

# Comprehensive Amendment Addressing Electronic Reporting for Commercial Vessels

Amendment 54 to the Fishery Management Plan for the Snapper  
Grouper Fishery of the South Atlantic Region  
Amendment 4 to the Fishery Management Plan for the Dolphin and  
Wahoo Fishery of the Atlantic  
Amendment 35 to the Fishery Management Plan for Coastal Migratory  
Pelagic Resources in the Gulf of Mexico and Atlantic Region  
Amendment 57 to the Fishery Management Plan for the Reef Fish  
Resources of the Gulf of Mexico

Draft



**Fishery Impact Statement | Regulatory Impact Review | Regulatory Flexibility Analysis**

## September 2023

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## Definitions, Abbreviations and Acronyms Used in the FMP

<b>ABC</b>	acceptable biological catch	<b>F<sub>CURR</sub></b>	the current instantaneous rate of fishing mortality
<b>ACL</b>	annual catch limit	<b>F<sub>MSY</sub></b>	the rate of fishing mortality expected to achieve MSY under equilibrium conditions and a corresponding biomass of B <sub>MSY</sub>
<b>AM</b>	accountability measure	<b>F<sub>OY</sub></b>	the rate of fishing mortality expected to achieve OY under equilibrium conditions and a corresponding biomass of B <sub>OY</sub>
<b>ACT</b>	annual catch target	<b>FEIS</b>	final environmental impact statement
<b>B</b>	a measure of stock biomass in either weight or other appropriate unit	<b>FMP</b>	fishery management plan
<b>B<sub>MSY</sub></b>	the stock biomass expected to exist under equilibrium conditions when fishing at F <sub>MSY</sub>	<b>FMU</b>	fishery management unit
<b>B<sub>OY</sub></b>	the stock biomass expected to exist under equilibrium conditions when fishing at F <sub>OY</sub>	<b>M</b>	natural mortality rate
<b>B<sub>CURR</sub></b>	The current stock biomass	<b>MARMAP</b>	Marine Resources Monitoring Assessment and Prediction Program
<b>CPUE</b>	catch per unit effort	<b>MFMT</b>	maximum fishing mortality threshold
<b>DEIS</b>	draft environmental impact statement	<b>MMPA</b>	Marine Mammal Protection Act
<b>EA</b>	environmental assessment	<b>MRFSS</b>	Marine Recreational Fisheries Statistics Survey
<b>EEZ</b>	exclusive economic zone	<b>MRIP</b>	Marine Recreational Information Program
<b>EFH</b>	essential fish habitat	<b>MSFCMA</b>	Magnuson-Stevens Fishery Conservation and Management Act
<b>F</b>	a measure of the instantaneous rate of fishing mortality		
<b>F<sub>30%SPR</sub></b>	fishing mortality that will produce a static SPR = 30%		

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**MSST** minimum stock size threshold

**MSY** maximum sustainable yield

**NEPA** National Environmental  
Policy Act

**NMFS** National Marine Fisheries  
Service

**NOAA** National Oceanic and Atmospheric  
Administration

**OFL** overfishing limit

**OY** optimum yield

**RIR** regulatory impact review

**SAFMC** South Atlantic Fishery  
Management Council

**SEDAR** Southeast Data, Assessment, and  
Review

**SEFSC** Southeast Fisheries Science  
Center

**SERO** Southeast Regional Office

**SIA** social impact assessment

**SPR** spawning potential ratio

**SSC** Scientific and Statistical  
Committee

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Fishery of the Atlantic**

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Pelagic Resources in the Gulf of Mexico and Atlantic Region**

**Amendment 57 to the Fishery Management Plan for the Reef Fish Resources  
of the Gulf of Mexico**

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**Proposed action:**

Maintain the reporting requirements for commercial vessels reporting through the Coastal Fisheries Logbook Program but require transmission of reports be done electronically using available software.

**Lead agencies:**

Amendment – South Atlantic and Gulf of Mexico Fishery Management Councils  
Categorical Exclusion – National Marine Fisheries Service (NMFS), Southeast Regional Office

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# Chapter 1. Introduction

## 1.1 Overview of the Commercial Coastal Fisheries Logbook Program

### 1.1.1 History of the Program

In April 1990, NMFS implemented the commercial coastal fishery logbook (commercial logbook) for federally permitted vessels in the Gulf of Mexico (Gulf) reef fish fishery (GMFMC 1989)<sup>1</sup>. The description in this section is summarized from SEDAR 4 (2003). Initially, a single page (8.5 x 11 inch) logbook was mailed in duplicate (with one form for fishermen's records) to permit holders by the Permits and Regulations Branch of the NMFS Southeast Regional Office (SERO). Participants were instructed to mail completed logbook forms to the NMFS Southeast Fisheries Science Center (SEFSC) Miami Laboratory. For permit holders residing within the state of Florida, only 20% were selected to submit logbook records, while all other Gulf states' residents were mandated to report. This determination was made because data were available from the Florida trip ticket program and could be used in conjunction with the logbook data from the sampled vessels to expand the total fishery sampling universe.

Originally, the commercial logbook contained trip information (i.e., vessel ID number, landing location and dealer, date of landing, type/quantity of gear), as well as information on fishing area and depth. Fishermen could report up to three areas and three average depths. Fishing area was obtained using the Gulf of Mexico shrimp statistical grid system, included on the logbook form. Fishermen also reported landed weight (gutted or whole weight) of catch for each species along with the condition. Four gear types could be selected (trap, bottom longline, buoy gear, and hook-and-line) for each trip. This survey methodology was used from 1990 through 1991.

Beginning in 1992, the SEFSC coastal fisheries logbook program (CFLP) was modified in several ways. First, the 20% selection of permit holders within the state of Florida was changed to 100% selection. Additionally, the paper form was expanded to a legal size to accommodate additional data collection fields. For trip information, the number of days away from port was included in the survey and the data field stipulating the fishing area spaces was removed. Gear type was slightly modified to better distinguish between hybrid fishing approaches where only a portion of the gear is anchored. For catch information, species-specific fields for fishing area and gear type were added. However, the survey was limited to one entry for these fields per species resulting in lack of resolution with only one area fished or gear type being attributable to any individual species.

The program was also expanded to include a selection of 20% of the permit holders operating in the South Atlantic snapper grouper fishery. This expansion resulted in the creation of two different logbook forms between the Gulf and South Atlantic. The logbook header was different for each to indicate the appropriate regional characterization and some of the pre-coded species

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<sup>1</sup> <https://tile.loc.gov/storage-services/service/ll/fedreg/fr055/fr055014/fr055014.pdf#page=40>

listed on the two forms were different to reflect the predominant catches in the two areas. Program participants in the South Atlantic were instructed to send completed logbooks to the NMFS SEFSC Beaufort Laboratory.

Beginning in 1993, the 20% program selection criteria was changed to 100% selection for the South Atlantic snapper grouper permit holders. Vessels that targeted shark species under the fishery management plan for Highly Migratory species were also included in the CFLP, and the survey form was modified again. Changes to the logbook form included: the data field for fishing areas was replaced to collect data on number of discards, “spearfishing” and “other” were added as gear types, vessel ID number was used in lieu of permit number, and fishermen were instructed to switch from average time per set for traps and longline gear to total time. In 1994, a designation was included for gear type to differentiate between spearguns and power heads. In 1995, an additional data field was added to indicate “target” species.

In 1996, the SEFSC instructed program participants to mail all commercial logbook forms to the SEFSC Miami Laboratory and made several changes to the logbook form. The discard column was replaced with a column to report fishing area and a more detailed map was added of the Florida Keys to improve reporting accuracy. A separate no-fishing form was created. The gear type category was modified to differentiate between cast net and gillnet fishing. Lastly, a categorical input was included to specify the fishery (South Atlantic snapper grouper, Gulf reef fish, or shark).

In 1999, commercial logbook instructions were changed to clarify the distinction between handline and trolling gear. Additionally, a data field to record the trip start date was included to bring the forms into compliance with the Atlantic Coastal Cooperative Statistics Program (ACCSP) standard for data collection. The term for the date when the trip was landed was changed from “landed date” to “unload date”. Also implemented in 1999 was the South Atlantic Fishery Management Council and Gulf of Mexico Fishery Management Council’s Comprehensive Sustainable Fisheries Act Amendment which modified the Snapper Grouper and Coastal Migratory Pelagic (CMP) Fishery Management Plans to include reporting requirements as specified by ACCSP. As a result, CMP commercially permitted vessels were required to report to the coastal logbook program (SAFMC 1998; Action 2b)<sup>2</sup>.

In early 2001, the commercial logbook was modified to allow entry of the state trip ticket number, provided by the dealer. Several states in the southeast (North Carolina, Georgia, Florida, Alabama, and Louisiana) have trip ticket programs that require dealers to report all commercial landings for each trip, and these data correspond closely to logbook data. The inclusion of this data field allowed for direct comparisons between the programs.

Additionally, in July 2001, the SEFSC initiated a new discard survey to help provide better estimates of the numbers of marine animals that were discarded on commercial fishing trips<sup>3</sup>. For this discard survey, a stratified random sample of 20% of the active SERO-issued commercial permit holders were issued a supplemental discard form for a 12-month period. The sample selections were made in July of each year and the selected permit owners were required

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<sup>2</sup> <https://safmc.net/documents/2022/04/comprehensive-sustainable-fisheies-act-amendment.pdf/>

<sup>3</sup> <https://tile.loc.gov/storage-services/service/ll/fedreg/fr055/fr055014/fr055014.pdf#page=40>

to complete and submit the discard form for any commercial fishing trips taken on the selected vessel(s) during August through July. Fishermen were not selected for the next four years after they submitted the discard form for a year. However, if fishermen were selected to report and did not comply, they were selected the following year and if they failed to report their discards the second year, their permit renewal could be denied until they complied with reporting requirements.

Beginning in 2018, the SEFSC improved the method to select vessels for the discard survey. Vessels are stratified by their prior year effort classification (active, submitted only no fishing reports, or new to the fishery) determined from logbook and no fish data collected during the period from November 1st to October 31st in the year prior to sampling. Vessels are selected proportionally to stratum size and stratum variance of total discards calculated from the most recent complete year of data. Unlike previous methods, vessels are no longer removed from the pool for selection the following year. Vessels are required to submit discard reports from January 1 through December 31<sup>st</sup> of the year selected.

An economic survey was also developed in 2001 to collect economic information at the trip-level<sup>4</sup>. For the economic survey, added as a “Trip Expense” section at the bottom of the trip form, fishermen are surveyed about the cost of various expenditures and revenue (i.e., costs of fuel and bait, crew wages, etc.). To reduce the burden to fishers, only a sample of 20% of permit holders were required to report the information, but the questions were printed on each form (leading to significant “voluntary” reporting of economic data). The new form was implemented in 2002. During the first years, only vessels with South Atlantic commercial fishing permits were selected to report the economic information. Vessels with Gulf of Mexico commercial fishing permits were added in 2005.

Originally, eight questions collected information on the quantity, price, and total expenditures on fuel, on the quantity and total expenditures on ice and bait separately, and on the total expenditures for “other trip expenses” as a general category (including groceries). In addition, three questions asked about the payments to the crew and captain; if the payments included the owner’s salary or not; and if the owner was on board or not (Yes or No questions). Currently, both the discard and economic survey portion of the program are voluntary, unless selected by the SEFSC, wherein reporting is mandatory for one year.

In addition to these major program changes, several changes were made to the SEFSC standard catch-effort logbook form in 2001. A separate gear category was added for a bandit rig (electric reels). On previous forms, commercial fishermen were asked to record the gear parameter data (i.e., number of lines, average number of hooks per line, and an estimate of the total fishing time) for this type of gear in the “Handline” category. Because of the importance of this gear type for certain fisheries, an additional gear type column was added to separate bandit reel fishing from other handline fishing, to increase the specificity of fishing behavior description. Another change was made to provide space for the fishermen to record the state-issued license number for the dealer who purchased the landings. On previous forms, only the name or “doing business as” name of the dealer was included. For many situations, the

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<sup>4</sup> <https://www.govinfo.gov/content/pkg/FR-2001-03-22/pdf/FR-2001-03-22.pdf>

fishermen also know the dealer's state license number and can record it. This additional information increases the likelihood that the correct dealer will be included in the coastal fisheries database.

The only changes that were made to the SEFSC coastal fisheries logbook program forms between 2002 and 2003 were modifications to the Trip Expense Section of the form. The wording of certain questions was changed, as well as the instructions, to aid in correct interpretation. No major changes were made to the commercial logbook forms between 2005 and 2006, but the price per pound column was removed from the Catch Section in 2005, and the owner's salary question was dropped in 2006.

In 2007, several small details were added and changed, and commercial fishermen were sent a letter notifying them of these specific updates. The vessel operator name and operator number fields were added, and some formatting shifted to accommodate the new lines. Checkboxes were added to the traps, longline, and gill net gears so that fishermen could indicate the specific type used. Set soak times were also added for these gears, in addition to the total soak times required on the previous logbook version. Finally, all hook and line gears were combined into one section, with rows for number of lines, number of hooks, and total hours fished for hand, electric, and trolling gears.

Also, in 2007, the Trip Expense Section of the SEFSC coastal fisheries logbook was substantially modified. The two questions about the quantity of bait and ice were dropped, and the general category for other trip expenses was broken into two questions to separate the cost of groceries from the "other trip expenses" (now labeled miscellaneous expenses). Importantly, a question to collect the total revenue from the trip sales was added in 2007.

The only update to the 2008 SEFSC commercial coastal fisheries logbook was to change the name of the "electric" gear to "bandit." No changes or additions were made in 2009. In 2010, to clarify trips in which the catch was sold to multiple dealers, a check box was added for fishermen to indicate if this described their situation. Also in 2010, individual forms were pre-printed with a Vessel Trip Report (VTR) number, a unique serial number used to identify reports.

In 2012, the SEFSC added buoy gear to the hook and line section to the coastal fisheries logbook. In previous versions, users were instructed to report this gear as "Other." Additionally, the Trip Expense Section was changed so that the general category of other trip expenses (miscellaneous expenses) was again broken into two questions to separate the total cost of "trip tackle and other supplies" from the rest. Also, the labor cost question was split into two categories to separate the captain's share from the crew share. An additional question was added to separately collect expenditures on trip-level Individual Fishing Quota (IFQ) allocation purchases (only applicable for Reef Fish permit holders).

On the 2014 version of the SEFSC commercial coastal fisheries logbook, the labor cost questions were re-consolidated into a single question for both hired crew and hired captain (if any), with emphasis on expenditures for hired labor only. The question on total cost of fuel and cost of tackle was dropped. Also, a new Yes or No question was added asking if the

payment for the catch had been determined at the time the logbook was mailed. This allowed fishermen to opt out on reporting revenue and labor cost if the price of the fish, i.e., revenue, was not yet provided by the dealer. Since these changes to the Trip Expense Section, the form has not been changed and is currently the logbook in use in 2023.

### 1.1.2 Consideration of other overlapping commercial reporting programs throughout the Gulf of Mexico and Atlantic

Commercial permit holders with the snapper-grouper, coastal migratory pelagics, Gulf reef fish, and dolphin-wahoo fisheries may have overlapping reporting requirements for other fisheries in which they participate.

Vessel owners may possess commercial fishing permits issued by entities other than the SERO, which may have additional reporting requirements for any commercial fishing trips. Examples of other permits include those issued by the NMFS Greater Atlantic Regional Fisheries Office (GARFO), the NMFS Highly Migratory Species Management Division (HMS), or state fishing agencies. Permit holders may have additional reporting requirements with the Gulf of Mexico IFQ Program or the South Atlantic Wreckfish Individual Transferrable Quota (ITQ) program<sup>5</sup> when participating in those fisheries. It is the responsibility of the permit holder to ensure they are meeting the requirements of all relevant programs.

#### *Gulf of Mexico Individual Fishing Quota Programs (IFQ)*

The Gulf of Mexico Fishery Management Council manages the commercial harvest of 14 federal reef fish species within the IFQ programs. Species are managed in the Gulf of Mexico IFQ programs by share categories. The Red Snapper IFQ program contains only red snapper. The Grouper-Tilefish IFQ program contains 5 share categories: gag grouper, red grouper, other shallow-water grouper (SWG), deep-water grouper (DWG), and tilefishes (TF). The SWG share category contains black grouper, scamp, yellowmouth grouper and yellowfin grouper. The DWG share category contains Warsaw grouper, speckled hind, snowy grouper, and yellowedge grouper. The TF share category contains golden tilefish, goldface tilefish, and blueline tilefish. The IFQ programs are managed through a separate electronic reporting system in order to track allocation and harvest in real-time. In the IFQ system the IFQ dealer records landing transactions and the transaction verified by vessel operators. The IFQ reporting system is not a logbook and operates independently of logbooks. *Reporting requirements under the IFQ programs will remain unchanged by the proposed modifications to the commercial electronic logbook.* Commercial fishing permit holders participating in the IFQ programs will continue to reporting to both the IFQ system and logbook program.

#### *Greater Atlantic Regional Fisheries Office*

On November 10, 2021, NMFS implemented a rule requiring all commercial vessels with federal permits issued by the GARFO, for species managed by the Mid-Atlantic or New England Fishery Management Councils, to submit vessel trip reports (VTRs) electronically as

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<sup>5</sup> The wreckfish ITQ program is described in detail in Amendment 48 (under development) to the Fishery Management Plan for the Snapper-Grouper Fishery of the South Atlantic.

eVTRs within 48 hours of the end of a commercial fishing trip (unless required sooner as with some sector allocations) (85 FR 71575). Those permit holders that report logbook information to GARFO must use a GARFO-approved software to submit an eVTR. Currently, the eight approved GARFO logbook software applications can be found on their website. *Those with GARFO and SERO permits may need to continue to submit multiple reports per commercial fishing trip to remain compliant with the reporting requirements of the two regions, unless a software application is approved for both regions.*

#### *NMFS Highly Migratory Species Division*

NMFS is considering management options to modify or expand reporting requirements for Atlantic highly migratory species (HMS), as outlined in an Advance Notice of Proposed Rulemaking (ANPR)<sup>6</sup> published on May 12, 2023. Currently, owners of HMS permitted vessels using pelagic longline gear are required to use the Atlantic HMS logbook. There are three forms that must be submitted for an Atlantic HMS logbook report to be complete: the trip report form, the set report form, and individual dressed weights for all fish sold, which are provided on the weighout tally sheets. These forms are currently completed on paper and mailed to the SEFSC. The CFLP, described above, is also used to collect HMS landings. For HMS fisheries, the Coastal Fisheries logbook is primarily used by vessel owners with commercial shark permits who do not use pelagic longline gear and is primarily used for bottom longline, gillnet, and vertical line (including bandit) gears, but other gears can also be reported here. HMS vessel owners submitting logbooks must enter the required information on a day's fishing activities within 48 hours of completing that day's activities or before offloading, whichever is sooner. The vessel owner must submit the logbook form(s) postmarked within 7 days of offloading all HMS. In the ANPR, NMFS is considering options for electronic submission of information required on the existing paper logbooks, as well as timing requirements for submission of electronic logbooks.

Currently, vessel owners with Atlantic Tunas General or Harpoon category permits must call in or electronically report all bluefin tuna landings and dead discards to NMFS within 24 hours of completing a trip. These catch reports can be submitted via the HMS Permits website, an HMS Catch Reporting smartphone app, or via a telephone number designated by NMFS. In the ANPR, NMFS is considering an electronic logbook requirement for owners of vessels with Atlantic Tunas General category permits, Atlantic Tunas Harpoon category permits, and/or Swordfish General Commercial permits, as well as timing requirements for submission of electronic logbooks. NMFS is also considering measures to encourage reporting compliance for vessels with HMS open access permits.

### 1.1.3 Current Reporting Requirements

As described in detail above, the CFLP collects information on fishing effort and catch of federally managed species, as well as economic information for fishery participants. The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act)

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<sup>6</sup> [Advance Notice of Proposed Rulemaking: Electronic Reporting Requirements for Atlantic Highly Migratory Species | NOAA Fisheries](#)

requires that NMFS and regional fishery management councils to prevent overfishing and achieve the optimum yield from federally managed fish stocks on a continuing basis. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the nation. Data collection programs, such as the CFLP, provide essential information required to assess stock status and monitor harvest. The CFLP records the commercial fishing and non-fishing activity of fishermen via logbooks submitted for each trip or each month they did not make commercial fishing trips. In addition, economic data are needed to address other provisions of the Magnuson Steven Act including the national standards, and other mandates (e.g., Executive Order 12866, the Regulatory Flexibility Act, and National Environmental Policy Act). The economic data obtained through the current reporting requirements allows NMFS and the Councils to prepare robust analyses of the effects of alternative management measures on net economic benefits or business' profits, as required by these mandates.

Each December, the SEFSC commercial logbook program mails SERO-issued commercial permit holders a carbon paper logbook of approximately 100 pages containing 3 sections (instructions, fishing trip reporting forms, and no monthly activity reporting forms) along with postage paid return envelopes. Permit holders are instructed to report trip level fishing activity within 7 days after finishing a trip or after a month without any fishing activity and mail the federal copy of the form to the SEFSC. Permit holders are instructed to maintain the carbon copy of the form for their personal records.

### **1.1.3.1 Description of the Current SEFSC Coastal Fisheries Logbook**

The data fields described below, including the economic data fields, are listed in Table 1.1.3.1. A copy of the paper logbook form and instructions on completing the form are in Appendix B.

Information such as the name of a vessel operator and owner is used to identify the respondent and the legal entity controlling the fishing practices of the vessel. The legal entity information is essential in monitoring the reporting compliance. Because many vessels are owned by corporations or other legal entities, identification of the operator on the logbook form allows NMFS to contact the person on the vessel who has the most knowledge of the fishing activity in the event there are questions about the submitted logbook form or errors that need correcting.

Data on the date of departure, date of unload, days at sea, soak time or hours fished, units of gear, and gear specific questions (e.g., mesh size, net length, gear depth) are all designed to help analysts quantify actual fishing effort. Fishing effort is needed to standardize differences in productivity among vessels or fishing grounds by establishing a rate of catch per unit effort (CPUE). These data allow comparisons over time, area, and gear type of catches made by a variety of harvesters. Comparisons of CPUE over time are significant indicators of the biological status of the fisheries. The CPUE indices, especially if data on fishing effort are sufficiently detailed to adjust for changes in effort, can provide critical information on the status of the stock and the level of fishing mortality needed to achieve biomass targets.

Area fished and bottom depth of fishing are variables that are used to establish fishing locations and are another component of fishing effort estimation. This information can be linked to other oceanographic and biological information to predict species availability, reproduction, and other important features of fishery management. For example, location of capture can be correlated to sea surface temperature measured by satellite to predict possible migration patterns. In addition, area or zone fished is used to cross reference locations with fishing restrictions (such as closed spawning areas) as well as to ensure all landings are applied to the correct region (e.g., Florida Keys landings are appropriately applied to either the Gulf of Mexico or South Atlantic catch limits and regulations). Bottom depth of fishing area is often used with other information to estimate discard mortality rates.

Catch is the other component of the CPUE indices needed to assess fish stocks, while specific catch information is used for management of species (e.g., in-season management, regulatory changes). Descriptions of the quantity of each species landed is the basic measure of fishing success, from which fishermen, biologists and economists infer conclusions about the status of the fishery.

The dealer name, federal dealer number, and port of landing are data used to cross reference the quantity of fish landed for sale (reported by the fisher) with the quantity that is handled (processed) by the market (reported by the dealer).

A separate form or response is required when a vessel does not commercially fish during an entire calendar month. These no-fishing report forms are necessary for NMFS to confirm that the vessel did not fish instead of failing to report. The information on the no-fishing form is minimal, i.e., only the vessel ID, vessel name, and the month in which the vessel did not fish. Owners are instructed to check the specific permits that they have been issued but did not fish under during the month (a check box is provided for ease of identifying the permits).

NMFS is required to assess the biological, economic and social impacts of management actions. Data collected in the logbooks are used both for assessing stock condition (stock assessments) and to predict changes in management regulations. While there is considerable fishery-dependent and –independent data collected on fish stocks, there is far less information collected on the economics of fisheries. The economic surveys collect that necessary information, which is used when predicting affects resulting from changes in management measures. Economists use the non-economic data obtained from the coastal fisheries logbook program and state trip ticket programs to assess impacts on the commercial sector. However, economic data is not included in the logbook or trip ticket programs and is collected from the SEFSC Economic Survey that randomly selects 20% of the permitted vessels.

The economic surveys collect economic data on commercial fishing trips and vessels in the following federally permitted fisheries: Gulf of Mexico Reef Fish, Coastal Migratory Pelagics (King and Spanish Mackerel), South Atlantic Snapper Grouper, Atlantic Dolphin Wahoo, and Sharks. Data are collected by two separate surveys; one at the trip-level and one at the annual, vessel-level. At the beginning of each year, approximately 20% of all vessels with valid permits for the above fisheries are selected. These vessels are required to complete the trip expense section on the logbook form for each commercial fishing trip they take in these fisheries for the

entire calendar year. Trip economic expenses questions on the trip logbook currently include fuel used and price per gallon; bait, ice, grocery and miscellaneous expenses, payment for catch, hired crew and captain, if any.

Additionally, after the calendar year is over, surveys are mailed to these vessels to collect expense data at the annual, vessel-level. This survey focuses on supplemental fixed and overhead costs as well as activity in unrelated fisheries. See Appendix B for copies of the trip-level and vessel-level surveys.

The Economic Surveys result in fishery reports, such as NOAA Technical Memoranda NMFS-SEFSC-730 (Economics of the U.S. South Atlantic Snapper-Grouper Fishery) and NMFS-SEFSC-725 (Economics of the Gulf of Mexico Reef Fish Fishery). Information from these reports are used to estimate average net cash flow and net revenue at the trip level, as well as net returns to operations and producer surplus at the vessel level. Those estimates can be found in the description of the economic environment and are useful to assess the economic impacts of a management action on the commercial sector and are particularly useful when assessing the impacts on small commercial fishing businesses.

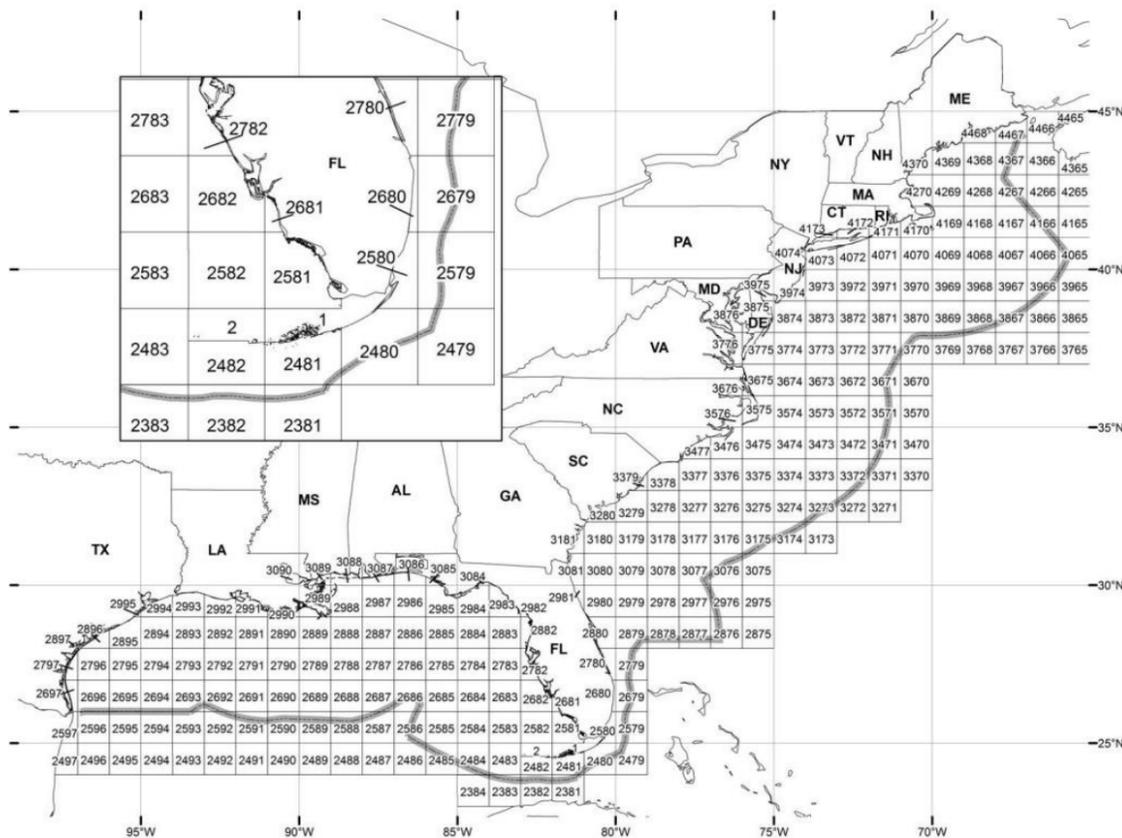
**Table 1.1.3.1.** List of current coastal logbook data fields.

