



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

**Improvements to the Southeast For-Hire Integrated
Electronic Reporting Program (SEFHIER)
June 2024**



Background



The Council wants to discuss ways to:

- improve compliance with SEFHIER,
- strengthen reporting requirements, and
- explore data validation,

with the goal of utilizing the information being collected in future management decisions.

In March 2024, the Council requested specific information to assist in their discussions:

Requests from March 2024



Assemble an advisory panel (AP) to obtain insight into how to improve compliance with SEFHIER.

The Council reviewed a draft charge for the new AP at the June 2024 meeting (in closed session). AP seats will be advertised for the Council to appoint participants at the September 2024 meeting.

Request information on how the AP in the Gulf is structured.

The Gulf Council appointed 13 individuals from across the region to serve on their Ad hoc Charter-For-hire Data Collection AP in December 2023. A charge for the AP was also approved.



“The Ad Hoc Charter For-hire Data Collection AP is tasked with providing Gulf-wide stakeholder insight on the development of a new electronic data collection program for the charter for-hire and headboat fishing industry. The AP should consider lessons learned from the SEFHIER program and work collaboratively to discuss strategies that would enhance the timeliness, accuracy, and quality of data for the federal for-hire fleet. The AP should also consider balancing the anticipated reporting and economic burdens associated with their recommended program requirements.”

Requests from March 2024



Which aspects/components of the SEFHIER program contributed to lawsuit in the Gulf of Mexico; what components were disallowed and why?

- The Magnuson-Stevens Act did not authorize NMFS to require the 24-hour 7-day-per-week vessel monitoring system (VMS).
- The rule was not promulgated in compliance with the Administrative Procedure Act because NMFS failed to address comments that raised privacy concerns under the Fourth Amendment and did not provide proper notice that the logbook would require the type of economic data required in the final rule.

Requests from March 2024



Review concerns NMFS raised with the initial SAFMC amendment and caveats on data usage based on the program criteria.

In a letter submitted on February 21, 2018 (Appendix in Attachment 4b), the SEFSC stated:

- The information would not be considered useful for official estimates of catch and effort from the for-hire fishery until the approach is certified as statistically valid by MRIP.
- A primary concern is that vessels are not required to report before offloading, and therefore catch cannot be independently validated.
- Multiple years of side-by-side data collection with the MRIP surveys should be conducted.

Requests from March 2024



In a letter submitted to the Council on May 30, 2024 (Attachment 4c), NMFS reiterated its concerns:

“NOAA Fisheries’ concerns have not changed, go beyond just the catch and effort information, and extend to any use of the information for science or management. Given the lack of any independent validation that would allow us to evaluate the representativeness of the data or determine the size and direction of any biases, NOAA Fisheries would only consider the information submitted under this program as qualitative in nature and does not represent the best scientific information available.”

Requests from March 2024



What potential actions are realistic for data validation? What are some methods of validating a program of this type?

What actions could be taken to improve compliance? Including actions that are allowable under the current authority and actions that would require additional authority (i.e. a rule change) and an associated amendment.

Refer to Attachment 4b, Table beginning on page 4