

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622--FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 et seq.

2. In § 622.5, paragraph (b) is revised to read as follows:

§ 622.5 Recordkeeping and Reporting.

* * * * *

(b) Charter vessel/headboat owners and operators--(1) Requirements by species--(i) Gulf reef fish and Gulf coastal migratory pelagic fish. The owner or operator of a vessel for which a charter vessel/headboat permit for Gulf reef fish or Gulf coastal migratory pelagic fish has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands Gulf reef fish or Gulf coastal migratory pelagic fish in or from states waters adjoining the Gulf EEZ, who is selected to report by the 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 and must submit such record as specified in paragraph (b)(2) of this section.

(ii) South Atlantic snapper-grouper--(A) Headboat reporting requirement. The owner or operator of a headboat for which a

charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands such snapper-grouper in or from state waters adjoining the South Atlantic EEZ, must submit a detailed electronic logbook report of all fish harvested within the time period specified in paragraph (b)(2)(ii)(A), via the electronic logbook system.

Comment [AC1]: Does the Council/Science Center want to include the data elements in the regulations that will be included in the electronic logbook report as we did for the dealer reporting?

Comment [AC2]: Is there an official name for this system or is there a name that the Council or Science Center prefers?

(B) Charter vessel reporting requirement. The owner or operator of a charter vessel for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands such snapper-grouper in or from states waters adjoining the South Atlantic EEZ, who is selected to report by the 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 and must submit such record as specified in paragraph (b)(2) of this section.

(C) Electronic logbook for charter vessels/video monitoring reporting for charter vessels/headboats. The owner or operator of a vessel for which a charter vessel/headboat permit for South Atlantic snapper-grouper has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands such snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must participate in

the NMFS-sponsored electronic logbook and/or video monitoring reporting program as directed by the SRD. Compliance with the reporting requirements of this paragraph (b)(1)(ii)(B) is required for permit renewal.

(iii) South Atlantic coastal migratory pelagic fish--(A) Headboat reporting requirement. The owner or operator of a headboat for which a charter vessel/headboat permit for South Atlantic coastal migratory pelagic fish has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands South Atlantic coastal migratory pelagic fish in or from state waters adjoining the South Atlantic EEZ, must submit a detailed electronic logbook report of all fish harvested within the time period specified in paragraph (b)(2)(ii)(A), via the electronic logbook system.

(B) Charter vessel reporting requirement. The owner or operator of a charter vessel for which a charter vessel/headboat permit for South Atlantic coastal migratory pelagic fish has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands such South Atlantic coastal migratory pelagic fish in or from states waters adjoining the South Atlantic EEZ, who is selected to report by the 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 and must submit such record as specified in paragraph (b)(2) of this

section.

(iv) Atlantic dolphin and wahoo--(A) Headboat reporting requirement. The owner or operator of a headboat for which a charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands such dolphin and wahoo in or from state waters adjoining the Atlantic EEZ, must submit a detailed electronic logbook report of all fish harvested within the time period specified in paragraph (b)(2)(ii)(A), via the electronic logbook system.

(B) Charter vessel reporting requirement. The owner or operator of a charter vessel for which a charter vessel/headboat permit for Atlantic dolphin and wahoo has been issued, as required under § 622.4(a)(1), or whose vessel fishes for or lands such dolphin and wahoo in or from states waters adjoining the Atlantic EEZ, who is selected to report by the 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 and must submit such record as specified in paragraph (b)(2) of this section.

(2) Reporting deadlines--(i) Charter vessels. Completed fishing records required by paragraphs (b)(1)(i), (b)(1)(ii)(B), (b)(1)(iii)(B), and (b)(1)(iv)(B) of this section for charter vessels must be submitted to the SRD weekly, postmarked no later

than 7 days after the end of each week (Sunday). Completed fishing records required by paragraph (b)(1)(ii)(C) of this section for charter vessels may be required weekly or daily, as directed by the SRD. Information to be reported is indicated on the form and its accompanying instructions.

(ii) Headboats--(A) Gulf reef fish and Gulf coastal migratory pelagic fish. Completed fishing records for Gulf reef fish and Gulf coastal migratory pelagic fish required by paragraph (b)(1)(i) of this section 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 7 days after the end of each month. Completed fishing records required by paragraph (b)(1)(ii)(C) of this section for headboats may be required weekly or daily, as directed by the SRD. Information to be reported is indicated on the form and its accompanying instructions.

(B) South Atlantic snapper-grouper, South Atlantic coastal migratory pelagic fish, and Atlantic dolphin and wahoo. Electronic logbook reports for South Atlantic snapper-grouper, South Atlantic coastal migratory pelagic fish, and Atlantic dolphin and wahoo, required by paragraphs (b)(1)(ii)(A), (b)(1)(iii)(A), and (b)(1)(iv)(A) of this section for headboats must be submitted at weekly intervals (or intervals shorter than a week if notified by the SRD) by 11:59 p.m., local time, the

Sunday following a reporting week. If no fishing activity occurred during a reporting week, an electronic report so stating must be submitted for that reporting week.

(3) Catastrophic conditions. During catastrophic conditions only, the ACL monitoring program provides for use of paper-based components for basic required functions as a backup. The 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. During catastrophic conditions, the RA has the authority to waive or modify reporting time requirements.

(4) Compliance requirement. Electronic reports required by paragraphs (b)(1)(ii)(A), (b)(1)(iii)(A), and (b)(1)(iv)(A) of this section must be submitted and received by NMFS according to the reporting requirements under this section. Delinquent reports automatically result in those headboats issued a charter vessel/headboat permit for South Atlantic coastal migratory pelagic fish, South Atlantic snapper-grouper, or Atlantic

dolphin and wahoo, becoming ineligible to harvest or possess such species, regardless of any notification to the permit holders by NMFS. Permit holders who become ineligible to harvest or possess such species due to delinquent reports are authorized to harvest or possess such fish only after all required and delinquent reports have been submitted and received by NMFS according to the reporting requirements under this section.

* * * * *