

**NOAA Office of General Counsel, Enforcement Section**  
**Civil Administrative Enforcement Actions**  
**July 1 - 31, 2023<sup>1</sup>**  
**During this reporting period, NOAA charged 15 cases and settled 9 cases<sup>2</sup>**

**Cases Charged in July 2023<sup>3</sup>**

**ALASKA**

1. AK2205725; C/P Cape Horn – Owner Cape Horn Vessel, LLC and Operator Peter Pack were charged jointly and severally under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with fishing in a closed area. A \$26,801 NOVA was issued.

**NORTHEAST**

2. NE2201434; F/V Capt'n Lee – Owner Hilda & Helen Inc. and Operator Justin A. Libby were charged jointly and severally under the Magnuson-Stevens Act with fishing outside the Northern Gulf of Maine scallop management area. A \$7,066 NOVA was issued.
3. NE2202011; F/V William Lee – Owner Carkez Fisheries, Inc. and Operator Ezan L. Maguire were charged jointly and severally under the Magnuson-Stevens Act with fishing for or possessing scallops from a Habitat Management Area and exceeding the possession limits on a scallop access area trip. A \$117,650 NOVA was issued.
4. NE2201102; F/V Ocean Hunter – Owner Ocean Hunter, Inc. and Operator Richard Hayslett, Jr. were charged jointly and severally under the Magnuson-Stevens Act with fishing for or possessing Atlantic sea scallops in a Habitat Management Area. A \$105,905.10 NOVA was issued.
5. NE2204806; F/V American Classic – Owner Walsh's Deep Sea Fishing, Inc. and Operator James Walsh were charged jointly and severally under the Magnuson-Stevens Act with failing to timely comply with the fishing vessel trip reporting requirements, exceeding the possession limits for Atlantic Halibut, landing Northeast Multispecies contrary to appropriate form, and fishing for HMS without a valid permit. A \$9,000.00 NOVA was issued.

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<sup>1</sup> This report is not considered to be a publication. All data are provisional.

<sup>2</sup> This report provides the final settlement amount where applicable. Additional details regarding the settlement and structure of the settlement payments, including the factors considered in reaching settlement, are omitted.

<sup>3</sup> Charged cases have had a Notice of Violation and Assessment (NOVA), Notice of Permit Sanction (NOPS), and/or Written Warning issued and served. NOVAs, NOPSs, and Written Warnings contain the Agency's allegations of violations by the respondent(s). In response to receiving a NOVA, NOPS, or Written Warning, a respondent may challenge both the allegations and the proposed penalty or permit sanction, through means set forth in NOAA's civil procedure regulations, found at 15 C.F.R. Part 904. Where no information is provided regarding resolution of the case, the matter remained open at the end of the reporting period.

6. NE2300738; M/V Black Jack – Owner/Operator Blackjack Marine, LLC was charged under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic right whale speed regulation. A \$7,500 NOVA was issued.

## **PACIFIC ISLANDS**

7. PI2301124; F/V Queen Diamond – Operator Charles Nguyen Harrington was charged under the Magnuson-Stevens Act with failing to maintain safe conditions for the protection of an observer. A \$5,750 NOVA was issued.

## **SILVER SPRING**

8. CRSRA230004; Rocket Lab USA, Inc. – Operator of private remote sensing space systems was charged pursuant to the Land Remote Sensing Policy Act of 1992 with failing to request and receive approval for a license modification before taking any action that would change a material fact in the license and with failing to provide CRSRA meaningful access to a remote ground terminal for an inspection. A \$5,875.00 NOVA was issued.

## **SOUTHEAST**

9. SE2103942, F/V Hailey Marie – Owner Hailey Marie Inc. and Operator Leonard Hunte were charged jointly and severally under the Magnuson-Stevens Act with exceeding the bag or possession limit for lane snapper. A \$8,500 NOVA was issued.
10. SE2105588; F/V TX6994CZ – Operator Humberto Villarreal was charged under the Magnuson-Stevens Act with possessing red snapper during a closed season. A \$2,500.00 NOVA was issued.
11. SE2200089; F/V Super Grouper – Owner Super Grouper Inc. and Operator Charles Veach were charged jointly and severally under the Magnuson-Stevens Act with failing to report, fishing without an activated VMS, failing to submit advance notice of landing of IFQ species, and selling South Atlantic snapper/grouper from a vessel operating as a charter. A \$19,750 NOVA was issued.
12. SE2206740; F/V Casey Luck – Operator Timothy Dewayne King and Owner AJLE, LLC were charged jointly and severally under the National Marine Sanctuaries Act with discharging or depositing from within sanctuary boundaries any non-exempt material or other matter in the Florida Keys National Marine Sanctuary. A \$1,250.00 NOVA was issued, and the case settled for \$1,125.
13. SE2300996; M/V Se-Lah – Owner BB Yachts Ltd. and Operator Jordy Gardiner were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued.

