



**Mid-Atlantic Fishery Management Council**

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## MEMORANDUM

**Date:** July 26, 2024  
**To:** Chris Moore  
**From:** Jason Didden, staff  
**Subject:** Council response to May 20, 2024 NMFS Greater Atlantic Regional Fisheries Office (GARFO) white paper on Did-Not-Fish Reporting Requirements

[GARFO considered issues around re-starting Did Not Fish \(DNF\) reporting requirements](#) and concluded that the “perceived benefits are far outweighed by the costs” and that relevant resources “would be better directed towards more effective and impactful initiatives.”

In follow-up staff-to-staff discussions, GARFO described reporting and data initiatives that would be hindered by focusing on DNF reports<sup>1</sup>. While those initiatives are important and data-related, they did not seem focused on the goal of broad compliance with Vessel Trip Report (VTR) reporting. From staff’s perspective, broad VTR compliance means that any commercial or for-hire vessel that fishes for any Council-managed species beyond three miles (triggering federal permit requirements) must report all fish caught on every trip while that permit is in effect, including personal fishing trips (i.e. the current standard GARFO permit reporting requirement). Broad VTR compliance would require both awareness of, and adherence to, the permitting/reporting requirements, as well as some amount of regular enforcement to confirm compliance. If logbooks are to eventually be used to determine for-hire catch, similar state-level requirements would seem appropriate.

Recent communications with or among constituents, states, MRIP staff, and GARFO suggest that under permitting and under reporting in the for-hire fleet may be substantial. For example, New York listed 528 state for-hire permits in 2023 with 152 of those also having federal permits. Only 186 of the 528 state permitted vessels reported fishing trips in 2023. Those 186 reflect all state permit holders who reported trips to either GARFO or to NY (pers com Melissa Hegeman of NY DMR). Preliminary analyses of GARFO’s records indicated that in 2023 there were 171 vessels possessing a party/charter category permit with a primary port in New York. Of those, 121 submitted a VTR to GARFO indicating that they fished during 2023 but 45 also had at least \$1000 in commercial ex-vessel sales so some might be commercial vessel owners who also “check the box” for party/charter permits. These state and federal numbers seem low compared to MRIP’s regularly updated list of 1,983 active 2023 New York for hire vessels identified for

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<sup>1</sup> For example:

-compliance and quality control for active vessel reporting (eVTR trips) and dealer reporting

-timely permit re-issuance (staff diverted to addressing missing DNF reports)

-IT staff diverted from variety of other critical needs such as new dealer model, universal trip ID feature, eVTR, etc.

potential for-hire surveys (pers com Lucas Johansen of NOAA). (Note vessels that never target Council-managed species in federal waters would not need GARFO permits.)

Reporting is a complicated situation without much certainty regarding compliance with either the permitting that triggers reporting, or the reporting itself (at the federal and/or state levels). DNF reports alone are unlikely to resolve related concerns. The best way to determine and improve compliance would likely be to develop a set of projects that evaluate awareness/compliance (in both commercial and for-hire operations) and then design additional outreach and enforcement measures to increase compliance. The development of those projects is beyond the scope of this memo but would likely need participation from at least GARFO, the Science Center, the Atlantic Fishery Councils, the Atlantic States Marine Fisheries Commission (ASMFC), individual states, the U.S. Coast Guard, and one or more Council Advisory Panels.