

**Framework Action to the Fishery Management Plans for Reef
Fish Resources of the Gulf of Mexico and Coastal Migratory
Pelagic Resources of the Gulf of Mexico and South Atlantic
Headboat Electronic Reporting Requirements**



**Including Categorical Exclusion, Regulatory Impact Review, and Regulatory Flexibility
Act Analysis**



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CHAPTER 2. MANAGEMENT ALTERNATIVES

2.1 Action 1: Modify Frequency of Data Reporting Requirements for Headboats

Alternative 1 (No Action). Retain existing permits and data reporting systems for the for-hire sector. Currently, the owner or operator of a vessel for which a charter vessel/headboat permit for Gulf of Mexico (Gulf) coastal migratory pelagic fish, South Atlantic coastal migratory pelagic fish, Gulf reef fish, South Atlantic snapper-grouper, or Atlantic dolphin and wahoo has been issued, or whose vessel fishes for or lands such coastal migratory pelagic fish, reef fish, snapper-grouper, or Atlantic dolphin or wahoo in or from state waters adjoining the applicable Gulf, South Atlantic, or Atlantic exclusive economic zone (EEZ), and who is selected to report by the Science and Research Director(SRD), must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD. Completed records for charter vessels must be submitted to the SRD weekly, postmarked no later than seven days after the end of each trip (Sunday). Completed records for headboats must be submitted to the SRD monthly and must either be made available to an authorized statistical reporting agent or be postmarked no later than seven days after the end of each month. As of January 1, 2013, forms must be submitted via electronic reporting (i.e., computer or internet) as specified by the SRD.

Alternative 2. *Weekly.* Require that selected headboat vessels submit fishing records to the SRD weekly via electronic reporting (i.e., computer or internet). Weekly = seven days after the end of each week (Sunday).

Alternative 3. *Daily.* Require that selected headboat vessels submit fishing records to the SRD daily via electronic reporting (i.e., computer or internet). Daily = by noon of the following day.

* If a trip lasts longer than one day, the report must be submitted by noon on the day following the end of the trip.

Preferred Alternative 4. *Weekly or intervals less than a week.* Require that selected headboat vessels submit fishing records to the SRD weekly or at intervals shorter than a week if notified by the SRD via electronic reporting (i.e., computer or internet). Weekly = seven days after the end of each week (Sunday).

* It is the Gulf of Mexico Fishery Management Council's intent that headboats that are in catastrophic conditions, paper reporting may be authorized (catastrophic measure). A notice would be published in the Federal Register defining the catastrophic conditions.

** "No trip forms" must be submitted at the same frequency, via the same process, and for the same species as specified for "trip" forms in Action 1. A headboat owner/operator would only be authorized to harvest or possess Gulf reef fish or coastal migratory pelagic species if previous reports have been submitted by the headboat owner/operator and received by National Marine Fisheries Service (NMFS) in a timely manner. Any delinquent reports would need to be

submitted and received by NMFS before a headboat owner/operator could harvest or possess federally managed species from the EEZ or adjacent state waters.

Discussion

All operators selected to report to the headboat survey are required to report landings and effort data from all trips made. For each trip, there must be an accurate record of the name and official number of the vessel, the operator's name, the number of fish of each species taken, the number of anglers aboard, the date(s), location and duration of fishing, minimum, maximum, and primary depth fished, and number of fish released. Reporting is required for trips fishing in state waters as well as in the federal waters of the EEZ.

Alternative 1 (No Action) requires for-hire vessels in the reef fish and coastal migratory pelagic fisheries (CMP) selected to report by the SRD to maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, and on forms provided by the SRD. **Alternative 1** does not require headboat operators with reef fish or coastal migratory pelagic permits to submit their data at intervals less than monthly, and would retain existing data reporting systems for the for-hire sector. Monthly reporting intervals may be inadequate to prevent annual catch limits (ACLs) from being exceeded due to reporting delays.

Alternatives 2-3, and Preferred Alternative 4 would require that headboats submit data as specified by the SRD, on forms provided by the SRD, and the forms would be electronic and submitted via computer/internet. However, during catastrophic conditions only, paper-based reporting may be used as a backup. The Regional Administrator (RA) will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the *Federal Register*, NOAA weather radio, fishery bulletins, and other appropriate means, and will authorize the affected participants' use of paper-based components for the duration of the catastrophic conditions. The paper forms will be available from NMFS. The RA has the authority to waive or modify reporting time requirements.

Historically, federally permitted headboat vessels did not report electronically, but as of January 1, 2013, vessel operators have begun electronic submission of their fisheries data. **Alternatives 2-3, and Preferred Alternative 4** could improve timeliness and accuracy of fisheries data collected from headboat vessels by increasing the reporting frequency. **Alternative 2** would require submission of reports for trips made during the reporting week (Sunday through Saturday). These reports are submitted no later than 7 days after the end of each week (Sunday) for the previous week's fishing activities. If a vessel is inactive for a reporting week, a "no activity" report must be submitted for that week. **Alternative 3** would require daily reporting, including a report of days when no fishing activity occurred. **Preferred Alternative 4** would require submission of a report for each trip made during the reporting week including a report of days when no fishing activity occurred. However, **Preferred Alternative 4** would permit the SRD to change the frequency of reporting as appropriate. **Alternative 3** would provide the most timely reporting of the actions considered, but would impose additional burden on the industry as

compared to **Alternative 2** or **Preferred Alternative 4**. Additionally, management needs may not require daily reporting to effectively monitor fisheries and prevent exceeding the ACL for federally managed species. **Alternative 2** would provide a balance of timeliness and accuracy necessary to manage the fishery while imposing less burden on administrators and industry than **Alternative 3** or **Preferred Alternative 4**. **Preferred Alternative 4** would also balance the need for timely data while minimizing industry or administrative burden, yet would also provide additional flexibility to accommodate unusual circumstances that may occur. **Preferred Alternative 4** is also compatible with proposed modifications to headboat data reporting for permitted vessels managed by the South Atlantic Fishery Management Council and would reduce the administrative burden and simplify reporting requirements for vessel owners or operators harvesting species managed jointly by the Gulf and South Atlantic Councils (i.e., species managed under the CMP FMP).