

SUMMARY

For Joint South Atlantic/Gulf of Mexico Generic Logbook Reporting Amendment

South Atlantic region - Amends the Snapper Grouper and Golden Crab Fishery Management Plans

South Atlantic, Mid-Atlantic and New England regions - Amends the Dolphin and Wahoo Fishery Management Plan

Gulf of Mexico, South Atlantic and Mid-Atlantic regions - Amends the Coastal Migratory Pelagic Resources Fishery Management Plan

Gulf of Mexico region – Amends the Reefish Fishery Management Plan



During the December 2012 meeting, the South Atlantic Council approved a motion moving the commercial logbook reporting action out of CE-BA 3 (previously Action 2 in CE-BA 3) and indicated their wish to work with the Gulf Council on a joint amendment to address commercial logbook issues in the South Atlantic and Gulf of Mexico.

What Actions are the Councils Proposing in the Joint South Atlantic/Gulf of Mexico Generic Logbook Reporting Amendment?

The action would:

- Modify data reporting for commercial vessels

Which Fisheries Would be Affected?

The action would affect fisheries for Snapper Grouper, Dolphin and Wahoo, Coastal Migratory Pelagics, Golden Crab, and Gulf Reefish.

What Data are Currently Being Collected?

Logbook data from fishermen are used to provide information on bycatch associated with these fisheries. Logbook data are also used to track landings history associated with a permit, provide increased spatial resolution associated with catch, analyze effects of proposed management measures, and provide catch per unit effort estimates in stock assessments. Logbook data are not currently used to monitor annual catch limits; however, they form a critical part of verification of commercial data as required by the ACCSP and GulfFIN.

What are the Current Coverage Levels for Data Collection Programs?

Commercial Vessel Reporting Requirements

Snapper Grouper:

Snapper Grouper Amendment 4 (SAFMC 1991) established the following reporting requirements for commercial vessels:

1. The owner or operator of a vessel permitted to fish with a black sea bass trap in the South Atlantic EEZ (federal waters) or who fishes black sea bass traps in adjoining state waters must, if selected, maintain a fishing record on a form available from the NMFS Science and Research Director or an authorized representative. These forms must be submitted to the NMFS Science and Research Director or an authorized representative so as to be received not later than 7 days after the end of each fishing trip. If no fishing occurred during a month, a report so stating must be submitted on one of the forms to be received not later than 7 days after the end of each month. If fishing occurred, the following information must be reported:
 - a. Name and official number of vessel.
 - b. Permit number.
 - c. Pounds of each of fish by species.

- d. Date(s) of trip, depth fished and fishing locations(s) by statistical area(s).
 - e. Number of trap hauls resulting in the catch.
 - f. Duration (days and hours) traps were fished before each haul.
 - g. Mesh size of traps.
 - h. Any other fishery management data requested by the NMFS Science and Research Director or an authorized representative.
2. The owner or operator of a vessel that is permitted to fish with gear other than black sea bass traps in the South Atlantic EEZ (federal waters), or that fishes in adjoining state waters, and is selected by the NMFS Science and Research Director or an authorized representative, must maintain a fishing record for each fishing trip on a form available from the NMFS Science and Research Director or an authorized representative. [Note: this refers to fishing for species in the snapper grouper fishery management unit.] These forms must be submitted to the NMFS Science and Research Director or an authorized representative on a monthly basis (or more frequently, if requested by the NMFS Science and Research Director or an authorized representative) so as to be received not later than the 7th day of the end of each reporting period. If no fishing occurred during a month, a report so stating must be submitted on one of the forms to be received not later than 7 days after the end of each month. If fishing occurred, the following information must be reported:
- a. Name and official number of vessel.
 - b. Permit number.
 - c. Pounds of each of fish by species for each type of gear used.
 - d. Date(s) of trip, depth fished and fishing locations(s) by statistical area(s).
 - e. Type and quantity of gear fished.
 - f. Duration (days and hours) of vessel fishing effort.
 - g. Duration (hours) gear was fished before each haul.
 - h. Any other fishery management data requested by the NMFS Science and Research Director or an authorized representative.

Coastal Migratory Pelagics:

Amendment X to the Coastal Migratory Pelagics FMP states that the specifics of the reporting system are to be developed by NMFS and the Regulatory Measures Committee. Forms must be submitted to the Science and Research Director postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month.

