

GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

DATA COLLECTION COMMITTEE

Webinar

January 26, 2022

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- 11 Kevin Anson (designee for Scott Bannon).....Alabama
- 12 Leann Bosarge.....Mississippi
- 13 Dave Donaldson.....GSMFC
- 14 Jonathan Dugas.....Louisiana
- 15 Bob Gill.....Florida
- 16 Jessica McCawley.....Florida
- 17 Chris Schieble (designee for Patrick Banks).....Louisiana
- 18 Andy Strelcheck.....NMFS
- 19 Greg Stunz.....Texas
- 20 Troy Williamson.....Texas

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1 The Data Collection Committee of the Gulf of Mexico Fishery
2 Management Council convened on Wednesday morning, January 26,
3 2022, and was called to order by Chairman Susan Boggs.

4
5 **ADOPTION OF AGENDA**
6 **APPROVAL OF MINUTES**
7 **ACTION GUIDE AND NEXT STEPS**
8

9 **CHAIRMAN SUSAN BOGGS:** I would like to call the Data Collection
10 Committee to order. The members of our committee, and I believe
11 everyone is present, are myself, Susan Boggs, as Chair, Dr. Greg
12 Stunz as Vice Chair, Chris Schieble, Kevin Anson, Leann Bosarge,
13 Dave Donaldson, J.D. Dugas, Bob Gill, Jessica McCawley, Andy
14 Strelcheck, and Troy Williamson.

15
16 The first item on our agenda today is the Adoption of the
17 Agenda, and that is Tab F, Number 1. Does anyone have any
18 changes or additions to this agenda? Hearing none, we will
19 consider the agenda adopted.

20
21 The next item is the Approval of the October 2021 Minutes, and
22 that's Tab F, Number 2. Again, does anyone have any changes to
23 that document? Kevin Anson.

24
25 **MR. KEVIN ANSON:** Thank you, Madam Chair. I just have two, and
26 they are small typos, but, on page 19, line 1, change "even" to
27 "event", and, page 24, line 39, change "outliner" to "outlier".
28 Those are my recommendations. Thank you.

29
30 **CHAIRMAN BOGGS:** Thank you, Kevin. Any additional changes?
31 Seeing none, we will consider the minutes adopted with the
32 changes made by Kevin Anson. The next item on our agenda is the
33 Action Guide and Next Steps, and that's Tab F, Number 3. Dr.
34 Hollensead, would you like to take us through that?

35
36 **DR. LISA HOLLENSEAD:** Sure, Madam Chair. I was going to ask if
37 you would like me to go through each agenda item as we progress
38 through the meeting, or would you like me to go through the
39 entire action guide right now?

40
41 **CHAIRMAN BOGGS:** I would suggest we do it as we progress through
42 the meeting, and so starting with the first item would be great.
43 Thank you.

44
45 **DRAFT FRAMEWORK ACTION: MODIFICATION TO LOCATION REPORTING**
46 **REQUIREMENTS FOR FOR-HIRE VESSELS AND REEF FISH ADVISORY PANE**
47 **RECOMMENDATIONS**
48

1 **DR. HOLLENSHAD:** Okay, and so the first agenda item is Agenda
2 Item IV, and this is a review of the Draft Framework Action:
3 Modification to Location Reporting Requirements for For-Hire
4 Vessels and Reef Fish Advisory Panel Recommendations.

5
6 This item is related to the upcoming Phase 2 of the SEFHIER
7 program, which requires participants to install a VMS on the
8 vessel. This document would create an exception to the VMS
9 requirement, should and unforeseen failure in the VMS equipment
10 occur. Additionally, the Reef Fish AP passed several motions
11 related to this item, and Ms. Carly Somerset can also provide
12 that information on those recommendations as she reviews the
13 document.

14
15 **CHAIRMAN BOGGS:** Thank you, Dr. Hollensead. Ms. Somerset, are
16 you ready?

17
18 **MS. CARLY SOMERSET:** I am ready. Thank you, Madam Chair.

19
20 **CHAIRMAN BOGGS:** Please proceed.

21
22 **MS. SOMERSET:** Thank you. Just to remind the committee where
23 we're at with this framework action, the council saw this
24 document at the last meeting in October, and, per discussion at
25 that meeting, this framework action has been updated since then.
26 Also, the Reef Fish AP reviewed the updated document and made
27 some recommendations, and, as Lisa stated, I will go through
28 those as well, after I take us through the document.

29
30 Chapters 3 and 4 have been completed, and so the analyses have
31 been all completed within those chapters, and so, just overall,
32 if the committee so chooses, you can pick preferreds, and then
33 the document could move forward with final action in April, and
34 it would be ready at that point, for final action.

35
36 In Chapters 1 and 2, they have largely remained the same. The
37 document now includes only an exemption for for-hire vessels
38 with reef fish and/or CMP permits, and so Chapter 1, the
39 introduction, this has removed any vessels with commercial reef
40 fish permits, and, therefore, the exemption would not apply to
41 them, and, as a note here, that would mean that, also, any dual-
42 permitted vessels with commercial reef fish permits would not be
43 applicable, or the exemption would not apply to them.

44
45 Information that was pertinent to commercial vessels has been
46 removed from the background, and, in Chapter 2, which we will go
47 to in a minute, Action 2 was removed, and that was the action
48 that applied the exemption to vessels with commercial reef fish

1 permits, and so we now have one action.
2
3 I will just move through these quickly, just as a brief
4 overview, and so Action 1 modifies the VMS requirements for
5 vessels with a charter vessel or headboat permit for reef fish
6 or one with a coastal migratory pelagics fish permit, to allow
7 an exemption for VMS requirements, to address any equipment
8 failure, and so there are two alternatives, Alternative 1 being
9 the no action, and that would maintain the requirement for these
10 vessels to have a VMS onboard and operational at all times,
11 unless they are approved for a power-down exemption by NMFS.
12
13 Then Alternative 2 would create an exemption to the VMS
14 requirement for any equipment failure, and it would set a limit
15 on the number of calendar days for the NMFS-approved exemption
16 for vessels with reef fish and/or CMP permits, and so we have
17 three options.
18
19 Option 2a is the exemption will be valid for up to seven days
20 from the submittal date, and Option 2b is for ten days, and
21 Option 2c is for fourteen days, and so I will note there that
22 the changes that have been made since you all saw the document
23 previously are we have added text in Alternative 2 to specify
24 calendar days, and, also, if you remember from the last meeting,
25 there was an Option 2a that had three days from submittal date,
26 and, based on discussion at the last meeting, as well as the
27 Reef Fish AP meeting, this has been changed to seven days from
28 submittal date, and a new option was added, Option 2c, for
29 fourteen days from submittal date, and so those were the major
30 updates that occurred.
31
32 Alternative 3 remains the same as you saw previously, and that
33 would create an exemption to the VMS requirements, to set a
34 limit on the number of times a permit holder can request an
35 exemption per calendar year per vessel, and, here, the options
36 remain the same.
37
38 3a is the permit holder may request on exemption per calendar
39 year per vessel, and Option 3b is two exemptions, and Option 3c
40 is three exemptions per calendar year per vessel, and, also, a
41 note with that is that, as a reminder, Alternatives 2 and 3 can
42 be selected concurrently.
43
44 Those were the changes that have been made to the document,
45 along with the additions of Chapters 3 and 4, and so, briefly, I
46 will go through the Reef Fish AP recommendations.
47
48 While Bernie is bringing that up, I know we did discuss,

1 yesterday, briefly, towards the end of the day, and Captain Ed
2 Walker and Ryan summarized some of the Reef Fish AP
3 recommendations that had to do with the autofill reporting and
4 the COLREGS, and so we will move into that discussion at a later
5 time during the Data Collection Committee, and so, right now, I
6 will just focus on the recommendations from the Reef Fish AP
7 that have to do with this framework action.

8
9 The first one, the Reef Fish AP recommended the council continue
10 to work on this document as it stands currently, independent of
11 the commercial sector, and, so, as I stated, the commercial
12 sector has been removed from this document, and it now only
13 focuses on vessels with reef fish and CMP permits.

14
15 The Reef Fish AP also recommended, for the document framework
16 action, in Action 1, Alternative 2, to make the new added
17 council sub-option of fourteen days the AP-recommended
18 alternative, and so, during discussion of the Reef Fish AP, they
19 agreed with the council motion that a fourteen-day -- An option
20 for a fourteen-day exemption would help with flexibility for
21 allowing vessels to either get their equipment fixed, or
22 possibly even have a new one shipped to them, and part of the
23 discussion included supply chain issues and possible shipment
24 delays, and so they did agree that this would allow more time
25 for repairs or the addition of new VMS to the vessel, and so
26 they were amenable to that change.

27
28 Then the next motion is the Reef Fish AP recommended -- They
29 made some preferreds. In Alternative 3, make Option 3c the
30 preferred, and so this was the permit holder requesting three
31 exemptions per vessel per calendar year, and so all these
32 motions carried unanimously, and, basically, the Reef Fish AP
33 would like the fourteen-day option and the three exemptions per
34 year, to allow the most time and flexibility for them, if they
35 do have any equipment failure or issues, and I believe that was
36 all the motions made by the Reef Fish AP, and I'm happy to take
37 any questions.

38
39 **CHAIRMAN BOGGS:** Thank you, Ms. Somerset. Does anyone have any
40 questions or comments? Mr. Gill.

41
42 **MR. BOB GILL:** Thank you, Madam Chair. I don't have any
43 questions or comments, and I do believe it's desirable to choose
44 a preferred in both Alternative 2 and Alternative 3, but I
45 believe it would be easier if we did them separately. **With that**
46 **in mind, I move that, in Action 1, the preferred be Alternative**
47 **2, Option 2c.**

48

1 **MR. J.D. DUGAS:** I will second.
2
3 **CHAIRMAN BOGGS:** All right. We'll get the motion on the board.
4 While Bernie is getting the motion on the board, is there any
5 discussion? As soon as she gets it on the board, I will read
6 the motion. Bob, is your hand still up? Andy.
7
8 **MR. ANDY STRELCHECK:** Thanks, Madam Chair. I am opposed to this
9 motion, and let me explain why. My concern is multiple things,
10 but we really need to think about this from the standpoint of
11 what we're trying to accomplish with the SEFHIER program, and,
12 yes, we want to, obviously, address and ensure that there's not
13 economic impacts to the charter fishing industry, with regard to
14 their inability to make trips, because their VMS device isn't
15 working.
16
17 With that said, this creates, obviously, some huge gaps and
18 holes, potentially, in data collection and enforcement, and, not
19 knowing, obviously, where we're going to go with the next
20 alternative, if we select three exemptions at fourteen days, you
21 could be looking at a month-and-a-half of potentially a vessel
22 not reporting VMS information, and so, to me, I think that's
23 highly problematic.
24
25 Any time that, obviously, the VMS is not working, we're going to
26 have to be estimating effort and gaps in data and having
27 alternative mechanisms, obviously, to determine whether or not
28 trips are occurring and logbooks are being submitted in a timely
29 fashion, and so I'm opposed to this motion.
30
31 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. Bob, I will get to
32 you in just a moment, but I would like to comment to Andy, and I
33 was going to ask this question when we got through these
34 motions, but one of the issues that our business is currently
35 facing, and it's a little different than this, but I ordered a
36 VMS two weeks ago, and they don't know when they're going to get
37 it, and so I don't even know if we're going to be to comply by
38 March 1st, because that's even another issue that this council
39 and the agency is going to look at.
40
41 I understand what you're saying, and I don't disagree with what
42 you're saying, but this is a new program, and you're going to
43 have a lot of vessels coming into the program at once, and a lot
44 of vessels, I think, are not even signed up, or even have the
45 VMS, and we're going to have some issues on the frontend of
46 this, and I don't exactly know how we address it. I know this
47 is a little bit different, but my point that is, if you can't
48 get the equipment, what do you do? Leann, please.

1
2 **MS. LEANN BOSARGE:** Thank you, and I was hoping that you would
3 speak to the motion, Susan, and you did that, and so, since you
4 are a representative on the council for that sector, and so I
5 appreciate that, and I was wondering what your thoughts were.
6

7 I think I'm going to support the motion, and so, Susan, you
8 all's actual -- We can't get effort data from your VMS for
9 fishing, hook-and-line fishing, and all we can do, from your
10 VMS, is to validate whether the boat actually left the dock or
11 not, and so you all are going to send in your effort data
12 through eTRIPS, and so you have a separate app for that, and
13 that's your logbook, and the only -- The scientific purpose of
14 the logbook is just -- I mean of the VMS is to say, okay, we got
15 all these logbooks in, and these people say this is their
16 effort, and now was there anybody that left the dock, but didn't
17 tell us, in their logbook, that they went fishing that day.
18

19 To me, yes, it's an important step, but it's not your primary
20 data for effort, and it's simply the validation piece, and so I
21 think it's just fine. This VMS is supposed to be for scientific
22 purposes for your fleet, and I think it will be okay if, every
23 once in a while, we have a boat that has a fourteen-day
24 exemption.
25

26 I mean, I think most people are good apples, and not bad apples,
27 and I don't think they're going to be trying -- They will still
28 be submitting their effort data on their logbooks, and so we
29 still get the scientific data, but it's just the validation
30 piece for those people that are bad apples, or that forget
31 something, that we can't tell when they left the dock, that they
32 did take a trip and forgot to put it on their logbook, and so I
33 am totally fine with a fourteen-day exemption on scientific data
34 purposes for VMS.
35

36 **CHAIRMAN BOGGS:** Thank you for your comments, Ms. Bosarge. Mr.
37 Gill.
38

39 **MR. GILL:** Thank you, Madam Chair, and I understand Andy's
40 point, and I agree with him, but, if we're considering allowing
41 exemptions, in order to minimize economic impact, then we ought
42 to also need to consider what's reasonable under those
43 exemptions, and I think, as Susan pointed out, it's not clear to
44 me that you're going to get a problem resolved in seven or ten
45 days. Maybe ten, but seven -- You're going to have be awful
46 lucky, with things going your way, and perhaps not even in
47 fourteen, but I think fourteen is a reasonable time to allow
48 recovery from whatever the malfunction was, of whatever form,

1 and that makes sense, to me.

2
3 Yes, the downside is that you don't have data reporting for that
4 time, but, if that's the major issue, then the no action
5 alternative is probably the one that Andy is arguing for, and I
6 don't think that's the will of the council. Thank you, Madam
7 Chair.

8
9 **CHAIRMAN BOGGS:** Thank you, Mr. Gill. Mr. Strelcheck.

10
11 **MR. STRELCHECK:** I will get to responding to Bob in a minute,
12 but a few things here. This is more than just a scientific
13 program, and it is, obviously, for compliance as well, right,
14 and so the VMS is intended to validate whether or not a trip has
15 occurred, and we know that many of the vessels in our fleet
16 conduct multiple trips a day, and so matching those up with
17 logbooks, and being able to then estimate catch and effort
18 estimates from all of that information, is going to be really
19 critical and important.

20
21 The more often, obviously, that vessels are not providing the
22 data, through the VMS, the less eyes in the sky, so to speak, to
23 validate the information we have and the more we're going to
24 have to fill holes and gaps in the data.

25
26 With the seven-day requirement, and so I'm not opposed to having
27 an exemption, and I want to make it clear and respond to Bob.
28 With the seven-day requirement, we have said nothing with regard
29 to being able to stack those back to back to back, to give you
30 more time, in the event of supply chain issues, or shipping
31 issues, and I don't know, in your situation, Susan, what's
32 causing the backlog.

33
34 We have done our due diligence to confirm, with the vendors,
35 that they have plenty of units in stock and readily available to
36 support the needs of this program, right out of the gate, and so
37 are we experiencing some backlogs and issues related to the
38 program startup, and the fact that lots and lots of people are
39 getting these units all at one time?

40
41 I don't know that, and so I would love to, obviously, get some
42 input from staff, in terms of any conversations that they've had
43 with the VMS vendors with regard to reasonable turnaround times
44 for these units to be provided to the industry, in the event
45 that it fails, but my opposition to the fourteen days is I think
46 it's too long, and I think we still have flexibility, with a
47 shorter exemption period, to be able to stack those back to back
48 to back, if necessary, to extend the timeframe in which a vessel

1 would be exempted from the regulations, in the event that they
2 couldn't get a unit or had a catastrophic problem with the unit.
3 Thanks.

