

SOUTHEAST REGION SUMMARY SETTLEMENT AND FIX-IT SCHEDULE

<i>VIOLATION</i>	<i>VIOLATION HISTORY – PENALTY AMOUNT</i>		
	<i>FIRST</i>	<i>SECOND</i>	<i>THIRD</i>
MAGNUSON-STEVENSON ACT			
Undersized and/or Filleted and/or over limit (including zero bag limit and closures)			
1-10 illegal fish	\$250 + \$25 per fish (refer to State LEA whenever possible)	\$250 + \$25 per fish (refer to State LEA whenever possible)	\$250 + \$25 per fish (refer to State LEA whenever possible)
11-20 illegal fish	\$500 + \$25 per fish	\$500 + \$25 per fish	\$500 + \$25 per fish
21 - 50 illegal fish	\$750 + \$25 per fish	\$750 + \$25 per fish	\$750 + \$25 per fish
Exceed Commercial Trip Limits (including zero bag limit commercial closures) (except ITQ)			
The overage exceeds the catch limit by less than 50% OR has a fair market value up to \$500	\$500	\$750	\$1000
The overage exceeds the catch limit by more than 50% AND has a fair market value of between \$500 and \$750	\$750	\$1,000	\$1,250
The overage exceeds the catch limit by more than 50% AND has a fair market value between \$751 and \$1,000	\$1,000	\$1,250	\$1,500
The overage exceeds the catch limit by more than 50% AND has a fair market value between \$1,001 and \$1,250	\$1,250	\$1,500	\$1,750
The overage exceeds the catch limit by more than 50% AND has a fair market value between \$1,251 and \$1,500	\$1,500	\$1,750	\$2,000
Trawling			
Texas closure (Incurison less than 1 NM or less than 1 hour before opening date and time): First Violation Only	\$2,500	NA	NA

Effective Date: October 1, 2014

Southwest Florida seasonal trawl closure: First Violation Only	\$2,500	NA	NA
Shrimp/Stone Crab separation zone: First Violation Only	\$2,500	NA	NA
Non-Compliant Trap Construction: 1 - 20 traps	\$100/trap	\$100/trap	\$100/trap
Non-Compliant Net construction	\$500/net	\$750/net	\$750/net
Bycatch reduction device (BRD) - not installed, sewn shut, dysfunctional	\$750/net	\$750/net	\$750/net
Act Without a Permit/limited Entry Share/Endorsement/Authorization (not to include shareholder and/or vessel allocation) (Dealers & Fishermen & Vessels)			
Moratorium Permits: First Violation Only where the permit was never issued	\$3,000	NA	NA
Limited Access and Expired Moratorium Permits	\$750	\$1,000	\$1,500
General/Open Access Permits	\$500	\$500	\$500
Dealer Failure to Report	after receipt of notification of late reporting \$750 for each overdue time period charged up to 6 time periods; this category can be used again after 1 year without same charged violation	\$1,000 for each overdue time period charged up to 6 time periods	\$1,500 for each overdue time period charged overdue up to 4 time periods
Fish Without an Observer When Required: First Violation Only	\$2,500	NA	NA
Use unauthorized gear or fail to use gear required by the fishery, e.g. dehooking device and/or non-stainless steel circle hooks	\$250	\$500	\$500

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ENDANGERED SPECIES ACT

Turtle Excluder Device Violations

(Although law enforcement should document and educate on all violations they could issue only one summary settlement amount per net based on the most serious violation found on that net. For example: If law enforcement found 3 level one violations on net 1 they could issue a summary settlement for \$100 for net 1. If law enforcement found 2 level one violations and 1 level two violation on net 1 they could issue a summary settlement for \$500 for net 1.)

Any Level I violations including:

TED ANGLE > 55 to < 58 degrees

BAR SPACING Bent bar - > 4" to < 6"

WEBBING FLAP NETTING Hole / gaps in TED netting 2" to 4"

DOUBLE COVER (DC) OPENING

- 1 Forward Cut 19" to < 20"
- 2 Flap attachment > 24" to 36"
- 3 OVERLAP > 15 to 16"
- 4 Leading Edge Cut 54" to < 56"

71" OPENING

- 1 Forward Cut: 18" to < 26"
- 2 Flap length: > 24" to 36" beyond posterior edge of grid
- 3 flap attachment: > 6" to 12" beyond posterior edge of grid
- 4 Leading edge Cut: 54" to < 71"
- 5 Escape opening: 64" to < 71"

44" INSHORE OPENING

- 5 Escape Opening 42" to < 44" Horizontally
15" to < 20" Vertically

(Numbers correspond to Step Numbers on NOAA's Guide for Checking TEDs, available at <http://www.sefsc.noaa.gov/labs/mississippi/ted/regulations.htm>)

\$100 (per net)

\$100 (per net)

\$100 (per net)

<p>Any Level II violations including:</p> <p>TED ANGLE 58 to < 61 degrees</p> <p>BAR SPACING Bent bar – 6” to < 8”</p> <p>WEBBING FLAP NETTING Holes/gaps in TED netting > 4”</p> <p>FLOTATION Undersized floats on bottom shooting TEDs</p> <p>DOUBLE COVER (DC) OPENING</p> <p>1 Forward Cut 16” to < 19”</p> <p>2 Flap attachment > 36”</p> <p>3 OVERLAP > 16” to < 18”</p> <p>4 Leading Edge Cut 52” to < 54”</p> <p>71” OPENING</p> <p>1 Forward Cut 16” to < 18”</p> <p>2 Flap length > 36” beyond posterior edge of grid</p> <p>3 Flap attachment > 12” beyond posterior edge of grid</p> <p>4 Leading edge cut 52” to < 54”</p> <p>5 Escape Opening 44” to < 64”</p> <p>44” INSHORE OPENING</p> <p>5 Escape Opening 34” to < 42” Horizontally 10” to < 15” Vertically</p> <p>(Numbers correspond to Step Numbers on NOAA’s Guide for Checking TEDs, available at: http://www.sefsc.noaa.gov/labs/mississippi/ted/regulations.htm)</p>	\$500 (per net)	\$500 (per net)	\$500 (per net)
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