<b>Current Paper Logbook Fields</b>
Vessel No
Vessel Name
Trip Start Date
Trip Unload Date
No. of Crew
Days at Sea
Operator Name
Operator Signature
Operator Number
Phone No.
Gear Type used on the trip
Gear Parameters (see Appendix B)
Depth
Net Depth
Total Hrs Fished
Species Name
Gear predominantly used to catch a given species
Area where majority of a given species was caught
Depth at which majority of a given species was caught
Gutted lbs / Whole lbs
County or Parish, State of Landing
SE Federal Dealer Number
SE Dealer Name
State Trip Ticket No.

<b>Economic Survey (mandatory if selected by SEFSC)</b>
Owner Operated?
Gallons of Fuel
Price per Gallon
Bait Expense
Ice Expense
Grocery Expense
Misc. Trip Expenses
IFQ Allocation Purchased
Has payment for your catch been determined?
Trip Sales (Revenue)
Expense for hired crew & hired captain

Note: The economic portion of the survey (highlighted in blue) is voluntary. However, if a permit holder is selected by the SEFSC, economic data fields must be reported for one year.

The CFLP spans the Gulf of Mexico and Atlantic. The current fishing areas are one-degree grids with the latitude and longitude degrees concatenated for each grid cell (Figure 1.1.3.1).



**Figure 1.1.3.1.** Current spatial extent and locational sampling grids for the commercial coastal logbook program.

## 1.2 What Action is Being Proposed?

This joint amendment between the South Atlantic Fishery Management Council and the Gulf of Mexico Fishery Management Council proposes requiring electronic submission of commercial logbooks, for owners of permits issued under the following Fishery Management Plans:

- Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region
- Fishery Management Plan for the Dolphin and Wahoo Fishery of the Atlantic
- Fishery Management Plan for Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region
- Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico

**Status Quo.** The owner or operator of a vessel for which a commercial fishing permit for South Atlantic snapper grouper, Atlantic dolphin and wahoo, coastal migratory pelagic (CMP) species, or Gulf reef fish has been issued, or whose vessel fishes for or lands such species in or from state waters adjoining the applicable South Atlantic, Atlantic, or Gulf of Mexico 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 fishing records must be submitted to the SRD postmarked no later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report must be submitted on one of the forms postmarked no later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

**Option 1:** Maintain the reporting requirements described above but require the fishers to transmit their reports electronically using available approved software. Information to be reported is indicated on the electronic form and its accompanying instructions.

**Option 1:** Modify the reporting requirements for require the owner or operator of a vessel for which a commercial fishing permit for South Atlantic snapper grouper, Atlantic dolphin and wahoo, coastal migratory pelagic (CMP) species or Gulf reef fish must maintain a fishing record for each trip on an electronic software approved by the NMFS for use in the fishery. Completed fishing records must be electronically transmitted to the SRD no later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report must be submitted on one of the electronic forms no later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

### 1.2.1 Proposed modifications to data fields

The Atlantic Coastal Cooperative Statistics Program (ACCSP) and the SEFSC are developing and testing an application, e-Trips, that accepts electronic submissions. ACCSP integrates and streamlines all fishery-dependent data for the Atlantic coast into a single database. Any software application that would be approved for use in this fishery, would also need to meet the requirements to be submitted to the ACCSP database. To directly integrate the information

currently collected by the paper logbook forms to the existing ACCSP database, slight modifications to the program data fields will be required. Data collection changes are categorized as either added, removed, or modified (Table 1.2.1.1). *Note that this table is not an exhaustive list of modifications to successfully transition from paper to electronic reporting.*

**Table 1.2.1.1.** A list of logbook and economic data field additions, removals, and modifications.

<b>Data fields added</b>	<b>Rationale</b>
Trip start time	Necessary to prevent overlapping trip submissions
Trip end date	Necessary to prevent overlapping trip submissions
Trip end time	Necessary to prevent overlapping trip submissions
Trip type	Conditional entry to populate associated data fields
Trip notes	Optional, Not transmitted to SEFSC
Primary area fished	Added data field to be compatible with ACCSP database
<b>Data fields removed</b>	<b>Rationale</b>
Signature	Logbook accuracy verified through certification statement before submission
State trip ticket number	Free-form field and widely variable; not useful for data collection
Has payment of catch been determined?	Answered if trip sales question is filled out
<b>Data fields modified</b>	<b>Rationale</b>
Hours/Days	Defaults to “hours”; Added data field to be compatible with ACCSP database
Disposition category	Defaults to “food”; replaces need for separate discard logbook
Sale disposition	Defaults to “Sold to Dealer”; Added data field to be compatible with ACCSP database

The electronic submission is intended to simplify data collection and improve data quality. For example, the platform will allow for entry of a catch disposition, in which a determination of “discard” may be selected. This advancement will result in the ability to include discard information within the logbook form and render a separate discard information form unnecessary.

### 1.3 Who is proposing the amendment?

The South Atlantic Fishery Management Council (South Atlantic Council) is responsible for managing snapper grouper species in the South Atlantic region, and dolphin and wahoo in the Atlantic. The Gulf of Mexico Fishery Management Council (Gulf Council) manages reef fish resources in the Gulf of Mexico and jointly manages coastal migratory pelagic resources (Gulf and Atlantic king and Spanish mackerel and Gulf cobia species) with the South Atlantic Council. The Councils develop amendments to fishery management plans (FMPs) and submit them to the National Marine Fisheries Service (NMFS) who determines whether to approve an amendment to the FMP and to publish a rule implementing the amendment on behalf of the Secretary of Commerce. NMFS is an agency of the National Oceanic and Atmospheric Administration within the Department of Commerce. As provided in the Magnuson-Stevens Act, the Regional

Fishery Management Councils make recommendations to NMFS regarding management of federal fisheries.

## 1.4 Why are the Councils Considering Action (Purpose and Need)?

This amendment would modify the FMPs for South Atlantic Snapper Grouper, Atlantic Dolphin Wahoo, Atlantic and Gulf of Mexico Coastal Migratory Pelagics, and Gulf of Mexico Reef Fish to require commercial logbooks to be submitted via electronic reporting forms instead of the currently used paper-based forms. The Councils have seen the value of moving to an electronic reporting platform for the commercial sector to improve data collection efficiency and accuracy. Paper form usage will be eliminated except for during emergency and catastrophic conditions.

During the December 2012 meeting, the South Atlantic Council approved a motion moving the commercial electronic logbook reporting action out of the Comprehensive Ecosystem-Based Amendment 3 that was being developed and indicated its desire to work with the Gulf Council on a joint amendment for an electronic commercial logbook. The Gulf Council approved a similar motion in January 2013 to work jointly with the South Atlantic Council on modifying the submission procedure for the coastal logbook program. The SEFSC conducted a pilot study for commercial electronic logbook reports in 2015. Initially, an amendment incorporating results from year one of the pilot study was planned with a target implementation date of January 1, 2016; however, that amendment was not developed.

As of 2021, permit holders with both GARFO and SERO permits have been able to voluntarily submit commercial electronic logbook reports through the ACCSP eTRIPS mobile 2 application. The timeline in Table 1.4.1. summarizes the progression of this amendment to date.

**Table 1.4.1.** Timeline of development of joint commercial electronic logbook amendment.

Date	Activity
<b>2011-2012</b>	South Atlantic Comprehensive Ecosystem Based Amendment 3 (CE-BA 3) developed, including scoping and public hearings.
<b>December 2012</b>	South Atlantic Council removed commercial logbook reporting action from CE-BA 3
<b>February 2013</b>	Gulf Council approved motion to develop Joint South Atlantic/Gulf of Mexico Generic Commercial Logbook Reporting Amendment.
<b>June 2013</b>	South Atlantic Council approved a motion to request SEFSC presentation on the commercial e-logbook pilot study and directed staff to work with Gulf staff to incorporate results form year 1 of the pilot study and target regulations to be effective in January 1, 2016.
<b>September 2013</b>	SEFSC presented status of exploratory research project that began in August 2013 and indicated the project would last 12 to 18 months. The Council requested updates at each Council meeting moving forward.
<b>2015</b>	SEFSC conducted pilot study.

<b>2015-2021</b>	Database development and testing of mobile reporting application (eTRIPS) in cooperation with ACCSP
<b>March 2021</b>	Feedback from Gulf Reef Fish and Gulf Coastal Migratory Advisory Panels that set-based reporting should be revised for SERO commercial logbooks.

The Councils have received periodic updates from the SEFSC during regularly scheduled Council meetings for several years on the transition of the current paper-based Coastal Fisheries Logbook Program to an electronic format. The SEFSC has developed (in coordination with ACCSP) a mobile application to accept electronic submissions. However, because the applicable FMPs and regulations do not contemplate electronic submission of commercial logbooks, each of the applicable FMPs that require paper logbook submissions must be amended to allow for electronic submission. Additionally, the SEFSC will need to develop technical specifications and guidelines to allow other vendors to develop mobile applications for this program.

#### *Purpose and Need*

The **purpose** is to modify reporting for commercial fishing vessels issued South Atlantic or Gulf of Mexico permits and currently reporting through the Southeast Coastal Logbook program (Gulf Reef Fish, South Atlantic Snapper Grouper, Atlantic Dolphin and Wahoo, and Coastal Migratory Pelagic Resources of the Gulf and Atlantic), to require that the reports be submitted electronically.

The **need** is to improve the timeliness and efficiency of the commercial logbook data collection and management program, which will improve monitoring and compliance of federally permitted commercial vessels participating in the Southeast Coastal Logbook program.

## 1.5 Description of the Biological Environment and Effects of Action

### 1.5.1 Biological Environment

The actions in this amendment would apply to the fisheries managed under various fishery management plans (FMPs) in the South Atlantic and the Gulf of Mexico. Details regarding the biological and ecological environment for the species managed under this amendment are found in recent amendments to the Snapper Grouper FMP, Dolphin Wahoo FMP, Coastal Migratory Pelagics FMP and the Gulf Reef Fish FMP, and are incorporated by reference, herein.

For a description of the biological environment for the snapper grouper fishery of the South Atlantic, refer to [Amendment 50 to the Fishery Management Plan for the Snapper Grouper Fishery of the South Atlantic Region](#). The biological environment for the coastal migratory pelagics fisheries is described in [Amendment 34 to the Fishery Management Plan for Coastal Migratory Pelagics \(CMP\) in the Gulf of Mexico and Atlantic](#); [Amendment 32 to the CMP FMP](#) also describes the biological environment. The biological environment for Gulf Reef Fish was described in [Amendment 48 to the Reef Fish FMP](#). [Amendment 10 to the FMP](#) for the dolphin wahoo fishery of the Atlantic describes the biological environment for that fishery.

### 1.5.2 Biological Effects Analysis

This action is administrative in nature and therefore not expected to have any direct effects, positive or negative, on the biological environment. There may be long-term indirect positive effects from improved availability and quality of commercial fishing data: (1) data on commercial catch and discards would be available more readily to managers because less time would be required to validate electronic submissions, (2) fewer errors are likely to occur and ease of submission may reduce recall bias, and (3) compliance with reporting requirements is expected to improve.

## 1.6 Description of the Economic Environment and Effects of Action

### 1.6.1 Economic Environment

#### 1.6.1.1 Overview

This action concerns the commercial sectors of the following four fisheries: Gulf Reef Fish, Coastal Migratory Pelagic Resources (both Gulf and Atlantic), Atlantic Dolphin Wahoo, and South Atlantic Snapper Grouper. For that reason, the following description of the economic environment focuses exclusively on the commercial sectors of those four fisheries.

The COVID-19 pandemic caused large-scale disruptions to the national economy and global markets in 2020. As states implemented a suite of social distancing measures in March 2020 to restrict the spread of the virus, large segments of the economy shutdown causing U.S. gross domestic product (GDP) to contract 9.03% in the second quarter relative to the previous year.

Those measures triggered a series of economic shockwaves in the seafood industry and other part of the economy. The contraction was so severe that a recession was declared for March and April 2020 (NMFS 2021). Commercial fishing landings revenue declined 22% in 2020 relative to the five previous years (2015–2019), with all regions experiencing a significant decline. Depressed market conditions existed in all regions, with high-value products and seafood exports withstanding the worst of these losses, particularly during the initial months of the pandemic.

An average annual total of 666 federally permitted vessels reported making 8,037 trips that harvested either reef fish, king mackerel or Spanish mackerel from the Gulf of Mexico from 2017 through 2021 (Table 1.6.1.1). During that same 5-year period, an annual average of 1,030 federally permitted vessels reported making 22,912 trips that harvested either dolphin, wahoo, king mackerel, Spanish mackerel or species within the Snapper Grouper (SG) Fishery from the South Atlantic (Table 1.6.1.2). Many of the vessels that reported landings from the Gulf and South Atlantic hold multiple federal permits. Note that there were declines in both the numbers of vessels and their reported trips in 2020 and 2021 in both the Gulf and South Atlantic. All dollar figures stated below (Section 2.2) are in 2021 dollars.

**Table. 1.6.1.1.** Number of federally permitted vessels that reported trips and landings of Gulf king mackerel, Gulf Spanish mackerel or reef fish, and average number of those trips per federally permitted vessel, 2017 – 2021.

Year	Reported Trips of Federally Permitted Vessels that Landed Either Gulf King Mackerel, Gulf Spanish Mackerel, or Gulf Reef Fish	Federally Permitted Vessels that Reported Landings of Either Gulf King Mackerel, Gulf Spanish Mackerel or Gulf Reef Fish	Average Trips per Federally Permitted Vessel that Landed KM, SM, or Reef Fish
2017	9,451	739	13
2018	8,345	719	12
2019	8,144	648	13
2020	7,396	645	11
2021	6,850	578	12
<b>Average</b>	<b>8,037</b>	<b>666</b>	<b>12</b>

Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (December 2022).

**Table 1.6.1.2.** Number of federally permitted vessels that reported trips and landings of Dolphin Wahoo, king and Spanish mackerel, or SG from South Atlantic (SA), and average number of those trips per federally permitted vessel, 2017 – 2021.

Year	Reported Trips of Federally Permitted Vessels that Landed either Dolphin, Wahoo, King Mackerel, Spanish Mackerel or Snapper Grouper from SA	Federally Permitted Vessels that Reported Landings of either Dolphin, Wahoo, King & Spanish Mackerel, or Snapper Grouper from SA	Average Trips per Federally Permitted Vessel
2017	25,494	1,062	24
2018	23,723	1,066	22
2019	24,527	1,067	23
2020	21,331	1,021	21
2021	19,487	932	21
<b>Average</b>	<b>22,912</b>	<b>1,030</b>	<b>22</b>

Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (December 2022).

Any dealer that purchases Gulf reef fish, Atlantic dolphin and wahoo, coastal migratory pelagics, or South Atlantic snapper grouper harvested from federal waters must have a federal Gulf and South Atlantic dealer permit and submit weekly reports. However, to purchase Individual Fishing Quota (IFQ) species or species groups, the dealer must have a Gulf IFQ dealer permit.

### 1.6.1.2 Gulf Reef Fish

The Gulf Council manages 31 species under the Gulf Reef Fish FMP, and any fishing vessel that sells these reef fish from the Gulf EEZ must have a valid (non-expired) limited-access reef fish (RF) permit assigned to it. An RF-permitted vessel must report its landings, regardless where the fish are harvested (state or federal waters), to satisfy conditions of the permit.

Any commercial vessel that harvests reef fish under the permit must also have an operating vessel monitoring system (VMS) on board (50 CFR §622.28). Moreover, the owner or operator of a RF-permitted vessel must ensure that the required VMS unit transmits a signal indicating the vessel's accurate position at least once an hour, 24 hours a day every day when out of port or in port and not in dry dock unless exempted under paragraphs (c) and (d) of Section 622.28. Additional requirements apply to harvest the 14 reef fish species managed under two individual fishing quota (IFQ) programs. These two programs are the Grouper-Tilefish (GT) IFQ and Red Snapper (RS) IFQ programs.

Since January 1, 2015, all U.S. citizens and permanent resident aliens have been eligible to obtain a GT-IFQ or RS-IFQ shareholder account to purchase shares and allocation. Shares are a percentage of the commercial quota, while allocation refers to the poundage that one can possess, land, or transfer during a given calendar year. Allocation is annual and expires on December 31. The GT-IFQ program includes 13 species in five share categories. These share categories are gag grouper (GG), red grouper (RG), deep-water grouper (DWG), shallow-water grouper (SWG), and tilefishes (TF). While the first two share categories concern a single species, the last three categories are of species complexes commonly caught together. To harvest an IFQ species,

in addition to having a valid reef fish permit, a vessel must have a share account for the applicable species or complex as well as sufficient allocation<sup>7</sup> in that that account. More information about vessels that harvest GT-IFQ species or red snapper and other details of the two IFQ programs are in the Red Snapper and Grouper Tilefish IFQ programs review and are incorporated by reference (GFMC Sept. 2021).<sup>8</sup>

The total number of valid reef fish permits represents the maximum number of vessels that would be able to harvest reef fish in the Gulf EEZ. However, not all RF permits are valid during the course of a calendar year. Permits expire and once expired, the permit holder has up to a year after the expiration date to either renew or transfer the permit. A permit that is not renewed or transferred within that time is terminated, and as shown in Table 1.6.1.2.1, the number of vessels with a valid RF permit has declined. In step with that decline has been the increase in market value of a commercial reef fish permit.<sup>9</sup> Moreover, substantially less than 100% of those RF-permitted vessels report RF landings in any given year. From 2017 through 2020, an annual average of about 63% of RF-permitted vessels reported landings of reef fish. An annual average of 517 RF-permitted vessels reported landings of reef fish from 2017 through 2021.

**Table. 1.6.1.2.1.** Number of vessels with a valid RF permit, and number and percentage of those vessels with reported reef fish landings, 2017 – 2021.

Year	Valid RF-Permitted Vessels	RF-Permitted Vessels that Reported RF Landings	Percentage RF-Permitted Vessels with Reported RF Landings
2017	850	564	66.35%
2018	845	549	64.97%
2019	842	517	61.40%
2020	837	496	59.25%
<b>Average</b>	<b>844</b>	<b>532</b>	<b>62.99%</b>
2021	814 <sup>1</sup>	457	NA <sup>2</sup>

1. This is the number of vessels with a valid RF permit for at least one day from January 1 through August 26, 2021. Previous years' figures are for the number of permits that were valid for at least one day during the entire calendar year. The number of valid RF permits for the entire calendar year is currently unavailable.

2. NA: Not available. The number of RF vessels that reported landings of reef fish is for the entire calendar year, whereas the figure for the number of valid RF permits is only for part of the calendar year (January 1 – August 26). The percentage for the entire calendar year would be at most 56.14% if there is no increase in the number of valid permits after August 26.

Source: NMFS SERO Sustainable Fisheries Division (SFD) Access Permits database and SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022).

There are restrictions on the use of gear when harvesting reef fish. For a person aboard a RF-permitted vessel to use a bottom longline for reef fish in the Gulf EEZ east of 85°30 W. long., a

<sup>7</sup> IFQ allocation is the amount of red grouper or gag grouper, in pounds gutted weight, an IFQ shareholder or allocation holder is authorized to possess, land, or sell of the applicable species during a given fishing year. IFQ allocation is derived at the beginning of each year by multiplying a shareholder's IFQ share times the annual commercial quota for the applicable species.

<sup>8</sup> See [https://gulfcouncil.org/wp-content/uploads/Joint-RS-GT-IFQ-Review-w-appendix-10-27-21-Final\\_508.pdf](https://gulfcouncil.org/wp-content/uploads/Joint-RS-GT-IFQ-Review-w-appendix-10-27-21-Final_508.pdf).

<sup>9</sup> For more information about the market price of a commercial reef fish permit, see the Red Snapper and Grouper-Tilefish Individual Fishing Quota Programs Review (2021).

valid eastern Gulf reef fish bottom longline endorsement must have been issued to the vessel and must be on board (50 CFR §622.20(2)). From 2016 through 2020, there was an annual average of 62 vessels with the endorsement and 98% of those vessels had a homeport in Florida. As of August 26, 2021, there were 62 vessels with a bottom longline endorsement.

The annual average of 517 RF-permitted vessels that reported reef fish landings from 2017 through 2021 (Table 1.6.1.2.1) made 5,871 trips that landed approximately 12.8 million lbs of reef fish. Those reef fish landings had an ex-vessel value of approximately \$60.3 million (Table 1.6.1.2.2). Average ex-vessel revenue per trip from landings of reef fish was \$10,271.

**Table 1.6.1.2.2.** Gulf RF-permitted vessels and their reported RF trips, RF landings (lbs gw), RF Ex-vessel revenue, and average RF ex-vessel revenue per trip with RF landings, 2017 – 2021.

Year	RF Trips	RF Landings (lbs gw)	RF Revenue	Average RF Landings (lbs gw) per Trip	Ave RF Revenue per RF Trip
2017	6,849	13,904,072	\$63,269,410	2,030	\$9,238
2018	6,027	12,498,242	\$59,093,571	2,074	\$9,805
2019	6,029	12,788,231	\$62,251,786	2,121	\$10,325
2020	5,503	12,166,048	\$57,032,827	2,211	\$10,364
2021	4,949	12,609,904	\$59,870,747	2,548	\$12,098
<b>Average</b>	<b>5,871</b>	<b>12,793,299</b>	<b>\$60,303,668</b>	<b>2,197</b>	<b>\$10,271</b>

Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

Reef fish accounted for an average of 96% of annual ex-vessel revenue from all reported landings of RF-permitted vessels (Table 1.6.1.2.3). The average RF-permitted vessel with reef fish landings from 2017 through 2021 had annual total ex-vessel revenue from all landings of \$121,609. The highest annual total revenue for a RF-permitted vessel that reported reef fish landings during this 5-year period was less than \$3.1 million.

**Table 1.6.1.2.3.** Ex-vessel revenue of RF-permitted vessels from RF landings, jointly landed species, and other species from trips without RF, 2017 – 2021.

Year	RF Revenue	Revenue from Jointly Landed Species	Revenue from Non-RF Trips	Total Revenue	Percentage RF	Ave Total Revenue Per Vessel
2017	\$63,269,410	\$1,170,367	\$1,735,677	\$66,175,453	95.61%	\$117,332
2018	\$59,093,571	\$841,780	\$1,441,437	\$61,376,788	96.28%	\$111,797
2019	\$62,251,786	\$806,816	\$1,312,302	\$64,370,904	96.71%	\$124,509
2020	\$57,032,827	\$586,173	\$1,261,682	\$58,880,682	96.86%	\$118,711
2021	\$59,870,747	\$673,876	\$1,467,705	\$62,012,328	96.55%	\$135,694
<b>Average</b>	<b>\$60,303,668</b>	<b>\$815,802</b>	<b>\$1,443,761</b>	<b>\$62,563,231</b>	<b>96.40%</b>	<b>\$121,609</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

From 2017 through 2021, the average RF-permitted vessel with reported landings of reef fish made a total of 13 trips annually and about 90% (11) of those trips had landings of reef fish (Table 1.6.1.2.4). The average trip with landings of reef fish generated ex-vessel revenue of \$10,410 (from reef fish and jointly caught species), while the average trip without landings of reef fish generated ex-vessel revenue of \$2,295 from 2017 through 2021 (Table 1.6.1.2.5).

**Table 1.6.1.2.4.** Number of reef fish and non-reef fish trips by RF vessels, total trips, total RF vessels, total trips per RF vessel, and percentage of total trips with reef fish landings, 2017 – 2021.

Year	Total RF Trips	Total Non-RF Trips	Total Trips by RF Vessels	RF Vessels	Total Trips per RF Vessel	Percentage of Total Trips with RF
2017	6,849	803	7,652	564	14	89.51%
2018	6,027	672	6,699	549	12	89.97%
2019	6,029	626	6,655	517	13	90.59%
2020	5,503	534	6,037	496	12	91.15%
2021	4,949	510	5,459	457	12	90.66%
<b>Average</b>	<b>5,871</b>	<b>629</b>	<b>6,500</b>	<b>517</b>	<b>13</b>	<b>90.38%</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022).

**Table 1.6.1.2.5.** Total ex-vessel revenue of RF-permitted vessels from RF and non-RF trips, number of trips with and without reef fish landings, and average revenue per reef fish and non-reef fish trip, 2017 – 2021.

Year	Total Revenue from RF Trips	Revenue from Non-RF Trips	RF Trips	Non-RF Trips	Average Revenue per RF Trip	Average Revenue per Non-RF Trip
2017	\$64,439,777	\$1,735,677	6,849	803	\$9,409	\$2,161
2018	\$59,935,351	\$1,441,437	6,027	672	\$9,944	\$2,145
2019	\$63,058,602	\$1,312,302	6,029	626	\$10,459	\$2,096
2020	\$57,619,000	\$1,261,682	5,503	534	\$10,470	\$2,363
2021	\$60,544,623	\$1,467,705	4,949	510	\$12,234	\$2,878
<b>Average</b>	<b>\$61,119,470</b>	<b>\$1,443,761</b>	<b>5,871</b>	<b>629</b>	<b>\$10,410</b>	<b>\$2,295</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (October 2022) and BEA GDP deflator (issued October 27, 2022).

Overstreet and Liese (personal communication (pers. comm) SEFSC December 8, 2022) estimated average trip net cash flow and average trip net revenue for trips that land Gulf reef fish by all gears are 38% and 51% of total trip revenue, respectively, which indicates Gulf reef fish trips are profitable.<sup>10</sup> Using those percentages, average trip net cash flow is \$3,991 and average trip revenue is \$5,357 for trips that land reef fish by all gears from 2017 through 2021 (Table 1.6.1.2.6).

**Table 1.6.1.2.6.** Average economic profit (net revenue) and financial performance (net cash flow) per RF trip with reported landings of Gulf reef fish by all gears, 2017 – 2021.

Average RF Trip Total Revenue	Average RF Trip Net Cash Flow	Average RF Trip Net Revenue
\$10,503	\$3,991	\$5,357

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022), BEA GDP deflator (issued October 27, 2022), and Overstreet and Liese (pers. comm. Liese SEFSC December 8, 2022).

Overstreet and Liese (personal communication Liese SEFSC December 8, 2022) estimate average annual net revenue for operations for vessels that land reef fish by all gears is approximately 32% of annual total revenue, which indicates RF-vessels are profitable. With an average annual total revenue of \$121,609 from 2017 through 2021, average annual net revenue from operations for a vessel that lands reef fish by any gear is \$38,915. Producer surplus at the vessel level is its total annual revenue less the costs of fuel, other supplies, hired crew and the opportunity cost of the owner's time as captain, which is estimated to be about 52%. The

<sup>10</sup> Trip net cash flow is revenue minus the costs for fuel, bait, ice, groceries, miscellaneous, hired crew, and IFQ purchase for a trip. Trip net revenue is revenue less the costs of fuel, bait, ice, groceries, miscellaneous hired crew, and owner labor. Trip net revenue does not include IFQ purchase or any other transfer payment. Overstreet and Liese used 2014 through 2018 data to generate the estimates.

average economic return on vessel asset value is about 52% (\$62,570) of average annual total revenue.<sup>11</sup>

Hook and line gears (buoy, electric (bandit), hand, bottom longline, and trolling) are the most popular gears to harvest reef fish. From 2017 through 2021, hook and line gears (H&L) collectively accounted for about 99% of reef fish landings annually by both weight and value (Table 1.6.1.2.7). About 94% of trips with reported landings of reef fish harvest the species with hook and line gear. Vertical gear (electric, hand, and buoy & trolling hook and line) accounted for about 70% of reported reef fish landings from 2017 through 2021. Both vertical gear and bottom longline account for approximately 99% of landings by weight and value and 94% of reef fish trips. Note that the percentages of vessels that report reef fish landings by gear sums to greater than 100% because there are vessels that use multiple gears to harvest reef fish during the course of a calendar year.

**Table 1.6.1.2.7.** Average annual percentage (%) of total RF landings (lbs gw), total RF revenue, total RF trips, and RF-permitted vessels with reported reef fish landings by gear, 2017 – 2021.

Average 2017 – 2021	Buoy & Trolling H&L	Electric H&L	Hand H&L	Bottom LL	Divers & Other
% All RF Landings (lbs gw)	0.31%	57.88%	12.16%	28.32%	1.33%
% All RF Revenue	0.30%	56.93%	11.80%	29.86%	1.10%
% All RF Trips	0.55%	45.77%	35.35%	12.65%	5.68%
% All RF Vessels with RF Landings	2.43%	44.69%	46.58%	13.25%	8.85%

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022).

Average reef-fish landings per trip by both weight and value varies considerably by gear. From 2017 through 2021, the average reef fish trip using bottom longline landed 4,932 lbs gw of reef fish with a value of \$24,522, while the average reef fish trip using hand hook-and-line gear landed 755 lbs gw of reef fish with a value of \$3,469 (Table 1.6.1.2.8). As shown in Table 1.6.1.2.9, while the average RF-permitted vessel that used bottom longline harvested 53,145 lbs gw of reef fish valued at \$264,414 annually, the average RF-permitted vessel that used divers (spear or power) landed 3,865 lbs gw of reef fish with a value of \$15,111 annually.

**Table 1.6.1.2.8.** Average reef fish landings and RF ex-vessel revenue per reef fish trip by gear, 2017 – 2021.

Average 2017 – 2021 per RF Trip	Buoy & Trolling H&L	Electric H&L	Hand H&L	Bottom LL	Divers & Other
RF Landings (lbs gw)	1,261	2,788	755	4,932	518
RF Revenue	\$5,290	\$12,932	\$3,469	\$24,522	\$2,024

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

<sup>11</sup> Economic return on vessel asset value is calculated by dividing net revenue from operations by the mean vessel value.

