

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

**FISCAL YEAR 2023, QUARTER 2  
FISHERY MANAGEMENT  
COUNCIL REPORT**

**JANUARY 1, 2023-MARCH 31, 2023**



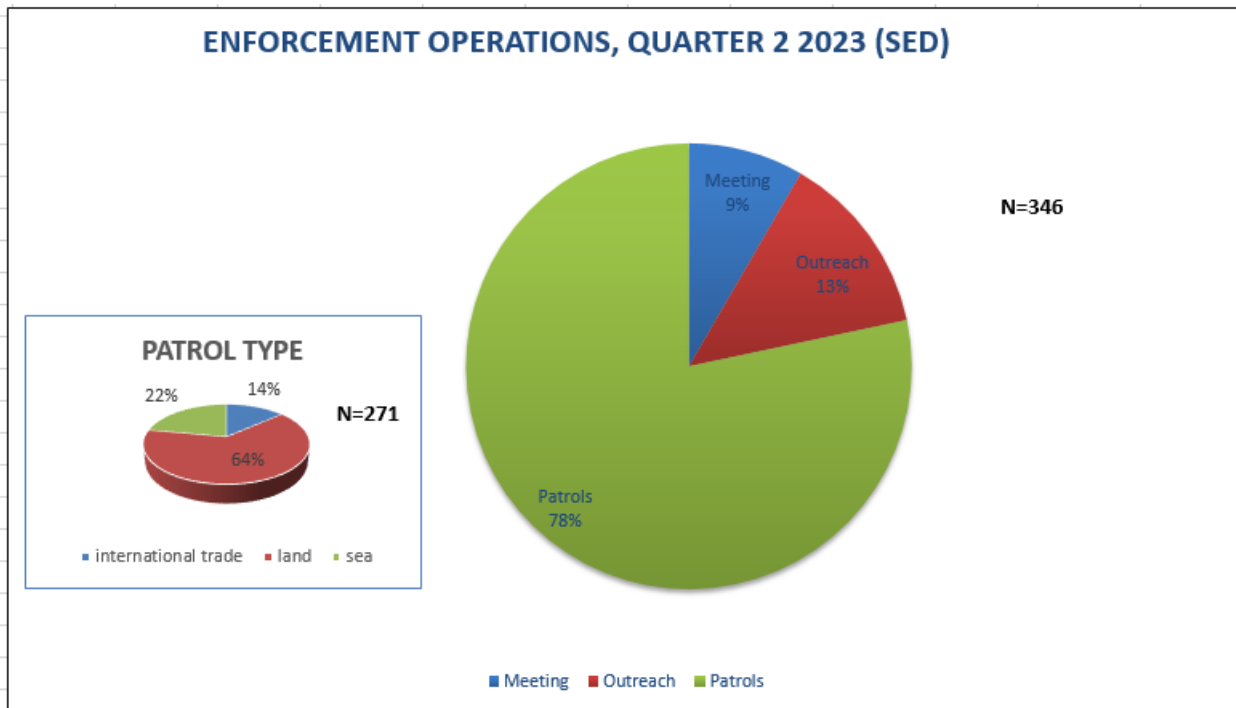
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# Enforcement and Compliance

Data represent National Oceanic and Atmospheric Administration’s Office of Law Enforcement, Southeast Division’s (OLE-SED) enforcement efforts conducted throughout FY Quarter 2, 2023, **January 1, 2023- March 31, 2023**. 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).

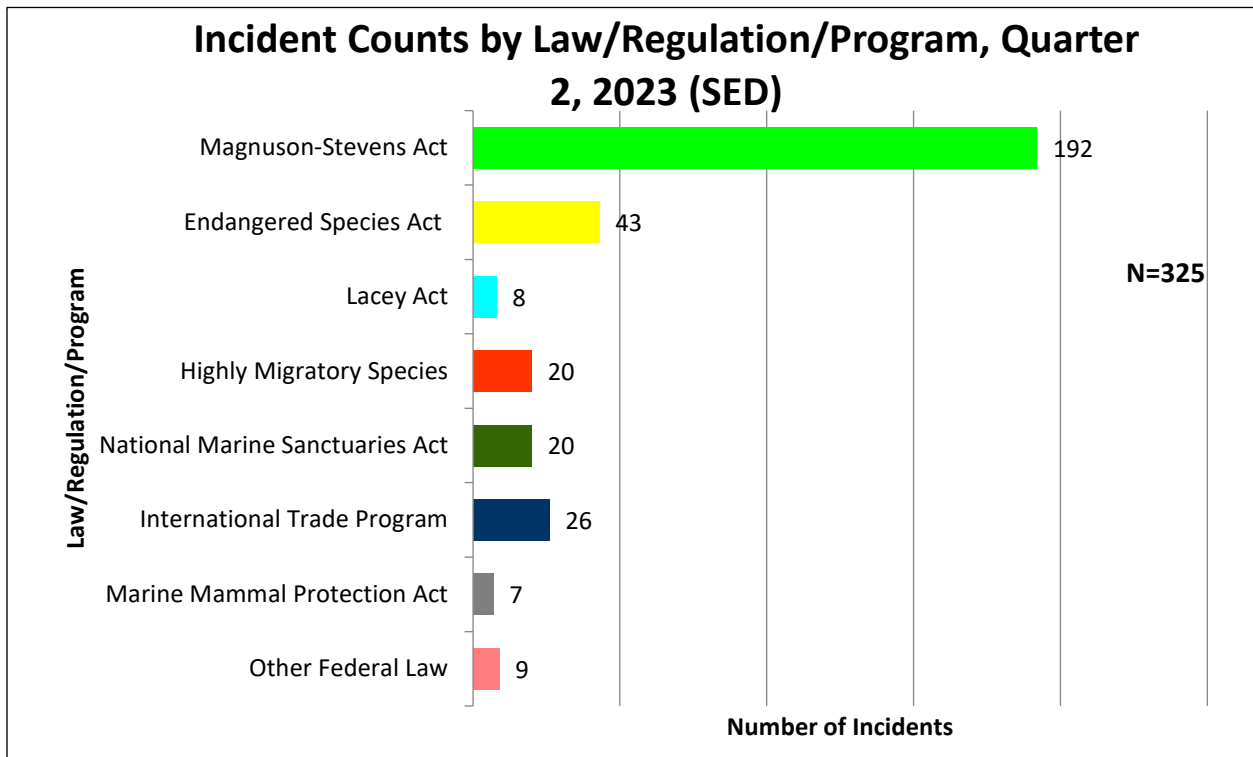
Patrols, outreach and education, compliance assistance, and investigations are the primary activities of OLE’s mission to protect marine wildlife and habitat by enforcing domestic laws and supporting international treaty requirements designed to ensure global resources are available for future generations. Specifically, Operation Ready Reserve concentrated on marine protected areas throughout the Florida Keys National Marine Sanctuary by conducting patrols in the lower Keys area targeting sanctuary related violations. Operation Pescado was conducted with state and federal partners on the Texas-Mexico border and targeted seafood imports as well as providing a presence in federal waters near the US/Mexico border. Another operation, Spring Festival, targeting Illegal, Unreported, and Unregulated fishing and seafood imports was conducted at the Cincinnati, OH airport. Lastly, a multi-day joint operation conducted with state partners occurred in the US Virgin Islands. Operation Longshot focused on patrols in federal waters and closure areas, in addition to training local officers. This quarter, OLE-SED conducted and documented **271** patrols, **46** specific instances of outreach and attended **29** meetings.



# Incident Information

During the second quarter, OLE-SED opened 321 incidents, which included 171 counts in the SAFMC area, 193 counts in the GMFMC area and 17 counts in the CFMC area<sup>1</sup>. These incidents originate from both NOAA personnel and our enforcement partners.

