

NOAA Fisheries Office of Law Enforcement
Southeast Division

FISCAL YEAR 2024, QUARTER 2
FISHERY MANAGEMENT
COUNCIL REPORT

JANUARY 1, 2024-MARCH 30, 2024



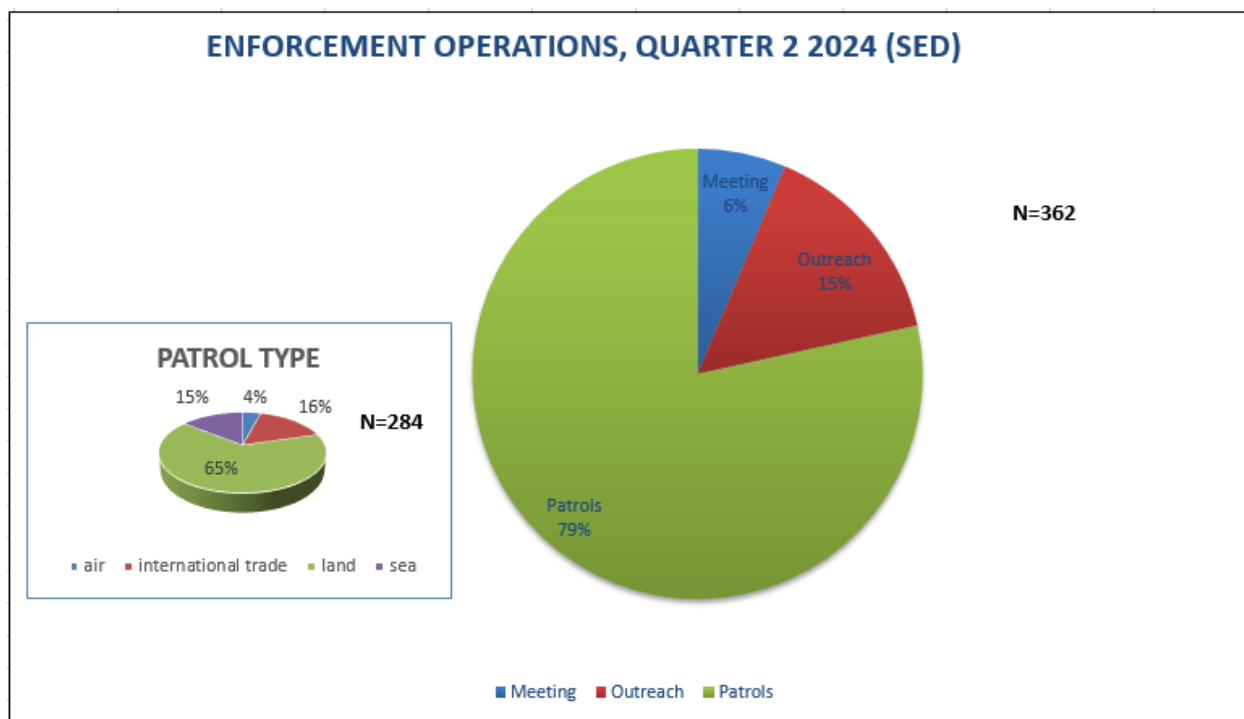
Contents

Enforcement and Compliance	2
Incident Information	3
South Atlantic Fishery Management Council Summary	4
Gulf of Mexico Fishery Management Council Summary	5
Caribbean Fishery Management Council Summary	6
Summary of Cases by Joint Enforcement Agreement and United States Coast Guard Partners.....	7
Caseload Snapshot.....	9
Enforcement Highlights.....	10
Overview of Summary Settlements	24
Investigative Support Program	27
Observer Program Highlights	28
Cases Referred For Prosecution	29
NOAA General Counsel Enforcement Section Charging Information	30

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, 2024, **January 1, 2024- March 30, 2024**. 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).

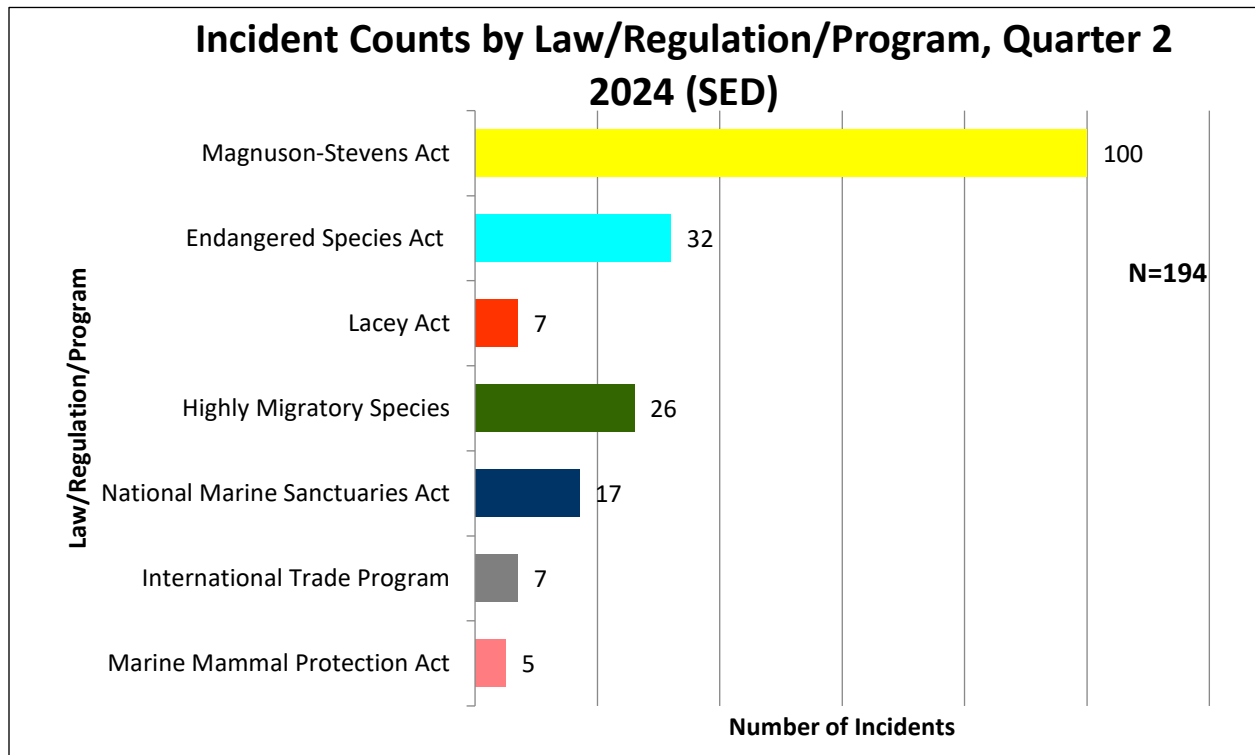
Patrols, outreach and education, compliance assistance, and investigations are the primary activities of OLE’s mission to protect marine wildlife and habitat by enforcing domestic laws and supporting international treaty requirements designed to ensure global resources are available for future generations. Specifically, six operations were conducted throughout the division. Enforcement efforts are routinely conducted with multiple federal, state and local partners throughout the division. An operation was conducted in the Florida Keys, focusing on commercial fish sales and landings under the Individual Fish Quota Program. A joint operation was conducted with state partners focused on identifying illegal charters off the west coast of Florida. Seafood Import Monitoring Program operations conducted with state and federal partners in Florida and the USVI, targeting seafood imports and ensuring product were entering our country legally. An operation was also focused on protecting the endangered Northern right whale, through vessel speed and gear patrols along the Eastern seaboard. This quarter, OLE-SED conducted and documented **284** patrols, **55** specific instances of outreach and attended **23** meetings.



Incident Information

During the second quarter, OLE-SED opened **194** incidents, which included **100** counts in the SAFMC area, **110** counts in the GMFMC area and **6** counts in the CFMC area¹. These incidents originate from both NOAA personnel and our enforcement partners.

Summary of Incidents by Law/Regulation/Program; Quarter 2, 2024



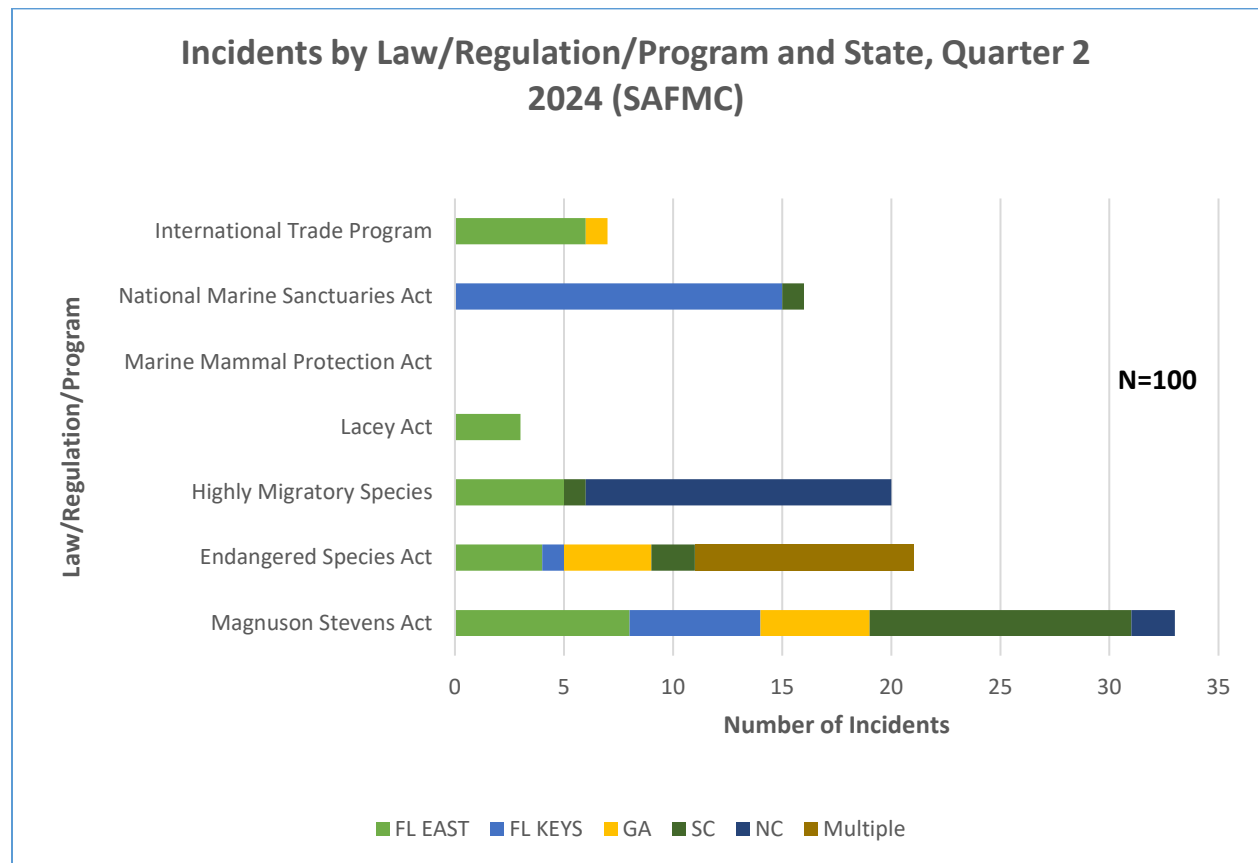
¹ Incidents occurring in the Florida Keys area are included in both SAFMC and GMFMC counts; total individual counts are greater than opened incidents due to multiple counts charged for separate incidents

