

Amendment 48

to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region



Modernization of the Wreckfish ITQ Program
Advisory Group Discussion Document
September 2023

Background

The South Atlantic Fishery Management Council (Council) is required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) to review the Wreckfish Individual Transferable Quota (ITQ) program every five to seven years. The Council initially reviewed the program in 2009. The review completed in 2019 was the first subsequent review. That review examined how the Wreckfish ITQ program changed between the baseline time period (2009/2010 – 2011/2012 fishing years) and the review time period (2012/2013 – 2016/2017 fishing years) with respect to various social, economic, biological, and administrative factors, and offered conclusions and recommended changes to the program based on the findings.

Snapper Grouper Amendment 48 considers actions and alternatives necessary to improve and modernize the Council's Wreckfish ITQ program based on recommendations from the ITQ Review. One of those recommendations included modifications to the offloading site and time requirements in the fishery. During meetings with shareholders, they expressed that designated landing sites and the daily unloading timeframe were overly burdensome, particularly the hours

allowed for offloading, contrary to what fishermen reported when the ITQ was laid out in Amendment 5 (SAFMC 1991a).

Shareholders reported that they rarely, if ever, encounter law enforcement officials at the dock when they offload. The allowable offloading time requirement affects the efficiency of their fishing operations. If they arrive at the dock too late to offload, the fish must remain aboard overnight. Unloading the next day impedes the fleet from going back out on another trip by several hours, thereby reducing the number of daylight hours they can fish. Ideally, shareholders would like to see the approved offloading sites and times requirements removed. Shareholders feel these requirements are holdovers from when the program was initially begun with 49 participants, many more than are currently in the fishery. NMFS law enforcement has noted that enforcement has not typically been seen at these types of offloads due to difficulty in knowing when a vessel may be landing, stemming from a lack of VMS or other reporting measures.

The offloading site and time requirements were implemented in Amendment 5 to the Snapper Grouper FMP (1991). The rationale was to aid NMFS law enforcement in monitoring offloading of wreckfish by requiring offloading occur during hours when officers were typically working, and it was safe to be monitoring offloads (daylight hours). Offloads were required to take place at a specific location to ensure that they were monitored regularly to deter fishermen from landing fish in excess of their quota allocations and the total allowable catch.

Since fishermen report that they rarely encounter law enforcement when offloading, the intended outcome of approved offloading sites and times as a deterrent for landing unreported fish has not been realized. Law enforcement has noted that not knowing where/when a specific vessel was landing makes dockside monitoring challenging. As such, at their March 2023 meeting, the Council directed staff to provide options for enforcement and compliance in the wreckfish ITQ program including a possible trip declaration (hail-out)/pre-landing notification (hail-in) requirement.

In addition to monitoring needs, Snapper Grouper Amendment 48 considers actions to move from the current paper-based coupon systems to an electronic reporting system. Moving to an electronic reporting will require the Council to review current participation and eligibility requirements in the fishery. Currently, there are some aspects of eligibility and participation in an electronic system that are not specified in the current wreckfish ITQ regulations. As such, simply retaining the status quo requirements may result in unintended effects. The Council will need to discuss eligibility and participation requirements for the electronic system before taking final action on Amendment 48.

Modernizing the wreckfish ITQ program continues to be a complex process that requires a significant amount of discussion time during Council meetings. To help facilitate continued development of Amendment 48, in June 2023 the Council proposed establishing a Wreckfish Sub-Committee and an Ad-Hoc Wreckfish Advisory Group. The Wreckfish Sub-Committee will report directly to the Snapper Grouper Committee. The Wreckfish Advisory Group will consist of all individuals/groups that currently own Wreckfish ITQ shares.

Objectives for this meeting

- Review actions and alternatives currently in Amendment 48,
- Provide recommendations on participation and eligibility in the wreckfish ITQ fishery,
- Provide recommendations on monitoring needs in the wreckfish ITQ fishery.

