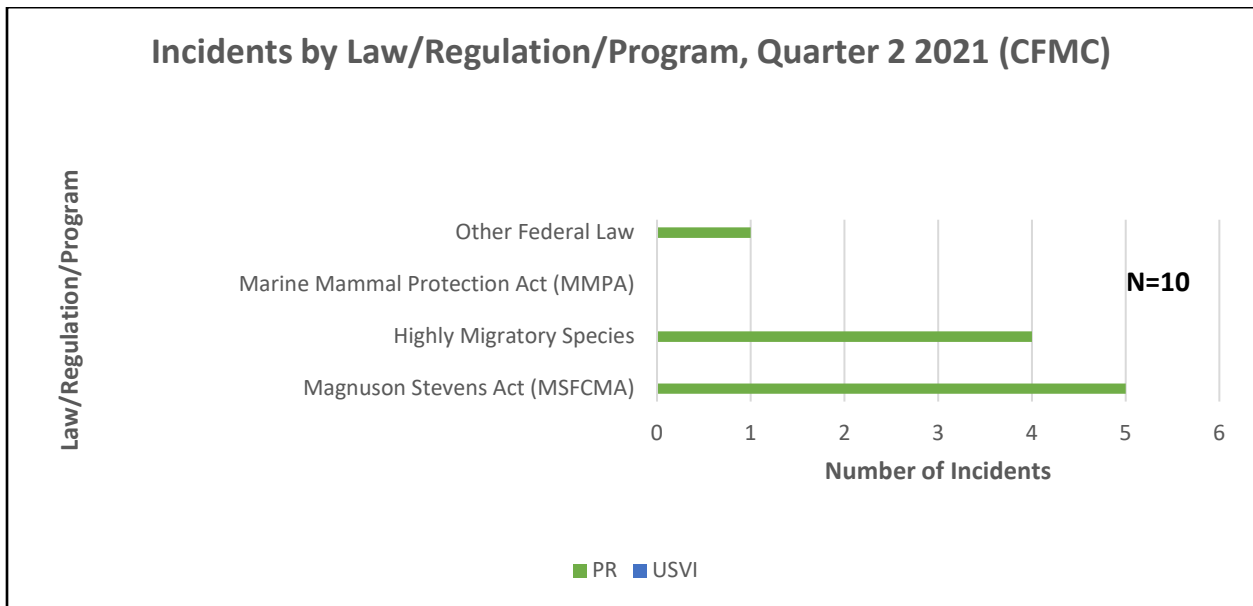


Caribbean Fishery Management Council Summary

**Total number of incidents listed below include OLE and enforcement partner initiated cases, by location

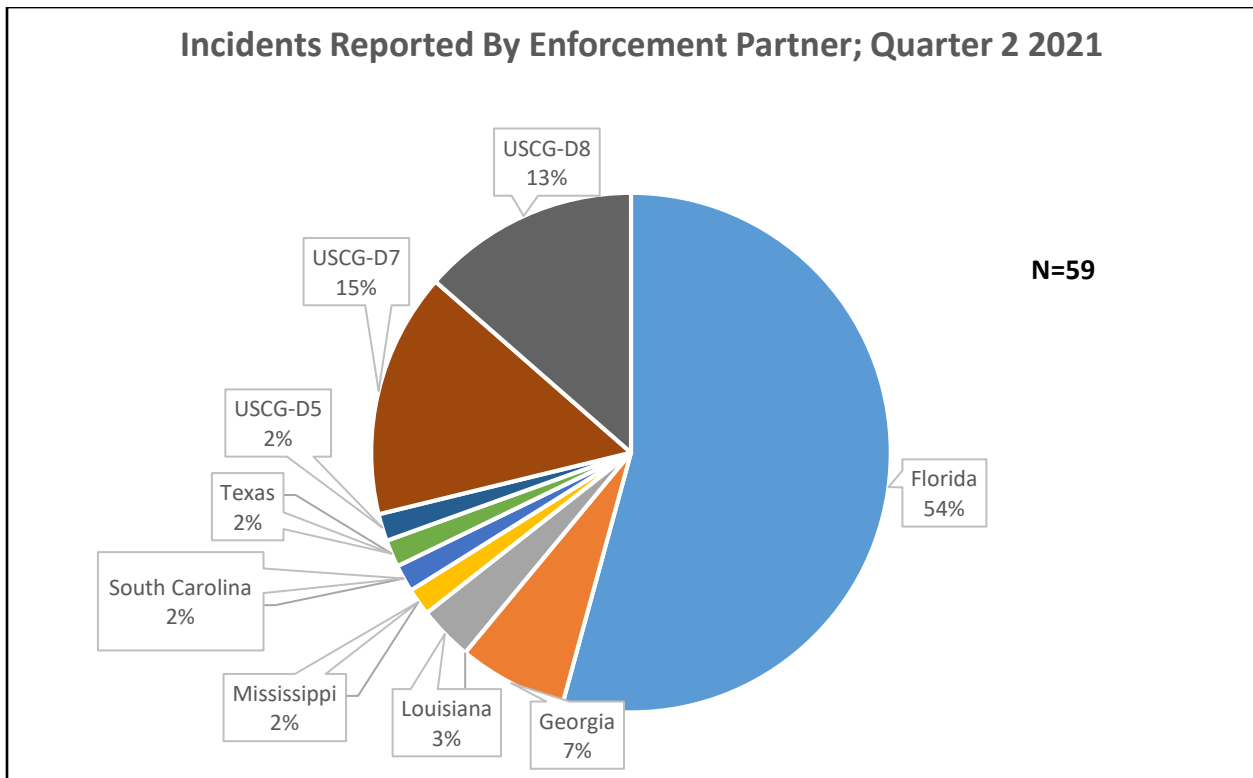
Number of Incidents by Law/Regulation/Program and Location; Quarter 2 2021 (CFMC)