4

5 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. Ms. Levy.

6

7 **MS. MARA LEVY:** Thanks. I just wanted to make a few comments
8 about things I've heard related to enforcement, and mostly
9 related to enforcement of the reporting requirements and such.
10 In the past, the council has asked about what the penalties are
11 for non-reporting and how we can enforce reporting requirements
12 more and things like that, and I think I just wanted to point
13 out that, from the enforcement perspective, from what I heard,
14 depending on how this type of exemption is implemented, how
15 specific we are about when you can get the exemption and if we
16 require any type of documentation, about failure, the thought
17 being that this isn't really going to be enforceable, meaning,
18 if it's too broadly implemented, then enforcement is not going
19 to be able to know whether people really have an equipment
20 failure or not, whether they're just not reporting, and so I
21 just feel like it's a consideration for the council, given that
22 you've been so interested in making sure that people do file
23 their required reports and comply with other reporting
24 requirements. Thanks.

25

26 **CHAIRMAN BOGGS:** Thank you, Ms. Levy. Ms. Somerset.

27

28 **MS. SOMERSET:** Thank you, Madam Chair. I have a couple of
29 comments. To Andy's point, and it's in the document, and, if I
30 should have reiterated it earlier, I apologize, but the main
31 purpose of the VMS for the for-hire sector is to improve effort
32 validation, and not that compliance isn't a secondary order of
33 importance, but it is not the main purpose. We did have
34 compliance as the main purpose for the commercial sector, to
35 make sure that they are not fishing in restricted areas.
36 However, commercial vessels have been removed from this
37 document, and so not that compliance isn't important.

38

39 To Mara's point, I believe that OLE can see the data that is
40 coming in from the VMS, and I believe that Matt Walia might be
41 online, if any of them would like to speak to this, but the main
42 purpose is to improve effort validation, and I believe that
43 Dylan spoke at the Reef Fish AP meeting, and this has also come
44 up in several of our IPT meetings, that the VMS vendors are as
45 prepared as they possibly can be to get units out.

46

47 However, with supply chain issues and issues with shipping,
48 there is only so much they can do, and so not for lack of

1 trying, and I'm sure they have reiterated that they will do
2 everything they can, and I think some of that is out of their
3 control, and I believe, as Bob mentioned, seven days may not be
4 enough time, and so that was part of the discussion at the last
5 council meeting, that three days was likely inadequate to either
6 get an entirely new unit shipped, or to even have it repaired,
7 and there have been some conversations with vendor distributors,
8 or even technicians that go out and repair units, and I believe
9 he was on one of our VMS outreach meetings, and he said he was
10 booked out six weeks.

11
12 If someone needed their equipment fixed, they would possibly be
13 waiting up to six weeks to even have someone come and get it
14 looked at, and so I just wanted to make those points on the
15 record for this discussion. Thank you.

16
17 **CHAIRMAN BOGGS:** Thank you, Ms. Somerset, and, to Carly's point,
18 our vendor here locally told me that, if I called him today for
19 a repair on our existing unit, it would probably be four to six
20 weeks, but Carly mentioned that Matt Walia is on the line, and I
21 don't know if Matt would like to comment, as far as enforcement.
22 Otherwise, Dr. Gloeckner.

23
24 **DR. DAVE GLOECKNER:** I have a couple of points that I wanted to
25 make, and Andy may have touched on this, but we can use the VMS
26 data for effort, and we probably will use the VMS data for
27 effort, when we're talking about spatial planning and for
28 comparison against what we're actually getting from the captains
29 in the logbook reports, and so we can use it for effort, and I
30 just wanted to make sure that we all understood that.

31
32 Then keep in mind that, while these boats are exempted, the data
33 is basically like the South Atlantic data on it, and so it
34 reduces the usability, and so those were the two points that I
35 kind of wanted to make.

36
37 **CHAIRMAN BOGGS:** Thank you, sir. I appreciate that. Ms. Levy,
38 I will get to you, but I want to let Officer O'Malley speak to
39 this issue, please.

40
41 **MR. JOHN O'MALLEY:** Good morning. I just wanted to say, in
42 regard to the two weeks, one of the issues we're going to have
43 is it would definitely be difficult to determine how many times
44 somebody did go out fishing if their VMS is off and they haven't
45 reported, and so we really have no other way of knowing what
46 kind of fishing activity occurs during the downtime.

47
48 **CHAIRMAN BOGGS:** Thank you, sir. I appreciate that. Ms. Levy.

1
2 **MS. LEVY:** Thanks, and I just wanted to clarify that I wasn't
3 talking about the VMS necessarily being primarily an enforcement
4 tool, although I think it is important for enforcement. What my
5 point was is that, depending on how broadly the exemption is
6 implemented, and whether any additional verification is
7 required, actually verifying that people have equipment failure
8 and are using the exemption appropriately is not going to be
9 enforceable.

10
11 Then you could potentially have a lot of people using the
12 exemption, and then you can't enforce the reporting
13 requirements, which include VMS, and the only reason I'm
14 bringing that up is because the council has been very
15 interested, in the past, about making sure that people comply
16 with the reporting requirements, and, in this case, the
17 reporting requirements include both the logbook and the VMS. I
18 just wanted the council to be aware of the enforcement
19 implications when you go down this road of these broad types of
20 longer exemptions. Thank you.

21
22 **CHAIRMAN BOGGS:** All right. Mr. Gill, and then Ms. Somerset,
23 and then we're going to vote on this motion. Thank you.

24
25 **MR. GILL:** Thank you, Madam Chair. I would like to clarify at
26 least my understanding of Andy's comments, that we can apply
27 these exemptions back to back to back, and, the way I read this
28 amendment, Alternative 2 is a standalone. It's a one-time shot.

29
30 How many times it might be utilized, either sequentially or
31 independently, is Alternative 3, which we haven't chosen yet,
32 and we could choose, despite the Reef Fish AP's recommendation
33 for 3c, we could choose 3a, and so it's not clear to me, based
34 on what we're doing currently, that there is any back-to-back
35 option necessarily available, and, if that's incorrect, I would
36 like to be clarified and corrected, because that's my
37 interpretation of what we're doing.

38
39 **CHAIRMAN BOGGS:** Ms. Somerset.

40
41 **MS. SOMERSET:** Thank you, Madam Chair. I will make this quick.
42 To Bob's point, there is nothing stopping -- There is nothing in
43 writing, or the regulations, when this exemption goes into
44 effect, that would stop concurrent exemptions. However, my
45 other point that I wanted to make is that I believe the council
46 was emailed the VMS vendors -- It was a summary of how their
47 units worked, and it also pointed towards the very low failure
48 rates, and it's been observed in -- The commercial sector has

1 had VMS since 2007, I believe, and so satellite VMS failure
2 rates have been observed to be less than 5 percent, or possibly
3 even less than 1 percent.

4
5 Of course, we don't know how the cellular VMS rates on for-hire
6 vessels will -- What their failure rate will be, because they
7 have never been used before, but this is likely to be rare, and
8 so this is in the document, that, if we're assuming that the
9 failure rates are low, and they don't occur on multiple vessels
10 at one time, then this would likely not be an issue of across-
11 the-board catastrophic failure of all the VMS units on all
12 boats, and so the data gaps should be minimal, if we go by the
13 observed failure rates of the satellite VMS. Thank you.

14
15 **CHAIRMAN BOGGS:** To Ms. Somerset's point, and I know I've made
16 this comment numerous times to this council, during the Headboat
17 Collaborative, there were very few times that we had failures,
18 and I wouldn't say they were a failure, and it was something
19 fairly simple that was fixed in a day, and so we just need to
20 ensure that these vessels do not lose fishing trips, because,
21 when you lose a day, you can't make up day, and, where we go
22 with this, I'm not sure. Mr. Strelcheck, and then I will read
23 the motion. Thank you.

24
25 **MR. STRELCHECK:** Thanks, Madam Chair. I mentioned earlier that
26 I speak against this motion, and Bob certainly brings up a good
27 point, and I'm, I guess, looking into the crystal ball and
28 expecting that the council is going to prefer Option 3c, going
29 forward, which would put this at a maximum of forty-two days
30 exempted per year, and I could be wrong about that, when we get
31 to Alternative 3, but that certainly was my thought process on
32 this.

33
34 **With that said, I mean, you've heard my comments, and I'm going**
35 **to make a substitute motion to select Alternative 2, Option 2a**
36 **as the preferred, and, if I get a second, I will further explain**
37 **it.**

38
39 **MS. JESSICA MCCAWLEY:** I will second for discussion.

40
41 **CHAIRMAN BOGGS:** Thank you, Ms. McCawley.

42
43 **MR. STRELCHECK:** Thanks, Jessica, and so I've talked about this
44 already, but I just want to reemphasize it. Obviously, the
45 council was very specific in developing this program, with the
46 foresight that we needed better tools to validate logbook
47 submissions, right, and so, as has been discussed by numerous
48 people, if there are exemptions, especially for long periods of

1 time, that is going to make it much more difficult to monitor
2 compliance and reporting, and it will certainly diminish the
3 quality of the data and information that would be coming into
4 the agency, as well as coming back to the council for
5 management.

6
7 It also will impact, obviously, enforcement and compliance,
8 because of our inability to ensure that, when trips are being
9 taken, that the reports are coming in, and I certainly
10 appreciate and recognize, obviously, there are some supply chain
11 issues right now, and that there are some problems, obviously,
12 with kind of timely receiving the units, and I don't -- I feel
13 like the council is getting caught up in kind of the
14 implementation of the program and not looking at the long-term
15 goals and objectives of the program and what we're really trying
16 to accomplish with this improvement in data collection.

17
18 I see Alternative 2a as preferred, and, yes, it's shorter, but,
19 as Carly and I have mentioned, nothing prevents those exemptions
20 from being stacked back to back, if vessels need additional time
21 for exemptions, and we go with Option 3c in the next
22 alternative. Thanks.

23
24 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. Okay. J.D., you
25 get the last word.

26
27 **MR. DUGAS:** Thank you, Madam Chair. I am trying to comprehend
28 what Andy just said. You know, I supported the first motion
29 from Mr. Gill, and, me personally, I am against any kind of VMS
30 regulation on a charter vessel, and I think it should be a
31 voluntary deal. Some guys want it, and some guys don't want it,
32 and I'm just looking at giving these charter guys the most
33 convenient path when they're having issues with these systems
34 and, like you said, getting new parts or ordering and delivery
35 times and all this stuff going on nowadays, and so that's my
36 reasoning for taking the fourteen days, and I just wanted to
37 share that. Thank you.

38
39 **CHAIRMAN BOGGS:** Okay. Thank you, J.D. We have a substitute
40 motion on the board. I will read the motion. **In Action 1, to**
41 **make Alternative 2, Option 2a, the preferred. Alternative 2 is**
42 **to create an exemption to the VMS requirement to address**
43 **equipment failure and set a limit on the number of calendar days**
44 **this NMFS-approved exemption is valid for vessels with charter**
45 **vessel/headboat permits for reef fish and/or CMP. Option 2a is**
46 **the exemption will be valid for up to seven days from submittal**
47 **date. Dr. Simmons.**

48

1 **EXECUTIVE DIRECTOR CARRIE SIMMONS:** Thank you, Madam Chair. I
2 will just call the committee names. Mr. Strelcheck.
3
4 **MR. STRELCHECK:** Yes.
5
6 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Gill.
7
8 **MR. GILL:** No.
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
11
12 **MS. BOSARGE:** No.
13
14 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Schieble.
15
16 **MR. CHRIS SCHIEBLE:** No.
17
18 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
19
20 **DR. GREG STUNZ:** Yes.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
23
24 **MR. ANSON:** Yes.
25
26 **EXECUTIVE DIRECTOR SIMMONS:** Ms. McCawley.
27
28 **MS. MCCAWLEY:** No.
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.
31
32 **MR. DUGAS:** No.
33
34 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Williamson.
35
36 **MR. TROY WILLIAMSON:** Yes.
37
38 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Donaldson.
39
40 **MR. DAVE DONALDSON:** No.
41
42 **EXECUTIVE DIRECTOR SIMMONS:** The motion failed four to six.
43 Madam Chair.
44
45 **CHAIRMAN BOGGS:** Thank you, Dr. Simmons. Okay. Now we have
46 another motion on the board. J.D., is your hand still up?
47
48 **MR. DUGAS:** No, ma'am. That's from before.

1
2 **CHAIRMAN BOGGS:** Kevin Anson.
3
4 **MR. ANSON:** Thank you, Madam Chair. I am wondering, just
5 procedurally, how to go out -- **I guess it would be a new**
6 **substitute motion, or a second substitute, and I don't know, and**
7 **the other one failed, and so probably just another substitute,**
8 **but I would like to offer Option 2b as the preferred.**
9
10 **EXECUTIVE DIRECTOR SIMMONS:** Madam Chair, I think you have to
11 vote on the other motion, since you voted on the substitute, but
12 I will defer to Ms. Levy.
13
14 **CHAIRMAN BOGGS:** Ms. Levy.
15
16 **MS. LEVY:** Honestly, I don't know the answer to that question.
17 We don't exactly follow Roberts Rules with these substitutes
18 anyway, except for the fact that we don't allow more than two,
19 and so I don't know, because we're not very good at being strict
20 about this stuff.
21
22 **EXECUTIVE DIRECTOR SIMMONS:** Okay. Then it's up to you, Madam
23 Chair, then.
24
25 **CHAIRMAN BOGGS:** Kevin, I will entertain the substitute motion.
26 You know, let's -- I don't know what to do. I think we know
27 where this is going to go. Well, number one, we don't even have
28 a second on the motion. I say that --
29
30 **EXECUTIVE DIRECTOR SIMMONS:** Madam Chair, did you want Mr. Anson
31 to make a substitute motion, or did you want to vote on the
32 original motion, and I believe that's the question right now.
33
34 **CHAIRMAN BOGGS:** Well, and that's where I am flailing, because I
35 was hoping that Ms. Levy would help me out here. I feel like we
36 need to go ahead and vote on the original motion, and, I mean, I
37 kind of see the writing on the wall, where this is going to go,
38 and so, if I have the executive say, Kevin, I'm sorry, and let's
39 go ahead and vote on the motion that Mr. Gill made, and, if that
40 one should not pass, then we'll come back and hear your
41 substitute motion, but i just really don't know what the
42 appropriate thing is to do here, and so I'm going to go with my
43 gut and just go with the motion on the board. I will read the
44 motion on the board. Kevin, did you want to comment?
45
46 **MR. ANSON:** Not at this time.
47
48 **CHAIRMAN BOGGS:** Thank you. All right. **The motion on the board**

1 is, in Action 1, to make Alternative 2, Option 2c, the
2 preferred. Alternative 2 is to create an exemption to the VMS
3 requirement to address equipment failure and set a limit on the
4 number of calendar days that the NMFS-approved exemption is
5 valid for vessels with charter vessel/headboat permits for reef
6 fish and/or CMP. Option 2c is the exemption will be valid for
7 up to fourteen days from the submittal date. Dr. Simmons.
8
9 EXECUTIVE DIRECTOR SIMMONS: Thank you, Madam Chair. Ms.
10 Bosarge.
11
12 MS. BOSARGE: Yes.
13
14 EXECUTIVE DIRECTOR SIMMONS: Mr. Donaldson.
15
16 MR. DONALDSON: No.
17
18 EXECUTIVE DIRECTOR SIMMONS: Mr. Gill.
19
20 MR. GILL: Yes.
21
22 EXECUTIVE DIRECTOR SIMMONS: Ms. McCawley.
23
24 MS. MCCAWLEY: Yes.
25
26 EXECUTIVE DIRECTOR SIMMONS: Mr. Strelcheck.
27
28 MR. STRELCHECK: No.
29
30 EXECUTIVE DIRECTOR SIMMONS: Mr. Williamson.
31
32 MR. WILLIAMSON: No.
33
34 EXECUTIVE DIRECTOR SIMMONS: Mr. Anson.
35
36 MR. ANSON: No.
37
38 EXECUTIVE DIRECTOR SIMMONS: Mr. Schieble.
39
40 MR. SCHIEBLE: Yes.
41
42 EXECUTIVE DIRECTOR SIMMONS: Dr. Stunz.
43
44 DR. STUNZ: No.
45
46 EXECUTIVE DIRECTOR SIMMONS: Mr. Dugas.
47
48 MR. DUGAS: Yes.

