



SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

4055 Faber Place Drive, Suite 201, North Charleston SC 29405
Call: (843) 571-4366 | Toll-Free: (866) SAFMC-10 | Fax: (843) 769-4520 | Connect: www.safmc.net

Trish Murphey, Chair | Jessica McCawley, Vice Chair
John Carmichael, Executive Director

December 17, 2024

Mr. Randy Blankinship, Division Chief
Highly Migratory Species (HMS) Management
National Marine Fisheries Service
263 13th Avenue South
St. Petersburg, FL 33701

Re: Comment on Proposed Rule: Electronic Reporting Requirements for Atlantic Highly Migratory Species

Dear Mr. Blankinship,

The South Atlantic Fishery Management Council (Council) thanks you for the opportunity to provide our comments on the proposed rule implementing electronic reporting requirements for Atlantic Highly Migratory Species (HMS). The Council appreciates the presentation that was provided by NOAA HMS staff at the December 2024 meeting on the proposed rule and we would like to provide the following comments that focus on the for-hire portion of the rule for consideration.

The Council is currently developing an amendment that would modify the data collection program for South Atlantic federally permitted for-hire vessels (i.e., the Southeast For-Hire Integrated Electronic Reporting or “SEFHIER” Program) and recognizes several potential differences in what the Council is considering versus preferred alternatives of HMS. The potential differences in data collection components and requirements seem counter to one of the main purposes of the Proposed Rule which is to develop “one-stop reporting” for those possessing both South Atlantic (or other federal regional for-hire permits) and HMS for-hire permits. The following specific concerns are outlined by the Council and correspond with many of the same concerns that the Gulf of Mexico Fishery Management Council submitted to HMS on December 3, 2024. In summary, our comments focus on the need for consistency in reporting and avoiding duplicative reporting, validation, reporting of non-HMS species, and reporting of economic data.

*B Alternatives: HMS Commercial and For-hire Open Access Permits (Atlantic Tunas General and Harpoon Category, Swordfish General Commercial, and HMS Charter/Headboat Permits)
Alternative B1. Electronic logbook requirements.
Preferred Sub-Alternative B1c.*

The Council supports efforts to move towards electronic platforms for reporting catch, discards, and disposition data for HMS managed species. However, the Council does not support reporting of non-HMS species (such as Snapper Grouper or Coastal Migratory Pelagic species) as part of the HMS logbook requirement. If an HMS for-hire permit holder captures and discards a South Atlantic species because of not also possessing a South Atlantic for-hire permit, the permit holder would have to report that species through the HMS logbook. In this scenario, how will these discard data be validated, shared, and used in South Atlantic-specific management and stock assessments?

To put this comment in context, the Council recently received a [letter](#) from the NOAA Fisheries Southeast Regional Office (SERO) and Southeast Fisheries Science Center (SEFSC) that data being collected through the SEFHIER program cannot be used for management due to low compliance and lack of validation. Of note is that HMS is not considering requiring submission of data before offloading catch, requiring landing at approved locations, or weekly did not fish reports when fishing does not occur within the for-hire sector, which appears to be contrary to this recent agency guidance. The concern is if the data collected through HMS logbooks for South Atlantic managed species cannot not be validated, it cannot be used in management.

*B Alternatives: HMS Commercial and For-hire Open Access Permits (Atlantic Tunas General and Harpoon Category, Swordfish General Commercial, and HMS Charter/Headboat Permits) Alternative B2. Timing requirement for electronic logbook submission.
Preferred Sub-Alternative B2a.*

The requirement to report logbooks within 24-hours of the completion of a trip and no requirement to report prior to offloading fish harvested for each trip appears contrary to the aforementioned agency guidance. The developing modifications to the for-hire data collection program for both the South Atlantic and Gulf of Mexico councils consider the agency's recommendations for data validation; thus, the Council suggests that HMS consider the same frequency of reporting requirements to attain the goal of "one-stop reporting", and better ensure data can be validated and utilized in management.

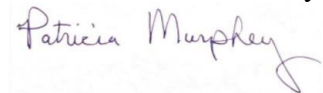
*B Alternatives: HMS Commercial and For-hire Open Access Permits (Atlantic Tunas General and Harpoon Category, Swordfish General Commercial, and HMS Charter/Headboat Permits) Alternative B3. Cost and earnings information.
Preferred Sub-Alternative B3c.*

Reporting of trip-level cost and earnings data for the for-hire sector has been a contentious issue for many South Atlantic permitted vessel owners or operators. As such, the Council is considering a sampling rather than census approach to collection of economic information to address constituent feedback, reduce regulatory burden, and ease logbook compliance. The Council strongly recommends that HMS maintain status quo (*Sub-Alternative B3a*) and reconsider this topic once the South Atlantic and Gulf councils have completed their respective for-hire reporting amendments to establish consistency in reporting of economic information across federally permitted for-hire vessels in the Southeast.

Generally, the Council is concerned over the ability to provide “one stop-reporting” to for-hire constituents that operate in fisheries for both South Atlantic and HMS managed species. Maintaining consistency in reporting requirements and avoiding duplicative reporting is of paramount concern for the Council as we aim to improve the SEFHIER program requirements. Additionally, we want to make sure that data collected from for-hire constituents are utilized in management. Therefore, we request that HMS consider the same requirements for HMS species reported through the SEFHIER program that both Councils are considering during the final rule stage for HMS electronic reporting requirements.

We look forward to working with HMS in addressing our concerns and meeting for-hire reporting goals to help implement actions with mutually beneficial outcomes for our managed fisheries. If further information is desired, please reach out to Myra Brouwer, Deputy Director for Management, South Atlantic Fishery Management Council.

Sincerely,

A handwritten signature in purple ink that reads "Patricia Murphey". The signature is written in a cursive style and is positioned above the printed name.

Trish Murphey
Council Chair

LN# 202431

cc: SAFMC Members & Staff

Monica Smit-Brunello, NOAA GC

Frank Helies and Rick DeVictor, NMFS SERO

Clay Porch and John Walter, SEFSC Miami