

PAPAHĀNAUMOKUĀKEA



NOAA ANNOUNCES FIRST FEDERAL ENFORCEMENT CASE IN THE NORTHWESTERN HAWAIIAN ISLANDS MONUMENT

WASHINGTON, DC (August 21, 2007) --- The National Oceanic and Atmospheric Administration (NOAA) announced today that it has charged the owner and operator of a U.S. vessel with unlawfully fishing in the Papahānaumokuākea Marine National Monument. This case is the first federal enforcement action taken since President Bush declared the area around the Northwestern Hawaiian Islands a marine national monument on June 15, 2006.

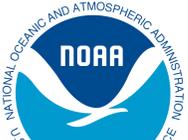
NOAA issued a Notice of Violation and Assessment (NOVA) of civil penalty in the amount of \$61,000. The NOVA was issued to ASTARA Company LLC, the owner, and Robert Flores, the operator, of the fishing vessel ASTARA for alleged violations in the Papahānaumokuākea Marine National Monument.

The NOVA includes three counts of entering the monument and unlawfully harvesting monument resources. The owner and operator also are charged with possessing fishing gear that was not stowed or unavailable for use. The NOVA includes an additional count of failing to possess a valid Hawai'i longline permit, which is not a monument violation but is in violation of other federal regulations. While commercial bottomfishing continues to be allowed in the monument for a limited time for those already in possession of valid Federal bottomfish permits, all other commercial and recreational fishing is prohibited in the monument.

"NOAA takes its stewardship responsibilities in the new monument seriously," said Dale Jones, director of NOAA's Office for Law Enforcement. "The monument is spread over an immense area in a relatively remote location. It is home to a wide variety of natural resources including the endangered Hawaiian monk seal and threatened and endangered sea turtles. The monument co-trustees are committed to enforcing the prohibitions established by the Presidential Proclamation and protecting these resources through hard work and the cooperative efforts of law enforcement partners like the U.S. Coast Guard."

Following receipt of the NOVA, the vessel's owner and operator may admit the alleged violations and pay the assessed civil penalty, attempt to resolve the matter through settlement or request a hearing in front of an Administrative Law Judge (ALJ). They may appeal any adverse decision by the ALJ to the NOAA Administrator and then to the U.S. District Court.

The Papahānaumokuākea Marine National Monument is managed jointly by three co-trustees — the Department of Commerce, Department of the Interior and the state of Hawai'i — and represents a cooperative conservation approach to protecting the entire ecosystem. The monument area includes the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve, the Midway Atoll National Wildlife Refuge/Battle of Midway National Memorial, the Hawaiian Islands National Wildlife Refuge, the Hawai'i State Seabird Sanctuary at Kure Atoll, and Northwestern Hawaiian Islands State Marine Refuge.



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