**Table 1.6.1.2.9.** Average annual RF landings (lbs gw) and RF ex-vessel revenue per RF vessel that reported RF landings, 2017 – 2021.

Average 2017 – 2021 per RF Vessel	Buoy & Trolling H&L	Electric H&L	Hand H&L	Bottom LL	Divers
RF Landings (lbs gw)	3,361	32,225	6,486	53,145	3,865
RF Revenue	\$15,840	\$149,421	\$29,742	\$264,414	\$15,111

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

The relative importance of reef fish per trip with reef fish landings is great. Reef fish landings account for over 95% of total revenue per trip with reef fish harvested by vertical gear, bottom longline and divers (Table 2.2.2.10).

**Table 1.6.1.2.10.** Average total revenue per RF trip and percentage of that revenue from reef fish by vertical gear, bottom longline, 2017 – 2021.

Average per RF Trip	Vertical Gear	Bottom LL	Divers
Total Revenue	\$8,898	\$24,721	\$2,111
% Total from RF	98.52%	99.20%	95.87%

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

Overstreet and Liese (2018) estimate average net cash flow and net revenue per reef fish trip by vertical gear are 38% and 53% of total trip revenue, respectively.<sup>12</sup> Average net cash flow and net revenue for trips that use longline are 36% and 46% of total trip revenue, respectively; and average net cash flow and net revenue for trips that use divers are 38% and 32%, respectively. The estimates of average RF trip net cash flow and RF trip net revenue by gear from 2017 through 2021 are provided in Table 1.6.1.2.11.

**Table 1.6.1.2.11.** Average total revenue, net revenue (economic profit) and net cash flow (financial performance) per reef fish trip by gear, 2017 – 2021.

Average per RF Trip	Vertical Gear	Bottom Longline	Divers
Total Revenue	\$8,898	\$24,721	\$2,111
Net Revenue	\$4,627	\$11,372	\$676
Net Cash Flow	\$3,381	\$8,900	\$802

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022), BEA GDP deflator (issued October 27, 2022), and Overstreet and Liese (2018).

Florida ranks first by number of vessels with reported reef fish landings and reef fish landings by weight and value (Table 1.6.1.2.13). Texas ranks second, with Louisiana, Alabama and Mississippi in turn.

<sup>12</sup> Using data from 2014 through 2018. More recent years estimates of net cash flow and net revenue are not currently available.

**Table 1.6.1.2.12.** Average annual number and percentage (%) of RF-permitted vessels with RF landings, RF Trips, RF landings, RF Revenue, and percentages of RF landings and revenue by state, 2017 – 2021.

Average 2017 – 2021	AL	FL	LA	MS	TX
Total RF Vessels with RF Landings <sup>1</sup>	27	423	32	4	39
Total RF Trips	312	4,458	440	177	501
RF Landings (lbs gw)	378,862	7,964,982	1,678,155	170,865	2,600,434
% RF Landings All States	2.65%	62.24%	13.09%	1.33%	20.39%
RF Revenue	\$1,716,166	\$37,346,864	\$7,260,062	\$406,083	\$13,574,494
% RF Revenue All States	2.83%	61.49%	12.74%	0.68%	22.53%

1. Some permitted vessels land reef fish in more than one state. Consequently, the average total number of unique vessels (543) with landings of reef fish is actually less than the sum across the states.

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

Average annual ex-vessel revenue from reported RF landings per RF-permitted vessel that reports RF landings varies greatly by state. While the average Alabama vessel received \$61,508 annually from landing reef fish from 2017 through 2021, the average Texas vessel received \$349,974 from landing reef fish during that period (Table 1.6.1.2.13). Reef fish represent from approximately 84% to 99% of average annual total ex-vessel revenue per vessel that lands reef fish in a Gulf state (Table 1.6.1.2.14). Almost all (99%) of annual revenue by the average Mississippi or Texas vessel that landed reef fish from 2017 through 2021 derived from reef fish landings. Essentially all trips by Mississippi RF vessels have landings of reef fish.

**Table 1.6.1.2.13.** Average annual RF landings (lbs gw) and revenue per RF-permitted vessel and per RF trip by state, 2017 – 2021.

State	Ave. Annual RF Landings (lbs gw) per RF Vessel	Ave. Annual RF Revenue per RF Vessel	Ave. RF Landings (lbs gw) per RF Trip	Ave. RF Revenue per RF Trip
AL	13,647	\$61,508	1,236	\$5,708
FL	18,878	\$88,689	1,800	\$8,462
LA	52,433	\$225,751	3,862	\$16,601
MS	45,690	\$108,424	968	\$2,295
TX	67,260	\$349,974	5,232	\$27,275

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (October 27, 2022).

**Table 1.6.1.2.14.** Average annual revenue from all landings per RF-vessel that reported RF landings by state, 2017 – 2021.

State	Ave. Annual Total Revenue per RF Vessel	Ave. Percentage of Annual Total Revenue from RF
AL	\$72,989	84.27%
FL	\$90,032	98.49%
LA	\$239,739	94.17%
MS	\$109,465	99.07%
TX	\$351,884	99.44%

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (October 27, 2022).

From 2017 through 2021, the individual stock or stock complex that accounted for the largest average percentage of RF-permitted vessels' combined annual reef fish landings by both weight and value was red snapper, followed by red grouper. Red snapper accounted for an average of approximately 50% of annual reef fish landings by weight and approximately 52% by value, while red grouper accounted for 19% of reef fish landings by weight and 21% value (Table 1.6.1.2.15).

**Table 1.6.1.2.15.** Average annual percentage of RF-permitted vessels' combined reported RF landings (weight and value) by individual stock or stock complex, 2017 – 2021.

Individual Stock/Stock Complex	Average Annual Percentage RF Landings by Weight	Average Annual Percentage RF Landings by Value
Deepwater Grouper <sup>1</sup>	6.45%	7.54%
Gag Grouper <sup>2</sup>	3.78%	4.93%
Shallow Water Grouper <sup>3</sup>	1.26%	1.55%
Red Grouper <sup>4</sup>	19.14%	20.99%
Goliath Grouper <sup>5</sup>	NA	NA
Hogfish	0.09%	0.10%
Greater Amberjack	2.49%	1.08%
Jacks <sup>6</sup>	0.57%	0.20%
Midwater Snapper <sup>7</sup>	0.46%	0.41%
Cubera Snapper	0.01%	0.00%
Gray (Mangrove) Snapper	0.74%	0.57%
Lane Snapper	0.19%	0.12%
Mutton Snapper	0.57%	0.44%
Red Snapper <sup>8</sup>	49.75%	51.64%
Vermilion Snapper	8.06%	5.75%
Yellowtail Snapper	2.91%	2.33%
Tilefish <sup>9</sup>	3.14%	2.14%
Gray Triggerfish	0.40%	0.20%
Total 31 species	100.00%	100.00%

1. Snowy, warsaw, yellowedge and speckled hind. Managed under GT IFQ.

2. Managed under GT IFQ.
  3. Black, scamp, yellowfin, and yellowmouth. Managed under GT IFQ.
  4. Managed under GT IFQ.
  5. Goliath grouper is a prohibited species.
  6. Almaco jack, lesser amberjack, and banded rudderfish.
  7. Blackfin, queen, silk, and wenchman.
  8. Managed under Red Snapper IFQ.
  9. Blueline, golden, and goldface tilefish. Managed under GT IFQ.
- Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (November 2022).

### Economic Impacts

Commercial RF vessels' sales of reef fish landings generate beneficial economic impacts in the form of jobs, income, value added and additional sales. From 2017 through 2021, annual landings of Gulf reef fish resulted in \$60,303,668 (Table 1.6.1.2.3) in total ex-vessel revenue on average. In turn, this annual ex-vessel revenue generated 7,211 jobs and about \$219.6 million income, \$310.3 million in value-added, and \$245.5 million in sales impacts per year on average (Table 1.6.1.2.16). When divided across the 5,871 average annual trips that landed reef fish, the average trip resulted in approximately one job, \$37.4 thousand in income, \$52.9 thousand in value-added, and \$101.9 thousand in sales impacts.

**Table 1.6.1.2.16.** Average annual economic impacts from reported Gulf reef fish commercial landings of RF-permitted vessels, 2017 – 2021.

Business	Jobs	Income (1,000s)	Value- Added (1,000s)	Sales (1,000s)
Harvesters	1,711	\$53,221	\$81,479	\$157,919
Primary Dealers/Processors	548	\$29,673	\$41,249	\$94,024
Secondary Wholesalers/Distributors	266	\$14,867	\$21,273	\$45,243
Grocers	695	\$23,878	\$31,909	\$55,289
Restaurants	3,990	\$97,975	\$134,379	\$245,546
<b>All</b>	<b>7,211</b>	<b>\$219,614</b>	<b>\$310,289</b>	<b>\$598,020</b>

Source: Calculated by NMFS SERO using the model developed for and applied in NMFS (2021).

More information about the annual revenue of vessels that harvest IFQ versus non-IFQ reef fish can be found in the Red Snapper and Grouper-Tilefish IFQ Programs Review and is incorporated by reference. Additional information about trip net cash flow, trip net revenue, annual net cash flow and annual net revenue for vessels that harvest specific IFQ species, such as red snapper and red grouper, can be found in Overstreet and Liese (2018) and is incorporated by reference. Information about ex-vessel prices, allocation (quota lease) prices, and quota share prices can be found in the May 2022 Gulf of Mexico IFQ Pricing Report and is incorporated by reference.<sup>13</sup> Information about Gulf IFQ dealers can be found in Red Snapper and Grouper-Tilefish IFQ Programs Review and is incorporated by reference.

<sup>13</sup> See <https://www.flseagrant.org/publication/gulf-of-mexico-ifq-pricing-report-may-2022/>.

### 1.6.1.3 Gulf and South Atlantic Coastal Migratory Pelagics

The Gulf of Mexico and South Atlantic Fishery Management Councils jointly manage the CMP fishery. The fishery is composed of three stocks, and each stock has two migratory groups. The Gulf king mackerel, Gulf Spanish mackerel and Gulf cobia migratory groups are managed by the Gulf Council and the Atlantic king mackerel, Atlantic Spanish mackerel and Atlantic cobia migratory groupers are managed by the South Atlantic Council. Because each stock has Gulf and Atlantic migratory groups, the following description of the commercial sector of the CMP fishery separates it into Gulf and Atlantic subsectors as appropriate.

Any fishing vessel that harvests king or Spanish mackerel in the Gulf or Atlantic EEZ in excess of the recreational bag limit and sells that harvest must have a valid federal commercial king mackerel or Spanish mackerel permit, respectively, onboard.<sup>14</sup> No federal permit is required to harvest cobia commercially from those waters. However, reporting requirements apply to all permitted vessels who harvest CMP in the EEZ.

The king mackerel (KM) permit is a limited-access permit, whereas the Spanish mackerel (SM) permit is an open-access permit. From 2017 through 2020, there was an annual average of 1,437 KM-permitted vessels and 2,326 SM-permitted vessels. Many of the vessels (1,146) had both valid king mackerel and Spanish mackerel permits (Table 1.6.1.3.1). In 2021, there were 1,389 vessels with a valid KM permit and 1,809 with a valid SM permit as of August 26 of that year.

**Table 1.6.1.3.1.** Number of vessels with valid KM permit only, valid SM permit only, and both valid KM and SM permits, 2017 – 2021.

Year	Vessels with KM Permit Only	Vessels with SM Permit Only	Vessels with Both KM and SM Permits
2017	304	1,177	1,149
2018	291	1,248	1,141
2019	280	1,183	1,155
2020	289	1,113	1,137
<b>Average</b>	<b>291</b>	<b>1,180</b>	<b>1,146</b>
2021 <sup>1</sup>	363	783	1,026

1. Figures for 2021 are the number of valid permits that were valid for at least one day from January 1 through August 26. Previous year's counts are the numbers of valid permits that were valid for at least one day through the entire calendar year.

Source: NMFS SERO SFD Access Permits database.

The number of vessels with a valid KM and/or SM permit that report landings of king mackerel and/or Spanish mackerel is substantially less than the number of vessels with the respective permit(s). From 2017 through 2021, an annual average of 940 permitted vessels made 16,182 trips that landed king and/or Spanish mackerel from the Gulf and South Atlantic, averaging 17 trips annually per vessel (Table 1.6.1.3.2). The average revenue from one of those trips, which includes jointly caught species, was \$1,134.

<sup>14</sup> The captain/crew of a for-hire fishing vessel with a valid charter/headboat permit for king or Spanish mackerel can sell a bag limit quantity of king or Spanish mackerel, respectively.

**Table 1.6.1.3.2.** Number of KM- and/or SM-permitted vessels that reported KM and/or SM landings, trips with KM and/or SM landings, and average number of KM and/or SM trips per permitted vessel, Gulf and South Atlantic combined, 2017 – 2021.

Year	Vessels with KM and/or SM Landings	KM and/or SM Trips	Average KM and/or SM Trips per Vessel	Average Revenue per KM and/or SM Trip
2017	1,007	17,829	18	\$1,198
2018	958	16,569	17	\$1,204
2019	959	17,186	18	\$1,105
2020	936	15,180	16	\$1,060
2021	842	14,146	17	\$1,088
<b>Average</b>	<b>940</b>	<b>16,182</b>	<b>17</b>	<b>\$1,134</b>

Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

When king mackerel and Spanish mackerel trips and reported landings are evaluated separately, an annual average of 852 KM-permitted vessels reported landings of king mackerel (Table 1.6.1.3.3) and 513 SM-permitted vessels reported landings of Spanish mackerel (Table 1.6.1.3.4). The average trip with king mackerel landed 365 lbs gw of king mackerel with a value of \$860, and the average KM-permitted vessel made 16 trips annually that landed king mackerel. The average trip with Spanish mackerel landed 380 lbs gw of Spanish mackerel with a value of \$470, and the average SM-permitted vessel made 8 trips annually that landed Spanish mackerel.

**Table 1.6.1.3.3.** KM-permitted vessels and their reported KM trips, KM landings (lbs gw), KM ex-vessel revenue, average number of KM trips per vessel, and average KM ex-vessel revenue per trip with KM landings, Gulf and South Atlantic combined, 2017 – 2021.

Year	KM-Permitted Vessels with Reported KM Landings	KM Trips	KM Landings (lbs gw)	KM Revenue	Ave. KM Trips per KM Vessel	Ave. KM Revenue per KM Trip
2017	915	15,002	5,476,082	\$12,741,664	16	\$849
2018	848	13,391	5,016,527	\$12,664,751	16	\$946
2019	876	13,963	5,250,073	\$11,744,982	16	\$841
2020	852	12,379	4,479,012	\$10,044,768	15	\$811
2021	768	11,835	4,104,060	\$10,043,737	15	\$849
<b>Average</b>	<b>852</b>	<b>13,314</b>	<b>4,865,151</b>	<b>\$11,447,980</b>	<b>16</b>	<b>\$860</b>

Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

**Table 1.6.1.3.4.** SM-permitted vessels and their reported SM trips, SM landings (lbs gw), SM ex-vessel revenue, average number of SM trips per vessel, and average SM ex-vessel revenue per trip with SM landings, Gulf and South Atlantic combined, 2017 – 2021.

Year	SM-Permitted Vessels with Reported SM Landings	SM Trips	SM Landings (lbs gw)	SM Revenue	Ave. SM Trips per SM Vessel	Ave. SM Revenue per SM Trip
2017	545	4,303	1,615,374	\$2,140,042	8	\$497
2018	542	4,704	1,876,710	\$2,314,327	9	\$492
2019	537	4,956	1,755,771	\$2,014,808	9	\$407
2020	509	4,258	1,610,191	\$2,044,057	8	\$480
2021	432	3,499	1,377,043	\$1,700,616	8	\$486
<b>Average</b>	<b>513</b>	<b>4,344</b>	<b>1,647,018</b>	<b>\$2,042,770</b>	<b>8</b>	<b>\$470</b>

Source: SEFSC Socioeconomic Panel (Sep 22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

From 2017 through 2021, about 59% (13,314) of all annual trips (22,612) by KM-permitted vessels that reported landings of king mackerel had landings of king mackerel (Table 1.6.1.3.5). The average trip with landings of king mackerel generated ex-vessel revenue of about \$1.2 thousand (from king mackerel and jointly caught species), while the average trip without landings of king mackerel generated ex-vessel revenue of about \$2.6 thousand. Average annual revenue for these KM-permitted vessels with reported king mackerel landings was \$47,234.

**Table 1.6.1.3.5.** Total ex-vessel revenue of KM-permitted vessels from KM and non-KM trips, number of trips with and without king mackerel landings, average revenue per KM and non-KM trip, and average annual revenue per KM-permitted vessel, Gulf and South Atlantic combined, 2017 – 2021.

Year	KM Trips	Non-KM Trips	Ave. Revenue per KM Trip	Ave. Revenue per Non-KM Trip	Ave. Annual Revenue per KM Vessel
2017	15,002	10,470	\$1,247	\$3,014	\$54,933
2018	13,391	9,952	\$1,285	\$2,450	\$49,032
2019	13,963	10,230	\$1,168	\$2,497	\$47,784
2020	12,379	8,549	\$1,094	\$2,132	\$37,289
2021	11,835	7,288	\$1,132	\$3,059	\$46,484
<b>Average</b>	<b>13,314</b>	<b>9,298</b>	<b>\$1,189</b>	<b>\$2,624</b>	<b>\$47,234</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

From 2017 through 2021, about 25% (4,344) of all annual trips by SM-permitted vessels that reported landings of Spanish mackerel had landings of Spanish mackerel (Table 1.6.1.3.6). The average trip with landings of Spanish mackerel generated ex-vessel revenue of \$993 (from Spanish mackerel and jointly caught species), while the average trip without landings of Spanish mackerel generated ex-vessel revenue of \$1,396. Average annual revenue for these vessels was \$43,792.

**Table 1.6.1.3.6.** Total ex-vessel revenue of SM-permitted vessels from SM and non-SM trips, number of trips with and without Spanish mackerel landings, average revenue per SM and non-SM trip, and average annual revenue per SM-permitted vessel, Gulf and South Atlantic combined, 2017 – 2021.

Year	SM Trips	Non-SM Trips	Ave. Revenue per SM Trip	Ave. Revenue per Non-SM Trip	Ave. Annual Revenue per SM Vessel
2017	4,303	15,010	\$1,198	\$1,572	\$52,763
2018	4,704	13,353	\$1,012	\$1,305	\$40,943
2019	4,956	14,323	\$913	\$1,395	\$45,648
2020	4,258	11,591	\$978	\$1,415	\$40,392
2021	3,499	10,689	\$864	\$1,243	\$37,748
<b>Average</b>	<b>4,344</b>	<b>12,993</b>	<b>\$993</b>	<b>\$1,396</b>	<b>\$43,792</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

When trips and landings of king mackerel from the Gulf of Mexico are evaluated separately from those from the South Atlantic, an annual average of 244 KM-permitted vessels reported landings of king mackerel from the Gulf and 667 reported landings from the South Atlantic from 2017 through 2021 (Tables 1.6.1.3.7 and 1.6.1.3.8). The average Gulf trip with king mackerel landings received \$2,343 from those landings, while the average South Atlantic trip with king mackerel landings received \$553 from its landings of king mackerel.

**Table 1.6.1.3.7.** Gulf KM-permitted vessels and their reported KM trips, Gulf KM landings (lbs gw), Gulf KM ex-vessel revenue, average number of Gulf KM trips per vessel, and average Gulf KM ex-vessel revenue per Gulf KM trip, 2017 – 2021.

Year	KM-Permitted Vessels with Gulf KM Landings	Gulf KM Trips	Gulf KM Landings	Gulf KM Revenue	Average Gulf KM Trips per KM Vessel	Average Gulf KM Revenue per KM Trip
2017	299	2,890	2,705,663	\$6,277,814	10	\$2,172
2018	256	2,385	2,601,258	\$6,524,283	9	\$2,736
2019	237	2,180	2,431,084	\$5,110,442	9	\$2,344
2020	221	1,960	1,918,832	\$4,215,836	9	\$2,151
2021	205	1,979	1,881,647	\$4,572,243	10	\$2,310
<b>Average</b>	<b>244</b>	<b>2,279</b>	<b>2,307,697</b>	<b>\$5,340,123</b>	<b>9</b>	<b>\$2,343</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

**Table 1.6.1.3.8.** South Atlantic KM-permitted vessels and their reported KM trips, SA KM landings (lbs gw), SA KM ex-vessel revenue, average number of SA KM trips per vessel, and average SA KM ex-vessel revenue per SA KM trip, 2017 – 2021.

Year	KM-Permitted Vessels with SA KM Landings	SA KM Trips	SA KM Landings	SA KM Revenue	Average SA KM Trips per KM Vessel	Average SA KM Revenue per KM Trip
2017	678	12,112	2,770,419	\$6,463,850	18	\$534
2018	657	11,006	2,415,269	\$6,140,469	17	\$558
2019	694	11,783	2,818,989	\$6,634,540	17	\$563
2020	686	10,419	2,560,180	\$5,828,932	15	\$559
2021	618	9,856	2,222,413	\$5,471,494	16	\$555
<b>Average</b>	<b>667</b>	<b>11,035</b>	<b>2,557,454</b>	<b>\$6,107,857</b>	<b>17</b>	<b>\$553</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

The average KM-permitted vessel with reported king mackerel landings from the Gulf had annual total ex-vessel revenue from all landings of about \$85 thousand, while its counterpart in the South Atlantic had annual total ex-vessel revenue from all landings of about \$29 thousand (Tables 1.6.1.3.9 and 1.6.1.3.10). The highest annual total revenue for a KM-permitted vessel that reported king mackerel landings during this 5-year period was less than \$2.5 million.

**Table 1.6.1.3.9.** Total ex-vessel revenue from Gulf KM and non-KM trips, number of Gulf trips with and without king mackerel landings, average revenue per Gulf KM and non-KM trip, and average annual revenue per Gulf KM-permitted vessel that reported king mackerel landings, 2017 – 2021.

Year	Gulf KM Trips	Gulf Non-KM Trips	Ave. Revenue per Gulf KM Trip	Ave. Revenue per Gulf Non-KM Trip	Ave. Annual Revenue per Gulf KM Vessel
2017	2,890	1,872	\$3,240	\$9,860	\$93,044
2018	2,385	1,497	\$3,346	\$8,720	\$82,162
2019	2,180	1,806	\$3,187	\$8,054	\$90,696
2020	1,960	1,172	\$2,800	\$6,677	\$60,240
2021	1,979	1,221	\$3,094	\$11,535	\$98,571
<b>Average</b>	<b>2,279</b>	<b>1,514</b>	<b>\$3,151</b>	<b>\$8,981</b>	<b>\$85,278</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) and BEA GDP deflator (issued October 27, 2022).

**Table 1.6.1.3.10.** Total ex-vessel revenue from South Atlantic KM and non-KM trips, number of South Atlantic trips with and without king mackerel landings, average revenue per South Atlantic KM and non-KM trip, and average annual revenue per South Atlantic KM-permitted vessel, 2017 – 2021.

Year	SA KM Trips	SA Non-KM Trips	Ave. Revenue per SA KM Trip	Ave. Revenue per SA Non-KM Trip	Ave. Annual Revenue per SA KM Vessel
2017	12,112	8,598	\$772	\$1,523	\$33,102
2018	11,006	8,455	\$838	\$1,339	\$31,272
2019	11,783	8,424	\$795	\$1,306	\$29,342
2020	10,419	7,377	\$774	\$1,409	\$26,905
2021	9,856	6,067	\$739	\$1,354	\$25,068
<b>Average</b>	<b>11,035</b>	<b>7,784</b>	<b>\$784</b>	<b>\$1,388</b>	<b>\$29,194</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System December 2022) and BEA GDP deflator (issued October 27, 2022).

A permitted KM vessel's annual financial performance can be understood as the difference between its total revenue for the year less the sum of its fixed and variable costs for that year. Liese and Overstreet's annual net cash flow is a measure of a vessel's financial performance as it is the difference between total annual revenue and the costs for fuel, other supplies, hired crew, vessel repair and maintenance, insurance, overhead, and loan payments.<sup>15</sup>

A commercial king mackerel vessel's economic performance can be measured by the difference between the total revenue received from the sales of the fish landed and the fixed and variable costs of all of the inputs (fuel, bait, ice, crew, groceries purchased for fishing trips, vessel repair and maintenance, and other miscellaneous costs) used, as well as the opportunity costs.<sup>16</sup> Liese and Overstreet's (2021) net revenue from operations is the best available estimate of annual economic profit (performance) for a king mackerel vessel, although net cash flow is a better measure of financial performance. Annual net revenue from operations for vessels that harvested Gulf king mackerel across all gears was approximately 21.6% of their average annual gross revenue from 2016 through 2018<sup>17</sup>(Liese and Overstreet 2021). Average net revenue from operations for vessels that harvested South Atlantic king mackerel across all gears was 4.4% of their average annual gross revenue. Hence, using those Gulf percentages, annual net revenue (economic performance) for the average KM-permitted vessel that reports landings of Gulf king mackerel are estimated to be \$18,348. Annual net revenue from operations for the average KM-permitted that reports landings of South Atlantic king mackerel is estimated to be \$1,285 (Table

<sup>15</sup> Liese and Overstreet includes permits/licenses, dockage, utilities, rent, etc. that are also necessary to have the vessel in operation.

<sup>16</sup> This is more closely aligned with economic profit as it includes opportunity costs and excludes transfer payments (loan and IFQ payments). An opportunity cost can be understood as the value of the next-best alternative when a decision is made; it is what is given up. For example, when a commercial fishing business uses its vessel, crew and other inputs (bait, gear, etc.) to harvest a particular species during a trip, it gives up the use of that vessel and other inputs to fish for other species during that time. Another example is a commercial fishing vessel owner/captain who moors their vessel at a location that requires a 30-minute longer trip to the fishing grounds rather than mooring the vessel at another location. The opportunity cost is an extra hour per trip of the owner/captain's time.

<sup>17</sup> Liese and Overstreet's estimates include the opportunity cost of an owner's time as captain of the vessel and fixed costs.

1.6.1.3.11). Liese and Overstreet (2021) also estimate economic returns to vessel asset value of 3.5% (of total revenue) for KM-permitted South Atlantic vessels and 3.8% (of total revenue) for KM-permitted Gulf vessels. Producer surplus is estimated to be 36.1% (\$10,539) for the average South Atlantic KM-permitted vessel and 48.5% (\$41,360).

**Table 1.6.1.3.11.** Average annual total revenue, economic profit (net revenue for operations) per KM-permitted vessel that reports landings of king mackerel by all gear by Gulf or South Atlantic, 2017-2021.

Average Annual per Vessel	Gulf	South Atlantic
Total Revenue	\$85,278 (100.0%)	\$29,194 (100.0%)
Net Revenue from operations	\$18,420 (21.6%)	\$1,285 (4.4%)

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) and BEA GDP Implicit Price Deflator issued October 27, 2022, for average total ex-vessel revenue per vessel and Liese and Overstreet (2021) for net revenue percentage.

The Office of Management and Budget (OMB) Circular A-4 (2003) defines producer surplus as the difference between the amount a producer is paid for a unit of a good and the minimum amount the producer would accept to supply that unit. In the case of commercial fishing, producer surplus is the difference between the total ex-vessel revenue received from sales of landings and the total cost of producing those landings, which is, in effect, profit. Liese and Overstreet (2021) offer up two estimates of profit gained from a trip: trip net cash flow (financial performance) and trip net revenue (economic performance) for a trip that lands Gulf king mackerel. Trip net cash flow is total revenue received from landings from a trip minus the total variable costs of that trip: fuel, bait, ice, groceries, miscellaneous, hired crew, and IFQ purchase, only if the purchase of IFQ is necessary for the trip. Trip net revenue is defined as total revenue received from the trip minus both the total variable trip cost and opportunity cost of the vessel owner's time as captain.<sup>18</sup> For the average vessel that lands Gulf king mackerel, Liese and Overstreet (2021) estimate the average trip net cash flow is 61.6% of total trip revenue and average trip net revenue is 42.7% of total trip revenue for all gears from 2016 through 2018. Using those percentages and the average ex-vessel revenue per trip with Gulf king mackerel landings for all gears, average trip net revenue and trip net cash flow is \$1,334 and \$1,941, respectively (Table 1.6.1.3.12). Liese and Overstreet (2021) similarly estimate trip net cash flow and trip net revenue for trips that landed South Atlantic king mackerel by all gears, and those percentages are used to estimate average trip net revenue and average trip net cash flow of \$227 and \$445, respectively.

<sup>18</sup> Neither trip net revenue nor trip net cash flow include fixed costs or overhead.

**Table 1.6.1.3.12.** Average trip total revenue, trip net revenue and trip net cash flow per KM-permitted vessel that lands king mackerel by all gear in Gulf and South Atlantic, 2017-2021.

Average per Trip	Gulf	South Atlantic
Total Revenue	\$3,151	\$784
Net Revenue	\$1,345 (42.7%)	\$227 (29.0%)
Net Cash Flow	\$1,941 (61.6%)	\$445 (56.8%)

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022), BEA GDP Implicit Price Deflator issued October 27 2022, and Liese and Overstreet (2021).