1
2 **EXECUTIVE DIRECTOR SIMMONS:** The motion failed, Madam Chair,
3 four to six.
4
5 **CHAIRMAN BOGGS:** Mr. Anson.
6
7 **MR. STRELCHECK:** It failed five to five.
8
9 **CHAIRMAN BOGGS:** Yes, that's what I thought.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Okay, and so, Madam Chair, you will
12 have to vote.
13
14 **CHAIRMAN BOGGS:** I know. Jeez. I am going to say no.
15
16 **EXECUTIVE DIRECTOR SIMMONS:** The motion failed.
17
18 **CHAIRMAN BOGGS:** Mr. Anson, if you would, please, move forward
19 with your motion. Thank you.
20
21 **MR. ANSON:** Thank you, Madam Chair. **Yes, I would like to offer**
22 **a motion to make, in Alternative 2, Option 2b the preferred.** If
23 I get a second, I will chime in, if you allow it.
24
25 **MR. STRELCHECK:** Second.
26
27 **CHAIRMAN BOGGS:** Motion by Mr. Anson. Is there discussion?
28
29 **MR. ANSON:** I will be brief. I didn't join the conversation for
30 the first motion, and we're embarking on a new program, and
31 there's some unknowns for everyone that is going to be
32 submitting the data, and so, to some extent, we need to allay
33 some fears. There is unknowns, in their minds, from the supply
34 issues and such, and technician availability, and so I think we
35 need to be cognizant of that, and everyone sounds like they are,
36 but it's just trying to get down to what is an appropriate
37 amount of time.
38
39 As Andy alluded to earlier, if you do the stacking issue, or are
40 allowed to stack these requests, as long as you've not exceeded
41 your three within the calendar year, thirty days should account
42 for most circumstances, once these get installed, and the
43 technician availability hopefully will go down, based on the
44 information, based on the information that was provided to us
45 previously from the vendors that their failure rates, from a
46 hardware standpoint at least, are relatively few. Just thinking
47 of ten days, with three exemptions available to the captain,
48 that thirty days should be sufficient, and so that's all. Thank

1 you.

2
3 **CHAIRMAN BOGGS:** Thank you, Kevin, and that was my thought
4 process on that last vote. As I stated, the headboats have had
5 very few failures, and I have heard of very few failures from
6 other captains that have been using the VMS systems for other
7 reasons, and I hope that the agency, if there is a situation
8 that a captain has a catastrophic failure, if there is supply
9 issues, that there is some consideration for that.

10
11 I mean, this can't be an is-all-end-all, because there are
12 things that we can't -- I mean, we can what-if this to death,
13 but we need to get something out there for these captains, so
14 they have some assurances that, going forward, they can continue
15 to fish, and they can make their days, and not worry about some
16 kind of a failure. I will support this motion, but I just hope,
17 like I said, that there is consideration for the unknowns that
18 do not prevent these fishermen from fishing. Mr. Schieble.

19
20 **MR. SCHIEBLE:** Thank you, Madam Chair. I will speak in support
21 of this motion as well, since it's pretty much the only option
22 we have left if we're going to put a preferred on here today for
23 Alternative 2. Also, I want to comment the fact that we're
24 seeing severe supply chain issues right now, with especially our
25 work boats here in the department, trying to get electronics
26 especially repaired and get the parts. You can't find a Yamaha
27 lower unit to save your life, and I can tell you that, and so
28 you hope that these supply chain issues will avert within the
29 next year or so, and, by the time that this would be in rule,
30 and we hope that that's not the case, but what if it is?

31
32 Then we're looking at it would be nearly impossible to get some
33 of these things up and running on these boats in a month, and so
34 I hear what Andy is saying, and I agree with him that we have to
35 look at the long game when it comes to this, if we need
36 something like this in the rule, but, in the short term, we do
37 have these issues, and I just wanted to point that out. Thank
38 you.

39
40 **CHAIRMAN BOGGS:** Thank you. Mr. Dugas.

41
42 **MR. DUGAS:** Thank you, Chair. I echo what Chris just said, but
43 I wanted to ask a question to Mr. Strelcheck. Andy, if you
44 could explain how this is going to work again, and I think you
45 touched on it already, but I'm still puzzled how this is going
46 to work if we exceed, or a captain exceeds, the ten days, and so
47 explain to me what is the next step. If his equipment is down
48 for ten days, and he's got a trip on the eleventh day, what's

1 your agency's plan?

2
3 **MR. STRELCHECK:** Well, thank, J.D. The next alternative looks
4 at how many exemptions we could provide during the fishing year,
5 right, and it's one, two, or three as an option, and so, if we
6 select something more than one, what I essentially suggested is
7 that you could stack these exemptions back to back, and so, if
8 you needed a second exemption, because your trip is on the
9 eleventh day, or the fifteenth day, or the nineteenth day, you
10 would be exempted, because of the continuing problems to get the
11 equipment, given that you have multiple exemptions during the
12 fishing year.

13
14 **MR. DUGAS:** Madam Chair, can I follow-up?

15
16 **CHAIRMAN BOGGS:** Yes, please, sir.

17
18 **MR. DUGAS:** Thank you. Okay, and so, Andy, what happens, for an
19 example, if one charter boat utilizes twenty days in February,
20 and then he has an issue in October, the same calendar year, and
21 he exceeds the third part, and it goes over his third set of
22 days, and is that going to be an issue?

23
24 **MR. STRELCHECK:** Well, once again, it depends on what we decide
25 in terms of number of exemptions, but if we, for example, voted
26 this up as the preferred and had three exemptions, and that boat
27 uses all three exemptions at some point during the year, any
28 time after that use of the third exemption, that boat would not
29 be able to go fishing until they have an operating VMS unit
30 onboard the vessel, and there would be no more exemptions for
31 them to apply for.

32
33 **MR. DUGAS:** So, at that point, you're shutting down their
34 business and operation. That's the way I see it, and that's
35 what I am trying to avoid, is give these guys as much room, or
36 space, as possible to keep their business going. What Chris
37 just stated, about getting parts for these vessels, it's crazy
38 nowadays, or over here it is anyway, and so I just fear that
39 these guys have got to keep their boats tied up, at some point,
40 because we restricted them to a certain amount of time, and
41 that's just my personal fear. Thank you.

42
43 **MR. STRELCHECK:** Madam Chair, can I respond?

44
45 **CHAIRMAN BOGGS:** Yes, please, sir.

46
47 **MR. STRELCHECK:** I feel like we're playing the what-if game
48 right now, and there's a lot of uncertainty around this, and

1 angst around this, and we do have a track record of VMS being a
2 very effective tool, and especially satellite VMS, in the
3 commercial fishery, and we know that the failure rates are very
4 low, and the VMS program for reef fish has been in place now for
5 thirteen or fourteen years, and we're not hearing large areas of
6 concern with regard to failure, but it happens, right, and so,
7 to me, we're addressing, J.D., what you're getting at.

8
9 We're trying to accommodate, in the event that there's a
10 potential for a trip to be cancelled, by providing some leeway
11 and flexibility in the system, and so, to me, it's reasonable to
12 consider that and avoid, obviously, the economic impacts, but we
13 can't just provide a blanket waiver and they're exempted anytime
14 that they want to be exempted, because this is a data collection
15 program, and a program to obviously ensure compliance with the
16 reporting requirements that the council has laid out.

17
18 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. Ms. Levy, and then
19 we're going to vote on this motion, because we've got to get
20 through another action and move on to our next presentation.
21 Ms. Levy.

22
23 **MS. LEVY:** I will pass. Andy covered it. Thanks.

24
25 **CHAIRMAN BOGGS:** Thank you. Okay. We have a motion on the
26 board. **In Action 1, make Alternative 2, Option 2b, the**
27 **preferred. Alternative 2 is to create an exemption to the VMS**
28 **requirement to address equipment failure and set a limit on the**
29 **number of calendar days that the NMFS-approved exemption is**
30 **valid for vessels with charter vessel/headboat permits for reef**
31 **fish and/or CMP. Option 2b is the exemption will be valid for**
32 **up to ten days from the submittal date. Dr. Simmons.**

33
34 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Do you
35 think we have opposition to this?

36
37 **CHAIRMAN BOGGS:** **Is there any opposition to this motion? Seeing**
38 **none, the motion passes.** Ms. Somerset, would you like to take
39 us through the next action, please?

40
41 **DR. STUNZ:** Madam Chairman, before we go there, I just would
42 like to call a brief point of order on something.

43
44 **CHAIRMAN BOGGS:** Yes, sir.

45
46 **DR. STUNZ:** Earlier in the discussion, when we were considering
47 the second motion, I mean the second substitute motion, Mara
48 mentioned something about we don't follow Roberts Rules, and

1 we're kind of loose about that, and that concerns me a little
2 bit. What we were discussing there, of course, was not that
3 high stakes, I guess, but some of the decisions are, and the
4 order we treat those motions, or if you're able to make another
5 second substitute motion or not or consider the original motion
6 can become very important in certain circumstances.

7
8 I just wanted to say, and maybe this is a discussion for a
9 larger council or committee at some point, and so, Carrie, I
10 don't know if we want to bring that up, but I would encourage --
11 Mara is our legal counsel, and, if we're not following Roberts
12 Rules, then maybe we need to -- Most of us may not understand
13 some of the nuances in it, and we're not intentionally not
14 following them, but we want to adhere to that as much as
15 possible, because it's going to matter at some point, and if
16 sometimes we consider the primary motion next, and then don't
17 allow second substitute motions, and sometimes we do, that can
18 get very sticky really quick, and so I just wanted to say that I
19 think we should follow Roberts Rules as closely we can, and,
20 when we're straying from that, that we be guided by our legal
21 counsel that we're moving from those operating procedures.

22
23 **CHAIRMAN BOGGS:** Thank you, Dr. Stunz. I do appreciate those
24 comments, because that kind of put me on the spot, but, yes, and
25 I think Dr. Simmons will certainly take that under
26 consideration. Ms. Somerset.

27
28 **MS. SOMERSET:** Thank you, Madam Chair. Madam Chair, I think
29 Mara has her hand up.

30
31 **CHAIRMAN BOGGS:** Sorry. Yes, Ms. Levy.

32
33 **MS. LEVY:** Thanks. I agree that you should attempt to follow
34 Roberts Rules as closely as possible. Sometimes the
35 circumstances in there don't actually fit the way the council
36 operates very well, and it's a little bit more difficult for me,
37 in this situation. I could have certainly stopped you and tried
38 to look it up and such, and I didn't want to stop you from
39 proceeding, but, in the end, actually what happened was
40 consistent with Roberts Rules in this case, and so I get Greg's
41 point, and we can more closely try to adhere to the procedures.

42
43 We generally do a pretty good job, but there are instances where
44 we're not exactly necessarily doing it the way that Roberts
45 Rules specifies, and so we can certainly be more strict about
46 it, and I can try to intervene.

47
48 I certainly don't have Roberts Rules memorized. I have the

1 book, and so, if we want to be more careful about it, then we
2 may need to pause occasionally to allow me to look the procedure
3 up, the particular procedure. Thanks.

4
5 **DR. STUNZ:** To that point, Madam Chairman?

6
7 **CHAIRMAN BOGGS:** Go ahead, Dr. Stunz.

8
9 **DR. STUNZ:** Thank you, Mara. I mean, I understand that we have
10 to vary some, because of the way the council operates, but I can
11 envision, in this case, if it was a different situation, and,
12 for example, Bob Gill could have said, no, the rule is we
13 consider my primary motion before we allow another substitute
14 motion to come in, or whatever the rule is, and I just want to
15 make sure that we're being very consistent, and so I would
16 appreciate if you interrupted the discussion to make sure, on
17 some of those key points that matter, and how we come to a
18 decision, that we follow those as closely as we can.

19
20 **CHAIRMAN BOGGS:** All right. Ms. Somerset, Alternative 3.

21
22 **MS. SOMERSET:** Thank you, Madam Chair. If the committee wishes
23 to continue with picking preferreds, then your next alternative
24 is Alternative 3, which would -- It provides options for the
25 number of times an exemption can occur per vessel per calendar
26 year, and so Option 3a is one, and Option 3b is two exemptions,
27 or Option 3c is three exemptions, and I will just note one more
28 time, even though I said it earlier, that the Reef Fish AP's
29 recommendation was for Option 3c, three exemptions. Thank you.

30
31 **CHAIRMAN BOGGS:** Mr. Anson.

32
33 **MR. ANSON:** Yes, Madam Chair. I apologize for being the cause
34 of some of the discussion that was just held regarding Roberts
35 Rules, and I, in a broader sense, recently had some
36 conversations about Roberts Rules as well, and following Roberts
37 Rules to the T would be a much different environment than what
38 the council has normally been operating under.

39
40 I do recognize the importance of Roberts Rules, and I'm going on
41 a rant here, I realize, and so I don't want to take up any more
42 of your time, but we just need to maybe get refreshed with those
43 a little bit more and try to incorporate some of those, some of
44 the aspects, and be a little bit liberal in that regard, is my
45 opinion. **Anyways, relative to the Alternative 3 discussion, I**
46 **would like to go ahead and offer a motion to make, in**
47 **Alternative 3, Option 3c the preferred.**

1 **CHAIRMAN BOGGS:** Is there a second to Mr. Anson's motion?
2
3 **MS. MCCAWLEY:** Second.
4
5 **CHAIRMAN BOGGS:** Thank you. I will let Bernie get the motion on
6 the board. Is there any discussion, before I read the motion?
7 Mr. Gill.
8
9 **MR. GILL:** Thank you, Madam Chair. This is not my preferred,
10 and I think three exemptions is too many. As has been pointed
11 out, the frequency of occurrence is very infrequent, especially
12 based on the commercial industry, and, granted, that's
13 satellite, but the likelihood of needing this, in my mind, does
14 not allow for three exemptions. **Accordingly, I would like to**
15 **offer a substitute to make, in Action 1, Alternative 3, Option**
16 **3b the preferred.**
17
18 **CHAIRMAN BOGGS:** Okay. Is there a second to Mr. Gill's motion?
19
20 **MR. STRELCHECK:** Second.
21
22 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. Okay. We'll get
23 the substitute motion on the board, and then I will read the
24 motion. Any discussion, while we're waiting for the motion to
25 come up on the board?
26
27 **MR. STRELCHECK:** Madam Chair, I have my hand raised. Can I
28 speak?
29
30 **CHAIRMAN BOGGS:** I see you now. Yes, sir. Go ahead.
31
32 **MR. STRELCHECK:** Thank you. I agree with Mr. Gill, and I think
33 three is too many. As I said, I think we're playing the what-if
34 game right now, and certainly one, obviously, accommodates for
35 exemptions when there are failures, but, given the integrity of
36 the data collection program, and for compliance, I do support,
37 obviously, having fewer exemptions, for that reason, as well as
38 the fact that we have a pretty long track record of having a
39 limited number of failures with the VMS program as it exists
40 today. Thanks.
41
42 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. Mr. Anson.
43
44 **MR. ANSON:** Thank you, Madam Chair. Bob is up next, and so I
45 kind of had a question for Bob, and, Bob, you were supportive of
46 a fourteen-day exemption, per exemption request, and, if you had
47 gone with your two exemptions, and you were able to stack them,
48 it would amount to twenty-eight days, whereas the Option 2b we

1 selected in Alternative 2 with ten days, and now having three
2 exemptions, allows you thirty days, if you're able to stack
3 them, and so it's just a two-day difference, I guess, from what
4 originally you were proposing, unless you were going to go with
5 a shorter, or a less frequent, exemption, and so I guess, if you
6 can kind of explain that, I would appreciate it.

7

8 **MR. GILL:** Madam Chair, may I?

9

10 **CHAIRMAN BOGGS:** Mr. Gill.