## Summary of Incidents by Law/Regulation/Program; Quarter 2, 2023



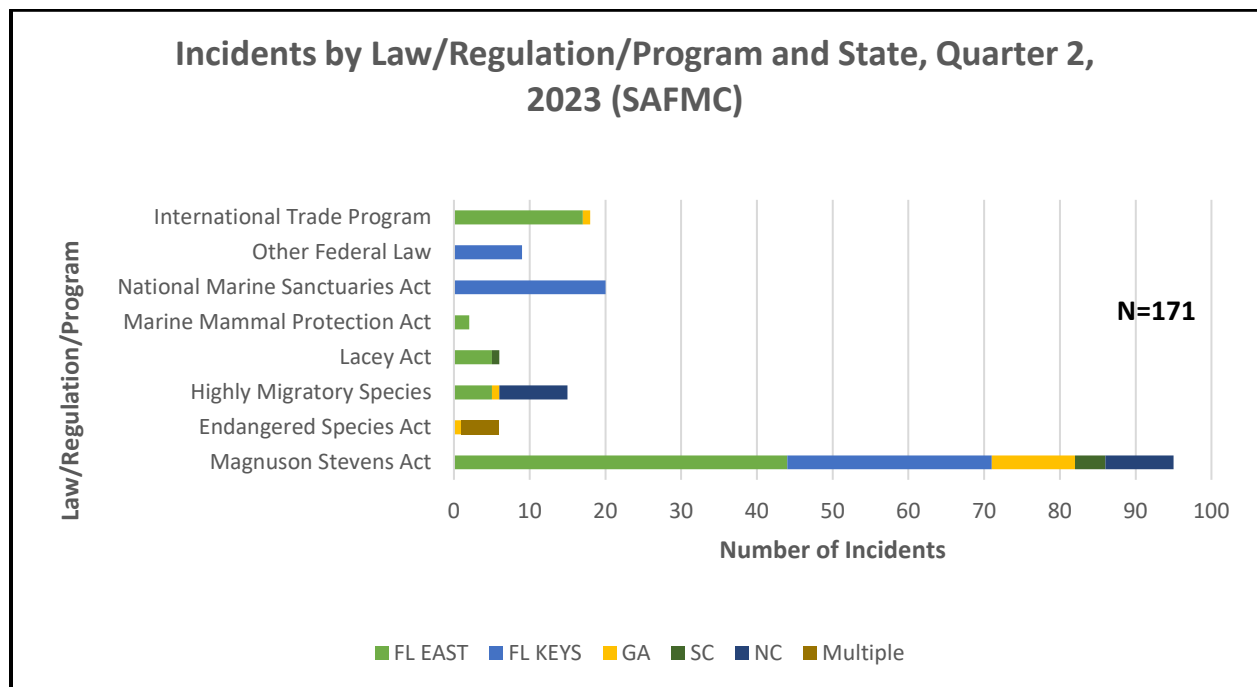
<sup>1</sup> Incidents occurring in the Florida Keys area are included in both SAFMC and GMFMC counts; total individual counts are greater than opened incidents due to multiple counts charged for separate incidents

## 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 2, 2023 (SAFMC)

Law/Regulation/Program	FL EAST	FL KEYS	GA	SC	NC	Multiple	Total
Magnuson Stevens Act	44	27	11	4	9		95
Endangered Species Act			1			5	6
Highly Migratory Species	5		1		9		15
Lacey Act	5			1			6
Marine Mammal Protection Act	2						2
National Marine Sanctuaries Act		20					20
Other Federal Law		9					9
International Trade Program	17		1				18
<b>TOTAL</b>	<b>73</b>	<b>56</b>	<b>14</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>171</b>

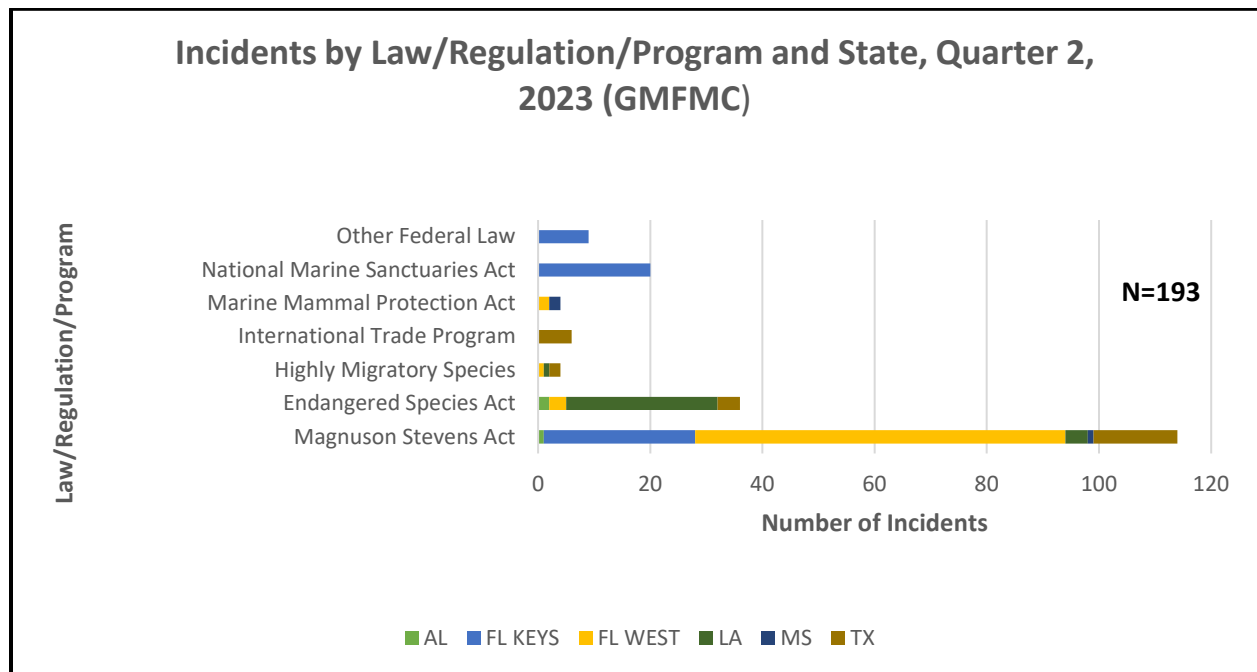


## Gulf of Mexico Fishery Management Council Summary

\*\*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 2, 2023 (GMFMC)

Law/Regulation/Program	AL	FL KEYS	FL WEST	LA	MS	TX	Total
Magnuson Stevens Act	1	27	66	4	1	15	114
Endangered Species Act	2		3	27		4	36
Highly Migratory Species			1	1		2	4
International Trade Program						6	6
Marine Mammal Protection Act			2		2		4
National Marine Sanctuaries Act		20					20
Other Federal Law		9					9
<b>TOTAL</b>	<b>3</b>	<b>56</b>	<b>72</b>	<b>32</b>	<b>3</b>	<b>27</b>	<b>193</b>