Timing for Snapper Grouper Amendment 48

| | Process Step | Date |
|---|---|-----------------------|
| ✓ | Council reviews options paper and directs staff to hold a meeting of the wreckfish shareholders and wholesale dealers. | September 2020 |
| ✓ | Meeting of the wreckfish shareholders and wholesale dealers. | October 2020 |
| ✓ | Council reviews shareholder input and approves amendment for scoping. | December 2020 |
| ✓ | Scoping Hearing | March 2021 |
| ✓ | Council reviews public input and provides guidance to staff. | March 2021 |
| ✓ | Council discusses path forward for amendment. | September 2021 |
| ✓ | Council reviews and approves actions/alternatives to be analyzed. | March 2022 |
| ✓ | Wreckfish Shareholders Meeting | Summer 2022 |
| ✓ | Council reviews draft amendment, selects preferred alternative, and approves for public hearings. | September 2022 |
| ✓ | Public Hearings | March 2023 |
| ✓ | Council reviews the draft amendment, modifies the document, as necessary. | March 2023 |
| ✓ | Council reviews offloading site and time requirements and hail-in/hail-out options. | June 2023 |
| | Council receives additional information on cost recovery and reviews related actions. | September 2023 |
| | Wreckfish Advisory Group and Sub-Committee meeting to discuss monitoring, participation, and eligibility requirements. | September 2023 |
| | Snapper Grouper Committee is updated on WAG/WSC discussions. | December 2023 |
| | Snapper Grouper Committee reviews draft amendment, selects preferred alternatives, and approves for public hearings. | March 2024 |
| | Public Hearing | June 2024 |
| | Council reviews amendment and considers for formal approval. | June 2024 |

Actions Currently in Snapper Grouper Amendment 48

The following actions are currently in Snapper Grouper Amendment 48. In June 2022, the wreckfish shareholders met to discuss these actions and provide recommendations to the Council. Each action is listed below along with the purpose of the action and the Council's preferred alternative. Full action and alternative language can be found in **Appendix A** of this document and detailed environmental consequences can be found in the draft Amendment 48 document (**Attachment 1b**).

Action 1. Revise sector allocations and sector annual catch limits for wreckfish.

Purpose of Action:

The recommendation to evaluate sector allocations came from the Snapper Grouper Advisory Panel due to concern that the recreational allocation for wreckfish is too high. A lower allocation may be more appropriate, especially considering the low encounter rate in the Marine Recreational Information Program (MRIP) survey. Additionally, the allocation was intended to allow some retention in the case of bycatch due to wreckfish having high release mortality and not to encourage targeting of wreckfish recreationally.

Preferred Alternative 2. Allocate 98% of the total annual catch limit for wreckfish to the commercial sector. Allocate 2% of the total annual catch limit for wreckfish to the recreational sector.

Action 2. Implement an electronic reporting system for the wreckfish individual transferable quota (ITQ) program.

Purpose of Action:

Data management and user experience could be greatly enhanced by moving from a paper system to an electronic system. The migration to an electronic system would increase timeliness of reported data, improve data quality, reduce cost and time for management, provide additional flexibility and benefits to fishermen, and improve program enforcement and monitoring.

Preferred Alternative 2. Implement an electronic system of reporting for the wreckfish ITQ program to electronically track ownership and transfers of quota shares, distribution, and transfers of annual allocation (quota pounds), and electronically record wreckfish landing information.

Action 3. Modify the requirement to possess a commercial vessel permit for wreckfish.

Purpose of Action:

The requirements to possess two permits (the wreckfish permit and snapper grouper unlimited permit) in addition to owning ITQ shares is duplicative and therefore unnecessarily burdensome for program participants and data managers. For fishermen the additional burden is from annual fees for two permits. For data managers, the two permits increase administrative processing

burden, unnecessarily complicating the use of data by program analysts. Additionally, requiring NMFS to determine whether an entity is an employee, contractor, or agent of the vessel owner is difficult without requesting more information than is typically requested of permit applicants, creates additional administrative burden for applicants and NMFS, and complicates the data confidentiality of this boutique fishery.