11

12 **MR. GILL:** To that point, Kevin, recall that the -- This
13 alternative doesn't require stacking, and it's also a multiple
14 times per year consideration, and so just stacking it, and, if
15 you stacked it every time, then you don't have multiple times
16 per year, but we're dealing with an event that is rare, or,
17 better yet, anticipated to be rare, and, to I guess J.D.'s
18 point, and Andy's comment on the what-if, we're never going to
19 prevent every and all instance of a problem, but what we're
20 looking to do here are to minimize the bulk of them, and we're
21 never going to get to the point where we're going to eliminate
22 all of them, and so we shouldn't try, and perfection is the
23 enemy of good.

24

25 We're looking to do some good here, and trying to cover every
26 and all circumstances that something might occur is a fool's
27 errand, and so I think the two exemptions makes sense, and it
28 seems to me that it's reasonable, if you're going to stack them,
29 that you're likely to have your problem fixed in that timeframe,
30 in a reasonable environment, or perhaps, as Chris had mentioned,
31 not at the present, but we're looking long-term, and, on
32 average, if stacking is the way the operator, or owner, wishes
33 to go, it's reasonable that the problem will get resolved, and
34 so I still think that two exemptions is the right number.

35

36 **CHAIRMAN BOGGS:** All right. Thank you, Mr. Gill. **The**
37 **substitute motion is, in Action 1, to make Alternative 3, Option**
38 **3b, the preferred. Option 3b is the permit holder may not**
39 **request more than two exemptions per vessel per calendar year.**
40 Ms. Bosarge.

41

42 **MS. BOSARGE:** I just thought I would weigh-in, real quick,
43 before we vote this one up or down, to maybe kind of put this in
44 a different perspective, and so the largest component of this
45 sector is the charter/for-hire fleet. There is headboats and
46 there is the charter boats, and the headboats used to have that
47 survey that they filled out, but, by and large, it's dominated
48 by the charter boats, and so they're moving -- This is all about

1 data collection, and they came to us and said we want better
2 data, and so they have essentially kind of moved from a survey
3 style, and so think MRIP, right, survey type method in the past,
4 and it wasn't mandatory, and it was voluntary, and maybe you
5 captured some of the boats, and maybe you didn't, and then it
6 got extrapolated from there, and they wanted better data.

7
8 They have moved to, or are moving to, a system that's going to
9 be mandatory, right, and census level, every single boat, and,
10 even with this exemption, that we're talking about how many
11 times they can do it, they still have to turn in their data,
12 right, because the data is going through -- Right now, it's
13 going through eTRIPS.

14
15 Their effort data is going through their logbook and not this
16 VMS machine, but just the validation is going through this right
17 now, and so, when you put it in that perspective, and you're
18 thinking about a handful of boats that are still turning in
19 data, and we're just giving them an exemption to get the machine
20 that validates the data for the Science Center fixed and up and
21 running, or whatever the case is, and I don't think this is an
22 extreme ask.

23
24 I think they have come a long way from where they were, and this
25 is something -- If this is something that they want, the three -
26 Instead of the two exemptions, they would like to have three, I
27 think we should allow that. I think that they came to us, and
28 they're being very accountable in their fishery, and, if this is
29 something they feel like they need, then I think we should give
30 them the three.

31
32 **CHAIRMAN BOGGS:** Officer O'Malley, and then we're going to vote
33 on this motion. Thank you. Mara, I'm sorry. I didn't see your
34 hand up. Mara.

35
36 **MS. LEVY:** Thank you. I mean, I just want to reiterate that the
37 two parts of this reporting requirement work together, and so
38 you have the logbook piece, and you have the VMS piece, and they
39 both need to be in place, and they both need to be working by
40 the permit holders and such for this program to work, and we've
41 spent a lot of time and effort, and the permit holders are
42 spending money to do this, and you hope that there will be few
43 people that need this exemption, and you hope that there will be
44 no people that just try to use the exemption when they don't
45 really need it, but you don't know that, and we're talking about
46 over a thousand permit holders, right, and I guess I would just
47 be cautious about trying to say that the VMS is not a necessary
48 component to actually getting the data that the council wants

1 and that the permit holders want to allow this program to
2 replace MRIP estimates.

3
4 I am not opposed, and I am not arguing one way or another for
5 these exemptions or how long, and I am just trying to make it
6 clear that both of these components are necessary and that the
7 council has been very keyed into reporting and wanting people to
8 report and being able to enforce reporting requirements, and,
9 the more that you go down the road of exemptions, the harder
10 that is. Thank you.

11
12 **CHAIRMAN BOGGS:** All right. Officer O'Malley.

13
14 **MR. O'MALLEY:** I would just like to mention, on whatever
15 decision you all make, we understand rollouts, and we've had
16 some hiccups along the way, and we've been trying our best to
17 work with people, especially on the VMS commercial fleet, and
18 there has been instances, in the past, where fishermen have had
19 problems with the VMS, and our officers and agents have worked
20 with them on a one-to-one basis to get it resolved, and so we
21 understand that, whether it's one, two, or three times a year,
22 situations occur, and we can deal with those on an individual
23 basis, as long as the captain, the fisherman, contacts his local
24 OLE agent or officer. We're not -- We're trying to make it as
25 smooth and seamless as possible.

26
27 **CHAIRMAN BOGGS:** Thank you. I appreciate your comments. Okay.
28 The motion is on the board. Dr. Simmons.

29
30 **EXECUTIVE DIRECTOR SIMMONS:** Thank you, Madam Chair. Mr.
31 Williamson.

32
33 **MR. WILLIAMSON:** Yes.

34
35 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Strelcheck.

36
37 **MR. STRELCHECK:** Yes.

38
39 **EXECUTIVE DIRECTOR SIMMONS:** Ms. McCawley.

40
41 **MS. MCCAWLEY:** Yes.

42
43 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Gill.

44
45 **MR. GILL:** Yes.

46
47 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Dugas.

48

1 **MR. DUGAS:** No.
2
3 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Donaldson.
4
5 **MR. DONALDSON:** Yes.
6
7 **EXECUTIVE DIRECTOR SIMMONS:** Ms. Bosarge.
8
9 **MS. BOSARGE:** No.
10
11 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Anson.
12
13 **MR. ANSON:** No.
14
15 **EXECUTIVE DIRECTOR SIMMONS:** Dr. Stunz.
16
17 **DR. STUNZ:** Yes.
18
19 **EXECUTIVE DIRECTOR SIMMONS:** Mr. Schieble.
20
21 **MR. SCHIEBLE:** Yes.
22
23 **EXECUTIVE DIRECTOR SIMMONS:** Madam Chair, the motion carried
24 seven to three.
25
26 **CHAIRMAN BOGGS:** Okay. Thank you. All right. Moving on --
27
28 **DR. STUNZ:** Madam Chair, I am not seeing a "yes" by my name.
29 There just for the record, I wanted to make sure that it was a
30 yes from me. Okay. It's there now.
31
32 **CHAIRMAN BOGGS:** Okay. Thank you, Dr. Stunz. The motion
33 carried seven to three. Okay. Ms. Somerset, does that take
34 care of everything for this agenda item? Then, Mr. Strelcheck,
35 I will recognize you.
36
37 **MS. SOMERSET:** Yes, ma'am. That was everything in the document,
38 and so I appreciate it.
39
40 **CHAIRMAN BOGGS:** Thank you. Mr. Strelcheck.
41
42 **MR. STRELCHECK:** Thanks, Madam Chair. One of the things I had
43 contemplated was a sunset provision for this, and I don't
44 necessarily think that's necessary, and it's kind of binding for
45 us to then take action as a council, but what I would suggest,
46 if supported, is maybe putting some language in the document
47 that indicates that the council would review this provision,
48 maybe a year into the program, just to evaluate how frequently

1 it's being used, any problems that may be occurring.

2
3 I think it's important that we get updates and find out,
4 obviously, whether or not the amount of exemptions, as well as
5 the length of exemptions, is sufficient, and if there would be
6 changes necessary either to short the timeframe or add more
7 exemptions, based on the conversations we had today.

8
9 **CHAIRMAN BOGGS:** Thank you, Mr. Strelcheck. I mean, I think
10 that's a very good point, and, I mean, at some point, this
11 should level off, if anyone would like to make a motion.

12
13 **MR. STRELCHECK:** Susan, to be clear, I mean, I don't necessarily
14 think it's a motion so much as just if the committee agrees that
15 this could be just reflective of our intent to review this a
16 year into the program, and whether that's captured in the notes
17 of this meeting or actually included in the action itself, and I
18 don't have a preference there, but I think it's important to
19 revisit this.

20
21 **CHAIRMAN BOGGS:** Okay. I'm sorry. I misunderstood. All right.
22 Mr. Anson.

23
24 **MR. ANSON:** Thank you, Madam Chair. I have two points, one to
25 Andy's comment, and I don't have an issue with that, with some
26 verbiage that the council readdress timing of it, I guess within
27 a year, and we kind of would be at a point where we would have a
28 good sample size, if you will, of how the units are performing
29 and how the captains are utilizing these options here for
30 equipment failure, but, yes, I wouldn't have a problem with
31 that.

32
33 I do have another question, I guess, and there was some
34 discussion earlier, while we were voting on the motions for this
35 action, that the issue of stacking -- It doesn't explicitly
36 state that you can't request one right after another, but I'm
37 just wondering if there will be some verbiage, or is verbiage
38 needed in the document, that would state that, if a captain did
39 have the two exemptions, if that's what goes final, if they had
40 the two exemptions available, then they could use them
41 concurrent.

42
43 **CHAIRMAN BOGGS:** Yes, Kevin, and I appreciate those comments.
44 One of the things that, to me, is kind of also implied is the
45 exemption for equipment failure, but what does that really mean?
46 Again, we haven't seen that, and we don't know what that means,
47 and the conversation has been that it will allow the fishermen
48 to continue to be on the water fishing, and so I agree with your

1 comments that -- I think maybe there is a lot of things here
2 that are implied and not explicit, and I don't know if we need
3 to address that and make it more clear in the document, and
4 maybe Ms. Somerset can comment to that. Ms. Somerset.

5
6 **MS. SOMERSET:** Thank you, Madam Chair. Well, I just wanted to
7 make a comment about the process of this document, which I think
8 you were alluding to, and I apologize, and I missed part of what
9 you were saying, but we'll make this document a priority and get
10 it ready for final action for the April meeting, and so there
11 will not be public hearings, and there will be a public hearing
12 video, because this is a framework action, and so we will make
13 sure that is available for public comments, and then all of that
14 will be addressed in the document that is ready for final action
15 in April. Did I answer your question, Madam Chair? I
16 apologize.

17
18 **CHAIRMAN BOGGS:** I think so, and it's just kind of like what
19 Kevin was saying, and it doesn't explicitly state in the
20 document that you can or you cannot stack your exemptions, as it
21 doesn't explicitly state in the document that equipment failure
22 -- If you get that exemption, it will still allow the vessel to
23 continue fishing, and so I think there's a lot of implied things
24 in the document that -- I don't know if it needs to be more
25 explicit, but maybe Ms. Levy can address that. Bob, I am going
26 to let Ms. Levy speak, and then I will come back to you. Ms.
27 Levy.

28
29 **MS. LEVY:** Thank you. I mean, I would read it as, if it doesn't
30 say that you can't use them concurrently, then you can. I mean,
31 I think it's going to depend also on how the regulations are
32 written, but, if there's nothing telling people that they can't
33 have ten days and then ten days, then I don't know what we would
34 do to stop them.

35
36 Regarding about what equipment failure means, that's what I've
37 been trying to raise, is that the document doesn't really
38 address that, and the council hasn't really talked about limits
39 on that, and I believe that NMFS is talking about what that
40 should mean, because we're going to have to tell people, in the
41 regulations, with some specificity, what constitutes an
42 equipment failure and what, if anything, they have to do to show
43 us that they've had an equipment failure.

44
45 That was part of my point, is, depending on how that is written
46 and articulated, you could either have a very broad exemption
47 that becomes unenforceable or you have a more narrow exemption
48 that you may be able to enforce and actually see if people are

1 complying. If the council wants to weigh-in on those, I mean, I
2 think that would be appropriate, but, to date, there hasn't
3 really been a lot of discussion about narrowing down what that
4 means.

5
6 **CHAIRMAN BOGGS:** Thank you, Ms. Levy. Well, that may be
7 something we need to think about, but, unfortunately, we may
8 have to come back to that, because we need to move on with the
9 agenda. I will let Mr. Gill and Mr. Anson speak, and then we
10 will move to our next item. Mr. Gill.

11
12 **MR. GILL:** Thank you, Madam Chair. I think Andy brings up a
13 good point, but I think we ought to not consider sunset
14 provisions on items like this. The equipment will always be
15 onboard. Well, virtually always, and there will be times when
16 an exemption is probably needed. If you're talking 1 percent,
17 you're talking ten events, roughly, or maybe a little more, a
18 year, and so, on the other hand, a periodic update, it seems to
19 me, makes very good sense, and perhaps we should consider that
20 on an annual basis. I suspect that one year for one update is a
21 little short, given that it's a starting program, but I am
22 thinking that periodic makes a lot of sense. Thank you.

23
24 **CHAIRMAN BOGGS:** Mr. Anson.

25
26 **MR. ANSON:** Madam Chair, thank you. To Bob, I want to address
27 what Mara said earlier, but to Bob's point, and I think a review
28 -- Not necessarily a sunset, but a review is warranted, but -- A
29 sunset is not.

30
31 To Mara's point, that was brought up, I believe, at the last
32 meeting, or even two meetings ago, regarding what would be
33 proof, I guess, that the captain would provide when they submit
34 an exemption request, and that --

35
36 I think there was some information that was provided to us, that
37 vendors have the ability, basically, to create a work ticket, if
38 you will, that confirms that they recognize there is an issue,
39 and that has been brought up to the owner of the unit, and that
40 could possibly be part of that exemption request. Other issues,
41 we might have to think about, but, you know, we do have
42 registered vendors with the agency, and those could have -- They
43 could provide that documentation, I believe, but, anyways, thank
44 you.

45
46 **CHAIRMAN BOGGS:** All right. Mr. Anson, thank you. I am going
47 to go ahead and move us along to our next item. Dr. Hollensead,
48 would you like to review the action guide for this item, please?

1
2 **PRESENTATION: UPDATE ON MODIFICATIONS TO THE COMMERCIAL**
3 **ELECTRONIC REPORTING PROGRAM**
4

5 **DR. HOLLENSHAD:** Sure thing, Madam Chair. The next item on the
6 agenda is Number V, and that's going to be a presentation on
7 updates on the progress to the modification of the commercial
8 electronic reporting program, and this will be presented by Dr.
9 Julie Brown from the Southeast Fisheries Science Center. If the
10 committee will recall, Dr. Brown was going to give this
11 presentation back in October, and we ran out of time, and so she
12 is going to present that same presentation today.
13

14 She also presented this presentation to the Reef Fish AP, and
15 that is included in the Reef Fish AP summary. They didn't give
16 any motions, but they were very supportive of the path forward
17 that the Science Center is taking with moving towards electronic
18 logbooks, certainly in the short term, and I think is open to
19 some discussions of some of the long-term goals of the program,
20 and so, whenever she is ready, I will let Dr. Brown take it from
21 here.
22

23 **DR. JULIE BROWN:** Thank you so much. Again, I am Julie, and
24 this was a presentation that I was scheduled to give a few
25 months ago, and so that's why it says October, and so we'll just
26 move forward. Thanks.
27

28 These are the questions that I will have answered by the end of
29 the presentation. Who is affected by changes to the Southeast
30 Fisheries Science Center logbook reporting? How will the e-
31 logbook look in the short-term? What are some of the upcoming
32 deadlines associated with that, and then what are the future e-
33 logbook needs, in the long-term?
34

35 The Southeast Fisheries Science Center has a multitude of
36 permits that are required to submit logbooks, issued from both
37 the Gulf and the South Atlantic Councils and from the Highly
38 Migratory Species headquarters. This page is just a rough
39 estimate of permits issued, as of a few months ago, and the
40 majority have to report on what we call coastal logbooks, which
41 ask questions at the trip level, and then these down here at the
42 bottom are what we call the HMS logbook, which asks for effort
43 and catch details at the set level. These tiny little fisheries
44 down here at the bottom kind of have their own accounting
45 system, but we're not going to go into those.
46

47 One common misconception is that the permit owners only need to
48 report logbook details if they catch the federally-permitted

1 species. In fact, regardless of what, or even if, you catch
2 anything, if you get skunked, we still need to have a logbook
3 report if you took a commercial fishing trip.

