**SOUTHEAST REGION SUMMARY SETTLEMENT SCHEDULE**

|  |  |  |  |
| --- | --- | --- | --- |
| *VIOLATION* | VIOLATION HISTORY – PENALTY AMOUNT | | |
| FIRST | SECOND | THIRD |
| **MAGNUSON-STEVENS 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) | same | same |
| 11-20 illegal fish | $500 + $25 per fish | same | same |
| 21 - 50 illegal fish | $750+ $25 per fish | same | same |
| **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 | same | same |
| 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 (Incursion less than 1 NM or less than 1 hour before opening date and time): First Violation Only | $2,500 |  |  |
| Southwest Florida seasonal trawl closure: First Violation Only | $2,500 |  |  |
| Shrimp/Stone Crab separation zone: First Violation Only | $2,500 |  |  |
| **Trap Construction**: Subsequent violations: 1 - 20 traps (Note: FIN program for first violation) | $100/trap | same | same |
| **Net construction:** Subsequent violations (See also FIN program) | $500 | $750 | same |
| **Bycatch reduction device (BRD) - not installed, sewn shut, dysfunctional** | $750/net | same | same |
| **Act Without a Permit/limited Entry Share/Endorsement/Authorization (not to include shareholder and/or vessel allocation)** (See also FIN program)  **(Dealers & Fishermen & Vessels)** |  |  |  |
| Moratorium Permits: First Violation Only where the permit was never issued | $3,000 |  |  |
| Limited Access and Expired Moratorium Permits | $750 | $1,000 | $1,500 |
| General/Open Access Permits | $500 | same | same |
| **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 |  |  |
| **MARINE MAMMAL PROTECTION ACT** | | | |
| Feeding a marine mammal in the wild | $250 (recreational)  $1,000 (commercial) |  |  |
| Harassing a marine mammal | $100 (recreational)  $500 (commercial) |  |  |
| Unauthorized importation of marine mammal parts or products (non-commercial imports/personal use) | $250 |  |  |
| Unauthorized sale, purchase, and/or transport of marine mammal parts or products (non-commercial entities) | $250 |  |  |
| Failing to register any bones, teeth or ivory of any dead marine mammal collected from a beach or from land within 1/4 of a mile of ocean. The term ocean includes bays and estuaries. | $100 |  |  |
| **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”  **NETTING** Hole / gaps in TED netting < 2”  **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) |
| **Any Level II violations including**:  **TED ANGLE** 58 to < 61 degrees  **BAR SPACING** Bent bar – 6” to < 8”  **NETTING** Holes/gaps in TED netting 2” to 4”  **FLOTATION** Undersized floats on bottom shooting TEDs  **DOUBLE COVER (DC) OPENING**  1 Forward Cut 16” to < 19”  2 Flap attachment > 36”  3 OVERLAP > 16” to < 18”  4 Leading Edge Cut 52” to < 54”  **71” OPENING**  1 Forward Cut 16” to < 18”  2 Flap length > 36” beyond posterior edge of grid  3 Flap attachment > 12” beyond posterior edge of grid  4 Leading edge cut 52” to < 54”  5 Escape Opening 44” to < 64”  **44” INSHORE OPENING**  5 Escape Opening 34” to < 42” Horizontally  10” to < 15” 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) | $500 (per net) | $500 (per net) | $500 (per net) |