Preferred Alternative 3. To commercially harvest or sell wreckfish, a commercial permit for South Atlantic snapper grouper (unlimited) must have been issued to the vessel, the permit must be on board, and the permit holder must be a wreckfish shareholder.

Action 4. Modify the commercial fishing year for wreckfish.

Purpose of Action:

The Wreckfish program will be built into the existing Southeast Catch Share Online System, which has a mandatory down time period from December 31 at 6pm EST to January 1 at 2pm EST. A calendar year fishing year would reduce administrative burden and system downtime as the ITQ program moves towards an electronic reporting system.

Preferred Alternative 2. The commercial fishing year for wreckfish begins on January 1 and ends on December 31. From January 15 through April 15, each year, no person may harvest or possess wreckfish on a fishing vessel, in or from the exclusive economic zone.

Action 5. Modify offloading site and time requirements for wreckfish.

Purpose of Action:

Wreckfish shareholders expressed that the current requirement to land at a fixed facility of a dealer or notify NMFS OLE in advance by 24 hours and the daily unloading timeframe (8 am to 5pm) are overly burdensome, particularly the hours allowed for offloading. The allowable offloading time requirement affects the efficiency of their fishing operations. Shareholders would like to see the approved offloading sites and times requirements removed. Catch Share programs are required to include an effective system for enforcement, monitoring, and management of the program. The landing locations and fixed times for offload support the ability of the agency to enforce and monitor the program. These tools have proven successful in other catch share programs.

Preferred alternative not yet selected.

Action 6. Implement a cost recovery plan and associated conditions for the wreckfish individual transferable quota program.

Purpose of Action:

Cost recovery, the collection of a fee to recover the actual cost directly related to the management, data collection, and enforcement of any Limited Access Privilege Program (LAPP), is mandated under section 304(d)(2)(A) of the Magnuson-Stevens Act.

Sub-Action 6-1. Implement a cost recovery plan for the wreckfish individual transferable quota program.

Preferred Alternative 2. Implement an individual transferable quota cost recovery plan. The transferable quota shareholder landing wreckfish would be responsible for collection and submission of the cost recovery fee to NMFS.

Sub-Action 6-2. Collection of wreckfish individual transferable quota program cost recovery fees.

Preferred Alternative 4. Fees will be collected in the last quarter of the calendar year in which the fish is harvested.

Sub-Action 6-3. Frequency of wreckfish individual transferable quota program cost recovery fee submission.

Preferred Alternative 2. Cost recovery fee will be submitted once per year.

Sub-Action 6-4. Determination of wreckfish individual transferable quota program cost recovery fees.

Preferred Alternative 3. The cost recovery fee will be based on standard ex-vessel value of the wreckfish landings as calculated by NMFS.

Participation and Eligibility in the Wreckfish ITQ Fishery

Wreckfish Individual Transferable Quota Online Shareholder Account Eligibility

Purpose of Action: This would add language into the Code of Federal Regulations (CFR) establishing requirements for opening a wreckfish shareholder account in the new online system.

Status Quo: To be eligible to open a wreckfish individual transferable quota shareholder account, individuals must be United States citizens, permanent resident aliens, or a corporation, partnership, or other entity eligible to own and control a United States fishing vessel.

Discussion:

- United States citizens or permanent resident aliens: the requirements to meet the definition of a U.S. citizen are described in the Immigration and Nationality Act of 1952, as amended, and permanent resident aliens are those individuals who have been lawfully accorded the privilege of residing permanently in the U.S. in accordance with U.S. immigration laws.
- The Council could consider requiring additional permits for opening a wreckfish shareholder account, such as a snapper grouper unlimited permit and/or a wreckfish

permit. This would prevent individuals without those permits from accessing the online system and its functions (obtaining and maintaining shares, receiving annual allocation, allocation transfers, etc.)