| Law/Regulation/Program | PR | USVI | Total |
|-------------------------------------|-----------|----------|-----------|
| Magnuson Stevens Act (MSFCMA) | 5 | | 5 |
| Endangered Species Act (ESA) | | | |
| Highly Migratory Species | 4 | | 4 |
| Lacey Act | | | |
| Marine Mammal Protection Act (MMPA) | | | |
| Marine Sanctuaries Act | | | |
| Other Federal Law | 1 | | 1 |
| TOTAL | 10 | 0 | 10 |

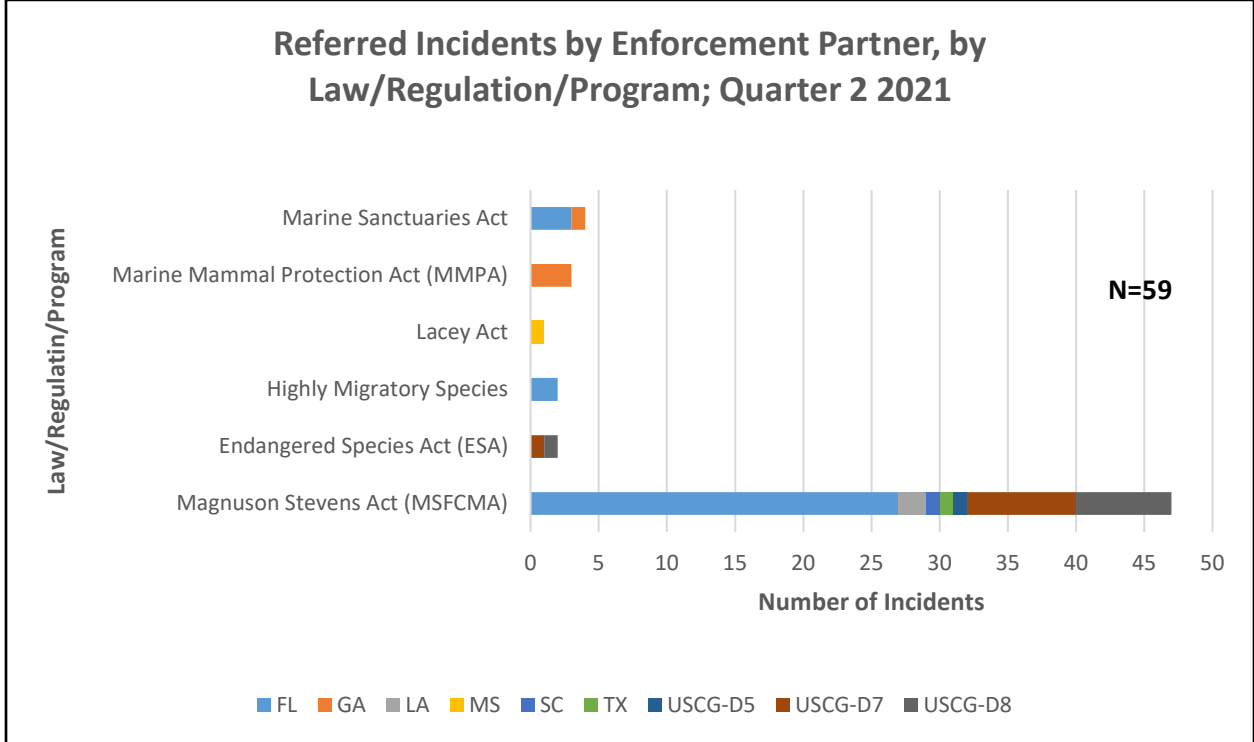


Summary of Incidents By Joint Enforcement Agreement and United States Coast Guard Partners

Throughout Quarter 2 2021, there were **59** incidents referred to NOAA OLE through Joint Enforcement Agreement (JEA) and United States Coast Guard (USCG) partners. Below is a summary showing the overall distribution of incidents initiated by partner, and a breakdown of incident counts by law/regulation/program per enforcement partner¹. Effort consisted of dockside vessel inspections, offshore vessel boardings and interaction with public and industry members.