## **WEST COAST**

14. WC2204386; F/V Alyssa Ann – Captain David Kochis and Deckhand Nicholas Morelli were jointly and severally charged under the Magnuson-Stevens Fishery Conservation and Management Act with harassing an observer and Captain David Kochis was charged under the Magnuson-Stevens Act with harassing an observer. A \$9,000 NOVA was issued.
15. WC2206980; S/V Meatball – Owner/Operator Ray Mosier Jr. of 30' sailboat charged under National Marine Sanctuaries Act with discharge/depositing unauthorized material within the Monterey Bay National Marine Sanctuary when the vessel broke free from its mooring and grounded. A \$5,000 NOVA was issued.

### **Resolved Cases Charged Before July 1, 2023**

## **ALASKA**

1. AK2004131; F/V Thunderod – Charter Vessel Guide Dan Louis Brown, and Owner Thunderod, LLC, were charged jointly and severally under the Northern Pacific Halibut Act with failing to make their Alaska Department of Fish and Game (ADFG) Saltwater Sport Fishing Charter Trip Logbooks available for inspection upon request, failing to submit ADFG logbook sheets as required, being a charter vessel guide with charter anglers on board without a valid Charter Halibut Permit, and exceeding the angler endorsement on a Charter Halibut Permit. A \$12,500 NOVA was issued, and the case settled for \$11,250. [See Charged Cases, Item 1, from June 2023 Report].
2. AK2201982; F/V Ocean Invictus – Vessel Owners Ocean Bay, Inc. and Kilokak, Inc., Permit Holder Ocean Invictus, LLC, and Operator Robert E. Graham were charged jointly and severally under the Magnuson-Stevens Act for exceeding the 300,000 pound daily limit on the harvest of Pollock. A \$13,159 NOVA was issued, and the case settled for \$12,659. [See Charged Cases, Item 3, from June 2023 Report].
3. AK2300579; F/V Alaskan Star – Owners Alaskan Star Fisheries, LLC, Sunrunner Alaska Corp., and Moriah Fishing, Inc., Operator Abraham Brendan Sullivan, and Vessel Manager James Aaron Stevens were charged under the Magnuson-Stevens Act with failing to log four fishing trips in the Observer Deploy and Declare System. A \$12,000 NOVA was issued, and the case settled for \$8,550. [See Charged Cases, Item 2, from April 2023 Report].

## **NORTHEAST**

4. NE2201069; F/V Salacia – Owner/Operator James E. Dawson was charged under the Magnuson-Stevens Act with fishing without an observer, after being selected to carry one. A \$7,500 NOVA was issued, and the case settled for \$5,000. [See Charged Cases, Item 3, from August 2022 report].
5. NE2205923; F/V Reel Buzz – Operator Alex Defreitas was charged under the Magnuson-Stevens Act with landing an oversized tuna on a restricted fishing day. A \$12,000 NOVA was issued, and the case settled for \$2,500. [See Charged Cases, Item 7, from May 2023 Report].

## **PACIFIC ISLANDS**

6. PI2201006; Owner Hang Loose Boat Tours, LLC and Operator Simon Velaj were charged jointly and severally under the Marine Mammal Protection Act with the illegal take of a Humpback whale. A \$4,250 NOVA was issued, and the case settled for \$3,825. [See Charged Cases, Item 9, from May 2023 Report].<sup>4</sup>

## **SOUTHEAST**

7. SE2205501; F/V The Holly – Owner Thornridge Farms Nursery, LLC and Operator Mark Andre were charged jointly and severally under the Magnuson-Stevens Act with failing to provide electronic reports. A \$2,000 NOVA was issued, and the case settled for \$1,000. [See Charged Cases, Item 21, from April 2023 Report].
8. SE2300908; M/V Rumours – Co-owners John August Moisson and Carolyn Smith Moisson and Operator Alan Scott Eason were charged under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$30,000 NOVA was issued, and the case settled for \$20,250. [See Charged Cases, Item 23, from April 2023 report.]

## **WEST COAST**

None.

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<sup>4</sup> This case settled in June but was not included in the June 2023 Enforcement Report.