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 2, 2024 (SAFMC)

Law/Regulation/Program	FL EAST	FL KEYS	GA	SC	NC	Multiple	Total
Magnuson Stevens Act	8	6	5	12	2		33
Endangered Species Act	4	1	4	2		10	21
Highly Migratory Species	5			1	14		20
Lacey Act	3						3
Marine Mammal Protection Act							0
National Marine Sanctuaries Act		15		1			16
International Trade Program	6		1				7
TOTAL	26	22	10	16	16	10	100

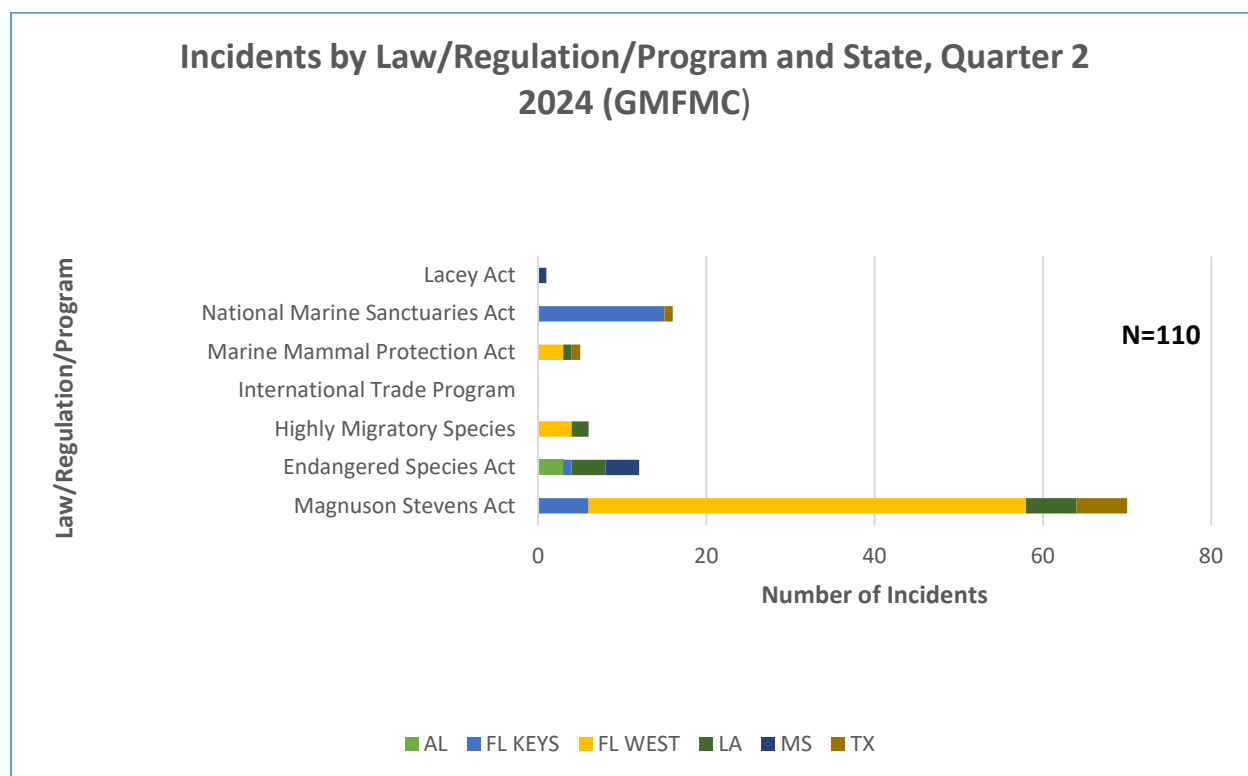


Gulf of Mexico Fishery Management Council Summary

**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, 2024 (GMFMC)

Law/Regulation/Program	AL	FL KEYS	FL WEST	LA	MS	TX	Total
Magnuson Stevens Act		6	52	6		6	70
Endangered Species Act	3	1		4	4		12
Highly Migratory Species			4	2			6
International Trade Program							0
Marine Mammal Protection Act			3	1		1	5
National Marine Sanctuaries Act		15				1	16
Lacey Act					1		1
TOTAL	3	22	59	13	5	8	110

