

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

FISCAL YEAR 2021, QUARTER 3
FISHERY MANAGEMENT
COUNCIL REPORT

APRIL 1, 2021- JUNE 30, 2021



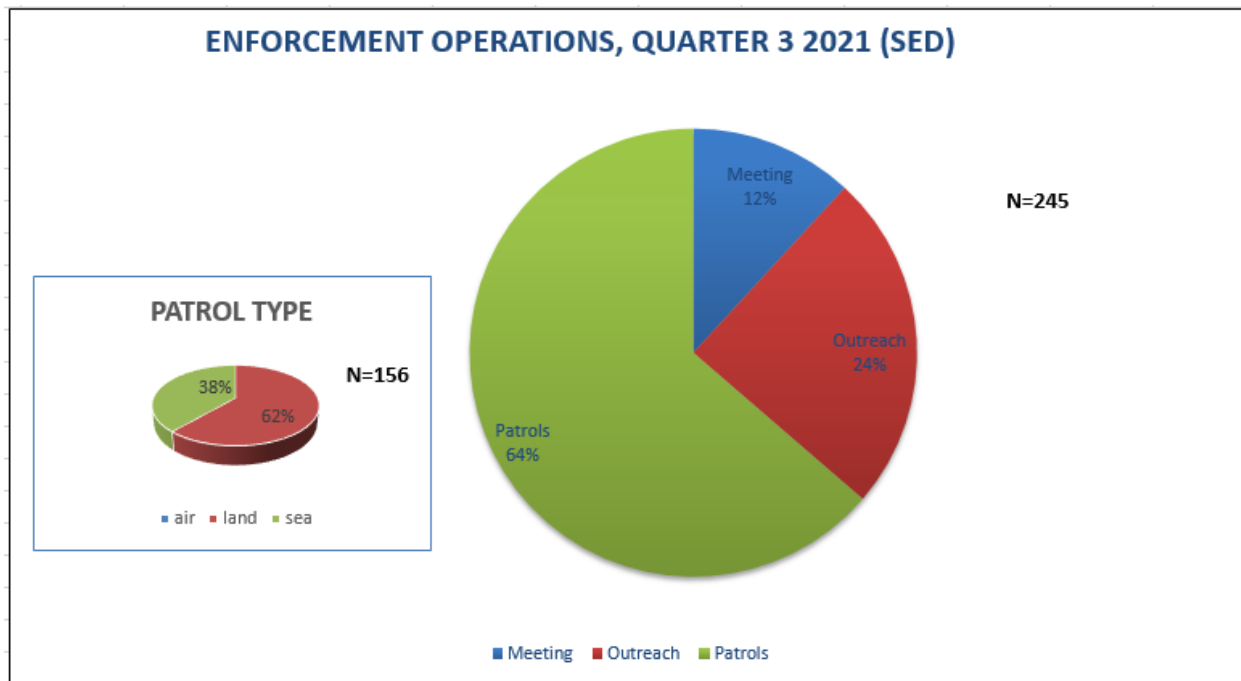
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Enforcement and Compliance

Data represent National Oceanic and Atmospheric Administration Fisheries Office of Law Enforcement (NOAA OLE) Southeast Division's (SED) enforcement effort conducted throughout FY Quarter 3 2021, **April 1, 2021- June 30, 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).

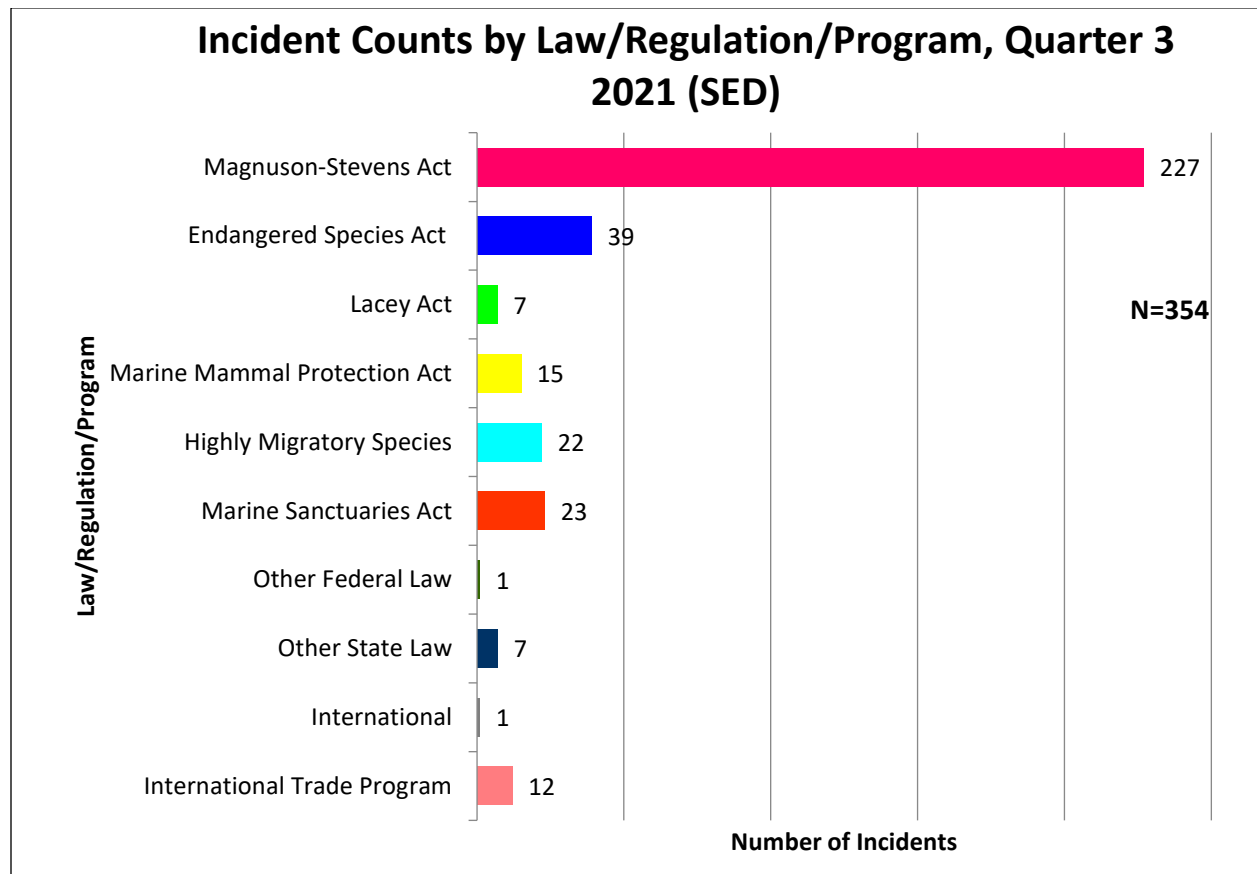
Patrols, outreach and investigations are vital to OLE's mission. Specifically, one operation (Operation Mutton Moon) concentrated on illegal harvesting of mutton snapper throughout the Florida Keys National Marine Sanctuary. Overall this quarter, there were **156** documented patrols, **60** documented instances of outreach and **29** meetings.