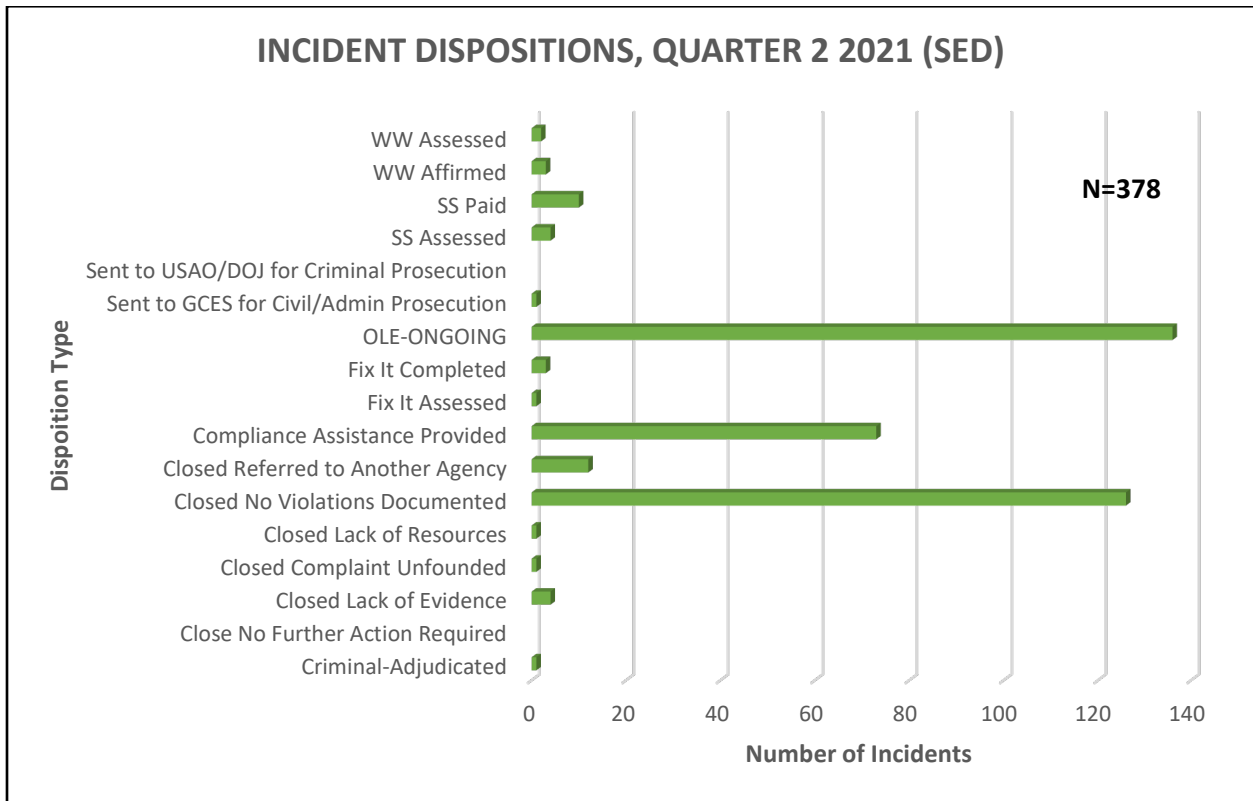
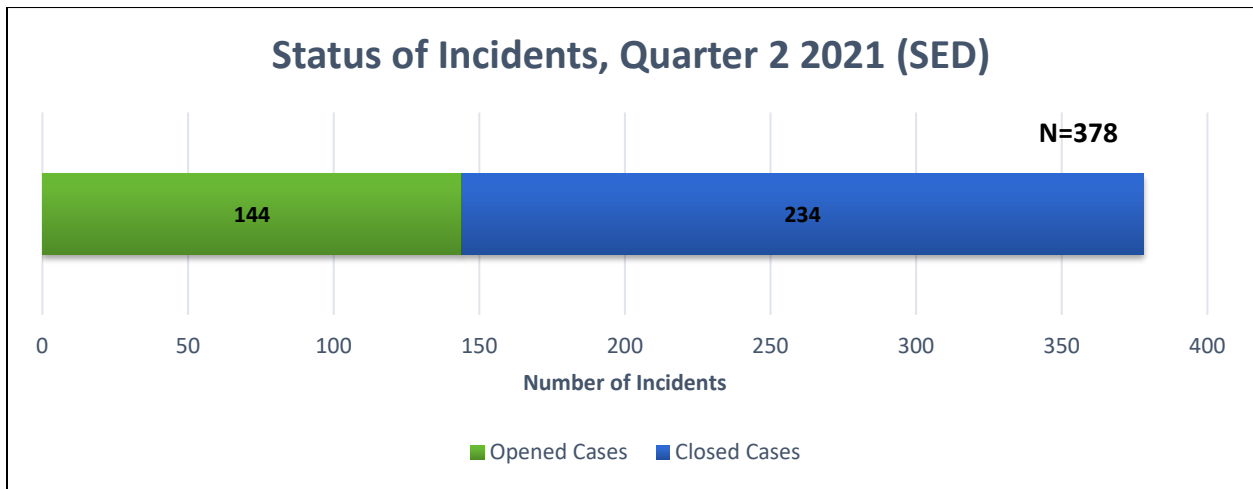
Referred Incidents by Enforcement Partner, by Law/Regulation/Program; Quarter 2 2021