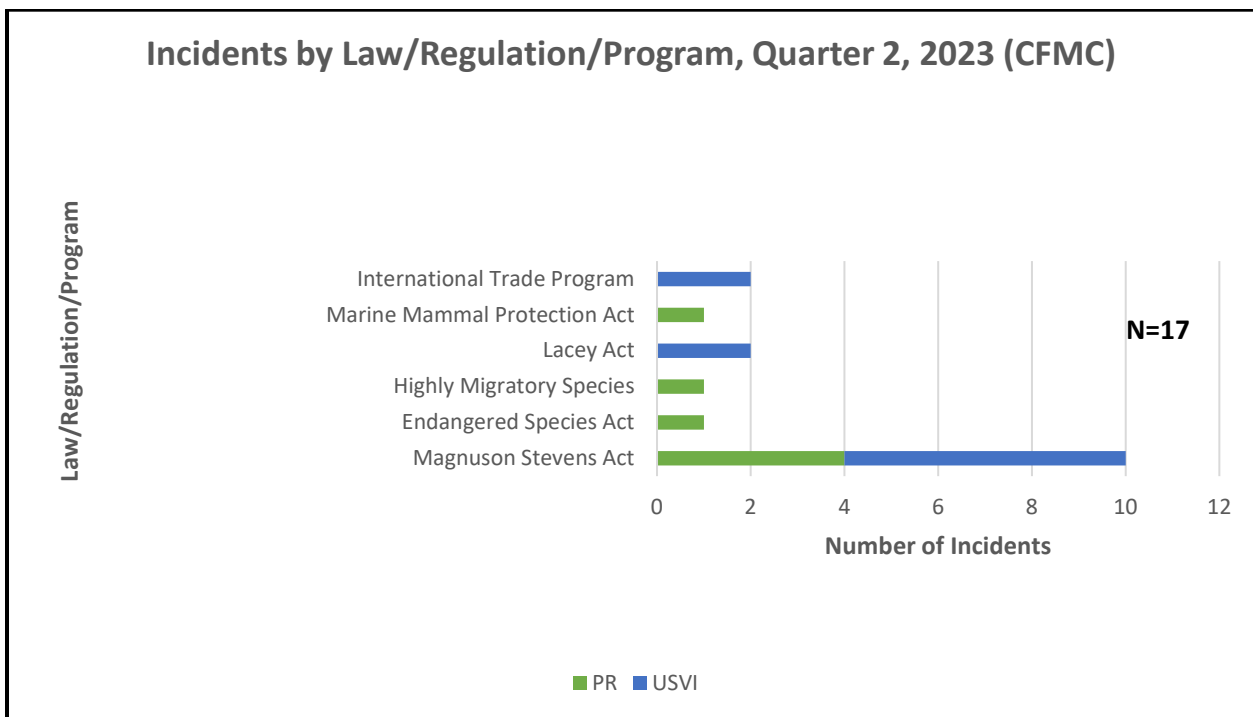


## Caribbean Fishery Management Council Summary

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

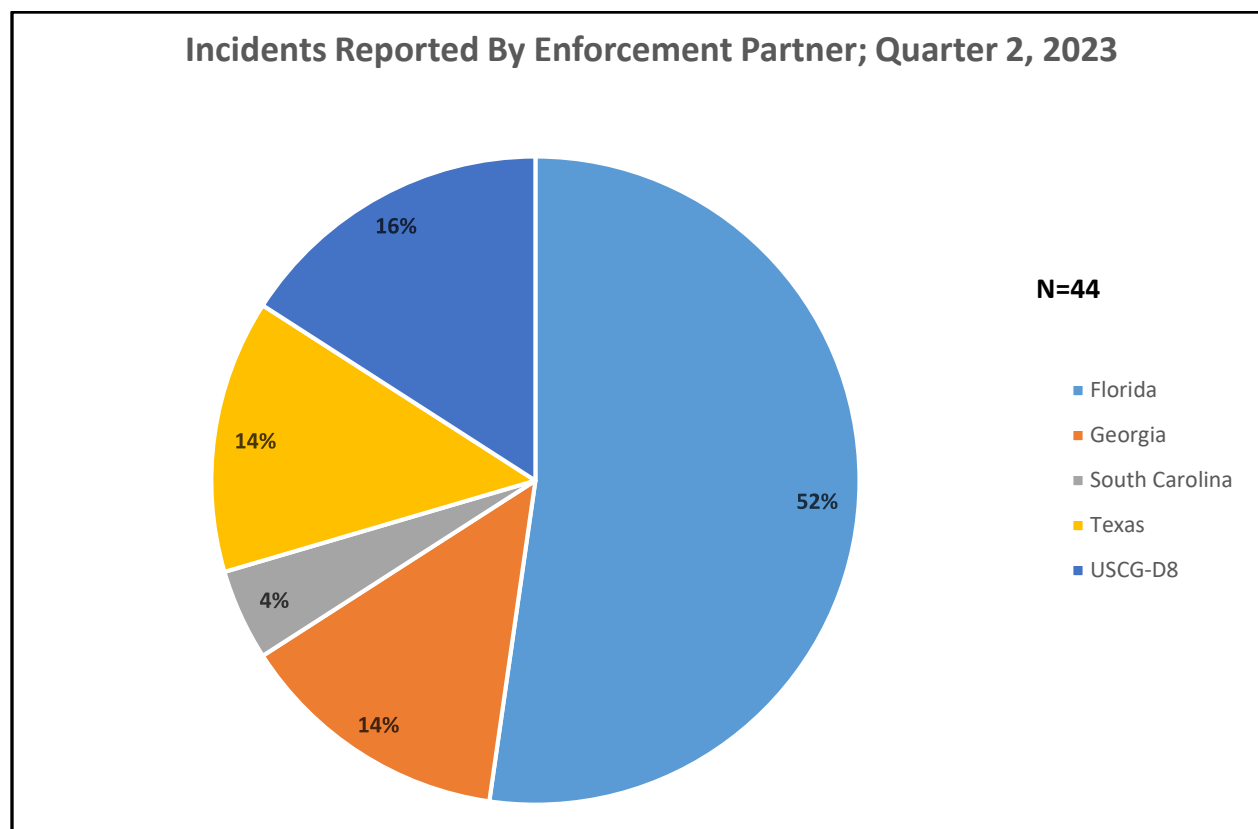
### Number of Incidents by Law/Regulation/Program and Location; Quarter 2, 2023 (CFMC)

Law/Regulation/Program	PR	USVI	Total
Magnuson Stevens Act	4	6	10
Endangered Species Act	1		1
Highly Migratory Species	1		1
Lacey Act		2	2
Marine Mammal Protection Act	1		1
International Trade Program		2	2
<b>TOTAL</b>	<b>7</b>	<b>10</b>	<b>17</b>



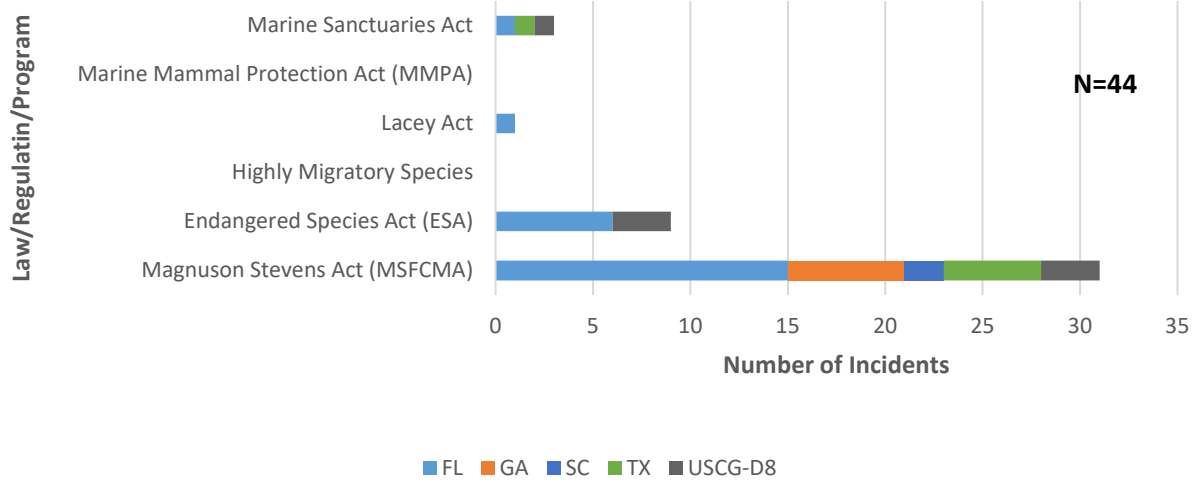
# Summary of Cases by Joint Enforcement Agreement and United States Coast Guard Partners

Throughout Quarter 2, 2023, there were **44** cases referred to OLE-SED 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 partner<sup>1</sup>. Effort consisted of dockside vessel boardings, offshore vessel boardings and interaction with the general public and industry members.





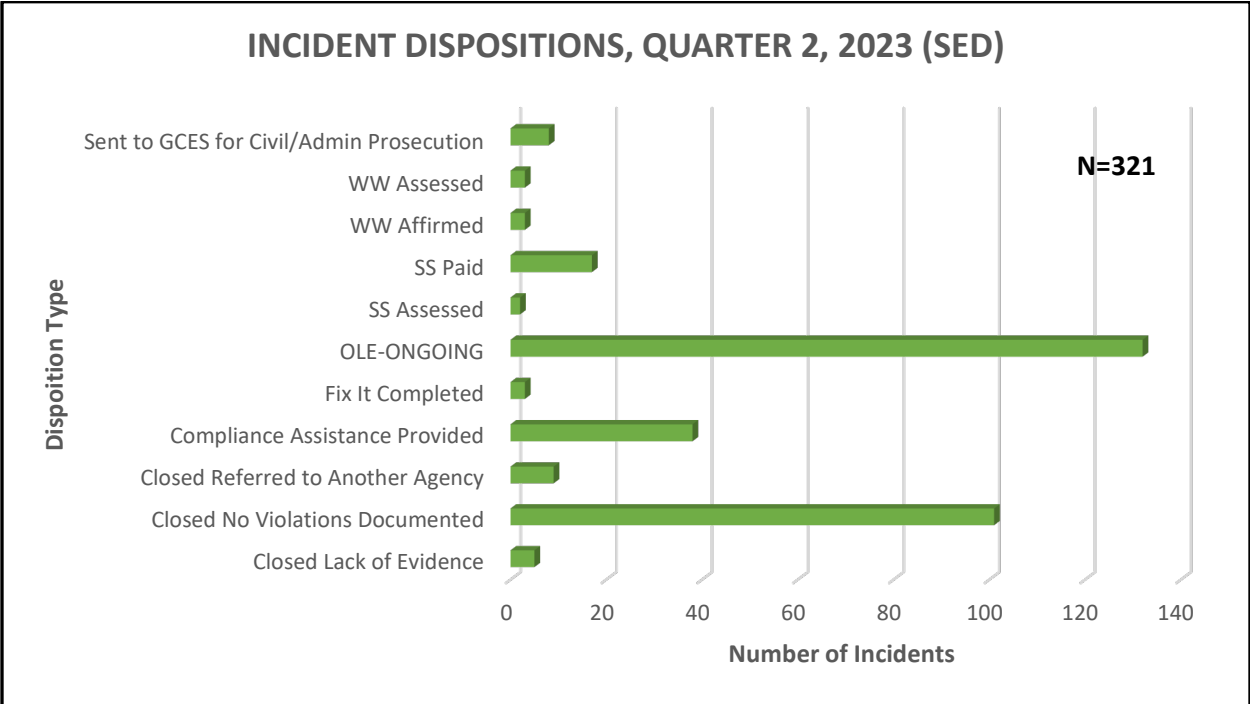
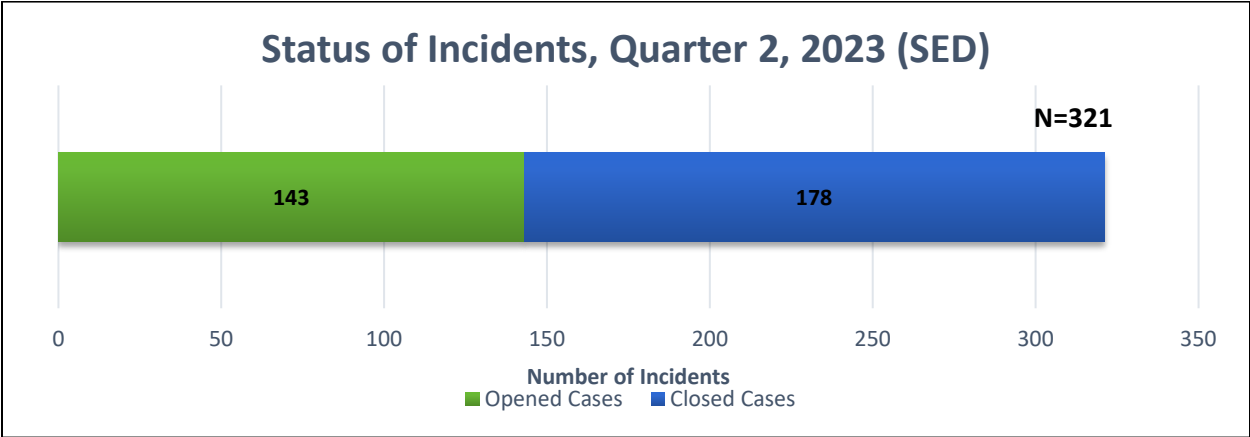
### Referred Incidents by Enforcement Partner, by Law/Regulation/Program; Quarter 2, 2023



