



THE SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

## **Modifications to South Atlantic For-hire Reporting October 2024**



# Overview



- Background
  - Reporting requirements and recent issues.
- Recent Council and HMS actions
  - Gulf of Mexico Fishery Management Council and HMS
  - South Atlantic Fishery Management Council
    - Overlap with other regions.
    - Measures not requiring an amendment.
- The FMP Amendment
  - Timing, draft Purpose and Need, measures being considered.
  - Discussion questions for the SEP.
    - Likely to be a multi-meeting discussion with the SEP, gathering initial recommendations and then more refined recommendations as the Council further develops the amendment.



# Reporting Requirements

- Southeast For-Hire Integrated Electronic Reporting (SEFHIER) Program was launched with the implementation of the Comprehensive For-Hire Electronic Reporting Amendment.
  - Covered the Snapper Grouper, Coastal Migratory Pelagic, and Dolphin Wahoo FMPs.
  - Regulations effective January 2021.
- Reporting requirements:
  - For-hire vessels (charter vessels or headboats) are required to electronically report each for-hire fishing trip.
  - Trips must be submitted weekly.
  - If no for-hire fishing activity occurred, a Did Not Fish (DNF) report must be submitted by the Tuesday following that reporting week.
  - DNF reports can only be submitted up to 30 days in advance.



# Reporting Requirements (continued)

- Information collected includes:
  - Trip start and end date, time, and location
  - Vessel and captain ID
  - Number of fishermen and crew
  - Method (general categories, e.g., troll, bottom, spear, drift)
  - Hours fished
  - Primary depth fished and general location
  - Target species
  - Number of each species kept and released
  - Economic component: Charter fee, fuel used, fuel price per gallon



# Recent Issues

- Overall compliance is low.
  - 83% of permitted vessels reporting at least one time in 2023.
  - BUT many vessels not meeting all reporting requirements such as:
    - The timing of reporting
    - Submitting DNF reports
    - Reporting all for-hire fishing trips
  - In 2023, only 37.4% of vessels were assessed to be meeting all reporting requirements of the SEFHIER program throughout the year.

# NMFS Guidance



- June 2024, the NMFS SERO and SEFSC noted that for-hire logbook data cannot be used for management due to low compliance and lack of validation.
- Recommendations included:
  - Require logbook submission prior to offload of catch,
  - A dockside intercept survey to estimate mis-reporting and non-reporting,
  - Require declaration/pre-landing combination submission prior to a trip,
  - Require landing only at approved landing locations, and
  - Require weekly did not fish reports when fishing does not occur.





# Recent Gulf Council Action

- Currently working on a for-hire reporting amendment.
  - Replace their previous reporting rule after it was set aside by the United States Court of Appeals for the Fifth Circuit in February 2023.
- This amendment includes actions that would:
  - Establish the frequency and mechanism for data reporting from charter vessels,
  - Modify the existing reporting requirements for headboats,
  - Establish trip notification and effort reporting requirements (“hail in-hail out”), and
  - Establish reporting of economic data.
    - Exploring a sampling rather than census approach for the economic component.



# Recent HMS Action

- NMFS Atlantic Highly Migratory Species (HMS) has published a proposed rule that would modify or expand reporting requirements, including reporting by commercial, for-hire, private recreational vessel owners, and dealers.
- In relation to for-hire reporting, the proposed rule would require:
  - Electronic reporting for all trips regardless of whether fish were caught,
  - Reporting of all species caught (including non-HMS) and fishing location,
  - Reporting within 24 hours of the end of each trip, and
  - Monthly no-fishing reports.
- Would require trip-level reporting of costs and earnings.
  - If selected, also report additional annual expenditure information via an annual survey.





# Recent South Atlantic Council Action

- June 2024 meeting, the Council passed a motion to start an amendment that:
  - Focuses on incorporating actions that can be taken in the near-term without an amendment, including additional outreach.
  - Considers actions and alternatives being considered by the Gulf council.
  - Considers actions to modify reporting frequency, hail in, hail out, landing locations, no fishing reports, and validation surveys.



# Recent South Atlantic Council Action (Continued)

- At the September 2024 meeting, it was noted that NMFS cannot validate the logbook until reporting compliance improves.
  - The Council requested feedback as to what level of compliance would be necessary for validation to take place and for data to be subsequently used in management.
- Reviewed the draft purpose and need statement, potential actions in the amendment, and requested additional information on several topics.
  - Process of approving landings locations.
  - Did not fish reports and how they may need to be changed.
  - How a validation survey would be administered.
  - In relation to the economic component: What other relevant programs require or are considering, and what would be the potential tradeoffs of moving from a census to a sampling approach.

# Measures that can be taken without an amendment



- **Improve Outreach**
  - Increase and improve outreach efforts.
- **Increase Enforcement**
  - Increase law enforcement officer presence on the water or dockside.
  - Better enforce harvest prohibition and ability to renew permits if delinquent on reporting.
- **Increase Monitoring**
  - Require observers
  - Increase dockside sampling
  - Administer a validation survey
- All are dependent upon prioritization of initiatives by NMFS and availability of resources (funding and personnel).

# SA permitted vessels operating in other regions



- Several for-hire reporting requirements are in place or are being developed.
  - Gulf Council and HMS are currently developing electronic for-hire reporting procedures.
  - Long-standing for-hire reporting requirements in the Mid-Atlantic and New England regions through vessel trip reports (VTRs).
  - Differ from those currently in place for the South Atlantic region.
- In 2020, 2,458 vessels with a South Atlantic Snapper for-hire permit.
  - 14% with a homeport in the Gulf of Mexico.
  - 12% with a homeport in the Mid-Atlantic or New England.
  - An unknown, but likely notable number of vessels also have for-hire HMS permits.
  - Consistency in reporting will likely be a major consideration.



