

WESTERN PACIFIC PELAGIC FISHERY

VIOLATION	VIOLATION HISTORY -- PENALTY AMOUNT		
	FIRST	SECOND	THIRD
Fishing without a general permit.	Summary Settlement	\$1,000 - \$5,000 plus the catch or its fair market value	
Fishing or receiving management unit species without a valid limited entry permit.	\$1,000 - \$10,000 plus the catch or its fair market value	\$10,000 - \$50,000 plus the catch or its fair market value	
Improperly transfer a limited entry permit.	\$1,000 - \$5,000	\$5,000 - \$10,000	\$10,000 - \$20,000
Improperly transfer any permit other than a limited entry permit.	Written Warning - \$250	\$500	\$1,000 - \$5,000
Fishing within closed areas.	\$10,000 - \$20,000 plus the catch or its fair market value.	\$20,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.	\$30,000 to \$100,000 plus the catch or its fair market value, and/or permit sanctions, and/or up to seizure of the vessel.
Failure to notify NMFS immediately upon entering and/or exiting the protected species zone.	Summary Settlement	\$1,000 - \$3,500	\$5,000 - \$10,000

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Failure to maintain, make, keep or submit any logbook data (includes failure to record data within 24 hours, failure to submit data within 72 hours and other nonsubstantive violations).	Summary Settlement	\$1,000 - \$2,000	\$2,000 - \$5,000
Falsifying logbook entries or other required reports (e.g., underlogging and other substantive logbook violations).	\$2,500 - \$10,000 plus the catch or its fair market value	\$5,000 - \$25,000 plus the catch or its fair market value	\$25,000 plus the catch or its fair market value, and/or permit sanctions.
Refuse to make logbooks available for immediate inspection.	\$1,500 - \$10,000 plus the catch or its fair market value	\$2,500 - \$25,000 plus the catch or its fair market value	\$3,500 - \$25,000+ plus the catch or its fair market value, and/or permit sanctions.
Fail to make and/or file all reports of management unit species landings as required by applicable State law or regulation.	Summary Settlement	\$1,000 - \$2,000	\$2,000 - \$5,000
Failure to notify NMFS within 12 hours of landing a management unit species.	Summary Settlement	\$750 plus the catch or its fair market value.	\$1,000 plus the catch or its fair market value.
Failure to properly mark longline floats or maintain vessel markings.	Summary Settlement	\$1,000 - \$2,000	\$2,000 - \$5,000

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Failure by fish dealer to allow inspection of records.	\$1,500 - \$10,000	\$2,500 - \$25,000	\$3,500 - \$25,000
Fish for management unit species in violation of an experimental fishing permit.	\$1,000	\$5,000	\$10,000
Fish for management unit species using prohibited gear (i.e., drift gill net).	\$5,000 plus the catch or its fair market value.	\$10,000 plus the catch or its fair market value.	\$20,000 plus the catch or its fair market
Foreign fishing vessel fishing without a permit. Minor violation (e.g., fishing for personal consumption). Major Violation	Summary Settlement \$50,000 to \$100,000 per incursion, plus the catch or its fair market value, and/or seizure of the vessel		
Interfere with, obstruct, delay, or prevent by any means a lawful investigation or search.	\$5,000 - \$15,000 plus the catch or its fair market value.	\$10,000 - \$25,000 plus the catch or its fair market value.	\$25,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.

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Refuse to take observer or fish without observer after request by Regional Director.	\$5,000 - \$15,000 plus the catch or its fair market value.	\$10,000 - \$25,000 plus the catch or its fair market value.	\$20,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.
Interfere with observer (includes assault, impede, intimidate, influence or attempt to influence or to harass or sexually harass).	\$5,000 - \$25,000 plus the catch or its fair market value.	\$10,000 - \$50,000 plus the catch or its fair market value, and/or permit sanctions.	\$50,000 - \$100,000 plus the catch or its fair market value, and/or permit sanctions, and/or up to seizure of the vessel.
SUPPLEMENTAL SCHEDULE (amended April 2000)			
Falsify or fail to make and/or file all reports of management unit species landings, containing all data and in the exact manner as required by state law or regulation. Fail to make/file:	SS=\$500	SS=\$500	\$2,000-\$5,000
Transfer a permit in violation of the regulations. Limited Access Permit:	SS=\$500	\$5,000-\$10,000	\$10,000-\$20,000

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Fail to comply with notification requirements set forth in §660.23 or in any EFP.	SS=\$500	SS=\$500	\$1,000 - \$5,000
Fail to comply with a term or condition governing the observer program. Minor:	SS=\$500	SS=\$500	\$1,000
Use a US vessel that has longline gear on board but does not have a valid Hawaii Longline Limited Access Permit or valid general permit to land or transship management unit species shoreward of the outer boundary of the EEZ around American Samoa, Guam or the Northern Mariana Islands, or U.S. possessions in the Pacific Ocean Area. General Permit:	SS=\$500	\$750-\$3,750	\$3,750-\$20,000