<sup>1</sup> 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 (321) throughout the quarter, by status and disposition. The total also includes cases referred to OLE-SED by our enforcement partners. Throughout the quarter, enforcement personnel were able to complete investigations and close 55% of the incoming workload.



# Enforcement Highlights

## Highly Migratory Species

A Jacksonville, FL Special Agent (SA) issued a written warning to a commercial pelagic longline vessel for Electronic Monitoring (EM) system violations. The vessel had several trips where the EM cameras were blurry/obstructed, as well as issues with the system powering down while the vessel was in transit to fishing grounds. The SA also issued a written warning for failure to carry an observer during the third quarter of 2018.

A Jacksonville, FL SA issued a \$500 joint and several summary settlement offer to three recreational fishermen who failed to report the landing of a swordfish. The SA assisted local JEA partners after they boarded the vessel and witnessed the landing of the fish.

A Harlingen, TX Enforcement Officer (EO) received a complaint regarding a social media post of a fisherman landing a white marlin in Port Mansfield, TX. The EO conducted a check of the HMS permit shop and discovered the vessel did not have a valid HMS permit. The EO interviewed the fisherman who admitted to not having a valid HMS permit. The EO issued a \$500 summary settlement offer.

A Slidell, LA SA traveled to Dulac, LA and served two Notice of Violation and Assessments (NOVA) totaling \$19,000, on a commercial longline fishing vessel captain. The violations were for failure to maintain/possess bluefin tuna and removing tails from yellowfin tuna at sea.

A North Carolina EO conducted landside patrols throughout the Crystal Coast and Outer Banks targeting commercial bluefin tuna offloads prior to the season closure. The EO completed several boardings and notified HMS management with real time observations due to the looming seasonal closure.

A Jacksonville, FL SA and Assistant Special Agent-in- Charge (ASAC) attended the sentencing hearing for two subjects formerly found guilty on charges of felony theft of property in the special maritime jurisdiction of the United States. The U.S. District Judge sentenced both defendants to one-year probation, 50 hours of community service, restitution to the victim of \$3,343.72, \$100 court assessment, and a \$1,000 fine for one of the defendants.



A North Carolina EO conducted a landside patrol to the NC Outer Banks targeting commercial bluefin tuna offloads prior to the season closure on 02/14/2023. The EO also conducted an offshore Atlantic Large Whale Take Reduction Plan (ALWTRP) patrol, with a United States Coast Guard (USCG) boarding officer aboard an OLE vessel, to locate and inspect black sea bass pots for appropriate markings and required weak links.

## Lacey Act

A League City, TX ASAC was notified that the last subject in Puerto Rico accepted a plea agreement and plead guilty to misdemeanor charges of Lacey Act trafficking and exportation of undeclared fish involving marine life. This is the last target of the spin off cases from Operation Rock Bottom. The Plea and Information have been submitted to the court and assigned to a Magistrate Judge.

## Illegal, Unregulated and Unreported (IUU) Fishing



A League City, TX Supervisory Enforcement Officer (SEO) and Harlingen, TX EO assisted Texas Parks and Wildlife (TPWD) Game Wardens with an IUU fishing operation in South Padre Island,

TX. The operation involved multiple agency partners and focused on patrols in the Gulf of Mexico (GOM), Exclusive Economic Zone (EEZ) and Seafood Import Monitoring Program (SIMP) examinations at the U.S./Mexican border port of entries. During one of the EEZ patrols, a Launcha was observed fishing in Texas state waters by USCG air assets and was quickly interdicted by the USCG Cutter Benjamin Dailey. The launcha was seized by the USCG along with its fishing gear and approximately 200 pounds of red snapper. Additionally, officers removed over 200 feet of illegal gillnet and conducted three SIMP examinations of shipments containing over 2,368 pounds of red snapper and 4,515 pounds of yellowfin tuna from Mexico.

A San Juan, PR SA investigated a complaint received where a supermarket was selling whole fish as red hind grouper during the closed season. The SA, along with a Puerto Rico Department of Natural and Environmental Resources (DNER) officer, visited the supermarket. After inspecting the fish, they determined the fish were imported from Brazil and were not red hind grouper.

A Panama City, FL SA attended the sentencing of Elite Sky International, INC., a Florida seafood dealer, in Miami. FL. The company previously plead guilty to two counts of Lacey Act false labeling of approximately 63,000 lbs. of spiny lobster and approximately 5,666 lbs. of shark fins from Florida to China. The company was ordered to pay a fine of \$250,000 and was placed on probation for a period of five years. Additionally, the Court ordered, as special conditions of probation, that the company establish a corporate compliance program and retain third-party independent auditors to oversee their future activities.

## Seafood Import Monitoring Program (SIMP) and Port State Measures Act (PSMA)



EOs from SED and NED conducted joint IUU/SIMP Operation Spring Festival with US Customs and Border Protection (CBP) at the Cincinnati International Airport DHL Express Hub. The focus of the operation was to establish a working relationship with CBP personnel and provide an insight on the laws OLE enforces. On average, the facility processes over 300,000 packages daily, making it the largest DHL facility in North America. Officers opened and inspected over 300 international packages containing various seafood products. Several shipments were referred to CBP for seizure.



A Harlingen, TX EO visited 15 Ports of Entry (POE) along the Texas-Mexico border. During the visits, the EO met with officers, agents, and supervisors with CBP, US Department of Agriculture and US Food and Drug Administration. The EO provided an overview of SIMP and various laws NOAA OLE enforces, such as the Marine Mammal Protection Act, Endangered Species Act, and the Lacey Act. Additionally, the EO was given a tour of each POE facility, to include Los Ebanos, which is the only remaining international ferry operation on the US-Mexico border. Opening in 1950, it is still in operation and uses six men to pull the ferry across the Rio Grande River.



A League City, TX SEO and a Harlingen, TX EO conducted Operation Pescado, a joint IUU/SIMP operation involving the Texas Parks and Wildlife Department (TPWD) and the United States Coast Guard (USCG) out of South Padre Island, TX. During the operation, officers conducted underway patrols to deter, detect, and mitigate Illegal, Unreported, Unregulated Fishing in the EEZ. Additionally, three SIMP examinations containing over 50,000 pounds of shrimp and over 3,000 pounds of red snapper were inspected.

A Sunrise, FL SA issued a \$1,000 Summary Settlement Offer to a Florida importer for importing 8,700 pounds of Atlantic blue crab into Miami International Airport from Venezuela, without submitting complete and accurate information. The issuance of the SSO is the result of an investigation initiated by a SIMP referral forwarded to OLE by the SIMP audit team.

A Sunrise, FL SA was advised by General Counsel Enforcement Section (GCES) that a South Florida importer was recently assessed a NOVA penalty of \$24,000 for importing Patagonian toothfish without an International Fisheries Trade Permit and for not complying with the Antarctic Marine Living Resources (AMLR) pre-approval process.