When trips and landings of Spanish mackerel from the Gulf of Mexico are evaluated separately from those from the South Atlantic, an annual average of 149 SM-permitted vessels reported landings of Spanish mackerel from the Gulf and 394 reported landings from the South Atlantic from 2017 through 2021 (Tables 1.6.1.3.13 and 1.6.1.3.14). The average Gulf trip with Spanish mackerel landings received \$169 from those landings, while the average South Atlantic trip with Spanish mackerel landings received \$555 from its landings of Spanish mackerel.

**Table 1.6.1.3.13.** Gulf SM-permitted vessels and their reported SM trips, Gulf SM landings (lbs gw), Gulf SM ex-vessel revenue, average number of Gulf SM trips per vessel, and average Gulf SM ex-vessel revenue per Gulf SM trip, 2017 – 2021.

Year	SM-Permitted Vessels with Gulf SM Landings	Gulf SM Trips	Gulf SM Landings	Gulf SM Revenue	Average Gulf SM Trips per SM Vessel	Average Gulf SM Revenue per SM Trip
2017	180	789	85,336	\$123,090	4	\$156
2018	157	573	67,643	\$94,693	4	\$165
2019	141	702	65,053	\$91,166	5	\$130
2020	156	641	98,614	\$127,662	4	\$199
2021	113	471	63,983	\$99,253	4	\$211
<b>Average</b>	<b>149</b>	<b>635</b>	<b>76,126</b>	<b>\$107,173</b>	<b>4</b>	<b>\$169</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) and BEA GDP deflator (issued October 27, 2022).

**Table 1.6.1.3.14.** South Atlantic SM-permitted vessels and their reported SM trips, SA SM landings (lbs gw), SA SM ex-vessel revenue, average number of SA SM trips per vessel, and average SA SM ex-vessel revenue per SA SM trip, 2017 – 2021.

Year	KM-Permitted Vessels with SA SM Landings	SA SM Trips	SA SM Landings	SA SM Revenue	Average SA SM Trips per SM Vessel	Average SA SM Revenue per SM Trip
2017	400	3,514	1,530,038	\$2,239,035	9	\$637
2018	418	4,131	1,809,067	\$2,399,589	10	\$581
2019	424	4,254	1,690,718	\$2,042,429	10	\$480
2020	386	3,617	1,511,578	\$2,008,167	9	\$555
2021	342	3,028	1,313,060	\$1,601,363	9	\$529
<b>Average</b>	<b>394</b>	<b>3,709</b>	<b>1,570,892</b>	<b>\$2,058,116</b>	<b>9</b>	<b>\$555</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) and BEA GDP deflator (issued October 27, 2022).

The average SM-permitted vessel with reported king mackerel landings from the Gulf had annual total ex-vessel revenue from all landings of about \$67 thousand, while its counterpart in the South Atlantic had annual total ex-vessel revenue from all landings of about \$32 thousand (Tables 1.6.1.3.15 and 1.6.1.3.16). The highest annual total revenue for a SM-permitted vessel that reported Spanish mackerel landings during this 5-year period was less than \$2.5 million.

**Table 1.6.1.3.15.** Total ex-vessel revenue from Gulf SM and non-SM trips, number of Gulf trips with and without Spanish mackerel landings, average revenue per Gulf SM and non-SM trip, and average annual revenue per Gulf SM-permitted vessel with reported Spanish mackerel landings, 2017 – 2021.

Year	Gulf SM Trips	Gulf Non-SM Trips	Ave. Revenue per Gulf SM Trip	Ave. Revenue per Gulf Non-SM Trip	Ave. Annual Revenue per Gulf SM Vessel
2017	789	2,605	\$2,613	\$4,668	\$79,004
2018	573	2,316	\$2,352	\$3,492	\$60,096
2019	702	2,293	\$1,959	\$4,006	\$74,893
2020	641	2,078	\$1,821	\$4,117	\$62,330
2021	471	1,683	\$1,527	\$3,251	\$54,777
<b>Average</b>	<b>635</b>	<b>2,195</b>	<b>\$2,054</b>	<b>\$3,960</b>	<b>\$67,107</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) and BEA GDP deflator (issued October 27, 2022).

**Table 1.6.1.3.16.** Total ex-vessel revenue from South Atlantic SM and non-SM trips, number of South Atlantic trips with and without Spanish mackerel landings, average revenue per South Atlantic SM and non-SM trip, and average annual revenue per South Atlantic SM-permitted vessel with reported Spanish mackerel landings, 2017 – 2021.

Year	SA SM Trips	SA Non-SM Trips	Ave. Revenue per SA SM Trip	Ave. Revenue per SA Non-SM Trip	Ave. Annual Revenue per SA SM Vessel
2017	3,514	12,405	\$880	\$922	\$36,338
2018	4,131	11,037	\$826	\$847	\$30,516
2019	4,254	12,030	\$741	\$898	\$32,908
2020	3,617	9,513	\$828	\$824	\$28,072
2021	3,028	9,006	\$761	\$867	\$29,582
<b>Average</b>	<b>3,709</b>	<b>10,798</b>	<b>\$807</b>	<b>\$875</b>	<b>\$31,572</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System December 2022) and BEA GDP deflator (issued October 27, 2022).

Liese and Overstreet (2021) estimate that from 2016 through 2018, the average vessel with South Atlantic Spanish mackerel landings had net revenue from operations (economic performance) of -3.9% of its average annual gross revenue, and economic return on vessel asset value of -2.5%. Using the average total revenue of a SM-permitted vessel that reported landings of South Atlantic Spanish mackerel, average net revenue from operations is a loss of \$1,231 (Table

1.6.1.3.17), which indicates SM-permitted vessels in the South Atlantic are not profitable.<sup>19</sup> However, producer surplus for the average South Atlantic SM-permitted vessel is estimated to be 34.6% (\$10,924) of total annual revenue.

More information about the economics of the commercial harvests of king mackerel and Spanish mackerel can be found in Liese and Overstreet (2021) and is incorporated by reference.

**Table 1.6.1.3.17.** Average economic profit (net revenue) and financial performance (net cash flow) per SM-permitted vessel that reports landings of Spanish mackerel in South Atlantic, 2017-2021.

Annual Average per SM Vessel	South Atlantic
Total Revenue	\$31,572 (100.0%)
Net Revenue	-\$1,231 (-3.9%)

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022), BEA GDP Implicit Price Deflator issued April 28, 2022, and Liese and Overstreet (2021).

### Economic Impacts

From 2017 through 2021, annual combined landings of Gulf and South Atlantic king and Spanish mackerel landings resulted in \$13,490,750 in total ex-vessel revenue on average. In turn, these combined landings and revenues generated 1,593 jobs and other beneficial economic impacts (Tables 1.6.1.2.18).

**Table 1.6.1.3.18.** Average annual economic impacts from combined reported Gulf and South Atlantic king and Spanish mackerel landings of KM- and SM-permitted vessels, 2017 – 2021.

Business	Jobs	Income (1,000s)	Value-Added (1,000s)	Sales (1,000s)
Harvesters	363	\$11,397	\$17,868	\$35,729
Primary Dealers/Processors	123	\$6,638	\$9,228	\$21,034
Secondary Wholesalers/Distributors	60	\$3,326	\$4,759	\$10,121
Grocers	156	\$5,342	\$7,139	\$12,369
Restaurants	893	\$21,918	\$30,062	\$54,932
<b>All</b>	<b>1,593</b>	<b>\$48,622</b>	<b>\$69,056</b>	<b>\$134,185</b>

Source: Calculated by NMFS SERO using the model developed for and applied in NMFS (2021).

### 1.6.1.4 Atlantic Dolphin Wahoo

Commercial landings of both Atlantic dolphin and wahoo declined significantly during the pandemic (Table 1.6.1.4.1). On average, approximately 91% of the annual harvest of Atlantic dolphin (by weight) is landed in the South Atlantic states (Table 1.6.1.4.2). The

<sup>19</sup> Liese and Overstreet (2021) estimate net cash flow (financial performance) for the average vessel that lands South Atlantic Spanish mackerel is 24.4% of its average annual gross revenue. Using the average total revenue of a SM-permitted vessel that reported landings of South Atlantic Spanish mackerel, average annual net cash flow is \$7,682.

Mid-Atlantic (MA) accounts for an average of approximately 6% of annual landings, while New England (NE) has the remaining 3%. Note that prior to 2021, the South Atlantic's share of dolphin ACL landings was at least about 91%, but in 2021 it fell to about 85%.

**Table 1.6.1.4.1.** Atlantic dolphin and wahoo commercial ACL landings (lbs ww), 2017 – 2021.

Year	Dolphin Landings	Dolphin ACL	Wahoo Landings	Wahoo ACL
2017	684,676	1,534,485	66,972	70,542
2018	542,363	1,534,485	49,383	70,542
2019	724,098	1,534,485	66,614	70,542
2020	317,882	1,534,485	44,398	70,542
2021	243,342	1,534,485	28,659	70,542
Average	502,472	1,534,484	51,205	70,542

Source: NMFS SERO ACL database, August 31, 2022.

**Table 1.6.1.4.2.** Percentage of Atlantic dolphin ACL landings (lbs ww) by South Atlantic, Middle Atlantic and New England states, 2017 – 2021.

Year	Mid-Atlantic	New England	South Atlantic	Total
2017	3.83%	4.38%	91.79%	100.00%
2018	4.78%	2.68%	92.54%	100.00%
2019	6.45%	2.29%	91.26%	100.00%
2020	5.03%	0.87%	94.11%	100.00%
2021	10.66%	4.62%	84.71%	100.00%
<b>Average</b>	<b>6.15%</b>	<b>2.97%</b>	<b>90.88%</b>	<b>100.00%</b>

Source: NMFS SERO ACL database, August 31, 2022.

From 93% to 94% of the average annual harvest of Atlantic wahoo (by weight) is landed in the South Atlantic states (Table 1.6.1.4.3). The Mid-Atlantic accounts for an average of approximately 3% to 4% of annual landings, while New England has the remaining 2% to 3%.

**Table 1.6.1.4.3.** Percentage of Atlantic wahoo ACL landings (lbs ww) by South Atlantic, Middle Atlantic and New England states, 2017 – 2021.

Year	Mid-Atlantic	New England	South Atlantic	Total
2017	4.96%	1.54%	93.50%	100.00%
2018	3.36%	1.36%	95.29%	100.00%
2019	3.61%	2.37%	94.03%	100.00%
2020	4.08%	7.66%	88.27%	100.00%
2021	1.79%	1.53%	96.67%	100.00%
<b>Average</b>	<b>3.56%</b>	<b>2.89%</b>	<b>93.55%</b>	<b>100.00%</b>

Source: NMFS SERO ACL database, August 31, 2022.

Any fishing vessel that harvests and sells dolphin or wahoo from the Atlantic EEZ must have a valid federal Atlantic dolphin wahoo commercial permit issued to that vessel and it must be onboard; however, there is an exception. Federally permitted commercial vessels without a valid federal Atlantic dolphin and wahoo permit can harvest and sell dolphin or wahoo, but their landings are restricted by a trip limit and area restriction. The trip limit for a commercial vessel that does not have the valid federal dolphin and wahoo permit, but has a valid federal commercial vessel permit in any other fishery, is 200 lbs (91 kg) of dolphin and wahoo, combined, provided that all fishing on and landings from that trip are north of 39° N latitude, which is north of Middleburg, Virginia. Consequently, all federally permitted vessels that report commercial landings of Atlantic dolphin and wahoo harvested from the South Atlantic must have a valid ADW permit. There is no trip limit for vessels with an ADW permit; however, once 75% of the dolphin ACL is reached, a trip limit of 4,000 lbs ww is implemented. A condition of the ADW or any other federal commercial permit is that a federally permitted vessel must report all its landings from all waters.

Commercial Atlantic dolphin wahoo (ADW) permits are open-access permits. On average, approximately 89% of vessels with a valid ADW permit had homeports in a South Atlantic state (Table 1.6.1.4.4). Approximately 7% of the vessels had a homeport in a Mid-Atlantic state and 2% had a homeport in a New England state (SERO SFD Access Permits database).

**Table 1.6.1.4.4.** Number of commercial vessels with a valid Atlantic dolphin wahoo permit and percentage of those vessels by Mid-Atlantic, New England, South Atlantic and other homeport, 2017 – 2021.

Year	Vessels	Percentage MA	Percentage NE	Percentage SA	Percentage Other
2017	2,785	7.15%	2.15%	87.86%	2.84%
2018	2,807	6.88%	2.07%	88.24%	2.81%
2019	2,722	6.25%	1.84%	89.16%	2.76%
2020	2,638	5.65%	2.01%	89.73%	2.62%
<b>Average</b>	<b>2,738</b>	<b>5.79%</b>	<b>2.02%</b>	<b>88.75%</b>	<b>2.76%</b>
2021	2,126*	5.79%	1.88%	88.99%	3.34%

\*: The 2021 figure is the number of permits that were valid for at least one day from January 1 through August 26, whereas figures for the previous years are the numbers of permits that were valid for at least one during the entire calendar year.

Source: NMFS SERO SFD Access permits database.

In any given year, a large percentage of vessels with a valid ADW permit do not report landings of dolphin or wahoo. For example, from 2017 through 2020, an annual average of about 21% of vessels with a valid ADW permit and homeports in the South Atlantic reported harvesting dolphin and wahoo in the South Atlantic and landing that harvest in a South Atlantic state (Table 1.6.1.4.5).

**Table 1.6.1.4.5.** Number and percentage of commercial vessels with a valid Atlantic dolphin wahoo permit with a South Atlantic homeport that reported harvesting dolphin and/or wahoo in the South Atlantic and landing that harvest in a South Atlantic state, 2017 – 2021.

Year	SA ADW-Permitted Vessels	SA ADW-Permitted Vessels that Reported SA ADW Landings	Percentage of SA ADW-Permitted Vessels that Reported SA ADW Landings
2017	2,447	542	22.15%
2018	2,477	543	21.92%
2019	2,427	509	20.97%
2020	2,367	422	17.83%
2021	1,892 <sup>1</sup>	414	NA <sup>2</sup>

1. As of August 26, 2021. Previous years' figures are for the entire calendar year.

2. The maximum percentage of ADW permitted vessels with SA ADW landings would be 21.88%, and that assumes that there would be no increase in the number of vessels with a valid ADW permit for at least one day after August 26 of 2021.

Source: NMFS SERO Sustainable Fisheries Division (SFD) Access permits database for SA ADW-permitted vessels, SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) for ADW-permitted vessels that land Atlantic dolphin and/or wahoo in the South Atlantic.

The average ADW-permitted vessel that reported landings (lbs gw) of Atlantic dolphin and/or wahoo harvested from the South Atlantic had four trips annually that landed dolphin and/or wahoo from 2017 through 2021 (Table 1.6.1.4.6). Note, however, that the average number of trips per vessel fell to three in 2020 and 2021.

**Table 1.6.1.4.6.** Number of ADW-permitted vessels with reported landings of ADW harvested from the South Atlantic, reported landings (lbs gw) of SA ADW by those permitted vessels, number of trips with SA ADW landings, average SA ADW landings (lbs gw) per vessel, average SA ADW landings (lbs gw) per trip, and average SA ADW trips per vessel, 2017 – 2021.

Year	ADW-permitted Vessels with SA ADW Landings	SA ADW Landings	SA ADW Trips	Ave. SA ADW Landings per Vessel	Ave. SA ADW Landings per Trip	Ave. SA ADW Trips per Vessel
2017	542	204,696	2,309	378	89	4
2018	543	196,188	2,068	361	95	4
2019	509	183,155	1,989	360	92	4
2020	422	100,645	1,282	238	79	3
2021	414	84,543	1,427	204	59	3
<b>Average</b>	<b>486</b>	<b>153,845</b>	<b>1,815</b>	<b>317</b>	<b>85</b>	<b>4</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) for federally permitted vessels that reported landings of Atlantic dolphin and wahoo.

As shown in Table 1.6.1.4.7, total ex-vessel revenue (from all landings) for the combined ADW-permitted vessels that reported landings of dolphin and/or wahoo harvested from the

South Atlantic ranged from approximately \$13.57 million to \$22.64 million from 2017 through 2021. During that 5-year period the average permitted vessel that reported harvesting ADW from the South Atlantic had annual revenue of \$37,458 from all landings (Table 1.6.1.4.8), while the average ADW trip had landings of \$2,113 (from both ADW and jointly caught species). All of the ADW-permitted vessels with reported ADW landings had annual revenue from all landings less than \$2.2 million.

**Table 1.6.1.4.7.** Annual Ex-Vessel Revenue from ADW, Jointly Caught Species, and Trips without ADW, Average Annual Ex-Vessel ADW Revenue per Vessel and Average Total Ex-Vessel Revenue per Vessel that Reported ADW landings harvested from the South Atlantic, 2017 – 2021.

Year	Revenue from ADW	Revenue from Jointly Caught Species	Revenue from Other Trips	Total Revenue
2017	\$946,160	\$3,837,821	\$17,851,078	\$22,635,060
2018	\$837,941	\$3,439,377	\$15,655,865	\$19,933,184
2019	\$707,514	\$3,520,003	\$14,926,979	\$19,154,497
2020	\$384,637	\$2,794,416	\$12,554,178	\$15,733,231
2021	\$343,875	\$2,359,965	\$10,862,271	\$13,566,111
<b>Average</b>	<b>\$644,026</b>	<b>\$3,190,317</b>	<b>\$14,370,074</b>	<b>\$18,204,416</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) for ADW-permitted vessels that land Atlantic dolphin and wahoo in the South Atlantic, and BEA GDP deflator (issued October 27, 2022).

**Table 1.6.1.4.8.** Percentage of annual total revenue from ADW harvested from South Atlantic, average ex-vessel revenue from ADW landings per vessel, average ADW price per pound, and average total ex-vessel revenue per vessel, 2017 – 2021.

Year	Ave. Revenue from ADW per ADW Trip	Ave. Revenue per ADW Trip	Average Annual Revenue per ADW Vessel
2017	\$410	\$2,072	\$41,762
2018	\$405	\$2,068	\$36,709
2019	\$356	\$2,125	\$37,632
2020	\$300	\$2,480	\$37,283
2021	\$241	\$1,895	\$32,768
<b>Average</b>	<b>\$355</b>	<b>\$2,113</b>	<b>\$37,458</b>

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (December 2022) for ADW-permitted vessels that land Atlantic dolphin and wahoo in the South Atlantic, and BEA GDP deflator (issued October 27, 2022).

An annual average of 33 federally permitted vessels landed ADW harvested from Mid-Atlantic and/or Northeast waters (Table 1.6.1.4.9). In 2020, the number fell to 27 and rebounded to 32 in 2021. An annual average of 15 (45.5%) of the vessels had one or more trips with reported ADW landings over 200 lbs.

**Table 1.6.1.4.9.** Number of federally permitted vessels with MA and NE ADW landings, reported landings of ADW by those vessels and trips with those landings, average ADW landings per vessel, average ADW landings per trip, and average number of ADW trips per vessel, 2017 – 2021.

Year	Federally permitted Vessels with MA and/or NE ADW Landings	MA and NE ADW Landings (lbs ww)	MA and NE ADW Trips	Ave. MA and NE ADW Landings per Vessel	Ave. MA and NE ADW Landings per Trip	Ave. MA and NE ADW Trips per Vessel
2017	34	52,464	192	1,543	283	6
2018	34	33,247	152	978	219	4
2019	40	53,508	231	1,338	232	6
2020	27	9,810	96	363	102	4
2021	32	15,428	132	482	117	4
<b>Average</b>	<b>33</b>	<b>32,891</b>	<b>161</b>	<b>985</b>	<b>205</b>	<b>5</b>

Source: Atlantic States Coastal Cooperative Statistics Program (ACCSP), commercial landings data, accessed October 25, 2022.

The following gears are authorized to harvest ADW in the Atlantic EEZ: automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic EEZ that has on board gear types other than authorized gear types may not possess a dolphin or wahoo; however there is an exception.<sup>20</sup> From 2017 through 2021, all gears except pelagic longline gear were used to catch 77% of Atlantic dolphin wahoo landings (by weight) harvested from the South Atlantic. Off the coast of North Carolina there is an area where the primary gear to harvest Atlantic dolphin is pelagic longline and from 2017 through 2021, that gear brought in about 23% of Atlantic dolphin wahoo taken from the South Atlantic.

There are no estimates of either trip net cash flow or trip net revenue for vessels that harvest Atlantic dolphin and wahoo across all gears. However, Liese (SAFMC ADW Amendment 10) estimates average trip net cash flow and trip net revenue for vessels that harvest ADW by non-longline gear are 40.2% and 23.5% of ADW trip revenue, which indicate that ADW trips are profitable. Net revenue from operations at the annual vessel level is also estimated at 0.5%, while economic return on the vessel asset value is about 0.6%. Although there are no estimates for vessels that harvest ADW with pelagic longline, there are comparable trip estimates for highly migratory species (HMS) vessels that land ADW, which can be found in ADW Amendment 10, and are incorporated here by reference.

<sup>20</sup> The exception is as follows. A vessel in the Atlantic EEZ that possesses both a valid Federal commercial permit for Atlantic dolphin and wahoo and any Federal commercial permit(s) required that allow a vessel to fish using trap, pot, or buoy gear or that is in compliance with the permitting requirements for the spiny lobster fishery of the Gulf of Mexico and South Atlantic as described at 50 CFR § 622.400, is authorized to retain both dolphin and wahoo harvested by rod and reel while in possession of trap, pot, or buoy gear.

### Economic Impacts

From 2017 through 2021, average annual combined landings of Atlantic dolphin wahoo reported by 519 federally permitted vessels resulted in \$781.7 thousand in total ex-vessel revenue on average.<sup>21</sup> In turn, these combined landings and revenues generated 92 jobs and other beneficial economic impacts (Table 1.6.1.4.10).

**Table 1.6.1.4.10.** Average annual economic impacts from combined reported Atlantic dolphin wahoo landings of federally permitted vessels, 2017 – 2021.

Business	Jobs	Income (1,000s)	Value- Added (1,000s)	Sales (1,000s)
Harvesters	21	\$660	\$1,035	\$2,070
Primary Dealers/Processors	7	\$385	\$535	\$1,219
Secondary Wholesalers/Distributors	3	\$193	\$276	\$586
Grocers	9	\$310	\$414	\$717
Restaurants	52	\$1,270	\$1,742	\$3,183
<b>All</b>	<b>92</b>	<b>\$2,817</b>	<b>\$4,001</b>	<b>\$7,775</b>

Source: Calculated by NMFS SERO using the model developed for and applied in NMFS (2021).

### 1.6.1.5 South Atlantic Snapper Grouper

Fifty-five species are managed under the South Atlantic Snapper Grouper FMP; however, five are designated as ecosystem component species, which do not have management measures in place and are not assessed. Any commercial fishing vessel that harvests or sells the 50 non-ecosystem component species from the South Atlantic EEZ must have either a valid (non-expired) trip-unlimited or trip-limited snapper grouper (SG) permit assigned to it.<sup>22</sup> Both are limited-access permits and a condition of either permit is the vessel must report its landings regardless if the fish are harvested from state or federal waters. From 2017 through 2020, an annual average of 545 vessels had a valid trip-unlimited SG permit and an annual average of 109 vessels had a valid trip-limited SG permit, for an average total 654 commercial SG permits (Table 1.6.1.5.1). In addition to a valid trip-unlimited SG permit,<sup>23</sup> a commercial vessel that harvests wreckfish must also have a commercial wreckfish permit.<sup>24</sup>

**Table 1.6.1.5.1.** Valid snapper grouper commercial permits, 2017 – 2021.

Year	Trip Unlimited	Trip Limited	Total
2017	554	114	668
2018	549	110	659

<sup>21</sup> Vessels that reported ADW harvested from combined Northeast, Mid-Atlantic and South Atlantic waters.

<sup>22</sup> A trip-limited permit limits the maximum landings of snapper grouper species to 225 lbs, per trip.

<sup>23</sup> A vessel with a trip-limited SG permit cannot obtain a wreckfish permit.

<sup>24</sup> To obtain a commercial (vessel) wreckfish permit, the applicant must be a wreckfish individual transferable quota (ITQ) 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. From 2017 through 2020, on average there were 11 annually wreckfish-permitted vessels.

2019	543	108	651
2020	535	104	639
<b>Average</b>	<b>545</b>	<b>109</b>	<b>654</b>
2021 <sup>1</sup>	<b>516</b>	<b>94</b>	<b>610</b>

1. Not for the entire calendar year, and only through August 26, 2021. Previous years' figures (2017 through 2020) are for the entire calendar year.

Source: NMFS SERO SFD Access Permits database accessed December 2022.

A large percentage of these valid permits are of vessels with homeports in Florida. From 2017 through 2020, an annual average of about 71% of valid SG permits (both trip-unlimited and trip-limited) were attached to vessels with homeports in Florida (Table 1.6.1.5.2). From January 1, 2021, through August 26, 2021, approximately 70% of SG-permitted vessels had homeports in Florida. The South Atlantic states combined account for about 99% of valid SG permits.

**Table 1.6.1.5.2.** Percentage of valid snapper grouper commercial permits by homeport state, 2017 – 2021.

Year	GA	FL	NC	SC	Other	Total
2017	1.05%	71.71%	18.41%	7.93%	0.90%	100.00%
2018	1.06%	70.41%	19.27%	8.50%	0.76%	100.00%
2019	1.23%	70.66%	19.51%	7.53%	1.08%	100.00%
2020	1.25%	70.11%	20.34%	6.73%	1.56%	100.00%
<b>Average</b>	<b>1.15%</b>	<b>70.72%</b>	<b>19.38%</b>	<b>7.67%</b>	<b>1.07%</b>	<b>100.00%</b>
2021 <sup>1</sup>	1.31%	69.67%	20.66%	6.89%	1.48%	100.00%

1. Not for the entire calendar year, and only through August 26, 2021. Previous years' figures (2017 through 2020) are for the entire calendar year.

Source: NMFS SERO SFD Access Permits database, accessed December 2022.

Far less than 100% of SG-permitted vessels report snapper grouper landings during any particular year. From 2017 through 2020, for example, an annual average of 540 (82.48%) SG-permitted vessels reported SG landings (Table 1.6.1.5.3). Note that the number of SG-permitted vessels that reported snapper grouper landings in 2021 was below the range from 2017 through 2020.

**Table 1.6.1.5.3.** Number and percentage of SG-permitted vessels that reported SG landings, 2017 – 2021.

Year	SG-Permitted Vessels	SG-Permitted Vessels that Reported SG Landings	Percentage of SG-Permitted Vessels that Reported SG Landings
2017	668	568	85.03%
2018	659	541	82.09%
2019	651	533	81.87%
2020	639	517	80.91%
<b>Average</b>	<b>654</b>	<b>540</b>	<b>82.48%</b>
2021	<b>610<sup>1</sup></b>	460	75.41%

1. Not for the entire calendar year, and only through August 26, 2021. Previous years' figures (2017 through 2020) are for the entire calendar year.

Source: NMFS SERO SFD Permits data, accessed December 2022, and SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (January 2023).

From 2017 through 2021, an annual average of about 4.34 million lbs gw of snapper grouper were reported landed by SG-permitted vessels. During that 5-year period, the average SG-permitted vessel that reported SG landings made 19 annual trips and each trip landed an average of 427 lbs gw of snapper grouper (Table 1.6.1.5.4).

**Table 1.6.1.5.4.** Number of SG-permitted vessels and trips with reported SG landings, total SG landings (lbs gw), average SG landings (lbs gw) per trip and average number of SG trips per vessel, 2017 – 2021.

Year	SG-Permitted Vessels with SG Landings	Trips with SG Landings (SG Trips)	Total SG Landings (lbs gw)	Ave. SG Landings (lbs gw) per SG Trip	Ave. SG Trips per SG-Permitted Vessel
2017	568	11,822	5,519,387	467	21
2018	541	10,606	4,372,853	412	20
2019	533	10,720	4,460,613	416	20
2020	517	9,289	3,822,991	412	18
2021	460	8,375	3,530,674	422	18
<b>Average</b>	<b>524</b>	<b>10,162</b>	<b>4,341,304</b>	<b>427</b>	<b>19</b>

Source: NMFS SERO SFD Permits data, accessed December 2022, and SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (January 2023).

Average ex-vessel revenue for a trip with snapper grouper landings was \$1,810 from 2017 through 2021 (Table 1.6.1.5.5). Snapper grouper accounted for about 93% of that revenue. The average SG-permitted vessel that reported snapper grouper landings had annual total ex-vessel revenue of \$41,626, and snapper grouper accounted for approximately 78% of that average vessel's total annual revenue. Maximum annual revenue for a SG vessel during this 5-year period did not exceed \$2.4 million.

**Table 1.6.1.5.5.** Revenue from SG landings, jointly caught species and species from non-SG Trips, average revenue per SG trip, and average revenue per SG vessel, 2017 – 2021.

Year	SG Revenue	Jointly Caught Species Revenue	Non-SG Trip Revenue	Total Revenue	Average Revenue per SG Trip	Ave. Total Revenue per SG Vessel
2017	\$21,190,296	\$2,121,458	\$4,092,393	\$27,404,147	\$1,972	\$48,247
2018	\$17,382,498	\$1,405,737	\$3,498,574	\$22,286,809	\$1,771	\$41,196
2019	\$17,741,818	\$1,272,777	\$4,073,003	\$23,087,598	\$1,774	\$43,316
2020	\$15,257,259	\$900,735	\$3,121,760	\$19,279,754	\$1,739	\$37,292
2021	\$14,211,710	\$811,371	\$2,493,823	\$17,516,904	\$1,794	\$38,080
<b>Average</b>	<b>\$17,156,716</b>	<b>\$1,302,416</b>	<b>\$3,455,911</b>	<b>\$21,915,042</b>	<b>\$1,810</b>	<b>\$41,626</b>

Source: NMFS SERO SFD Permits data, accessed December 2022, and SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (January 2023) and BEA GDP deflator (issued October 27, 2022).

