

For the reasons set out in the preamble, 50 CFR part 622 is proposed to be amended as follows:

PART 622--FISHERIES OF THE CARIBBEAN, GULF, AND SOUTH ATLANTIC

1. The authority citation for part 622 continues to read as follows:

Authority: 16 U.S.C. 1801 et seq.

2. In § 622.26, paragraph (b) is revised to read as follows:

§ 622.26 Recordkeeping and reporting.

* * * * *

(b) Charter vessel/headboat owners and operators--(1)

General reporting requirement--(i) Charter vessels. The owner or operator of a charter vessel for which a charter vessel/headboat permit for Gulf reef fish has been issued, as required under § 622.20(b), or whose vessel fishes for or lands such reef fish in or from states waters adjoining the Gulf EEZ, who is selected to report by the 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 and must submit such record as specified in paragraph (b) (2) of this section.

(ii) Headboats. The owner or operator of a headboat for which a charter vessel/headboat permit for Gulf reef fish has been issued, as required under § 622.20(b), or whose vessel fishes for or lands such reef fish in or from state waters

adjoining the Gulf EEZ, must submit a detailed electronic report of all fish harvested within the time period specified in paragraph (b) (2) (ii) of this section, via the Southeast Region Headboat Survey. The information to be reported includes, but is not limit to, the following:

(A) Departure date and time.

(B) Return date and time.

(C) Vessel name and U.S. Coast Guard documentation number and state registration number.

(D) Captain name.

(E) Location in lat/long degrees.

(F) Location in lat/long minutes.

(G) Number of anglers.

(H) Minimum depth fished (ft).

(I) Maximum depth fished (ft).

(J) Primary depth fished (ft).

(K) Species name and number of each kept.

(L) Species name and number of each released.

(2) Reporting deadlines--(i) Charter vessels. Completed fishing records required by paragraph (b) (1) (i) of this section for charter vessels must be submitted to the SRD weekly, postmarked no later than 7 days after the end of each week (Sunday). Information to be reported is indicated on the form and its accompanying instructions.

(ii) Headboats. Electronic logbook reports required by paragraph (b)(1)(ii) of this section for headboats must be submitted at weekly intervals (or intervals shorter than a week if notified by the SRD) by 11:59 p.m., local time, the Sunday following a reporting week. If no fishing activity occurred during a reporting week, an electronic report so stating must be submitted for that reporting week.

(3) Catastrophic conditions. During catastrophic conditions only, NMFS provides for use of paper-based components for basic required functions as a backup to the electronic reports required by paragraph (b)(1)(ii) of this section. The RA will determine when catastrophic conditions exist, the duration of the catastrophic conditions, and which participants or geographic areas are deemed affected 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 NMFS. During catastrophic conditions, the RA has the authority to waive or modify reporting time requirements.

(4) Compliance requirement. Electronic reports required by paragraph (b)(1)(ii) of this section must be submitted and

received by NMFS according to the reporting requirements under this section. Delinquent reports automatically result in charter vessel/headboat permit holders for Gulf reef fish becoming ineligible to harvest or possess such species, regardless of any notification to the permit holders by NMFS. Permit holders who become ineligible to harvest or possess such species due to delinquent reports are authorized to harvest or possess such fish only after all required and delinquent reports have been submitted and received by NMFS according to the reporting requirements under this section.

* * * * *

3. In § 622.374, paragraphs (b) (1) (ii) and (b) (2) (ii) are revised, and the second sentence in paragraph (b) (4) is revised, to read as follows:

§ 622.374 Recordkeeping and reporting.

* * * * *

(b) * * *

(1) * * *

(ii) Headboats. The owner or operator of a headboat for which a charter vessel/headboat permit for Gulf coastal migratory fish or South Atlantic coastal migratory fish has been issued, as required under § 622.370 (b) (1), or whose vessel fishes for or lands Gulf or South Atlantic coastal migratory pelagic fish in or from state waters adjoining the Gulf or South

Atlantic EEZ, must submit a detailed electronic report of all fish harvested within the time period specified in paragraph (b) (2) (ii) of this section, via the Southeast Region Headboat Survey. The information to be reported includes, but is not limit to, the following:

(A) Departure date and time.

(B) Return date and time.

(C) Vessel name and U.S. Coast Guard documentation number and state registration number.

(D) Captain name.

(E) Location in lat/long degrees.

(F) Location in lat/long minutes.

(G) Number of anglers.

(H) Minimum depth fished (ft).

(I) Maximum depth fished (ft).

(J) Primary depth fished (ft).

(K) Species name and number of each kept.

(L) Species name and number of each released.

(2) * * *

(ii) Headboats. Electronic logbook reports required by paragraph (b) (1) (ii) of this section for headboats must be submitted at weekly intervals (or intervals shorter than a week if notified by the SRD) by 11:59 p.m., local time, the Sunday following a reporting week. If no fishing activity occurred

during a reporting week, an electronic report so stating must be submitted for that reporting week.

* * * * *

(4) * * * Delinquent reports automatically result in charter vessel/headboat permit holders for Gulf or South Atlantic coastal migratory pelagic fish becoming ineligible to harvest or possess such species, regardless of any notification to the permit holders by NMFS. * * *

* * * * *