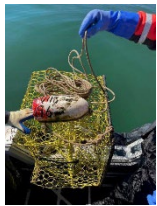


A Harlingen, TX EO and a League City, TX SEO conducted joint IUU/SIMP Operation Silverfish with Texas Game Wardens, U.S. Fish and Wildlife inspectors and CBP at various points of entry in Laredo, TX. The Focus of the operation was to provide insight on the laws NOAA OLE enforces and

establish working relationships with federal partners. The Port of Laredo is the busiest inland port along the US-Mexico border, and the 3rd busiest port in the nation. During the operation, several shipments were referred to CBP for seizure.

## Marine Mammal Protection Act

A Savannah, GA EO, Charleston, SC SEO and SA conducted an offshore patrol to inspect ALWTRP gear during North Atlantic Right Whale calving season. Multiple pot sets were inspected with one commercial blue crab fisherman's gear found missing some of the proper paint markings.



A Savannah, GA EO and two crewmembers from the USCGC IBIS conducted an offshore patrol to inspect ALWTRP gear during North Atlantic Right Whale calving season. Seven blue crab fishing pots were located without release gear/weak links. The commercial crabber was contacted to remove the non-compliant gear immediately.



The SED Assistant Director, National Training Coordinator, Charleston, SC SEO, Charleston, SC and Jacksonville, FL SAs, and EOs from Savannah, Saint Thomas, Miami and New Bern

conducted multiple MMPA/ESA Patrols onboard NOAA OLE vessels to conduct ALWTRP gear inspections along South Carolina. Small vessel training and qualifications were also conducted in conjunction with the patrols.

## Magnuson-Stevens Fishery Conservation and Management Act

A San Juan, PR SA investigated a food truck restaurant that was advertising goliath grouper on its menu. After interviewing the owner and inspecting the fish in question, the SA concluded that it was a misty grouper. The fish dealer where the restaurant owner bought the fish had the grouper name in Spanish and the restaurant owner translated the name incorrectly. The owner removed the goliath grouper from the menu and the SA advised him of all applicable federal regulations. Additionally, the SA, along with a DNER officer visited and inspected the fish dealer where the grouper was bought. After inspecting all the freezers and coolers, the SA provided the fish dealer with information regarding the federal regulations governing the seasonal closures and protected species.

A Fort Myers, FL EO issued a \$1,000 summary settlement Offer to a commercial fishing captain for arriving one hour earlier than the time specified on the 3-hour advance notice of landing.

A San Juan, PR SA along with a DNER Officer visited a fish dealer who was advertising red hind grouper for sale in social media during the closed season. After inspecting the fish dealer, 33 red

hinds and freshwater bass were found in the coolers, which are illegal to sell under DNER regulations. DNER seized the fish and processed the case.

## Endangered Species Act

A Fort Myers, FL EO issued a \$3,000 summary settlement offer to a fishing vessel for trawling for shrimp in the EEZ without a federal permit. Florida Fish and Wildlife Conservation Commission (FWCC) referred the case.

A Cape Canaveral, FL EO took part in an ESA patrol with FWCC in Saint Lucie Inlet. The patrol was in response to reports that a mom and calf pair of North Atlantic right whales were traveling south and anticipated to be in Fort Pierce/Stuart after they left the Sebastian Inlet the day before. The EO and FWC officers planned the patrol to get ahead of any potential issues and to educate boaters coming in and out of the inlet about the regulations applicable to North Atlantic right whales.

A Cape Canaveral, FL EO conducted an ESA patrol in response to mother/calf pair of North Atlantic right whales reported near Sebastian. The EO passed out information to the public about the regulations pertaining to North Atlantic right whales.

A Cape Canaveral EO and Miami EO conducted a two-day North Atlantic right whale patrol with the FWCC. The last sighting of North Atlantic right whales, Pilgrim and calf, occurred on January 11, in the general vicinity of Juno Beach. The EOs provided educational material about the regulations on vehicles parked in the area including the pier, marinas, and boat ramps. They also provided ESA education to the Florida State park staff in the area.



A Savannah, GA EO, responded to multiple inquires and inspected suspected foreign fishing gear that was removed from the mouth of a male North Atlantic Right Whale “Nimus”. Georgia and Florida state officials launched an immediate response and removed the gear after it was spotted by an aerial survey crew.

A Corpus Christi, TX EO received a hotline complaint regarding a subject posting a social media video showing the subject lifting a green sea turtle out of a duck blind briefly before returning it back to the water. The subject stated the turtle swam into his duck blind and he was freeing it from the entanglement. The EO provided compliance assistance.

A Houma, LA EO and the NOAA Gear Monitoring Team conducted TED outreach along the western Louisiana coast. Over two days the team conducted 17 TED inspections. The team identified several discrepancies on two vessels, which were corrected on site.





A Mobile, AL EO, along with the NOAA Gear Monitoring Team conducted a TED outreach at the port of Bayou La Batre, AL. The team provided several captains with TED compliance forms ahead of the shrimping season.

## National Marine Sanctuaries

A Savannah, GA EO and Charleston, SC SEO conducted an offshore patrol to Grays Reef National Marine Sanctuary (GRNMS). The team found one vessel in possession of two red snapper out of season and seven undersized black sea bass. The team also checked blue crab gear during the patrol and found all gear compliant with ALWTRP gear requirements.



A Key West EO and Florida Keys FWCC officers participated in OPERATION READY RESERVE aboard the FWC Offshore Patrol Vessel TRIDENT. The operation focused on patrolling the Tortugas Ecological Reserve North and South as well as surrounding federal waters and Dry Tortugas National Park. FWC aircraft supported the patrol

and provided daily air observation of the entire Florida Keys National Marine Sanctuary. OLE and FWC Officers conducted multiple commercial boardings and TED inspections. During the operation, officers were tasked with assisting CBP with an active migrant landing in the Marquesas Keys. OLE and FWC Officers safely transferred the migrants without any issues, allowing them to return to patrol without delay.

## Cooperative Enforcement/Partnerships

A Corpus Christi, TX SA received notification from the USCG that Air Station Corpus Christi and Station South Padre Island interdicted a Mexican fishing vessel spotted fishing by Coast Guard aircraft in the EEZ eight miles north of the international boundary line and thirty-two miles offshore. The USCG interdicted the IUU fishing vessel with four persons, fishing gear, approximately four hundred pounds of red snapper, two sharks, GPS navigation equipment, and radios onboard. The USCG seized the vessel and turned over the crewmembers to CBP for repatriation to Mexico.

NOAA OLE received notification that the Coast Guard Cutter JACOB PAROO had interdicted a Mexican IUU fishing vessel spotted fishing by Coast Guard aircraft in the EEZ 15 miles north of the international boundary line and 27 miles offshore. The Mexican vessel was interdicted with four persons, fishing gear, GPS navigation equipment, and radio on board. The U.S. Coast Guard seized vessel and turned over crew members to Customs and Border Protection for repatriation to Mexico.

A Houma, LA EO, Corpus Christi, TX EO and Slidell, LA SA attended the New Orleans Area Maritime Security Committee (LE Subcommittee) hosted by USCG at Sector New Orleans in an effort to foster working relationships with state-wide partners.





A Houma, LA EO and a Houston, TX, EO conducted a joint underway patrol with the Louisiana Department of Wildlife and Fisheries (LDWF) out of Venice, LA. During the patrol, the EO's conducted a TED inspection on a commercial shrimp trawler in state waters. The EOs discovered the captain did not possess Louisiana commercial licenses.

The EOs referred the violation to an LDWF agent, which resulted in the seizure of 28,000 pounds of shrimp.

Along with HQ international staff and a Pacific Islands Division officer, a St. Petersburg, FL SA participated in a workshop with Government of Indonesia personnel to finalize the Advanced Port State Measures Inspector training curriculum in Indonesia this week. Representatives from several Directorate General offices presented their training blocks and the group worked through them to begin the finalization process for this phase of curriculum development/training. Indonesia is the first (and so far only) country to develop their own training curriculum and the St. Petersburg SA has been involved since the first meeting several years ago to see this project come to fruition. The US team met with USAID/Embassy staff at the end of the week to update them on the progress of the mission.

A Cape Canaveral, FL EO participated in a meeting with the Volusia County Sheriff Office's Marine Unit, HSI, CBP AMO, and USCG. The meeting focused on inter-agency cooperation to address enforcement concerns with an increase of Bahamian crossings occurring at the Ponce Inlet.

A Houma, LA EO, Mobile, AL EO, and a League City, TX SEO conducted an underway patrol with officers from Mississippi Department of Marine Resources (MDMR) out of Biloxi, MS. During the patrol, the EO's assisted the MDMR officers with the rescue of a teenager after his kayak flipped over in Biloxi Bay. Officers were able to recover him and return him safely to the dock.

