

ALASKA REGION SUMMARY SETTLEMENT SCHEDULE

VIOLATION	SUMMARY SETTLEMENT AMOUNT
GROUND FISH MANAGEMENT MEASURES	
CATEGORY I VIOLATIONS	
A. Permit Violations	
1. Federal Fisheries Permit	
No Federal fisheries permit onboard vessel	\$500
Failure to update substantive permit information (i.e. vessel name, owner name, addresses, vessel operation category or gear type)	\$500
2. Processor Permit	
No Federal processor permit onboard vessel or at shoreside processor or buying station	\$500
Failure to update substantive permit information (i.e. Research Plan fisheries, owner names, addresses, vessel information)	\$500
B. Logbook Violations	
1. Daily Cumulative Production Log; Daily Fishing Log	

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<p>Failure to log required information in a timely manner (1 count is equal to the violations occurring within 1 day)</p> <p align="center">Less than 12 hours late</p> <p align="center">12 or more hours late</p>	<p>\$750 per count up to 6 counts</p> <p>\$3,750</p>
<p>Clerical error, non-substantive omission(s) or failure to log information in a legible manner (1 count is equal to the violations occurring within 1 day)</p> <p align="center">1-7 counts</p> <p align="center">8-30 counts</p>	<p>Written Warning</p> <p>\$75 per count, including counts 1-7</p>
<p>Failure to provide discard information to a processor (harvesters only) (1 count is equal to the violations occurring within 1 day)</p>	<p>\$750 per count up to 6 counts</p>
<p>Failure to log discard information (processors only) (1 count is equal to the violations occurring within 1 day)</p>	<p>\$750 per count up to 6 counts</p>
C. Directed Fishing Standard Violations	
<p>1. For wetfish vessels delivering to a shoreside processor, retention of groundfish in excess of directed fishing standards</p>	
<p>Overage of up to 100% of the allowable bycatch limit per species</p>	<p>Payment of value of overage</p>

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
Overage of less than 1,000 pounds (landed weight) of allowable bycatch limit for rockfish species (including sablefish) regardless of percentage	Payment of value of overage
Overage of less than 5,000 pounds (landed weight) of allowable bycatch limit for species other than rockfish and sablefish, regardless of percentage	Payment of value of overage
2. For processor vessels, retention of frozen groundfish product in excess of directed fishing standards by overage of less than 5 metric tons of product of the allowable bycatch limit per species	Voluntary abandonment of overage and delivery of product to Dutch Harbor, Kodiak, Sitka or Seattle
3. Other Directed Fishing Overages	
Overage of unprocessed groundfish delivered to a shoreside processor where the overage is between 100% and 200% of the allowable bycatch	\$1,000 plus value of overage
Overage of unprocessed groundfish delivered to a shoreside processor where the overage is between 200% and 300% of the allowable bycatch	\$5,000 plus value of overage
Overage of processed groundfish onboard a processor vessel where the overage is between 10 and 20 metric tons	\$5,000 and delivery of product to Dutch Harbor, Kodiak, Sitka or Seattle, plus abandonment
D. Prohibited Species Violations	
1. Retention of Salmon that is processed, frozen, landed or intentionally segregated from other catch	\$225 per fish up to 35 fish plus forfeiture of prohibited species

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
2. Retention of halibut that is processed, frozen, landed or intentionally segregated from other catch (300 pounds or less)	\$1,000 plus forfeiture of prohibited species
3. Retention of Pacific cod and rockfish that are processed, frozen, landed or intentionally segregated from other catch	\$1.00 per pound up to 5,000 pounds (round weight) plus forfeiture of prohibited species
4. Retention of prohibited species other than halibut, salmon, Pacific cod or rockfish that are processed, frozen, landed or intentionally segregated from other catch	\$3.75 per pound up to 1,200 pounds (round weight) plus forfeiture of prohibited species
E. Enforcement Violations	
1. Demonstratively unsafe boarding ladder or no boarding ladder	\$1,500
2. Failure to guard Ch. 16 by failing to respond for 15 minutes or longer	\$1,500
CATEGORY II VIOLATIONS	
A. Permit Violations	
1. Federal Fisheries Permit - Fishing without a Federal fisheries permit (includes failure to have a permit that authorizes operations category and intentional alterations to fisheries permit)	\$750 [plus forfeiture of catch or value thereof]
2. License Limitation Permit	
Failure to carry permit onboard or failure to present legible permit for inspection	\$3,750