4
5 Right now, the Gulf and the South Atlantic permits are not
6 subject to separate logbook requirements, and we very much want
7 to keep it that way. Splitting the logbook regulation and
8 requirements even further would be very much a disaster, and so,
9 in light of that, actually, we're trying to move toward unifying
10 requirements and not splitting it.

11
12 The Southeast Fisheries Science Center is not the only logbook
13 game in town, as you are well aware. The Greater Atlantic
14 Fisheries Office is also running a logbook program, as well as
15 the SEFHIER charter/headboat program that we're going to hear
16 about next, I believe.

17
18 Many vessel owners have what we call dual permits, which just
19 means that they have multiple permits, or overlapping areas in
20 this graph, either by type, like charter and commercial, or by
21 region, and so Southeast versus Greater Atlantic. Under the
22 current paper logbook system, anyone with dual commercial
23 permits should have been reporting multiple logbooks, mailed to
24 separate Science Centers, for every single commercial fishing
25 trip.

26
27 This was another common misconception for fishers, especially
28 people who have, for instance, an Atlantic dolphin wahoo permit.
29 People would commonly only send in the Southeast Fisheries
30 Center trip report if they caught dolphin or wahoo, when, in
31 fact, they should have been sending in a report for every single
32 commercial trip.

33
34 This is exactly the sort of confusion that we're trying to
35 alleviate with electronic logbook reporting. For any software
36 system that meets what we call the one-stop reporting
37 guidelines, the dual permit holders would only have to submit
38 one single trip report to be in compliance with both of their
39 programs. Hopefully that makes sense.

40
41 Under these conditions though, dual permit owners would need to
42 meet the stricter program requirements, whichever that may be,
43 and so, for instance, if you have charter permits, but you go on
44 a commercial fishing trip, you still need to have that VMS unit
45 turned on, and that's just one example.

46
47 **DR. HOLLENSHAD:** Dr. Brown, if you don't mind, we have a hand up
48 Would you mind answering questions during your presentation?

1
2 **DR. BROWN:** Someone was talking, but I am not able to hear you.
3 Sorry.
4
5 **DR. HOLLENSEAD:** Dr. Brown, would you mind taking some questions
6 during your presentation? Would that be all right?
7
8 **DR. BROWN:** I can try. Sure.
9
10 **DR. HOLLENSEAD:** Okay. Thank you. If you wouldn't mind
11 answering Ms. Bosarge's question, and I would really appreciate
12 it.
13
14 **MS. BOSARGE:** Thanks. I was a little confused on this slide,
15 because I see, in the parentheses, we have eTRIPS, and then, in
16 the circles, we have e-logbooks, and then you just talked about
17 paper logbooks, and so, for the commercial fisheries in the
18 Southeast right now, the coastal ones, what applies to them
19 right now? How are they reporting their logbook data? Is it
20 paper, on the e-logbooks, or on the eTRIPS, and what are we
21 trying to go towards there?
22
23 **DR. BROWN:** This is kind of what I am getting around to, and so,
24 right now, people are still reporting on paper logbooks, and we
25 are transitioning to electronic logbooks. eTRIPS is just one
26 type of software that we would consider an electronic logbook.
27 Right now, it's the only one that's really in consideration for
28 being approved. We absolutely encourage other software vendors
29 to create software, once we get those requirements made
30 available, but, right now, eTRIPS would be the only one for
31 short-term consideration.
32
33 The reason I am talking about these dual-permitted people is
34 because those are the only people who, right now, we are
35 allowing to turn in electronic logbooks instead of paper
36 logbooks, and the reason is because the GARFO region has
37 required their fleet to turn in their logbooks electronically.
38
39 **MS. BOSARGE:** Okay. Thank you.
40
41 **DR. BROWN:** That isn't quite fully ready for our entire fleet in
42 the South Atlantic. I think probably it will become clear in
43 the next slide too, if you want to just move forward.
44
45 When we're talking about these dual-permit owners, how many are
46 we talking about, and it's approximately 100. Of course, that
47 changes day-to-day, with permit transfers and blah, blah, blah,
48 but that's our ballpark, and they are mostly people fishing in

1 the North Carolina and Virginia areas, and so, initially,
2 volunteer reporting for these people in the South Atlantic is to
3 accommodate those people that have what we're calling dual
4 permits, and that's because they are required to submit
5 electronically for GARFO, and so, basically, we're just trying
6 to cut down on the amount of duplicative reporting that those
7 people have to do.

8
9 Once we get our feet on the ground, and things are coming in
10 smoothly, then we're going to start incrementally opening it up
11 to the rest of the fleet, and, again, that's the South Atlantic
12 and the Gulf and Highly Migratory Species.

13
14 The original plan was to unify all of the Southeast Fisheries
15 Science Center logbooks into one logbook program, and that would
16 have included all of the logbooks that I listed earlier, and
17 that's the blue square, the two surveys that are associated with
18 the logbook, and that's this tannish-colored square, and the
19 monthly no fishing report for people who didn't fish that month.

20
21 That would have looked like the HMS version, highly migratory
22 species, insofar that it would have asked for more detailed
23 locations and times for the fishing effort, which is what we
24 like to call set-based.

25
26 However, based on feedback from the Gulf Reef Fish AP and the
27 Coastal Migratory AP, and that's you guys, we're talking a
28 detour from that game plan. The APs didn't want to see their
29 fisheries reporting high-precision, set-based information, and
30 so we adjusted the electronic logbook structure, and now we're
31 having separate requirements, depending on what fishery is being
32 participated in, and the HMS fisheries will still have to report
33 set-based, and the coastal fisheries can still report trip-based
34 if they like, and this was ready on November 10, to accommodate,
35 again, just those people who had dual permits with GARFO,
36 because they had that mandatory reporting deadline in November.

37
38 We're not opening up electronic reporting to the entire fleet
39 this time, and just be a little bit patient, and we're just
40 trying to get that trickle of data coming in, to make sure it's
41 good. Okay, and so hopefully I have answered who is affected in
42 the short-term.

43
44 This is what it's actually going to look like. On the left is
45 the paper logbook that a lot of people are probably familiar
46 with, and the HMS permits have something that looks very, very
47 similar, and then, for the electronic version on the right,
48 basically different screens on a cellphone or tablet are going

1 to ask you about your trip information, your effort information,
2 depending on what gear you select, and you will move to a new
3 section for your catches, and then, lastly, your dealer
4 information.

5
6 Some common questions that I get asked pretty often, and so I
7 will just go through these one-by-one, are what are the timing
8 deadlines for the electronic logbook, and we want you to fill
9 out the effort details at the time of landing, and so how long
10 you were fishing, what gear you were using, how many hooks, et
11 cetera, et cetera, and then submit the full report with the
12 catches and anything else that's required from the dealer side
13 within seven days for the Southeast permits. However, GARFO is
14 saying that they want theirs within forty-eight hours.

15
16 Again, remember how I said earlier that it will never -- There
17 is two permits, and you need to meet the stricter program's
18 requirements, and so, in this case, those dual-permitted people
19 would need to do forty-eight hours.

20
21 Why do I need to report any location at all on my logbook, if I
22 have my VMS turned on, and this is kind of touching on some of
23 the conversation that we were having earlier, and the first, and
24 simple, answer is that the majority of vessels who have logbooks
25 due to the Southeast Fisheries Science Center do not have VMS
26 units, and, secondly, the VMS doesn't actually tell us where the
27 fishing effort took place, and it tells us where the vessel was
28 located once an hour, and so they are both helpful, but we would
29 really like to know where exactly did you put out your fishing
30 gear.

31
32 The last question is can I report my logbook requirements
33 through my VMS device, and not yet. However, the VMS vendors do
34 have the opportunity to develop forms, and they like to call it
35 forms, and we can't make anybody do that, but we would certainly
36 encourage them to do that. Their data rates would apply,
37 whatever that may be, and currently, the free software we have,
38 eTRIPS, that I mentioned earlier, is wi-fi or cellular-based,
39 for their data transmission.

40
41 I mentioned earlier that we're taking a little detour from the
42 original plan, based on feedback from the Gulf Council APs, but
43 we do still want to continue negotiating an evolution toward
44 higher precision geographic locations for the coastal fleet for
45 scientific assessment purposes.

46
47 Just as an example here, on the left, we have the sort of
48 assessment that we could do with red snapper using the current

1 paper logbook precision, which is a simple one-by-one-degree
2 grid. Now, on the right, we had something that was included as
3 part of the Great Red Snapper Count that probably you know how
4 much higher precision sampling rates, and I think part of the
5 confusion that came out of this study was that there are
6 portions of the red snapper population that were actually being
7 underutilized by fisheries.

8
9 This is the sort of direction that we would like to start going
10 with all of our fisheries, to be able to use more advanced
11 scientific assessment tools.

12
13 The other transition we will eventually bring up is set-based
14 reporting, which the HMS-permitted fishing trips are already
15 doing. Some people have kind of been uncomfortable with the
16 term "set" in relation to their particular fishing gear and
17 fishing behavior, and so maybe "effort-based", or something,
18 would be a more comfortable term for some people, but,
19 regardless of what we call it, pelagic longlines, for example,
20 and some other gears, have fishing behavior that falls pretty
21 naturally into clearly-defined sets, or efforts, whatever
22 terminology you prefer, and we would like to capture that higher
23 precision, or that higher resolution, information. There is
24 many coastal fisheries when it's appropriate.

25
26 For other gears, like trolling, for example, which would not
27 traditionally be labeled as a set, we would actually define the
28 fishing behavior so that, usually, there is just one fishing
29 effort per trip, and so, under that scenario, the pink and the
30 green diagrams would actually be exactly the same, by our
31 definition. The only exception would be for like a multiday
32 fishing trip, and then we would propose logging at least one
33 effort per day that you go fishing, but, to reiterate, for now,
34 for now, people who just have coastal permits, and who are
35 reporting electronically, or who will report electronically,
36 voluntarily, will continue to report trip-based, just like the
37 pink diagram on the left.

38
39 Here is just a generalized diagram of the pathway forward and
40 being able to accommodate more advanced scientific assessment
41 tools. We're going to accept electronic logbooks, initially,
42 with no changes from the paper logbook requirements, but,
43 through outreach and collaboration with the different councils
44 and their APs, and in coordination with all the other agencies
45 that are running logbook programs, and from input from users
46 whose reporting burden we are always, always considering, we
47 want to eventually move forward to a joint resolution with the
48 councils that will update their requirements.

1
2 That was kind of the long-term plan, but here is a slide where I
3 always take the opportunity to remind anybody who is listening
4 of the current logbook reporting at the Southeast Fisheries
5 Science Center. Currently, right now, today, you can register
6 and submit your no fishing reports electronically, and that's
7 for everyone, every single permit, not just the dual-permitted
8 people.

9
10 The Southeast Fisheries Science Center no longer accepts faxed
11 or emailed reports, and that's been a rule for several years
12 now, but just to remind people, and so, therefore, all of the
13 no-fishing reports need to be either mailed, through traditional
14 mail, or submitted through our FER website, Fisheries Electronic
15 Reporting.

16
17 All right, and, just to summarize, who is affected by changes to
18 the Southeast Fisheries Science Center logbook reporting? The
19 short answer is there's a diversity of permit owners in the
20 Southeast and some of these people have dual permits with other
21 regions. How will electronic logbook reporting look in the
22 short term? It's going to have exactly the same reporting
23 elements as the paper logbook, but it will just simply be a
24 mobile app.

25
26 What are the upcoming deadlines? I guess "upcoming" isn't the
27 right word anymore, because it's January and not October, but
28 November was the -- November 10, I believe, was the launch
29 deadline for those dual-permit owners only, and that was, again,
30 to try and accommodate those people who had GARFO permits, and
31 we want to cut down on their duplicative reporting requirements.

32
33 Last, but not least, what are the future electronic logbook
34 needs, in terms of the long-term? We want to have ongoing
35 discussions about the resolution of logbook data and moving
36 towards a more universalized logbook program, and I think that's
37 it, and so, if there is questions or comments, I will try my
38 best to answer.

39
40 **CHAIRMAN BOGGS:** Thank you, Dr. Brown. I appreciate the
41 presentation. Are there any questions for Dr. Brown at this
42 time? Ms. Bosarge.

43
44 **MS. BOSARGE:** Thanks. Thanks, Julie. I was wondering, on that
45 piece where the fishermen will now have to report the effort, it
46 said "at landing", whereas before, or right now, I guess, with
47 their paper logbooks that they mail, it's within seven days of
48 finishing the trip, and so what does that mean? I have two

1 questions, and this is the first one. What does that mean,
2 exactly, the at landing? Does that mean that, before they can
3 offload their catch, they need to use this eTRIPS, a device with
4 eTRIPS on it, and not their VMS, but a device with eTRIPS on it
5 and upload that effort, or what does that mean, that at landing?
6

7 **DR. BROWN:** Well, we basically just want people to fill out
8 their effort before they have time to forget the smaller details
9 of it. They wouldn't be able to submit anything before they
10 were ready to submit the full report, and so, again, we would --
11 We want the full report within seven days of you hitting the
12 dock, and we'll just call that landing, without splitting hairs
13 about the definition of landing for now, and so, really, just
14 having those effort details filled out, in case of having any
15 sort of, I guess, interaction with law enforcement, but having
16 the full report submitted within seven days is the key that you
17 need to focus on.
18

19 **MS. BOSARGE:** I think I understand, and I figured it was for
20 recall biases, to make sure that they essentially get that
21 information down as soon as possible, but they don't actually
22 have to submit it to you at landing.
23

24 **DR. BROWN:** Exactly.
25

26 **MS. BOSARGE:** Okay. I am following you. Then the other thing -
27 - So you said eTRIPS is the only vendor, and it's a software
28 program, but that's the only vendor you all have right now for
29 electronic logbooks, and so are you planning to like allow other
30 vendors to apply to have software for these e-logbooks?
31

32 **DR. BROWN:** Absolutely. Absolutely. The reason that other
33 software vendors haven't gotten anything that's ready for
34 approval yet is because we are still changing some of these
35 last-minute details, and I mentioned that we got feedback from
36 the Reef Fish and the Coastal AP that they didn't want to have
37 that higher precision effort and catch detailed log, and so we
38 basically had to revamp a large majority of the technical
39 requirements, and so, as long as we're still changing technical
40 requirements, we can't publish that, in order for other vendors
41 to be able to create software. Does that sort of explain the
42 sort of catch-22 of where we are with that?
43

44 **MS. BOSARGE:** Yes, and a follow-up, if I may, Madam Chair?
45

46 **CHAIRMAN BOGGS:** Yes, ma'am.
47

48 **MS. BOSARGE:** Thank you, and so those technical specifications

1 that you're talking about -- You keep saying "we", but who is
2 writing those and trying to get those ready and going to house
3 them? Are you with law enforcement, or are you with the Science
4 Center or SERO?

5
6 **DR. BROWN:** The Science Center, and I guess I personally would
7 be the person who is doing that.

8
9 **MS. BOSARGE:** I don't envy you there. I have worked on that a
10 little bit, and so, for the commercial fisheries that I guess
11 are the coastal fisheries that you listed, the Science Center
12 will write the technical specifications for vendors, so that
13 they get good scientific data, and that makes sense for the
14 effort data and the landings that are on there. Thank you.

15
16 **DR. BROWN:** Yes, absolutely.

17
18 **MS. BOSARGE:** I only ask because, for some reason with shrimp,
19 it's a little different with our logbooks and technical
20 specifications, and those are being proposed to maybe go through
21 law enforcement.

22
23 **CHAIRMAN BOGGS:** Dr. Hollensead.