## Patrols/VMS/Catch Shares



A Charleston, SC SEO and Miami, Savannah, and St Thomas EOs conducted a joint patrol operation onboard two USVI DPNR patrol vessels off St. Croix, USVI. Six separate patrols were conducted over three days to patrol federal waters and year-round closed areas. Heavy weather limited offshore activity however both federal closed areas, Lang Bank and the Mutton Spawning Area, were patrolled. During the operation, three illegal fish traps were removed from territorial waters and seized by DPNR and four vessels were cited by DPNR in territorial waters with violations to include undersized lobster and conch harvested out of the shell. USVI DPNR returned all undersized lobster to the water alive and wrote Written Warnings for the conch violations. A fourth boarding was conducted of a commercial fishing vessel in federal waters outside of Lang Bank approximately 7nm east of St. Croix. The vessel did not have a commercial fishing permit onboard and possessed 59 Queen Conch that were removed from the shell with the shells discarded overboard. JEA case package and GPS training was also conducted with the four USVI DPNR officers that participated.

Panama City and Niceville, FL EOs and a Houma, LA EO conducted an IFQ patrol to Panama City Beach, FL. The team conducted two IFQ landing investigations and one SEFHIER boarding. EO's documented violations for vessel identification, sea turtle mitigation gear, and landing prior to the submitted 3-hour advance notice of landing.



A St. Petersburg, FL EO worked with FWCC regarding information that a recreational fishing vessel was reportedly fishing in the Middle Grounds and returning to shore with sea turtle meat and red snapper in hidden compartments on the vessel. The EO and FWC officers conducted a dockside vessel inspection and found several large bags and a cooler containing red grouper, red snapper, yellowtail snapper, porgy, greater amberjack, lane snapper and vermilion snapper. Officers found that the fisherman was in possession of 36 out of season red snapper (20 undersize), two undersize and out of season greater amberjack, one undersize yellowtail snapper, and one undersize and over the bag red grouper. During the inspection, the officers identified several hidden compartments and information that there was another fishing vessel returning to shore with illegal fish in hidden compartments. The case was handled by the FWCC officers.



A Houston, TX EO and SEO conducted a joint underway patrol with the TPWD out of Galveston, TX. During the patrol, training was provided on SEFHIER regulations and common issues the charter boat captains are experiencing with the program.

A Savannah, GA EO conducted multiple patrols and conducted surveillance at a seafood dealer trying to locate a commercial offload believing inclement weather would cause the vessel to come into port. These efforts highlight the difficulty working in an AOR with minimal VMS coverage for a majority of South Atlantic fisheries.

A San Juan, PR SA conducted a marine patrol in a CBP Air and Marine Operations vessel in the west coast of Puerto Rico. Two fishing vessels were encountered and boarded by the SA inside the protected area. Both fishing vessels had reef fish onboard and one of the vessels also had a prohibited shark onboard without a valid HMS permit. The SA issued SSOs for both vessels.

Niceville, FL and Mobile, AL EOs conducted a land patrol to Mobile, AL. During the patrol, the EOs attended a Gulf Coast Illegal Charter Task Force meeting and met with a commercial fishing dealer in Grand Bay, AL regarding an ongoing IFQ related investigation.

## Compliance Assistance/Outreach/Education/Public Affairs



A St Petersburg, FL EO and the Compliance Liaison presented at a local Cub Scout pack meeting. OLE's mission and ways to help protect marine resources were discussed. The event helped over 40 scouts earn their adventure belt loop and all were deputized as junior agents.



A Key West, FL EO and a Florida Keys U.S. Fish and Wildlife officer assisted with a field trip of Big Pine Academy’s kindergarten class during a tour of the Florida Keys National Marine Sanctuary (FKNMS) Eco-Discovery Center. The class learned about different sea life that exist in the FKNMS and ways to keep the FKNMS healthy and clean.



OLE has received a significant number of referrals regarding lack of compliance with observer program requirements. Based on this, the compliance liaison drafted and sent out nearly 2,000 compliance letters to the Gulf and South Atlantic shrimp fleets. The goal of the outreach is to gain voluntary compliance and reduce the number of future referrals from the observer program. The compliance liaison and the League City, TX SA are fielding numerous calls from industry regarding the letters.

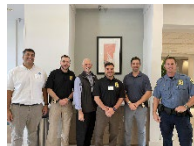


A Harlingen, TX EO and a Corpus Christi, TX EO provided outreach and education during a career day function held at Idea Quest Academy. The EOs educated over 120 students about NOAA Office of Law Enforcement, NOAA’s mission and opportunities within NOAA OLE.

A San Juan, PR SA participated in an educational workshop for the fish dealers and commercial fishermen from the southwest of Puerto Rico. This area holds 60% of the commercial fishermen in PR and has the largest concentration of fish dealers. The workshop was organized by the council member who represents the commercial fishermen in Puerto Rico. Sea Grant provided laminated pamphlets of the closed season and areas for the fishermen. The purpose of the workshop was to explain the federal and state fisheries regulations. The SA presented the federal regulations and a representative from DNER presented the state regulations.



A Savannah, GA EO gave a presentation on NMFS OLE to an Introduction to Criminal Justice class at Georgia Southern University.



The SED AD, a retired SED AD, the Compliance Liaison, a St. Petersburg SA, EO and ASAC attended the Marine Resource Education Program (MREP) Southeast Fisheries Science Workshop in Tampa, FL. The Workshop was attended by various industry stakeholders and representatives from the NMFS SERO, South Atlantic and Gulf Fishery Management Councils. The AD and CL provided an overview of NOAA OLE SED. The ASAC covered international affairs including IUU and SIMP. The Retired AD provided an overview of sworn positions, partnerships and case examples.



The Compliance Liaison, a Slidell, LA SA and Mobile, AL EO manned an OLE booth and provided education material to attendees at the 2023 Louisiana Fisheries Forward Summit. The bi-annual event is held to promote domestic

seafood and support commercial fisheries. Attendees included the Louisiana LT Governor, industry, and government agencies.

The Compliance Liaison presented at the 10th International Fisheries Observer and Monitoring Conference, held in Hobart, Australia. The meeting focused on observer safety issues and program intricacies between international programs. An AKD SA and GCES attorney were also in attendance and promoted OLE's mission to ensure observer safety.

The St. Petersburg, FL ASAC participated in Operation Be Alert coordinated by CBP Office of Field Operations in Port Canaveral, FL. The operation was an outreach effort about the Homeland Security Be Alert hotline to marinas from Sebastian Inlet to Ponce Inlet. The ASAC visited 10 marinas in Melbourne Beach, Sebastian, Micco, Valkaria, and Palm Bay and distributed ESA/MMPA information regarding North Atlantic Right Whales and dolphins as well as the OLE Hotline Number. Participants included CBP OFO, CBP Border Patrol, HSI, Palm Bay Police Department, and the Brevard County Sheriff's Office.

## Training

The Compliance Liaison and a League City, TX SA conducted a virtual OLE training session for the SEFSC Miami Observer Program's, 2023-refresher class. Topics included how to conduct job duties safely, emergency protocols, and tips on providing accurate reports to OLE.

A Mobile, AL EO attended the Gulf Regional Fisheries Training Center (GRFTC) in New Orleans, LA. The EO provided training on current conservation laws, partnership priorities, and case package submissions to several trainees. Additionally, the EO held a Q&A session with newly qualified boarding officers.

A Niceville, FL EO and a Panama City, FL SA provided JEA training to FWCC officer specialists in Southport, FL. Topics discussed included SEFHIER and IFQ enforcement, sea turtle conservation measures, and case management.

A Charleston, SC SEO and SA presented at the Coast Guard Sector Charleston Commanding Officer/Officer in Charge Conference and provided a briefing on current fisheries trends and enforcement issues. An emphasis was placed on gaining their assistance enforcing Right Whale speed zones and checking compliance with the ALRTRP gear requirements throughout the AOR. The SEO received very positive feedback on the joint patrol efforts and support of both the Savannah and Charleston EOs.

At the request of CBP, a Sunrise SA provided IUU fishing and SIMP training to a group of CBP officers at the Miami International Airport.

A Jacksonville, FL SA organized a shark ID class for law enforcement personnel in the NE/Central Florida area. Several agencies attended including OLE, FWCC, USCG, marine units from St. John's

and Volusia County Sheriff's Offices, as well as St. Augustine PD. The instructor focused on species identification, along with federal and state laws.

A League City, TX ASAC and SEO attended the saltwater fisheries training week at the TPWD Game Warden Academy. They provided presentations on OLE, authorities, jurisdictions, JEA, and case package training. They have also augmented classes taught by game wardens on Fish ID, IFQ, TEDs, and federal regulations. This is the first time that TPWD invited OLE to teach at the TPWD Academy.