Incident Information

During the third quarter, NOAA OLE opened **338** incidents in the SED, which included **354** individual counts- **255** counts in the SAFMC area, **180** counts in the GMFMC area and **12** counts in the CFMC area¹. Opened incidents originate from both NOAA personnel and our enforcement partners.

Summary of Incidents by Law/Regulation/Program; Quarter 3 2021



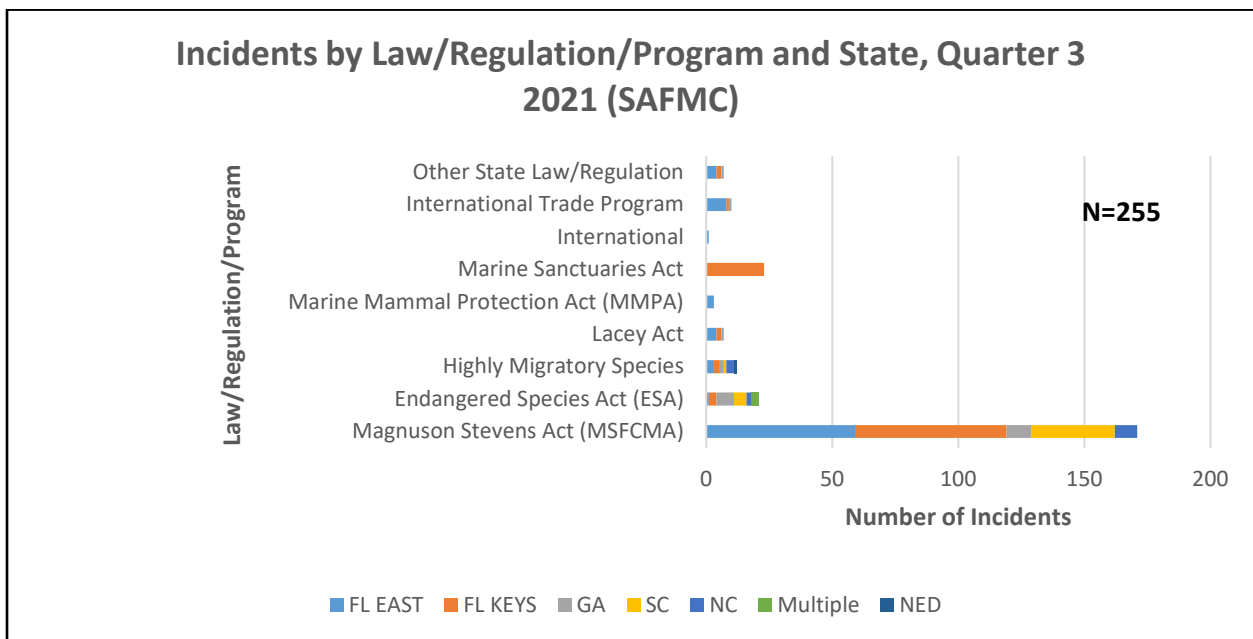
¹ Incidents occurring in the Florida Keys area are included in both SAFMC and GMFMC counts; total individual counts are greater than opened incidents due to multiple counts charged for separate incidents

South Atlantic Fishery Management Council Summary

**Total number of incidents listed below includes effort by OLE and enforcement partners, by location

Number of Incidents by Law/Regulation/Program and Location; Quarter 3 2021 (SAFMC)

Law/Regulation/Program	FL EAST	FL KEYS	GA	SC	NC	Multiple	NED	Total
Magnuson Stevens Act (MSFCMA)	59	60	10	33	9			171
Endangered Species Act (ESA)	1	3	7	5	2	3		21
Highly Migratory Species	3	2	2	1	3		1	12
Lacey Act	4	2	1					7
Marine Mammal Protection Act (MMPA)	3							3
Marine Sanctuaries Act		23						23
International	1							1
International Trade Program	8	1	1					10
Other State Law/Regulation	4	2	1					7
TOTAL	83	93	22	39	14	3	1	255