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
Failure to provide written notification of any substantive change to information required to be provided on the permit application	\$1,000
3. Moratorium Permit	
Failure to carry permit onboard or failure to present legible permit for inspection	\$750
Failure to provide written notification of any substantive change to information required to be provided on the permit application	\$500
4. Scallop Limited Entry Permit	
Failure to carry permit onboard or failure to present legible permit for inspection	\$3,750
Failure to provide written notification of any substantive change to information required to be provided on the permit application	\$1,000
B. Recordkeeping and Reporting Violations	
1. Logbooks - General	
Failure to maintain substantive logbook entries (1 count is equal to the violations occurring within 1 weekly reporting period)	\$1,000 up to 2 counts

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
Failure to submit logbooks on a quarterly basis to Regional Director More than 2 weeks late Missing pages	 \$3,750 \$500 per page
Failure to retain logbooks for required time	\$1,000
Entries / Alterations to logbooks such as entries made in other than indelible ink or illegible line outs (1 count is equal to the violations occurring within 1 day)	\$750 per count up to 6 counts
2. Product Transfer Reports (PTRs)	
Failure to record required information on PTR within 2 to 24 hours after due date	\$750
Late submission of PTR (submission between 24 and 48 hours after due date)	\$750
Substantive omission(s) on PTR (1 count is equal to the violations occurring within 1 report)	\$1,500 per count up to 2 counts
3. Check-In / Check-Out Report	
Failure to submit check-in report before commencing any harvest or receipt of groundfish	\$750 per report up to 6 reports

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
Late submission of check-out report (1 - 7 days late)	\$750 per report up to 6 reports
Substantive omission(s) on check-in or check-out report	\$750 per omission up to 5 omissions
4. Weekly Production Reports (WPR)	
Failure to submit separate WPR's to report production and discard as Catcher/Processor and production or as mothership	\$500
Late (more than 24 hours) submission of WPR	\$3,750
5. Daily Production Reports (DPR)	
Late (more than 24 hours) submission of DPR	\$3,750
Substantive omission(s) on DPR	\$3,750 for each DPR up to 5 DPRs
6. Vessel Activity Reports (VAR)	
Failure to submit CAR before crossing the seaward boundary of the EEZ off Alaska or before crossing the U.S./Canada international boundary between Alaska and British Columbia	\$750 per VAR up to 6 VARs
C. Fishing Violations	
1. Fishing within 1 hour before the opening or after the closing of a fishery	
Vessels up to 35' LOA	\$1,125
Vessels between 35' - 60' LOA	\$1,125

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
Vessels greater than 60' LOA	\$1,875
2. Fishing within 1 to 6 hours after the closure of a fishery when value of catch is under \$5,000	
Vessels up to 35' LOA	\$1,875 plus forfeiture of catch
Vessels between 35' - 60' LOA	\$2,625 plus forfeiture of catch
Vessels greater than 60' LOA	\$3,750 plus forfeiture of catch
3. Failure to offload all groundfish or groundfish product harvested or processed by a catcher vessel before using the vessel as a tender vessels	\$750
4. Pollock trip limit overage	
Less than or equal to 10%	Value of overage
Greater than 10% up to 25%	\$2,500 plus value of overage
D. Prohibited Species Violations	
1. Failure to carefully release bycatch prohibited species of halibut from hook-and-line gear	\$2,500 per documented day up to 4 days
2. Discard salmon taken incidental to directed fishery for BSAI groundfish by vessels using trawl gear before notified by NMFS observer that collection of data or samples have been completed	\$375 plus \$75 per salmon

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
E. Observer Violations	
1. Failure to have on board	
Commercial Fishing Vessel Safety Decal	\$500
Certificate of Compliance	\$500
Certificate of Inspection	\$500
2. Failure of shoreside processing operation to notify observer at least one hour prior to offloading of each CDQ groundfish delivery	\$500
3. Failure to meet required observer coverage , if: a. Vessel is subject to 30% coverage requirement; b. Vessel met at least 50% of coverage days that quarter; and c. Vessel lacks no more than 3 days of coverage	\$1,000 per day (up to 3 days)
4. Presorting or discarding of catch before observer has the opportunity to sample	\$2,500 per violation (up to two violations)
5. Require or pressure an observer to perform duties normally performed by crew members	\$2,500 per violation (up to 2 violations)
6. Failure to provide accommodations equivalent to management level vessel personnel	\$1,500
7. Failure to timely notify observer prior to receipt or transfer of fish	\$2,500 per violation (up to 2 violations)