24
25 **DR. HOLLENSEAD:** Thank you, Madam Chair, and thank you, Julie.
26 One question I had, and I think this was brought up at one of
27 the Reef Fish APs, and so I guess that I just wanted to mention
28 it here at the council level, and I think you had mentioned that
29 the delay in getting sort of an electronic reporting analog for
30 the paper logbooks was -- Like you mentioned, I guess, the
31 technical specifications and getting it logged in the database,
32 and so am I remembering correctly that that's a little bit of a
33 delay, as to why we're sort of waiting for that in the Gulf?

34
35 **DR. BROWN:** Yes, the Gulf and South Atlantic. Basically, we do
36 have those couple of logbooks from the dual-reporters that are
37 trickling in, and the data is looking to be in a pretty raw
38 format, as of right now, and, again, we've only been up and
39 running for basically the holidays and January, and so, right
40 now, it's kind of just being held in an intermediary database,
41 and it's not into the Southeast Fisheries Science Center
42 database quite yet, and this is the sort of like behind-the-
43 scenes technical stuff that just slowly takes time, and we
44 really, really, really appreciate the recommendations for this.

45
46 **DR. HOLLENSEAD:** Thank you, and I appreciate that clarification.
47 If I could ask one more question, Madam Chair.

48

1 **CHAIRMAN BOGGS:** Yes, ma'am. Go ahead.
2
3 **DR. HOLLENSEAD:** My next question would be, and perhaps this is
4 for general SERO staff, or General Counsel, and maybe not
5 something that has to be answered just yet, but perhaps maybe
6 something to think about for Full Council perhaps, but just to
7 give staff here, council staff, some guidance.
8
9 If there is -- If the Science Center makes headway, or they are
10 able to provide an avenue in which the existing paper logbooks
11 could be implemented electronically, if that would require some
12 sort of framework action, if it's voluntary and that sort of
13 thing, and it might be good to have a little bit of guidance
14 from NMFS on that, so that council staff can be prepared, and so
15 I just wanted to make that comment. Thank you.
16
17 **CHAIRMAN BOGGS:** Okay. Thank you. Any more questions for Dr.
18 Brown? I see Andy. Go ahead.
19
20 **MR. STRELCHECK:** I don't have a question for Dr. Brown, and so I
21 will hold off my comment, if others have questions.
22
23 **CHAIRMAN BOGGS:** Okay. Ms. Bosarge.
24
25 **MS. BOSARGE:** Thank you, and so, again, trying to think about
26 efficiency, since we are working on this for shrimp, but in a
27 little different manner, so this data is going to you said the
28 FER website, and you all just talked about databases a little
29 bit, and trying to work that out, and so is there a server that
30 this information goes to right now, or is there one that I will
31 go to in the future? Is it cloud-based, or is it a physical
32 server, and how does it eventually get transferred to the end
33 user and the Science Center? Can you just kind of flesh that
34 out a little bit?
35
36 **DR. BROWN:** I don't know that I have the answer, in terms of
37 exactly what type of server it is, but, basically, the data
38 would be transmitted to the ACCSP data warehousing company, and
39 let me see if I can remember the acronym. Atlantic Coast
40 Cooperative Statistical Program, maybe, and then they are the
41 ones who actually transmit it to NMFS, and so that's the data
42 flow direction.
43
44 **MS. BOSARGE:** Okay. Thank you.
45
46 **DR. BROWN:** I just remembered the other clarification, and the
47 FER website is something that is completely independent of all
48 this electronic logbook, and that doesn't go to ACCSP. That's

1 something that we built ourselves, and so, yes, the users just
2 log into a website, and it's not an app on your phone, and it's
3 not software, and it's just a regular old website, and that gets
4 transmitted directly to us, and people usually get compliance
5 for those reports within about fifteen minutes, and so very,
6 very quickly. I very much encourage anyone listening to go
7 ahead and sign up for that, because it will save you some
8 headaches, I guarantee it.

9
10 **CHAIRMAN BOGGS:** Okay. Mr. Strelcheck, do you want to go ahead
11 and make your comments?

12
13 **MR. STRELCHECK:** Yes, thanks, and so it's in response to Ms.
14 Bosarge, and I guess I'm getting frustrated, because the
15 comparison keeps coming up, but I want to make it very clear,
16 because this, to me, is misinformation that's being presented to
17 the council.

18
19 We have technical specifications for hardware, for VMS units,
20 and what Ms. Brown was talking about is software specifications,
21 technical specifications. As long as that software can be run
22 on any hardware, that is going to meet the standard for
23 submission of those reporting requirements, and that is no
24 different than what is done for SEFHIER and the software
25 technical specifications we have drafted, as well as revised,
26 and it's no different than the IFQ program, and it's no
27 different than the software technical specifications we're going
28 to have to develop for the action we talked about this morning.

29
30 To kind of draw a comparison between the hardware specifications
31 for the shrimp fishery and what was just discussed is not a
32 reasonable comparison, and you're talking apples and oranges
33 differences. Thank you.

34
35 **DR. BROWN:** Yes, and thank you for that clarification, Andy.
36 We're not talking hardware when we look at the technical
37 specifications.

38
39 **CHAIRMAN BOGGS:** All right. Ms. Bosarge, last comment.

40
41 **MS. BOSARGE:** Yes, and, well, Andy, I'm sorry, and I didn't mean
42 to offend you, and I think, unfortunately, with shrimp, our
43 hardware and software specifications are all rolled into one
44 under those VMS requirements, and maybe that is what is causing
45 part of the problem, and so, the more that I can learn about
46 what is done in other fisheries, and what NMFS, whether it be
47 the Science Center or SERO or OLE, is capable of doing, then the
48 better off I think we all are.

1
2 This has been helpful to me, and there is economies of scale,
3 possibly, with another avenue for the data to run through, this
4 ACCSP, which I had never thought of, but it seems like is being
5 used for logbooks in lots of other fisheries around the country,
6 and possibly will be used even for every other commercial
7 fishery in the Gulf of Mexico.

8
9 I am trying to learn as much as possible, and I guess maybe we
10 should have had some presentations like this in the Shrimp
11 Committee, where we learned more about the electronic logbooks
12 that are used around the U.S. for other fisheries, and maybe
13 that would have been a helpful presentation, to see where we
14 have some options to piggyback that might be more palatable to
15 industry, and so that's all I'm trying to do here.

16
17 **CHAIRMAN BOGGS:** Okay. David Gloeckner, and then we need to
18 move on to our next item.

19
20 **DR. GLOECKNER:** I just wanted to point out that VMS and logbooks
21 are two very, very different things. VMS is a national program,
22 and it is just location data, GPS location data, and this is
23 logbooks, and we're talking about effort, catch, and those types
24 of data that actually can go to ACCSP, whereas what we've found
25 is the VMS data can't go straight to ACCSP, and it has to go to
26 the VMS database at OCIO, and so I just wanted to point that
27 out, that we have a given a presentation on logbooks, and I
28 don't think it was well received, and that VMS data can't
29 necessarily go to ACCSP first, and it has to go to OCIO.
30 Thanks.

31
32 **CHAIRMAN BOGGS:** Okay. A lot of good discussion, but we do need
33 to move on, because I know that our next agenda item is going to
34 be probably the same, and so, Dr. Hollensead, would you like to
35 take us through the next steps for the SEFHIER program?

36
37 **UPDATE ON THE SOUTHEAST FOR-HIRE INTEGRATED REPORTING (SEFHIER)**
38 **PROGRAM**

39
40 **DR. HOLLENSEAD:** Yes, ma'am. This will be Agenda Item VI. SERO
41 staff, and that's going to be Dr. Masi and Dr. Stephen, are
42 going to provide a couple of presentations. The first one will
43 be an update on the SEFHIER program, and this was also provided
44 to the Reef Fish AP a few weeks ago.

45
46 Under the larger umbrella of the sort of SEFHIER program, we're
47 also going to have some information presented on perhaps the use
48 of COLREGS as a demarcation line for the hail-in and hail-out

1 part of the program, as well as discussion on autofill
2 reporting, and these are generally, again, under another
3 umbrella of trying to reduce some duplicative reporting that has
4 been brought to the attention by program participants, and so
5 SERO staff will directly address those here in these next coming
6 presentations. Thank you, Madam Chair. I believe, Dr. Masi,
7 whenever you're ready, if you would like to unmute and begin
8 your presentation.

9
10 **DR. MICHELLE MASI:** Okay. Thanks so much. Good morning,
11 everyone. I am Dr. Michelle Masi, the SEFHIER program manager,
12 and, today, I have just a few general SEFHIER program updates to
13 share with you all.

14
15 On this slide, I am showing an update on the number of permit
16 user accounts that are set up with each reporting platform. The
17 reporting platform type is listed in the rows, and then the
18 permit type is shown in the columns, and the numbers in black
19 are the number of active permit accounts, and the numbers in
20 orange are showing the increase in the number of accounts since
21 the last time that I presented to the council, which was in
22 October.

23
24 The bottom total row there is showing that we have a total of
25 942 active permit accounts that have been set up in the Gulf,
26 and that's an increase of forty-eight accounts since October.
27 Also, in the total row for the Gulf, you can see we have about
28 500 permit holders that have yet to register an account.
29 However, based on the numbers that are shown in the total column
30 for the Gulf, we do currently have about 70 percent of our Gulf
31 federal for-hire permit holders registered with one of these
32 reporting platforms, and remember we are expecting that 20 to 30
33 percent permit latency, and we also anticipate that we will see
34 an increase in participation as permits come up for renewal this
35 year.

36
37 On this slide, I just want to highlight that we continue to try
38 and connect with our constituents who are not yet complying with
39 the program, and so here's just a few bullets to highlight some
40 of our recent outreach efforts, and so, first, hopefully you all
41 received it, but, in case you missed it, we recently sent out a
42 year-end SEFHIER Fishery Bulletin, and that was sent out on
43 December 17, and, in that bulletin, we expressed our sincere
44 gratitude to our constituents who are complying with program
45 requirements to-date, and we also highlighted some common
46 compliance and data issues that we saw over the course of 2021.

47
48 If you didn't receive our year-end Fishery Bulletin, you can

1 actually find it on our website and register to receive future
2 Fishery Bulletins, and you just have to go to our website and
3 look under the news and announcements section.

4
5 Then the second bullet here is just highlighting that we
6 recently worked with council staff to update our Gulf and South
7 Atlantic program toolkits, and our original program toolkits --
8 You can find those at the link that is provided here, but the
9 updated toolkits will be posted to our website soon, and then
10 the third bullet here is just noting that we recently worked
11 with GulfFIN to develop a NOAA permit requirement letter for the
12 Gulf SEFHIER validation survey, and that letter was developed
13 for the surveyors to be able to pass out at the dock, should
14 anyone come into contact with someone who isn't aware of the
15 program requirements.

16
17 Finally, we're continuously updating our SEFHIER program
18 website, and you can find our website at the link on this slide,
19 and just remember that our SEFHIER page is now actually all-
20 inclusive of all of our SEFHIER program information, and so, if
21 you haven't already, I highly recommend that you check out that
22 website.

23
24 In regard to some recent VMS updates, we now have a third type-
25 approved cVMS unit, and that's the Nautic Alert Insight X3, and
26 the note that that one is actually also approved for commercial,
27 and I just want to remind you here that the effective date for
28 the VMS rule was pushed back to March 1 of this year, but, since
29 the date is fast approaching, I recommend that any federal Gulf
30 for-hire constituent who hasn't yet selected a unit -- You can
31 use that link provided on this slide to check out the list of
32 type-approved VMS units for our program.

33
34 Finally, on this last slide, I just wanted to highlight some
35 general SEFHIER discussion items, and so, first, as a reminder,
36 if you're catching HMS species and using the VESL app to report,
37 then you still need to complete the HMS-required reports
38 separately. If you need any more information on HMS reporting
39 requirements, you should go to that URL that I provided here on
40 this bullet, and remember that eTRIPS/mobile will actually
41 prompt for HMS-required questions, and so, if you're using
42 eTRIPS to report, then you only need to submit the one report
43 for eTRIPS in order to satisfy both of the program requirements.

44
45 Also, the second bullet here is for our dually federal
46 commercial reef fish and for-hire-permitted vessels, and so, at
47 this time, you do need to complete both a commercial reef fish
48 and a for-hire trip declaration when you're going on a for-hire

1 trip. We are currently working on streamlining that process,
2 but, at this time, there is still -- The two notifications are
3 serving different purposes for each sector, and both have
4 different regulatory texts, and so both forms are still
5 required.

6
7 Finally, the last bullet is just a reminder that the validation
8 survey started in October, and so, if you do happen to be
9 approached by a state surveyor at the dock, then you are
10 required to participate in the survey, as part of your federal
11 limited-access reef fish permits.

12
13 With that, I just want to take a second to acknowledge the
14 staff, colleagues, and constituents, that are continuing to help
15 SEFHIER evolve into a successful program, and so that concludes
16 this presentation, and, just as a reminder, Dr. Jessica Stephen
17 is on the line, to help answer questions, if the council can
18 make sure she's unmuted, and I will go ahead and open the floor
19 to questions.

20
21 **CHAIRMAN BOGGS:** Thank you, Dr. Masi. Does anyone have any
22 questions for this presentation? Dr. Stunz.

23
24 **DR. STUNZ:** Thank you, Susan. Dr. Masi, thanks for the update
25 presentation, and I was just wondering -- What caught my eye was
26 when you mentioned that there was 500 in the Gulf still yet to
27 register, and obviously that's -- I don't have the slide in
28 front of me, but a third of folks, or so, whatever that is, and
29 that seems like a lot. What is your feeling, or what are you
30 all's thoughts, of who are those folks, and why haven't they
31 registered yet, especially considering the date got pushed back,
32 and so I would have figured that we would be more like 75, or
33 maybe even more, percentage that had signed up at this point.

34
35 **DR. MASI:** I can speak to that for a minute, and then Jessica
36 can come on and say anything else, if she wants to add
37 something. I mean, first, remember that we have that permit
38 latency, and so we do have permit holders that are just out
39 there with a permit and that aren't actively using it, and,
40 given that VMS isn't effective yet, we don't actually know if
41 those folks that aren't fishing are out of compliance or if
42 they're not using their -- They're not reporting yet, and so I
43 think that's part of it, and I don't know if Dr. Stephen wants
44 to add anything.

45
46 **DR. JESSICA STEPHEN:** I think Michelle had it right. For the
47 large part, we are believing that these are latency, based on
48 the discussions that we've had with the industry, but, once we

1 get those VMS units turned on, we'll be able to tell much better
2 whether it is a latency problem or a non-compliance problem.

3

4 **CHAIRMAN BOGGS:** Okay. We have Ed Walker, our Reef Fish AP
5 Chair, on the line. Mr. Walker.

6

7 **MR. ED WALKER:** Thank you. In response to that question about
8 the lack of compliance, I might point out, or mention, that I
9 believe that compliance will go up when we address this multiple
10 hail-outs issue that we have, and it's really kind of an
11 unreasonable burden that we have, trying to move from spot to
12 spot before we even go fishing and having to report all the
13 time, not to mention maybe putting a dual-permit report on top
14 of that.

15

16 As I mentioned yesterday, it can be four or five or six hail-
17 outs to run a charter now, which we have sought help from for a
18 while, but I believe that some people are not joining the
19 program because of that, and I think the support for this
20 program is waning, due to the continued problems in the multiple
21 hail-outs for charter boats.

22

23 **CHAIRMAN BOGGS:** All right. Thank you, Captain Walker, and I
24 believe that's going to be addressed in the next presentation by
25 Dr. Masi and Dr. Stephen. Any other questions with regard to
26 what we just saw, or are we ready to move on to the next
27 presentation? Dr. Hollensead.

28

29 **DR. HOLLENSEAD:** Yes, Madam Chair. If there's no other
30 questions, I believe we can move on. Bernie, that would be the
31 COLREGS presentation. Dr. Stephen, or Dr. Masi, we're ready
32 whenever you are.

33

34 **PRESENTATION AND DISCUSSION ON THE POTENTIAL USE OF COLREGS**

35

36 **DR. MASI:** Okay. Thank you. To kick off this presentation, I
37 wanted to just first remind everyone why SEFHIER needs
38 declarations. First, it's important to remember that trip
39 declarations inform both SEFHIER staff and OLE when a vessel is
40 departing, and also what type of trip is being taken, and,
41 during program development, the Gulf Council determined that
42 trip declarations will improve for-hire effort estimates and the
43 ability of our port agents and law enforcement officers to know
44 when to meet a vessel at the dock.

