



UNITED STATES DEPARTMENT OF
COMMERCE
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November 24, 2020

TO: Western Pacific Fishery Management Council (WPFMC)
FROM: Elizabeth O'Sullivan, Enforcement Attorney/Pacific Islands
SUBJECT: NOAA OGC Enforcement Section Report for the 184th 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 four cases from the Pacific Islands Region under review for consideration of a civil penalty.

Cases charged. The Enforcement Section is currently prosecuting one case from the Pacific Islands Region:

PI1902624; F/V PACIFIC DRAGON – Respondents LNK Fishery LLC, and Captain Nam Nguyen were charged with one count of violating the Magnuson-Stevens Fishery Conservation and Management Act by failing to fish in accordance with the required seabird take mitigation techniques. Respondents were assessed a civil penalty of \$2,500.

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

PI1904508; F/V LADY MOCHA II – Respondents Lady Mocha II, Inc., RS Fishery LLC, and Captain Tam Van Nguyen, were charged with two counts of deep-set longline fishing in the Southern Exclusion Zone after the area had been closed, in violation of the Marine Mammal Protection Act. Respondents paid a reduced civil penalty based on an inability to pay of \$5,500.

PI1903615; F/V KAIMI – Respondents RS Fishery LLC, and Captain Richard McQuade were

charged with two counts of deep-set longline fishing in the Southern Exclusion Zone after the area had been closed, in violation of the Marine Mammal Protection Act. Respondents paid a reduced civil penalty based on an inability to pay of \$4,000.