

1 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

2
3 DATA COLLECTION COMMITTEE

4
5 Webinar

6
7 JUNE 17, 2020

8
9 **VOTING MEMBERS**

10 Kevin Anson (designee for Scott Bannon).....Alabama
11 Susan Boggs.....Alabama
12 Leann Bosarge.....Mississippi
13 Roy Crabtree.....NMFS
14 Dave Donaldson.....GSMFC
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16 Paul Mickle (designee for Joe Spraggins).....Mississippi
17 Lance Robinson (designee for Robin Riechers).....Texas
18 John Sanchez.....Florida
19 Greg Stunz.....Texas
20 Ed Swindell.....Louisiana
21 Troy Williamson.....Texas

22
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24 Patrick Banks.....Louisiana
25 Dale Diaz.....Mississippi
26 Jonathan Dugas.....Louisiana
27 Phil Dyskow.....Florida
28 Tom Frazer.....Florida
29 Lt. Nicholas Giancola.....USCG

30
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47
48 **OTHER PARTICIPANTS**

1 Julie Brown.....SEFSC
2 David Gloeckner.....NMFS
3 Peter Hood.....NMFS
4 Jack McGovern.....NMFS
5 Steve Poland.....SAFMC
6 Clay Porch.....SEFSC
7 Chris Schieble.....LA
8 Andy Strelcheck.....NMFS
9
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11 - - -
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1 The Data Collection Committee of the Gulf of Mexico Fishery
2 Management Council convened via webinar on Wednesday morning,
3 June 17, 2020, and was called to order by Chairman Kevin Anson.

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

9 **CHAIRMAN KEVIN ANSON:** Before we get started on the agenda, the
10 items on the agenda, we'll just go through and check on the
11 status of the members. I have Dr. Stunz is here, Mr. Banks is
12 here, Ms. Boggs is here, and Ms. Bosarge, Dr. Crabtree, Mr.
13 Donaldson, Ms. Guyas is here, and Mr. Robinson I don't see. Mr.
14 Sanchez is here, Dr. Mickle is here, and Mr. Swindell is here,
15 and I don't see Mr. Williamson, but, anyway, the first item on
16 the agenda is Adoption of the Agenda, Tab F, Number 1. Do I
17 have a motion to accept the agenda as written?
18

19 **MS. LEANN BOSARGE:** So moved, Kevin.
20

21 **MR. DAVE DONALDSON:** Second.
22

23 **CHAIRMAN ANSON:** Thank you, Leann, for the motion, and thank
24 you, Dave. Is there any opposition to the motion? Hearing
25 none, the agenda is approved. The second item is Tab F, Number
26 2, and that's the Approval of the October 2019 Minutes. Are
27 there any changes to the minutes?
28

29 **MR. DONALDSON:** I move to accept the minutes.
30

31 **MS. MARTHA GUYAS:** Second.
32

33 **CHAIRMAN ANSON:** We have a motion to accept the minutes as
34 written, and it's been seconded. Is there any opposition to the
35 motion? Hearing none, or seeing none, the motion to accept the
36 minutes as written is approved. Item III is Tab F, Number 3,
37 and that's the Action Guide and Next Steps. Dr. Hollensead.
38

39 **DR. LISA HOLLENSHAD:** Thank you, Mr. Chair. For the Data
40 Collection Committee, we have two presentations for today, and
41 the first will be by Dr. Julie Brown, representing the Southeast
42 Fisheries Science Center, and she's going to give us a
43 presentation regarding the justification, development, and
44 progress of the new electronic data collection program for
45 commercial fisheries in the Gulf.
46

47 In addition to that, to test the effectiveness of this new
48 program, a pilot study was completed by the Science Center in

1 2015, and so she's going to give us the major results from that
2 pilot study. After her presentation is completed, the committee
3 is encouraged to ask questions about the program, the pilot
4 program, as well as the electronic logbook program.

5
6 Additionally, the purpose of this presentation is sort of to
7 kick off some discussion about the potential drafting of a
8 policy document that might go concurrent with this program, and
9 we hope to continue working with the Science Center to help
10 develop that, as time moves on.

11
12 As Dr. Brown gives her presentation, you might think of some
13 questions that overlap, perhaps, in some of the methodology with
14 SEFHIER, and so you might have some questions about that, too.
15 If it's not necessarily just directed at the commercial aspect,
16 I might ask that you hold off just for a minute, because the
17 next presentation is going to be directly related to SEFHIER.

18
19 Agenda Item V is Mr. Peter Hood is going to give a presentation
20 representing the Southeast Regional Office, and so he's going to
21 give an update on the SEFHIER program, including the timeline
22 for Phases 1 and 2, as well as touching on discussion of some
23 funding that would be available for reimbursement, to cover some
24 of the costs associated with participating in the program, as
25 well as a few other items.