Dolphin Wahoo:

In the Atlantic, require reporting of vessel permit holders (commercial and for-hire) and include the reporting requirements as specified in the Atlantic Coastal Cooperative Statistics Program (ACCSP) (Dolphin Wahoo FMP; SAFMC 2003). It is the Councils' intent that existing logbook requirements continue until the cooperating partners meet to determine whether these efforts will continue under ACCSP. NMFS is to provide an annual summary of available data and research results for dolphin and wahoo. This Annual SAFE Report is to be written and provided to the South Atlantic Council at least three weeks prior to the Council's annual June meeting. Currently logbooks must be submitted to the Science and Research Director postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the

end of that month.

Golden Crab:

Logbook reporting forms for golden crab must be submitted to the Science and Research Director postmarked not later than 30 days after sale of the golden crab offloaded from a trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month.

Gulf Reeffish:

Information will be added if the Gulf Council agrees to work on this amendment.

Why are the Councils taking Action?

Action 1 considers alternatives that would modify the timing of reporting requirements for commercial logbooks in fisheries for snapper grouper, coastal migratory pelagic, dolphin/wahoo, and golden crab fisheries, and provide an option for logbooks to be submitted electronically. Currently, logbook reports from commercial fishermen targeting snapper grouper, coastal migratory pelagic, and dolphin/wahoo must be submitted to the Science and Research Director postmarked no later than 7 days after the end of each fishing trip, and not later than 30 days after sale of the golden crab offloaded from a trip. The Southeast Fisheries Science Center has indicated that a large percentage of logbook reports for coastal migratory pelagic, dolphin/wahoo, and snapper grouper fisheries are submitted late and many are not submitted until a fishermen needs to renew a permit (**Figures S-1 and S-2**). Logbook reporting forms for golden crab must be submitted to the Science and Research Director postmarked no later than 30 days after sale of the golden crab offloaded from a trip. **Action 2** considers an alternative that would require that the components of the commercial logbooks (landings, economic, and bycatch) be submitted within 21 days after the end of each trip. This would increase the timeline for snapper grouper, coastal migratory pelagic, and dolphin/wahoo fishermen to complete logbooks, and decrease the timeline for golden crab fishermen. Snapper grouper, coastal migratory pelagic, and dolphin/wahoo fishermen have indicated that 7 days is not a sufficient amount of time to obtain information needed to complete economic logbooks. However, the instructions on the economic logbook (**Appendix M**) instruct the captain to use current market prices at the time of landing and to use the average crew and captain shares to estimate the payout to crew. Therefore, fishermen should be able to complete the economic information in the same time required as for the catch information. The long-term positive effect of better reporting quality defined as accuracy and timeliness of the reports would be to provide better information for comparing with the dealer reports for tracking ACLs to ensure data are accurate and to improve scientific advice used in stock assessments and management decisions.

Commercial electronic logbooks, as proposed in **Action 2**, would not be used to monitor annual catch limits; however, they could serve as a means to verify dealer reports and comply with the Atlantic Coastal Cooperative Statistics Program standards that require two sources for verification of quota-monitored species. Although logbook (and dealer trip ticket data) are self-reported and have some biases (see **Appendix O** for more details), this type of verification can lead to better monitoring of commercial catches and reduce the likelihood of commercial annual

catch limit overruns. Furthermore, improved logbook data could provide increased spatial resolution using the vessel's global positioning system or if tied to a vessel monitoring system, improved scientific information for analyzing effects of proposed management measures, and catch per unit effort estimates in stock assessments. It is the Council's intent that NMFS use the commercial logbook landings, with the new timing and compliance requirements specified in this amendment, to compare with commercial trip ticket landings to help ensure the commercial ACLs are not exceeded.

Purpose for Action

The ***purpose*** of the Joint South Atlantic/Gulf of Mexico Generic Commercial Logbook Reporting Amendment is to: Improve commercial data collection methods to compare with trip ticket data to better monitor commercial annual catch limits in the South Atlantic fisheries.

Need for Action

The ***need*** for the Joint South Atlantic/Gulf of Mexico Generic Commercial Logbook Reporting Amendment is to improve data collection methods and timeliness to better monitor annual catch limits, to improve stock assessments, and to improve compliance in South Atlantic fisheries.

What Are the Alternatives for Actions Being Considered?