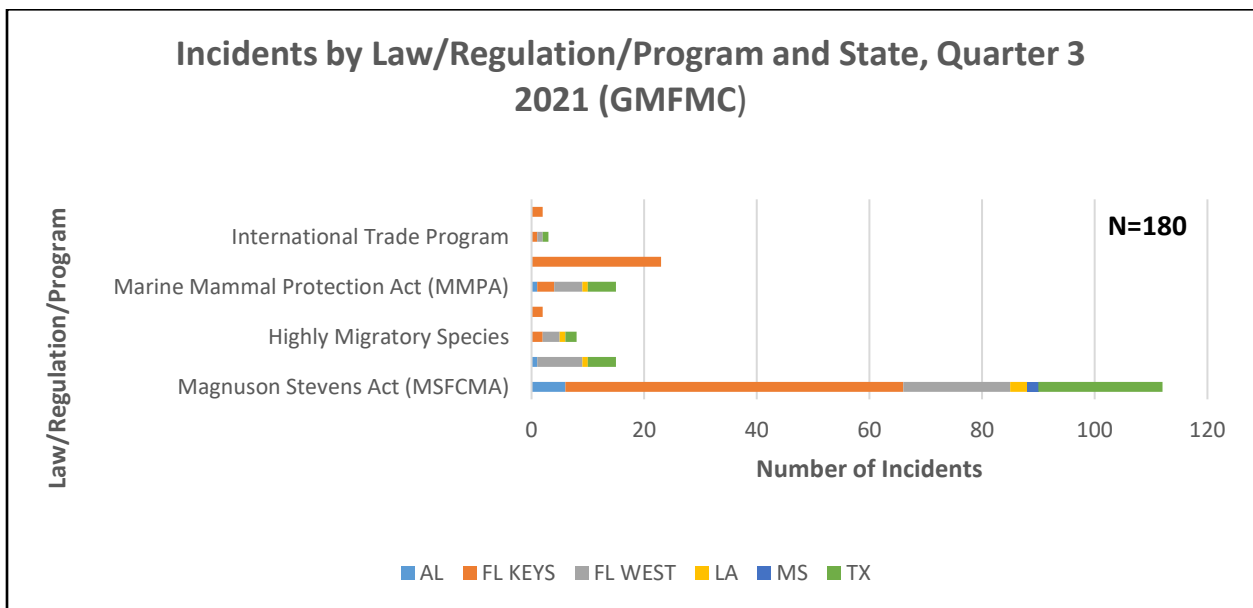


Gulf of Mexico Fishery Management Council Summary

**Total number of incidents listed below includes effort by OLE and enforcement partners, by location

Number of Incidents by Law/Regulation/Program and Location; Quarter 3 2021 (GMFMC)

Law/Regulation/Program	AL	FL KEYS	FL WEST	LA	MS	TX	Total
Magnuson Stevens Act (MSFCMA)	6	60	19	3	2	22	112
Endangered Species Act (ESA)	1		8	1		5	15
Highly Migratory Species		2	3	1		2	8
Lacey Act		2					2
Marine Mammal Protection Act (MMPA)	1	3	5	1		5	15
Marine Sanctuaries Act		23					23
International Trade Program		1	1			1	3
Other State Law/Regulation		2					2
TOTAL	8	93	36	6	2	35	180

