



UNITED STATES DEPARTMENT OF
COMMERCE
National Oceanic and Atmospheric
Administration Office of the General
Counsel Enforcement Section 1845 Wasp
Boulevard, Building 176
Honolulu, HI 96818
Tel: (808) 725-5204 Fax: (808) 725-5216

June 18, 2020

TO: Western Pacific Fishery Management Council (WPFMC)
FROM: Elizabeth O'Sullivan, Enforcement Attorney/Pacific Islands
SUBJECT: NOAA OGC Enforcement Section Report for the 182nd WPFMC Meeting

NOAA OGC Enforcement Section information is readily available on our website. The Enforcement Section website found at <http://www.gc.noaa.gov/enforce-office.html> contains links to the Agency's penalty policy, procedural regulations, enforcement charging information – including cases charged and settled, and Administrative Law Judge opinions. The council, and any interested members of the public, are invited to make use of this resource.

Cases referred from law enforcement. The Enforcement Section currently has eight cases from the Pacific Islands Region under review for consideration of a civil penalty.

Cases charged. The Enforcement Section is currently prosecuting four cases from the Pacific Islands Region:

PI1708179; KOORALE – Respondents Firmino Ferreira and M&F Fishing Inc., were issued a written warning for one count of intentionally setting on a marine mammal in violation of the Marine Mammal Protection Act.

PI1903071; OCEAN CHALLENGER – Respondents South Pacific Tuna Corporation and Captain Richard Virissimo were charged with one count of intentionally setting on a marine mammal in violation of the Marine Mammal Protection Act. Respondents were assessed a civil penalty of \$29,239.

PI1806581; OCEAN CONQUEST – Respondents South Pacific Tuna Corporation and Captain Ernie Camacho were charged with one count of observer interference and with failing to retain juvenile tuna pursuant to the catch retention requirements, in violation of the Western and Central Pacific Fisheries Convention Implementation Act. Respondents were assessed a civil

penalty of \$34,000.

PI1806013; OCEAN GALAXY – Respondents South Pacific Tuna Corporation and Captain Albert Larson were charged with seventeen counts of failure to release silky sharks under the Western and Central Pacific Fisheries Convention Implementation Act. Respondents were assessed a civil penalty of \$119,000.

PI1903876; GREEN MOUNTAIN – Respondents Green Mountain LLC and Captain Nelson Lynch were charged with two counts of deep-set longline fishing in the Southern Exclusion Zone after the area had been closed to protect the false killer whale population, in violation of the Marine Mammal Protection Act. Respondents were assessed a civil penalty of \$11,000.

Cases resolved. The Enforcement Section resolved one Pacific Islands Region cases since the last report:

PI1806581; OCEAN CHALLENGER – Respondents South Pacific Tuna Corporation and Captain Richard Virissimo were charged with one count of observer interference in violation of the Western and Central Pacific Fisheries Convention Implementation Act. Respondents agreed to pay a compromise settlement of \$26,316.