26
27 The committee should be prepared to discuss this information and
28 ask any questions and offer any insights on how these potential
29 changes might affect the charter industry.

30
31 In addition, Ms. Mara Levy will also be presenting some
32 potential changes to the proposed regulations, and so she will
33 be reviewing that as well, and so, if there's no other
34 questions, that concludes the review of the action guide.

35
36 **CHAIRMAN ANSON:** Thank you, Dr. Hollensead. Any questions at
37 this point from any of the members? Seeing none, Dr. Brown, are
38 you ready?

39
40 **UPDATE ON COMMERCIAL ELECTRONIC LOGBOOK PILOT PROJECT**

41
42 **DR. JULIE BROWN:** Thanks, everyone. I'm happy that I can be
43 here to give you an update on the electronic logbook
44 development. Again, my name is Julie, but I really want to give
45 credit where credit is due to my colleague, Brett Pierce,
46 because a lot of the accomplishments that I'm about to present
47 and the foundational groundwork really should be accredited to
48 him, long before I even started working at NOAA.

1
2 I will be presenting today, and, if you have any problems
3 hearing me or trouble with my audio, please interrupt me and let
4 me know, and, other than that, I will welcome any questions at
5 the end of the presentation.

6
7 The goal of this project is to develop the infrastructure for a
8 program that can receive electronic submissions of logbook data
9 that is required by law. Here is a sample of the commercial
10 fisheries right now that have reporting requirements to the
11 Southeast Fisheries Science Center.

12
13 The justifications for e-logbook are to reduce the reporting
14 burden to industry and consolidate their reporting requirement.
15 Also, it will increase the efficiency and timeliness of data
16 available at the Science Center.

17
18 Our instructions were that e-logbooks must collect everything
19 that is currently on the paper logbook forms and additional
20 draft standards set by the Southeast Fisheries Science Center.
21 Right now, we have approximately 1,700 vessels that are
22 reporting commercially to the Southeast Fisheries Science
23 Center.

24
25 Before we begin talking about the transition to electronic
26 submission of data, I really want to overview what the data is
27 and isn't used for at the Science Center. First and foremost,
28 we use fisher-submitted weight and effort to create CPUE indices
29 of abundance for use in stock assessments and ecological
30 research. We also use the survey data included in the logbook
31 for social and economic assessments.

32
33 There is also a survey included in the logbook submission for
34 discards, and we use logbook data to validate commercial
35 landings which are reported by dealers, and we assign those to
36 the proper spatial regions from the commercial logbook.

37
38 We do not use the logbook data to track individual fishing
39 quotas. This is not for an IFQ submission. The IFQ system,
40 right now, will need to remain duplicative, because the majority
41 of work right now, as I'm told on the IFQ system, is ensuring
42 that it can migrate to a working platform before the current
43 platform's end of life, which is scheduled in December of 2020.
44 We also don't use commercial logbook data to track the annual
45 catch limit. Again, this data comes from the dealer reports.

46
47 Before I begin with the details of the pilot project, I want to
48 say at the start that the Science Center does not build or

1 maintain the software in the past, present, or future, nor do we
2 provide any customer service related to software issues. The
3 vendors are responsible for maintaining software that meets our
4 standards, which are draft at this point.

5
6 Because there is a significant overlap of participants in the
7 commercial and for-hire sectors, we do encourage the development
8 of software that can be used on a singular device for both,
9 although the reporting requirements would be different.

10
11 In 2015, we provided the hardware and software to volunteer
12 participants, which included software versions from three
13 different vendors: Olrac; Harbor Lights, which is a brand of
14 ACCSP, the Atlantic Coast Cooperative Statistics Program; and
15 Electric Edge. All of these had to conform to our standards,
16 although they had different user interfaces.

17
18 Nine vessels ultimately participated by submitting electronic
19 logbooks, along with their traditional paper logbooks, for a
20 total of fifty-eight trips. All tablet versions used an
21 integrated GPS from the tablet, and one vessel actually had a
22 desktop computer, and so we didn't need to provide any hardware
23 to that volunteer.

24
25 Galveston and Madeira Beach both represented Gulf participants,
26 and we also had three participants that were participating in
27 multiple fisheries that would report to the Southeast Fisheries
28 Science Center.

29
30 The main point of the pilot was to generate feedback from the
31 participants and evaluate the feasibility of proposed changes.
32 Most of the feedback that we received related to the user-
33 friendliness of the various software versions, which we provide
34 to vendors, but are ultimately not responsible for, and here are
35 some examples of the feedback that we got.

36
37 One thing that we did determine from this was that multiple
38 hardware options should be available, whether it's on a phone or
39 a tablet, et cetera.