A Niceville, FL EO, a Mobile, AL EO, and a Houma, LA EO visited GRFTC in New Orleans, LA to provide instruction on a broad range of OLE missions and priorities to newly certified USCG Living Marine Resource (LMR) boarding officers.

A Charleston, SC SEO presented at the USCG Southeast Regional Fisheries Training Center (SERFTC), providing an overview on NOAA OLE SED personnel and staffing, case preparation and processing, common trends and current fisheries issues.

A Niceville, FL EO and Panama City, FL EO and SA provided JEA training to a FWCC Advanced Conservation Academy class.

A Houma, LA EO provided NOAA OLE enforcement training for new living marine resource graduates at GRFTC in New Orleans, LA.

## Media

**Gear Theft Case:** <https://www.justice.gov/usao-sdfl/pr/jupiter-shark-diving-crew-convicted-stealing-fishing-gear-0>

**Seafood Fraud Cases:** <https://www.justice.gov/usao-sdfl/pr/keys-lobster-company-sentenced-exporting-falsely-labelled-product>  
<https://www.flkeysnews.com/news/local/article272616117.html>

<https://www.justice.gov/usao-sdfl/pr/keys-lobster-company-and-its-president-pled-guilty-exporting-falsely-labeled-product>

**Gulf Coast Illegal Charter Task Force Press Conference:**

[https://www.facebook.com/watch/live/?ref=watch\\_permalink&v=260391616440045](https://www.facebook.com/watch/live/?ref=watch_permalink&v=260391616440045)  
<https://weartv.com/news/local/us-coast-guard-cracks-down-on-illegal-charter-boating-along-gulf-coast#>

# Overview of Summary Settlements

Listed below is a summary of the **119** Summary Settlement penalties issued during the quarter. The most frequently observed violation types cited involved retention during closure, undersize possession and/or lack of descender or turtle mitigation devices (43), fishing within a sanctuary (17) and Reporting Requirements (13). **43** violations were cited throughout the Gulf region and ranged in subject, including 8 citations for TED/BRD requirements and 4 violations involving retention during closure, undersize possession and/or lack of descender or turtle mitigation devices. **41** violations were cited throughout the South Atlantic region, which included 5 citations related to International Trade Program requirements There were **31** violations in the Keys area and included citations for fishing within sanctuary areas, as well as dive flag and groundings infractions. The Caribbean region reported **4** violations that involved citations for SIMP requirements.

LAW/REG/PROGRAM	VIOLATION	AMOUNT	STATE
Endangered Species Act (ESA)	TED/BRD Requirements	\$500	FL WEST
Endangered Species Act (ESA)	TED/BRD Requirements	\$1,000	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$500	GA
Endangered Species Act (ESA)	TED/BRD Requirements	\$100	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$400	GA
Endangered Species Act (ESA)	TED/BRD Requirements	\$200	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$1,500	NC
Endangered Species Act (ESA)	ALWTRP Gear Requirements	\$500	GA
Endangered Species Act (ESA)	TED/BRD Requirements	\$200	TX
Endangered Species Act (ESA)	TED/BRD Requirements	\$750	TX
Highly Migratory Species Act	Possession of HMS Species Without Required Permits	\$1,500	TX
Highly Migratory Species Act	Permit Requirements	\$500	TX
Highly Migratory Species Act	Undersize Possession	\$1,000	NC
Highly Migratory Species Act	Reporting Requirements	\$500	FL EAST
International Trade Program	Improper Paperwork, Chain of Custody	\$1,000	FL EAST
International Trade Program	Improper Paperwork, Chain of Custody	\$2,000	FL WEST
International Trade Program	Improper Paperwork, Chain of Custody	\$2,000	USVI
International Trade Program	Improper Paperwork, Chain of Custody	\$3,000	USVI



International Trade Program	Improper Paperwork, Chain of Custody	\$1,000	TX
International Trade Program	Improper Paperwork, Chain of Custody	\$3,000	USVI
Lacey Act	Possession Requirements	\$500	FL EAST
Magnuson Stevens Act	Undersize Possession	\$350	FL WEST
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$500	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$825	FL WEST
Magnuson Stevens Act (MSFCMA)	Fishing Without Required Shrimp Permits	\$750	FL KEYS
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$325	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$800	TX
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$800	FL KEYS
Magnuson Stevens Act (MSFCMA)	IFQ Program Requirements	\$1,000	FL WEST
Magnuson Stevens Act (MSFCMA)	IFQ Program Requirements	\$2,500	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Reef Fish As Bait	\$1,275	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$825	FL WEST
Magnuson Stevens Act (MSFCMA)	Observer Program Requirements	\$2,500	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$1,325	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$350	FL WEST
Magnuson Stevens Act (MSFCMA)	Observer Program Requirements	\$2,500	FL WEST
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$625	FL WEST
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$1,025	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$950	SC
Magnuson Stevens Act (MSFCMA)	Bag Limit Exceeded	\$800	GA
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Reef Fish As Bait	\$300	FL WEST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$675	FL EAST
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$550	FL WEST
Magnuson Stevens Act (MSFCMA)	Prohibited Gear; Lack of Descender Device	\$250	GA
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$400	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Bag Limit Exceeded; Lack of Descender Device	\$1,925	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Reef Fish As Bait	\$350	FL WEST

Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$275	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$300	FL WEST
Magnuson Stevens Act (MSFCMA)	Failure to Maintain Fish Intact	\$950	FL EAST
Magnuson Stevens Act (MSFCMA)	Fishing Without Required Shrimp Permits	\$3,000	FL WEST
Magnuson Stevens Act (MSFCMA)	Fishing with Expired Permits	\$750	LA
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$450	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Lack of Descender Device	\$850	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Lack of Descender Device	\$2,225	FL WEST
Magnuson Stevens Act (MSFCMA)	Bag Limit Exceeded	\$1,775	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$300	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Lack of Descender Device	\$425	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$500	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$600	FL EAST
Magnuson Stevens Act (MSFCMA)	Failure to Maintain Fish Intact	\$775	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$325	FL EAST
Magnuson Stevens Act (MSFCMA)	Failure to Maintain Fish Intact	\$1,700	FL EAST
Magnuson Stevens Act (MSFCMA)	IFQ Program Requirements	\$1,325	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$1,350	FL WEST
Magnuson Stevens Act (MSFCMA)	Reef Fish as Bait	\$700	TX
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$750	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$400	FL WEST
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Gear Requirements	\$775	NC
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	NC
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$400	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Lack of Descender Device	\$525	GA
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$850	GA
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS



Magnuson Stevens Act (MSFCMA)	IFQ Program Requirements	\$1,000	FL WEST
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Failure to Maintain Fish Intact	\$300	FL EAST
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	FL KEYS
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$375	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$625	FL WEST
Magnuson Stevens Act (MSFCMA)	Undersize Possession; Lack of Descender Device	\$825	GA
Magnuson Stevens Act (MSFCMA)	Fishing in Closed Area	\$500	SC
Magnuson Stevens Act (MSFCMA)	Unpermitted Charter Activity-Open Access Permit	\$500	FL EAST
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$600	GA
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$575	FL EAST
Magnuson Stevens Act (MSFCMA)	Reporting Requirements	\$500	NC
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$300	PR
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$525	GA
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$925	GA
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$275	FL EAST
Magnuson Stevens Act (MSFCMA)	Undersize Possession	\$775	GA
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$700	TX
Magnuson Stevens Act (MSFCMA)	Retention During Closure	\$625	TX
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Vessel Grounding	\$350	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$875	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS

National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$300	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$600	FL KEYS
National Marine Sanctuaries Act	Vessel Grounding	\$350	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$1,100	FL KEYS

# Investigative Support Program

Southeast Division Active Vessel Monitoring System (VMS) Population: **1218**

## Population Breakdown by (VMS) Fisheries and VMS Vendor

FISHERY	ADDVALUE	ATLANTIC RT	FARIA	METOCEAN	NAUTIC ALERT	NETWORK INNOVATIONS	SKYMATE	WOODS HOLE GROUP	TOTAL
HMS Pelagic Longline			13			3	16	56	<b>88</b>
HMS Shark			1				1	5	<b>7</b>
Gulf Reef Fish	1		73	88	1	70	104	338	<b>675</b>
Rock Shrimp			2	5		4	8	47	<b>66</b>
Southeast For Hire	3	2	4	1	6		90	276	<b>382</b>
TOTAL	4	2	93	94	7	77	219	722	<b>1218</b>

Investigative Support Program staff play a vital role in ensuring compliance and provide assistance to enforcement officers and special agents. Staff received and processed **20** referrals from JEA partners. Case support to the field was provided as well, with work ranging from processing summary settlements (**106**), preparing incident reports for GCES, in support of prosecution (**18**), confirming vessel ownership and track lines, validating AIS data and creating chartlets. During the quarter, commercial and charter trips were monitored via VMS to detect potential violations. Violations, ranging from fishing in closed areas, improper gear use and failure to comply with reporting requirements (trip declarations, daily reports, and pre-landing notices) were detected by Investigative Support staff and referred to enforcement officers or special agents for follow-up. **124** investigations were initiated for VMS and/or SEFHIER violations. Additionally, staff conducted **699** calls with the industry related to compliance during the quarter.