Action 1. Amend the Snapper Grouper, Dolphin and Wahoo, Coastal Migratory Pelagic Resources, Golden Crab, and Gulf Reefish Fishery Management Plans to modify data reporting for commercial vessels

Alternative 1. (No Action) Retain existing data reporting systems for the commercial sector. Snapper grouper logbooks for snapper grouper, coastal migratory pelagic, and dolphin/wahoo are required to be submitted 7 days after the end of each trip. Golden crab logbooks must be submitted not later than 30 days after sale of the golden crab offloaded from a trip. If no fishing occurred during a calendar month for snapper grouper, coastal migratory pelagic, dolphin/wahoo, or golden crab, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. The owner or operator of a vessel for which a commercial permit for South Atlantic snapper grouper has been issued, 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.

Preferred Alternative 2. Require NMFS to develop a system for commercial permit holders to submit their logbook entries electronically via an electronic version of the logbook made available via computer or internet. Fishermen are encouraged to submit their logbook reports electronically but would be allowed to submit paper logbooks. Commercial landings and catch/effort data are to be submitted in accordance with ACCSP standards. Require that logbooks (landings/economic and bycatch) be submitted within 21 days after the end of each trip.

The IPT recommends the timing be considered separately and Council staff provided the following language for sub-alternatives.

Sub-alternative a. Require that logbooks (landings/economic and bycatch) be submitted within 7 days after the end of each trip.

Preferred Sub-alternative b. Require that logbooks (landings/economic and bycatch) be submitted within 21 days after the end of each trip.

~~**Preferred Alternative 3.** Require “No fishing forms” must be submitted at the same frequency [currently submitted monthly], via the same process, and for all species as is currently specified for snapper grouper species. A fisherman would only be authorized to sell commercially harvested species if the fisherman’s previous reports have been submitted by the fisherman and received by NMFS in a timely manner. Any delinquent reports would need to be submitted by the fisherman and received by NMFS before a fisherman could sell commercially harvested species from a federally permitted U.S. vessel.~~

Note: It is the Councils’ intent that commercial fishermen must be current in reporting to be authorized to sell commercially harvested species (compliance measure) and that in catastrophic conditions, paper reporting be authorized (catastrophic measure).

New Proposed Alternative 3. Require NMFS to define file specifications and transmission methods for an output file from an electronic logbook, which will enable permit holders to enter logbook entries electronically via an electronic version of the logbook made available via computer or internet. Fishermen are required to submit their logbook reports electronically via a computer or via internet web-entry based on vessel attributes as defined by the SRD. Commercial catch and effort data are to be submitted in accordance with ACCSP standards. Require that catch and bycatch logbooks be completed before the vessel ties up at the end of the trip and are submitted by the reporting deadline specified below. Economic logbook information must be completed and sent by the deadline specified below, along with the catch/discard logbook.

Sub-alternative a. Require that logbooks (landings/economic and bycatch) be submitted within 7 days after the end of each trip.

Sub-alternative b. Require that logbooks (landings/economic and bycatch) be submitted within 21 days after the end of each trip.

Compliance Measure

“No-fishing forms” must be submitted at the same frequency, via the same process as specified in Action 1. A fisherman would only be authorized to sell commercially harvested species if the fisherman’s previous reports have been submitted by the fisherman and received by NMFS in a timely manner. Any delinquent reports would need to be submitted by the fisherman and received by NMFS before a fisherman could sell commercially harvested species from a federally permitted U.S. vessel. Fishermen reporting ahead of time if they are not fishing for an extended period meets the intent of the reporting timing in the preferred alternative.

This measure would require that fishermen remain current on reports as a requirement to continue harvesting and/or possessing the affected species. This would improve timeliness and accuracy of logbook reporting, decreasing the likelihood of exceeding commercial ACLs for the affected species. The requirement to submit no-fishing forms reduces the uncertainty of reported logbook landings. NMFS would be better able to differentiate between periods when commercial vessels were fishing and periods with missing reports.

Catastrophic Measure

It is the Councils’ intent that during catastrophic conditions only, the commercial logbook program provides for use of paper-based components for basic required functions 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.

This measure would provide for paper-based reporting as a backup during catastrophic conditions. The paper forms would be available from NMFS. While this measure would permit paper-based reporting on subsequent impacts to timeliness and accuracy as compared to electronic reporting, this measure is expected to occur infrequently, for relatively short time

periods. Moreover, this would only occur during catastrophic conditions, periods when fishing effort is typically low as compared to normal conditions.

Discussion

Under Preferred Alternative 3, “previous reports” refers to the reports from trips taken prior to the current trip. In other words, a fishermen must have submitted either a fishing or a no fishing report from their prior trips before they are authorized to sell commercially harvested species.