- Under the status quo, NMFS would need to create an application form for wreckfish to gather necessary personal information and citizenship would need to be reaffirmed every two years. If other permits were required, they would likely already provide the information necessary.

ADVISORY GROUP QUESTIONS

1. Should the Council consider requiring other permits, such as a snapper grouper unlimited permit and/or a wreckfish permit to open an online shareholder account?

Requirements for Obtaining and Maintaining Wreckfish Individual Transferable Quota Shares in the Online System

Purpose of Action: This would add language to the Code of Federal Regulations (CFR) establishing requirements for obtaining and maintaining shares in the online system.

Status Quo: No requirements to obtain or maintain wreckfish individual transferable quota shares in an online system.

Discussion:

- Currently, there are no requirements for obtaining and maintaining shares in an online system, which would allow wreckfish shares to be obtained and maintained by an individual that does not possess the necessary requirements to harvest wreckfish.
- The Council could consider other requirements for obtaining and maintaining wreckfish shares, such as US citizenship (as mandated by the Magnuson Stevens Act), and eligibility to harvest wreckfish (currently a valid or renewable snapper grouper permit and a valid wreckfish permit).
 - A shareholder account would be considered associated with a permit if the permit has the exact same entities listed on both the shareholder account and permit.
- Does the Council could also consider any other actions that might restrict obtaining shares such as delinquent logbook reports or outstanding sanctions.

ADVISORY GROUP QUESTIONS

1. Should an entity be required to hold the permits necessary to harvest wreckfish to obtain and maintain wreckfish shares?
2. Should the Council restrict the ability to obtain shares if an individual has delinquent logbooks or outstanding sanctions?
3. Are there other restrictions on who can obtain and maintain shares that the Council should consider?

Share Divestment for Permit-Required Accounts

Purpose of Action: This would establish a protocol for NMFS reclaiming shares if an account no longer meets the requirements to maintain shares. As such, this is applicable only if the Council chooses to establish such requirements.

Status Quo: NMFS will not reclaim shares of shareholder accounts not in compliance with the requirements to maintain shares.

Discussion:

- If the Council chooses to establish requirements to maintain wreckfish shares there will need to be a process in place for reclaiming shares from individuals that no longer meet the requirements.
 - There will need to be a period for individuals to become in compliance with the new regulations once effective and a time period for individuals to divest their shares once they are out of compliance before NMFS will reclaim the shares.

ADVISORY GROUP QUESTIONS

1. How long after the implementation of Snapper Grouper Amendment 48 should current shareholders have to become compliant with the new requirements to maintain shares? Immediately? 1-year? 3-years?
2. How long after a shareholder becomes ineligible to maintain shares should they have to divest of their shares before NMFS reclaims them? 1-year? 3-years? 5-years?

Redistribution of reclaimed shares to remaining shareholders.

Purpose of Action: This would establish a protocol for NMFS to redistribute shares that have been reclaimed. As such, Action F is applicable only if an alternative other than Alternative 1 (No Action) is chosen in Action D and Action E.

Status Quo: NMFS will not reclaim and redistribute shares of shareholder accounts not in compliance with the requirements to maintain shares.

Discussion:

- This would be necessary if the Council establishes requirements to obtain and maintain shares and a process for share divestment.
- Should NMFS reclaim shares from an account no longer in compliance with the requirements to maintain shares, the reclaimed shares would be redistributed to remain shareholders based on a system established by the Council.
- Examples for redistributing reclaimed shares to remaining shareholders could include:
 - equally,
 - based on the proportion of remaining shares,
 - based on landings history over the most recent five years,

- based on landings history over the most recent three years,
- other system?

ADVISORY GROUP QUESTIONS

1. How should NMFS redistribute reclaimed shares to the remaining shareholders?

Wreckfish Individual Transferable Quota Requirements to Obtain Annual Allocation from Shares.

Purpose of Action: This would establish requirements for a shareholder to receive their annual allocation, ensuring that shareholders are up to date with cost recovery fees and fishery monitoring requirements.

