

SOUTHEAST REGION SUMMARY SETTLEMENT & FIX-IT SCHEDULE

VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT		
	FIRST	SECOND	THIRD
MAGNUSON-STEVENS ACT			
Undersized, and/or Filleted or Improper Form, and/or cut as bait, and/or over limit (including zero bag limit, and seasonal and recreational area closures. Note: does not apply to prohibited species (e.g. goliath grouper))			
1-10 illegal fish, other than red snapper	\$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, other than red snapper	\$500 + \$25 per fish	\$500 + \$25 per fish	\$500 + \$25 per fish
21 - 50 illegal fish, other than red snapper	\$750 + \$25 per fish	\$750 + \$25 per fish	\$750 + \$25 per fish
1-30 illegal red snapper	\$500 + \$50 per fish	\$500 + \$50 per fish	\$500 + \$50 per fish
Exceed Commercial Trip Limits (including zero bag limit commercial closures; except ITQ and red snapper)			
The overage exceeds the catch limit by less than 50%	\$250 plus the gross ex-vessel value of the overage	\$500 plus the gross ex-vessel value of the overage	\$750 plus the gross ex-vessel value of the overage
The overage exceeds the catch limit by more than 50%	\$500 plus the gross ex-vessel value of the overage	\$750 plus the gross ex-vessel value of the overage	\$1000 plus the gross ex-vessel value of the overage
Exceed Commercial Trip Limits for Red Snapper through 75 pounds gutted weight (including zero bag limit commercial closure)	\$1,000	\$1,000	\$1,000

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Fishing in Closed Areas			
Texas closure (Incursion less than 1 NM or less than 1 hour before opening date and time): First Violation Only	\$2,500	N/A	N/A
Tortugas Shrimp Sanctuary: First Violation Only	\$2,500		
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 – Dealers & Fishermen & Vessels (not to include shareholder and/or vessel allocation)			
Moratorium Permits: First Violation Only where the permit was never issued	\$3,000	N/A	N/A
Expired Limited Access and 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

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Fish Without an Observer When Required: First Violation Only	\$2,500	N/A	N/A
Use unauthorized gear or fail to use gear required by the fishery, e.g. de-hooking device and/or non-stainless steel circle hooks	\$250	\$500	\$500
Disposal of less than 10 fish by recreational vessel	\$1000	N/A	N/A
IFQ Program Violations			
Transport on land IFQ species without transaction approval code from dealer and copy of dealer endorsement	\$1,000	\$1,500	\$2,000
Fail to land IFQ species within 1 hour after the time specified in advance notice of landing; offload IFQ species outside of allowable time limit ; land IFQ species without prior notice of landing or in advance of time submitted without prior authorization; land IFQ species at an unauthorized location or not at location submitted	\$1,000	\$1,500	\$2,000
Hold insufficient allocation in either the vessel account or linked shareholder account at the time of landing notification (except when allowed a percentage overage)	\$1,000	\$1,500	\$2,000
Offload to a dealer other than the dealer specified in advance notice of landing or superseding notification	\$1,000	\$1,500	\$2,000
Fail to offload all landed IFQ species for accurate completion and validation of the dealer(s) transaction report within allowable time	\$1,000	\$1,500	\$2,000

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VIOLATION	VIOLATION HISTORY – PENALTY AMOUNT		
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Charter Vessel/ Headboat Permit Violations			
Failure to comply with charter vessel or headboat passenger capacity limit	\$1,500	N/A	N/A
ENDANGERED SPECIES ACT			
<p>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.)</p> <p><i>NOTE:</i> All numbers (angles/inches) below correspond to Step Numbers on NOAA’s Guide for Checking TEDs, available at http://www.sefsc.noaa.gov/labs/mississippi/ted/regulations.htm)</p>			
<p>Any Level I violations including:</p> <p>TED ANGLE > 55 to < 58 degrees</p> <p>BAR SPACING Bent bar > 4” to < 5”</p> <p>WEBBING FLAP NETTING Hole / gaps in TED netting 2” to 4”</p> <p>DOUBLE COVER (DC) OPENING</p> <p>1 Forward Cut 19” to < 20”</p> <p>2 Flap attachment > 24” to 36”</p> <p>3 OVERLAP > 15 to 16”</p> <p>4 Leading Edge Cut 54” to < 56”</p> <p>71” OPENING</p> <p>1 Forward Cut 18” to < 26”</p>	\$100 (per net)	\$100 (per net)	\$100 (per net)

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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			
Any Level II violations including: TED ANGLE 58 to < 61 degrees BAR SPACING Bent bar – 5” to < 8” WEBBING FLAP NETTING Holes/gaps in TED netting > 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”	\$500 (per net)	\$500 (per net)	\$500 (per net)

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Any Level II violations including (cont'd): 44” INSHORE OPENING 5 Escape Opening 34” to < 42” Horizontally 10” to < 15” Vertically	\$500 (per net)	\$500 (per net)	\$500 (per net)
Other discrepancy likely to capture more turtles than vessels with fully compliant TEDs (i.e. Level II violations) (consultation with GMT required)	\$500 (per net)	\$500 (per net)	\$500 (per net)