

Amendment 48

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



Modernization of the Wreckfish ITQ Program
Sub-Committee Decision 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 input from the Wreckfish Advisory Group,
- Review and approve draft actions and alternatives of analysis.

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

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.

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

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

Action 4. Modify the commercial fishing year for wreckfish.

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

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.

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

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

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

Proposed Actions and Alternatives for Snapper Grouper Amendment 48

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

Purpose of Action: This action 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)

Alternative 1 (No Action). 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.

Alternative 2 The owner or operator of a commercial snapper grouper unlimited permitted vessel participating in the wreckfish component of the snapper grouper fishery is responsible for ensuring that the National Marine Fisheries Service is contacted no more than 24-hours prior to departure with a declaration of a fishing trip using a National Marine Fisheries Service approved method (other than a vessel monitoring system). When departing, they must include their fishery, gear, starting port, and expected departure date and time.

Sub-alternative 2a. wreckfish individual transferable quota trips only.

Sub-alternative 2b. snapper grouper fishery (inclusive of wreckfish) trips only.

Sub-alternative 2c. all commercial fishing trips.

Sub-alternative 2d. all times leaving the dock.

Discussion:

- Contacting NMFS 24-hours prior to departure is the MAXIMUM number of hours in advance. Less time between declaring and leaving is possible (for example, fisheries in New England typically ask for declarations to occur one hour in advance of departure).
- The **Alternative 2** sub-alternatives require increasing levels of reporting but may also provide additional information for management. 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.
 - In the Gulf of Mexico IFQ system all reef fish permit holders must declare for any fishing trip (meaning any time the vessel leaves the dock). For non-fishing trips, they use an out of fishery code.

COMMITTEE ACTION

REVIEW ACTION AND ALTERNATIVE LANGUAGE AND APPROVE FOR INCLUSION IN SNAPPER GROUPER AMENDMENT 48.

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

Purpose of Action: This action 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)

Alternative 1 (No Action). 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.

Alternative 2. The owner or operator of a commercial snapper grouper unlimited permitted vessel participating in the wreckfish component of the snapper grouper fishery is responsible for ensuring that the National Marine Fisheries Service is contacted at least three hours, but no more than 24 hours, in advance of landing using a National Marine Fisheries Service approved method (other than a vessel monitoring system). When providing advance notice of landing, they must include the expected date and time, pre-approved landing location, estimated weight of wreckfish on-board the vessel, dealer where the wreckfish are to be received, shareholder, and vessel.

Sub-alternative 2a. wreckfish individual transferable quota trips only.

Sub-alternative 2b. snapper grouper fishery (inclusive of wreckfish) trips only.

Sub-alternative 2c. all commercial fishing trips.

Sub-alternative 2d. all times leaving the dock.

Discussion:

- To the extent possible, alternatives in Action B should mirror those in Action A and as the trip deceleration requirement and pre-landing notification are closely tied.
- Selection of an alternative other than **Alternative 1 (No Action)** does not modify the offloading site and time requirements. Modification of those requirements is discussed in Action 5 of Snapper Grouper Amendment 48.

COMMITTEE ACTION

REVIEW ACTION AND ALTERNATIVE LANGUAGE AND APPROVE FOR INCLUSION IN SNAPPER GROUPE AMENDMENT 48.

Action C. Wreckfish Individual Transferable Quota Online Shareholder Account Eligibility

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

Alternative 1 (No Action). 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.

Alternative 2. To be eligible to open a wreckfish individual transferable quota shareholder account, individuals must be entities who are United States citizens, permanent resident aliens, or a corporation, partnership, or other entity eligible to own and control a United States fishing vessel and hold a valid or renewable commercial snapper grouper unlimited permit.

Alternative 3. To be eligible to open a wreckfish individual transferable quota shareholder account, individuals must be entities who are United States citizens, permanent resident aliens, or a corporation, partnership, or other entity eligible to own and control a United States fishing vessel and hold a valid or renewable commercial snapper grouper unlimited permit and a valid wreckfish permit.

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.
- Under **Alternative 1 (No Action)**, 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. **Alternative 2** and **Alternative 3** require other permit(s) which already provide the information necessary, and citizenship is reaffirmed on every permit renewal.

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REVIEW ACTION AND ALTERNATIVE LANGUAGE AND APPROVE FOR INCLUSION IN SNAPPER GROUPER AMENDMENT 48.

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

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

Alternative 1 (No Action). No requirements to obtain or maintain wreckfish individual transferable quota shares in an online system.

Alternative 2. To obtain (transfer into a shareholder account) or maintain shares (hold existing shares in a shareholder account), all shareholder accounts must be associated with individuals who are United States citizens, permanent resident aliens, or a corporation, partnership, or other entity eligible to own and control a United States fishing vessel.

Alternative 3. To obtain (transfer into a shareholder account) or maintain shares (hold existing shares in a shareholder account), all shareholder accounts must be associated with entities who are United States citizens, permanent resident aliens, or a corporation, partnership, or other entity eligible to own and control a United States fishing vessel and hold a valid or renewable commercial snapper grouper unlimited permit or the shares will be reclaimed by the National Marine Fisheries Service (NMFS). A shareholder account is associated with a permit if the permit has the exact same entities listed on both the shareholder account and permit.