Status Quo: To obtain annual allocation from shares, an account must hold active wreckfish individual transferable quota shares.

Discussion:

- The Council can consider establishing requirements to ensure shareholders remain in good standing with regulations associated with the wreckfish ITQ program. For example, shareholders could be required to be in good standing with the following to receive their annual allocation:
 - collection and submission of cost recovery fees,
 - wreckfish ITQ reporting requirements,
 - commercial snapper grouper permit reporting requirements.
- If shareholders are not in good standing at the start of the year when annual allocation is initially released, it could be released to them once they are in good standing. This is the most flexible option but may still encourage late payments or reporting requirements if they can fix it 'after the fact.'

ADVISORY GROUP DISCUSSION

1. Should the Council require current shareholders to be in good standing with the requirements of the wreckfish ITQ program to receive their annual allocation. If so, which requirements are reasonable?

Wreckfish Individual Transferable Quota Requirements to Obtain Annual Allocation through Transfer.

Purpose of Action: This would add language to the Code of Federal Regulations (CFR) establishing requirements for obtaining annual allocation through transfer in the online system. Currently, there are no requirements for obtaining annual allocation through transfer in an online system, which would allow wreckfish allocation to be obtained and maintained by an individual that does not possess the necessary requirements to harvest wreckfish.

Status Quo: Do not limit who can receive annual allocation through transfer in the online system.

Discussion:

- The status quo may not be a viable alternative. The Magnuson-Stevens Act “prohibits any person other than a United States citizen, a corporation, partnership, or other entity established under the laws of the United States or any State, or a permanent resident alien, that meets the eligibility and participation requirements established in the program from acquiring a privilege to harvest fish.”
- The Council could consider requiring that annual allocation only be transferred to online accounts that currently hold shares.
- The Council can also consider requiring accounts that receive annual allocation through transfer to hold the necessary permits for harvesting wreckfish.

ADVISORY GROUP QUESTIONS

1. Should the Council restrict who can receive annual allocation through transfer in the online system? If so, what requirements would be necessary?

Retaining Annual Allocation before a Commercial Annual Catch Limit Reduction

Purpose of Action: While no stock assessment or ACL reduction is expected for wreckfish, this action would provide the Regional Administrator with the ability to withhold annual allocation in the event a reduction is required in the future.

Status Quo: Distribute 100% of the wreckfish annual allocation to individual transferable quota shareholders on January 1st of each year.

Discussion:

- Currently, there is no upcoming stock assessment or intent by the Council to revisit the current wreckfish total annual catch limit through Snapper Grouper Amendment 48. However, if this scenario were to happen in the future, providing the Regional Administration with the authority to withhold the amount of annual allocation reduction before distribution at the beginning of a year in which a commercial annual catch limit reduction is expected to occur would ease future administration burden on NMFS staff.

ADVISORY GROUP QUESTIONS

1. None, but input from the Advisory Group is welcome.

Monitoring of the Wreckfish ITQ Fishery

Trip Declaration Requirement for Commercial Vessels Participating in the Wreckfish Component of the Snapper Grouper Fishery.

Purpose of Action: This proposes a hail-out requirement for the wreckfish fishery. The Magnuson Stevens Act requires that limited access privilege programs “include an effective system for enforcement, monitoring, and management of the program, including the use of observers or electronic monitoring systems.” (16 U.S.C. 1853a)

Status Quo: The owner or operator of a commercial snapper grouper permitted vessel participating in the wreckfish component of the snapper grouper fishery is not required to notify the National Marine Fisheries Service prior to departing with a declaration of the type of fishing trip.