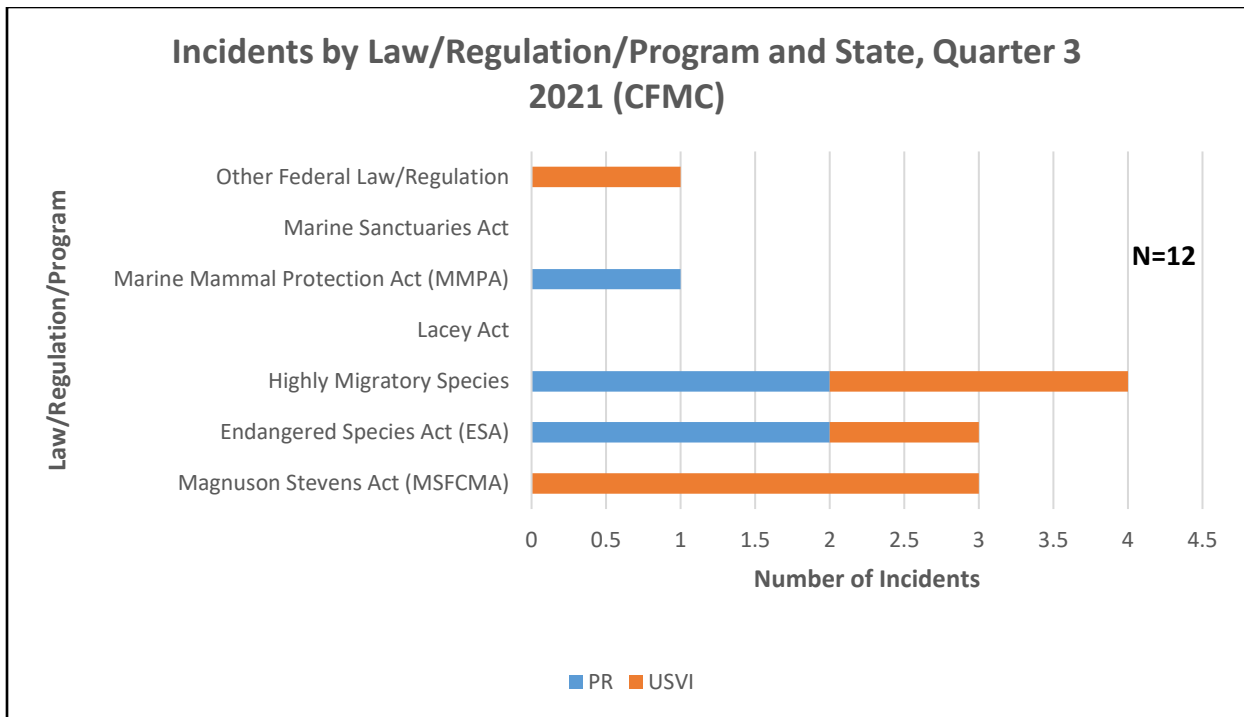


Caribbean Fishery Management Council Summary

**Total number of incidents listed below includes effort by OLE and enforcement partners, by location

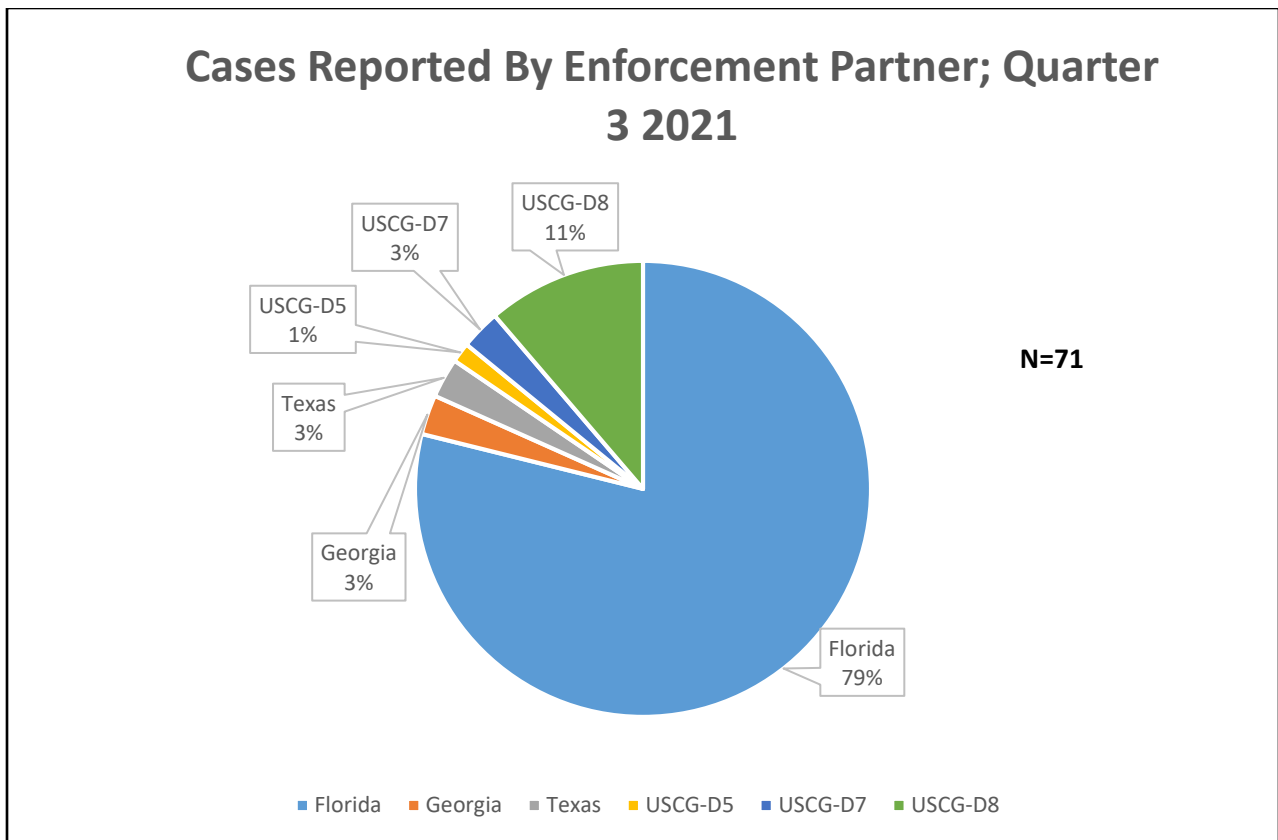
Number of Incidents by Law/Regulation/Program and Location; Quarter 3 2021 (CFMC)

Law/Regulation/Program	PR	USVI	Total
Magnuson Stevens Act (MSFCMA)		3	3
Endangered Species Act (ESA)	2	1	3
Highly Migratory Species	2	2	4
Lacey Act			0
Marine Mammal Protection Act (MMPA)	1		1
Marine Sanctuaries Act			0
Other Federal Law/Regulation		1	1
TOTAL	5	7	12

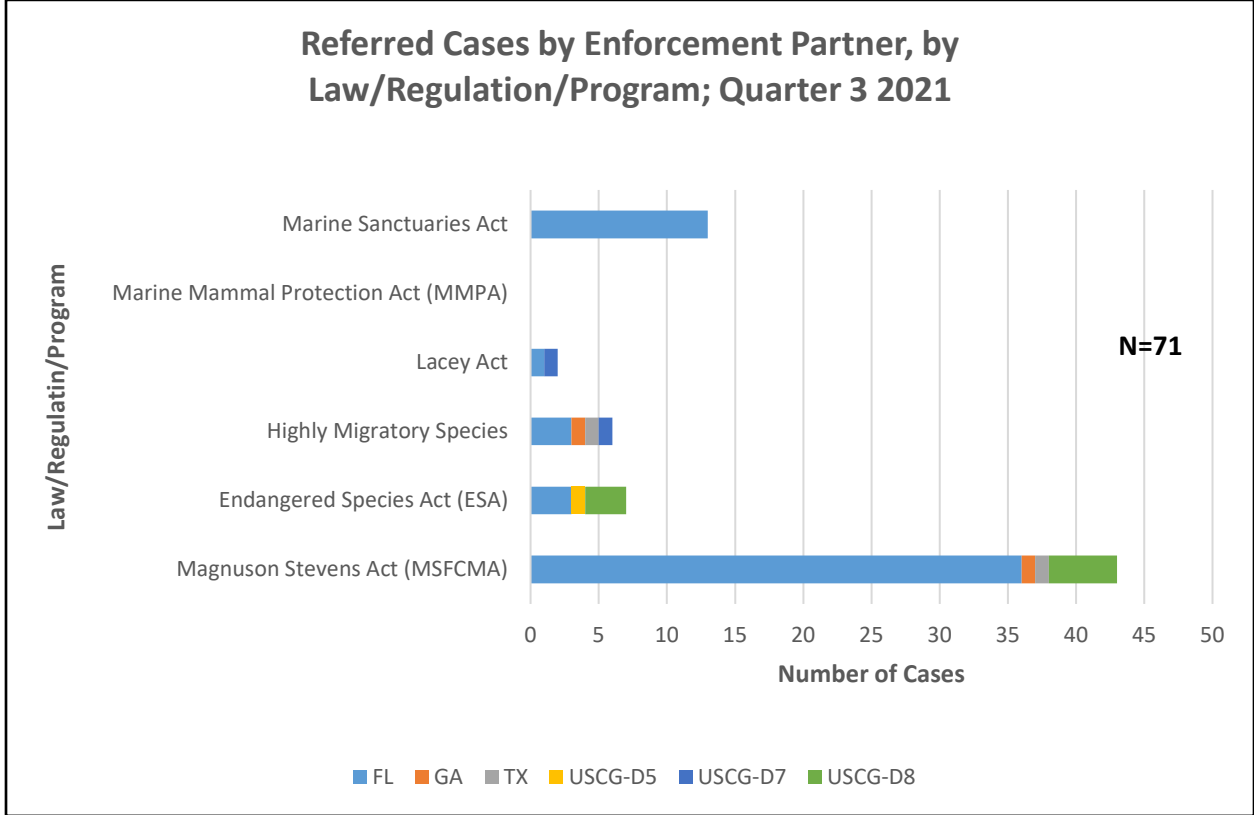


Summary of Cases by Joint Enforcement Agreement and United States Coast Guard Partners

Throughout Quarter 3 2021, there were **71** cases 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 cases initiated by partner, and a breakdown of case counts by law/regulation/program per enforcement partner¹. Effort consisted of dockside vessel inspections, offshore vessel boardings and interaction with public and industry members.