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
8. Failure to notify observer, as requested, of planned operations or expected receipt of fish	\$2,500 per violation (up to 2 violations)
9. Failure to allow observer to inspect or copy records required by regulation in a timely manner	\$2,500 per violation (up to 2 violations)
F. Walrus Protection Area Violations	
1. With the exception noted below, enter the area 3 to 12 nautical miles seaward of Round Island and The Twins NOTE: Do not use this summary settlement schedule for violations that involve fishing within walrus protection areas. Violations of the walrus protection areas that involve fishing are to be handled under the Penalty Schedule.	\$1,000
G. Gear Violations	
1. Improper or no buoy markings	\$375 base penalty plus \$75 for each buoy up to maximum of \$1,875
2. Use of groundfish pot gear with tunnel openings that exceed allowable dimensions	\$375 base penalty plus \$75 for each pot (up to 25 pots)
3. Use of groundfish pot gear that has no biodegradable panel	\$375 base penalty plus \$75 for each pot (up to 25 pots)

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
H. Seabird Bycatch Avoidance Violations	
1. Failure to set second streamer line	\$375 per set, up to 5 sets per trip
2. Failure to set second streamer line within 90 seconds	One set only - Written Warning 2 to 5 sets per trip - \$375 per set
3. Failure to set seabird avoidance gear (for vessels with gear on board)	\$500 per set, up to 5 sets per trip
4. Setting non-compliant seabird avoidance gear	\$375 per set, up to 5 sets per trip
5. Failure to deploy line proper distance: Fixed Gear Vessels < 100 ft: 0-20 meters Fixed Gear Vessels ≥ 100 ft: 0-30 meters Snap-on Gear Vessels: 0-10 meters	\$375 per set, up to 5 sets per trip
6. Failure to deploy line proper distance: Fixed Gear Vessels < 100 ft: 21 -40 meters Fixed Gear Vessels ≥ 100 ft: 31-60 meters Snap-on Gear Vessels: 11-20 meters	One set only - Written Warning Up to 5 sets per trip - \$375 per set
7. Improper spacing of streamers	One set only - Written Warning Up to 5 sets per trip - \$375 per set

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
8. Failure to have a seabird avoidance plan on board	First offense - \$375 Subsequent offenses - \$500
9. Seabird avoidance plan missing required elements	First offense - Written Warning Subsequent offenses - \$375
INDIVIDUAL FISHERY QUOTA and COMMUNITY DEVELOPMENT QUOTA MANAGEMENT MEASURES	
CATEGORY I VIOLATIONS	
A. IFQ Overages	
1. 10.1 - 33% and exceeding 1000 pounds, and for overages up to 1000 pounds regardless of percentage	Forfeiture of proceeds or return of proceeds of all IFQ exceeding 100% of IFQ available at the beginning of the trip
2. 33.1 - 66% and exceeding 1000 pounds	Penalty of \$1/pound on entire overage, plus forfeiture of proceeds or return of proceeds of all IFQ exceeding 100% of IFQ available at the beginning of the trip
3. 66.1 - 100% and exceeding 1000 pounds	Penalty of \$2/pound on entire overage, plus forfeiture of proceeds or return of proceeds of all IFQ exceeding 100% of IFQ available at the beginning of the trip

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
CATEGORY II VIOLATIONS	
A. Retain IFQ species without a valid IFQ permit or without an IFQ card in the name of the individual onboard	
1. 300 pounds or less of halibut	\$1,000 plus forfeiture of halibut
2. 100 pounds or less of sablefish	\$1,000 plus forfeiture of sablefish
3. Possess or transfer up to 133% of a cardholders IFQ limit of IFQ species by a cardholder whose permit has been administratively invalidated for failure to pay IFQ fees.	\$1,000 plus forfeiture of all IFQ species or value thereof
B. Make an IFQ landing without an IFQ card in the name of the individual making the landing	\$1,000
C. Failure to maintain onboard or present IFQ permit or original IFQ card for inspection	\$1,000
D. Reporting Violations	
1. Make an IFQ landing without prior notice of landing	\$1,500
2. Failure to make an IFQ landing within 6 hours after making a prior notice of landing	\$1,000
3. Failure to submit IFQ landing report in timely manner (less than 12 hours late)	\$2,000