Another continued area of focus this quarter involves North Atlantic Right Whale protection, as comprehensive investigative work was completed for **5** vessels referred to GCES for violating speed restrictions. During this quarter, **90** compliance assistance letters have been sent to stakeholders regarding right whale speed rule violations.

## Observer Program Highlights

During FY Quarter 2, 2023, the Southeast Division Observer Programs deployed on **100** trips for **652** sea days. Approximately **96%** of all selected trips were completed without an observer related enforcement incident [assault/harassment (sexual and non-sexual), safety]. Observer programs reported **eight** International Convention for the Prevention of Pollution From Ships (MARPOL) violations and **32** potential fishery violations to OLE-SED. The Gulf of Mexico Shrimp Program deployed on **11** trips for **259** sea days, and the Gulf of Mexico Reef Fish Program deployed on **20** trips for **152** sea days. The Panama City Gillnet Program deployed on **10** trips for **27** sea days, and the Panama City South Atlantic Reef Fish Program deployed on **40** trips for **63** sea days. The Miami Pelagic Observer Program deployed on **19** trips for **151** sea days. The summary below details the type of observer related complaints received during Quarter 1 (calendar year) of 2023, for all three programs.

COMPLAINT TYPE	Galveston Programs	Panama City Programs	Miami Observer Program	TOTALS
ASSAULT				0
HARASSMENT/INTIMIDATE/IMPEDEMENT	2	1		3
SAFETY		1		1
NON-COMPLIANT FOR OBSERVER COVERAGE	11	6		17
HANDLING		1	5	6
GEAR		2	6	8
RETENTION			1	1
SPATIAL				0
MARPOL-USCG	1	1	6	8
<b>TOTALS</b>	<b>14</b>	<b>12</b>	<b>18</b>	<b>44</b>

## Cases Referred For Prosecution

Listed below is a summary of the **19** 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 seven occurring in the South Atlantic area, four in the Gulf area and eight in the Florida Keys area.

LAW/REG/PROGRAM	VIOLATION	STATE
Endangered Species Act	TED/BRD Requirements	LA
Highly Migratory Species Act	Failure to Maintain Fish Intact	TX
International Trade Program	Improper Paperwork, Chain of Custody	FL EAST
International Trade Program	Improper Paperwork, Chain of Custody	FL EAST
International Trade Program	Improper Paperwork, Chain of Custody	FL EAST
Magnuson Stevens Act	Reporting Requirements	FL WEST
Magnuson Stevens Act	Retention of Prohibited Species	FL WEST
Magnuson Stevens Act	Seafood Import Monitoring Program	FL EAST
Magnuson Stevens Act	Retention of Prohibited Species	FL KEYS
Magnuson Stevens Act	IFQ Program Requirements	FL KEYS
Marine Mammal Protection Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Marine Mammal Protection Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Marine Mammal Protection Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
National Marine Sanctuaries Act	Discharge Into Sanctuary	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	FL KEYS

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

# NOAA General Counsel Enforcement Section

## Charging Information

The following Civil Administrative Enforcement Actions are results from NOAA GCES that occurred in the Southeast Division, from **December 2022-February 2023** (available information since last report). Nationwide results may also be found at the [enforcement charging information site](#)

1. F/V Gulf Offshore – Owner/Operator John William Fagan was charged under the Magnuson-Stevens Act with fishing for or possessing Gulf reef fish on a charter trip with an expired Gulf reef fish charter permit. A \$5,000.00 NOVA was issued.
2. M/V Big Blue – Owner/Operator Scott D. Osler was charged under the Endangered Species Act and Marine Mammal Protection Act with violations of the North Atlantic Right Whale speed restriction regulation. A \$22,500 NOVA was issued.
3. FL4682RM – Owner Sake LLC, Permit Holder Aimless Lady Inc., and Operator Franklin Daniel Marsocci Jr. were charged jointly and severally under the Magnuson-Stevens Act with fishing for South Atlantic snapper-grouper in the Oculina Bank Experimental Closed Area. A \$6,933.50 NOVA was issued.
4. F/V Outer Limits – Owner Outer Limits LLC and Operator Jason David Miller were charged jointly and severally under the Magnuson-Stevens Act with failing to install a VMS unit on a charter vessel with Gulf reef fish and coastal migratory pelagics charter permits. A \$5,000 NOVA was issued.
5. F/V AM Whale – Owner Global Investment Inc. and Operator Loi Van Nguyen were charged jointly and severally under the Endangered Species Act with operating in the Gulf of Mexico with non-compliant Turtle Excluder Devices. An \$85,224 NOVA was issued.
6. T/V Solar Susie – Owner Hai Kuo Shipping 1938T Ltd. and Technical Manager Fleet Management Ltd. were charged jointly and severally under the Endangered Species and Marine Mammal Protection Act with violating North Atlantic Right Whale speed restriction regulation. A \$7,500 NOVA was issued.
7. M/V Warnow Dolphin – Owner Asmato Shipping Co. Ltd., Technical Manager Marlow Navigation Co. Ltd., and Commercial Operator Seaboard Marine Ltd. Inc. 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 \$60,000 NOVA was issued.

8. F/V Mackdaddy – Owner/Operator Tracy Damian Steele was charged under the National Marine Sanctuaries Act with fishing by any means inside an Ecological Reserve within the Florida Keys National Marine Sanctuary. Specifically, Respondent fished inside the Tortugas North Ecological Reserve, in violation of applicable law. A \$1,250 NOVA was issued, and the case settled for \$1,125.
9. F/V Blind Squirrel – Owner Blind Squirrel Fishing LLC and Operator Philip Demena III were charged jointly and severally under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with charter fishing in the EEZ with expired Gulf and South Atlantic charter permits. A \$2,500 NOVA was issued, and the case settled for \$2,250.
10. BF Leticia – Owner BF Leticia Foroohari, Operator CMA GGM SA The French Line, and Technical Manager BF Shipmanagement GmbH & Co KG were charged jointly and severally under the Endangered Species and the Marine Mammal Protection Acts with violating the North Atlantic Right Whale speed restriction regulation. A \$52,500 NOVA was issued.
11. F/V Ocean Man – Owner/operator Thanh Van Do was charged under the Endangered Species Act with fishing for shrimp without Turtle Excluder Devices installed. A \$44,751 NOVA was issued.

**Resolved Cases Charged Before December 1, 2022 to February 28, 2023<sup>1</sup>**

1. F/V Blow III – Crewmember Sean O’Berry was charged under the Magnuson-Stevens Act with discarding objects upon approach of authorized officers. A \$2,000 NOVA was issued, and the case was dismissed. [See Charged Cases, Item 13, from January 2022 report.]
2. M/V All That – Owner BGIN Holdings LLC and Operator Robert L. Farley were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violations of 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 7, from November 2022 report.]
3. F/V FL6228LB – Owner/Operator Charles Giarrizzo was charged under the Magnuson-Stevens Act with fishing for Gulf reef fish in the EEZ aboard a charter vessel without a federal charter permit. A \$5,750 NOVA was issued, and the case settled for \$4,312.50. [See Charged Cases, Item 6, from November 2022 report.]
4. F/V Gulf Offshore – Owner/Operator John William Fagan was charged under the Magnuson-Stevens Act with fishing for or possessing Gulf reef fish on a charter trip with an expired Gulf reef fish charter permit. A \$5,000 NOVA was issued. The NOVA

became a final administrative decision due to default. [See Charged Cases, Item 3, from December 2022 report.]

5. F/V Outer Limits – Owner Outer Limits LLC and Operator Jason David Miller were charged jointly and severally under the Magnuson-Stevens Act with failing to install a VMS unit on a charter vessel with Gulf reef fish and coastal migratory pelagics charter permits. A \$5,000 NOVA was issued, and the case settled for \$4,500. [See Charged Cases, Item 11, from January 2023 report.]
6. T/V Solar Susie – Owner Hai Kuo Shipping 1938T Ltd. and Technical Manager Fleet Management Ltd. were charged jointly and severally under the Endangered Species and the Marine Mammal Protection Act with violating North Atlantic Right Whale speed restriction regulation. A \$7,500 NOVA was issued, and the case settled for \$6,750. [See Charged Cases, Item 13, from January 2023 report.]

<sup>1</sup>All cases in this portion of the report were previously charged.