40
41 Software developers were encouraged to include functions that
42 limited the data entry burden to fishers, and a major
43 improvement over the paper logbook is the list of valid entries
44 that a user would scroll and select, instead of hand-writing,
45 and this is made even more efficient by an easily-accessible
46 favorites function for items like species caught. Many pilot
47 volunteers also expressed an interest in rolling over as many
48 effort fields as possible, meaning that the software would

1 remember and autofill the previous entry.
2
3 The Science Center will be finalizing the variables that we
4 allow to be rolled over, with concern that fishers may forget or
5 neglect to update settings that are important to CPUE indices.
6
7 Like I just said, one way that we are modernizing the reporting
8 is by providing these lists of valid entries, instead of asking
9 fishers to hand-write entries, and a good example of this is for
10 species caught. In the current paper logbook, we have sixty-two
11 species provided, and, if a different species is caught, the
12 fisher needs to hand-write that species in the small box at the
13 very bottom, and so you can imagine how frequently there is
14 trouble reading the handwriting or confusion over the common
15 names for various species, and people will just write letters
16 like "BT" for bluefin or blackfin tuna, et cetera.
17
18 The electronic logbook should also limit the data type, and so,
19 for example, you won't be able to write "none" in a space that's
20 intended only for numbers, and so these two upgrades alone will
21 greatly reduce the amount of errors that we have coming into
22 logbook data.
23
24 Another major change is to the resolution of location and time
25 of fishing event. On the paper logbook, we are limited to one
26 location per species caught, regardless of how many fishing
27 locations or events in the overall trip took place, and so the
28 old resolution is a one-degree-by-one-degree grid, and the new
29 resolution for electronic logbooks can be up to within a few
30 meters, if the GPS is used. We will still have an option to
31 manually enter in latitude and longitude fields, but this is
32 discouraged.
33
34 From the pilot, we actually found an instance where a
35 participant went on a multiday trip and recorded fishing events
36 in three separate locations. However, the old paper logbook
37 would only be able to capture one of those locations, due to its
38 limitations.
39
40 The biggest modernization from e-logbook is going to be our move
41 to set-based reporting. Now, HMS fishers are already used to
42 doing this. However, they're required to submit multiple pages
43 and forms to do so. Coastal fishers, on the other hand, are
44 used to submitting on a trip level, and so, in this new format,
45 fishers are going to be asked to estimate a set haul weight,
46 instead of reporting the measured weight for the overall trip at
47 the dock.
48

1 Pilot fishers were routinely very accurate in their estimation
2 of these set haul weights. In fact, they were usually within 10
3 percent of what they correspondingly reported on their paper
4 logbook. We're also going to start asking a few more fishing
5 behavior questions, such as hook type, hook size, bait type, and
6 target species, and we didn't have any opposition to this from
7 our pilot project participants.

8
9 Two gear categories are actually the exception to this new set-
10 based definition, based on volunteer feedback. For hook-and-
11 line fishing and cast net fishing, the definition of a fishing
12 event is actually scaled back to a sub-trip level. Instead of
13 every time the gear is placed into or out of the water, for
14 those two gears, a fishing event will be logged at least once
15 every twenty-four hours, or when there is a significant stop to
16 fishing effort, or when a new gear is deployed.

17
18 The pilot project showed that there is a willingness of fishers
19 to adapt to these changes that will improve assessment and
20 research. Following the pilot project, the hurdles to
21 implementation have been related to data-based restructuring and
22 the security of information sharing, because the new data that's
23 been entered electronically must be stored first at ACCSP.

24
25 To this point, ACCSP maintains a participant ID and password,
26 and that's what the fishers are going to use to submit these
27 logbooks. ACCSP and the Southeast Regional Permits Office are
28 currently in the process of finalizing a federal information
29 security management agreement, a FISMA, and that will allow the
30 sharing of protected data between the two entities. When this
31 is final, the logbooks submitted electronically will provide
32 near real-time science to fishers for their permits.

33
34 We already have a similar process underway for the submission of
35 no-fishing reports, and those are required once a month for
36 commercially-permitted vessels that do not fish, as the name
37 implies. The Southeast Fisheries Science Center has built and
38 maintains this software, which we call FER, the fisheries
39 electronic reporting. Currently, we have 162 active users that
40 are submitting their no-fishing reports for immediate compliance
41 using that system.

42
43 A timeline was requested, and so, here, I have the major
44 landmarks, starting with the pilot project recruitment, which
45 began in 2014, and the project went through 2015, and, also in
46 2015, the Southeast Fisheries Science Center staff were given
47 admin privileges to manage data elements in the SAFIS system at
48 ACCSP.