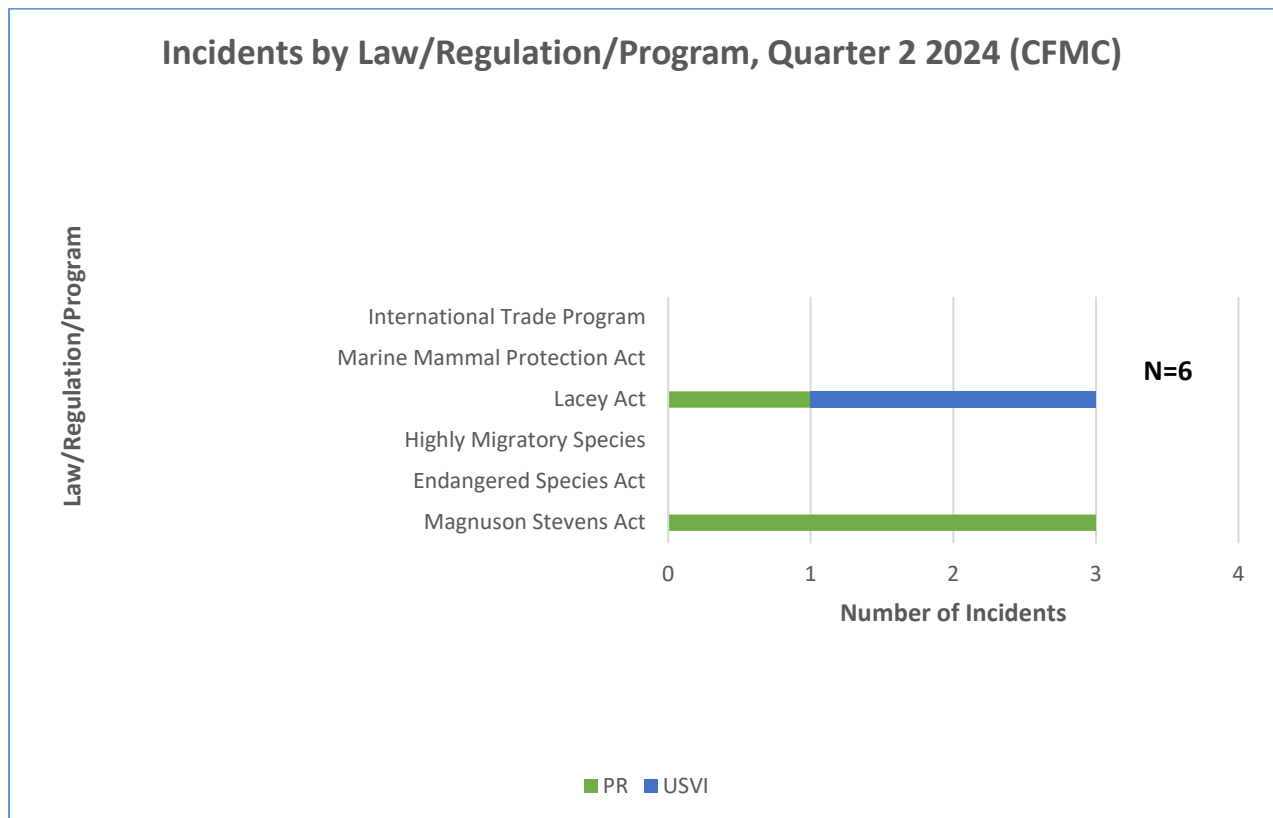


Caribbean Fishery Management Council Summary

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

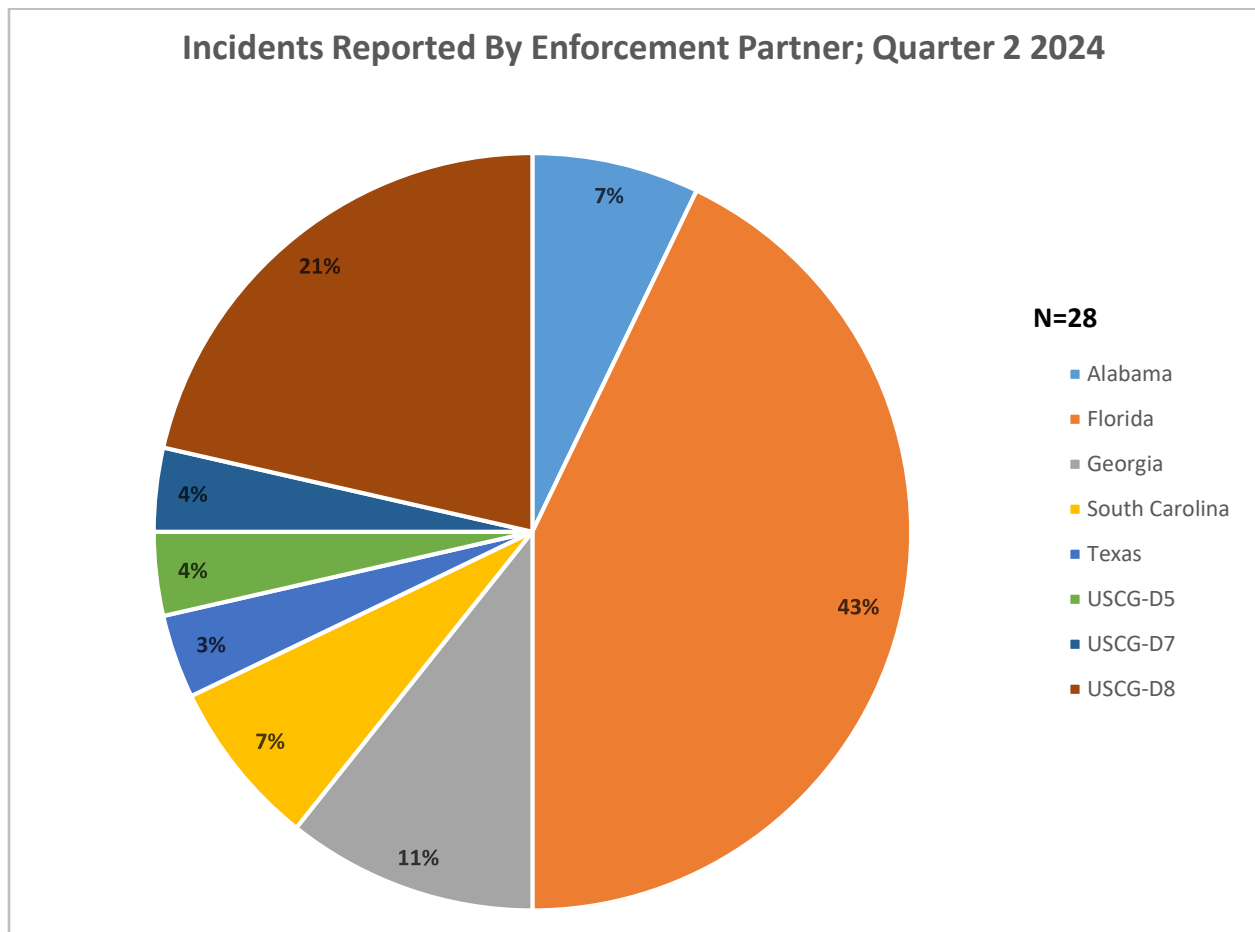
Number of Incidents by Law/Regulation/Program and Location; Quarter 2, 2024 (CFMC)

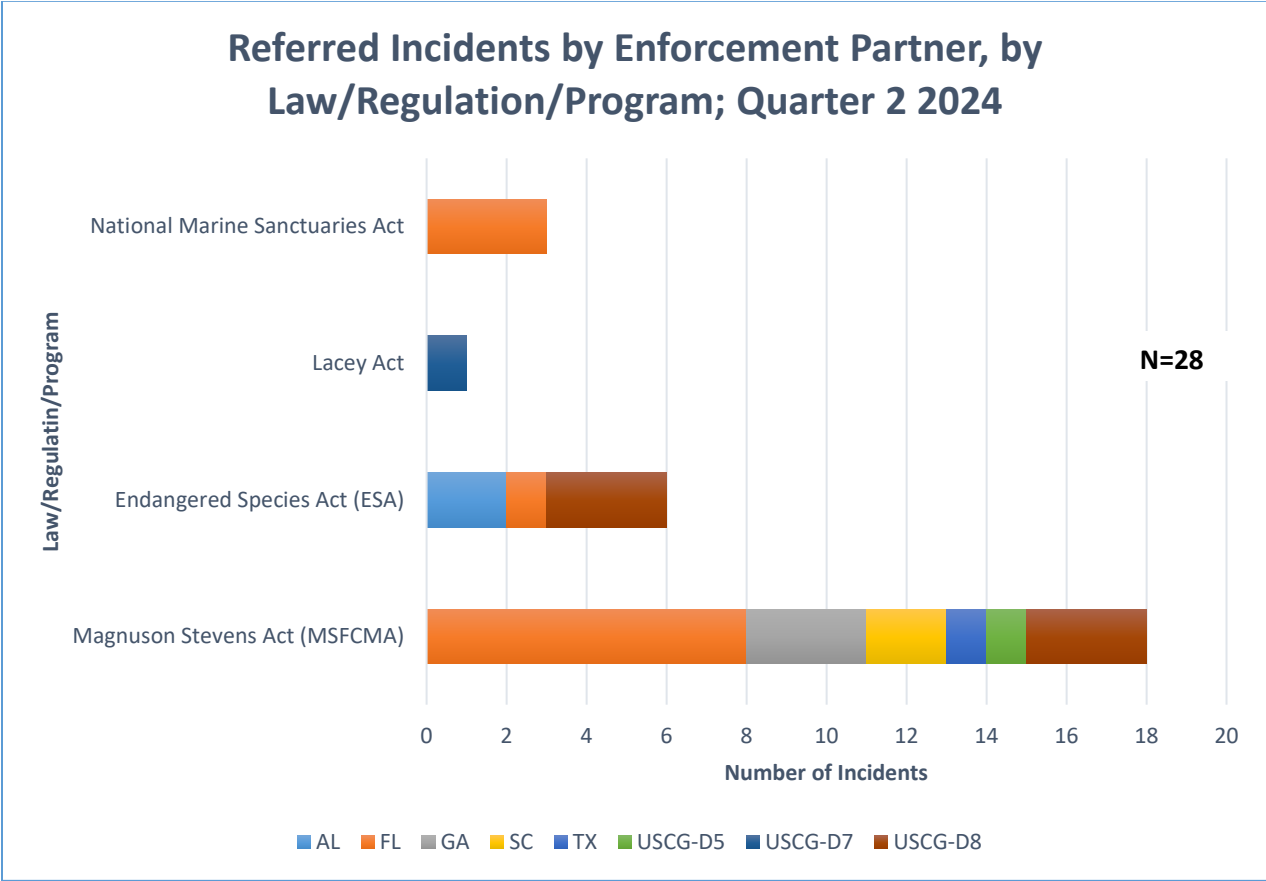
Law/Regulation/Program	PR	USVI	Total
Magnuson Stevens Act	3		3
Endangered Species Act			0
Highly Migratory Species			0
Lacey Act	1	2	3
Marine Mammal Protection Act			0
International Trade Program			0
TOTAL	4	2	6



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

Throughout Quarter 1, 2024, there were **28** 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 partner¹. Effort consisted of dockside vessel boardings, offshore vessel boardings and interaction with the general public and industry members.

