

Comprehensive Amendment Addressing Electronic Reporting for Commercial Vessels

Amendment 54 to the Snapper Grouper FMP,
Amendment 4 to the Dolphin Wahoo FMP,
and Amendment 35 to the Coastal Migratory
Pelagics FMP

Options Paper

June 2022

Background

Owners or operators of federally permitted vessels that fish commercially for snapper grouper species in the South Atlantic, dolphin or wahoo along the Atlantic, or coastal migratory pelagics (king mackerel, Spanish mackerel, and Gulf cobia) in the South Atlantic and in the Gulf of Mexico, are currently required to submit a record of their fishing trips on a paper logbook no later than seven days after the conclusion of each trip. Reporting requirements were initially implemented in 1992 for the Snapper Grouper Fishery (SAFMC Amendment 4, 1991), in 2004 for the Dolphin Wahoo Fishery (SAFMC Dolphin Wahoo FMP 2003), and in 1985 for the Coastal Migratory Pelagics Fishery (SAFMC and GMFMC CMP Amendment 1, 1985).

During the December 2012 meeting, the South Atlantic Fishery Management Council (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 their wish to work with the Gulf of Mexico Fishery Management Council (Gulf Council) on a joint amendment to address commercial logbook issues in the South Atlantic and Gulf of Mexico. The National Marine Fisheries Service (NMFS) Southeast Fisheries Science Center (SEFSC) conducted a pilot study for commercial electronic logbook reports in 2015. Initially, an amendment incorporating results from year 1 of the pilot study was planned with a target implementation date of January 1, 2016. An amendment has yet to be developed, however. As of 2016, those with dual permits from the Greater Atlantic Region and the South Atlantic were allowed to submit electronic reports through the Atlantic Coastal Cooperative Statistics Program (ACCSP) SAFIS system. As of 2021, voluntary commercial electronic logbook reports could be submitted by Southeast Region commercial permit holders through the ACCSP eTRIPS mobile application. The timeline below summarizes the progression of this amendment to date.

2011-2012	Comprehensive Ecosystem Based Amendment 3 (CE-BA 3) developed, including scoping and public hearings.
December 2012	South Atlantic Council removed commercial logbook reporting action from CE-BA 3
February 2013	Gulf Council approved motion to develop Joint South Atlantic/Gulf of Mexico Generic Commercial Logbook Reporting Amendment.
June 2013	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.
September 2013	SEFSC presented status of pilot 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.
2015	SEFSC conducted pilot study.
2015-2021	Database development and testing of mobile reporting application (eTRIPS in cooperation with ACCSP
March 2021	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 Logbook Program to an electronic format. The SEFSC has developed (in coordination with ACCSP) a mobile application to accept electronic submissions. However, because the language implementing commercial reporting requirements in the applicable fishery management plans (FMPs) and in the existing regulations does not specify that the submission of commercial logbooks can be accomplished via electronic means (i.e., utilizing the newly developed SEFSC system), 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.

This amendment would modify the FMPs for South Atlantic Snapper Grouper, Atlantic Dolphin Wahoo, and Atlantic and Gulf of Mexico Coastal Migratory Pelagics, to require commercial logbooks to be submitted via electronic reporting forms instead of the currently used paper-based forms.

Proposed management changes in this amendment

Require commercial logbooks for the subject amendments to be submitted via electronic reporting forms instead of the currently used paper-based forms.

This action would move the paper-based commercial logbooks under the Coastal Logbook Program (snapper grouper, Gulf and Atlantic CMP, Atlantic DW, and Gulf reef fish) to an electronic platform to increase efficiency in reporting with benefits to the fishermen and the agency. NMFS anticipates that there may be minor adjustments to the data to be reported in order to move to an electronic system, and NMFS intends to present that information to the Council during the development of this amendment.

Objectives for this meeting

- Provide guidance on options for development
 - Should this joint amendment with the Gulf Council include Gulf Reef Fish?
- Review and provide guidance on timing of amendment development

Tentative amendment timing

Note: The IPT will determine whether a Categorical Exclusion (CE) can be used, in which case the tentative timing would be revised

June 2022	SA Council reviews options and provides guidance
June 2022	Gulf Council reviews options and provides guidance
August 2022	Gulf Council approves for public hearings
September 2022	SA Council approves for public hearings
Fall 2022	Councils conduct public hearings
December 2022	SA Council approves for formal review
January 2023	Gulf Council approves for formal review
Late 2023	Final rule published (pending PRA approval)
Early 2024	Regulations effective

Options for Proposed Actions

1. Amend the Snapper Grouper, Dolphin Wahoo, and Coastal Migratory Pelagics Fishery Management Plans to implement electronic reporting for federally permitted commercial vessels

Note: proposed language below if a CE were to be used.