¹ total individual counts may be greater than opened incidents due to multiple counts charged for separate incidents

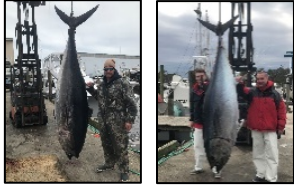
Caseload Snapshot

Below is a breakdown of the initiated incidents (**378**) throughout the quarter, by status and disposition. Total includes cases initiated by OLE and referred by enforcement partners. Throughout the quarter, enforcement personnel were able to investigate and close out **62%** of the incoming workload.



Enforcement Highlights

Highly Migratory Species



A North Carolina Enforcement Officer (EO) conducted patrols off the Outer Banks to monitor commercial offloads of Bluefin Tuna during the final days of the 2020-2021 Winter season and shrimp trawlers around the Pamlico Sound. 12 vessels were boarded and monitored during offload with no violations noted.

Lacey Act

Aristides Sanchez was sentenced in US District Court in San Juan, Puerto Rico for violating the wildlife trafficking and false labelling sections of the Lacey Act. Sanchez was unlawfully harvesting ricordea and zooanthid corals from the waters of Puerto Rico and selling them into interstate and foreign commerce.

His sentence included a year and a day in prison, two years of supervised release, 120 community service hours, and a ban from collecting or procuring marine life.

A New Bern Special Agent (SA) testified in the sentencing hearing of a subject who previously pled guilty to felony Lacey Act charges. The Court sentenced the subject to 9 months home confinement, a fine of \$100,000 paid to the MSA Asset Forfeiture Fund, and 5 years' probation, with supervision. The Court also required the company to implement a corporate compliance plan, and the hiring of a compliance officer at the company.

A SA in Slidell, LA advised that Indian Ridge Seafood appeared before a U.S. District Judge for sentencing after previously pleading guilty to a one count Bill of information charging violations of the Lacey Act. Specifically, Indian Ridge Seafood sold and transported oysters in interstate commerce when said oysters were acquired and possessed unlawfully under Louisiana state law. The Judge ordered a fine in the amount of \$10,000 and a special assessment of \$125.

Illegal Unregulated Unreported Seafood Port Operations and Port State Measures

A Savannah, GA EO issued a \$3000.00 summary settlement to a shrimp importer for failure to maintain records and submitting inaccurate information required under SIMP regulations. The shipment contained wild-caught shrimp imported from a county not certified by the Department of State. The shrimp was re-exported.

Marine Mammal Protection Act

A Jacksonville SA responded to a report of a vessel harassing a mother right whale and calf. After reviewing information provided by the complainant, and in consultation with the Office of Protected Resources, the claim was not substantiated.

A Panama City, FL EO responded to a complaint of a deceased dolphin. The EO notified the stranding network who responded with biologist and a local Florida Fish and Wildlife Conservation Commission (FWC) officer. The dolphin appeared to be newly born and died from birth complications. A biologist conducted further examinations.

A Corpus Christi, TX SA received a complaint reported via Be Whale Wise concerning a video of a fishing vessel operating near a pod of killer whales in the Gulf of Mexico. Further investigation indicated that the vessel was a headboat operating out of Galveston, TX. A group of killer whales that had broken off from a larger pod had approached the vessel. Upon recognizing that killer whales were in proximity to the vessel, the captain slowed and allowed the whales to maneuver around the vessel. Several videos were captured and posted on social media. Compliance assistance and outreach were conducted in the area to ensure safe interactions.

Endangered Species Act

A Galveston, TX EO and American Samoa EO conducted Endangered Species Act (ESA) patrols on the beaches of Galveston Island and Freeport Island. Several complaints had been received of stranded sea turtles after extremely cold temperatures resulted in hundreds of stunned turtles on Texas beaches. OLE presence was observed by several beachgoers as the EO's ensured the green turtles were not injured or disturbed in their environment.



A Houma, LA EO and a Houston, TX EO assisted the Louisiana Stranding team with the release of 13 cold stunned sea turtles into the Gulf of Mexico. The 13 sea turtles were found floating in northeastern LA waters.