Discussion:

- The Council is considering a trip declaration requirement (hail-out) for the wreckfish component of the snapper grouper fishery. The owner or operator of a commercial snapper grouper unlimited permitted vessel participating in the wreckfish component of the snapper grouper fishery would be responsible for ensuring that NMFS is contacted prior to departure with a declaration of a fishing trip using a NMFS approved method.
 - The Council has indicated that they would like this method to be something other than requiring a vessel monitoring system (VMS) on board.
- Information collected during a trip declaration may include fishery, gear, starting port, and expected departure date and time.
- Trip declarations could be required for the following types of trips:
 - wreckfish individual transferable quota trips only,
 - snapper grouper fishery (inclusive of wreckfish) trips only,
 - all commercial fishing trips,
 - all times leaving the dock.
- There are multiple levels of reporting that could be established by the Council, each with different pros and cons. The intent is that these sub-alternatives apply **ONLY** to fishermen participating in the wreckfish component of the snapper grouper fishery, not all snapper grouper vessels.
 - Declaring for just wreckfish trips would limit applicability to overall management but would give us information on when trips occur and from what location.
 - Requiring wreckfish participants to declare for all snapper grouper trips would provide information on the percentage of wreckfish trips compared to snapper grouper trips.
 - Information on all commercial fishing trips would provide more refined information about what wreckfish fishermen do when not fishing for wreckfish.
 - Additionally, comparisons could be made between wreckfish focused snapper grouper trips and other snapper grouper trips.

- All times leaving the dock would also include other sectors (for-hire, private angler) if using the same vessel.

ADVISORY GROUP QUESTIONS

1. What type of trip declaration method would work for the wreckfish ITQ fishery? For example, a NMFS-developed application, call in to a 24-hour line, VMS?
2. On what trips would wreckfish shareholders be willing to provide a trip declaration? Wreckfish only? Snapper grouper? All commercial? Etc.
3. Contacting NMFS 24-hours prior to departure is the MAXIMUM number of hours in advance. Less time between declaring and leaving is possible. What time frame would be convenient for those participating in the wreckfish ITQ fishery?

Pre-landing Notification Requirement for Commercial Vessels Participating in the Wreckfish Component of the Snapper Grouper Fishery.

Purpose of Action: This proposes a hail-in requirement for the wreckfish fishery. The Magnuson Stevens Act requires that limited access privilege programs “include an effective system for enforcement, monitoring, and management of the program, including the use of observers or electronic monitoring systems.” (16 U.S.C. 1853a)

Status Quo: Commercial vessels participating in the wreckfish component of the snapper grouper fishery are not required to notify the National Marine Fisheries Service in advance of landing wreckfish.

Discussion:

- The Council is considering a pre-landing notification requirement (hail-in) for the wreckfish component of the snapper grouper fishery. The owner or operator of a commercial snapper grouper unlimited permitted vessel participating in the wreckfish component of the snapper grouper fishery would be responsible for ensuring that the NMFS is contacted in advance of landing using a NMFS approved method.
 - The Council has indicated that they would like this method to be something other than requiring a vessel monitoring system (VMS) on board.
- Information collected during a pre-landing notification may include the expected date and time of landing, pre-approved landing location, estimated weight of wreckfish on-board the vessel, dealer where the wreckfish are to be received, shareholder, and vessel
- Pre-landing notifications could be required for the following types of trips:
 - wreckfish individual transferable quota trips only,
 - snapper grouper fishery (inclusive of wreckfish) trips only,
 - all commercial fishing trips,
 - all times leaving the dock.
- To the extent possible, pre-landing notification requirements should mirror trip declaration requirements as the two monitoring methods are closely tied.

- Establishing a pre-landing notification requirement does not modify the offloading site and time requirements. Modification of those requirements is discussed in Action 5 of Snapper Grouper Amendment 48.

ADVISORY GROUP QUESTIONS

1. What type of pre-landing method would work for the wreckfish ITQ fishery? For example, a NMFS-developed application, call in to a 24-hour line, VMS?
2. On what trips would wreckfish shareholders be willing to provide a pre-landing notification? Wreckfish only? Snapper grouper? All commercial? Etc.
3. Contacting NMFS at least three hours, but no more than 24 hours prior to landing is standard. Would this time frame be convenient for those participating in the wreckfish ITQ fishery?