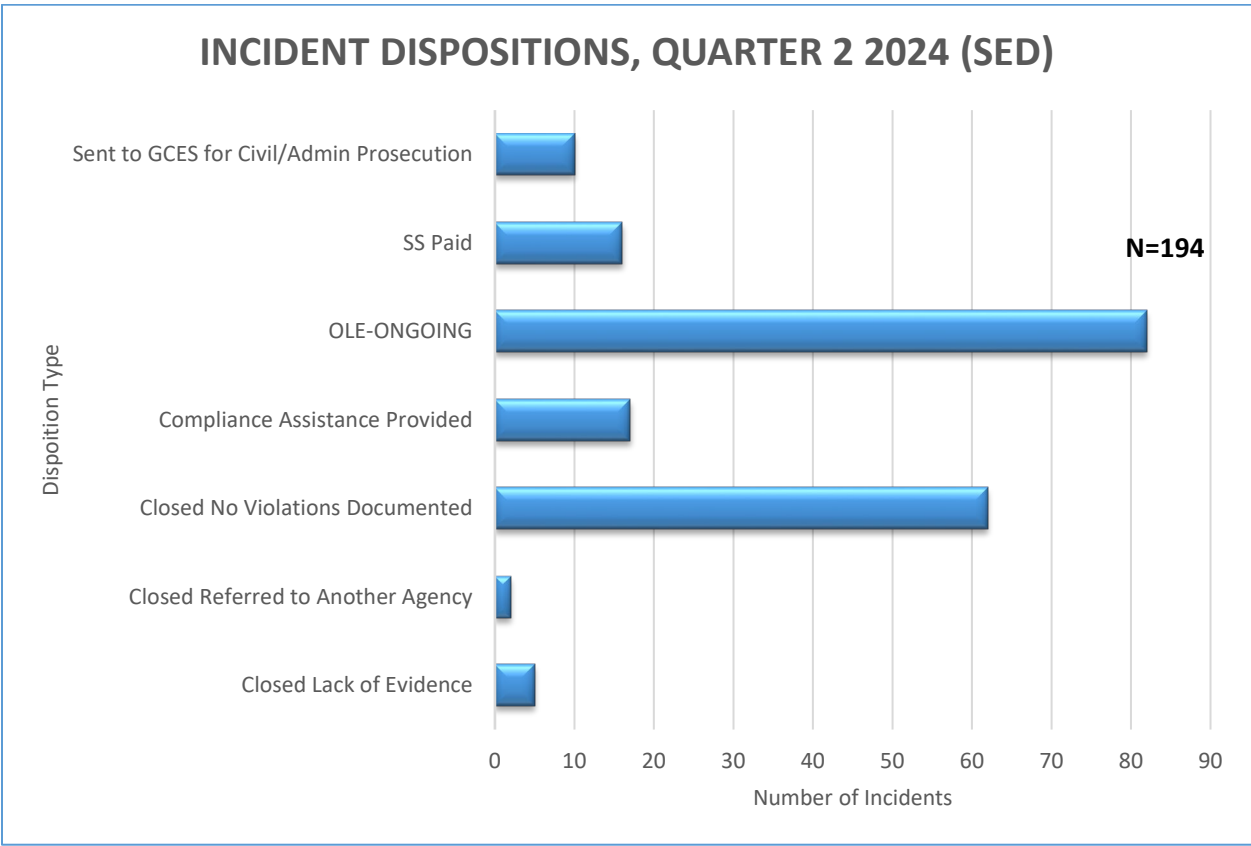
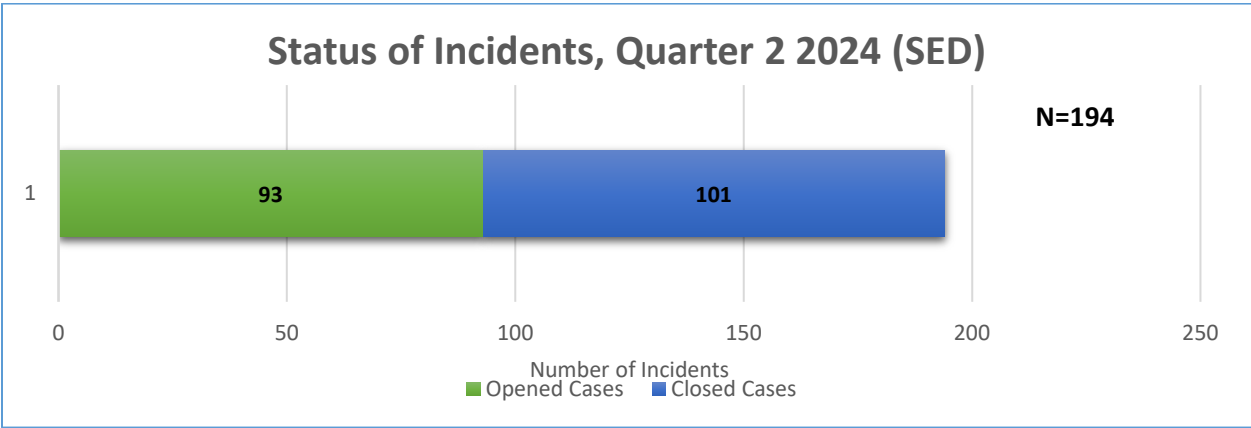




¹ total individual counts may be greater than opened cases due to multiple counts charged for separate cases

Caseload Snapshot

Below is a breakdown of the initiated incidents (**194**) 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 South Carolina SA issued a summary settlement offer (SSO) for \$1,000 in reference to two subjects organizing and hosting a swordfish tournament without registering as required.

A North Carolina EO prepared two SSOs for review stemming from a HMS Management referral. One for the landing and sale of shortfin mako shark, and one for the purchase of the shortfin mako shark. Each SSO is set at \$1000, as per the National Summary Settlement Schedule.

A Key West, FL EO issued a Key West charter captain and company a \$1,250 joint and several SSO for the possession of an undersized sailfish with the bill removed.

A Niceville, FL EO issued a \$1,000 SSO to a recreational fisherman for harvesting an Atlantic sandbar shark. The shark was shot by pistol multiple times before being brought aboard a recreational fishing vessel. The Florida Fish and Wildlife Conservation Commission (FWC) referred the case.

Lacey Act



A League City, TX SA, Pacific Islands Division SA, supervisory foreign affairs specialist and General Counsel Enforcement Sections (GCES) attorney presented a course on fisheries enforcement and prosecution at the International law enforcement academy in Bangkok. Students from Thailand, Cambodia, Indonesia, Vietnam, Malaysian, Timor Leste, and Singapore were represent.

Illegal, Unregulated and Unreported (IUU) Fishing



Officers from the US Customs and Border Patrol (CBP), in collaboration with a Miami, FL EO, executed a comprehensive IUU operation at the Miami, FL Seaport, spanning multiple days. The operation involved thorough verification of foreign fishing permits, chain of custody documents, and adherence to (SIMP) Seafood Import Monitoring Program regulations. A noteworthy aspect of the operation was the completion of 12 SIMP inspections.

A Miami, FL SA and EO inspected two containers of mahi-mahi fillets from Peru and Indonesia at the Port of Miami. Samples were taken for DNA analysis and species identification. Three additional containers were placed on hold and further examined.

A Savannah, GA EO conducted a patrol in the Port of Savannah, GA and met with the CBP officers. Three containers were flagged and inspected. The Department of State had requested denial of entry/re-exportation on the inspected containers.

A Saint Thomas, USVI EO conducted an inspection of a foreign flagged cargo ship M/V that attempted to illegally import ESA Queen Conch from Anguilla to the USVI. The importer had not made the required U.S. Fish and Wildlife Service (USFWS) notification and did not present or possess required documents upon inspection of the product. This incident was transferred to the USFWS in San Juan, PR which denied entry and offload.

A Corpus Christi, TX EO was notified that a large incursion involving 15 lanchas was identified. CBP Air and Marine Operations (AMO), U.S. Coast Guard (USCG) & Texas Parks and Wildlife Division (TPWD) responded. Track lines initially indicated a smuggling event, but it was eventually determined to be an IUU fisheries event. Multiple lanchas were interdicted.

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

A Houma, LA EO conducted a patrol and records inspections alongside Louisiana Department of Wildlife and Fisheries (LDWF) agents at a seafood restaurant in New Orleans. The EO had received information that they had just received a large bluefin tuna advertised as "from the Gulf of Mexico." Upon speaking with the chef and looking at purchase records he confirmed the bluefin had been caught in the GOM, but imported through Mexico. The EO confirmed this with the importer as well.

A Miami, FL SA issued a \$2,000 SSO to a Miami-based importer for importing 1,990 lbs. of grouper without maintaining harvest and chain of custody records as required by SIMP. The discovery of this violation was the result of collaboration between CBP and NOAA OLE.



The St. Petersburg Field Office Supervisory Enforcement Officer (SEO), Assistant Special Agent in Charge (ASAC), and EO were advised by CBP that a shipment of shrimp from Ecuador was arriving in Port Tampa. The agents and officers verified the shipment by reviewing documentation and opening up boxes of shrimp. No violations were detected and the container was released.

Gulf of Mexico EOs conducted a patrol to the Port of Panama City. OLE, CBP and FWC conducted a SIMP examination of a shipment containing frozen spotted weakfish. OLE provided training to FWC and CBP on how to obtain species samples for lab analysis during future inspections. No violations were documented.

A Miami, FL SA conducted a container exam of shrimp imported from Vietnam but harvested in Argentina. A SIMP audit was conducted which revealed multiple missing traceability documents. A SSO was issued.



An IUU operation took place in Saint Thomas, USVI, involving enforcement officers from Miami, Cape Canaveral, and Saint Thomas. This operation spanned several days and involved collaboration with CBP

Field Operations, CBP Agricultural Specialists, and CBP AMO. Numerous shipments of SIMP species lacking proper documentation were identified.

A Houma, LA and Mobile, AL EO worked with Alabama Marine Resources officers regarding an import of shrimp making entry into the Port of New Orleans. Officers inspected the shipment at the distributor to ensure packaging and labeling requirements were retained. They conducted inspections at two additional seafood houses around Mobile as well.

Marine Mammal Protection Act

A Corpus Christi, TX EO investigated a hotline complaint regarding a subject actively feeding dolphins. The complainant provided photos & video of the subject catching fish and feeding them to the dolphin.

A Fort Myers, FL EO received a complaint where a subject was observed feeding a pod of bottlenose dolphins near Cape Coral and posting videos on social media. The EO worked with FWC to identify the subject.

A SC SA coordinated with SCDNR and Protected Resources in response to a deceased sperm whale beached in a shallow water bay. The whale is inaccessible by land; SCDNR is taking biologists by boat to collect samples.



A Fort Myers EO issued a \$500 SSO to a subject for feeding a bottlenose dolphin in Cape Coral and then posting the video on TikTok.

A Charleston, SC EO presented at the first Wildlife Awareness and Viewing Etiquette (W.A.V.E.) workshop hosted by the Lowcountry Marine Mammal Network in Charleston. These workshops are designed to bring awareness and education to owners/operators of dolphin sightseeing and

dolphin tour vessels. Safe viewing, regulations, and penalties were discussed with the participants.

A Charleston, SC EO was contacted by USCG SEC Charleston Command Center in regards to a distressed dolphin near Hilton Head Island, SC. Lowcountry Marine Mammal Network and SC DNR were contacted and a coordinated response by South Carolina Department of Natural Resources (SCDNR) occurred. Photos and videos were received and no obvious signs of injury or entanglement were found.

Magnuson-Stevens Fishery Conservation and Management Act

A Miami, FL EO processed a JEA case from Key Biscayne, FL that involved a subject conducting commercial charter operations in federal waters for snapper-grouper without a charter/headboat federal snapper/grouper permit and without a descending device on board. A \$750 SSO was assessed.

A St Petersburg, FL SA was notified that GCES issued a \$20,185 Notice of Violation and Assessment (NOVA) to the owner/operator of a charter vessel operating without a valid charter vessel/headboat permit for Gulf reef fish.