Current Reporting Requirements: The owner or operator of a vessel for which a commercial permit for South Atlantic snapper grouper, Atlantic dolphin and wahoo or coastal migratory pelagic (CMP) species (king or Spanish mackerel), has been issued, or whose vessel fishes for or lands such species (snapper grouper species, Atlantic dolphin or wahoo species, or CMP species for sale) in or from state waters adjoining the applicable South Atlantic or Atlantic exclusive economic zone (EEZ), and who is selected to report by the Science and Research Director (SRD) must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD. Completed 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 so stating 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.

Action: Maintain the reporting requirements described above, but require the fishers to transmit their reports electronically using NMFS approved hardware and software. Information to be reported is indicated on the electronic form and its accompanying instructions.

IPT Members Comments:

- If the electronic reporting requirement is to apply to all CMP permit holders (SA and Gulf), do the Councils want to extend requirement to Gulf Reef Fish permit at the same time? If amendment is not developed jointly with the Gulf, implementation of electronic reporting requirements may be delayed.
- For Gulf Individual Fishery Quota (IFQ) holders: The IFQ reporting requirements are separate from the other logbook requirements discussed above, and participation in the IFQ program does not exclude IFQ holders from any applicable coastal logbook requirements.
 - The general data requirements will remain the same as the current paper-based data requirements but some minor changes will need to be made to work within the electronic platform.
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- How would this amendment affect the way the economic add-on logbook data are collected?

- The SEFSC does not expect this amendment to affect the collection of this information. Selection will still occur at the beginning of the year and permit holders that are selected will be expected to complete the economic questions within the electronic form.
- Under this action, electronic reports will be due 7 days after the end of the fishing trip. If the Council wants to change the frequency of reporting through this amendment additional action(s) may be needed.
- Exceptions to the reporting requirements due to catastrophic conditions will be at the RA's discretion. Details about the catastrophic conditions will follow the current electronic reporting program details for catastrophic conditions.
- The implementation of electronic reporting in fisheries such as spiny lobster, golden crab and shrimp will require significant time for development because of their reporting requirements, and this amendment would not apply to those FMPs. Additionally, this would not apply to wreckfish reporting requirements, as a separate electronic program for wreckfish is being developed in Amendment 48.
- At this point, the electronic forms have been developed and tested which will allow the snapper grouper, dolphin wahoo, coastal migratory pelagics, and Gulf reef fish FMPs to use the electronic platform. These forms are available now for voluntary commercial electronic reporting.

Council Action:

Provide guidance on the following:

- Include amending the Gulf's Reef Fish FMP?
- Review tentative timeline for development and adjust as needed.
- Others?

Appendix A.

Snapper Grouper FMP

The owner or operator of a vessel for which a commercial permit for South Atlantic snapper-grouper has been issued, as required under § 622.170(a)(1), or whose vessel fishes for or lands South Atlantic snapper-grouper in or from state waters adjoining the South Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(4) of this section.

Completed fishing records required by this paragraph (a) must be submitted to the SRD postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

Dolphin Wahoo FMP

The owner or operator of a vessel for which a commercial permit for Atlantic dolphin and wahoo has been issued, as required under § 622.270(a)(1), or whose vessel fishes for or lands Atlantic dolphin or wahoo in or from state waters adjoining the Atlantic EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD and must submit such record as specified in paragraph (a)(2) of this section.

Completed fishing records required by paragraph (a)(1) of this section must be submitted to the SRD postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

Coastal Migratory Pelagics FMP (joint with GMFMC)

The owner or operator of a vessel that fishes for or lands coastal migratory pelagic fish for sale in or from the Gulf, Mid-Atlantic, or South Atlantic EEZ or adjoining state waters, or whose vessel is issued a commercial permit for king or Spanish mackerel, as required under § 622.370(a)(1) or (3), respectively, who is selected to report by the SRD, must maintain a fishing record on a form available from the SRD. These completed fishing records must be submitted to the SRD postmarked not later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked not later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

Reef Fish FMP (GMFMC)

The owner or operator of a vessel for which a commercial permit for Gulf reef fish has been issued, as required under § 622.20(a)(1), or whose vessel fishes for or lands reef fish in or from state waters adjoining the Gulf EEZ, who is selected to report by the SRD must maintain a fishing record on a form available from the SRD. These 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 so

stating 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.