Liese (pers. comm. 2022) estimates the average trip net cash flow and average trip net revenue for SG vessels are 43% and 26%, respectively, of total SG trip revenue, indicating the SG trips are profitable.<sup>25</sup> From that, it is estimated that average SG trip net cash flow and average SG trip net revenue are \$778 and \$471, respectively, from 2017 through 2021 (Table 1.6.1.5.6). Note that net cash flow is a proxy for producer surplus (PS) at the trip level.

**Table 1.6.1.5.6.** Average economic profit (net revenue) and financial performance (net cash flow) per SG trip by all gears, 2017 – 2021.

Average SG Trip Total Revenue	Average SG Trip Net Cash Flow	Average SG Trip Net Revenue
\$1,810	\$778	\$471

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (January 2023) and BEA GDP deflator (issued October 27, 2022) for average SG trip total revenue and Liese (pers. Comm. 2022) for percentages to produce estimates of average SG trip net cash flow and net revenue.

Average annual net revenue from operations for SG vessels is 8% of total annual revenue, respectively, indicating SG vessels are profitable (Liese pers. comm. 2022). From that percentage, average annual net returns to operations is \$3,330, per vessel (Table 1.6.1.5.7). Average economic return from vessel asset value is about 8% (\$3,164) of total vessel revenue. Producer surplus at the vessel level is estimated to be about 24% (\$9,824).

**Table 1.6.1.5.7.** Average economic profit (net revenue from operations) and financial performance (net cash flow) per SG vessel by all gears, 2017 – 2021.

Average SG Vessel Annual Total Revenue	Average SG Vessel Annual Net Cash Flow	Average SG Vessel Annual Net Revenue from Operations
\$41,626	\$9,158	\$3,330

Source: SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (January 2023) and BEA GDP deflator (issued October 27, 2022) for average SG vessel annual total revenue and Liese (pers. comm. 2022) for percentages to produce estimates of average SG vessel annual net cash flow and net revenue from operations.

### Economic Impacts

From 2017 through 2021, annual combined reported landings of snapper grouper of SG-permitted vessels resulted in about \$17.16 million in total ex-vessel revenue on average. In turn, these combined landings and revenues generated 2,026 jobs and other beneficial economic impacts (Table 1.6.1.5.8).

<sup>25</sup> Data from 2014 through 2018 were used to produce these estimates for vessels that reported trips with SG landings regardless of gear(s) used.

**Table 1.6.1.5.8.** Average annual economic impacts from reported snapper-grouper commercial landings of SG-permitted vessels, 2017 – 2021.

<b>Business</b>	<b>Jobs</b>	<b>Income (1,000s)</b>	<b>Value- Added (1,000s)</b>	<b>Sales (1,000s)</b>
Harvesters	461	\$14,494	\$22,724	\$45,438
Primary Dealers/Processors	156	\$8,442	\$11,736	\$26,750
Secondary Wholesalers/Distributors	76	\$4,230	\$6,052	\$12,872
Grocers	198	\$6,794	\$9,078	\$15,730
Restaurants	1,135	\$27,874	\$38,231	\$69,859
<b>All</b>	<b>2,026</b>	<b>\$61,834</b>	<b>\$87,821</b>	<b>\$170,649</b>

Source: Calculated by NMFS SERO using the model developed for and applied in NMFS (2021).

## 1.6.2 Economic Effects Analysis

The economic effects are described in the Regulatory Impact review which can be found in Chapter 2.

## 1.7 Description of the Social Environment and Effects of Action

### 1.7.1 Social Environment

This section uses available permit and landings data to describe select social aspects of the commercial fisheries covered by the respective FMPs addressed by this amendment. Participation in each of the fisheries requires specific permits, and as discussed elsewhere in this section, endorsements are required to deploy specialized types of gear for certain species managed through the FMPs.

Participation in the open access Atlantic dolphin wahoo (ADW) fishery requires a corresponding ADW permit. The coastal migratory pelagic fishery of the Gulf and broader Atlantic requires a Spanish mackerel (SM; open access) permit and/or a king mackerel (KM; limited access) permit. Participation in the limited access Gulf reef fish fishery requires a reef fish (RF) permit. Finally, the limited access snapper grouper (SG) fishery of the South Atlantic requires an unlimited (SG1) permit or a 225-lb.-limited (SG2) permit. The limited access RF, SG1, SG2, and KM permits may be renewed even while not actively used to generate landings. For example, 37.5% of the 845 reef fish permits in 2018 did not make landings of reef fish.<sup>26</sup> Many participants in all regions hold multiple commercial permits, for example, such as those who participate in both the Gulf reef fish and coastal migratory pelagic fisheries.

The description uses two basic indicators to identify the communities most extensively involved in each fishery: (a) the geographic distribution of permitted vessels during 2020 (the most recent full year for which federal permit data are presently available), based on the permit holder's address, and (b) the proportion of species-specific landings accruing to communities in each

<sup>26</sup> Table 2.1.1 in Reef Fish Amendment 36B available at <https://gulfcouncil.org/wp-content/uploads/B-8b-2022-Jan-RF-36B-PHDraft-1-7-2022.pdf>

region of interest. The latter indicator is termed “regional quotient”; that is, the share of community-specific landings divided by landings accruing to the larger region in question during a given year—in this case during 2020. Landings data are based on the address of the dealer, which may not be located in the same community as the permit holder. Additional information is provided as context where appropriate.

### 1.7.1.1 Permits and Regional Quotients (RQ) for the Atlantic Dolphin-Wahoo

A total of 2,638 ADW permits were held by vessel owners who reside in communities along the Eastern Seaboard and elsewhere in the nation during 2020, down 3.2% (84 permits) from 2019 and 6.4% (169 permits) from a 2016 through 2020 time-series high of 2,807 in 2018. Nearly 65% (1,730 permits) were held by entities with mailing addresses in Florida during 2020, followed by ~20% (521 permits) in North Carolina, and ~3% (58 permits) in New Jersey. Relatively few permits were held in New England, as the region is on the northern fringe of ocean zones where the species are harvested. A total of 68 ADW permits were held during 2020 by persons with mailing addresses in states distant from the East Coast, including Texas, Louisiana, Mississippi, Alabama, West Virginia, Hawaii, Puerto Rico, and the U.S. Virgin Islands.

#### ADW Permits in South Atlantic States and Communities

During 2020, 2,367 Atlantic ADW permits were held by entities with addresses in the South Atlantic. This is down 2.5% (60 permits) from 2019, and 4.6% (110 permits) from a 2016-2020 high of 2,477 in 2018. The majority are consistently issued to addresses in Florida, followed by North Carolina, South Carolina, and Georgia. During 2020, 73% of ADW permits were sent to Florida mailing addresses, with most in Key West. Key West-based addressees held between 215 and 226 D-W permits during 2016 through 2019, but this figure dropped to 194 in 2020.

**Table 1.7.1.1.** Leading ADW permit-holding communities in the South Atlantic, 2020.

State	Leading Communities	Number of Permits in 2020
Florida	Key West	194
Florida	Port Canaveral	89
Florida	Miami	89
Florida	Marathon	87
Florida	Fort Pierce	79
Florida	Jupiter	78
North Carolina	Morehead City	58
Florida	Sebastian	53
North Carolina	Wanchese	48
Florida	Key Largo	44
North Carolina	Southport	44
Florida	Port Salerno	42
North Carolina	Hatteras	42

Source: NMFS SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

### ADW Permits in Mid-Atlantic States and Communities

During 2020, 148 ADW permits were held by entities with mailing addresses in the Mid-Atlantic region, down 14.2% (21 permits) from 2019 and 33.8% (50 permits) from a time series high of 198 in 2017. Most permits (58) were held in New Jersey during 2020, with the greatest percentage in Barnegat Light—as has been the case for over a decade.

**Table 1.7.1.2.** Leading ADW permit-holding communities in the Mid-Atlantic, 2020.

State	Community	Number of Permits in 2020
New Jersey	Barnegat Light	25
Maryland	Ocean City	15
New York	Montauk	10
New Jersey	Cape May	8
Virginia	Virginia Beach	7
New York	New York	5
New Jersey	Sea Isle City	5
New Jersey	Point Pleasant/Point Pleasant Beach	5
Virginia	Wachapreague	3
Delaware	Wilmington	3
Delaware	Indian River	3

Source: NMFS SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

### ADW Permits in New England States and Communities

As of 2020, 52 ADW permits were held by entities with mailing addresses in the coastal New England states of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut. This figure is down from a high of 60 region-specific permits in 2017, but up slightly from 50 such permits in 2019. The greatest percentage were held in Rhode Island during 2020, with most held by entities in Point Judith. Permits are otherwise scattered throughout the region, with two or fewer permits enumerated in 29 New England communities.

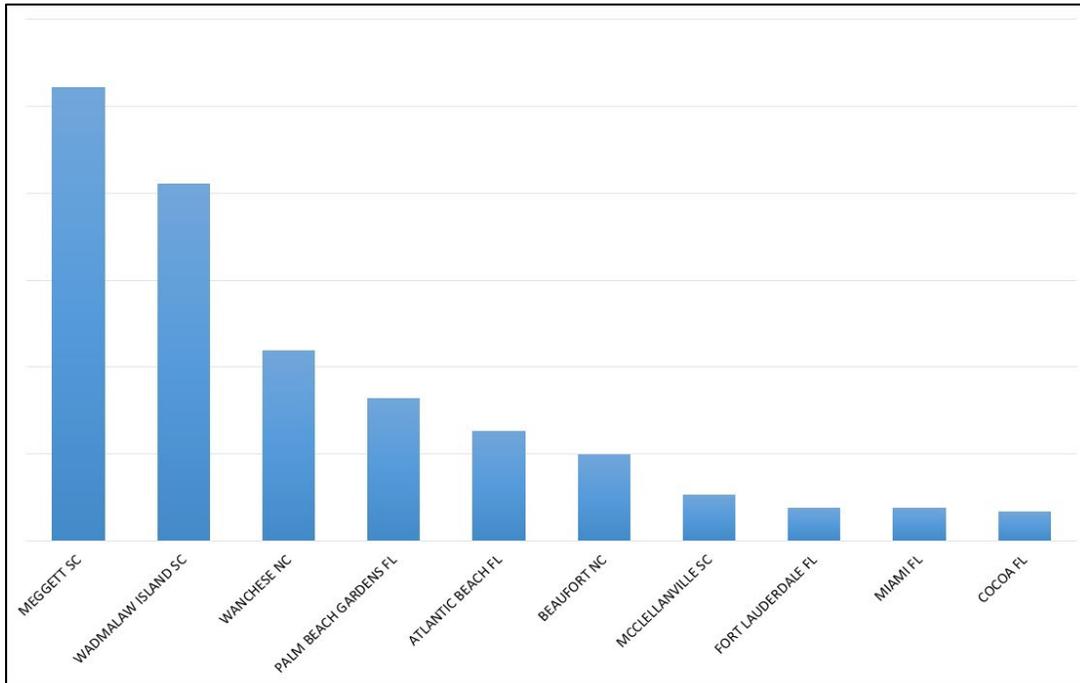
**Table 1.7.1.3.** Leading ADW permit-holding communities in New England, 2020.

State	Community	Number of Permits in 2020
Rhode Island	Point Judith	8
Massachusetts	Nantucket	4
Massachusetts	Gloucester	3

Source: NMFS SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

### Regional Quotients for Atlantic Dolphin-Wahoo

Figure 1.7.1.1 below depicts communities that accrued the greatest proportions of combined dolphin and wahoo commercial landings documented along the Eastern Seaboard during 2020. Catch from all allowable gear types are incorporated in the landings figures provided here.



**Figure 1.7.1.1.** Leading Atlantic communities ranked by RQ of combined dolphin-wahoo landings, RQ values (y-axis) are omitted from the figure to maintain confidentiality. Source: SERO, Community ALS 2020 (accessed June 2023).

### 1.7.1.2 Permits and RQs for the Gulf of Mexico Reef Fish Fisheries

#### Commercial Reef Fish Permits in Gulf States and Communities

A total of 837 Gulf reef fish permits were issued during 2020, down slightly from 842 permits in 2019. At 81.1%, most were issued to entities with addresses in Florida during 2020, followed by 8% in Texas, 4.7% in both Louisiana and Alabama, and less than 1% in Mississippi. The total number and state-level distribution of reef fish permits varies little over the period 2016-2020, with the vast majority consistently held for use by participants in Florida. As depicted in Table 1.7.2.1, numerous commercial reef fish permits were held by captains operating from Panama City and Key West during 2020.

**Table 1.7.2.1.** Leading Gulf reef fish permit-holding communities, 2020.

State	Community	Number of Permits in 2020
Florida	Panama City	72
Florida	Key West	63
Florida	Destin	40
Texas	Galveston	37
Florida	Madeira Beach	31
Florida	Cortez	26
Florida	Tarpon Springs	25
Florida	Apalachicola	20
Florida	Pensacola	19

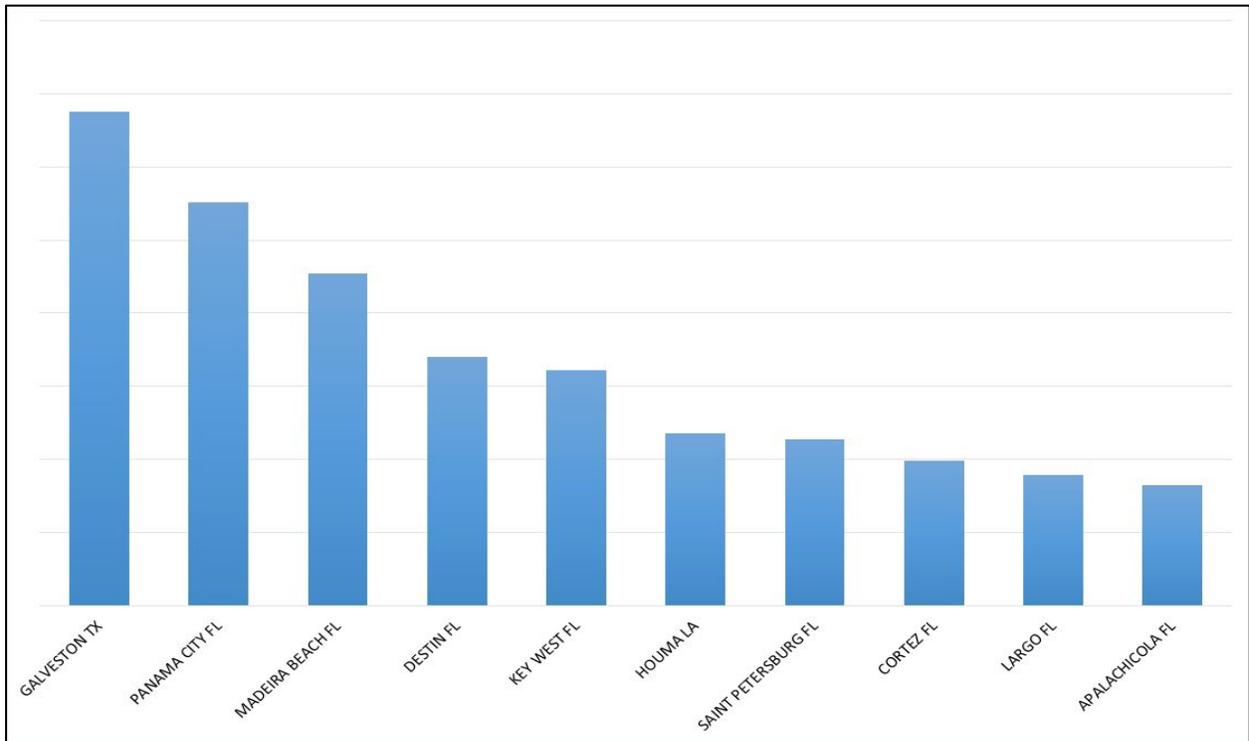
State	Community	Number of Permits in 2020
Florida	St. Petersburg	16
Florida	Clearwater	14
Alabama	Dauphin Island	13
Florida	Naples	13
Florida	Steinhatchee	11
Florida	Hernando Beach	11

Source: NMFS SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

Commercial fishery participants who harvest reef fish using bottom longline gear must possess a Gulf reef fish longline endorsement (LLE). During 2020 and throughout a 2016-2020 time-series, the greatest proportion of the 62 allotted LLEs were held by commercial operators with mailing addresses in Madeira Beach, Florida, followed closely by those in Cortez, Florida.

**Regional Quotients for Gulf Reef Fish**

Figure 1.7.2.1 below depicts communities that accrued the greatest proportions of combined reef fish landings documented around the Gulf region during 2020. Landings used to calculate the RQs are based on all allowable gear types used by participants in the respective commercial reef fish harvest sectors around the Gulf.



**Figure 1.7.2.1.** Leading communities ranked by RQ of all Gulf reef fish landings. RQ values (y-axis) are omitted from the figure to maintain confidentiality. Source: SERO, Community ALS 2020.

### 1.7.1.3 Permits and RQs for the South Atlantic Snapper Grouper Fisheries

#### South Atlantic SG1 and SG2 Permits by State and Community

A SG1 or SG2 permit is required for captains/vessels to legally commercially harvest any of the wide range of snapper grouper species in the South Atlantic region. A total of 535 SG1 permits were issued during 2020. At 67.1%, most unlimited permits were issued during 2020 to residents or persons with mailing addresses in Florida, followed by 21.9% in North Carolina, 7.6% in South Carolina, and 1.5% in Georgia. A total of 68 permits of either type were held by individuals scattered throughout South Atlantic communities during 2020. As indicated in Table 1.7.3.1, a high percentage of both permits are held by participants active in waters proximal to Key West.

**Table 1.7.3.1.** Leading SG permit-holding communities in the South Atlantic, 2020.

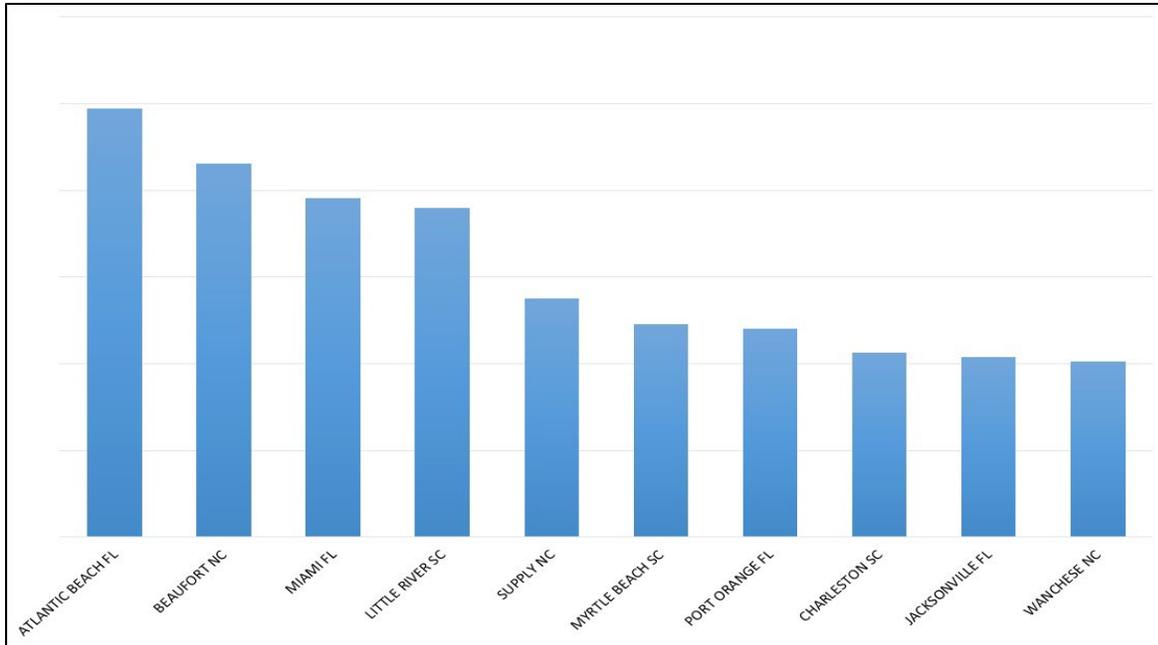
Leading Communities: Unlimited S-G Permits	Permits	Leading Communities: 225-lb Trip-Limited S-G Permits	Permits
Key West, Florida	92	Key West, Florida	11
Key Largo, Florida	22	Marathon, Florida	10
Miami, Florida	21	Miami, Florida	9
Marathon, Florida	19	Jupiter, Florida	6
Murrells Inlet, South Carolina	15	Big Pine Key, Florida	5
Little River, South Carolina	15	Key Largo, Florida	4
Port Canaveral, Florida	14	Sebastian, Florida	4
Jacksonville, Florida	13	Wilmington, North Carolina	4
Southport, North Carolina	13	West Palm Beach, Florida	3
Jupiter, Florida	12	Hatteras, North Carolina	3
Morehead City, North Carolina	11	--	--
St. Augustine, Florida	11	--	--
Sneads Ferry, North Carolina	11	--	--
Fort Pierce, Florida	11	--	--
Big Pine Key, Florida	11	--	--
Sebastian, Florida	11	--	--

Source: SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

Commercial participants/vessels must possess a limited access golden tilefish longline endorsement to legally deploy bottom longline gear for this SG species in the federal waters of the South Atlantic. Based on review of available permit data, a total of 22 such endorsements were issued during 2020 and during each year during the 2016 through 2020 time-series. For sake of brevity, only those communities with three or more residents holding the endorsements during 2020 are reported here; these are Port Orange and Fort Pierce in Florida, and Little River in South Carolina. Similarly, commercial participants/vessels must possess a limited access black sea bass pot endorsement to legally pursue black sea bass with pot gear. A total of 32 such endorsements were held in the South Atlantic region during 2020 and throughout the 2016 through 2020 time-series. Three or more such endorsements were held during 2020 only in the communities of Sneads Ferry in North Carolina, Little River in South Carolina, and Ponce Inlet in Florida.

### Regional Quotients for Snapper Grouper in the South Atlantic

Figure 1.7.3.1 below depicts communities that accrued the greatest proportions of combined snapper-grouper landings documented around the South Atlantic region during 2020. Landings are based on all allowable gear types used by participants in the respective SG harvest sectors.



**Figure 1.7.3.1.** Leading communities ranked by RQ of combined snapper-grouper landings. RQ values (y-axis) are omitted from the figure to maintain confidentiality. Source: SERO, Community ALS 2020 (accessed June 2023).

#### 1.7.1.4 Permits and RQs for Gulf & Atlantic Coastal Migratory Pelagic Fisheries

##### Gulf and Atlantic Coastal Migratory Pelagic Permits by State and Community

Species addressed by the Coastal Migratory Pelagics (CMP) FMP include king mackerel, Spanish mackerel, and cobia. As noted previously, fishing vessels used to harvest king mackerel in the federal waters of the Gulf of Mexico and Atlantic must operate with a king mackerel permit (typically used by participants to target the species with hook and line troll gear), and/or a king mackerel gillnet permit (though relatively few vessels use gillnets to harvest king mackerel in the subject regions). Participation in the open access commercial Spanish mackerel fishery requires a commercial Spanish mackerel permit. While commercial harvest of cobia in federal waters of the Gulf or Atlantic does not require a permit, federally permitted seafood dealers may purchase cobia harvested in federal waters only from harvesters possessing federal Spanish mackerel, king mackerel, or CMP charter/headboat permits. While some harvesters target cobia, the fish are often captured incidentally by persons using hook and line gear for king or Spanish mackerel (NOAA Fisheries 2022).

Regarding the limited access king mackerel permit, a slow but steady attrition of permit holders is noted for the Gulf and Atlantic regions during recent years. The overall number of permit holders diminished from 1,451 in 2016 to 1,445 in 2017, 1,440 in 2018, 1,435 in 2019, and 1,426 in 2020. Attrition notwithstanding, the greatest number of permits have consistently been used by entities with mailing addresses in Key West. The distribution of permits provided in Table 1.7.4.1 below clearly indicates the relative predominance of commercial king mackerel fishing in the Florida Keys, along the east coast of Florida, and along the North Carolina coastline. However, high levels of production are noted of the Gulf community of Destin, Florida, in Figure 1.7.4.1 below. While relatively small numbers of permit holders maintain mailing addresses or residences in select communities along the Gulf of Mexico coastline, even fewer permits are held north of Cape Hatteras. Three such permits were held in the New Jersey communities of Cape May and Barnegat Light during 2020.

**Table 1.7.4.1.** Leading King mackerel permit-holding communities, Gulf & Atlantic, 2020.

State	Community	Number of Permits in 2020
Florida (Keys)	Key West	100
Florida (East)	Port Canaveral	64
Florida (East)	Jupiter	58
Florida (East)	Sebastian	54
Florida (East)	Fort Pierce	51
Florida (Gulf)	Panama City	42
Florida (East)	Port Salerno	36
Florida (East)	Miami	35
Florida (Gulf)	Destin	31
North Carolina	Southport	29
North Carolina	Hatteras	27
Florida (East)	Stuart	21
North Carolina	Wanchese	20
North Carolina	Carolina Beach	19
Florida (East)	Boynton Beach	19

Source: SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

A small and slowly diminishing number of persons have been involved in the king mackerel gillnet fishery over the past decade. A total of 17 individuals held gillnet permits for king during 2020 (and 2019), down from a 21 in 2016 and 24 in 2008. The majority of permit holders have operated from or have maintained mailing addresses in Key West since 2008, with nine such persons doing so in 2020.

As can be noted in Table 1.7.4.2, the distribution of Spanish mackerel (SM) permits is somewhat reflective of that for king mackerel. The greatest number of SM permits are held in Key West, with numerous permits concentrated in a mix of Florida east coast and Gulf communities, and in North Carolina communities. Relatively few SM permits were held outside these regions during 2020 and previous years. More than 2 SM permits were held during 2020 only in the communities of Cape May, New Jersey (six permits), Norfolk and Virginia Beach, Virginia (three permits each), and Nantucket, Massachusetts (three permits).

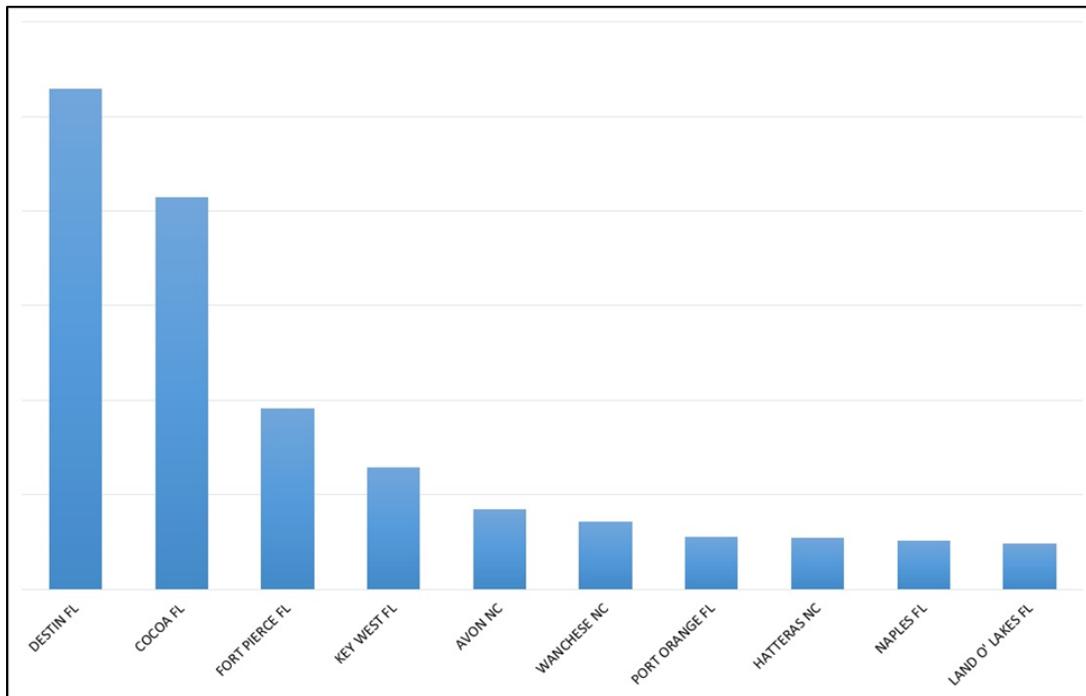
**Table 1.7.4.2.** Leading Spanish mackerel permit-holding communities, Gulf & Atlantic, 2020.