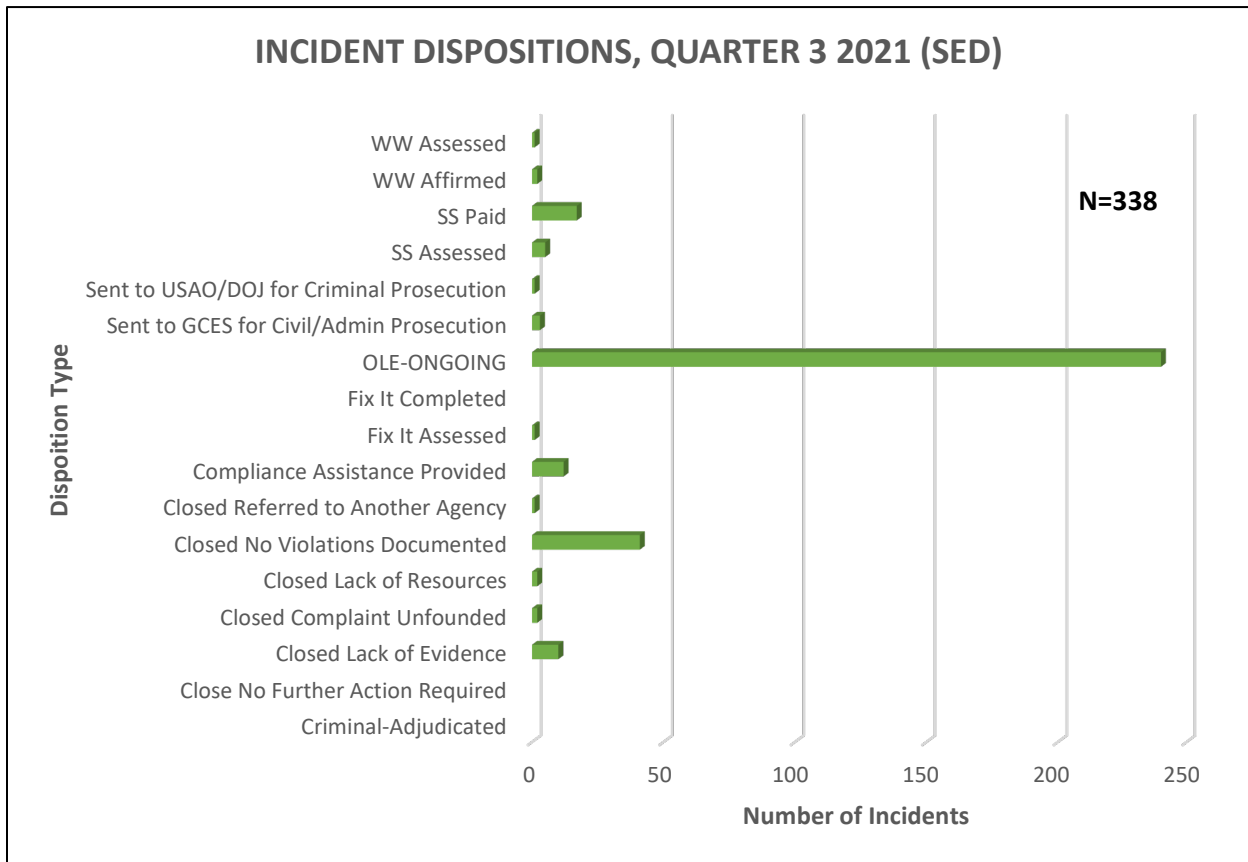
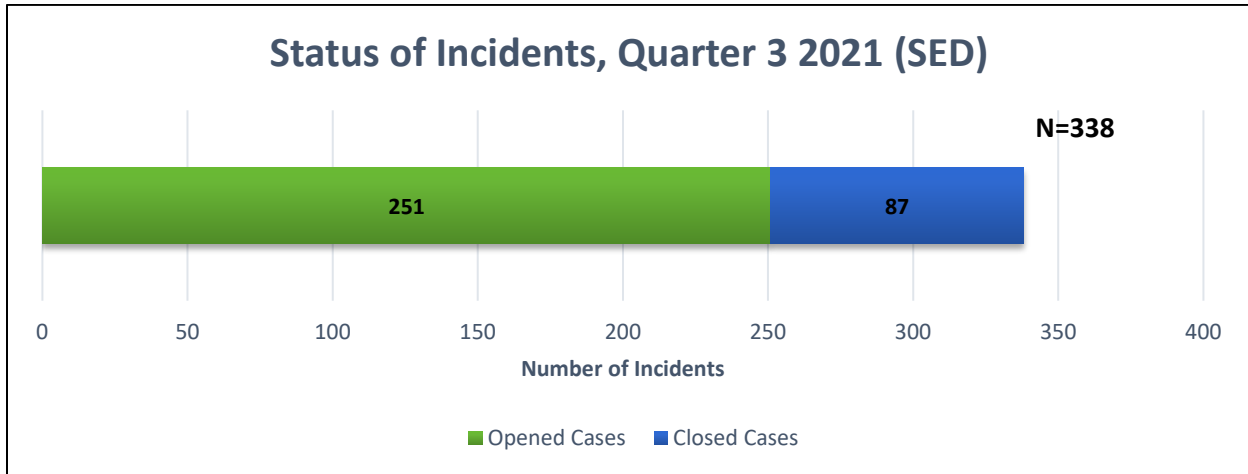
Referred Cases by Enforcement Partner, by Law/Regulation/Program; Quarter 3 2021



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

Caseload Snapshot

Below is a breakdown of the initiated incidents (**338**) throughout the quarter, by status and disposition. Total includes cases referred to by enforcement partners. Throughout the quarter, enforcement personnel were able to investigate and close out **26%** of the incoming workload.

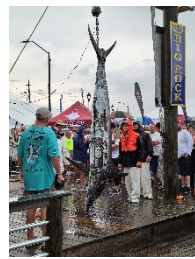


Enforcement Highlights

Highly Migratory Species



A North Carolina Enforcement Officer (EO) met with NC and Florida Special Agents (SA), HMS Management Staff, NOAA OLE General Counsel, and Representatives from the Pelagic Observer Program regarding the progressing Pelagic Longline Deep Set fishery (adopted from the Pacific Island region) in the South Atlantic being used by pelagic longline fishers. Through inspections and first-hand accounts of the gear and techniques used in the fishery, the group was able to take positive first steps in identifying regulation changes that will need to be discussed in future meetings.