Alternative 4. To obtain (transfer into a shareholder account) or maintain shares (hold existing shares in a shareholder account), all shareholder accounts must be associated with entities who are United States citizens, permanent resident aliens, or a corporation, partnership, or other entity eligible to own and control a United States fishing vessel and hold a valid or renewable commercial snapper grouper unlimited permit and hold a valid wreckfish permit or the shares will be reclaimed by the National Marine Fisheries Service (NMFS). A shareholder account is associated with a permit if the permit has the exact same entities listed on both the shareholder account and permit.

Discussion:

- Does the Council want to consider any other actions that might restrict obtaining shares such as delinquent logbook reports? outstanding sanctions? Note: restrictions on obtaining annual allocation are discussed in proposed Action G.

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Action E. Share Divestment for Permit-Required Accounts

Purpose of Action: This action would establish a protocol for NMFS reclaiming shares if an account no longer meets requirements to maintain shares, as established in Action D. As such, Action E is applicable only if an alternative other than Alternative 1 is chosen in Action D.

Alternative 1 (No Action). NMFS will not reclaim shares of shareholder accounts not in compliance with the requirements to maintain shares.

Alternative 2. Shareholder accounts must be in compliance with the requirements to maintain shares, or NMFS will reclaim all shares in a shareholder account:

Sub-alternative 2a. On the effective date implementing this amendment.

Sub-alternative 2a. 1 year following the effective date implementing this amendment.

Sub-alternative 2b. 3 years following the effective date implementing this amendment.

Sub-alternative 2c. 5 years following the effective date implementing this amendment.

Alternative 3. After implementation of this amendment, if a shareholder is no longer in compliance with the requirements to maintain shares, the shareholder(s) must divest of the account's shares, or the shares will be reclaimed by NMFS:

Sub-alternative 3a. 1 year following the transfer or termination of the permit.

Sub-alternative 3b. 3 years following the transfer or termination of the permit.

Sub-alternative 3c. 5 years following the transfer or termination of the permit.

Discussion:

- If the Council chooses to establish requirements to maintain wreckfish shares (Action D) there will need to be a process in place for reclaiming shares from individuals that no longer meet the requirements.
 - **Alternative 2** and its sub-alternatives set a time period for individuals to become in compliance with the new regulations once effective.
 - **Alternative 3** and its sub-alternatives set a time period for individuals to divest of their shares once they are out of compliance before NMFS will reclaim the shares.

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Action F. Redistribution of reclaimed shares to remaining shareholders.

Purpose of Action: This action 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.

Alternative 1 (No Action). NMFS will not reclaim and redistribute shares of shareholder accounts not in compliance with the requirements to maintain shares.

Alternative 2. Redistribute reclaimed shares to remaining shareholders equally.

Alternative 3. Redistribute reclaimed shares to remaining shareholders based on the proportion of remaining shares held by each remaining shareholder.

Alternative 4. Redistribute reclaimed shares to remaining shareholders based on landings history.

Sub-alternative 4a. Proportion of total wreckfish landings over the most recent five fishing years.

Sub-alternative 4b. Proportion of total wreckfish landings over the most recent three fishing years.

Discussion:

- This action tiers off Action D (requirements to obtain and maintain shares) and Action E (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 the alternative chosen in this action.

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

Purpose of Action: This action 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.

Alternative 1 (No Action). To obtain annual allocation from shares, an account must hold active wreckfish individual transferable quota shares.

Alternative 2. To obtain annual allocation from shares, an account must hold active wreckfish individual transferable quota shares and be in good standing with respect to:

Sub-alternative 2a. Collection and submission of cost recovery fees.

Sub-alternative 2b. Wreckfish individual transferable quota reporting requirements.

Sub-alternative 2c. Commercial snapper grouper unlimited permit reporting requirements.

Discussion:

- 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.'
- Multiple alternatives could be selected under this action.

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REVIEW ACTION AND ALTERNATIVE LANGUAGE AND APPROVE FOR INCLUSION IN SNAPPER GROUPER AMENDMENT 48.

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

Purpose of Action: This action 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.

Alternative 1 (No Action). Do not limit who can receive annual allocation through transfer in the online system.

Alternative 2. Individual transferable quota annual allocation can be transferred only to individual transferable quota accounts holding shares. Eligible accounts must be held by individuals who are United States citizens or permanent resident aliens.

Alternative 3. Individual transferable quota annual allocation can be transferred only to accounts with an associated valid snapper grouper unlimited permit. Eligible accounts must be associated with individuals who are United States citizens or permanent resident aliens.

Alternative 4. Individual transferable quota annual allocation can be transferred only to accounts with a valid snapper grouper unlimited permit and valid wreckfish permit. Eligible accounts must be associated with individuals who are United States citizens or permanent resident aliens.

Notes:

- **Alternative 1 (No Action)** 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.”

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REVIEW ACTION AND ALTERNATIVE LANGUAGE AND APPROVE FOR INCLUSION IN SNAPPER GROUPER AMENDMENT 48.

Action I. 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.

Alternative 1 (No Action). Distribute 100% of the wreckfish annual allocation to individual transferable quota shareholders on January 1st of each year.

Alternative 2. Provide the Regional Administrator with the authority to withhold the amount of wreckfish annual allocation before distribution at the beginning of a year in which a commercial annual catch limit reduction is expected to occur. Withheld wreckfish annual allocation will be distributed to shareholders if the effective date of the final rule implementing the quota reduction has not occurred by:

Sub-alternative 2a. June 1.

Sub-alternative 2b. August 1.

COMMITTEE ACTION

REVIEW ACTION AND ALTERNATIVE LANGUAGE AND APPROVE FOR INCLUSION IN SNAPPER GROUPER AMENDMENT 48.

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.