National Marine Sanctuaries

SED EOs participated in Operation Reef Line in the Florida Keys. The three day operation focused on Florida Keys National Marine Sanctuary enforcement. Over 160 people and 30 vessels were encountered during the operation.

Cooperative Enforcement/Partnerships

A Key West, FL SA trained FWC Specialists on federal fishing regulations. The attendees included officers from Miami and Monroe Counties. The SA also discussed the procedures for submitting case packages and Flower Garden National Marine Sanctuary regulations.

A Key West, FL SA conducted training for new FWC Officers in Marathon, Florida. Topics included an introduction to NOAA OLE, federal case preparation, and an overview common federal laws related to joint enforcement agreement (JEA) enforcement.

A Houma, LA EO conducted a three-day offshore patrol on the USCGC Mako. During the patrol, the EO and the Coast Guard boarded two king mackerel commercial fishing vessels and four commercial shrimp

vessels. A total of five minor TED violations were documented. Compliance assistance was provided for all violations.

A NOAA Gear Specialist, Jacksonville, FL SA, and Cape Canaveral, FL EO conducted TED training for FWC.



Presentations on the history of TEDs and proper measurement techniques were provided. The presentations were followed up with hands-on training for all of the officers.

A Mobile, AL EO attended the annual Commercial Fishing Vessel Owners meeting in Bayou la Batre, AL USCG personnel and an Alabama JEA partner were also present. The EO provided information and answered questions concerning the new TED requirements for skimmer trawls in the GOM.

Patrols/VMS/Catch Shares

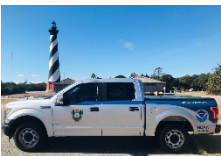


OLE EOs and an SA conducted a three-day FKNMS patrol out of Key West, FL boarding nine vessels from a NOAA patrol vessel. One dive charter vessel was found to have 22 divers in the water

inside Rock Key SPA without a dive flag displayed - a summary settlement was issued. Compliance assistance was provided to two other vessels

Savannah, GA and Port Canaveral, FL EOs conducted a JEA patrol with FWC out of Jupiter, FL. Two charter vessels were provided compliance assistance for minor gear violations and a second vessel was referred to the state and issued a state citation for an undersized mutton snapper.

A Cape Canaveral, FL EO and Jacksonville, FL SA conducted a JEA patrol with FWC in the EEZ, east of Jacksonville, FL. The team boarded five vessels. JEA officers submitted a case packet for dumping fish on approach of a law enforcement vessel, possession of eight undersized seabass, and the use of j-hooks. A state warning was issued to another vessel in possession of four undersized sea bass.



A North Carolina EO conducted patrols throughout the Outer Banks and Ocracoke Island, NC. Charter and recreational vessel boardings were conducted. All vessels were found to be in compliance with no violations documented. Compliance assistance was provided to a recreational vessel on the proper method to measure tuna species as the captain was using a Check-It stick and did not understand how to obtain "Curved Fork Length."



OLE EOs and an SA conducted a three-day joint patrol operation with USCG personnel from Coast Guard Station Port Canaveral, FL. The patrol was conducted in the Oculina Bank HAPC and Experimental Closed Area offshore. Three charter

vessels were boarded and three commercial vessel offloads were monitored. Compliance assistance was provided to two charter vessels for missing pieces of required turtle mitigation gear. A USCG boarding team was on board all three days and conducted safety checks on all vessels boarded.

A San Juan, PR SA conducted a patrol off the west coast of Puerto Rico with U.S. Customs and Border Protection Air Marine Officers (CBP AMO) in the Bajo de Sico area. During the patrol, three vessels were boarded - one HMS violation was detected. A subsequent patrol with a CBP AMO resulted in a commercial vessel operator who was found to be in possession of 32 Conchs in the closed area of the EEZ.

Compliance Assistance/Outreach/Education/Public Affairs/Media



(SEFHIER).

The SED Assistant Director, a supervisory enforcement officer (SEO), EO and compliance liaison attended an industry meeting hosted by the West Coast Charter Captain's Group in Madeira Beach, FL. The group brought the charter fishing industry, OLE, FWC officers, and USCG together to discuss illegal charters and the newly implemented South East for Hire Integrated Electronic Reporting program

The Compliance Liaison held introductory meetings with multiple industry groups within the commercial and charter sectors, including the Charter Fisherman's Association and Gulf of Mexico Reef Fish Shareholders' Alliance board members. Current industry concerns were discussed as well as future meetings and how to report enforcement issues properly. Topics included illegal charters, how to best provide pertinent information to law enforcement and recently enacted regulations within the charter fleet. Board members also requested similar meetings with their local affiliations in the future.

A Panama City, FL EO and SA conducted living marine resources and species ID training with all USCG boarding officers at USCG Station Panama City.