# Questions on the background info?

- Coming up in the discussion:
  - Tentative timeline
  - Draft Purpose and Need statements
  - Draft measures being considered
  - Discussion questions for the SEP
- Any questions before jumping to the decision document?

# Tentative Timeline

September 2024	Reviewed potential measures to include in the amendment.
December 2024	Approve for scoping.
March 2025	Review scoping comments, approve actions and alternatives.
Spring 2025	Obtain feedback from advisors.
June 2025	Update amendment.
September 2025	Update amendment.
December 2025	Approve for public hearings.
Winter 2026	Conduct public hearings.
March 2026	Review public hearing comments and approve all actions.
June 2026	Consider approval for formal review.
2027/2028	Regulation changes become effective.



# Draft Purpose and Need Statements

- Purpose: The purpose of this amendment is to make modifications to the Southeast For-Hire Integrated Electronic Reporting Program to improve the accuracy, precision, and timeliness of landings, discards, fishing effort, and economic data for the for-hire component of the recreational sector of the snapper grouper, coastal migratory pelagics, and dolphin wahoo fisheries.
- Need: The need for this amendment is to improve compliance, adjust reporting requirements, and allow for data validation so the information collected can be used in managing the fisheries for snapper grouper, coastal migratory pelagics, and dolphin wahoo



# Measures being considered

- Will further develop draft actions in December.
  - Many consistent with what is being considered by the Gulf Council.
- Reporting frequency: Modify reporting frequency to require daily instead of weekly reporting.
  - Also includes provisions that would require reporting before offloading catch and/or reporting a trip within 30 minutes to an hour of completion.
- Trip notification: Require a trip notification (departure or “hail out”, landing location, and/or return or “hail in”) for for-hire vessels.
  - Potentially for any type of fishing or for-hire activity.
- Approved landing locations: For-hire trips would need to offload at pre-approved locations.

# Measures being considered (continued)



- Require participation in a validation survey: Participation in a validation survey would be mandatory as a condition of a for-hire permit.
- DNF reports: Potentially change the frequency of DNF reports.

# Measures being considered (continued)



- Economic component: Move from a census (i.e., economic information required for every trip) to random sampling (i.e., economic information required on some but not all trips) approach to gather charter fee, fuel usage, and fuel cost.
  - The census approach has been controversial and received a notable amount of stakeholder pushback.
  - The Gulf Council is considering a random sampling approach to gather economic information through a for-hire logbook.
  - HMS is considering a census approach to gather trip-level economic information through a for-hire logbook.
  - The Mid-Atlantic and New England regions do not gather economic information on required vessel trip reports (VTRs).



# Discussion Questions

- 1) Incentivizing reporting: Figuratively speaking, there are several “sticks” (i.e., requirements) and not many “carrots” (i.e., incentives) being considered in this amendment. Does the SEP have any suggestions on how to potentially incentivize for-hire reporting compliance?



# Discussion Questions (continued)

- 2) Changes to the economic component of the logbook: The Gulf Council is considering an action that may implement a random sampling method rather than a census for the economic component of their for-hire reporting requirement. The range being considered by the Gulf Council is 10% to 33% of for-hire trips that would be sampled.
- a. What does the SEP recommend that the Council consider regarding an action that would implement a random sampling method for the economic component of the for-hire logbook?
  - b. If a random sampling method were implemented to gather economic information on the for-hire logbook, does the SEP have recommendations for the percentage of trips that should be sampled (i.e., up to a certain percentage of total trips that would be sampled)?
  - c. Please discuss some of the strengths and weaknesses of a census vs. sampling methodology to gather social and economic data.
    - i. What are the potential tradeoffs if the economic component of the for-hire logbook switched from a census to random sampling methodology?
      - 1) Reporting burden?
      - 2) Incentivizing logbook compliance?
      - 3) Administrative burden?
      - 4) Application of the results in analyses?
    - ii. Does the SEP feel there are net benefits to one method over the other in the context of the economic component of the for-hire logbook?



# Discussion Questions

- 3) Use of logbook information: NMFS has stated that the existing logbook information cannot be used in any sort of management sense due to low overall compliance (a 37.4% compliance rate in 2023) and lack of validation.
- a. Does the SEP have any recommendations for a realistic target compliance rate (i.e., less than 100%) that would need to be reached before logbook data can be used in management?
    - i. Please describe some of the uses in relation to various compliance rates. Would there need to be a different minimum compliance rate for different uses of the data? For example, would one need a different minimum compliance rate for application of summary economic statistics vs tracking ACLs?



# Discussion Questions

- 4) Importance of consistency in reporting requirements: As noted, there are a considerable number of vessels (approximately 24% of total for-hire permitted vessels) operating in regions outside of the South Atlantic, and an unknown but likely notable number of vessels also have for-hire HMS permits. The Gulf Council and HMS are currently developing their own electronic for-hire reporting procedures. Additionally, there are long-standing for-hire reporting requirements in the Mid-Atlantic and New England regions through VTRs. Each one of these programs has varying reporting requirements that differ from those currently in place for the South Atlantic region.
- a. Does the SEP have any comments or recommendations for the Council to consider about the importance of consistency across for-hire reporting requirements?





# Discussion Questions

- 5) Other items: Are there additional items or topics that the SEP recommends that the Council consider exploring that could improve compliance with the for-hire logbook or utility of logbook data?
- 6) Additional information: Assuming that this amendment moves forward, the SEP is likely going to review it again at the upcoming Spring 2025 meeting. What additional information would the SEP like to receive as briefing materials to better provide guidance to the Council?