A Panama City, FL EO issued a \$275 SSO to the operator of a recreational vessel for possession of one red grouper inside the Madison and Swanson Marine Protected Area of the Gulf of Mexico Exclusive Economic Zone.

A Corpus Christi, TX EO reviewed a Florida case package where a recreational angler retained a gray triggerfish during a closed season, one undersized mangrove snapper and using reef fish as bait. The EO issued the owner/operator a \$1,100 SSO.



A Key West, FL EO, SA and FWC partners conducted multiple federal wholesale dealer and seafood retailer inspections, in South Florida. Officers identified a dealer with an expired federal dealer permit and state violations. FWC seized 25 imported doctorfish and four parrotfish for state violations.



Two Florida Keys EO's, a Key West SA and a Fort Myers EO participated in an operation targeting Individual Fishing Quota (IFQ) vessel violations and commercial kingfish vessels. Officers conducted multiple federal wholesale dealer inspections and local seafood dealer retailer inspections with FWC Officers. Officers documented violations related to commercial IFQ vessel notifications, turtle mitigation gear and other Gulf Reef Fish landing violations.

A League City, TX SA provided compliance assistance to two snapper grouper permit holders for failing to take an observer as required.

A San Juan, PR SA served a NOVA to a fisherman regarding fishing inside a closed area with fish onboard. The SA located a video posted online by the subject of the USCG boarding his vessel. The video showed the subjects actively fishing, fish on board the vessel, and the vessel's location inside the closed area.



A Fort Myers, FL EO completed a joint illegal charter patrol with FWC on a FWC offshore patrol vessel (OPV), off Marco Island. Several underway boardings were completed and two

vessels were found in violation of failing to possess all of the required sea turtle mitigation gear and having their Gulf of Mexico charter permit aboard. Case package training was provided with FWC after the patrol.



A Fort Myers, FL EO, a St. Petersburg, FL EO and the USCG conducted an operation off Southwest Florida. The operation targeted illegal for-hire fishing charters and Gulf of Mexico reef fish violations. The team documented Gulf reef fish violations aboard recreational fishing vessels to include, using reef fish as bait, undersized red grouper, and undersized gray triggerfish. The team did not encounter any illegal fishing charter violations during the operation.

A Fort Myers, FL EO issued a \$2000 SSO after completing an investigation in coordination with FWC in which an IFQ fishing vessel failed to land within 1-hour of the landing notification, failed to obtain a dealer landing confirmation number prior to transporting IFQ species, and failed to possess all of the required sea turtle mitigation gear.

A Fort Myers, FL EO issued a \$1000 SSO after completing an investigation in which a commercial fishing vessel failed to land within 1-hour of the landing notification on two subsequent IFQ landings.

A Fort Myers, FL EO issued a \$1000 SSO after completing an investigation in which a commercial IFQ fishing vessel failed to report 11 pounds of gag grouper and 3 pounds of red snapper after completing a dealer landing transaction.

Endangered Species Act



A Savannah, GA EO conducted an underway patrol with CBP focusing on North Atlantic Right Whale (NARW) Speed Rule and gear requirements. One vessel's speed was monitored and 42 blue crab fishing pots were examined with no violations noted.

A Savannah, GA EO conducted an underway patrol with CBP focusing on NARW Speed Rule and gear requirements. One vessel's speed was monitored and 100 blue crab fishing pots were located. The pots were randomly pulled and all 27 were compliance.

A San Juan, FL SA finalized a criminal case involving an ESA take. The defendant pleaded guilty to one count of Endangered Species Act violation for the illegal take of a green sea turtle. The defendant was sentenced to one year probation.



EOs from North Carolina, South Carolina, Georgia, and US Virgin Islands conducted numerous underway patrols with two OLE vessels for Operation Whale Watcher focusing on the Right Whale Speed Rule around Charleston Harbor. Patrols were assisted by a UAV team and a M2 Radar that was manned by a SC SA, a Jacksonville, FL ASAC, and a New Bedford, CT ASAC.

A Charleston, SC EO and SA, Savannah, GA EO, USVI EO, and Jacksonville, FL ASAC participated in Operation Sea Sentry conducting NARW Seasonal Management Area (SMA) speed zone enforcement.

A SC SA and EO took part in a meeting with Protected Resources regarding preliminary necropsy results from a NARW which was found deceased near Tybee Island, GA. Initial findings indicate the whale died from trauma consistent with a vessel strike. The SA also received a report factoring in drift and time of death showing where the whale likely drifted from after it died.

A Houma, LA EO reviewed a USCG case package where the boarding team found a captain had zip tied the flaps of his double cover TEDS together, partially closing the opening. The EO interviewed the captain and vessel owner and confirmed the captain made the illegal modifications. A \$1,500 summary settlement was issued jointly to the captain and vessel owner.

A Houston, TX EO reviewed a USCG case package where a commercial shrimp trawler was found with all four bycatch reduction devices sewn shut. The EO issued the owner/operator a \$3,000 SSO.

A SC SA interviewed a Lieutenant Commander with the US Navy regarding Navy vessels passing a group of NARWs within 150 yards at a high rate of speed. The boats were notified there were whales in the area while escorting a submarine out to sea. The whales moved closer to the channel prior to the boats returning to base but no further communication efforts were made.

The crews did not realize the whales were closer to the shipping channel and never observed them while returning from sea.

National Marine Sanctuaries

A League City, TX SA coordinated with Flower Garden Banks National Marine Sanctuary (FGBNMS) personnel to conduct a damage assessment survey caused by an anchoring incident in the FGBNMS.

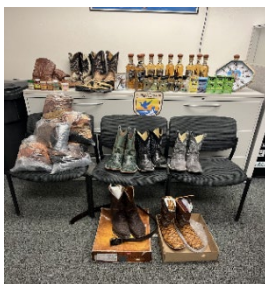
A Corpus Christi, TX SA and League City, TX ASAC conducted a meeting with FGBNMS personnel concerning pile driving activities conducted near the McGrail Bank outside of the sanctuary boundary. Concerns were discussed about the acoustical impact of such activity and the lack of proper permitting procedures by the Bureau of Ocean Energy Management. OLE was also notified that the Bureau of Safety and Environmental Enforcement, Office of Structural and Technical Support had issued an Incident of Noncompliance to the company for completing the project prior to permit issuance.

A Corpus Christi, TX EO reviewed a FWC case referral regarding a subject fishing in the Key Largo Sanctuary Preservation Area. A \$600 SSO was issued to the owner/operator of the vessel.

A Fort Myers, FL EO prepared three \$2,000 SSOs for issuance to the owners and operators of container ships for operating within the Areas To Be Avoided of the Florida Keys National Marine Sanctuary.

The Compliance Liaison, Houston, TX EO and League City, TX ASAC met with FGBNMS staff regarding recent enforcement issues and potential outreach. Plans were made for both offices to work jointly on outreach material and events, including securing OLE spots at an upcoming children's fishing charter clinic that will be held in the summer

Cooperative Enforcement/Partnerships



Gulf of Mexico EOs and SAs conducted an operation in conjunction with USFWS, CBP and TPWD. Hundreds of primary and secondary inspections were conducted at land border ports of entry in the El Paso, TX and Santa Teresa, NM area. This operation targeted marine species and products being presented for entry into

the United States. Inspections were also conducted of area seafood dealers, resulting in the seizure of over six hundred pounds of invasive species oysters by state game wardens. Multiple seizures were made by the USFWS of exotic species leathers and prohibited products.

A Niceville, FL EO reviewed two FWC submitted case packages involving a commercial fishing vessel trawling in federal waters on two separate occasions without a Gulf of Mexico Shrimp Commercial Fishing Permit. A \$3,000 SSO was issued to the vessel owner and operator.

A Harlingen, TX EO reviewed a TPWD case package where a subject was in possession of six red snapper during the federal closure. The EO issued an \$800 SSO to the owner/operator.

A Houma, LA issued a \$1000 SSO to the owner /operator of a commercial shrimp trawler for illegal TED modifications. This was a result from a recent patrol with LDWF.

A Houma, LA EO conducted an underway patrol with LDWF and completed two TED inspections. During one of the TED inspections, LDWF found the captain in possession of a red snapper during a closed season. Additionally, the EO and LDWF responded to a complaint regarding a crab fisherman fishing without the required commercial license. Upon arrival, LDWF documented the captain did not possess the required license and was in possession of stolen crab traps.

A Key West, FL SA participated in training in the Bahamas with their new marine and wildlife law enforcement agency, Bahamas Wildlife Enforcement Network (BahWEN) The training took place in Grand Bahama and Abaco with members of The Royal Bahamas Defense Force, The Royal Bahamas Police Force, Department of Marine Resources, Bahamas National Trust, and Bahamas Department of Customs all attending. Training topics included a legal section, interviews and interrogations, the Lacey Act, report writing, search warrants, case management, and scenario-based trainings.



The St. Petersburg, FL ASAC participated in the Second Workshop on Combating Nature Crimes hosted by the U.S. Department of Justice, Environmental and Natural Resources Division in Peten, Guatemala. Attendees included the Guatemalan National Police, Fisheries, Parks, Forests, and other agencies. The ASAC gave presentations on OLE domestic fisheries enforcement cases and International Cooperation in Fisheries Investigations and

Prosecutions using the Lacey Act. Representatives from HSI-Wildlife and Environmental Crimes Unit, USFS, USDOJ, ENRD-Environmental Crimes Section (ECS), and Office of Overseas Prosecutorial Development, Assistance and Training (OPDAT) also presented.

A Houma, LA EO participated in a CBP operation out of Pascagoula, MS. The EO conducted a joint patrol with officers from CBP AMO, USCG, and Mississippi Department of Marine Resources (MDMR) in the waters of MS and AL. During the patrol the EO was able to board a shrimping vessel and conduct a TED inspection. No violations were found.

