

FINAL
Summary of the SAFMC Data Collection Committee
September 19, 2013
The Charleston Marriott Hotel
Charleston, SC

Members:

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| Michelle Duval, Chair | Jessica McCawley/Martha Bademan, Vice Chair |
| Charlie Phillips | Jack Cox |
| Ben Hartig | Wilson Laney |
| Chris Conklin | |

The agenda was adopted, and the minutes of the June 2013 meeting were approved.

Joint South Atlantic & Gulf Council Generic For-Hire Reporting Amendment (SA only)

Dr. Jack McGovern reported that the Notice of Availability of the amendment was published in the Federal Register on 9/18/13 and comments are being accepted through 11/18/13. A decision is expected in December and regulations should be in place early in 2014.

Gulf Framework to implement For-Hire Reporting (Headboat only)

Dr. Jack McGovern reported that the amendment is under review in the Southeast Regional Office and is expected to be cleared for review soon.

Joint Gulf & South Atlantic Council Generic Dealer Amendment

Dr. Bonnie Ponwith gave a presentation on how compliance with the headboat and dealer reporting requirements will be accomplished. They are still working with Law Enforcement but in general, after 1 week an email will be sent indicating a report is missing. Then after 1 month a letter will be sent. She asked the committee for recommendations on a phase-in and these deadlines. Committee members expressed that there should be a phase-in period with lots of outreach and publicity about the new requirements given that there will be implementation issues on both sides (dealers/headboats and NMFS). Members also expressed that the 2nd follow-up for missing a report should occur a lot sooner than 1 month and that where possible all the deadlines should be the same for headboats, dealers, logbooks, and charterboats (when added).

The committee received a status update on the Joint Gulf & South Atlantic Council Generic Dealer Amendment from Council staff. Two public hearings were held (Mid-Atlantic and New England) and during the committee meeting it was reported that no public comments were received. Rusty Hudson pointed out that a comment was submitted on behalf of Southeastern Fisheries Association supporting all the preferred alternatives; staff verified that the comment was received and found one additional comment from Ollie Burwell, Cherry Point Seafood, who felt existing reporting requirements were sufficient (both comments attached). The Gulf Council approved the amendment for formal review at their August 2013 meeting.

The committee reviewed the changes to the amendment, reviewed the codified text and on behalf of the committee I move the following:

**MOTION #1: APPROVE THE JOINT GULF AND SOUTH ATLANTIC COUNCIL
GENERIC DEALER AMENDMENT FOR FORMAL REVIEW, DEEM THE CODIFIED
TEXT AS NECESSARY AND APPROPRIATE, AND GIVE THE COUNCIL CHAIR
AUTHORITY TO APPROVE EDITORIAL CHANGES TO THE AMENDMENT AND
TO RE-DEEM THE CODIFIED TEXT AS NECESSARY
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

SEFSC Presentation on Sample Sizes for Individual Species

Dr. Ponwith gave a presentation on what the target sample size is for individual species for collection of biological samples. The target level was compared to what was actually achieved. The committee expressed concern about the low levels of sampling and the resulting impacts on stock assessments and offered to help support additional resources for the southeast to meet the needs resulting from the Reauthorized Magnuson-Stevens Act.

Joint South Atlantic & Gulf Council Generic Commercial Logbook Reporting Amendment

Council staff provided a brief review of the NOAA Electronic Data Reporting Directive and the potential for cost sharing by the industry; George LaPointe will be giving a detailed presentation at the December Council meeting. Dr. Ponwith reviewed the status of the commercial electronic logbook pilot project that began in August 2013. The project will last 12-18 months and after the pilot, the SEFSC would be ready to implement this assuming funding is available. The Committee discussed the timing for this amendment and provided guidance to staff as reflected below in the Timing and Task Motion.

Joint South Atlantic & Gulf Council Generic Charterboat Reporting Amendment

Council staff reviewed the status of work on charterboat reporting and noted that the sub-committee to work on this still needs to be appointed. The committee discussed this amendment and on behalf of the committee I move the following:

**MOTION#2: APPOINT JOHN CARMICHAEL/MIKE ERRIGO AS THE SAFMC
REPRESENTATIVE ON THE SUBCOMMITTEE WORKING ON THE TECHNICAL
ASPECTS OF SEPARATING CHARTERBOATS FROM THE MRIP SAMPLING
PROGRAM
APPROVED BY COMMITTEE
APPROVED BY COUNCIL**

Timing and Task Draft Motion

The following draft motion has been developed based on actions taken by the Committee:

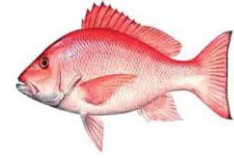
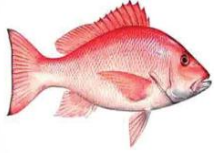
DRAFT MOTION #3: APPROVE THE TASKS AND TIMING AS PRESENTED:

1. Notify the GMFMC that the SAFMC approved the Generic Dealer Amendment for formal review at their September 2013 Council meeting.
2. Request the SEFSC provide updates at each Council meeting on progress of the commercial electronic logbook pilot study and direct staff to defer work on the amendment until the pilot is completed.
3. Directed staff to work with Gulf Council staff and NMFS staff on a Generic Amendment addressing Charter Reporting

APPROVED BY COUNCIL

Mr. Chairman, this concludes my report.

