**FINAL RULE CHANGES TO THE
RED SNAPPER AND GROUPER-TILEFISH
INDIVIDUAL FISHING QUOTA (IFQ) PROGRAMS**

Frequently Asked Questions

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What are the changes to the <u>landing notification</u> process?

- *VESSEL ACCOUNTS:* The final rule allows allocation to be held in either a vessel account <u>or the linked shareholder account</u> at the time the landing notification is submitted.
    - o Before completing a landing transaction the shareholder will need to transfer allocation to the vessel account if sufficient allocation does not exist in the vessel account to allow the dealer to complete the landing transaction.
- *NOTIFICATION WINDOW:* The final rule extends the landing notification reporting window for IFQ species from 12 to <u>24</u> hours.
    - o Extending the notification window provides vessel owners and operators additional flexibility when making landing notifications, while still providing law enforcement advance notice to meet vessels at the landing location for inspection.
- *LANDING WINDOW:* The final rule requires that a vessel must land *within 1 hour after the arrival time given in the landing notification.*
    - o If a vessel is landing more than 1 hour after the arrival time given in the landing notification, the owner or operator of the vessel will be required to submit a new landing notification.
    - o The captain will *not* be required to wait an additional 3 hours if only one superseding landing notification has been submitted for the trip. If more than one superseding notification has been made for a trip or the landing location is changed, the vessel will be required to wait an additional 3 hours before landing.
    - o <u>NOAA Fisheries modified the final rule based on input from fishers that indicated that 30 minutes would not be sufficient time, but that 1 hour would be sufficient.</u>
- *CHANGES TO A LANDING NOTIFICATION:* The final rule specifies that any changes to a landing notification will require a new landing notification, which will override a previous notification.
    - o If the landing location or the time of landing is earlier than previously specified:
        - ▪ A new landing notification must provide <u>at least 3 hours' notice</u> prior to landing.
    - o If the dealer(s) purchasing the fish or the estimated weights of fish to be landed are changed:

- A new landing notification is required but does not require a vessel to wait an additional 3 hours to land as long as the landing time is later than the previous notification.
- *LANDING PRIOR TO THE NOTIFICATION TIME:* The final rule allows vessels to land prior to a 3-hour notification if an authorized officer is present, is available to meet the vessel at the landing site, *and* authorizes the owner or operator of the vessel to land early.

What are the changes to the <u>offloading</u> process?
- *TIME RESTRICTION OF OFFLOADING:* The final rule allows offloads beginning before 6 p.m. to continue after 6 p.m. if an authorized officer is present, is available to remain at the offloading site while the offloading continues, *and* authorizes the vessel to continue offloading.
- *TIMEFRAME FOR COMPLETING OFFLOAD:* The final rule does not specify an offloading timeframe; however, the final rule specifies a timeframe for completing the landing transaction, as described in the changes to the landings transaction process described below.
  - The intent of this regulation is to ensure landing transactions are completed in a timely manner.

What are the changes to the <u>landing transaction</u> process?
- *PROHIBIT DEDUCTION OF ICE AND WATER WEIGHT:* The final rule prohibits the deduction of ice and water weight when reporting an IFQ landing transaction, unless the actual weight of ice and water is determined using a scale.
- *TIMEFRAME FOR SUBMITTING LANDING TRANSACTION:* This rule would require a dealer to complete a landing transaction for IFQ species <u>on the day of offload, and within 96 hours of landing</u>.
  - In some instances, landing transactions are entered days to weeks after landing and offloading. The intent of this regulation is to improve the timeliness and accuracy of landing transactions.

What <u>administrative changes</u> are included in the final rule?
- *CLOSE ACCOUNT FORM:* The final rule adds procedures for an account holder to close an IFQ account.
  - Only accounts without shares or allocation or dealer accounts with no outstanding cost recovery fees can be closed.
  - If an account holder is deceased, a death certificate must be provided with the Close Account Form to NMFS.
  - The rule also allows NMFS IFQ Customer Service staff to close an IFQ account if no landing transactions or IFQ transfers have been completed by the IFQ account holder in at least 1 year.
  - *Accounts will only be closed if they no longer hold shares and allocation, or a dealer account has paid all cost recovery fees.*
  - Closing accounts will reduce the number of records NMFS must maintain. Accounts closed by NMFS staff may be reopened at the request of the account holder.

- *IFQ LANDING SALES:* The final rule clarifies that fish must be sold to a federally permitted dealer and dealers must report all landings and their actual ex-vessel value via the IFQ online Web site.
  - These regulations ensure all landings and sales of IFQ species are accounted for and fish are not kept by a captain and/or crew without first being reported.
- *LANDING TRANSACTION APPROVAL CODE:* To improve accountability of the IFQ species that are transported to a dealer by a vehicle or a trailered vessel, this rule clarifies that a dealer may only receive IFQ fish that have a corresponding transaction approval code.
- *LANDING LOCATIONS:* This rule clarifies and explicitly states that IFQ species must be landed at an approved landing location.

Why is the rule necessary?
- The final rule contains administrative revisions to the commercial Gulf of Mexico (Gulf) red snapper and grouper-tilefish IFQ programs that will improve enforcement, administration, and monitoring of the program.
- The final rule also clarifies existing regulations.

Related Links:
IFQ Homepage: https://ifq.sero.nmfs.noaa.gov/ifqgt