Patrols/VMS/Catch Shares

A Savannah, GA EO conducted a patrol to Mayport, FL and monitored the offload of a commercial shrimp trawler. Four nets were measured, with no violations documented.

St. Petersburg, FL EO and SEO, and Fort Myers, FL EO conducted a vessel patrol in the EEZ off Pinellas and Manatee counties to detect illegal charters. The crew did not encounter any illegal charters. While returning to shore, the crew observed a commercial fishing vessel entering Johns Pass and followed the vessel to a fish house. They conducted an IFQ investigation and provided compliance assistance for failing to properly display vessel official numbers.

A St. Petersburg, FL EO and two FWC investigators conducted an international trade inspection at the commercial Port of Tampa in which they inspected a container of squid. The EO educated the state officers on relevant paperwork as well as common violations. No violations were found.



A Niceville, FL EO, a Mobile, AL EO, and a Niceville, FL SA completed 3 container inspections of shrimp arriving from Ecuador with CBP at the Port of Mobile, AL. A Savannah, GA EO assisted the team with documentation checks and verification through the Department of State. No violations were identified.

The Compliance Liaison and a Key Largo, FL EO conducted outreach with the charter for-hire fleet in the Middle and Lower Florida Keys. The CL and EO were able to make contact with multiple marina operators and captains. Guidance was provided on acquiring proper sea turtle conservation gear, descender devices, and how to properly display vessel ID.

A San Juan, PR SA conducted an underway patrol with DNER along the west coast of Puerto Rico. The patrol was concentrated in three protected areas. Several boardings occurred and two of the vessels boarded had violations. One vessel was in possession of a red hind during closed season and another vessel was in possession of 13 conch in the EEZ.

A Key West, FL SA conducted an air patrol with FWC over the Middle and Lower Keys SPAs and ERs, including the Tortugas North and South Reserves. Bahamian Waters to the south of Islamorada/Marathon were also checked with no violations.

A Key West, FL EO conducted a sanctuary patrol south of Marathon and Key West with FWC OPV partners. The team completed multiple vessel stops and documented three violations pertaining to unpermitted federal charters.

A Houma, LA EO conducted an underway patrol with LDWF around Venice, LA. During the patrol, they were able to conduct boardings on numerous HMS charter vessels. The EO was able to identify and document two vessels operating as charters without an HMS Charter/Headboat permit. Both vessels were in possession of numerous yellowfin tuna.

A Charleston, SC EO and SA and a Harlingen, TX EO conducted an underway patrol from Charleston. Eight recreational fishing vessels were boarded. Three vessels were found with violations. Compliance assistance was given for possession of one red drum in federal waters. A \$575 SSO was issued for possession of one out of season red snapper and one undersize greater

amberjack, both of which were hidden in a bow compartment. One vessel was found to have 40 fillets and presumptive statements and identification concluded the fillets were gag and scamp Groupers, both of which are closed seasons. Samples were taken and submitted for identification.



A charter captain that was boarded during the patrol later shared a photo of the OLE vessel and crew on his Facebook charter page “Knot at Work Fishing Charters” and commented about the “Friendly and professional crew.”

A Miami, FL, Cape Canaveral, FL, and USVI officers conducted an IUU patrol and provided compliance assistance at a nearby US Virgin Islands supply store, addressing mislabeling and IUU fishing concerns. Assistance was offered to rectify mislabeling issues; specifically, the corporate office had mistakenly labeled all snapper fillets as red snapper. To resolve this, the packaging has been updated to remove the "red" designation. Additionally, it was discovered that the supplier had been repackaging imported fish products into smaller units without proper labeling, misleading consumers into believing they were locally caught. Through IUU document tracing, it was determined that these fish products were legally imported into the US Virgin Islands. Education on the Seafood Import Monitoring Program was provided to enhance understanding and compliance.

Compliance Assistance/Outreach/Education/Public Affairs

A St Thomas, USVI EO was contacted by a commercial fisherman from St Thomas and BVI Tortola, to inquire about IFTP and CITES regulations, in regards to queen conch importation. Relevant information and regulations were provided.

A Niceville, FL EO and a Panama City, FL EO met with the captain/owner of a federally permitted head boat in Panama City, FL to assist with reconciling missing head boat survey reports in accordance with the Recreational Fisheries Monitoring Branch/SE Head Boat Survey Program.

A Corpus Christ, TX EO provided compliance assistance to a charter operator regarding an egregious violator complaint. Investigation determined the owner had provided a past employee's POC information on his permit application. That operator stopped completing the reports when the owner sold the vessel. The missing trip-reports were completed and sale of the vessel was verified.



OLE attended a meeting in Citrus County, FL where they discussed charter fishing violations. Other topics discussed at the meeting were general fishery regulations and MMPA violations.



The SED Assistant Director, Florida Keys OLE Officers and Agents and the Compliance Liaison attended the NMFS Deputies meeting in Key West, FL. A presentation on OLE's mission, focusing in the Florida Keys and the wide range of common violations due to location and access to multiple fisheries was provided. OLE provided recent case information and escorted the Deputy Group to a Key West fish house and seafood market to provide insight on the fishery and speak to local fishermen.

The Compliance Liaison was invited to talk to a fisheries management course class at the College of the Florida Keys. The CL presented an overview of OLE, casework and provided guidance on how to pursue employment within OLE and NOAA.



OLE attended the annual St Petersburg, FL joint Science Fest and Marine Quest, held over two days at

the University of South Florida. 1,600 school children attended on the school day and visitors to the OLE booth were deputized as junior agents. Over 13,000 people attended the public day. The Compliance Liaison, St. Petersburg SEO, EO and Government Information Specialist educated the public on our mission and how to protect marine wildlife. The SED NOAA patrol vessel F3402 was on static display along with marine species items. <https://stpetecatalyst.com/science-festival-draws-13k-attendees>



The Compliance Liaison provided OLE information and outreach material while working a NOAA booth at the annual Gulf of Mexico Alliance Conference, in Tampa, FL. Over 1,000 attendees were there to collaborate on Gulf of Mexico centric science, policy and management topics. Regional enforcement priorities and demonstrations of descender devices were provided by the liaison.

Throughout the quarter, Investigative Support (IS) personnel sent numerous targeted education/outreach emails and engaged in phone calls to Commercial Reef Fish, HMS vessels, and Rock Shrimp vessel operators and owners, informing them of their reporting requirements.



A Cape Canaveral, FL EO manned a booth at the Ocean Protectors Event at the Florida Oceanographic Society in Stuart, FL. The event provided the ability to educate the public about OLE's mission as well as NARW education during the migration period. FWC's OPV team and vessel out of Jupiter, FL were also present allowing to showcase the JEA relationship between OLE and FWC to the public.

A St Thomas, USVI EO received a call from a BVI Citizen to discuss import regulations of queen conch and Caribbean spiny lobster. The caller decided that there are too many regulations to import queen conch and that they would rather buy it from a local source in Saint Thomas.

Training/Other

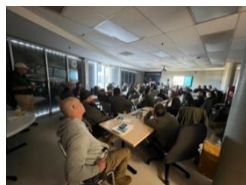
The Compliance Liaison conducted a refresher training course for the SEFSC Miami Observer Program and reviewed scenarios, reporting tips, observer safety and emergency protocol with the class.



Two Florida Keys EOs and a St. Petersburg IST hosted a Vessel Monitoring System (VMS) training in Key West, FL. The IST provided detailed instruction and guidance on the different uses of the VMS program to our FWC partners in the Florida Keys and Naples. Due to the large amount of closed areas, IFQ vessels and bordering the Gulf of Mexico and South Atlantic EEZ's, VMS is an extremely valuable tool for

OLE and FWC Officers and Agents in the Florida Keys.

A Houma, LA EO attended the Gulf Regional Fisheries Training Center (GRFTC) in New Orleans and provided students an overview of the NOAA OLE mission and how we work with USCG enforcing fisheries regulations. The EO also assisted with TED training.



A San Juan, PR SA participated in a training given to approximately 30 DNER Officers. The SA presented on federal regulations, fish identification and HMS regulations. A DNER biologist covered grouper and snapper identification. Training also entailed case

package requirements, evidence collection and federal regulations. With this training, all the DNER Officers of the island are covered.

The Compliance Liaison presented at the annual NOAA Recreational Coordinators meeting, held in Charleston, SC. The CL gave a presentation on the prevalence of illegal charters nationwide, focusing on the SED, and other recreational enforcement concerns see across divisions. The NED CL, a SC SA and a South Carolina Department of Natural Resources officer also attended to provide perspective and answer questions. The group was heavily engaged and asked numerous questions. Talks focused on how OLE and recreational coordinators can collaborate in the future to gain compliance and inform the public on how to fish safely and legally.

The St. Petersburg, FL ASAC attended the FL FWC Investigative Captains Meeting in Lake Buena Vista, FL. Officers from each region, including Statewide Investigations, were in attendance. The USFWS also attended. The ASAC gave a presentation on OLE personnel updates and priorities.

A Panama City, FL EO and SA provided JEA training to new FWC recruits at the FWC Law Enforcement Academy in Midway, FL. OLE covered the Joint Enforcement Agreement, MSFCA, TED's, MMPA and NMS. OLE demonstrated how to properly measure a TED. The SA and EO provided hands on training with a TED prop and TED boarding forms.



Two St. Petersburg, FL EOs and one Ft. Myers, FL EO conducted an IFQ training for FWC. The training consisted of one day in the classroom and two days monitoring IFQ offloads in the field. During the training, several

violations were documented and handled by FWC. There were 12 attendees in the training.

A St. Petersburg EO conducted a virtual JEA/IFQ workshop for FWC officers. 18 FWC officers with little to no IFQ experience attended. IFQ program managers created new IFQ and Vessel Monitoring System accounts for the new officers. Participants learned about how to navigate and use the VTrack and Catch Shares databases and were run through scenarios. Training topics discussed ranged from how to navigate the Catch Shares online system to officer discretion during dockside boardings. The FWC officers asked relevant questions and all officers were granted access to NOAA databases to further participation with IFQ fishery enforcement.