A North Carolina EO attended landings at the 2021 Big Rock Blue Marlin tournament in Morehead City, NC. Along with showing presence to the participants the tournament has proven to be an excellent public outreach event with numerous contacts made daily.

Illegal Unregulated Unreported Seafood Port Operations and Port State Measures

OLE personnel attended the sentencing of Henry Danzig for Lacey Act/ IUU violations regarding the poaching of commercial quantities of demersal finfish illegally taken from Bahamian waters. Danzig, on multiple occasions and during a COVID lockdown, entered the country without obtaining clearance from Bahamian Customs or obtaining a valid fishing license. They violated several Bahamian regulations and kept almost eight times the legal bag limit of fish. Danzig held ownership interest in a restaurant that became a commercial outlet for some of the fish. Danzig was sentenced to one-year probation and a unique payment of restitution. Danzig was ordered to provide a new 2021, 30 foot Contender Tournament vessel, fully rigged with 500 HP, to the Royal Bahamas Defense Force (RBDF) for use in counter IUU fishing operations. The vessel is currently under construction and will be transferred to the RBDF upon completion in approximately three months. This investigation stemmed from a vessel stop by the USCG of Danzig's go-fast style fishing vessel that was coming back to the Florida Keys from the waters of The Bahamas.

A Jacksonville, FL SA attended a training with JEA partner Florida Fish and Wildlife Conservation Commission (FWCC) investigators in St. Augustine, FL. The training focused on frozen/non-fresh fish ID for FWCC port inspection investigators. Once the classroom portion of the training was complete the group went to a local federal dealer/processor to receive hands-on training. The SA assisted with the hands-on portion of the training.

Marine Mammal Protection Act

A SA in the Slidell, LA Field Office, at the request of NOAA GCES, personally served a GCES issued written warning on the owner/operator of the F/V Rising Sun. The respondent in this case violated the Marine Mammal Protection Act by possessing a marine mammal taken in violation of the Act. Specifically, the subject possessed two dolphin skulls collected from waters under the jurisdiction of the United States.

Magnuson-Stevens Fishery Conservation and Management Act

A Corpus Christi, TX SA and League City, TX ASAC (Assistant Special Agent in Charge) testified in a civil hearing concerning the illegal operation of a Gulf of Mexico charter vessel found to be operating for hire and targeting reef fish, specifically red snapper, in federal waters. The vessel was operating without a federal permit, fishing during closed season, and was fishing with non-allowable gear in federal waters off the coast of Texas.

A Jacksonville, FL SA reviewed a FWCC internet crime investigation complaint. The subject was found to have run charters targeting sharks with the wrong permit, a Caribbean Coastal Small Boat (CCSB) instead of the HMS Charter Permit, and failure to release Atlantic HMS in the manner specified. The SA spoke with the subject and he admitted he purchased the wrong permits because the SERO permit application did not have the HMS Charter permit listed. The subject has since surrendered his CCSB permits and purchased the correct HMS Charter permits from the HMS permits office. The SA provided compliance assistance on the permits and issued a \$500 summary settlement for failing to release Atlantic HMS in the manner specified.

The New Bern NC, SA reported that a defendant, charged with sexual harassment of an observer, presented himself with counsel for initial appearance in Greenville, NC. The subject pled guilty to one count charged under MSA. The Judge proceeded directly to sentencing and sentenced the subject to six months incarceration and a \$10 special assessment for the offense.

Endangered Species Act

A San Juan, PR SA issued a Summary Settlement penalty offer for \$1,550 to a commercial fisherman who had 32 conchs onboard during a boarding conducted by the SA. The fisherman was in a closed area for conch harvesting and the meat of the conchs had been separated from the shells, also a violation.

A Jacksonville SA attended the North Atlantic Right Whale Southeast Implementation Team (SEIT) meeting. The SA provided a brief on the Ship Strike Reduction violations and how OLE receives the AIS data from PRD. The SA also gave an update on North Atlantic Right Whale incidents within SED OLE.

National Marine Sanctuaries



A Charleston, SC SEO (Supervisory Enforcement Officer) and EO, Miami, FL EO and Key West, FL SA conducted a four day patrol at the Tortugas

North and South Ecological Reserves, remaining overnight at the Dry Tortugas National Park 75 miles offshore. Overall, 18 commercial and recreational vessels were boarded and compliance assistance was given 2 times for not having descending devices. No vessels were found fishing in the Ecological Reserve areas. Poor weather conditions prevailed throughout the patrol.

Cooperative Enforcement/Partnerships



League City, TX EO's hosted JEA training with Texas Parks and Wildlife Department (TPWD) and United States Coast Guard (USCG). Training was provided on IFQ, Catch Shares, VMS, HMS, GOM Permits, and various databases.

A Mobile, AL EO participated in a SEFHIER detail with sixteen Alabama Marine Resources Division (AMRD) JEA partners in Orange Beach, AL. The EO provided hands on training for the new requirements. Officers boarded numerous charter vessels, five of which were non-compliant with SEFHIER regulations. Compliance assistance provided for the SEFHIER violations and one state citation was issued for possession of illegal fish fillets.

Two League City, TX EOs provided training to USCG Station Houston-Galveston, USCG Cutter Tiger Shark and TPWD Officers on the Texas shrimp closure. During the meeting, EOs discussed regulations, presented historical data, and answered questions.

A Charleston, SC EO attended a monthly South Carolina Department of Natural Resources regional meeting and gave a presentation overview of NOAA OLE covering fisheries regulations, violations, and current trends. JEA case package protocols were discussed and numerous officers asked follow up questions and showed an increased interest in JEA partnerships.

Patrols/VMS/Catch Shares

League City, TX EO's completed TED patrols with the USCG in Galveston Bay. TED training was provided to USCG during the patrol. Two TED boardings were conducted, with all TEDs found in compliance.

St. Thomas USVI and Savannah, GA EO's conducted an offshore patrol of the Hind Bank Closure Area onboard a USCG 33' small boat out of St. Thomas, USVI. A USVI research vessel was the only vessel located in the area.