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
4. Failure to submit accurate information in a prior notice of landing or shipment report	\$3,750
E. Possession or sale of IFQ species by quota share holder with no remaining IFQ or CDQ for vessel or area	
1. 300 pounds or less of halibut	\$375 plus forfeiture of halibut
2. 100 pounds or less of sablefish	\$375 plus forfeiture of sablefish
F. Start and IFQ landing between 1800 hours and 0600 hours	\$2,500 plus forfeiture of catch or value thereof
G. Community Development Quota (CDQ) Violations	
1. Bin Certifications	
Failure to obtain valid bin certification	\$5,000
Failure to submit copy of bin certification to NMFS Observer Program or to make available a copy for the observer	\$2,500
2. Bin Volume	
Failure to accurately or permanently mark bins or to provide adequate lighting for the viewing of marks	\$750 per count, up to 6 counts
3. Prior Notification / Separation of Fish	
Failure to properly notify observer of fish removals / additions to bin	\$750 per count, up to 6 counts

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
NORTHERN PACIFIC HALIBUT ACT OF 1982	
COMMERCIAL HALIBUT FISHING -- CATEGORY I VIOLATIONS	
A. Recordkeeping and Reporting	
1. Failure to accurately maintain halibut fishing log in timely manner (current trip only); Failure to maintain separate halibut fishing log; or Failure to retain halibut fishing log for 2-year period	
vessels 26' to 35' (loa)	\$375
vessels greater than 35' to 60' (loa)	\$750
vessels greater than 60' (loa)	\$1,125
2. Failure to keep halibut fishing log onboard vessel for 5 days following offload	\$375
B. Receipt of Halibut Violations	
1. Receive halibut taken during lawful opening from unlicensed vessel	\$750 per vessel
2. Failure to record IPHC license number on fish ticket (licensed vessels only)	\$750 per vessel
3. Failure to remove gills and entrails from halibut prior to offload	\$100 per fish up to 100 fish
4. Failure to retain copies of fish tickets or catch reports for a period of three years from date made	

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
vessels 1' to 35' (loa)	\$375
vessels greater than 35' to 60' (loa)	\$750
vessels greater than 60' (loa)	\$1,125
C. Retention of tagged halibut	
1. Failure to report tagged halibut to IPHC at time of landing	\$1,000
COMMERCIAL HALIBUT FISHING -- CATEGORY II VIOLATIONS	
A. Fishing Seasons	
NOTE: For any violation in excess of these limits (either time or value of the catch), do not use summary settlement.	
1. Fishing within one hour before an opening or after a closure with IFQ remaining	
vessels 1' to 35' (loa)	\$1,125
vessels greater than 35' to 60' (loa)	\$1,500
vessels greater than 60' (loa)	\$1,875
2. Fishing within one to six hours after a closure with IFQ remaining (value of catch under \$5,000)	

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
vessels 1' to 35' (loa)	\$2,500
vessels greater than 35' to 60' (loa)	\$5,000
vessels greater than 60' (loa)	\$7,500
B. Gear Violations	
1. Possess halibut taken with gear other than hook-and-line (300 lbs or less)	\$375 plus forfeiture of the halibut
2. Possess halibut taken with hook-and-line gear while carrying onboard any trawl nets or fishing pots capable of catching halibut	\$750
3. Failure to remove all setline gear and either completely offload entire catch of fish or submit to a hold inspection if setline gear was used to fish for any species of fish during the 72-hour period immediately before the opening of the halibut fishing season	\$1,500
4. Lack of or improper buoy markings	\$375 base penalty plus \$75 for each buoy up to maximum of \$1,875
C. Reporting Violations	
1. Failure to obtain vessel clearance	\$1000
SPORT HALIBUT FISHING	
A. Fishing during closed season	\$150 plus forfeiture of halibut