A Houma, LA EO conducted training for the LDWF academy in Baton Rouge, LA. He spoke with the cadets about the JEA program and the focus of federal fisheries enforcement in Louisiana and how the state and NOAA work together.

A Charleston, SC EO was a guest speaker for the USCG Southeast Regional Fisheries Training Center class at FLETC Charleston. OLE's mission was discussed and case protocol and area contacts were shared with the class of 20 newly certified Living Marine Resources Boarding Officers.



A Houston, TX EO and a League City, TX ASAC assisted SED's Compliance Liaison with providing training to new observers at the Science Center in Galveston, TX. The team conducted scenario based training to help new observers get a better understanding of what kind of issues they may encounter while conducting their duties and how to document those issues. The

CL also coordinated presentation material with the regional coordinator of the Workplace Violence Prevention and Response Program. The observer class was engaged and asked numerous questions on safety and incident reporting.

A USVI EO assisted AMO and USCG in vectoring Search and Rescue (SAR) assets to locate persons who had been on an overturned vessel in the vicinity of Inner Brass Island. The EO was positioned on a vantage point to be able to have an unobstructed view of the reported SAR location. All subjects were safely recovered and the SAR was terminated.



While supporting an IUU operation in El Paso, Texas, a NOAA EO responded to a choking individual who could no longer breathe at a local restaurant. The EO performed the Heimlich maneuver, dislodging the obstruction, restoring the airway and normal breathing, saving the individual's life.

Media

The Compliance Liaison worked with the SERO Communications Specialist to create and post a web story soliciting information for reward regarding a mutilated sawfish (cut-off rostrum). A Key West EO provided information that was included in the posting and is currently investigating the incident. A local reporter and FWC aided in amplifying the story.

<https://www.fisheries.noaa.gov/feature-story/endangered-sawfish-found-dead-missing-its-rostrum-florida-keys>

Overview of Summary Settlements

Listed below is a summary of the **52** 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 (18), Sanctuary related violations (16), Unpermitted fishing activity (5) and TED/BRD Requirements (4). **16** violations were cited throughout the Gulf region, **15** violations were cited throughout the South Atlantic region, **1** violation cited in the Caribbean region and there were **20** violations in the Keys area.

LAW/REG/PROGRAM	VIOLATION	AMOUNT	STATE
Endangered Species Act	TED/BRD Requirements	\$600	LA
Endangered Species Act	TED/BRD Requirements	\$1,000	LA
Endangered Species Act	TED/BRD Requirements	\$800	FL KEYS
Endangered Species Act	TED/BRD Requirements	\$1,500	MS
Highly Migratory Species Act	Reporting Requirements	\$1,000	SC
Highly Migratory Species Act	Undersize Possession	\$1,250	FL KEYS
Highly Migratory Species Act	Undersize Possession	\$500	FL EAST
Highly Migratory Species Act	Reporting Requirements	\$500	SC
Highly Migratory Species Act	Sale of Prohibited Species	\$1,000	NC
Highly Migratory Species Act	Sale of Prohibited Species	\$1,000	NC
Highly Migratory Species Act	Prohibited Gear	\$1,000	FL WEST
International Trade Program	SIMP Requirements	\$2,000	FL EAST
Magnuson Stevens Act	Retention During Closure; Undersize Possession	\$425	FL WEST
Magnuson Stevens Act	Retention During Closure; Undersize Possession	\$1,100	FL WEST
Magnuson Stevens Act	Retention During Closure	\$1,650	TX

Magnuson Stevens Act	Fishing in a Closed Area	\$275	FL WEST
Magnuson Stevens Act	Unpermitted Charter Activity-Open Access Permit	\$500	FL EAST
Magnuson Stevens Act	Prohibited Gear	\$575	SC
Magnuson Stevens Act	Retention During Closure	\$700	TX
Magnuson Stevens Act	Retention During Closure	\$800	TX
Magnuson Stevens Act	Unpermitted Charter Activity-Open Access Permit	\$500	FL EAST
Magnuson Stevens Act	Retention During Closure; Undersize Possession	\$825	FL WEST
Magnuson Stevens Act	Unpermitted Shrimp Activity	\$3,000	FL WEST
Magnuson Stevens Act	Unpermitted Shrimp Activity	\$3,000	FL WEST
Magnuson Stevens Act	Undersize Possession	\$350	FL EAST
Magnuson Stevens Act	Retention During Closure	\$325	FL WEST
Magnuson Stevens Act	Retention During Closure; Undersize Possession	\$575	FL WEST
Magnuson Stevens Act	Retention During Closure; Undersize Possession; Lack of Descender Device	\$575	FL EAST
Magnuson Stevens Act	Retention During Closure	\$1,150	GA
Magnuson Stevens Act	Retention During Closure; Undersize Possession; Lack of Descender Device	\$250	FL EAST
Magnuson Stevens Act	Unpermitted Charter Activity-Open Access Permit; Lack of Descender Device	\$750	FL KEYS
Magnuson Stevens Act	Retention During Closure	\$275	PR
Magnuson Stevens Act	Retention During Closure	\$550	FL EAST
Magnuson Stevens Act	Retention During Closure	\$575	FL EAST
Marine Mammal Protection Act	Illegal Take/Harassment	\$500	FL WEST
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	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Fishing within Sanctuary Preservation Area	\$350	FL KEYS
National Marine Sanctuaries Act	Retention During Closure	\$800	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	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	\$2,000	FL KEYS

Investigative Support Program

Southeast Division Active Vessel Monitoring System (VMS) Population: **1117**

Population Breakdown by (VMS) Fisheries and VMS Vendor

FISHERY	ADDVALUE	ATLANTICRT	FARIA	METOCEAN	NAUTIC ALERT	NI	SKYMATE	WOODSHOLE	TOTAL
HMS Pelagic Longline			13			2	15	50	80
HMS Shark			1				1	4	6
Gulf Reef Fish	1		70	82	2	60	111	312	638
Rock Shrimp			2	5		4	8	38	57
Southeast For Hire*	3	2	4	1	6		58	262	336
TOTAL	4	2	90	88	8	66	193	666	1117

The Investigative Support Program staff play a vital role in ensuring compliance and provide assistance to enforcement officers and special agents. Staff received and processed **27** referrals from JEA partners. Case support to the field was provided as well, with work ranging from processing summary settlements (**57**), preparing incident reports for GCES, in support of prosecution (**26**), 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. Staff technicians initiated targeted warnings and messages to **45** vessels following observation of suspected VMS or fishing violations, as well as providing targeted education and outreach to vessel owners. **11** investigations were referred for VMS violations. Additionally, staff conducted **191** calls/emails with 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 **10** vessels referred to GCES for violating speed restrictions. During this quarter, OLE drafted and mailed **286** compliance assistance letters to stakeholders regarding right whale speed rule violations, with the majority of letters targeting foreign owned vessels. Items of interest to industry include program progress on streamlining VMS report forms (**remove SEFHIER forms from respective units and allow for additional bycatch interaction reporting, under HMS Set Reports**).

*VMS no longer required for the for-hire fleet, but units still reporting are noted.

Observer Program Highlights

During FY Quarter 2, 2024, the Southeast Division Observer Programs deployed on **89** trips for **584** sea days. Approximately **97%** of all selected trips were completed without an observer related enforcement incident [assault/harassment (sexual and non-sexual), safety]. Observer programs reported **14** potential fishery violations to OLE-SED. The Galveston Shrimp Program deployed on **9** trips for **157** sea days, and the Galveston Reef Fish Program deployed on **25** trips for **214** sea days. The Panama City Gillnet Program deployed on **5** trips for **8** sea days, Panama City Shark Research Program deployed on **2** trips for **2** sea days and the Panama City South Atlantic Reef Fish Program deployed on **35** trips for **51** sea days. The Miami Pelagic Observer Program deployed on **13** trips for **152** sea days. The summary below details the type of observer related complaints received during Quarter 1 (calendar year) of 2024, for all three programs.

COMPLAINT TYPE	Galveston Programs	Panama City Programs	Miami Observer Program	TOTALS
ASSAULT				0
HARASSMENT/INTIMIDATE/IMPEDEMENT			2	2
SAFETY			1	1
NON-COMPLIANT FOR OBSERVER COVERAGE		3	1	4
HANDLING			7	7
GEAR	1		2	3
RETENTION				0
SPATIAL				0
TOTALS	1	3	13	17

Cases Referred For Prosecution

Listed below is a summary of the **27** 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 11 occurring in the South Atlantic area, 2 in the Gulf area, 1 in the Caribbean area and 13 in the Florida Keys area.

LAW/REG/PROGRAM	VIOLATION	STATE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Endangered Species Act	North Atlantic Right Whale Speed Reduction Violations	MULTIPLE
Lacey Act	Possession of Fish Without Proper Permits	FL EAST
Magnuson Stevens Act	Fishing in a Closed Area	SC
Magnuson Stevens Act	Unpermitted Charter Activity-Moratorium Access	FL KEYS
Magnuson Stevens Act	Observer Harassment	SC
Magnuson Stevens Act	Fishing in a Closed Area	PR
Magnuson Stevens Act	Observer Harassment	FL WEST
Magnuson Stevens Act	Fishing in a Closed Area	SC
Magnuson Stevens Act	Discard of Fish Upon Approach by Law Enforcement; Prohibited Gear	FL EAST
Magnuson Stevens Act	IFQ Program Requirements	LA
Magnuson Stevens Act	Reporting Requirements	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	FL KEYS

National Marine Sanctuaries Act	Areas to be Avoided Activity	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	Areas to be Avoided Activity	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	Areas to be Avoided Activity	FL KEYS
National Marine Sanctuaries Act	Areas to be Avoided Activity	FL KEYS
National Marine Sanctuaries Act	Grounding	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 2023- March 2024** (available information since last report). Nationwide results may also be found at the [enforcement charging information site](#)

1. F/V Mucho K – Owner Mucho K Inc. was charged under the Magnuson-Stevens Act with failing to submit timely electronic headboat reports. A \$4,750 NOVA was issued.
2. F/V Hurricane – Owner Cap Rudy Inc. was charged under the Magnuson-Stevens Act with failing to submit timely electronic headboat reports. A \$4,750 NOVA was issued.
3. M/V Pinguinito – Owner Frhraga LLC and Operator Bruce Brooks were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued.
4. M/Y Katharine – Owner Katharine Ltd. and operator James Edward Livingston 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.