State	Community	Number of Permits in 2020
Florida (Keys)	Key West	188
Florida (East)	Port Canaveral	85
Florida (East)	Miami	79
Florida (East)	Fort Pierce	76
Florida (Keys)	Marathon	76
Florida (East)	Jupiter	71
Florida (Gulf)	Panama City	58
Florida (East)	Sebastian	55
Florida (Gulf)	Port Salerno	45
North Carolina	Southport	35
North Carolina	Wanchese	33
North Carolina	Morehead City	32
North Carolina	Beaufort	32
North Carolina	Hatteras	29
Florida (East)	Stuart	28

Source: SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

**Regional Quotients for CMP Species in the Gulf and Atlantic**

Figure 1.7.4.1 below depicts communities that accrued the greatest proportions of combined CMP landings documented around the Gulf and Atlantic regions during 2020. Landings are based on all allowable gear types used by participants in the respective harvest sectors.



**Figure 1.7.4.1.** Leading communities ranked by RQ of combined CMP landings. RQ values (y-axis) are omitted from the figure to maintain confidentiality. Source: SERO, Community ALS 2020 (accessed June 2023).

### 1.7.1.5 Summary of Community Involvement in Multiple Fisheries

As depicted in Table 1.7.5.1 below, participants (or addressees) in certain communities are involved in multiple fisheries addressed by this amendment. This undoubtedly relates to adaptive/opportunistic strategies engaged by many commercial fishing operations around the nation and world (e.g., see Aguilera et al. 2015). In this case, the capacity to engage in fisheries across the broad South Atlantic, Atlantic, and Gulf regions relates in large part to where fishing vessels are homeported. This is exemplified by permitted vessels operating from the Florida Keys and South Florida, where it is possible to reach both South Atlantic and Gulf of Mexico fishing grounds relatively easily (though it should be noted that fishing vessels can and are periodically moored in harbors adjacent to fishing grounds far from the operator's homeport. The table naturally underrepresents multiplicity of fisheries engagement by commercial fishing vessels active in the Gulf of Mexico since the amendment addresses two FMPs that are focused solely on South Atlantic/Atlantic fisheries and just one focused solely on Gulf-specific fisheries.

**Table 1.7.5.1.** Top 15 communities ranked in terms of involvement in multiple fisheries, 2020.

Community/State	Atlantic Dolphin-Wahoo	S. Atl. Snapper Grouper (SG1)	Gulf Reef Fish	King Mackerel	Spanish Mackerel	Total Permits
Key West, FL	194	92	63	110	188	647
Port Canaveral, FL	88	14	2	64	85	253
Miami, FL	89	21	5	35	79	229
Jupiter, FL	78	12	1	58	71	220
Palm Beach, FL	79	11	1	51	76	218
Fort Pierce, FL	87	19	7	16	76	205
Sebastian, FL	53	11	4	54	55	177
Port Salerno, FL	42	5	--	36	45	128
Southport, NC	44	13	1	29	35	122
Morehead City, NC	58	11	--	13	32	114
Wanchese, NC	48	7	--	20	33	108
Hatteras, NC	42	6	--	27	29	104
Key Largo, FL	44	22	1	9	27	103
Beaufort, NC	40	5	--	12	32	89
Islamorada, FL	40	8	1	7	18	74

Source: SERO Sustainable Fisheries (SF) Access permits database (accessed June 2023).

### 1.7.2 Social Effects Analysis

Additional effects would not be expected from retaining the **Status Quo** and the owners or operators of federally permitted vessels would continue to submit their fishing records on forms provided by the SRD postmarked no later than 7 days after the end of that month. The same form (Appendix B) is used to submit fishing records for all species of the subject FMPs. A fishing record must be submitted when no fishing occurred, as well.

Some direct short-term effects would be expected under **Option 1** as the individuals tasked with completing and submitting fishing records electronically adjust to the new process. These effects would be expected to be mostly neutral or positive as the majority of operators are likely familiar or comfortable with using the necessary hardware (e.g., desktop or laptop computer, tablet, or smartphone). Some short-term negative effects could result for those unaccustomed or uncomfortable with use of the necessary hardware, although these effects would be expected to be minimal, and individuals would be able to contact the program office to request assistance. Additionally, some rural areas of the Gulf of Mexico and South Atlantic may not have reliable internet access, making it challenging for fishermen in those areas to submit electronic fishing records. However, programs at the state level are looking to improve access to the internet in rural areas (for example, the North Carolina Growing Rural Economies with Access to Technology (GREAT) grant program). Long-term effects should be positive for those submitting electronic fishing records and the broader social environment as electronic submission is intended to simplify data collection and improve data quality.

## 1.8 Description of the Administrative Environment and Effects of Action

### 1.8.1 Administrative Environment

Federal fishery management is conducted under the authority of the Magnuson-Stevens Act (16 U.S.C. 1801 et seq.), originally enacted in 1976 as the Fishery Conservation and Management Act. The Magnuson-Stevens Act claims sovereign rights and exclusive fishery management authority over most fishery resources within the U.S. exclusive economic zone (EEZ), an area extending 200 nautical miles from the seaward boundary of each of the coastal states, and authority over U.S. anadromous species and continental shelf resources that occur beyond the U.S. EEZ.

Responsibility for federal fishery management decision-making rest with U.S. Secretary of Commerce (Secretary) and, for most fisheries, is based on the recommendations of eight regional Fishery Management Councils that represent the expertise and interests of constituent states. Regional Councils are responsible for preparing, and revising management plans for fisheries in need of conservation and management within their jurisdictions. The Secretary is responsible for collecting and providing the data necessary for the Councils to prepare FMPs, for reviewing and approving proposed plans and amendments to ensure that management measures are consistent with the Magnuson- Stevens Act and with other applicable law, some of which are summarized in Appendix C. Along with developing plans and amendments, councils also prepare proposed regulations deemed necessary to implement those plans and amendments. The Secretary reviews the proposal and, if the Secretary considers it appropriate, promulgates regulations to implement the plan or amendment recommended by a council. In most cases, the Secretary has delegated this authority to NMFS.

The Gulf of Mexico Fishery Management Council (Gulf Council) is responsible for conservation and management of fishery resources in federal waters of the Gulf. These waters extend to 200 nautical miles offshore from the seaward boundary of the states Alabama, Florida, Louisiana, Mississippi, and Texas as those boundaries are defined by law. The Gulf Council has seventeen voting members: one from NMFS; one each from the state fishery agencies of Florida, Alabama, Mississippi, Louisiana and Texas; and 11 public members appointed by the Secretary. Nonvoting members include representatives of the FWS, U.S. Coast Guard (USCG), Department of State, and Gulf States Marine Fisheries Commission (GSMFC).

The South Atlantic Fishery Management Council (South Atlantic Council) is responsible for conservation and management of fishery resources in the EEZ of the U.S. South Atlantic. These waters extend from 3 to 200 miles offshore from the seaward boundary of the states of North Carolina, South Carolina, Georgia, and east Florida to Key West with the exception of two fishery management plans: species in the CMP FMP are managed from New York to Texas and those in the Dolphin Wahoo FMP are managed from Maine to Florida. The South Atlantic Council has thirteen voting members: one from NMFS; one each from the state fishery agencies of North Carolina, South Carolina, Georgia, and Florida; and eight public members appointed by the Secretary. There are two public members from each of the four South Atlantic States. Non-

voting members include representatives of the U.S. Fish and Wildlife Service, U.S. Coast Guard (USCG), Department of State, and Atlantic States Marine Fisheries Commission (ASMFC).

Public interests also are involved in the fishery management process through participation on advisory panels and through Council meetings, which, with few exceptions, are open to the public. The Councils use Scientific and Statistical Committees to review the data and science being used in assessments and fishery management plans/amendments. In addition, the regulatory process is in accordance with the Administrative Procedure Act, in the form of notice and comment rulemaking.

### 1.8.1.1 Gulf of Mexico State Fishery Management

The purpose of state representation at the Council level is to ensure state participation in federal fishery management decision-making and to promote the development of compatible regulations in state and federal waters. The state governments of Texas, Louisiana, Mississippi, Alabama, and Florida have the authority to manage their respective state fisheries. Each of the five Gulf states exercise legislative and regulatory authority over their respective state's natural resources through discrete administrative units. Although each agency is the primary administrative body with respect to the state's natural resources, all states cooperate with numerous state and federal regulatory agencies when managing marine resources. A more detailed description of each state's primary regulatory agency for marine resources is provided on their respective Web pages (Table 1.8.1.1).

**Table 1.8.1.1** Gulf state marine resource agencies and Web pages.

State Marine Resource Agency	Web Page
Alabama Marine Resources Division	<a href="http://www.outdooralabama.com/">http://www.outdooralabama.com/</a>
Florida Fish and Wildlife Conservation Commission	<a href="http://myfwc.com/">http://myfwc.com/</a>
Louisiana Department of Wildlife and Fisheries	<a href="http://www.wlf.louisiana.gov/">http://www.wlf.louisiana.gov/</a>
Mississippi Department of Marine Resources	<a href="http://www.dmr.ms.gov/">http://www.dmr.ms.gov/</a>
Texas Parks and Wildlife Department	<a href="http://tpwd.texas.gov/">http://tpwd.texas.gov/</a>

The Gulf states are also involved in the management of marine fisheries through the Gulf States Marine Fisheries Commission (GSMFC). This commission was created to coordinate state regulations and develop management plans for interstate fisheries. The GSMFC does not possess any regulatory authority.

### 1.8.1.2 South Atlantic State Fishery Management

The state governments of North Carolina, South Carolina, Georgia, and Florida (on the east coast of Florida) have the authority to manage fisheries that occur in waters extending three nautical miles from their respective shorelines. North Carolina's marine fisheries are managed by the Division of Marine Fisheries of the North Carolina Department of Environmental Quality. The Marine Resources Division of the South Carolina Department of

Natural Resources regulates South Carolina’s marine fisheries. Georgia’s marine fisheries are managed by the Coastal Resources Division of the Department of Natural Resources. The Marine Fisheries Division of the Florida Fish and Wildlife Conservation Commission is responsible for managing Florida’s marine fisheries. Each state fishery management agency has a designated seat on the South Atlantic Council. The purpose of state representation at the South Atlantic Council is to ensure state participation in federal fishery management decision-making and to promote the development of compatible regulations in state and federal waters.

The South Atlantic states are also involved in the management of marine fisheries through the Atlantic States Marine Fisheries Commission (ASMFC). This commission was created to coordinate state regulations and develop management plans for interstate fisheries. It has significant authority, through the Atlantic Striped Bass Conservation Act and the Atlantic Coastal Fisheries Cooperative Management Act, to compel adoption of consistent state regulations to conserve coastal species. The ASFMC is also represented at the South Atlantic Council, but only has voting authority at the committee level.

The NMFS Fisheries Ecosystems & Management Branch within the Domestic Fisheries Division of the Office of Sustainable Fisheries is responsible for building cooperative partnerships to strengthen marine fisheries management and conservation at the state, inter-regional, and national levels. This division implements and oversees the distribution of grants for two national (Inter-jurisdictional Fisheries Act and Anadromous Fish Conservation Act) and two regional (Atlantic Coastal Fisheries Cooperative Management Act and Atlantic Striped Bass Conservation Act) programs. Additionally, it works with the ASMFC to develop and implement cooperative state-federal fisheries regulations.

**Table 1.8.1.2.** South Atlantic state marine resource agencies and Web pages.

<b>State Marine Resource Agency</b>	<b>Web Page</b>
North Carolina Marine Fisheries	<a href="https://deq.nc.gov/about/divisions/marine-fisheries">https://deq.nc.gov/about/divisions/marine-fisheries</a>
South Carolina Marine Resources Division	<a href="https://www.dnr.sc.gov/divisions/marine.html">https://www.dnr.sc.gov/divisions/marine.html</a>
Georgia Department of Natural Resources	<a href="https://gadnr.org/fisheries">https://gadnr.org/fisheries</a>
Florida Fish and Wildlife Conservation Commission	<a href="http://myfwc.com/">http://myfwc.com/</a>

### 1.8.1.3 Enforcement

Both the NOAA Fisheries Office for Enforcement (OLE) and the US Coast Guard (USCG) have the authority and the responsibility to enforce Council regulations. NOAA/OLE agents who specialize in living marine resource violations provide fisheries expertise and investigative support for the overall fisheries mission. The USCG is a multi-mission agency, which provides at-sea patrol services for the fisheries mission.

Neither NOAA/OLE nor the USCG can provide a continuous law enforcement presence in all areas due to the limited resources of NOAA/OLE and the priority tasking of the USCG. To

supplement at-sea and dockside inspections of fishing vessels, NOAA entered into Cooperative Enforcement Agreements with all but one of the states in the Southeast Region (North Carolina), which grant authority to state officers to enforce the laws for which NOAA/OLE has jurisdiction. In recent years, the level of involvement by the states has increased through Joint Enforcement Agreements, whereby states conduct patrols that focus on federal priorities and, in some circumstances, prosecute resultant violators through the state when a state violation has occurred. NOAA General Counsel issued a revised Southeast Region Magnuson-Stevens Act Penalty Schedule in 2019, which addresses all Magnuson-Stevens Act violations in the Southeast Region. In general, this Penalty Schedule increases the amount of civil administrative penalties that a violator may be subject to up to the statutory maximum per violation, which is currently \$223,229.

([http://www.gc.noaa.gov/documents/Penalty%20Policy\\_FINAL\\_07012014\\_combo.pdf](http://www.gc.noaa.gov/documents/Penalty%20Policy_FINAL_07012014_combo.pdf))

### 1.8.2 Administrative Effects Analysis

Currently, commercial logbooks are submitted on paper forms. Changing to electronic reporting is expected to provide the agency with positive benefits, namely increased data quality and timeliness for use in management, and compliance.

It is expected that electronically reporting of fishing and harvest activity in logbooks would result in both the initial program development costs and new long-term costs borne by NMFS for maintaining the data system, monitoring reporting compliance, and auditing data quality. The current data system will need to be modified to accept the new data formats, processes will be needed to receive the data, and new code will need to be written to review the data for compliance and quality. The budgetary implications and one-time initial development costs to NMFS are estimated in Table 1.8.2.2. Despite these new costs, it is expected that there will be an overall cost savings to the existing program as described in Table 1.8.2.1.

Additional infrastructure and personnel are expected to be necessary to maintain and process these data. These long-term costs to maintain the program are estimated in Table 1.8.2.3.

Electronically reporting commercial logbooks will result in numerous one-time development activities and costs. These costs include the various steps to set-up electronic reporting: creating a technical specifications document, vendor approval process, creation of field validations to minimize data errors, creation of Information Technology (IT) infrastructure (e.g., database structural changes, creation of application program interface to receive data, merging and calibration of previously collected data to current data for stock assessments and management usage, updating connections to NMFS systems (e.g., permits, compliance), creation of customer service systems (e.g., toll free lines and email), and outreach activities.

Some of the annual, and long-term activities and costs of electronic reporting of commercial logbooks include maintenance, operations, security, and updates for the data systems, websites, and vendor approval process, and customer service. This may include new staff to maintain the systems and answer emails or phone lines.

### Cost Savings

While the timeframe for submission of logbooks will not change, it is expected that electronic submission of logbooks will eliminate the time delay associated with mailing paper logbooks and inputting the data into a NMFS database (see Section 1.1.3.1). Additionally, the electronic logbook may have built in validations that will disallow data to be submitted that may be incorrect (e.g., field formats, drop down lists). Data will still need to be reviewed for data quality, as front-end validation checks may not prevent all types of data errors. The validation to review paper logbooks for writing errors and data accuracy will be replaced by validations and queries to reveal outlier information. The time savings expected from electronic reporting may reduce NMFS' processing time by approximately 2-3 weeks. This may also decrease the time necessary to move from preliminary data to final data, although other factors may still affect the final data timeline.

It is expected that the contract to enter the data received from paper logbooks would be discontinued, thereby saving the agency costs and timeliness. NMFS intends to use a similar validation process as that used at the NMFS Greater Atlantic Regional Fisheries Office (GARFO) that immediately notifies users of fatal errors and warnings. Fatal errors prohibit transmission to NMFS until resolved, while warnings allow submission. These fatal errors and warnings are expected to improve the quality of the data for use in management. The estimated Commercial Logbook reporting cost savings resulting from the conversion of paper to electronic requirements are listed in Table 1.8.2.1.

**Table 1.8.2.1.** Estimated Commercial Logbook reporting annual cost savings resulting from the conversion from paper to electronic reporting requirements.

<b>Activity</b>	<b>Estimated costs</b>	<b>Lead</b>
Printing of logbooks	\$50,000	SEFSC
Mailing week (actual stuffing of envelopes)	\$5,000	SEFSC
Discard selection letter printing and mailing	\$5,000	SEFSC
Annual mail out postage	\$35,000	SEFSC
Mailing additional books throughout the year	\$2,000	SEFSC
Quality Control Labor for Paper Logbooks (Data Entry -QA/QC)	\$95,000	SEFSC
Data Entry Contract Costs	\$90,000	SEFSC
Mail/UPS to/from contractor for data entry	\$4,000	SEFSC
<b>Estimated Total</b>	<b>\$286,000</b>	

### Data Submission and Transmission

The move to electronic logbooks will allow fishermen to submit their logbook via NMFS type-approved software. Any software approved for use in the logbook program will need to be type-approved by NMFS via the vendor approval process and adhere to the SEFSC technical

specifications. NMFS is currently working on the technical specifications and will provide the information and means to become type-approved on the [SEFSC website](#). NMFS is only considering software approval for applications that allows for immediate communication back to the user about errors (fatal and warnings). The software will be required to communicate the data back and forth with the SEFSC and its partners. At this time, the Vessel Monitoring Systems (VMS) do not fall under these criteria, as the units are not capable of two-way communication and are not available without burden to the agency. There is cost of maintenance of the forms for each approved VMS vendor and there would be additional costs to include this dataflow into the commercial logbook database.

Data transmission will be from an approved software vendor to a NMFS Application Program Interface (API). Additional warnings and validations will be built into the API and transmits warnings and errors in near real-time to the user. These validations should improve the quality of the data received compared to paper submission. SERO is working closely with GARFO and the Atlantic Highly Migratory Species group to work towards one-stop reporting requirements in the future. One-stop reporting would allow fishermen with permits across regions/management units to submit one logbook to meet all reporting requirements. This often entails questions relevant to each fishery for which the permits are issued. While the agency is moving towards one-stop reporting, it is a significant undertaking and will need years to be fully developed.

To reduce costs to the agency and set the stage for one-stop reporting, the region is intending to utilize data pathways already in existence from ACCSP and GARFO for data transmission. GARFO maintains a system to allow reception of data sent via API that can return messages about data errors, fatal and warning errors. To allow, SEFSC staff to verify compliance, evaluate the program, and review the data, a data interface will be built to monitor, audit, and check for compliance of logbooks as they are submitted. The interface will contain common reports that will be needed for program management, data analysis, and other management needs. The developer will work with analysts to build the appropriate queries for this and interactions with other NMFS systems (e.g., permits, IFQ, etc.).

**Table 1.8.2.2.** The initial one-time costs for the development of the commercial electronic logbook system.

Activity	Estimated costs	Lead
Development of Technical Specifications and Vendor Approval Process	\$25,000	SEFSC
Create Script and Infrastructure to move API received data from GARFO to SEFSC	\$25,000	SEFSC
Create Webpages, FAQs and Outreach Guides	\$30,000	Lead: SEFSC, Support: SERO
Public Hearings (6)	\$30,000	Councils, SEFSC, SERO
Outreach Webinars (10)	\$20,000	Councils, SEFSC, SERO

Outreach in Mid-Atlantic and New England (2)	\$10,000	Council, SEFSC
Create Vendor Website and update Electronic Technologies website	\$10,000	SEFSC, SERO
Printing and Mailing Permit Letters	\$12,000	SEFSC
Voice-Mail Customer Service Phone Line	\$5,000	SEFSC
NMFS Data Interface for data quality and monitoring	\$21,000	SEFSC
OLE Data Interface for compliance and monitoring	\$5,000	SEFSC
Merge Old and New Data Streams	\$86,000	SEFSC, SERO
Update Compliance Modules	\$31,000	SEFSC
Update Data Flows	\$13,500	SEFSC
Build QA/QC Queries	\$105,000	SEFSC
<b>Estimated Total</b>	<b>\$428,500</b>	

**Table 1.8.2.3.** Estimated Annual Long-Term Maintenance and Service Costs.

<b>Activity</b>	<b>Estimated costs</b>	<b>Lead</b>
Maintain Websites and Data Updates Annual	\$5,000	SEFSC
Data System Maintenance	<b>\$5,000</b>	SEFSC
API Maintenance	\$5,000	SEFSC
Customer Support Hours	\$20,000	SEFSC, SERO
Vendor Approval and Testing	\$5,000	SEFSC
Outreach	\$5,000	SEFSC
<b>Estimated Total</b>	<b>\$45,000</b>	

## 1.9 Council's Choice for the Preferred Option

### 1.9.1 Advisory Panel Recommendations

#### 1.9.1.1 Atlantic Dolphin Wahoo

The Dolphin Wahoo Advisory Panel did not meet while this amendment was being developed. Commercial representatives from the AP were asked for feedback on the amendment and no comments were provided.

#### 1.9.1.2 South Atlantic Snapper Grouper

The Snapper Grouper Advisory Panel discussed the proposed action during their October 18-20, 2022, meeting in Charleston, South Carolina. AP members had the following comments:

- Overall, the AP was supportive of the proposed change to an electronic platform for the coastal logbook.
- An AP member asked whether the “end of year” economic questions would continue to be required.
- AP members asked how reporting requirements would be affected for those who own multiple permits under separate corporations.

#### 1.9.1.3 South Atlantic Mackerel Cobia

The Mackerel Cobia Advisory Panel met in Charleston, South Carolina, on October 5-6, 2022. AP members had the following comments on the proposed action:

- Fishermen who have been using eTrips in the Northeast region find it easy to use and much preferred to the paper logbook.
- AP members asked whether e-reporting would improve ease of permit renewal. Fishermen in the SE are frustrated with the electronic permit renewal process and are hoping electronic submission of logbooks will also improve the permit renewal system.
- AP members inquired as to whether the timeline for logbook submission would be better enforced once the system is electronic. In the SE, fishermen sometimes wait much longer than 7 days to submit their information.
- In the SE, vessels that are selected to fill out the economic survey do not get paid by the fish house within seven days of submitting their information. The economic data take longer than that to be processed and fishermen have to wait to be paid out. Maybe the timeline for submitting the add-on survey information should be revised.
- In the GARFO region, vessels have to submit an estimate of their catch and a VTR number to the fish house before offloading and then have to go in and amend their estimate after offloading. This is different than how it is done in the SE and may need to be considered. There is a disconnect in this respect for vessels that have permits in both regions.
- AP members see improvement in how discard information will be obtained with eTRIPs.
- Question as to the extent that fishermen have access to their data. Some concern over data protection.

#### 1.9.1.4 Gulf of Mexico Reef Fish

The Gulf of Mexico Reef Fish Advisory Panel (RFAP) met in Tampa, Florida, on October 11, 2022. SEFSC staff presented an overview of the commercial coastal logbook program, outlined the modifications required to transition from paper logbooks to an electronic submission platform, and provided a demonstration using the e-Trips software. Staff commented that the transition to an electronic platform would reduce the reporting burden for vessels dually permitted across regions, allow for reporting discards within the logbook report, and continue the collection of supplementary economic data. Modifications to the data fields will allow for integration to the ACCSP database and in many cases allow for more efficient reporting. For example, drop-down menus and the creation of “favorites” list allow for quicker input relative to paper logbooks. Additionally, built-in validations would reduce entry errors for users.

The RFAP applauded the work of the SEFSC staff on the development of an electronic reporting for the commercial logbook program. A RFAP member asked if it would be possible to test the eTrips software. SEFSC staff replied that a test account could be requested of ACCSP to try out the software, but that a paper logbook would still need to be submitted. A member asked if there would be a period of time where paper and electronic logbooks would be submitted simultaneously. SEFSC indicated that concurrent submissions would likely be required initially but that, at some point, only electronic submissions would be accepted. The RFAP reached a consensus that transition to electronic submissions would be beneficial for coastal commercial program participants.

**Motion: The Reef Fish Advisory Panel recommends that the Commercial Coastal Electronic Logbook Program be implemented as soon as possible.**

#### 1.9.1.5 Gulf Coastal Migratory Pelagics

The Gulf of Mexico Coastal Migratory Pelagics Advisory Panel (CMP AP) met in Tampa, Florida, on December 1, 2022. Below is an excerpt from the CMP AP’s report pertaining to this amendment:

SEFSC staff provided an overview of reporting modifications and demonstrated the electronic reporting platform. Electronic reporting would allow for selections of “favorites”, automated error identification, and quicker transmission than the current paper forms.

An CMP AP member inquired why trip start and end time data fields were being added. SEFSC staff replied that the extra level of precision was necessary to differentiate situations where two commercial trips may be taken within a calendar day. The Council representative asked if the proposed electronic reporting for the commercial coastal logbook program would be linked to the Individual Fishing Quota (IFQ) reporting platform and SEFSC staff indicated they were not. An CMP AP member clarified that commercial reporting requirements in several data collection programs are in place to ensure that IFQ data is monitored accurately and timely. Another CMP AP member asked about security of the submitted data. SEFSC staff replied that, under the Magnuson-Stevens Act, collected data are confidential and can only be shared between fisheries scientists who have signed non-disclosure agreements. The CMP AP agreed that transition to an electronic reporting platform would be beneficial for the program.

**Motion: To recommend that the electronic reporting of the coastal logbook program be implemented post haste.**

### 1.9.1.6 Gulf Data Collection

The Gulf Council's Data Collection Advisory Panel (DCAP) met on February 13, 2022. The DCAP asked if logbook reports could be printed or e-mail after submission. SEFSC staff indicated that the web-based version may have that capability, and noted that a screen shot could be taken as an electronic record. Another DCAP member inquired whether e-Trips was the only software currently approved as an electronic platform. SEFSC responded that it was, but noted that once technical specifications were generated, more vendors would have the ability to participate in the program. The DCAP asked about the implementation timeline and SEFSC indicated that a gradual roll out would be conducted to help program participants transition to electronic reporting. The DCAP was amenable to the proposed program changes and discussed the merits of in-person public hearings instead of exclusively virtual hearings and a mail out. Ultimately, the group decided that staff should determine an appropriate outreach plan for the document.

**Motion: The Data Collection Advisory Panel approves the transition from paper logbooks to electronic logbooks. In addition, direct Council staff to work with industry groups to determine what outreach and education would be appropriate to the commercial participants.**

The DCAP recognized that no major programmatic changes would occur with the transition to electronic reporting. However, the AP also acknowledged that some level of training would be advantageous to help program participants. The AP suggested some training be conducted prior to the implementation of any program changes.

**Motion: The Data Collection Advisory Panel recommends Gulf Council and NOAA staff work with ACCSP, and other vendors to create a method for industry to beta test the Commercial Coastal Logbook Program prior to the implementation of the Commercial Coastal Logbook Program Amendment.**

## 1.9.2 Public Comments and Recommendations

### 1.9.2.1 South Atlantic

The South Atlantic Council held public hearings for the Joint Amendment to Address Electronic Reporting for Commercial Vessels via webinar on July 25, 26 and 27, 2023.

No written comments were received during the comment period (July 18-July 28, 2023). Four members of the public provided comment during the webinar hearings for the Council's consideration:

- It's about time that the Council moved forward with electronic reporting. There are a lot of positives for doing so.
- Electronic reporting will make reporting easier for fishermen, maybe even allowing them to complete the report immediately after a trip. Also, keeping track of discards will be

easier as fishermen may be able to fill out the report while still offshore and submit it later, leading to increased accuracy in reporting of discards.

- It would be good to have a field to add species that are not included in the list (i.e., spinner shark).
- The proposed change will streamline everything for everybody.
- Agencies should consider preparing to launch a portal before making electronic reporting mandatory. A portal would diminish fishermen's fear that the submitted data are not getting where they should and allow them to see that the information is submitted. The GARFO application and portal allow for this.
- A portal would also assure fishermen their data are safe in case their mobile device is damaged or lost.
- If management in the future shifts to individual quotas, it will be important for fishermen to have access to their data. However, electronics do fail, and there needs to be a way to account for system failures.
- Electronic reporting for the commercial sector is long overdue. There are a lot of fishermen, who, even though they're not supposed to, wait until maybe the end of the month, or the end of the year, to submit their report and it can be overwhelming. Electronic reporting will hopefully increase compliance.
- Fishermen anticipate the new system allowing them to access their own data more easily than currently. Right now, they either must request it from NOAA or keep track of it on their own, which is an added burden.

### 1.9.2.2 Gulf of Mexico

(to be completed)

## 1.9.3 Councils' Conclusions

### South Atlantic Council (DRAFT)

Participants in the commercial fisheries managed by the South Atlantic Council (snapper grouper, dolphin wahoo, and coastal migratory pelagics) are still required to submit logbooks in paper form, which is a cumbersome and slow process. In addition to the time necessary to fill out the logbooks, fishermen must also take time to prepare and mail the logbooks to the Southeast Fisheries Science Center (SEFSC). While postage fees are covered by the National Marine Fisheries Service (NMFS), there is a necessary delay in the logbook data being processed by the SEFSC, and there is the potential data to become lost in the process. Additionally, the NMFS must spend money to transfer paper logbook data to an electronic format so it can be used in fisheries science and management. Adopting electronic reporting will have minimal impacts to fishermen while providing numerous benefits for management, namely improved timeliness and accuracy of commercial catch and discards data and improved compliance. In addition, as fishermen become more familiar and comfortable with an electronic platform, they will likely benefit from increased convenience and ease of reporting and assurance that their information was submitted. Therefore, the South Atlantic Council is fully supportive of the proposed change to improve the timeliness and efficiency of commercial logbook data collection and management, which will in turn improve monitoring and compliance.