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



EAST COAST FISHERIES SECTION (ECFS)

Mr. Bob Mahood, Executive Director
South Atlantic Fishery Management Council
4055 Faber Place Drive, Suite 201
North Charleston, SC 29405

Date: Sunday August 18, 2013

Re: Joint Generic Dealer Amendment Proposed Action For Public Hearing Comment
JointDealerAmendPHComments@safmc.net

Mr. Mahood,

The Southeastern Fisheries Association (SFA), East Coast Fisheries Section (ECFS) is submitting written comment concerning the South Atlantic Fishery Management Council's (SAFMC) proposed actions on the Joint Generic Dealer Amendment. SFA ECFS preferred alternatives are presented, and comments from SFA ECFS are in "red" under each of the three actions.

Proposed Actions in the Joint Generic Dealer Amendment

Action 1. What dealer permits would be required and for which species?

Preferred Alternative 2: Establish one federal dealer permit for the Gulf of Mexico and South Atlantic regions.

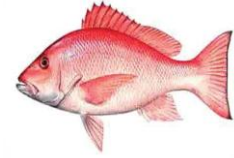
Preferred Option 2b. Require a single dealer permit to purchase the following federally-managed species or species complexes, except South Atlantic coral, South Atlantic *Sargassum*, and Gulf of Mexico coral and coral reefs, and penaeid shrimp species.

- Atlantic Dolphin-Wahoo
- South Atlantic Golden Crab
- South Atlantic Rock Shrimp
- South Atlantic Snapper Grouper (including wreckfish)
- Gulf of Mexico Reef Fish
- *Gulf of Mexico and South Atlantic Coastal Migratory Pelagics*
- *Gulf of Mexico and South Atlantic Spiny Lobster*
- *Gulf of Mexico Red Drum*

(Note: Italics designate additional new species that currently require dealer permits.)

[Note: It is the Councils' intent that the generic dealer permit requirements apply to any dealer purchasing South Atlantic Council managed species and to all federally permitted

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



EAST COAST FISHERIES SECTION (ECFS)

vessels that sell South Atlantic Council managed species. This would require that permitted vessels can only sell to permitted dealers in those fisheries where a dealer permit exists. This will also apply to for-hire vessels with a for-hire Coastal Migratory Pelagics Permit and to vessels with a federal spiny lobster tailing or spiny lobster permit.]

SFA ECFS supports Preferred Alternative 2, Preferred Option 2b and Preferred Alternative 3 wording for the Joint Generic Dealer Amendment Action 1.

Action 2. How frequently and by what method would dealers be required to report?

Preferred Alternative 3: Require forms be submitted *electronically* (via computer or internet).

Preferred Option 3b. *Weekly.* Forms from trips landing between Sunday and Saturday must be submitted to the SRD by 11:59 P.M. local time on the following Tuesday.

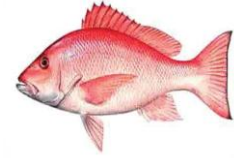
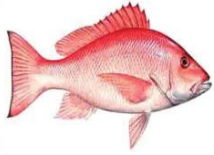
[**Note: The South Atlantic Council clarified that allowing dealers to report ahead of time if they are closed meets the intent of the weekly reporting in the preferred alternative. The current program design will allow dealers to report up to 90 days ahead of time and this was satisfactory to the Council. The Council also wanted to allow flexibility for NMFS to modify this allowance and so did not specify a time limit.**]

Preferred Alternative 5: During catastrophic conditions only, the ACL monitoring program provides for use of paper-based components for basic required functions as a backup. The Regional Administrator (RA) will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed effected by the catastrophic conditions. The RA will provide timely notice to affected participants via publication of notification in the Federal Register, NOAA weather radio, fishery bulletins, and other appropriate means and will authorize the affected participants' use of paper-based components for the duration of the catastrophic conditions. The paper forms will be available from NOAA Fisheries. The RA has the authority to waive or modify reporting time requirements.

[**Note: Any selected Preferred Alternative will include “Dealers reporting purchases of king mackerel landed by the gillnet sector for the Gulf West Coast Florida Southern Sub Zone must submit forms daily by 6:00 A.M.”]**

SFA ECFS supports Preferred Alternative 3, Preferred Option 3b and Preferred Alternative 5 wording for the Joint Generic Dealer Amendment Action 2.

SOUTHEASTERN FISHERIES ASSOCIATION (SFA)



EAST COAST FISHERIES SECTION (ECFS)

Action 3. Are there requirements for maintaining a dealer permit?

Preferred Alternative 2: “No purchase forms” must be submitted at the same frequency, via the same process, and for the same species as specified for “purchased forms” in Actions 1 and 2. A dealer would only be authorized to receive commercially-harvested species if the dealer’s previous reports have been submitted by the dealer and received by NMFS in a timely manner. Any delinquent reports would need to be submitted by the dealer and received by NMFS before a dealer could receive commercially harvested species from a federally-permitted U.S. vessel.

SFA ECFS supports Preferred Alternative 2 wording for the Joint Generic Dealer Amendment Action 3.

Jimmy Hull, Chairman
SFA ECFS
jgh/rhh

To Whom it May Concern:

I believe the recording we have in place is sufficient to keep up with fish numbers! We have a hard enough time now keeping up with all the state and federal bookkeeping to add more. Thanks for your time, if you have any questions please call!

Sincerely,

Ollie Burwell

Ollie Burwell
Cherry Point Seafood