5. *F/V Pretty Posse* – Operator Paulo Dos Santos was charged under the Magnuson-Stevens Act with assaulting, opposing, impeding, intimidating, or interfering with a NMFS-approved observer. A \$9,500 NOVA was issued.
6. *M/V My Baby* – Owner/Operator Michael B. King, and Owner Ellen H. Manning were charged jointly and severally under the Endangered Species Act and the Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$7,500 NOVA was issued.
7. *M/V Digging It* – Owner Jeffrey Laydon and Operator Cole Sikes 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 \$30,000 NOVA was issued.
8. *M/V Journey* – Owner Journey 80, LLC and Operator Daniel Bunjes 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 \$22,500 NOVA was issued.
9. *M/V Lady Lorraine* – Owner PLDRM Yachts, LLC and Operator Philip Ewing Davidson were charged jointly and severally 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.
10. *F/V Lucky Buck* – Owner Donald Keown and Operator Harley Jay Rodriguez were charged jointly and severally under the Magnuson-Stevens Act with fishing for shrimp without the required permit. A \$5,750 NOVA was issued.
11. *F/V Capt Andrew* – Owner Capt Andrew LLC and Operator Tam Van Le were charged jointly and severally under the Magnuson-Stevens Act with possessing shark fins without the corresponding carcasses. Thirty-two shark fins were voluntarily abandoned. A \$12,000 NOVA was issued.
12. *F/V Meateater* – Owner Treasure Coast Getaways Inc. and Operator Thomas Leigh Oyler were charged jointly and severally under the Lacey Act with importing or transporting fish, conch, and stone crab from the Bahamas in quantities that violated Bahamian law. 131 fish filets (silk, mutton, and blackfin snapper, mahi mahi), 32 whole fish (yellowtail snapper, blackfin snapper, silk snapper, red hind grouper), 745 queen conch meats, and 148 lbs. stone crab claws were voluntarily abandoned. A \$15,000 NOVA was issued, and the case settled for \$13,500.

13. *F/V M&M* – Owner Manuel Herrera and Permitholder/Lessee George Logan were charged jointly and severally under the Magnuson-Stevens Act with failure to comply with the requirements for observer coverage. An \$18,000 NOVA was issued.
14. *F/V M&M TOO* – Owner Marco Herrera and permit holder/lessee Manuel Herrera were charged under the Magnuson-Stevens Act with failure to comply with the requirements for observer coverage. An \$18,000 NOVA was issued.
15. *M/V Gratitude* – Owner Tipsnme, LLC and Operator John Timothy Roehrs 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 \$22,500 NOVA was issued.
16. *F/V 1208811* – Owner/Operator Charles Walter Bentley was charged under the Magnuson-Stevens Act with fishing for Gulf reef fish in federal waters aboard a charter vessel without a federal charter permit. A \$20,185 NOVA was issued.
17. *S/V Winds of Destiny* – Owner Yippie KY A Adventures, Inc. and Operator John Inkley were charged jointly and severally under the National Marine Sanctuaries Act with injuring coral in the Florida Keys National Marine Sanctuary. A Written Warning was issued.
18. *M/V C-Valiant* – Owner Team Marine LLC and Operator Carlos Garces 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.
19. *M/V Fast Tiger* – Owner Team Marine LLC and Operator Christopher Tyndall 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.
20. *T/V Adeline Marie* – Owner JMB Shipping ATB 205 LLC and Operator Michael Angel Figueroa-Arocho III 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.
21. *M/V C-Rambler* – Owner Nautical Ventures LLC and Operator Bruce M Graham 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.

22. F/V Inverted Fishing Charters – Owner Inverted Fishing Charters, LLC and Operator Martin Lane were charged jointly and severally under the Magnuson-Stevens Act with fishing for Gulf reef fish in the EEZ aboard a charter vessel without a federal charter permit. A \$20,200 NOVA was issued.
23. F/V Team Explorer – Owner Captain Ron, Inc. and Operator Ronald J. Gauthier were charged jointly and severally under the Magnuson-Stevens Act with fishing for Gulf reef fish in the EEZ aboard a charter vessel without a federal charter permit. A \$19,800 NOVA was issued.
24. MSC Magnifica – Owners MSC Mediterranean Shipping Co. SA and Newco Magnifica SA and Operator Vincenzo Miele 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.

Resolved Cases Charged December 1, 2023 to March 30, 2024¹

1. 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. An \$8,500 NOVA was issued, and the case settled for \$7,650. [See Charged Cases, Item 9, from July 2023 report].
2. F/V FL3669PF – Owner/Operator Stanley Eugene Harrison (d/b/a Anchors Aweigh Fishing Charters & More LLC) 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 \$16,000 NOVA was issued, and the case settled for \$4,800. (Loren) [See Charged Cases, Item 10, from August 2023 report].
3. 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 two counts of violating the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued, and the case settled for \$12,000. [See Charged Cases, Item 13, from July 2023 report].
4. M/V Waste Knot – Owner Waste Knot LLC and Operator Michael Ray Tickle were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$22,500.00 NOVA was issued, and the case settled for \$20,250. [See Charged Cases, Item 10, from November 2023 report].

5. M/V Aldebaran J – Owner MS Aldebaran J Schiffahrtsgesellschaft UG Haftungsbeschränkt & Co KG was charged 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. [See Charged Cases, Item 12, from November 2023 report].
6. FL2666SY – Owner/Operator Larry Dewayne Hatfield (d/b/a Tidelife LLC) was charged under the Magnuson-Stevens Act with operating a Gulf reef fish charter in the EEZ without a federal permit. A \$5,750 NOVA was issued, and the case settled for \$5,175. (Loren) [See Charged Cases, Item 14, from November 2023 report].
7. F/V *Frankie D* – Owner Orbel Rivero Gonzalez was charged under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$2,500 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 6, from September 2023 report.]
8. F/V *Knotty Knelly* – Owner/Operator Nelson Joseph Milian and Anglers Andrew Martinez, Michael Edward Stella, and Abel Jesus Arabitg were charged jointly and severally under the National Marine Sanctuaries Act with illegally possessing fish or engaging in fishing inside the Tortugas South Ecological Reserve in the Florida Keys National Marine Sanctuary. A \$3,750 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 9, from November 2023 report.]
9. M/V *Pinguinito* – Owner Frhraga LLC and Operator Bruce Brooks were charged jointly and severally under the Endangered Species Act and Marine Mammal Protection Act with violating the North Atlantic Right Whale speed restriction regulation. A \$15,000 NOVA was issued, and the case settled for \$13,500. [See Charged Cases, Item 18, from December 2023 report.]
10. F/V *Pretty Posse* – Operator Paulo Dos Santos was charged under the Magnuson-Stevens Act with assaulting, opposing, impeding, intimidating, or interfering with a NMFS-approved observer. A \$9,500 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 10, from January 2024 report]
11. M/Y *Unbridled* – Owner Gros Rocher LLC and Operator Andrew D. Morris 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 \$30,000 NOVA was issued, and the case settled for \$20,100. [See Charged Cases, Item 9, from September 2023 report]
12. FL8270MV – Recreational Speargun Fishermen Dante Napoleon Mckinley and Franklin Christopher Tuero were charged jointly and severally under the National Marine Sanctuaries Act with spearfishing within the Key Largo Existing Management Area. A \$2,250 NOVA was issued, and the case settled for \$2,025. [See Charged Cases, Item 9,

from September 2023 report]

13. *M/V Lady Lorraine* – Owner PLDRM Yachts, LLC and Operator Philip Ewing Davidson were charged jointly and severally 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, and the case settled for \$20,250. [See Charged Cases, Item 14, from January 2024 report]
14. Daniel Villaroel was charged under the Antarctic Living Marine Resources Convention Act with importing frozen *Dissostichus* spp. (Patagonian Toothfish) without a preapproval. A \$48,000 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 9, from January 2024 report.]
15. *F/V Lucky Buck* – Owner Donald Keown and Operator Harley Jay Rodriguez were charged jointly and severally under the Magnuson-Stevens Act with fishing for shrimp without the required permit. A \$5,750 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 9, from February 2024 report.]
16. *F/V FL5610SG* – Owner Arnaldo Aday was charged under the Magnuson-Stevens Act with failing to provide required information to the Agency. A \$1,000 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 11, from October 2023 report.]⁴
17. *F/V Mucho K* – Owner Mucho K Inc. was charged under the Magnuson-Stevens Act with failing to submit timely electronic headboat reports. A \$4,750 NOVA was issued, and the case settled for \$2,500. [See Charged Cases, Item 15, from December 2023 report.]
18. *F/V Hurricane* – Owner Cap Rudy Inc. was charged under the Magnuson-Stevens Act with failing to submit timely electronic headboat reports. A \$4,750 NOVA was issued, and the case settled for \$2,500. [See Charged Cases, Item 16, from December 2023 report.]
19. *M/V Journey* – Owner Journey 80, LLC and Operator Daniel Bunjes 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 \$22,500 NOVA was issued, and the case settled for \$13,500. [See Charged Cases, Item 13, from January 2024 report.]

⁴All cases in this portion of the report were previously charged.