One point of confusion in terms of reporting ability has to do with reporting economic data. Fishermen have stated that they require approximately 19 days to get the price information for the economic logbook. However, the instructions on the economic logbook instruct the captain to use current market prices at the time of landing and to use the average crew and captain shares to estimate the payout to crew. Therefore, fishermen should be able to complete the economic information in the same time required as for the catch information. The sub-alternatives under Alterantive 2 would give some flexibiity in the amount of time given to turn in the reporting forms.

What's currently in place for commercial vessels?

Logbook reports from commercial fishermen targeting snapper grouper, coastal migratory pelagic, and dolphin/wahoo must be submitted to the Science and Research Director postmarked not later than 7 days after the end of each fishing trip. Logbook reporting forms for golden crab must be submitted to the Science and Research Director postmarked not later than 30 days after sale of the golden crab offloaded from a trip. If no fishing occurred during a calendar month for snapper grouper, coastal migratory pelagic, dolphin/wahoo, or golden crab, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month.

If selected by NMFS, a snapper grouper vessel fishing in the EEZ must carry an observer and install an electronic logbook and/or video monitoring equipment provided to them. Participants in the fishery may also be selected by the Science and Research Director to maintain and submit a fishing record on provided forms.

Currently, commercial landings are monitored through the commercial landings monitoring system, which was implemented in June 2012. The commercial landings monitoring system takes into account: different boundaries for each stock based on fishing area where available; variable quota periods; overlapping years; multiple periods per year; and overlapping species groups (single species, aggregated species). The commercial landings monitoring system draws from multiple data sources including the dealer trip reports submitted to the Standard Atlantic Information System in Georgia and South Carolina, and Florida and North Carolina dealer trip ticket reports via Bluefin Data's file upload system. One system is used for all stocks managed by the South Atlantic Council. Compliance monitoring, as well as projections and expansions for non-reporting dealers is built into the commercial landings monitoring system. There is built-in quality control, which checks the landings reports against ACCSP and GulfFIN master code lists. The Southeast Fisheries Science Center identifies which dealers with reporting requirements have not reported and expands landings for non-reporting and compiles compliance monitoring reports. The Southeast Fisheries Science Center provides reports to NOAA Fisheries Southeast Regional Office every two weeks, and landings are posted on NOAA Fisheries Southeast Regional Office's Web site. In addition, timing of possible closures is estimated through the commercial landings monitoring system.

At the June 2012 Council meeting, the SEFSC provided an update on the timeliness of logbook reporting (**Appendix L**). The SEFSC indicated between 20 and 40% of logbooks from fisheries for coastal migratory pelagic, dolphin/wahoo, and snapper grouper are submitted on time. However, a large percentage of the logbook reports are submitted 1-49 days late, and a small percentage are greater than 50 days late with logbook reports (**Figures S-1 and S-2**).