The compliance liaison and a St Petersburg, FL SA provided OLE related training to an initial trainee class at the NOAA Southeast Fishery Science Center Miami Observer Program. Emergency reporting, SASH guidance and fishery violation reporting protocol were discussed, as well as conflict resolution scenarios.

OLE released a web story in April on illegal charters and tips for the public on how to take a legal and sustainable trip. The story was posted on NOAA social media, SAFMC newsletter and other feeds.

Administration/Other

NOAA OLE and the Southeast Regional Office staff held virtual trainings with multiple JEA partners regarding current For-Hire reporting requirements to aid in compliance within the charter fleet.

Headlines

Illicit trafficking of protected reef organisms:

<https://www.justice.gov/opa/pr/former-owner-aquarium-business-sentenced-prison-illicit-trafficking-protected-reef-creatures>

Illegal Charter Fishing Activity and Education:

<https://www.fisheries.noaa.gov/feature-story/make-sure-your-charter-fishing-trip-legal-and-sustainable>

Overview of Summary Settlements

Listed below is a summary of the **54** Summary Settlements issued during the quarter. The three highest violation types cited involved retention during closures (19), TED/BRD requirements (7) and Observer Program requirements (4). **18** violations were cited throughout the Gulf region and ranged in subject, including 6 citations for shrimp vessel TED/BRD requirements and 1 violation involving illegal charter activity. **21** violations were cited throughout the South Atlantic region, which included 2 citations related to illegal charter activity. The majority of the **14** violations in the Keys area consisted of fishing activity and improper operation of vessels, including 1 illegal charter, within the Florida Keys National Marine Sanctuary. There was also **1** citation in the Caribbean region for retention during closure.

| LAW/REG/PROGRAM | VIOLATION | AMOUNT | STATE |
|------------------------------|--------------------------|---------|---------|
| Endangered Species Act (ESA) | TED/BRD requirements | \$1,200 | FL KEYS |
| Endangered Species Act (ESA) | TED/BRD requirements | \$800 | LA |
| Endangered Species Act (ESA) | TED/BRD requirements | \$500 | LA |
| Endangered Species Act (ESA) | TED/BRD requirements | \$3,400 | TX |
| Endangered Species Act (ESA) | TED/BRD requirements | \$300 | TX |
| Endangered Species Act (ESA) | TED/BRD requirements | \$200 | TX |
| Endangered Species Act (ESA) | Approaching right whales | \$500 | FL EAST |

| | | | |
|-------------------------------|---|---------|---------|
| Endangered Species Act (ESA) | Approaching right whales | \$500 | FL EAST |
| Highly Migratory Species | HMS handling | \$500 | NC |
| Highly Migratory Species | Possession of billfish | \$750 | FL KEYS |
| Highly Migratory Species | Observer Program requirements | \$5,000 | SC |
| Magnuson Stevens Act (MSFCMA) | Observer Program requirements | \$5,000 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Dispose of fish upon approach by law enforcement | \$1,000 | TX |
| Magnuson Stevens Act (MSFCMA) | Catch Share Program violations | \$1,447 | AL |
| Magnuson Stevens Act (MSFCMA) | Illegal charter activity | \$1,000 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Prohibited gear; fail to maintain fish in proper form | \$1,275 | GA |
| Magnuson Stevens Act (MSFCMA) | Fish release requirements | \$250 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Possess undersize fish | \$350 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$650 | TX |

| | | | |
|-------------------------------|---|---------|---------|
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$325 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | Fishing with expired permits | \$750 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | TED/BRD requirements | \$100 | TX |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$1,000 | TX |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$900 | TX |
| Magnuson Stevens Act (MSFCMA) | Observer Program requirements | \$2,500 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Reef fish as bait; Fail to maintain fish | \$275 | FL WEST |
| Magnuson Stevens Act (MSFCMA) | Fish release requirements; Retention during closure | \$550 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Fish release requirements; Retention during closure | \$650 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$550 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$700 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$375 | FL WEST |

| | | | |
|-------------------------------|--|---------|---------|
| Magnuson Stevens Act (MSFCMA) | Observer Program requirements | \$2,500 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Illegal charter activity | \$1,500 | SC |
| Magnuson Stevens Act (MSFCMA) | Fishing with expired permits | \$1,000 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | Illegal charter activity | \$3,000 | FL WEST |
| Magnuson Stevens Act (MSFCMA) | Reef fish as bait; HMS not in specified form; Gear violations | \$2,275 | FL WEST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure; Dispose of fish upon approach by law enforcement | \$1,850 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure; Dispose of fish upon approach by law enforcement | \$1,850 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Fail to maintain fish intact | \$650 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Closed area incursion | \$600 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$700 | TX |
| Magnuson Stevens Act (MSFCMA) | Retention during closure; Gear violations | \$400 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | Retention during closure; Dispose of fish upon approach by law enforcement | \$1,275 | FL WEST |

| | | | |
|-------------------------------|--------------------------|---------|---------|
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$400 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$325 | FL KEYS |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$350 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$600 | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$825 | PR |
| Magnuson Stevens Act (MSFCMA) | Retention during closure | \$375 | FL WEST |
| Magnuson Stevens Act (MSFCMA) | Illegal charter activity | \$500 | FL KEYS |
| Marine Sanctuaries Act | Retention during closure | \$600 | FL KEYS |
| Marine Sanctuaries Act | Closed area incursion | \$600 | FL KEYS |
| Marine Sanctuaries Act | Discharge of material | \$800 | FL KEYS |
| Marine Sanctuaries Act | VMS program requirements | \$2,000 | FL KEYS |