45

46 The third here is that, through the PRA process, the reporting
47 burden was estimated to be roughly two minutes to complete the
48 declaration, and, finally, it's important to remember that these

1 declarations are used to inform NOAA Fisheries of vessel
2 movements that may occur between the hourly VMS reporting.

3
4 This slide segues us into what the SEFHIER declaration
5 requirements are, and so, currently, the regulations require a
6 declaration every time a vessel moves on water. Remember that
7 the SEFHIER declarations were designed as a combination of a
8 traditional declaration and a hail-in, where the hail-in
9 components are the estimated return time and the landing
10 location fields in the declaration form.

11
12 Importantly, the trip start time, return time, and landing
13 location fields in the declaration form are currently being used
14 by our staff to match the declarations to the logbooks, until we
15 can come up with an automated process, and recall that not all
16 declarations have a logbook, and so, for example, a non-fishing
17 trip or a recreational trip.

18
19 That brings me to the current concern that we've heard regarding
20 the existing declaration requirements. Recently, we heard from
21 our constituents that it's a burden to submit a declaration
22 every time a vessel moves on water, particularly when some
23 stops, like gas, ice, or bait, may just be a couple hundred feet
24 from the boat slip.

25
26 To attempt to alleviate the burden, one suggestion by the Data
27 Committee was that the current SEFHIER requirements be modified
28 to match how the Collision Regulations Line, or COLREGS line, is
29 used in the Northeast.

30
31 In order to better understand what the Greater Atlantic Region
32 is using COLREGS for, both Jessica Stephen and I reached out to
33 our colleagues at GARFO, and, together, we drafted the following
34 two slides.

35
36 At GARFO, we have learned that, for fisheries that require VMS,
37 the vessel positioning is on twenty-four/seven, and transmitting
38 every hour. GARFO also requires a declaration every time the
39 vessel moves. However, GARFO does not use the COLREGS line for
40 any program, but instead uses its own established VMS
41 demarcation line, and the established VMS demarcation line in
42 the Northeast is used for specific programs, like the days-at-
43 sea program, and this program declaration cannot be changed
44 seaward of the established VMS demarcation line.

45
46 Also, in the Northeast, a declaration can only be sent shoreward
47 of the demarcation line, and the declaration line is -- It
48 triggers a trip start event for the days-at-sea program, and so,

1 in the days-at-sea program, any time that occurs after a trip
2 start event, it will count against a vessel's days at sea, and
3 so this counting of the days-at-sea approach in the Northeast is
4 being used in the scallop, groundfish, and monkfish fisheries
5

6 The purpose of the demarcation line in the days-at-sea program
7 is to clock the amount of time that is spent seaward of the line
8 when on a declared days-at-sea trip, and so I guess, if you can
9 imagine a vessel that is transiting off of New Jersey, and it's
10 headed towards Massachusetts, then the vessel could travel
11 within the established demarcation line from New Jersey to
12 Massachusetts, and so only when the vessel crossed the
13 demarcation line in Massachusetts would the start time -- Or
14 would the time start counting towards the vessels days at sea
15 for the fishery.

16
17 To summarize, for these programs in the Northeast, a declaration
18 is still required every time a vessel moves, but the established
19 VMS demarcation line is used to adjust the clock in the days-at-
20 sea program for the time that is lost while the vessel is
21 transiting to the fishing grounds.
22

23 For discussion today, SEFHIER was asked to consider any
24 potential challenges with implementing something like a VMS
25 demarcation line to determine when a vessel should be required
26 to submit a declaration, and so, in considering this request, we
27 came up with three potential challenges for SEFHIER.
28

29 First, the COLREGS line doesn't exist everywhere in the Gulf,
30 like in the Keys, as is circled here in the image, and so a
31 likely alternative to the COLREGS issue would be to develop some
32 sort of VMS demarcation line, and, therefore, I think it's
33 important to note that developing an appropriate demarcation
34 line across the Gulf will require careful consideration.
35

36 Second, a demarcation line will be hard to develop in places
37 where federal for-hire trips can occur very close to the
38 shoreline, such as in the Keys, but, also, depending on the
39 season or targeted species, it might also be challenging in
40 other places throughout the Gulf.
41

42 The third thing here is that it wasn't clear to SEFHIER staff
43 how a captain would know that they had crossed the established
44 demarcation line, and so, internally, we did have some concerns
45 of this potentially leading to confusion, or maybe even
46 misreporting.
47

48 Another thing that was requested is that we draft some potential

1 alternatives to the COLREGS suggestion, and so, on this slide,
2 to get the conversation started today, we're showing here three
3 potential alternatives that have been gathered from folks
4 leading up to this meeting, and so the first would be to modify
5 the existing declaration form to include some indication that
6 multiple stops are intended to be made prior to a fishing trip,
7 and so this would still require a declaration to be submitted
8 for every fishing trip, but it would actually combine multiple
9 stops into just one declaration.

10
11 We thought that this alternative could potentially be
12 implemented on the declaration form, as something like a check
13 box, where you only need to check it if you're doing multiple
14 stops, but it could say something like check here if you're
15 stopping for gas, bait, and ice, and so the approach would still
16 inform NOAA Fisheries of intended vessel movements, but, again,
17 instead of requiring a separate declaration for every movement,
18 it condenses all of the pre-fishing trip movements into just one
19 declaration form.

20
21 Therefore, it would reduce the reporting and submission burden
22 for any intended fishing trip, or recreational trip, but we
23 didn't think it was appropriate for a non-intended fishing trip,
24 and so, for example, if the moment to get gas was the only
25 movement for the day, then a non-intended fishing trip
26 declaration would still be required in that scenario.

27
28 Then the second one here was an alternative that was proposed at
29 the Reef Fish AP, where a demarcation circle, or geofence, could
30 be established around the home port of the vessel, and so the
31 vessel's specific circle would be used to restrict the need for
32 declarations, when a vessel is moving within that established
33 homeport circle, but a note here is that that would require the
34 individual VMS vendors to establish a unique homeport circle for
35 each of their users.

36
37 Then, finally, the third alternative that has come up is to
38 evaluate whether the definition of the trip declaration can
39 simply be modified in the SEFHIER regulations in order to allow
40 for pre-trip activities, and that's my final alternative, and my
41 last slide, and so, with that, I'm going to open the floor now
42 for your questions and discussion.

43
44 **CHAIRMAN BOGGS:** Okay. I will start this discussion, if that's
45 okay, and we need to try to keep it brief, if at all possible,
46 which it seems like that might be a challenge, but one of the
47 considerations that a boat captain had, or suggested, was
48 anytime you have passengers onboard, and so, in our case, that

1 might work, because we do have boats at our marina, which they
2 may declare a trip, but they leave their boat slips with
3 passengers onboard, and they come to the fuel dock, and they get
4 their fuel, their bait, and their ice, and then they leave for
5 the trip.

6
7 I'm pretty certain that they don't declare multiple stops, and
8 so I thought that was a pretty good idea. If you have
9 passengers onboard, you have to declare whether you're intending
10 to fish or not fishing, and so I would think that that might be
11 an easy resolution, and then I also like the idea of the
12 geofencing.

13
14 Then, real quickly, one of the comments that I would like to
15 make, and I tested it this morning, is on the VESL app, which is
16 what we use for headboats, and one of the concerns that I have
17 brought up in the past, and I don't mean to what-if, but this is
18 a challenge, and, if you do a hail-out, and you select trip with
19 no effort, and say we're going to the boatyard, or we're waiting
20 for a hurricane, and you still have to put in that estimated
21 trip end, and there are some instances that you don't really
22 have a trip end.

23
24 I mean, when we go to the boatyard, we may plan to be there for
25 two days, but we may be there for a week. When you have a
26 hurricane, God knows when you might be able to come back, and so
27 I still think that's a concern, and that's not something that we
28 have to address today, but I did want to bring it up. Dr.
29 Stunz.

30
31 **DR. STUNZ:** Thank you, and I have some questions, or just maybe
32 some comments, and, Dr. Masi, I don't know if this is directly
33 for you, but maybe the committee as a whole, but you might help
34 guide us, especially in light of Captain Walker's comment.

35
36 You know, everyone, obviously, that has been here for a while
37 recalls that we had overwhelming public testimony from the
38 captains that we want this, and we want it as soon as possible,
39 and there are easy ways to do this and report at high
40 resolution, and, the sooner that they got in in the fishery, the
41 better.

42
43 I think we all agreed with that, and, of course, we moved
44 forward with this, but it concerned me a little when I saw that,
45 okay, you still have a third that have yet to register, and I
46 get the latency and other things that may be part of that, but
47 surely there's a lot of those that are active captains, I would
48 imagine.

1
2 Then, just a little earlier today, we passed some motions that
3 were opening up some of the restrictions, and Andy and me and
4 some others were concerned, and we have enough holes in the data
5 as-is, and let's don't create more kind of a thing, in terms of
6 those motions that we just passed earlier.

7
8 I like the idea of the demarcation here, and I understand,
9 Captain Walker, that you've got to do things, and it's just
10 clunky to have to hail-in and hail-out when you're going to go
11 get some ice and bait or whatever, and so that's useful, but I
12 can't help but wonder if we need to step back a little bit, and
13 are we making this program so difficult to do that we're
14 disenfranchising some of these captains, and that might be
15 leading to that 500 individuals that haven't registered yet, and
16 so I don't know.

17
18 I am getting a little concerned, looking down the future, that
19 are we creating a program that is not going to get off to a good
20 start, and I know there are some ways to alleviate that, and I
21 guess we may not know, until after March or whatever, but,
22 still, now, all of a sudden, we don't see that overwhelming that
23 we absolutely have to do this as soon as possible, and we're
24 hearing a lot more concern, and so that concerns me, and I'm
25 trying to develop some ways to make this program successful.

26
27 **CHAIRMAN BOGGS:** Thank you, Dr. Stunz. Any other questions or
28 comments? All right. Then we'll move on to our next
29 presentation, the discussion on autofill reporting. Dr.
30 Hollensead, do you want to introduce that? Mr. Strelcheck.

31
32 **MR. STRELCHECK:** Thanks, Madam Chair. Certainly I agree with
33 Greg that I don't want to put up barriers to disenfranchise, or
34 disincentivize, participation in the program. In thinking
35 through what Dr. Masi presented to us, I guess I would look at
36 it from the standpoint of what is most, or least,
37 administratively burdensome, not only for the agency, but also
38 the participants and law enforcement, and, to me, developing a
39 geofence certainly is a solution, but it's complicated, and it
40 adds a lot of administrative burden to develop that.

41
42 Changing some forms, the first idea, obviously, is a little bit
43 less burdensome, and it could accommodate, potentially, the
44 situations we're talking about, and the Number 3, which I don't
45 think has had a lot of conversation, and may be the answer to
46 all of this, and we have a definition of what constitutes a trip
47 declaration, and maybe there is an opportunity to just simply
48 modify that that doesn't diminish the compliance with the

1 program and ensures that that trip declaration matches with our
2 intent for the program, in terms of truly when trips are
3 occurring and not all of these kind of ancillary trips that are
4 happening for fuel and bait and you name it, and so I just
5 suggest that.

6
7 I don't think we're ready to pursue an action, but maybe,
8 between the council staff and my team, working with OLE and
9 others, we could look at this more carefully and see if there is
10 a simpler fix to address all of this.

11
12 **CHAIRMAN BOGGS:** Very good comments. Yes, sir. If there is
13 nothing else, Dr. Hollensead, do you want to introduce our next
14 item? Hang on. Dr. Stunz.

15
16 **DR. STUNZ:** Sorry, Susan, but there's a delay from when you put
17 your hand up to when it goes up on the screen, and I just want
18 to say that I agree with Andy. I feel like -- The geofence
19 thing, I think, is great, if the technology was there and
20 readily available, and I don't know about that, but just we
21 might be able to simply fix this by just defining really what a
22 trip is, and, the more we can simplify this right now, I think
23 the better to get the buy-in, and we had this discussion, I
24 know, in the past.

25
26 If we can get the initial buy-in, then we can begin to add this
27 stuff, but getting it going, where the captains have that same
28 momentum they had a few years ago, and I feel like that may be
29 waning, and, so anyway, Andy, I think that we should probably
30 continue with that Number 3 alternative, at least for now.

31
32 **CHAIRMAN BOGGS:** I think that's a very good idea, and I will say
33 this, that I have spoken to two captains specifically who said
34 that, if this gets much more complicated, they're just going to
35 turn their permits in, and we certainly don't want that to
36 happen, and some of them are getting frustrated with the
37 process. Okay. Dr. Hollensead. I will let you speak this
38 time.

39

40 **DISCUSSION ON AUTOFILL REPORTING**

41
42 **DR. HOLLENSEAD:** Thank you, Madam Chair. The next presentation
43 is also going to be by Dr. Masi, and, as sort of alluded to
44 before, there has been some public comment from program
45 participants talking about some redundant reporting for the
46 logbook, and so SERO staff will address that directly,
47 specifically speaking to perhaps some avenues for one-stop
48 reporting as well as autofilling of data fields that don't

1 change between trips, and so, Dr. Masi, whenever you're ready,
2 we are ready on this end.

3
4 **DR. MASI:** Great. Thanks so much, and so I just wanted to
5 restate that the things that we're going to talk about in this
6 presentation, that were requested for us to present, are just an
7 overview of the SEFHIER technical specifications, the
8 application vendor approval process, and then to discuss the
9 autofilling of fields in the different reporting applications.

10
11 Before I get into those three topics, we wanted to first provide
12 a summary of the SEFHIER reporting requirements, and so, for
13 starters, in the Gulf, federal for-hire permit holders are
14 required to submit a declaration prior to the leaving the dock,
15 and we just talked about that one.

16
17 The trip activity field in the declaration is what determines
18 whether additional questions will be required, and, if an
19 intended fishing trip option is selected on the declaration
20 form, then you will be prompted to complete the trip type,
21 estimated start and return time, and also the landing location
22 field, and remember that the landing location has to be approved
23 prior to leaving for the trip.

24
25 A logbook is also required to be completed if you're going on a
26 federal for-hire headboat trip, and, if fish are landed on the
27 trip, then the logbook needs to be submitted prior to offloading
28 any fish. If no fish are landed, then you need to submit the
29 logbook within thirty minutes of returning to the dock.

30
31 Then the electronic logbook is what is used to capture your trip
32 information, and that includes the trip-level catch data, effort
33 information, and the fishery economic information, and remember
34 that headboat vessels already in the Southeast Regional Headboat
35 Survey should only be using the VESL app to report.

36
37 For our Gulf federal for-hire permit holders, the VMS
38 requirement also applies, and remember the effective date for
39 that is March 1. We currently do have both cellular and
40 satellite VMS units available, including units that have the
41 built-in logbook and declaration forms and others that require
42 you to use one of the free SEFHIER reporting apps.

43
44 If you currently have an operating VMS unit onboard, then you
45 can apply for a power-down exemption if you intend to not move
46 the vessel on the water for at least seventy-two hours, and,
47 finally, the equipment failure exception is working its way
48 through the regulatory process.

1
2 Now that you have been refreshed on the SEFHIER program
3 requirements, on this slide, I just wanted to explain a bit
4 about how the SEFHIER technical specifications work for our app
5 vendors, and so, back at program inception, SEFHIER developed a
6 tech specs document for app vendors, which can be found at the
7 link provided under the first bullet, and note that we're
8 actually in the process of updating the tech specs based on
9 lessons learned in 2021, and also input from our app vendors and
10 constituents.

11
12 It's also important to point out here that, although SEFHIER
13 tech specs spell out a lot of requirements for vendors to comply
14 with before they can receive program approval, one thing that
15 they do have flexibility over is the format of the user
16 interface, or the way in which the application is presented to
17 the user, and so, for example, the flow of questions and the
18 display of fields are up to the vendor.

19
20 I wanted to highlight here that this vendor approval process
21 that was instated for SEFHIER is actually comparable to how it
22 works in all other NOAA regions, and, importantly, for an app to
23 be approved by SEFHIER, it requires SEFHIER staff to test in, in
24 order to ensure that it meets our technical specifications.