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
B. Fishing during closed season (charter boat)	\$225 per passenger up to 22 (cite to operator) plus forfeiture of halibut
C. Use of illegal gear	\$225 plus forfeiture of halibut
D. Over daily bag or possession limit	\$150 per halibut up to 33 halibut plus forfeiture of halibut over limit
E. Mutilation that prevents determination of catch limit	\$150 per every 50 lbs up to 1,650 lbs plus forfeiture of halibut over limit
F. Possession of sport catch on vessel with commercial catch onboard	\$150 per halibut up to 33 halibut plus forfeiture of halibut
SUBSISTENCE HALIBUT FISHING	
A. Subsistence fishing for halibut w/o a Subsistence Halibut Registration Card (SHRC) but WOULD qualify for SHRC if applied	1st violation: Verbal Warning 2nd violation: Written Warning 3rd & all subsequent violations: \$500 each <i>(No seizure of halibut for any violation)</i>
B. Subsistence fishing for halibut w/o a SHRC; SHRC issued but in possession	1st violation: Verbal Warning 2nd violation: Written Warning 3rd & all subsequent violations: \$100 each <i>(No seizure of halibut for any violation)</i>
C. Exceeding daily personal limit of 20 subsistence halibut/person/day; up to 5 halibut overage	\$150 for each halibut, plus seizure of halibut exceeding limit

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
D. Disfigurement of halibut that prevents catch limit determination (up to 200 lbs. of disfigured halibut)	\$150 for each 50 pounds, plus seizure of all disfigured halibut
E. Using more than 30 hooks on subsistence gear; 31 to 60 hooks	31 to 40 hooks: \$10 per hook 41 to 60 hooks: \$200 base penalty, plus \$10 per hook over 40 <i>(No seizure of halibut for any violation)</i>
F. Fishing w/ unmarked or improperly marked buoys	1st violation: FIXIT ticket 2nd violation: \$375 base penalty, plus \$75 for each noncompliant buoy used to fish for subsistence halibut <i>(No seizure of halibut for any violation)</i>
G. Subsistence fishing for Halibut in an unauthorized area; or anchor a vessel with halibut on board within the Sitka Pinnacles Marine Reserve	\$375, plus \$150 for each halibut, plus seizure of all halibut.
ENDANGERED SPECIES ACT	
CATEGORY II VIOLATIONS	
A. Transit through or anchor within a Steller sea lion buffer zone	\$2,500

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VIOLATION	SUMMARY SETTLEMENT AMOUNT
B. Level A/B Harassment (e.g. feeding, teasing, etc.) of a Stellar seal lion:	
Associated with Sport, Recreational or other activity:	\$200
Associated with Charters or Commercial fishing operations:	\$500
MARINE MAMMAL PROTECTION ACT	
CATEGORY I VIOLATIONS	
A. Failure to display annual decal or sticker (Category I and II fisheries only)	\$100
B. Failure to carry certificate (or copy) onboard vessel or person (Category I and II fisheries only)	\$100
CATEGORY II VIOLATIONS	
A. Failure to register for annual Authorization Certificate (Category I and II fisheries only)	\$750
B. Failure to report incidental mortality or injury to marine mammals in the prescribed manner (applies to Category I, II and III fisheries)	\$1,000

GENERAL PROVISIONS

- Summary settlement violations are specific. This summary settlement schedule is to be applied to violations of the provisions

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listed above. If a violation does not appear on this schedule, then the violation has been deemed unsuitable for summary settlement and is to be handled using the applicable penalty schedule.

2. This summary settlement schedule is divided according to the regulatory regime, statute, or regulation violated. Each part contains either Category I violation, Category II violations, or both. With the exceptions noted in paragraphs 3 and 4, Category I violations are those violations for which the summary settlement schedule will always apply, no matter how many times a person commits the Category I violation.

With the exceptions noted in paragraphs 3 and 4, Category II violations are those violations for which the summary settlement schedule will apply only to first time violators. Application of the summary settlement schedule for Category II violations is appropriate only in those instances where the authorized officer has confirmed that the subject's history of violating the regulation and determined whether the summary settlement schedule is available. Should a person commit a Category II violation and the person also has a prior violation of that Category II offense, the summary settlement schedule should NOT be used and the violation should be handled under the penalty schedule.

3. The summary settlement schedule may not be used for cases where the authorized officer has reasonable cause to believe that the violation was a knowing, intentional act or where there are aggravating circumstances.

4. If an authorized officer discovers a Category I or II violation in addition to violations that are not addressed under this summary settlement schedule, then the officer may remove the Category I or II violation from the summary settlement schedule and address it under the applicable penalty schedule.

5. Any references to C.F.R. section numbers are provided for guidance on where a particular regulatory requirement can be found. Due to frequent amendments to these sections, the regulatory citation is not controlling and should be checked to ensure accuracy.