

Civil Administrative Enforcement Actions
March 1 – 31, 2024¹
During this reporting period, NOAA charged 8 cases, settled 10 cases,
and otherwise resolved 3 cases. ²

Cases Charged in March 2024³

ALASKA

1. AK2201367; C/P Arica – Male Assistant Cook Jordan St. Martin-Reyes was charged under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) with harassing and sexually harassing two female observers on board a vessel. A \$19,000 NOVA was issued.

NORTHEAST

2. NE2301597; F/V Megan Marie – Operator Scott Norris was charged under the Magnuson-Stevens Act with possessing seven undersized Atlantic halibut. Seven Atlantic halibut were forfeited by abandonment. A \$10,000 NOVA was issued.

PACIFIC ISLANDS

3. PI2201037 – Business Owner Viliami Pasina was charged under the Endangered Species Act with selling jewelry made from sperm whale, an endangered species, in interstate commerce for a purpose other than public display, scientific research, or enhancing the survival of the species. A \$9,600 NOVA was issued.

SILVER SPRING

4. CRSRA240001; University of Louisiana at Lafayette – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with submitting false information during compliance and monitoring activities. A \$3,300 NOVA was issued.

¹ This report is not considered to be a publication. All data are provisional.

² 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.

³ 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.

5. CRSRA240002; Rogue Space Systems – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with submitting false information during compliance and monitoring activities and failing to comply with mandatory compliance and monitoring procedures, failing to request and receive approval for a license modification before taking any action that would change a material fact in the license, and failing to submit written notification within seven days of detecting an anomaly. A \$4,500 NOVA was issued, and the case settled for \$4,050.

SOUTHEAST

6. SE2314663; 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.
7. SE2314664; 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.
8. SE2314884; 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.

WEST COAST

None.

Resolved Cases Charged Before March 1, 2024

ALASKA

1. AK2303146; C/P North Star – Factory Forman Juvy Bongcawil was charged under the Magnuson-Stevens Act with harassing a fisheries observer by conduct that had sexual connotations or otherwise creating an intimidating, hostile, or offensive environment. An \$18,000 NOVA was issued, and the case settled for \$16,200. [See Charged Cases, Item 1, from February 2024 report]

NORTHEAST

2. 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, and the case was settled with the owner for \$102,905.10. The case is ongoing with the operator. [See Charged Cases, Item 4, from July 2023 report]

3. NE2204993; F/V Jane Elizabeth – Owner John and Jane, LLC and Operator Russell G. Isabel were charged jointly and severally under the Magnuson-Stevens Act with violating the closed area requirements by fishing in a habitat management area. A \$74,319.12 NOVA was issued, which was later amended to \$60,684.58. The case settled for \$20,033.33 with the operator and for \$40,651.25 with the owner. [See Charged Cases, Item 6, from May 2023 report]
4. NE2204267; F/V Lucy Ella – Owner/Operator Cory Leduc was charged under the Magnuson-Stevens Act with failing to report Atlantic bluefin tuna in a timely manner on five occasions and selling an Atlantic bluefin tuna to a person other than a permitted dealer. A \$22,500 NOVA was issued, and the case settled for \$7,500. [See Charged Cases, Item 4, from August 2023 report]

PACIFIC ISLANDS

None.

SILVER SPRING

5. CRSRA230014; University of Florida – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to timely submit an Annual Compliance Certification, and with failing to timely submit a notification after the disposal of an on-orbit component of the system. A \$2,250 NOVA was issued. And the case settled for \$2,025. [See Charged Cases, Item 7, from January 2024 report]
6. CRSRA230018; Iowa State University – Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with late submission of an Annual Compliance Certification, and with failing to obtain approval for a license modification before taking any action that would change a material fact in the license. A \$4,500 NOVA was issued, and the case settled for \$4,050. [See Charged Cases, Item 8, from January 2024 report]
7. CRSRA230019; SpaceVR, Inc.– Private remote sensing space system licensee was charged under the Land Remote Sensing Policy Act with failing to submit an Annual Compliance Certification. A \$4,600 NOVA was issued. The NOVA became a final administrative decision due to default. [See Charged Cases, Item 8, from February 2024 report]

SOUTHEAST

8. SE2001541 – 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.]

9. SE2205674; 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.]
10. SE2207087; 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
11. SE2301043; 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.]
12. SE2301043B; 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.]
13. SE2304375; 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 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.]

WEST COAST

None.

⁴ This case was final in November 2023, but was not included in previous reports.