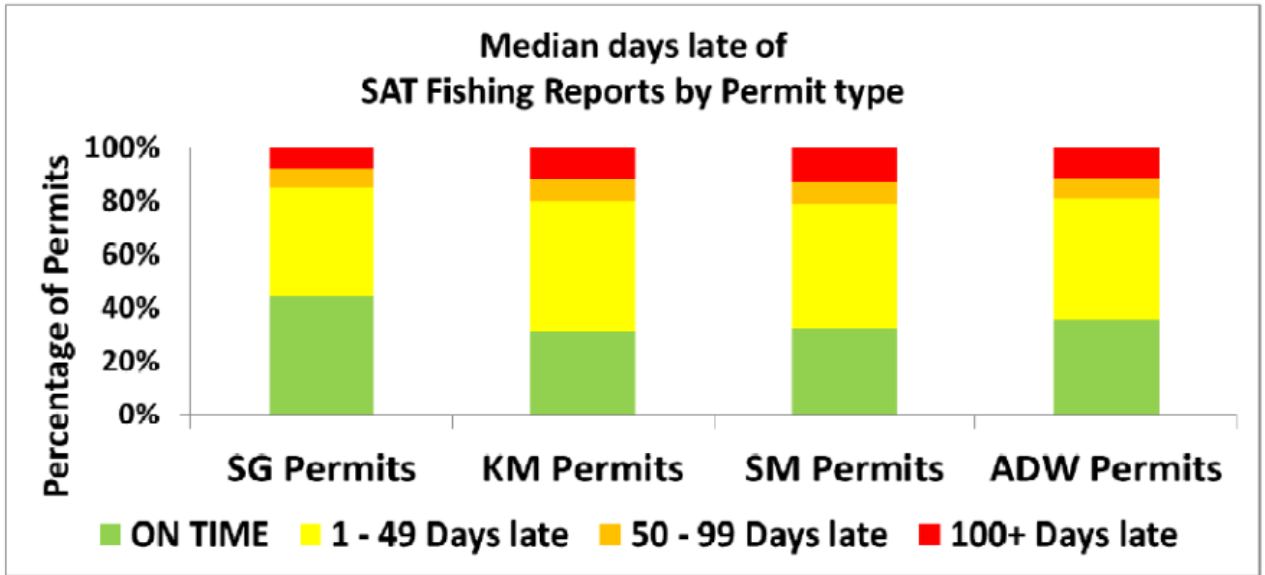


Figure S-1. Percentage of snapper grouper (SG), king mackerel (KM), Spanish mackerel (SM), and Atlantic dolphin/wahoo (ADW) permits that submit logbook reports, on time, 1-49 days late, 50-99 days late, and greater than 100 days late.

Source: SEFSC, June 2012 South Atlantic Council briefing book, Appendix L.

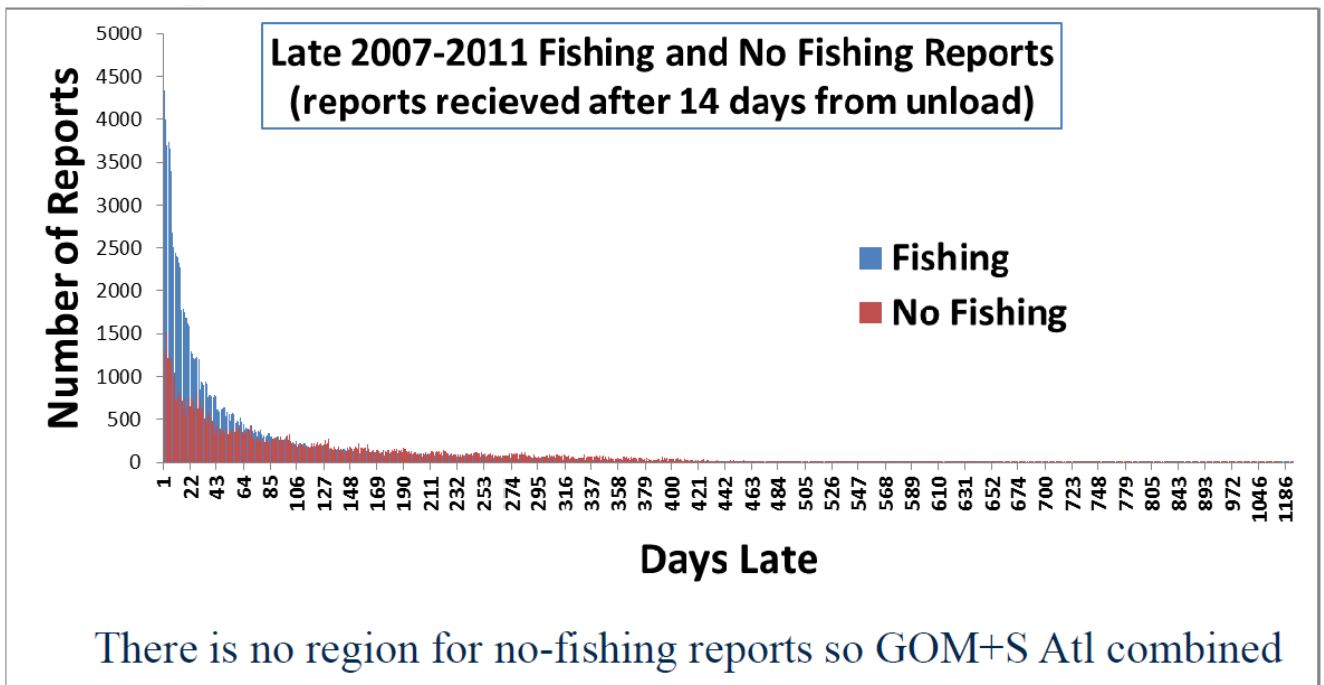


Figure S-2. Dates fishing and no fishing reports received by SEFSC.

Source: SEFSC, June 2012 South Atlantic Council briefing book, Appendix L.