A North Carolina EO participated in a four day offshore patrol with USCGC Nathan Bruckenthal. During the patrol several recreational and commercial boardings were completed from just over 3 Nautical Miles to 105 Nautical Miles off the coast. The multiday patrol also provided ample fisheries training opportunities for the crew.



A Charleston, SC SEO and EO and a USVI EO conducted a multi-day patrol out of Charleston during the opening of grouper season. 1 Shrimper and 14 recreational fishing boats were boarded. Compliance assistance was provided twice for undersized fish and missing parts of sea turtle release gear. A charter vessel was boarded and found to have a filleted Yellowfin Tuna and was missing portions of sea turtle release gear.

Compliance Assistance/Outreach/Education/Public Affairs/Media

A San Juan, PR SA along with EOs from St. Thomas, USVI, and Savannah, GA, participated in a USCG Living Marine Resources training held in San Juan, PR.

League City, TX EO's coordinated a SEFHIER meeting with the Galveston Charter Boat Association at the Galveston Yacht Basin. The officers explained SEFHIER regulations and answered questions.

A Charleston, SC EO presented a NOAA OLE overview presentation during the local Charleston SEAHAWK Joint Agency Briefing. Over 200 personnel from all local, state, and federal authorities attend these briefings. The information was well received and many questions were asked in regards to NOAA OLE's mission and capabilities.

Savannah, GA and St. Thomas EO's conducted an outreach patrol in Redhook, St Thomas, USVI. Two vessels were boarded prior to departing on fishing charters in federal waters. Several charter captains were contacted dockside. Outreach information was provided regarding HMS permits and federal regulations.

A San Juan, PR SA participated and presented in the Marine Resource Educational Program Webinar. The participants of the webinar were commercial and recreational fisherman of Puerto Rico and the SA gave a presentation regarding fishing regulations and federal jurisdiction in the Caribbean.

The compliance liaison presented at a Sea Grant Marine Fisheries Regulations & Management Virtual Workshop for Florida's Gulf Coast. An overview of OLE priorities and POCs were discussed. Participants ranged from FWC LE, local county sheriff marine patrol units and Sea Grant extension agents. Approximately 80 participants attended.

A Corpus Christi, TX SA coordinated a marine mammal patrol by JEA in the area of dolphin interactions during Memorial Day weekend. Texas Parks and Wildlife Department did not

document any violations at time of patrol but the Marine Mammal Stranding Network (MMSN) did receive additional hotline calls from concerned citizens. The SA worked with MMSN to obtain signage and authorization to place them in the area as well as further outlets for media release and outreach.

A Key West, FL SA attended the captain's meeting at the Skippers Dolphin Tournament in Key Largo. Ninety one boats and 364 participants were registered in the tournament. The primary purpose was to discuss where the participants were legally allowed to fish, specifically on the U.S. side of the EEZ. Other topics included the Lacey Act, how to check into the Bahamas, and other fishery related topics.

Administration/Other

The compliance liaison and a St Petersburg, FL SA provided OLE related training to an initial trainee class at the SEFSC Panama City Observer Program. Emergency reporting, Sexual assault/sexual harassment guidance and fishery violation reporting protocols were discussed, as well as conflict resolution scenarios.

Headlines

Bahamian Illegal Fishing:

<https://www.fisheries.noaa.gov/feature-story/fisherman-pleads-guilty-illegal-fishing-offers-new-boat-restitution>

<https://www.justice.gov/usao-sdfl/pr/operation-targeting-illegal-fishing-bahamas-nets-conviction-florida-keys-man-and-vessel>

<http://www.tribune242.com/news/2021/may/10/fishermen-praise-monumental-blow-illegal-harvestin/>

Observer Harassment:

<https://www.fisheries.noaa.gov/leadership-message/recent-conviction-confirms-our-commitment-observer-safety>

Overview of Summary Settlements

Listed below is a summary of the **51** Summary Settlements issued during the quarter. The three highest violation types cited involved retention during closures (18), TED/BRD requirements (8) and permit requirements (9). **22** violations were cited throughout the Gulf region and ranged in subject, including 7 citations for shrimp vessel TED/BRD requirements and 10 violations involving retention during closure. **20** violations were cited throughout the South Atlantic region, which included 3 citations related to illegal charter activity (open access). The majority of the **7** violations in the Keys area consisted of fishing activity and improper operation of vessels, including 1 illegal charter (open access), within the Florida Keys National Marine Sanctuary. There were also **2** citations in the Caribbean region for retention during closure and a permit violation.

LAW/REG/PROGRAM	VIOLATION	AMOUNT	STATE
Endangered Species Act (ESA)	TED/BRD Requirements	\$200	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$800	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$100	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$100	TX
Endangered Species Act (ESA)	Illegal take of species	\$250	FL KEYS
Endangered Species Act (ESA)	TED/BRD Requirements	\$950	TX
Endangered Species Act (ESA)	TED/BRD Requirements; Retention during closure	\$500	TX

Endangered Species Act (ESA)	TED/BRD Requirements	\$600	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$400	GA
Highly Migratory Species	Fishing without valid permit	\$500	PR
Highly Migratory Species	Fail to release HMS species in specified form	\$500	FL EAST
Highly Migratory Species	Illegal charter activity-Open Access Permit	\$500	FL EAST
Highly Migratory Species	Fishing with expired permits	\$250	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$700	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$700	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$650	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$700	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$1,450	TX
Magnuson Stevens Act (MSFCMA)	Undersize possession; Bag limit exceeded	\$1,375	FL KEYS

Magnuson Stevens Act (MSFCMA)	Prohibited gear	\$250	SC
Magnuson Stevens Act (MSFCMA)	Prohibited gear; Undersize possession; Sea turtle mitigation requirements	\$1,500	SC
Magnuson Stevens Act (MSFCMA)	Retention during closure; Undersize possession; Prohibited gear	\$1,575	SC
Magnuson Stevens Act (MSFCMA)	Commercial trip limits exceeded	\$1,300	SC
Magnuson Stevens Act (MSFCMA)	Prohibited gear	\$250	SC
Magnuson Stevens Act (MSFCMA)	Sea turtle mitigation requirements; Lack of descender device	\$1,500	SC
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$800	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$800	TX
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$1,550	PR
Magnuson Stevens Act (MSFCMA)	Dispose of fish upon approach by law enforcement; Undersize possession; Prohibited gear	\$1,450	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention during closure; Prohibited gear; Lack of descender device	\$1,325	FL EAST
Magnuson Stevens Act (MSFCMA)	Fishing without a valid shrimping permit	\$3,000	LA