Appendix A. Snapper Grouper Amendment 48 Full Action and Alternative Language

Action 1. Revise sector allocations and sector annual catch limits for wreckfish.

Alternative 1 (No Action). Retain the current commercial sector and recreational sector allocations as 95% and 5%, respectively, of the total annual catch limit for wreckfish.

Preferred Alternative 2. Allocate 98% of the total annual catch limit for wreckfish to the commercial sector. Allocate 2% of the total annual catch limit for wreckfish to the recreational sector.

Alternative 3. Allocate 99% of the total annual catch limit for wreckfish to the commercial sector. Allocate 1% of the total annual catch limit for wreckfish to the recreational sector.

Alternative 4. Allocate 99.5% of the total annual catch limit for wreckfish to the commercial sector. Allocate 0.5% of the total annual catch limit for wreckfish to the recreational sector.

Action 2. Implement an electronic reporting system for the wreckfish individual transferable quota (ITQ) program.

Alternative 1 (No Action). Retain the current ITQ paper-based reporting system including, share certificates, allocation coupons, vessel logbooks, and dealer reports.

Preferred Alternative 2. Implement an electronic system of reporting for the wreckfish ITQ program to electronically track ownership and transfers of quota shares, distribution, and transfers of annual allocation (quota pounds), and electronically record wreckfish landing information.

Action 3. Modify the requirement to possess a commercial vessel permit for wreckfish.

Alternative 1 (No Action). To commercially harvest or sell wreckfish, a commercial vessel permit for wreckfish and a commercial permit for South Atlantic snapper grouper must have been issued to the vessel and the permit must be on board. To obtain a commercial vessel permit for wreckfish, the applicant must be a wreckfish shareholder; and either the shareholder must be the vessel owner, or the owner or operator must be an employee, contractor, or agent of the shareholder.

Alternative 2. To commercially harvest or sell wreckfish, a commercial vessel permit for wreckfish and a commercial permit for South Atlantic snapper grouper (unlimited) must have

been issued to the vessel and the permit must be on board. To obtain a commercial vessel permit for wreckfish, the permit holder must be a wreckfish shareholder.

Preferred Alternative 3. To commercially harvest or sell wreckfish, a commercial permit for South Atlantic snapper grouper (unlimited) must have been issued to the vessel, the permit must be on board, and the permit holder must be a wreckfish shareholder.

Alternative 4. To commercially harvest or sell wreckfish, a commercial permit for South Atlantic snapper grouper (unlimited) must have been issued to the vessel, the permit must be on board.

Action 4. Modify the commercial fishing year for wreckfish.

Alternative 1 (No Action). The commercial fishing year for wreckfish begins on April 15 and ends on April 14. From January 15 through April 15, each year, no person may harvest or possess wreckfish on a fishing vessel, in or from the exclusive economic zone.

Preferred Alternative 2. The commercial fishing year for wreckfish begins on January 1 and ends on December 31. From January 15 through April 15, each year, no person may harvest or possess wreckfish on a fishing vessel, in or from the exclusive economic zone.

Action 5. Modify offloading site and time requirements for wreckfish.

Alternative 1 (No Action). Wreckfish may only be offloaded between the hours of 8 a.m. and 5 p.m., local time. Wreckfish must be offloaded only at the fixed facility of a dealer with a Gulf of Mexico and South Atlantic Dealer Permit. Wreckfish may be offloaded at a location other than a fixed facility of a dealer who holds a Gulf of Mexico and South Atlantic dealer permit, if the wreckfish shareholder or the vessel operator advises the NMFS Office for Law Enforcement of the location not less than 24 hours prior to offloading.

Alternative 2. Wreckfish may only be offloaded between the hours of 6 a.m. and 6 p.m., local time. Wreckfish must be offloaded only at the fixed facility of a dealer with a Gulf of Mexico and South Atlantic Dealer Permit. Wreckfish may be offloaded at a location other than a fixed facility of a dealer who holds a Gulf of Mexico and South Atlantic dealer permit, if the wreckfish shareholder or the vessel operator advises the NMFS Office for Law Enforcement of the location not less than 24 hours prior to offloading.