Summary of Effects

Biological: Alternative 1 (No Action) would not make any improvements to the accountability of fishermen to submit logbooks in a timely manner or provide fishermen a means to report their information electronically via an electronic form, although currently the SRD can require submission using electronic monitoring for the snapper grouper and golden crab fisheries; however, this requirement has not been implemented to date. **Preferred Alternative 2** would give fishermen the option to submit their logbooks electronically and would change the deadline for submission of logbooks to 21 days after the trip. **Preferred Alternative 3** would require “no fishing forms” when fishermen don’t fish and would authorize fishermen to sell fish only when the previous reports have been submitted and received by NOAA Fisheries.

Electronic reporting of commercial logbook data has the potential to provide more complete logbook data, and make it easier to verify dealer reported landings in a timely manner. With electronic reporting, hail weights can be reported before the vessel hits the dock; thereby reducing error associated with filling out the effort and trip information a month later. Improvements expected from electronic vessel logbooks would include improved quality control using drop down lists, capturing effort information during the trip, and increased spatial resolution using the vessel’s global positioning system. Another positive effect would be to reconcile vessel and dealer reports at weekly intervals or even daily depending on the flexibility of the Southeast Fisheries Science Center. However, electronic logbooks would not be expected to replace dealer reporting as landings are more accurately recorded at the dealer level.

Economic: While the status quo will not change the economic effects, **Alternative 1 (No Action)** would not necessarily maximize economic returns for these businesses because of the AM consequences that could as a result of exceeding an ACL using less efficient methods of data collection. **Preferred Alternative 2** could reduce the potential negative impacts compared to **Alternative 1 (No Action)** by leading to timelier reporting of their catch, thus reducing the possibility of exceeding an ACL. ACLs are tracked using dealer trip tickets; however, commercial logbooks can be used to verify dealer reports. Not exceeding an ACL has the potential to increase economic return for these businesses. Electronic reporting is efficient because the information provided is directly integrated into an electronic system that allows combination of records and tabulation of harvests. With electronic reporting, data does not have to be manually input from paper forms, faxes, or scanned documents. The economic effects of **Preferred Alternative 2** have the potential to incur costs for commercial fishermen who choose to file electronically. However, the use of computers, the internet, and other forms of electronic connections and communication is commonplace in the business environment, so the differences in the costs associated with the use of electronic versus paper reporting method may be minimal. The economic impacts of complying with **Preferred Alternative 3** would be minimal. Fishermen would simply be required to report to NMFS when they are not fishing so that it will be known whether or not they are delinquent in turning in landings reports.

Social: Similar to effects on for-hire permit holders (**Action 1**), changes in frequency of reporting requirements for commercial vessels may also have some negative effects on commercial vessel owners and captains by imposing additional time and money requirements. **Alternative 1 (No Action)** would be expected to not result in impacts on commercial fishermen

but would reduce long-term social benefits associated with more accurate and timely data that would be expected under **Preferred Alternatives 2 and 3**, such as improved monitoring and more accurate forecast of potential in-season closures when landings are approaching an ACL. Because accountability measures (AMs) such as early closures, lowered trip limits, or pay-backs in the subsequent year can have significant impacts on the commercial fleet, it is imperative that landings are tracked in real-time to minimize unexpected implementation of AMs. Although reporting requirements and the resulting improved quota monitoring does not mean AMs will not be triggered at all, at minimum a better system to track and forecast AMs will help commercial fishermen and fish houses plan for closures and other regulations. **Preferred Alternatives 2 and 3** would extend reporting requirements for snapper grouper permit holders to all commercial permit holders, which will increase the burden on fishermen who do not currently hold snapper grouper permits. The option for paper or electronic reporting under **Preferred Alternative 2** would provide flexibility to fishermen who currently do not own the equipment necessary for electronic reporting or are not familiar with electronic reporting.

Administrative: The design and implementation of electronic logbooks under **Preferred Alternative 2** would result in increased administrative impacts to the agency and fishermen. Fishermen in fisheries for snapper grouper, coastal migratory pelagic, dolphin/wahoo, and golden crab are currently required to submit a “no fishing form” which is under **Preferred Alternative 3** postmarked not later than 7 days after the end of that month. However, **Preferred Alternative 3** would prohibit fishermen from selling snapper grouper, coastal migratory pelagic, dolphin/wahoo, or golden crab species if they did not submit logbooks in a timely manner. This could result in moderate administrative impacts to both the agency and the fishery participants related to compliance and processing.