Magnuson Stevens Act (MSFCMA)	Undersize possession	\$775	FL EAST
Magnuson Stevens Act (MSFCMA)	Fishing without a valid shrimping permit	\$3,000	LA
Magnuson Stevens Act (MSFCMA)	Undersize possession	\$400	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$1,100	TX
Magnuson Stevens Act (MSFCMA)	Illegal charter activity-Open Access Permit	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$650	TX
Magnuson Stevens Act (MSFCMA)	Fail to maintain fish in specified form	\$550	FL EAST
Magnuson Stevens Act (MSFCMA)	Fail to maintain fish in specified form; Prohibited gear; Lack of descender device	\$750	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention during closure	\$1,250	FL EAST
Magnuson Stevens Act (MSFCMA)	Fishing without a valid shrimping permit	\$750	FL KEYS
Magnuson Stevens Act (MSFCMA)	Illegal charter activity-Open Access Permit	\$500	FL EAST
Magnuson Stevens Act (MSFCMA)	Illegal charter activity-Open Access Permit	\$500	FL EAST

Magnuson Stevens Act (MSFCMA)	Retention during closure; Undersize possession	\$1,550	FL EAST
Magnuson Stevens Act (MSFCMA)	Reef fish as bait; Retention during closure; Fail to maintain species in specified form	\$2,300	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure; Undersize possession	\$875	GA
Magnuson Stevens Act (MSFCMA)	Vessel Monitoring System Requirements; Catch Share Program Requirements	\$2,000	FL EAST
Magnuson Stevens Act (MSFCMA)	Observer Program requirements	\$2,500	FL WEST
Marine Sanctuaries Act	Dive flag requirements	\$300	FL KEYS
Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
Marine Sanctuaries Act	Anchoring within Sanctuary Preservation Area	\$1,500	FL KEYS

Investigative Support Program

Southeast Division Active Vessel Monitoring System (VMS) Population: 952

Population Breakdown by (VMS) Fisheries and VMS Vendor

FISHERY	NETWORK INNOVATIONS	WOODSHOLE	SKYMATE	FARIA	MCMURDO	TOTAL
HMS Pelagic Longline	10	40	15	24		89
HMS Shark		4	1	3		8
Gulf reef fish	116	316	85	119	116	752
Rock shrimp	4	34	9	14	6	67
Charter		23	11	2		36
TOTAL	130	417	121	162	122	952

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.

Observer Program Highlights

During FY Quarter 3 2021, the Southeast Division Observer Programs deployed on **85** trips for **637** sea days. Approximately **99%** of all selected trips were completed without an observer related enforcement incident [assault/harassment (sexual and non-sexual), safety]. Observer programs reported **33** fishery violations and International Convention for the Prevention of Pollution From Ships (MARPOL) violations and **18** observer coverage refusals to NOAA OLE. The Gulf of Mexico Shrimp Program deployed on 22 trips for 336 sea days, and the Gulf of Mexico Reef Fish Program deployed on 10 trips for 72 sea days. Effort for the Panama City Gillnet Program were 9 trips for 9 sea days, and the Panama City Bottom Longline Program (includes Shark Research Fishery) deployed on 20 trips for 35 sea days. The Panama City Reef Fish Vertical Line Program deployed on 5 trips for 5 sea days. The Pelagic Observer Program deployed on 19 trips for 180 sea days. The summary below details the type of observer related complaints received during Quarter 2 (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				0
NON-COMPLIANT FOR OBSERVER COVERAGE		13	5	18
HANDLING			5	5
GEAR	2	1	5	8
RETENTION		1	4	5
SPATIAL				0
MARPOL-USCG			15	15
TOTALS	3	15	34	52

Cases Referred For Civil and/or Criminal Prosecution

Listed below is a summary of the 22 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 10 occurring in the South Atlantic area, 8 in the Gulf area and 4 in the Florida Keys area.

LAW/REG/PROGRAM	VIOLATION	STATE
Endangered Species Act (ESA)	TED/BRD Requirements	FL KEYS
Endangered Species Act (ESA)	TED/BRD Requirements	FL KEYS
Endangered Species Act (ESA)	TED/BRD Requirements	MS
Endangered Species Act (ESA)	North Atlantic Right Whale speed reduction violations	GA
Endangered Species Act (ESA)	TED/BRD Requirements; Vessel Monitoring System Requirements	FL EAST
Endangered Species Act (ESA)	TED/BRD Requirements	FL EAST
Highly Migratory Species	Fail to maintain HMS species in specified form; Fishing with invalid permits	FL EAST
Highly Migratory Species	Fishing with invalid permits	FL EAST
Lacey Act*	Seafood Fraud	AL

Magnuson Stevens Act (MSFCMA)	Undersize possession	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention during closure; Undersize possession; Dispose of fish upon approach by law enforcement	FL WEST
Magnuson Stevens Act (MSFCMA)	Fail to maintain HMS species in specified form; Prohibited gear	FL WEST
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area; Retention during closure; Undersize possession	FL EAST
Magnuson Stevens Act (MSFCMA)	Shark Research Fishery Program Requirements	FL WEST
Magnuson Stevens Act (MSFCMA)	Commercial trip limit exceeded	FL EAST
Magnuson Stevens Act (MSFCMA)	Observer Program Requirements	FL EAST
Magnuson Stevens Act (MSFCMA)	Observer Program Requirements	GA
Magnuson Stevens Act (MSFCMA)	Record Keeping and Reporting Requirements	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention during closure	FL EAST
Magnuson Stevens Act (MSFCMA)*	Sell fish to an unpermitted dealer	FL EAST
Marine Sanctuaries Act	Areas To Be Avoided Activity	FL KEYS
Marine Sanctuaries Act	Fishing within an Ecological Reserve	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 (May-August 2021 not yet available to include). 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 the incidental catch limit for swordfish per trip by 20 swordfish resulting in a 66% overage. A \$5,750 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. 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 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