25
26 Another important piece on this is that our SEFHIER tech specs
27 are written for non-one-stop reporting, or non-OSR vendors,
28 whereas one-stop reporting, or OSR, is a concept that NOAA
29 Fisheries and ACCSP are informally working towards, in order to
30 reduce data entry duplication for our constituents who are
31 dually permitted, and so, as an example, ACCSP's eTRIPS/mobile
32 app has been approved for SEFHIER, HMS, and GARFO, and so,
33 therefore, a dually-permitted vessel can use eTRIPS/mobile to
34 submit just one report for compliance with all of those
35 programs.

36
37 A caveat though is that, even if you're not dually permitted,
38 eTRIPS/mobile is structured for OSR reporting, and so you may
39 see additional questions in eTRIPS, versus what SEFHIER
40 reporting alone requires, and, as a note, the questions that
41 were approved for SEFHIER are covered in our SEFHIER tech specs.

42
43 The best way, I think, to show you the differences between OSR
44 versus non-OSR apps is to provide some screenshots of VESL,
45 which is currently a non-OSR SEFHIER-specific app, compared to
46 eTRIPS/mobile, which, again, is developed for OSR reporting and
47 adapted to fit SEFHIER requirements, and so, before I go over
48 the screenshots though, for clarity, I just want to note that

1 the screenshots that I am showing today aren't exhaustive of all
2 the different fields that are available in the apps, but,
3 instead, for brevity, we just selected some of the fields to
4 review with you today.

5
6 The VESL declaration form, in the screenshot on the left, looks
7 visually different from the eTRIPS declaration form that's shown
8 in the screenshots on the right, and remember that this is in
9 part because vendors do have the flexibility to design the user
10 interface, but also note that it's largely due to OSR
11 structuring in eTRIPS. For example, in both apps, you can
12 scroll to see all the questions, but eTRIPS spreads out the
13 questions more, which leads to more screenshots.

14
15 VESL also combines some of the SEFHIER-required fields, like the
16 captain's first and last name and the trip date and time fields,
17 whereas, in eTRIPS, those fields are separate, and remember that
18 SEFHIER may require these questions, whereas other ACCSP
19 partners may not, and so, for ACCSP, by keeping the fields
20 separate in eTRIPS, that allows them to have partner-specific
21 flexibility for their other partners.

22
23 The other thing that I wanted to note here is that, in eTRIPS,
24 the end port and gear type fields in the declaration form are
25 not required by SEFHIER, and so those are additional OSR
26 questions that are likely required by other eTRIPS or ACCSP
27 partners, and remember that that's part of the one-stop
28 reporting, where a dual permit holder would be able to minimize
29 the burden of duplicate reporting by using eTRIPS, but the
30 caveat is that, even if you're not dually permitted, eTRIPS
31 mobile is structured for the OSR reporting.

32
33 Another discussion item that was requested for us to explain is
34 how the apps handle discards and why they differ, and so, in
35 VESL, which, again, is just asking SEFHIER-required questions,
36 you click "add catch", as is shown in the screenshots here on
37 the left, and then you enter the species name, and then it
38 prompts for you to record the numbers kept and released for that
39 species.

40
41 In eTRIPS, again, this one-stop reporting application, you first
42 enter the species you caught, and then you do that by typing in
43 the name of the species, and that's shown in the field that I
44 circled in red there in the middle screenshot, and then the app
45 prompts for you to select whether you kept the species or you
46 released it.

47
48 In eTRIPS, you need to enter your kept and released separately,

1 and so say, for example, you start with what you kept for the
2 species you enter, and then, once you enter the caught species
3 name, the following screenshot shows the questions that you're
4 asked to complete, and then, from there, you click "save", and
5 then you go back and you enter the released, if you released any
6 of the same species caught, and you do that for each species
7 that you catch.

8
9 The additional questions that are shown in these eTRIPS
10 screenshots are including catch disposition, catch source,
11 market grade, and offload type, and those are part of the OSR
12 structure of eTRIPS, and so they're probably required questions
13 for other ACCSP partners or for some dual permit holders.

14
15 If you're using eTRIPS/mobile when you record your caught
16 species, and this is true for both retained and released, one of
17 the additional questions, as I mentioned, is the catch
18 disposition question, and so, when you go to record your catch
19 disposition in eTRIPS, you will then be asked to select one of
20 these options that I am showing in this screenshot.

21
22 Again, these are OSR-specific fields, and, at SEFHIER program
23 inception, the council decided, that, for SEFHIER, it only
24 wanted to require the numbers kept and released for each caught
25 species, which is why VESL only prompts for the numbers caught
26 and released. If the council does decide to add additional
27 questions to the SEFHIER reporting requirements, then those will
28 need to be approved through the PRA process.

29
30 The third and final topic to cover in the presentation in the
31 autofilling of the SEFHIER app data fields, and so, first of
32 all, in our SEFHIER tech specs, we define which fields are
33 allowed to be autofilled, and, also, in those same tech specs,
34 we prohibit the autofilling of many of our SEFHIER data fields,
35 and we do that for data integrity purposes, and so the fields
36 that SEFHIER allows to autofill are shown here, the vessel
37 registration number, the vessel name, the time zone, and the
38 unit of measure, and so not many.

39
40 However, we do allow our vendors to set up what is called trip
41 favorites for some of the other required fields, instead of
42 allowing the field to autofill, and so, for example, with the
43 captain's name, the vendor can use favorites to allow the field
44 to populate from the saved favorite, and the reason for not
45 having the captain's name be able to autofill is that, for some
46 of our Southeast for-hire permit holders, we have multiple
47 captains using their vessels, and so having to delete the
48 autofill value is actually more time consuming than just having

1 to enter it the first time.

2
3 Then the alternative to that is, if you're the type of person
4 that only has one captain using your vessel, then that favorites
5 option means that the captain's name will autofill from the
6 saved favorite every time.

7
8 Then, finally, I just want to point out that eTRIPS/mobile was
9 an existing application that was adapted for use with SEFHIER,
10 and so SEFHIER conditionally approved the app, despite it having
11 more autofilled fields than our tech specs allowed. However, we
12 are currently working with ACCSP's committee process to try to
13 rectify that issue, and that's my final bullet here, and the end
14 of the presentation, and so I will open the floor to questions.

15
16 **CHAIRMAN BOGGS:** Thank you, Dr. Masi. Does anybody have any
17 questions for Dr. Masi? Kevin Anson.

18
19 **MR. ANSON:** Thank you, Madam Chair. Just one question to
20 confirm that slide that you have for the OSR versus non-OSR app,
21 and it -- I think I heard you say that the VESL software does
22 not capture disposition of the released fish, and is that
23 correct?

24
25 **DR. MASI:** That's correct.

26
27 **MR. ANSON:** So that can create a problem, I think, with what
28 we're trying to do, going forward, with matching information
29 that has been collected historically and how that information is
30 used to manage the fishery, and it's not apples-to-apples, or
31 it's not apples-to-apples with the two methods, because it is
32 collected in eTRIPS, but then it's not apples-to-apples for the
33 historical, is my understanding.

34
35 **CHAIRMAN BOGGS:** Dr. Stephen, to that point?

36
37 **DR. STEPHEN:** To that point, Kevin, when this amendment went
38 through, both on the Gulf and the South Atlantic side, it was
39 decided, in order to kind of ease the burden on the fishermen,
40 that we were capturing only the dispositions of kept or
41 discarded, and I think there were lengthy discussions, if I
42 remember right, of whether to capture discard disposition.

43
44 Because of the way that ACCSP is set up for all of their
45 partners, we didn't have the ability to keep it to just those
46 two choices, particularly with the high degree of overlap of
47 vessels between GARFO and SERO, and so, while the fishermen
48 might fill out the more detailed information, for our points and

1 purposes for analysis initially, we will keep it at the kept and
2 discarded level, unless the councils feel that we really need to
3 move to that higher degree of data collection. My suggestion
4 would be to let us get a couple of years of data under our belts
5 and then reanalyze what's going on.

6
7 **CHAIRMAN BOGGS:** Thank you, Dr. Stephen. Any other questions or
8 comments? Seeing none, real quickly, I would -- Kevin, go
9 ahead.

10
11 **MR. ANSON:** Not to belabor the point, but, again, apples-to-
12 apples, and I understand it's a technical issue, and I
13 understand that you're aware of it, but just, as soon as you can
14 get those changes done, the better. Thank you.

15
16 **CHAIRMAN BOGGS:** Dr. Stephen.

17
18 **DR. STEPHEN:** Thank you, Kevin, and then one other point, just
19 to remind you, I think, in our stock assessments, we're only
20 using the mortality rate to all discards, and so we don't
21 actually use that discard disposition in our stock assessments,
22 and I think that was also the reason we didn't choose to collect
23 that level of information.

24
25 **CHAIRMAN BOGGS:** Thank you, Dr. Stephen. I wanted to ask --
26 Kevin, to that point?

27
28 **MR. ANSON:** Thank you. Last thing. I understand that, for that
29 side of the management equation, yes, that is as I understand
30 it, and I agree with that, but, on how we monitor landings and
31 catch and apportion for the quotas, annual quotas, that is not -
32 - That would not be applicable, using the SEFHIER information.
33 Thank you.

34
35 **CHAIRMAN BOGGS:** Okay. I wanted to ask if -- We have had the
36 electronic logbooks now for over a year, and I think January 5
37 is when it went into effect, and when will the council see any
38 kind of preliminary report as to what is being produced from our
39 data collection? I understand that we still have vessels
40 registering, and we still have VMS, but it would seem, to me,
41 that we would be able to see at least something at the end of
42 this year, possibly, as to what it's looking like with the
43 reporting and, if we see discrepancies, or things like Kevin is
44 bringing up, that the council wants to modify, it would give us
45 an opportunity before we get too far into this program.

46
47 I know, at the onset, it was said that three years of data
48 collection, running side-by-side, but, with the buy-in from the

1 captains, and the late implementation of VMS, where do we kind
2 of stand, and is there any way that we can, maybe at a later
3 meeting, get some kind of report as to what is being produced
4 out of these efforts? Thank you. Mr. Strelcheck.

5
6 **MR. STRELCHECK:** Thanks, Susan, for the question, and certainly
7 we are happy to provide information on the program to the
8 council, and the statistics and the data, and I think a lot of
9 it will depend on what you want to see, and, after year-one,
10 we're certainly not at a point where we could generate catch
11 estimates, for example, because of a lot of factors, some of
12 which were already mentioned, but we certainly could provide
13 some summary statistics of how things have been changing and
14 evolving, obviously, with the program, and kind of give a
15 snapshot of what happened in 2021 at some point in time, but I
16 would like to talk to my team and get back to you, with regard
17 to timing of that and when we could feel like we would be ready
18 to provide that information.

19
20 **CHAIRMAN BOGGS:** Okay. Thank you. Does anyone else have any
21 comments or questions? Seeing none, we've got nine minutes
22 left, and we've Dr. Cody left to present, and I will ask staff
23 and the Chair, and do we want to defer this to Full Council?

24
25 **MR. DALE DIAZ:** Susan, go ahead and go through that report,
26 please.

27
28 **CHAIRMAN BOGGS:** All right. Dr. Hollensead, do you want to
29 introduce our next item?

30
31 **UPDATE ON UPCOMING WORKSHOP TO EVALUATE STATE-FEDERAL**
32 **RECREATIONAL SURVEY DIFFERENCES**

33
34 **DR. HOLLENSEAD:** Yes, ma'am. Dr. Richard Cody is going to speak
35 on an upcoming workshop to evaluate state and federal
36 recreational survey differences, and that meeting is to be held
37 -- I've got here in late February, but the dates for it are the
38 23rd through the 25th, and so I will let him elaborate more on
39 that. Whenever you're ready, Dr. Cody.

40
41 **DR. RICHARD CODY:** Thanks, Lisa. I can be pretty brief with
42 this, and so, as Lisa mentioned, the workshop is scheduled for
43 the 23rd through the 25th of February. We've had several planning
44 team meetings to discuss the logistics for the workshop and the
45 agenda, and also the milestones and timelines that we want to
46 accomplish, and so we have finalized the milestones and
47 timelines, and we're in the process right now of revisiting the
48 agenda for the workshop, since we are forced, at this point, I

1 think, to do it as a virtual workshop, and I will get into a
2 little bit of that in a few minutes.

3
4 The last meeting that we had was on January 21, and that's where
5 we finalized the milestones and timelines for the workshop, and
6 so I think we're in pretty good shape, in that respect. The
7 other points that I will make is well is we introduced the
8 workshop chair, or facilitator, Paul Rago, to the group, and
9 some of you here are familiar with Paul.

10
11 Paul has been involved with both the FES and APAIS calibrations,
12 as a reviewer, and has worked, and is currently working, with
13 the Mid-Atlantic Council, and a couple of their advisory panel
14 as well, and so I think he brings a lot to the table, in terms
15 of his ability to lead a meeting and also his familiarity with
16 the situation.

17
18 In addition to that, consultants have requested the states
19 provide some presentations related to recommendations that were
20 made pertaining to certification, and, in the case of NMFS, the
21 National Academy's recommendations as well, and so we're in the
22 process of scheduling those. Those will occur prior to the
23 workshop, and the reason for that is to provide the consultants
24 with a little bit more background information, so that, when we
25 get to the point of conducting the workshop, they are better
26 prepared to provide recommendations for research initiatives and
27 other items.

28
29 In addition to that, the states and NMFS have provided them with
30 an inventory of planned, in-progress, and completed research
31 efforts related to identifying sources of bias, non-sampling-
32 error-related research.

33
34 As Lisa mentioned, the meeting will occur on the 23rd through the
35 25th, and we had several meetings, and Gulf States kindly
36 provided the logistics for reaching out to hotels and trying to
37 arrange an in-person meeting, but there were a few factors
38 working against us, and, obviously, the Omicron surge was
39 something that wasn't anticipated when we first started planning
40 these workshops, and there was a level of discomfort, among the
41 consultants in particular, and the workshop chair, and a couple
42 of the states, as far as participating in-person was concerned.

43
44 Rather than delay the workshop any more, we decided to go ahead
45 with a virtual format, and so, given that that's the case, we
46 are in the process, right now, of revisiting the agenda, to make
47 sure that we can tweak it to optimize the time that we have
48 available to us in the virtual format, but also, on the

1 suggestion of Gulf States, we're consulting with the Fisheries
2 Information System program management team, who has quite a bit
3 of experience leading virtual meetings, and in particular with
4 their professional specialty group workshops that they hold
5 quite regularly. We're consulting with them to see what kinds
6 of tools are available to us to make the workshop process more
7 efficient.

8
9 In addition to that, there was a desire expressed by the state
10 directors, at the previous council meeting that we had, for an
11 in-person meeting, and so, obviously, the workshop itself will
12 have some items that won't be ready at the end of the workshop,
13 such as the workshop report and the consultant recommendations,
14 and so I think there is a potential there to reconvene in-person
15 to present those results and finalize the proceedings for the
16 workshop, and, right now, we're looking at potential dates in
17 March, late March, and April for that. That's all I have, as
18 far as the status update on the planning for the meeting, unless
19 people have questions.

20
21 **CHAIRMAN BOGGS:** Thank you for that update, Dr. Cody. Does
22 anyone have any questions for Dr. Cody? Seeing no hands, does
23 anyone have any other business to bring before this committee?
24 Mr. Gill.

25
26 **OTHER BUSINESS**
27 **VMS LAWSUIT UPDATE**

28
29 **MR. GILL:** Thank you, Madam Chairman. I apologize for not
30 thinking of this when we were setting up the agenda, but could
31 we take a moment to ask Mara for a brief update on the status of
32 the VMS lawsuit?

33
34 **CHAIRMAN BOGGS:** I think that would be appropriate. Ms. Levy.

35
36 **MS. LEVY:** I can be fairly quick, and there's really not much to
37 say. The case is fully briefed, and it is before the court, and
38 we are just awaiting a decision. Thanks.

39
40 **CHAIRMAN BOGGS:** Thank you, ma'am. Anything else? All right,
41 and then I believe that concludes the Data Collection Committee.

42
43 (Whereupon, the meeting adjourned on January 26, 2022.)

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