Investigative Support Program

Southeast Division Active Vessel Monitoring System (VMS) Population: 959

Population Breakdown by (VMS) Fisheries and VMS Vendor

| FISHERIES | NETWORK INNOVATIONS | WOODSHOLE | SKYMATE | FARIA | MCMURDO | TOTAL |
|----------------------|---------------------|-----------|---------|-------|---------|-------|
| HMS Pelagic Longline | 11 | 42 | 15 | 24 | | 92 |
| HMS Shark | | 4 | 1 | | | 5 |
| Gulf reef fish | 121 | 321 | 83 | 119 | 118 | 762 |
| Rock shrimp | 5 | 35 | 9 | 14 | 6 | 69 |
| Charter | | 20 | 9 | 2 | | 31 |
| TOTAL | 137 | 422 | 117 | 159 | 124 | 959 |

Violations ranging from fishing in a closed area, improper gear use and failure to comply with reporting requirements (trip declarations, daily reports, pre-landing notices) were detected by Investigative Support staff and referred to enforcement officers or special agents for follow-up. Additionally, staff conducted daily calls with the industry relating to compliance during the quarter.

The Investigative Support Program continues to work closely with NOAA Southeast Regional Office staff regarding the Gulf of Mexico For-Hire reporting requirements. Recent new hires have been able to aid regional staff on requirements.

Observer Program Highlights

During FY Quarter 2 2021; the Southeast Division Observer Programs deployed on **83** trips for **854** sea days. Approximately **98%** of all selected trips were completed without an observer related enforcement incident [assault/harassment (sexual and non-sexual), safety]. Observer programs reported **17** fishery violations and International Convention for the Prevention of Pollution From Ships (MARPOL) violations to NOAA OLE. The Gulf of Mexico Shrimp Program deployed on 27 trips for 624 sea days, and the Gulf of Mexico Reef Fish Program deployed on 14 trips for 89 sea days. Effort for the Panama City Gillnet Program were 5 trips for 8 sea days, and the Panama City Bottom Longline Program (includes Shark Research Fishery) deployed on 20 trips for 21 sea days. The Panama City Reef Fish Vertical Line Program deployed on 5 trips for 7 sea days. The Pelagic Observer Program deployed on 12 trips for 105 sea days. The summary below details the type of observer related complaints received during Quarter 1 (calendar year) of 2021, for all three programs.

| COMPLAINT TYPE | Galveston Reef Fish and Shrimp Programs | Panama City Shark Bottom Longline and Gillnet Programs | Pelagic Observer Program | TOTALS |
|-------------------------------------|---|--|--------------------------|-----------|
| ASSAULT | | | | 0 |
| HARASSMENT/INTIMIDATE/IMPEDEMENT | 1 | | | 1 |
| SAFETY | | 1 | | 1 |
| NON-COMPLIANT FOR OBSERVER COVERAGE | | | 12 | 12 |
| HANDLING | | | 4 | 4 |
| GEAR | 1 | 1 | 1 | 3 |
| RETENTION | | 3 | | 3 |
| SPATIAL | | | | 0 |
| MARPOL-USCG | 4 | 2 | 1 | 7 |
| TOTALS | 6 | 7 | 18 | 31 |

Cases Referred For Civil and/or Criminal Prosecution

Listed below is a summary of the 11 cases forwarded to NOAA Office of General Counsel Enforcement Section (GCES) and/or the United States Attorney Office/Department of Justice for this quarter. Cases varied in violation type, with 3 occurring in the South Atlantic area, 5 in the Gulf area and 3 in the Florida Keys area.

| LAW/REG/PROGRAM | VIOLATION | STATE |
|-------------------------------------|---|---------|
| Endangered Species Act (ESA) | TED/BRD Requirements | LA |
| Endangered Species Act (ESA) | TED/BRD Requirements | TX |
| Highly Migratory Species | Fish taken in violation of foreign law | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Illegal charter activity | FL WEST |
| Magnuson Stevens Act (MSFCMA) | Shrimping without a permit | FL WEST |
| Magnuson Stevens Act (MSFCMA) | Observer Program requirements | FL EAST |
| Magnuson Stevens Act (MSFCMA) | Illegal charter activity | TX |
| Marine Mammal Protection Act (MMPA) | SIMP | FL EAST |
| Marine Sanctuaries Act | Closed area Incursion | FL KEYS |
| Marine Sanctuaries Act | Operation of vessel causing damage to habitat | FL KEYS |
| Marine Sanctuaries Act | Operation of vessel causing damage to habitat | FL KEYS |

*Cases sent to the United States Attorney Office/Department of Justice for criminal prosecution.

