



NEWS FROM NOAA

NATIONAL OCEANIC & ATMOSPHERIC ADMINISTRATION • US DEPARTMENT OF COMMERCE

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FOR IMMEDIATE RELEASE

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NOAA FISHERIES SERVICE WINS HALIBUT PRE-SORTING CASE

The National Oceanic and Atmospheric Administration's Office of General Counsel for Enforcement and Litigation has announced final settlement in a case against the owner of the *FV Rebecca Irene* for pre-sorting of halibut in Alaska.

"Pre-sorting compromises the integrity and accuracy of fishery observer data and hampers the ability of NOAA Fisheries Service and the North Pacific Fishery Management Council to effectively manage Alaska's fisheries," said Assistant Special Agent-in-Charge Mike Adams, NOAA Fisheries Service Office for Law Enforcement – Alaska Division.

The case began in July 2002 with a Notice of Violation & Assessment and Notice of Permit Sanction against Rebecca Irene Fisheries LLC and Mark Decker, the captain of the vessel, and continued through the court system and into the appellate court system.

NOAA Office of the General Counsel and Rebecca Irene Fisheries LLC signed a settlement agreement in which the fishing company admitted to the violations and agreed to pay a civil penalty of \$240,000. They also agreed to a permit sanction under which the vessel and Rebecca Irene Fisheries LLC would not fish for 45 days starting July 1, 2006 and ending August 15, 2006.

Rebecca Irene Fisheries LLC will drop its appeal filed with the Ninth Circuit Court of Appeals.

The *Rebecca Irene's* owners and operators were trawling for groundfish during the time of the violations. Halibut are incidentally caught in the trawl fishery. Such 'bycatch' is monitored as part of NOAA Fisheries Services' fishery observer system, and is controlled by law. NOAA Fisheries Service relies upon that observer data to assist it in determining and controlling the extent of halibut bycatch.

The vessel owner, Rebecca Irene Fisheries LLC, and vessel operator Mark Decker were found responsible for the crew's removal of halibut from the vessel's conveyor belt prior to the observer having an opportunity to include those halibut in the sampling. They also were found liable for failing to minimize the catch of halibut and for the crew's actions that impeded the observers' ability to perform their duties.

Special Agent Ernie Soper of OLE's Dutch Harbor field office led the investigation.

To report illegal fishing activities contact the NOAA Fisheries Service's Enforcement Hot Line at 800-853-1964.

NOAA Fisheries Service is dedicated to protecting and preserving our nation's living marine resources and their habitats through scientific research, management and enforcement. NOAA Fisheries Service provides effective stewardship of these resources for the benefit of the nation, supporting coastal communities that depend upon them, and helping to provide safe and healthy seafood to consumers and recreational opportunities for the American public.

NOAA, an agency of the U.S. Department of Commerce, is dedicated to enhancing economic security and national safety through the prediction and research of weather and climate-related events and providing environmental stewardship of the nation's coastal and marine resources. Through the emerging Global Earth Observation System of Systems (GEOSS), NOAA is working with its federal partners, over 60 countries and the European Commission to develop a global network that is as integrated as the planet it observes, predicts and protects.

On the Web:

NOAA Fisheries Service Office for Law Enforcement: www.nmfs.noaa.gov/ole

NOAA Fisheries Service: www.nmfs.noaa.gov

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