**DRAFT**

**DRAFT**

**DRAFT**

**Gulf of Mexico Council**  
**(to be completed)**

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# Chapter 2. Regulatory Impact Review

## 2.1 Introduction

The National Marine Fisheries Service (NMFS) requires a Regulatory Impact Review (RIR) for all regulatory actions that are of public interest to satisfy the obligations under Executive Order (E.O.) 12866, as amended. In conjunction with the analysis of direct and indirect effects in the “Environmental Consequences” section of this Amendment, the RIR: 1) provides a comprehensive review of the level and incidence of impacts associated with a regulatory action; 2) provides a review of the problems and policy objectives prompting the regulatory proposals and an evaluation of the major alternatives which could be used to solve the problem; and 3) ensures that the regulatory agency systematically and comprehensively considers all available alternatives so that the public welfare can be enhanced in the most efficient and cost effective way. The RIR also serves as the basis for determining whether any proposed regulations are a “significant regulatory action” under certain criteria provided in Executive Order (E.O.) 12866. In addition, the RIR provides some information that may be used in conducting an analysis of the effects on small entities pursuant to the Regulatory Flexibility Act (RFA). This RIR analyzes the effects this regulatory action would be expected to have on the commercial sectors of the South Atlantic snapper grouper, Atlantic dolphin wahoo, Gulf of Mexico and Atlantic coastal migratory pelagics, and Gulf of Mexico reef fish fisheries.

## 2.2 Problems and Objectives

The problems and objectives for the proposed actions are presented in Section 1.4 of this amendment and are incorporated herein by reference.

## 2.3 Description of Fisheries

A description of the commercial fisheries for South Atlantic snapper grouper, Atlantic dolphin wahoo, Gulf of Mexico and Atlantic coastal migratory pelagics, and Gulf of Mexico reef fish is provided in Section 1.6 of this amendment and is incorporated herein by reference.

## 2.4 Effects of Management Measures

Currently under the status quo, commercial fishermen participating in the South Atlantic snapper grouper, Atlantic dolphin wahoo, Gulf of Mexico and Atlantic coastal migratory pelagics, and Gulf of Mexico reef fish fisheries are required to submit logbooks in paper form. In addition to the time that is necessary to fill out these logbooks, commercial fishermen must also take time to prepare and mail the logbooks to the Southeast Fisheries Science Center (SEFSC). In doing so, postage fees are required, there is a several day to several week delay in the logbook data being processed by the SEFSC, and there is the opportunity for the logbook entries to get lost in the process. Additionally, there is an administrative cost to processing paper logbook data to an electronic form so it can be more widely used in fisheries science and management.

To submit logbooks electronically, commercial fishermen would need access to an internet equipped device such as a laptop, tablet, or smartphone. While this would result in an additional cost for those that do not already have such a device or internet service, it is assumed that most

commercial participants have existing access that would allow them to submit logbooks electronically. As such, the implementation of an electronic logbook is not expected to result in a notable increase in explicit, out of pocket costs for commercial fishermen.

The switch from paper to electronic commercial logbooks, along with proposed modifications to the commercial logbook forms, is expected to result in positive economic effects and net economic benefits for commercial fishermen and the SEFSC. The transition from paper to electronic logbooks is expected to streamline the logbook submission process by progressively eliminating the mailing, handling, and data entry of logbooks received. Commercial fishermen will no longer have to fill out and mail paper logbooks; thereby resulting in potential time and postage savings. It is expected that filling out electronic logbooks would take slightly less time than completing and mailing paper forms; however, the difference between the two formats is likely minimal given similar information that would be requested between the paper and electronic formats.<sup>27</sup> As such, the opportunity cost of any time saved would be negligible. Because the electronic submission of commercial logbooks will provide an instantaneous (or quasi-instantaneous) confirmation of receipt, commercial fishermen will benefit from the assurance that their logbooks were received and would no longer be subject to administrative challenges and adverse effects that may result from misplaced (or lost in the mail) logbooks and from requests for clarification or corrections through logbook send-backs.

The switch from paper-based to electronic logbooks is expected to eliminate handling and data entry steps in the long term. The full implementation of electronic submission may lower the SEFSC's logbook processing burden as well as costs and could result in a timelier availability of logbook data. In addition, the accuracy of the data collected may improve because some fishermen's errors, e.g., erroneous entries that would not be possible in the electronic forms, incomplete logbooks, and data entry errors will be eliminated. Additional benefits of the transition to electronic logbook would be expected to result from the voluntary reporting of discards because it would no longer require a separate form.

There would be administrative cost reductions as well as new administrative costs associated with the conversion from paper to electronic commercial logbooks which are provided in detail in Section 1.8.2. The reduction in administrative costs associated with this action would be \$286,000 annually (Table 1.8.2.1; 2021 dollars). This would include a reduction in costs for materials, labor, and postage. There would be initial one-time costs of \$398,500 associated with developing the commercial electronic logbooks (Table 1.8.2.2; 2021 dollars). While the estimated cost of public hearings (\$30,000) is displayed in Table 1.8.2.1, this cost was not included in the one-time cost figure since public hearings are addressed in Section 2.5. For the purposes of this analysis, it is assumed that the initial one-time costs would occur in the first year of implementation for this action. There would also be recurring maintenance and service costs of \$45,000 annually that occur in the first year of implementation for this action and re-occur every year thereafter (Table 1.8.2.3; 2021 dollars). Under these assumptions there would be a net increase in costs of \$157,500 in the first year of implementation followed by a net decrease in costs of \$241,000 in subsequent years (Table 2021 dollars).

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<sup>27</sup> Personal communication, SEFSC Commercial Fisheries Monitoring Branch, February 1, 2023.

**Table 2.4.1.1.** Estimated change in net administrative costs.

Cost Type	Year 1	Year 2 and subsequent years
Annual cost reductions	-\$286,000	-\$286,000
Reoccurring maintenance and service costs	\$45,000	\$45,000
Initial one-time costs for development	\$398,500	\$0
Change in net administrative costs	\$157,500	-\$241,000

## 2.5 Public Costs of Regulations

The preparation, implementation, enforcement, and monitoring of this or any federal action involves the expenditure of public and private resources, which can be expressed as costs associated with the regulations. Costs to the private sector and program-related administrative costs to NMFS are discussed in the effects of management measures. Estimated public costs associated with the development of this action are in 2021 dollars and include:

South Atlantic Council and Gulf of Mexico Fishery Management Councils costs of document preparation, meetings, public hearings, and information dissemination	\$39,389
NMFS administrative costs of document preparation, meetings, and review	\$34,510
<b>TOTAL</b>	<b>\$73,899</b>

The estimate provided above does not include any additional law enforcement costs, beyond those captured in the one-time cost estimates to develop the electronic logbook system. Any enforcement duties associated with this action would be expected to be covered under routine enforcement costs rather than an expenditure of new funds. The estimated Council and NMFS administrative costs directly attributable to this amendment and the rulemaking process would be incurred prior to the effective date of the final rule implementing this amendment.

## 2.6 Net Benefits of Regulatory Action

It is important to specify the time period being considered when evaluating benefits and costs. According to OMB's FAQs regarding Circular A-4,<sup>28</sup> "When choosing the appropriate time horizon for estimating costs and benefits, agencies should consider how long the regulation being analyzed is likely to have resulting effects. The time horizon begins when the regulatory action is implemented and ends when those effects are expected to cease. Ideally, analysis should include all future costs and benefits. Here as elsewhere, however, a 'rule of reason' is appropriate, and the agency should consider for how long it can reasonably predict the future and limit its analysis to this time period. Thus, if a regulation has no predetermined sunset provision, the agency will need to choose the endpoint of its analysis on the basis of a judgment about the foreseeable future."

For current purposes, the reasonably "foreseeable future" is considered to be the next 10 years. There are two primary reasons for considering the next 10 years the appropriate time period for

<sup>28</sup> See p. 4 at [https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/OMB/circulars/a004/a-4\\_FAQ.pdf](https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/OMB/circulars/a004/a-4_FAQ.pdf)

evaluating the benefits and costs of this regulatory action rather than a longer (or shorter) time period. First, this regulatory action does not include a predetermined sunset provision. Second, based on the history of management in many fisheries in the South Atlantic and Gulf of Mexico, regulations such as those considered in this amendment are often revisited within 10 years or so.

The analyses of the changes in economic benefits indicates a decrease of \$157,500 in net economic benefits in the first year of implementation. This estimate is based on \$286,000 in total benefits and \$443,500 in total costs. In subsequent years, there would be an estimated increase of \$241,000 in net economic benefits annually. This estimate is based on \$286,000 in total benefits and \$45,000 in total costs. In discounted terms and over a 10-year time period using the analyses provided in this amendment, the total net present value of the change in net economic benefits is \$1,320,253 using a 7% discount rate and \$1,668,886 using a 3% discount rate (2021 \$).

The estimated non-discounted public costs resulting from the regulation are \$73,899 (2021 \$). The costs resulting from developing the amendment and the associated rulemaking process should not be discounted as they will be incurred prior to the effective date of the final rule. Based on the quantified economic effects, this regulatory action is expected to increase net economic benefits to the Nation. Over a 10-year time period, the quantified change in net economic benefits is expected to be \$1,246,354 using a 7% discount rate and \$1,594,987 using a 3% discount rate (2021 \$). On an annualized basis over a 10-year time period, the total net present value of the change in net economic benefits is \$155,336 using a 7% discount rate and \$167,361 using a 3% discount rate (2021 \$).

## 2.7 Determination of Significant Regulatory Action

Pursuant to E.O. 12866, a regulation is considered a “significant regulatory action” if it is likely to result in: 1) an annual effect of \$200 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities; 2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; 3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights or obligations of recipients thereof; or 4) raise novel legal or policy issues arising out of legal mandates, the President’s priorities, or the principles set forth in this executive order. Based on the information provided above, these actions have been determined to not be economically significant for the purposes of E.O. 12866. In absolute terms, the expected total costs and benefits of this amendment are \$803,399 in the first year of implementation (2021 \$). This is also the year of maximum cost and benefits in absolute terms.

# Chapter 3. Regulatory Flexibility Act Analysis

## 3.1 Introduction

The purpose of the Regulatory Flexibility Act (RFA) is to establish a principle of regulatory issuance that agencies shall endeavor, consistent with the objectives of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of businesses, organizations, and governmental jurisdictions subject to regulation. To achieve this principle, agencies are required to solicit and consider flexible regulatory proposals and to explain the rationale for their actions to assure such proposals are given serious consideration. The RFA does not contain any decision criteria; instead the purpose of the RFA is to inform the agency, as well as the public, of the expected economic effects of various alternatives contained in the regulatory action and to ensure the agency considers alternatives that minimize the expected economic effects on small entities while meeting the goals and objectives of the applicable statutes (e.g., the Magnuson Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act)).

With certain exceptions, the RFA requires agencies to conduct an initial regulatory flexibility analysis (IRFA) for each proposed rule. The IRFA is designed to assess the effects various regulatory alternatives would have on small entities, including small businesses, and to determine ways to minimize those effects. An IRFA is primarily conducted to determine whether the proposed regulatory action would have a significant economic effect on a substantial number of small entities. In addition to analyses conducted for the Regulatory Impact Review (RIR), the IRFA provides: 1) a description of the reasons why the action is being considered by the agency; 2) a succinct statement of the objectives of, and legal basis for, the proposed regulatory action; 3) a description and, where feasible, an estimate of the number of small entities to which the proposed regulatory action will apply; 4) a description of the projected reporting, record-keeping, and other compliance requirements of the proposed regulatory action, including an estimate of the classes of small entities that will be subject to the requirements of the report or record; 5) an identification, to the extent practicable, of all relevant federal rules, which may duplicate, overlap, or conflict with the proposed rule; and 6) a description of any significant alternatives to the proposed regulatory action which accomplish the stated objectives of applicable statutes and would minimize any significant economic effects of the proposed regulatory action on small entities. If there is expected to be no significant impact on a substantial number of small entities, an IRFA is not required and a threshold analysis is sufficient.

### 3.2 Statement of the need for, objectives of, and legal basis for the rule

The coastal commercial logbook program collects information on fishing effort and catch of federally managed species. Data collection programs, such as the coastal logbook program, provide essential information required to assess stock status and monitor harvest. The commercial coastal logbook program records the commercial fishing and non-fishing activity of fishermen via logbooks submitted for each trip or each month they did not make commercial fishing trips. More information about the need for and objectives of these actions can be found in Chapter 1 of this document. The Magnuson-Stevens Act provides the legal basis for this proposed rule.

### 3.3 Description and estimate of the number of small entities to which the proposed action would apply

The proposed action would directly apply to businesses that own or operate commercial fishing vessels that are permitted to fish in federal waters for Gulf reef fish, Gulf or Atlantic CMP, Atlantic dolphin wahoo, or South Atlantic snapper grouper. A permit must be valid to harvest and land fish that apply to the permit. See Table 3.3.1 below for the number of valid commercial permits. It would also apply to businesses that own or operate commercial fishing vessels that do not have a CMP permit, but harvest cobia from the Gulf or Atlantic EEZ and have been selected to report.

**Table 3.3.1.** Average annual number of valid commercial permits by region, 2017 – 2020.

	Atlantic Dolphin Wahoo <sup>1</sup>	King Mackerel <sup>2</sup>	Spanish Mackerel <sup>1</sup>	Gulf Reef Fish <sup>2</sup>	Atlantic Snapper Grouper <sup>2</sup>
Gulf				844	
South Atlantic	2,738				654
Combined		1,437	2,326		

1. Open access permit.

2. Limited access permit.

Source: NMFS SERO Access Permit Counts database.

A permit holder must comply with record keeping and reporting requirements whether a permitted vessel is actively fishing or not. If a permitted vessel is not actively fishing, the vessel's owner or operator must submit a No-Fish Report for each month it is not fishing.<sup>29</sup> A No-Fish Report can be submitted either electronically through the Southeast Fisheries Electronic Reporting System (FERS) website<sup>30</sup> or by mail, and cannot be faxed or emailed.

From 2017 through 2020, an annual average of from 114 to 2,200 permitted vessels were not actively fishing for species that they were permitted to harvest in the EEZ (Table 3.3.2). However, vessels tend to hold multiple permits and, although a vessel may be inactive under one

<sup>29</sup> It follows that the maximum number of No-Fish Reports a vessel owner or operator can submit is 12 during any calendar year.

<sup>30</sup> FERS allows southeast commercially permitted vessels to register and submit "No Fishing" reports online.

permit, it can be actively fishing under another permit. Consequently, the sum of inactive vessels across the fisheries or species below exceeds the actual number of vessels that are not fishing and whose owners or operators must submit No-Fish Reports. Note that the percentage of inactive permitted vessels is highest for those permitted to harvest dolphin wahoo and Spanish mackerel, which are both open-access permits.

**Table 3.3.2.** Average annual number of active and inactive permitted fishing vessels by permit and region, 2017 – 2020.

	Atlantic Dolphin Wahoo	King Mackerel	Spanish Mackerel	Gulf Reef Fish	Atlantic Snapper Grouper
Active Gulf				532	
<i>Inactive Gulf</i>				312	
<b>Total Gulf</b>				<b>844</b>	
Active SA	538				540
<i>Inactive SA</i>	2,200				114
<b>Total SA</b>	<b>2,738</b>				<b>654</b>
Active Combined		873	533		
<i>Inactive Combined</i>		564	1,793		
<b>Total Combined</b>		<b>1,437</b>	<b>2,326</b>		

Source: NMFS SERO Access Permit Counts database for total permits and SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) for active permits.

Currently, a selected owner or operator of an active fishing vessel must maintain a fishing record of a trip on a form available from the SRD.<sup>31</sup> These completed fishing records must be submitted to the Southeast Fisheries Science Center (SEFSC) Science and Research Director (SRD) postmarked no later than 7 days after the end of each fishing trip. Information to be reported is indicated on the form and its accompanying instructions.

An average annual total of 666 commercial fishing vessels reported making 8,037 trips that harvested reef fish, king mackerel or Spanish mackerel from the Gulf of Mexico from 2017 through 2021 (Table 2.2.1.1). The average of those 666 vessels reported 12 annual trips with landings of reef fish and/or CMP and average annual revenue from all landings was \$94,001 (Table 3.3.3). During that same 5-year period, an annual average of 1,030 commercial fishing vessels reported making 22,912 trips that harvested dolphin, wahoo, CMP and/or species within the Snapper Grouper (SG) Fishery from the South Atlantic (Table 2.2.1.2). The average of those 1,030 commercial fishing vessels reported 22 annual trips with landings of dolphin, wahoo, CMP, and/or snapper grouper, and average annual revenue from all landings was \$25,498 (Table 3.3.3).

<sup>31</sup> An active vessel takes at least one fishing trip per year, and every trip during the year has a fishing record. An inactive vessel reports once a year.

**Table 3.3.3.** Average annual revenue (2021 dollars) from all landings for directly affected commercial vessels by region, 2017 – 2021.

Year	Average Gulf Vessel	Average South Atlantic Vessel
2017	\$88,800	\$29,313
2018	\$85,684	\$25,258
2019	\$97,258	\$25,533
2020	\$91,958	\$24,000
2021	\$106,306	\$23,386
<b>Average</b>	<b>\$94,001</b>	<b>\$25,498</b>

SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

For RFA purposes, NMFS has established a small business size standard for businesses, including their affiliates, whose primary industry is commercial fishing ([50 CFR 200.2](#)). A business primarily involved in the commercial fishing industry (North American Industrial Classification Code (NAICS) code 11411) is classified as a small business if it is independently owned and operated, is not dominant in its field of operation (including its affiliates) and its combined annual receipts are no more than \$11 million for all of its affiliated operations worldwide. Average annual revenue from all landings for the 666 Gulf vessels and 1,030 South Atlantic are less than \$11 million. If each vessel represents a unique commercial fishing business, then both the average Gulf vessel and average South Atlantic vessel directly affected by this proposed rule are operated by small businesses. However, there is considerable variation in average annual revenue across the four fisheries as described in Section 2.2. For example, the average Gulf reef fish vessel had annual revenue from all landings of \$121,609, while the average South Atlantic king mackerel vessel had annual total revenue of \$29,138 (Table 3.3.4). The vessel with the largest annual revenue had revenue from all landings of approximately \$3 million. Therefore, all of the businesses that are directly affected by the proposed rule are small.

**Table 3.3.4.** Average annual revenue per vessel from all landings for directly affected commercial vessels by region and fishery, 2017 – 2021.

	ADW	Reef Fish	Snapper Grouper	King Mackerel	Spanish Mackerel
Gulf		\$121,609		\$84,943	\$31,483
South Atlantic	\$37,231		\$41,626	\$29,138	\$66,220

SEFSC Socioeconomic Panel (Sep22) accessed by the SEFSC Economic Query System (November 2022) and BEA GDP deflator (issued October 27, 2022).

### 3.4 Description of the projected reporting, record-keeping and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for the preparation of the report or records

This proposed regulatory action would change existing reporting requirements for federally permitted commercial fishing vessels that operate in the Gulf Reef Fish, Coastal Migratory Pelagic, Atlantic Dolphin Wahoo and Atlantic Snapper Grouper Fisheries. Currently, selected Gulf and South Atlantic commercial permit holders are sent a carbonless carbon paper logbook of approximately 100 pages containing 3 sections (instructions, fishing trip reporting forms, and no monthly activity reporting forms) along with postage-paid return envelopes. Permit holders are instructed to report trip level fishing activity within 7 days after finishing a trip or after a month without activity and mail the federal copy of the form to the SEFSC. Permit holders are instructed to maintain the carbon copy of the form for their personal records. Moreover, they may also be selected to provide additional economic information on the paper form. However, those selected with inactive vessels can choose to submit their No-Fishing reports electronically as stated earlier.

This proposed action would move the paper-based commercial logbooks under the Coastal Logbook Program for the aforementioned four fisheries to an electronic platform. To directly integrate the information currently collected by the paper logbook forms to the existing Atlantic Coastal Cooperative Statistics Program (ACCSP) database, slight modifications to the program data fields would be required. In summary, six data fields would be added (although one is optional), three would be removed and two modified as shown in Table 3.4.1.

**Table 3.4.1.** Summary of logbook and economic data field additions, removals, and modifications.

<b>Data fields added</b>	<b>Rationale</b>
Trip start time	Necessary to prevent overlapping trip submissions
Trip end date	Necessary to prevent overlapping trip submissions
Trip end time	Necessary to prevent overlapping trip submissions
Trip type	Conditional entry to populate associated data fields
Trip notes	Optional, Not transmitted to SEFSC
Primary area fished	Added data field to be compatible with ACCSP database
<b>Data fields removed</b>	<b>Rationale</b>
Signature	Logbook accuracy verified through certification statement before submission
State trip ticket number	Free-form field and widely variable; not useful for data collection
Has payment of catch been determined?	Answered if trip sales question is filled out
<b>Data fields modified</b>	<b>Rationale</b>
Hours/Days	Defaults to “hours”; Added data field to be compatible with ACCSP database

Disposition category	Defaults to “food”; replaces need for separate discard logbook
Sale disposition	Defaults to “Sold to Dealer”; Added data field to be compatible with ACCSP database

### 3.5 Identification of all relevant federal rules, which may duplicate, overlap or conflict with the proposed rule

A commercial fishing vessel may operate in multiple regions and fisheries within the EEZ, and therefore may have multiple federal permits. Holders of commercial reef fish, snapper-grouper, dolphin wahoo, king mackerel and Spanish mackerel permits may have overlapping reporting requirements for other fisheries that they participate in. For example, some South Atlantic commercial permit holders also participate in fisheries in the mid-Atlantic and/or Northeast.

The Gulf Council manages the commercial harvest of 14 reef fish species through Individual Fishing Quota Programs (IFQ). The IFQ programs operate through a separate reporting system via dealer reports; and therefore, is independent of changes to the coastal logbook program. Those IFQ permit holders will continue to report the required information through the IFQ system and they will report their commercial catch through the electronic form. Reporting requirements under the IFQ program will remain unchanged by this proposed rule.

Since November 10, 2021, all commercial vessels with federal permits issued by the NMFS Greater Atlantic Regional Fisheries Office (GARFO) for species managed by the Mid-Atlantic or New England Councils to submit vessel trip reports (VTRs) electronically as eVTRs within 48 hours of the end of a trip (unless required sooner as with some sector allocations).

### 3.6 Significance of economic effects on small entities

#### Substantial number criterion

If implemented, this proposed regulatory action would affect all of the small businesses that own or operate fishing vessels that actively participate in the aforementioned fisheries. As stated previously, 666 Gulf commercial fishing vessels would, on average, make 12 trips each annually; and 1,037 South Atlantic commercial fishing vessels would, on average, make 22 trips each annually. This action is not expected to affect either the number of active vessels or the number of their fishing trips.

#### Significant economic effects

The outcome of “significant economic impact” can be ascertained by examining two factors: disproportionality and profitability.

Disproportionality: Do the regulations place a substantial number of small entities at a significant competitive disadvantage to large entities?

All entities directly regulated by this regulatory action have been determined to be small entities. Thus, the issue of disproportionality does not arise in the present case.

Profitability: Do the proposed regulations significantly reduce profits for a substantial number of small entities?

The switch from requiring completion and submission of paper forms to electronic completion and submission is not expected to have a significant impact on small businesses. Instead, it is expected to reduce duplication or overlap of existing record keeping and reporting requirements. Because the proposed electronic submission requirements can be accomplished at low/no cost, no adverse impacts are expected from the proposed action. Moreover, the conversion to electronic reporting for the commercial fishing sector is expected to improve data efficiency and accuracy, which would benefit the small businesses in the long run. Therefore, this action would not have a significant economic impact on a substantial number of small businesses.

### **3.7 Significant Alternatives**

This proposed regulatory action, if implemented, is not expected to reduce the profits of any small entities regulated by this action. As a result, the issue of significant alternatives is not relevant.

## Chapter 4. References

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**DRAFT**

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# Appendix A. Fishery Impact Statement (FIS)

The Magnuson-Stevens Fishery Conservation and Management Act requires a Fishery Impact Statement (FIS) be prepared for all amendments to fishery management plans (FMP). The FIS contains an assessment of the expected and potential biological, economic, and social effects of the conservation and management measures on: 1) fishery participants and their communities; 2) participants in the fisheries conducted in adjacent areas under the authority of another Council; and 3) the safety of human life at sea. Detailed discussion of the expected effects for all proposed changes is provided in Chapters 1 and 2. The FIS provides a summary of these effects.

**Comprehensive Amendment Addressing Electronic Reporting for Commercial Vessels (Comprehensive Amendment)** includes Amendment 54 to the Fishery Management Plan (FMP) for the Snapper Grouper Fishery of the South Atlantic Region; Amendment 4 to the FMP for the Dolphin and Wahoo Fishery of the Atlantic; Amendment 35 to the FMP for Coastal Migratory Pelagic Resources in the Gulf of Mexico and Atlantic Region; and Amendment 57 to the FMP for the Reef Fish Resources of the Gulf of Mexico.

The Comprehensive Amendment would transition the paper-based commercial logbooks under the Coastal Fisheries Logbook Program to an electronic platform. The current reporting requirements would be maintained but fishers would be required to transmit their reports electronically using available approved software.

## Assessment of Biological Effects

This action is administrative in nature and therefore not expected to have any direct effects, positive or negative, on the biological environment. There may be long-term indirect positive effects from improved availability and quality of commercial fishing data: (1) data on commercial catch and discards would be available more readily to managers because less time would be required to validate electronic submissions, (2) fewer errors are likely to occur and ease of submission may reduce recall bias, and (3) compliance with reporting requirements is expected to improve.

## Assessment of Economic Effects

Although fishermen's adoption of electronic commercial logbooks is expected to be gradual, the switch from paper-based to electronic logbooks is expected to result in economic benefits in the long term due to the elimination of paper handling and data entry steps, the anticipated reduction in costs, the lighter SEFSC's logbook processing burden, the timelier availability of logbook data, and improvements to the accuracy of the data collected. The completion of electronic logbooks is anticipated to take less time than paper forms but the time difference and associated opportunity costs of the time saved are expected to be negligible given the similar information that would be requested by the two formats. Based on initial one-time implementation costs to be incurred in the first year, reoccurring maintenance and service costs, and estimated annual costs savings due to a reduction in costs for materials, labor, and postage, the transition from paper-based to electronic logbooks is estimated to result in a net increase in costs of \$187,500 (\$2021) in the first year of implementation followed by a net annual decrease in costs of \$211,000 (\$2021) in subsequent years.

## Assessment of the Social Effects

Although requiring electronic submission of commercial coastal logbooks is primarily an administrative action, there may be some direct short-term effects as the individuals tasked with completing and submitting fishing records electronically adjust to the new process. These effects would be expected to be mostly neutral or positive as most operators are likely familiar or comfortable with using the necessary hardware. Some short-term negative effects could result if individuals are uncomfortable with the use of the necessary hardware, although individuals would be able to contact the program office to request assistance. Overall, effects should be positive for those submitting electronic fishing records and the broader social environment as electronic submission is intended to simplify data collection and improve data quality.

**Assessment of Effects on Safety at Sea**

The Comprehensive Amendment is not expected to result in direct impacts to safety at sea.

# Appendix B. Current Paper Logbook Instructions and Form

UNITED STATES DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION.  
NATIONAL MARINE FISHERIES SERVICE

## 2021 SOUTHEAST COASTAL FISHERIES TRIP REPORT

A Vessel Trip Report  
for  
GULF OF MEXICO REEF FISH  
SOUTH ATLANTIC SNAPPER-GROUPER  
KING AND SPANISH MACKEREL  
SHARK  
ATLANTIC DOLPHIN/WAHOO

YOU ARE ADVISED THAT DISCLOSURE OF THE INFORMATION REQUESTED IN THIS REPORT IS MANDATORY FOR THE PURPOSE OF MANAGING THE FISHERIES IN ACCORDANCE WITH THE FISHERY CONSERVATION AND MANAGEMENT ACT OF 1976 (16 U.S.C. 1801 ET. SEQ.). FAILURE TO REPORT OR FILING A FALSE REPORT MAY RESULT IN CIVIL OR CRIMINAL SANCTIONS. SEE, E.G., 16 U.S.C. 1857, 1858, 1859; 18 U.S.C. 1001.

NAME OF VESSEL \_\_\_\_\_

PERMIT NUMBER \_\_\_\_\_

## 2021 SOUTHEAST COASTAL FISHERIES TRIP REPORTING INSTRUCTIONS

Please read instructions carefully.

These forms are to be used to report all fishing activity related to Gulf of Mexico Reef Fish, South Atlantic Snapper-Grouper, King and Spanish Mackerel, Shark and Atlantic Dolphin/Wahoo permits. Under current regulations, **ALL** fishermen are responsible for maintaining a fishing logbook and submitting a **TRIP REPORT FORM** for EVERY commercial fishing trip related to the permits listed above. A commercial trip is defined as a trip for profit with NO paying customers onboard. Any commercial trip that targets a federally managed species listed under any of the permit types listed above must be reported, even if no landings were made. For trip reports submitted, please report all landed species regardless of management status. Please do not submit more than one report per trip, even if landings were sold to multiple dealers. If no such trip is taken during a calendar month, you are responsible for submitting a **NO FISHING REPORT FORM** (forms located at the back of the logbook).