Alternative 3. Wreckfish may only be offloaded between the hours of 5 a.m. and 8 p.m., local time. Wreckfish must be offloaded only at the fixed facility of a dealer with a Gulf of Mexico and South Atlantic Dealer Permit. Wreckfish may be offloaded at a location other than a fixed facility of a dealer who holds a Gulf of Mexico and South Atlantic dealer permit, if the wreckfish shareholder or the vessel operator advises the NMFS Office for Law Enforcement of the location not less than 24 hours prior to offloading.

Alternative 4. Remove the requirement to offload wreckfish between the hours of 8 a.m. and 5 p.m., local time. Wreckfish must be offloaded only at the fixed facility of a dealer with a Gulf of Mexico and South Atlantic Dealer Permit. Wreckfish may be offloaded at a location other than a fixed facility of a dealer who holds a Gulf of Mexico and South Atlantic dealer permit, if the wreckfish shareholder or the vessel operator advises the NMFS Office for Law Enforcement of the location not less than 24 hours prior to offloading.

Action 6. Implement a cost recovery plan and associated conditions for the wreckfish individual transferable quota program.

Sub-Action 6-1. Implement a cost recovery plan for the wreckfish individual transferable quota program.

Alternative 1 (No Action). Do not implement a cost recovery plan for the wreckfish individual transferable quota program.

This is not a legally viable alternative.

Preferred Alternative 2. Implement an individual transferable quota cost recovery plan. The transferable quota shareholder landing wreckfish would be responsible for collection and submission of the cost recovery fee to NMFS.

Alternative 3. Implement an individual transferable quota cost recovery plan. The dealer receiving Wreckfish would be responsible for collecting the cost recovery fee from the shareholder landing the wreckfish and submitting the fee to NMFS.

Sub-Action 6-2. Collection of wreckfish individual transferable quota program cost recovery fees.

Alternative 1 (No Action). Do not implement a cost recovery plan for the wreckfish individual transferable quota program.

This is not a legally viable alternative.

Alternative 2. Fees will be collected at the time of landing.

Alternative 3. Fees will be collected upon the sale of such fish during a fishing season.

Preferred Alternative 4. Fees will be collected in the last quarter of the calendar year in which the fish is harvested.

Sub-Action 6-3. Frequency of wreckfish individual transferable quota program cost recovery fee submission.

Alternative 1 (No Action). Do not implement a cost recovery plan for the wreckfish individual transferable quota program.

This is not a legally viable alternative.

Preferred Alternative 2. Cost recovery fee will be submitted once per year.

Alternative 3. Cost recovery fee will be submitted twice per year.

Alternative 4. Cost recovery fee will be submitted four times per year.

Alternative 5. Cost recovery fee will be submitted twelve times per year.

Sub-Action 6-4. Determination of wreckfish individual transferable quota program cost recovery fees.

Alternative 1 (No Action). Do not implement a cost recovery plan for the wreckfish individual transferable quota program.

This is not a legally viable alternative.

Alternative 2. The cost recovery fee will be based on actual* ex-vessel value of the wreckfish landings.

Preferred Alternative 3. The cost recovery fee will be based on standard** ex-vessel value of the wreckfish landings as calculated by NMFS.

* actual ex-vessel value is calculated by multiplying the wreckfish landings by the actual ex-vessel price, where the actual ex-vessel price is the total monetary sale amount a fisherman receives per pound of fish for ITQ landings from a registered ITQ dealer before any deductions are made for transferred allocation and goods and services (e.g. bait, ice, fuel, repairs, machinery replacement, etc.).

** standard ex-vessel value is calculated by multiplying the wreckfish landings by the standard ex-vessel price, which is based on the average ex-vessel price for the previous fishing year and any expected price change in the current fishing year.