NOAA GCES Enforcement Charging Information

The following Civil Administrative Enforcement Actions are results from NOAA GCES that occurred in the Southeast Division, from January-April 2021. Nationwide results may also be found at the [enforcement charging information site](#)

1. F/V Sea Hawk — Owner Nite Hawk Offshore, Inc., and Operator Don Michael Rynn were charged jointly and severally under the Magnuson-Stevens Act with exceeding 3 the incidental catch limit for swordfish per trip by 20 swordfish resulting in a 66% overage. A \$5,750.00 NOVA was issued. The NOVA became a final administrative decision due to default.

2. F/V FL5426RY — Operator Pedro Pons Betancourt and Recreational Anglers Jorge Raul Fernandez and Oberlan Rivera Figueroa were charged jointly and severally under the National Marine Sanctuaries Act with fishing in Grecian Rocks Sanctuary Preservation Area in the Florida Keys National Marine Sanctuary. A \$2,500 NOVA was issued.

3. F/V LA7615GD — Owner/Operator John Sturlese was charged under the Magnuson-Stevens Act with failing to have the required VMS onboard and operating properly. A \$21,000 NOVA was issued, and the case settled for \$18,900.

4. F/V Miss Rita — Owner Glenn E. Davis and Operator Joshua A. Kemp were charged jointly and severally under the Magnuson-Stevens Act with the unlawful landing of a blacknose shark from the Gulf of Mexico. Owner Davis and Operator Kemp were also charged jointly and severally under the Magnuson-Stevens Act for the unlawful use of 1,447 hooks in a single trip where their shark research fishery permit set a limit of 450 hooks per trip. An \$11,506.75 NOVA was issued. The NOVA became a final administrative decision due to default.

5. SE2001716B; Madeira Beach Seafood Co. — Madeira Beach Seafood Co. was charged under the Magnuson-Stevens Act with unlawfully purchasing a blacknose shark from the Gulf of Mexico coast. A Written Warning was issued.

6. F/V Gypsea — Owner/Operator, Eliu Gonzalez, was charged under the Magnuson-Stevens Act with failing to have an operating VMS onboard for one year and for failing to have the required sea turtle release gear on board. A \$38,500 NOVA was issued.

7. F/V FL2795RX — Operator Roberto Mandina was charged under the National Marine Sanctuaries Act with fishing in an Ecological Reserve and anchoring on coral inside the Reserve. A \$2,500 NOVA was issued.

8. F/V Miss Kathleen — Owner/Operator David Ronnie Rodgers Jr., was charged under the Endangered Species Act with fishing for shrimp in the Gulf of Mexico with non-compliant Turtle Excluder Devices (TEDs). An \$81,382 NOVA was issued. The NOVA became a final administrative decision due to default.

9. F/V Chasity Brooke — Owner Chasity Brooke, LLC and Operator Charles Santos Wilson were charged jointly and severally under the Endangered Species Act with owning, powering, and/or being onboard a shrimp trawler in the Gulf of Mexico with a non-compliant TED. A \$3,500 NOVA was issued. The NOVA became a final administrative decision due to default.

10. F/V Twister — Owner Steel Roy Rockett and Operator Michael Conrad Ross were charged jointly and severally under the National Marine Sanctuaries Act with fishing 4 inside the Tortugas South Ecological Reserve. The proceeds of the violation (\$2,318.25) were voluntarily abandoned. A \$7,500 NOVA was issued.

11. Cargo vessel Champion III — Owner Dean’s Shipping Company Ltd. and Operator Rickey Nelson Barnett 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.

12. M/Y Lady Kathryn V — Owner Lady Kathryn V Ltd. and Operator Christopher Torri Ramos 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.

13. OSV Regulus — Owner Tidewater Marine LLC and Operator Billy Harris 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.

14. T/V J.J. Cenac — Owner Kirby Corporation and Operator Rickey Joseph Verdin 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 (ATBA) in and around the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued.

15. F/V Stress Reel Ease — Owner Omar Ventures LLC and Operator Zuhair Salem Hillail were charged jointly and severally under the Magnuson-Stevens Act for possessing Gulf red snapper during a seasonal closure. A \$1,000 NOVA was issued, and the case settled for \$900.

16. M/Y Turquoise — Owner BBW Turquoise Ltd. and Operator Gareth Harris were charged jointly and severally under the National Marine Sanctuaries Act with operating a vessel greater than 50 meters inside the ATBA in and around the Florida Keys National Marine Sanctuary. A \$7,500 NOVA was issued