All Trip Report Forms must be submitted no later than seven (7) days after the completion of each trip (the date of landing). No Fishing Report Forms must be submitted seven (7) days after the end of a month for which you are reporting no fishing activity. Completed forms are to be mailed to (in the envelopes provided):

**National Marine Fisheries Service**  
**Logbook Program**  
P.O. Box 491500  
Key Biscayne, Florida 33149-9916

When additional forms or envelopes are needed, include a note with your Trip or No Fishing report submission. Include your name, address and your vessel identification number. If you have any questions, please contact the Logbook Program at (305) 361-4581, or go to our website at <https://grunt.sefsc.noaa.gov/vrsr/>

Please print all requested information clearly. A form with incomplete or unclear information cannot be entered into the database and will be returned. This missing form may cause you to be out of compliance with federal regulations and your permit renewal denied.

### **The following instructions are for the LOGBOOK TRIP REPORT FORM:**

You must fill out a separate form for EACH fishing trip made. A trip is the period of time during which you catch fish, or when your operations include activities that would support fishing, such as preparing to catch or harvest fish, or attempting to catch or harvest fish. The trip begins when the vessel leaves port to go fishing and ends when the vessel returns to port. A commercial trip is defined as a trip for profit with NO paying customers on board. **DO NOT** report multiple trips on one form. **DO NOT** submit more than one form for each fishing trip. All information for one fishing trip should be entered on one form. There are four sections on each form.

**VESSEL SECTION** (at the top) - Fill in each information block as described below:

**Signature** - The person responsible for the completeness and accuracy must sign the form to verify all information.

**Vessel Name** - Enter the vessel name as it appears on the permit.

**Vessel ID Number** - Enter the official US Coast Guard documentation number or state registration number for the vessel as it appears on the permit.

**Operator Name** - Enter the name of the person responsible for the operation of the vessel during the trip.

**Operator Number (optional)** – For shark permit holders. Please put the NHID Number of the operator for the trip. The NHID Number is a unique identifier (“New Hampshire Identifier”) assigned by NMFS to each operator who has attended the “Handling and Release Workshop.” For permit holders of other fisheries please use a unique number such as your saltwater products number to help establish a catch history that can be linked to the operator instead of the vessel.

**Phone Number** - Include a phone number where you can be reached.

**Trip Start Date** - Enter the numerical date (month, day and year) when the vessel departed for the trip.

**Trip Unload Date** - Enter the numerical date (month, day and year) when the catch for a single trip was unloaded at a dealer. If the catch was unloaded at more than one dealer, enter the date when the catch was unloaded at the **first** dealer.

**Days at Sea** - Enter the number of calendar days spent away from port. Include traveling time to and from fishing area. Count any fraction of a day as a whole day. If you left in the morning and returned any time before midnight, you would enter '1.'

**Number of Crew** - Enter the total number of people that fished during the trip. The captain is to be included in the number of crew.

**County or Parish and State (of Unloading)** - Enter the name of the county and the state where the boat returned to the dock after the trip. Do not use code numbers.

**Dealer Name** - Enter the complete name of the seafood dealer to whom you sold your catch. If the catch was unloaded at more than one dealer, enter the name of either the dealer where the **majority** of the catch was sold, or in the case of equal sales, the first dealer where the catch was sold and check the applicable box below. If you kept all of the catch, write in "PERSONAL USE." If there was no catch, please write in "NO CATCH."

**Dealer Number** - Enter the Federal dealer number issued by the NOAA Fisheries Southeast Regional Office. Please do not use state dealer codes.

**State Trip Ticket Number** - Please include the trip ticket number from your state sales receipt.

**Check box for multiple dealers** - If the landings were sold to more than one dealer, or if the landings were sold to one dealer and a portion of the landings were kept for personal use, please check this box.

**NOTE:** No catch trips - please complete the top four sections (vessel, date, county, and gear) and send in a logbook for trips with fishing effort but no landings by writing "NO CATCH" in the dealer name box. Reports are required for any trip on a federally permitted vessel when you catch fish, or when your operations include activities that would support fishing, such as preparing to catch or harvest fish, or attempting to catch or harvest fish. All such fishing activities must be reported, even if no landings are made. The trip is the period of time during which these activities are conducted, beginning when the vessel leaves port and ending when the vessel returns to port.

**GEAR SECTION** - Check the box in the header for each type of gear used on the trip: traps, longline, trolling, line, hook & line/bandit, buoy, diving or other gear. Fill in ALL the information required in the block under each gear type you checked.

**Traps** - This category includes fish traps or fish pots. This category does not include lobster or crab traps.

**Check** one box for trap type.

**# Hauls** - Enter the total number of hauls made. For example, if you used 10 traps and pulled each trap 3 times, enter 30 trap hauls. Include hauls with no catch.

**# Traps Used** - Enter the number of traps that were used.

**Trap Soak Time** - Enter the average time in HOURS that each trap was in the water for each set. For example, if you used 10 traps and pulled each trap 3 times every 4 hours, then Trap soak time would be 4 hours.

**Total Soak Time (optional)** - Enter the total time in HOURS that the traps were in the water for the trip. For example, if you hauled 30 traps and each trap was in the water for 4 hours, then Total soak time would be 120 hours.

**Mesh** - Mesh size refers to the size of the openings in the material that covers the trap. Enter the mesh size in inches (a mesh size of 1 in. x 2 in. should be entered as 1x2, a mesh size of 1 ½ in. x 1 ½ in. should be entered as 1.5x1.5).

In the catch section, enter a **T** in the column labeled 'Gear' next to each species caught primarily with trap gear.

**Longline** - This gear refers to mid-water or bottom longline.

**Check** one box for longline type.

**# Sets** - Enter the number of times this gear was set for the entire trip.

**# of Hooks per Line** - Enter the average number of hooks used per line.

**Set Soak Time (hrs)** - Enter the average time in hours that the hooks were in the water. For example, if you made 4 sets and each set was 2 hours, then the set soak time would be 2 hours. If uncertain of what the average set time might be, use the time between the last hook set to the last hook retrieved.

Traps ( T )	
<input checked="" type="checkbox"/> Fish	<input type="checkbox"/> Other
Total # Trap Hauls	30
# Traps Used	10
Trap Soak Time (hrs)	4
Total Soak Time (hrs)	120
Mesh:	
1.5 x 1.5	/ <input type="checkbox"/> x <input type="checkbox"/>

Longline(L)	
<input checked="" type="checkbox"/> Bottom	<input type="checkbox"/> PLL
<input type="checkbox"/> Other	
# Sets	4
# Hooks per Line	800
Set Soak Time (hrs)	2
Total Soak Time (hrs)	8
Length (miles)	5

**Total Soak Time (optional)** - Enter the total time in hours that this gear was used. For example, if you made 4 sets and each set was 2 hours, then total time fished would be 8 hours.

**Length (miles)** - Enter the average length in miles of the line used.

In the catch section, enter **L** in the column labeled 'Gear' next to each species caught primarily with longline gear.

**Gill Net** - This gear refers to all gill nets (Strike, Drift or Anchor)

**Check** one box for gillnet type. Two or more gillnet types can be checked if 2 or more sets were made.

**# Sets** - Enter the number of times that this gear was set.

**Length (yards)** - Enter the average length of the net in yards.

**Depth (yards)** - Enter the average depth of the net in yards.

**Set Soak Time (hrs)** - Enter the average set time in hours that this gear was used. For example, if you made 4 sets and each set was 2 hours, then Set Soak Time would be 2 hours. For strike and run-around nets with soak times less than 1 hour please report 1.

**Mesh** - Enter the size of the net opening in **inches**. The size should be measured as the distance between two diagonal knots when the mesh is stretched fully closed.

In the catch section, enter **GN** in the column labeled 'Gear' next to each species caught primarily with gill net gear.

Gill Net (GN)	<input checked="" type="checkbox"/> Drift	<input type="checkbox"/> Anchor
	<input type="checkbox"/> Strike	<input type="checkbox"/> Other
# Sets	2	
Length (yards)	400	
Depth (yards)	6	
Set Soak Time (hrs)	2	
Mesh:	3.5	

**Hook & Line** - This gear includes all hook and lines (Handlines, Electric, Trolling, Buoy).

**# Lines/Buoys** - Enter the number of lines or the number of buoy gear units/configurations used.

**# Hooks per Line/Buoy** - Enter the number of hooks per line, or hooks per buoy gear unit, used for the majority of time fished. Do not provide multiple values.

**Total Hrs Fished** - Enter the total time in hours that the gear was in the water fishing.

Gears '**H**' and '**E**' should be recorded for drift and anchored fishing. '**TR**' should be recorded for fishing when boat is under power. '**B**' should be recorded for fishing with buoy gear.

In the catch section, enter an '**H**' in the column labeled 'Gear' next to each species caught primarily with Rod & Reel or Handlines. Enter an '**E**' in the column labeled 'Gear' next to each species caught primarily with Electric or Bandit reels. Enter a '**TR**' in the column labeled 'Gear' next to each species caught primarily with hook and line while the boat was moving under power (including Greenstick). Enter an '**B**' in the column labeled 'Gear' next to each species caught primarily with Buoy gear.

Hook & Line	<input checked="" type="checkbox"/> (H)	<input type="checkbox"/> (E)	<input type="checkbox"/> (TR)	<input type="checkbox"/> (B)
	Hand	Bandit	Trolling	Buoy
# Lines	3			
# Hooks per Line	2			
Total Hrs Fished	6			

**Diving** - This gear includes spearguns, Hawaiian slings, powerheads, bangsticks and hand nets caught while diving. Check **S** for gear without explosive devices (i.e.,

spearguns, Hawaiian slings, hand nets or by hand). Check **P** for gear with explosive devices (i.e., powerheads or bangsticks).

**# of Divers** - Enter the total number of divers that were in the water.

**Total Hrs Fished** - Enter the total time in hours that diver(s) were in the water.

In the catch section, enter an **S** or **P** in the column labeled 'Gear' next to each species taken primarily by divers.

Divers	<input checked="" type="checkbox"/> (S)	<input type="checkbox"/> (P)
	Speargun	Power
# of Divers	2	
Total Hrs Fished	5	

**Other Gear** - This gear includes cast nets, gigs, lobster pots, stone crab pots and any other type of gear. **Please do not record Electric Reels, Bandits, or Rod & Reels here** (see instructions above).

**Type of Gear** - Enter the name of the gear.

**Hrs Fished** - Enter the total time in hours this gear was used.

In the catch section, enter an **O** in the column labeled 'Gear' next to each species caught primarily with other gear.

Other Gear (O)	
Type	cast net
Total Hrs Fished	6

NOTE: **SE VTR #** - This number can be provided to your dealer to be included on your state trip ticket and your discard logbook. Do not change, modify or create this number.

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**CATCH SECTION** - Catch is defined as the pounds of fish **by species** that were caught and kept. Kept fish are either sold or kept for personal use so please record everything you bring back. Space is provided at the bottom of the log for entering species not listed.

You must enter a weight, gear, area and depth for each species reported.

**Gutted Column** - Enter the number of pounds caught and kept in gutted form of each species.

**Whole Column** - Enter the number of pounds caught and kept in whole form of each species.

Do not enter a number in both gutted and whole column for a species unless you actually kept fish in both forms.

**Do not include fractions of pounds.**

**Do not enter the number of fish, only enter the weight in pounds.**

**Gear Column** - Enter the gear code (T, L, GN, H, E, TR, B, S, P or O) for the type of gear that was primarily used to catch each species. Gear definitions and codes are in the parentheses next to the type of gear in the GEAR SECTION.

Only report one gear code for each species caught.

**Area Column** - Enter the numeric code for the fishing area where the majority of your catch of each species was made. Maps with numeric codes and associated latitudes and longitudes are on page 5 of these instructions.

Do not use state codes or LORAN coordinates.

**Depth Column** - Enter the bottom depth in **feet** where the majority of each species was caught.

Do not record depth in fathoms or meters.

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**TRIP EXPENSE SECTION** - Fill in the information blocks on each log as described below.

NOTE: This section is only mandatory if you received separate notification that your vessel was selected to report economic data in 2021.

**Owner Operated?** - Check **YES** if the vessel's owner worked as captain or crew member on this trip. Check **NO** if the owner was not on board.

**Gallons of Fuel Used on This Trip** - Enter gallons of fuel actually used during this trip.

**Price per Gallon** - Enter price per gallon paid for fuel when you last refueled.

**Bait Expense** - Enter total cost of bait (frozen, dead, live, and chum) purchased for this trip. Enter zero if there was no monetary expenditure for bait.

**Ice Expense** - Enter total cost of ice purchased for this trip. Enter zero if there was no monetary expenditure for ice.

**Grocery Expense** - Enter total cost of groceries purchased for this trip. Enter zero if there was no monetary expenditure for groceries.

**Misc. Trip Expenses** - Enter the sum of other trip-related expenses, such as oil and other lubricants, frequently purchased tackle and supplies, gas for dive tanks, packing fees and other costs that you usually incur each trip. Please do not include costs that may occur infrequently during the year, such as lost anchors and chains, lost tackle or gear, new gear purchases, major repairs to hull or engine and so forth. Enter zero if there were no trip-related monetary expenditures other than for fuel, bait, ice, groceries, IFQ allocation, and/or payments to hired crew and hired captain.

**IFQ Allocation Purchased for This Trip** - Enter monetary expenditures for transferred IFQ allocation that you purchased from an IFQ shareholder **for this trip only**. Please do not include the 3% cost recovery fee associated with the IFQ program. Enter zero if there was no monetary expenditure for IFQ allocation related to this trip, such as a) you did not land IFQ species on this trip; b) you used your assigned IFQ allocation on this trip; or c) you received allocation from an IFQ shareholder through barter.

**Has the payment for your catch been determined?** - Check **YES** if you know, or can reasonably estimate, the payment you will receive for your catch at the time of submitting the Logbook Trip Report Form for this trip. Check **NO** if the payment is unknown at this time.

**Trip Sales (Revenue)** - Enter the total trip revenue earned from the sale of your catch, or a good estimate thereof. Provide GROSS sales, do not subtract commissions, cost recovery, or IFQ-related payments.

**Expense for HIRED Crew & HIRED Captain** - If applicable, enter total monetary payments to HIRED crew and/or HIRED captain for their labor for this trip. **Do not** include any payments made to an *owner-operator* (as compensation for their labor on this trip or otherwise). Similarly,

do not include any fixed salary payments made to an *owner-operator*. Enter zero if there were no monetary payments to HIRED crew and/or HIRED captains for labor.

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**The following instructions are for the No Fishing Report Form:**

If a permitted vessel did **NOT** fish during a calendar month, a **No Fishing Report Form** must be submitted. No Fishing Report Forms are in the **BACK** of the logbook, behind the Trip Report Forms. Please note the following:

A separate form must be completed for each month no fishing occurred.

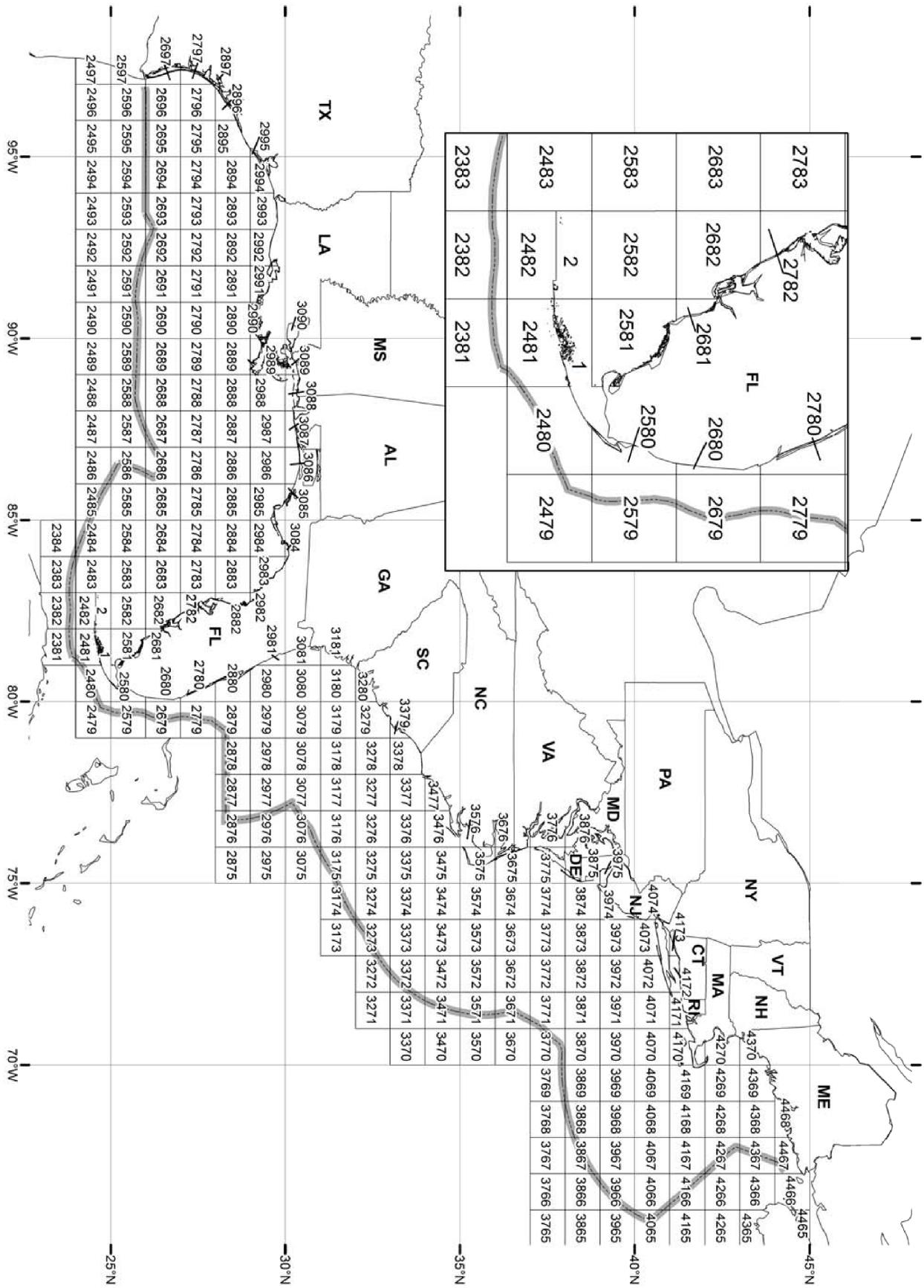
**Put a check by each permit for the fishery(ies) that no fishing occurred. Do not submit more than one form for each month, multiple fisheries can be reported on one form.**

**Do not check fisheries for which you do NOT have a permit.**

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Public reporting burden for this collection of information is estimated to average 20 minutes per response for fishing forms and 2 minutes to submit a no-fishing response including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspects of this burden to Dr. Dave Gloeckner, NOAA Fisheries Service, 75 Virginia Beach Drive, Miami, Florida 33149. This reporting is required under and is authorized under 50 CFR 622.5(a)(1). Information submitted will be treated as confidential in accordance with NOAA Administrative Order 216-100. Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection displays a currently valid OMB Control Number. The NMFS requires this information for the conservation and management of marine fishery resources. These data will be used to monitor quotas in this fishery.

Data about prices, trip expenses and labor payments will be used to evaluate the economic effects of proposed regulations in the fishery.



Statistical Grid Map – Grid numbers follow lines of latitude and longitude\*. The first two digits in the four digit grid numbers are latitude degrees, and the second two digits are longitude degrees.

\*NOTE for Florida Keys Areas – Statistical grids 2481 and 2482 have been split along the border between the Gulf of Mexico and South Atlantic regions. The areas NORTH of the Florida Keys are to be reported as historical areas 1 or 2. Areas SOUTH of the Florida Keys are to be reported as areas 2480, 2481, or 2482.



**DRAFT**

**DRAFT**

**DRAFT**

Grocery Expense	\$					.00	Misc. Trip Expenses	\$						.00	IFQ Allocation Purchased for This Trip	\$						.00
Has the payment for your catch been determined?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	If Yes	Trip Sales (Revenue)	\$							.00	Expense for HIRED Crew & HIRED Captain, if any	\$						.00

➔ MAIL THIS COPY TO NMFS, P.O. BOX 491500, KEY BISCAVNE, FL 33149 ←



**DRAFT**

**DRAFT**

**DRAFT**

Grocery Expense	\$					.00	Misc. Trip Expenses	\$						.00	IFQ Allocation Purchased for This Trip	\$						.00
Has the payment for your catch been determined?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	If Yes	Trip Sales (Revenue)	\$							.00	Expense for HIRED Crew & HIRED Captain, if any	\$						.00



**RETAIN THIS COPY FOR YOUR RECORDS**



# NO FISHING REPORTING FORM

OMB Control No. 0648-0016  
Expiration Date 11/30/2022  
Version Date 05/20



NMFS Use Only: Opened:	Schedule #
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Vessel ID. NO.  Vessel Name: \_\_\_\_\_

During the entire month of  , year  this vessel DID NOT FISH in the fisheries checked below:

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- > more than one fishery may be checked
- > DO NOT check any fishery if your vessel does not have a permit for it
- > **Use Black Ink**

Atlantic Highly Migratory

Species (swordfish/tunas)

South Atlantic Snapper-Grouper

Gulf of

Mexico

Reef

Fish

Shark

King Mackerel

Spanish Mackerel

Atlantic Dolphin/Wahoo

Signature: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_ -



MAIL THIS COPY TO NMFS, P.O. BOX 491500, KEY  
BISCAYNE, FL 33149



## Appendix C. Other Applicable Laws

### 1.1 Administrative Procedure Act (APA)

All federal rulemaking is governed under the provisions of the APA (5 U.S.C. Subchapter II), which establishes a “notice and comment” procedure to enable public participation in the rulemaking process. Among other things under the APA, the National Marine Fisheries Service (NMFS) is required to publish notification of proposed rules in the *Federal Register* and to solicit, consider and respond to public comment on those rules before they are finalized. The APA also establishes a 30-day wait period from the time a final rule is published until it takes effect, with some exceptions. This amendment complies with the provisions of the APA through the Gulf of Mexico and South Atlantic Fishery Management Council’s (Councils) extensive use of public meetings, requests for comments and consideration of comments. The proposed rule associated with this plan amendment will have a request for public comments, which complies with the APA, and upon publication of the final rule, unless the rule falls within an APA exception, there will be a 30-day wait period before the regulations are effective.

### 1.2 Information Quality Act (IQA)

The IQA (Section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (Public Law 106-443)) which took effect October 1, 2002, directed the Office of Management and Budget (OMB) to issue government-wide guidelines that “provide policy and procedural guidelines to federal agencies for ensuring and maximizing the quality, objectivity, utility, and integrity of information disseminated by federal agencies.” OMB directed each federal agency to issue its own guidelines, establish administrative mechanisms allowing affected persons to seek and obtain correction of information that does not comply with OMB guidelines, and report periodically to OMB on the number and nature of complaints. The NOAA Section 515 Information Quality Guidelines require a series of actions for each new information product subject to the IQA. This amendment uses the best available information and made a broad presentation thereof. The information contained in this document was developed using best available scientific information. Therefore, this document is in compliance with the IQA.

### 1.3 Coastal Zone Management Act (CZMA)

Section 307(c)(1) of the federal CZMA of 1972 requires that all federal activities that directly affect the coastal zone be consistent with approved state coastal zone management programs to the maximum extent practicable. While it is the goal of the Councils to have management measures that complement those of the states, federal and state administrative procedures vary and regulatory changes are unlikely to be fully instituted at the same time. Upon submission to the Secretary of Commerce, NMFS will determine if this plan amendment is consistent with the Coastal Zone Management programs of the states of Alabama, Connecticut, Delaware, Florida, Georgia, Louisiana, Massachusetts, Maryland, Mississippi, Maine, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Texas and Virginia, to the maximum extent possible. Their determination will then be submitted to the responsible state agencies under Section 307 of the CZMA administering approved Coastal Zone Management programs for these states.

#### **1.4 Executive Order 12612: Federalism**

Executive Order (E.O.) 12612 requires agencies to be guided by the fundamental federalism principles when formulating and implementing policies that have federalism implications. The purpose of the Order is to guarantee the division of governmental responsibilities between the federal government and the states, as intended by the framers of the Constitution. No federalism issues have been identified relative to the actions proposed in this document and associated regulations. Therefore, preparation of a Federalism assessment under E.O. 12612 is not necessary.

#### **1.5 Executive Order 12962: Recreational Fisheries**

E.O. 12962 requires federal agencies, in cooperation with states and tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities through a variety of methods. Additionally, the Order establishes a seven-member National Recreational Fisheries Coordination Council responsible for, among other things, ensuring that social and economic values of healthy aquatic systems that support recreational fisheries are considered by federal agencies in the course of their actions, sharing the latest resource information and management technologies, and reducing duplicative and cost-inefficient programs among federal agencies involved in conserving or managing recreational fisheries. The National Recreational Fisheries Coordination Council also is responsible for developing, in cooperation with federal agencies, states and tribes, a Recreational Fishery Resource Conservation Plan to include a five-year agenda. Finally, the Order requires NMFS and the U.S. Fish and Wildlife Service to develop a joint agency policy for administering the ESA.

The alternatives considered in this document are consistent with the directives of E.O. 12962.

#### **1.6 Executive Order 13089: Coral Reef Protection**

E.O. 13089, signed by President William Clinton on June 11, 1998, recognizes the ecological, social, and economic values provided by the Nation's coral reefs and ensures that federal agencies are protecting these ecosystems. More specifically, the Order requires federal agencies to identify actions that may harm U.S. coral reef ecosystems, to utilize their program and authorities to protect and enhance the conditions of such ecosystems, and to ensure that their actions do not degrade the condition of the coral reef ecosystem.

The alternatives considered in this document are consistent with the directives of E.O. 13089.

#### **1.7 Executive Order 13158: Marine Protected Areas (MPAs)**

E.O. 13158 was signed on May 26, 2000, to strengthen the protection of U.S. ocean and coastal resources through the use of MPAs. The E.O. defined MPAs as "any area of the marine environment that has been reserved by federal, state, territorial, tribal, or local laws or

regulations to provide lasting protection for part or all of the natural and cultural resources therein.” It directs federal agencies to work closely with state, local and non-governmental partners to create a comprehensive network of MPAs “representing diverse U.S. marine ecosystems, and the Nation’s natural and cultural resources.”

The alternatives considered in this document are consistent with the directives of E.O. 13158.

### **1.8 Executive Order 12630: Takings**

The E.O. on Government Actions and Interference with Constitutionally Protected Property Rights that became effective March 18, 1988, requires each federal agency prepare a Takings Implication Assessment for any of its administrative, regulatory, and legislative policies and actions that affect, or may affect, the use of any real or personal property. Clearance of regulatory action must include a takings statement and, if appropriate, a Takings Implication Assessment. The NOAA Office of General Counsel will determine whether a Taking Implication Assessment is necessary for this amendment.

### **1.9 National Marine Sanctuaries Act (NMSA)**

Under the NMSA (also known as Title III of the Marine Protection, Research and Sanctuaries Act of 1972), as amended, the U.S. Secretary of Commerce is authorized to designate National Marine Sanctuaries to protect distinctive natural and cultural resources whose protection and beneficial use requires comprehensive planning and management. The National Marine Sanctuary Program is administered by the Sanctuaries and Reserves Division of NOAA. The NMSA provides authority for comprehensive and coordinated conservation and management of these marine areas. The National Marine Sanctuary Program currently comprises 13 sanctuaries around the country, including sites in American Samoa and Hawaii. These sites include significant coral reef and kelp forest habitats, and breeding and feeding grounds of whales, sea lions, sharks, and sea turtles. The three sanctuaries in the South Atlantic exclusive economic zone are the USS Monitor, Gray’s Reef, and Florida Keys National Marine Sanctuaries.

The alternatives considered in this document are not expected to have any adverse impacts on the resources managed by the National Marine Sanctuaries.

### **1.10 Paperwork Reduction Act (PRA)**

The purpose of the PRA is to minimize the burden on the public. The PRA is intended to ensure that the information collected under the proposed action is needed and is collected in an efficient manner (44 U.S.C. 3501 (1)). The authority to manage information collection and record keeping requirements is vested with the Director of the Office of Management and Budget (OMB). This authority encompasses establishment of guidelines and policies, approval of information collection requests, and reduction of paperwork burdens and duplications. The PRA requires NMFS to obtain approval from the OMB before requesting most types of fishery information from the public. Actions in this document will need PRA approval.

**1.11 Public Law 99-659: Vessel Safety**

Public Law 99-659 amended the Magnuson-Stevens Fishery Conservation and Management Act to require that an FMP or FMP amendment must consider, and may provide for, temporary adjustments (after consultation with the U.S. Coast Guard and persons utilizing the fishery) regarding access to a fishery for vessels that would be otherwise prevented from participating in the fishery because of safety concerns related to weather or to other ocean conditions. No vessel would be forced to participate in fisheries under adverse weather or ocean conditions as a result of the imposition of management regulations proposed in this amendment. No concerns have been raised by fishermen or by the U.S. Coast Guard that the proposed management measures directly or indirectly pose a hazard to crew or vessel safety under adverse weather or ocean conditions.