



Assessment of Civil Administrative Penalties

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Penalty Matrix: Magnuson-Stevens Act

		Level of Culpability			
		A Unintentional	B Negligent	C Reckless	D Intentional
Gravity Offense Level	I	Written warning-\$2,500	Written warning-\$5,000	\$2,500-\$7,000	\$7,000-\$10,000
	II	\$2,500-\$4,500	\$4,500-\$7,000	\$7,000-\$12,000	\$12,000-\$24,000
	III	\$5,000-\$12,000	\$12,000-\$18,000	\$18,000-\$24,000	\$24,000-\$48,000 Permit sanction of 5-20 days for subsequent violations*
	IV	\$12,000-\$18,000	\$18,000-\$30,000	\$24,000-\$48,000 Permit sanction of 10-20 days for subsequent violations*	\$48,000-\$72,000 Permit sanction of 20-60 days*
	V	\$18,000-\$30,000	\$30,000-\$48,000 Permit sanction of 10-20 days for subsequent violations*	\$48,000-\$72,000 Permit sanction of 20-60 days*	\$72,000-\$120,000 Permit sanction of 60-180 days*
	VI	\$30,000-\$48,000 Permit sanction of 5-20 days for subsequent violations*	\$48,000-\$72,000 Permit sanction of 20-60 days*	\$72,000-\$120,000 Permit sanction of 60-180 days*	\$120,000 -statutory maximum Permit sanction of 180-365 days*

Offense Level Guidance: Magnuson-Stevens Act

VIOLATIONS REGARDING THE FACILITATION OF ENFORCEMENT, SCIENTIFIC MONITORS, OR OBSERVERS	
<p>Submitting inaccurate or false data, statements, or reports;³⁵</p> <p>Harassing or intimidating any NMFS-approved observer or authorized officer;³⁴</p> <p>Failing to provide or maintain safe conditions for an observer where there is injury to the observer;</p> <p>Refusing to carry an observer or fishing without an observer.³⁵</p>	III
<p>Refusing to allow a boarding/entry by an authorized officer or inspector to area of custody, or inspection;</p> <p>Assaulting, resisting, threatening, or coercing any NMFS-approved observer or authorized officer.³⁶</p>	IV
<p>Assaulting, resisting, threatening, or coercing any NMFS-approved observer or authorized officer.³⁷</p>	V
VIOLATIONS REGARDING PERMITS, REPORTING, DOCUMENTATION, AND PERMIT REQUIREMENTS	
<p>No vessel/operator permit onboard;</p> <p>Fishing for, taking, retaining, receiving, processing, or possessing fish without a general/open access permit, or without a required letter of authorization;</p>	I



NOAA Penalty Policy

Available at: <https://www.gc.noaa.gov/documents/Penalty-Policy-FINAL-June242019.pdf>