1
2 Also during this time, spanning several years, we worked closely
3 with ACCSP and our own staff to make the required changes to
4 databases to accommodate the new reporting. In 2018, the FER
5 application was launched, and we actually began accepting the
6 no-fishing reports, and that continues to this day. In 2019, we
7 received the final version of the API from the data warehouse,
8 and that will be given to any vendors who express interest in
9 creating electronic logbook software.

10
11 In 2020, the Southeast Fisheries Science Center obtained a view
12 from ACCSP, which allows us to use an application to test data
13 flow procedures, and this is ongoing, and we're currently
14 working on that, and, on a weekly basis, we're providing
15 feedback to ACCSP to address any outstanding database issues.

16
17 Now we have reached the point in the timeline where the
18 milestones are in the future, and so, soon, the Southeast
19 Regional Office will make their permits live, or accessible, to
20 ACCSP for linking the participants, and this is waiting on the
21 FISMA agreement that I mentioned just a few minutes ago.

22
23 ACCSP also plans to finalize its restructuring, which they have
24 named the Switchboard, and the Switchboard is going to give more
25 flexibility to administrators, to control which data elements
26 are required in their fisheries, and we expect all of this to be
27 happening very soon.

28
29 Once those are final, we will be able to publish our technical
30 requirements document and make that available to outside
31 vendors. Once this happens, we will begin a voluntarily
32 implementation of making this available to commercial fishers,
33 and we would like to have at least one year of voluntary
34 submissions before we really even think about making this
35 mandatory.

36
37 Many of the vessels in the Gulf and the Southeast already have
38 or will soon have VMS requirements, and these vendors, along
39 with other software developers, are all eligible and encouraged
40 to develop software that can be approved by the Southeast
41 Fisheries Science Center, and we would like to remind any VMS
42 vendors that they must get approval on any form changes from the
43 VMS Headquarters staff.

44
45 We plan to have any updates available later this year, probably
46 in December of 2020, and we are waiting for the database to have
47 the proper structure and flow, and so the Southeast Fisheries
48 Science Center database will be talking perfectly with the ACCSP

1 database, where we can accept e-logbook submissions, and then
2 we're going to make it available to fishers on a voluntary
3 basis. At that point, after we get rolling, the councils may
4 want to begin thinking about drafting their resolution, and I
5 think that's it for me, and you can go to the next slide for
6 questions.

7
8 **CHAIRMAN ANSON:** Thank you, Dr. Brown, for the presentation.
9 Considering Dr. Hollensead's comments when she reviewed the
10 Action Guide and Next Steps, Dr. Hollensead, how do you want us
11 to proceed, or maybe specific questions to the information that
12 Dr. Brown has provided in her presentation for the commercial
13 side, but you said there might be some questions that would also
14 apply, or could be applied, to the SEFHIER, and so how do you
15 recommend that we proceed?

16
17 **DR. HOLLENSEAD:** I would recommend that the committee ask any
18 questions of Dr. Brown, if they have any specific questions
19 about the program, and it then might be good to, based on that,
20 start to speak about perhaps what sort of document would be
21 appropriate, and maybe Ms. Levy could highlight some of that, or
22 provide some insight.

23
24 I think the goal here for us, at least as council staff, in
25 speaking with folks from the Science Center, was to try to get
26 an idea of, when they're ready to do their implementation, that,
27 as a council, we would have whatever policy would be needed to
28 implement that program around the same time, so that those
29 things could sort of come online when the Science Center was
30 hoping to, and so however we could facilitate that.

31
32 I would think that questions, and then perhaps some discussion
33 along that line, and, as Dr. Brown mentioned, someone from the
34 Science Center hopefully will be able to provide some updates to
35 their progress as well, as to what their needs might be, and we
36 can begin drafting a document, and so that's what I would
37 recommend for the committee today.

38
39 **CHAIRMAN ANSON:** Very good. Thank you. Do we have any
40 questions related to the information that Dr. Brown provided
41 from any of the committee members? I see Dr. Frazer.

42
43 **DR. TOM FRAZER:** Thanks, Kevin, and, Julie, I appreciated that
44 presentation, and I just had a question with regard to the
45 commercial guys that are hook-and-line fishing, and so one of
46 the advantages of the new electronic reporting, I guess, is that
47 you can get information from multiple locations, but part of
48 that you said that, if they have a significant kind of slowdown,

1 or a change in their fishing activity, then they can input new
2 information after that, and I guess what I am trying to
3 determine who is determines what is a significant change in
4 fishing activity? Is it just at the discretion of the
5 fishermen?
6

7 **DR. BROWN:** Right, and that is a little subjective at this time.
8 We're going to try and be as clear as possible to explain to
9 them that, no, you don't need to log a new fishing report, or a
10 new fishing event, every time a hook goes into or out of the
11 water, but, if you do pick up and move to a significantly
12 different location, or significantly stop putting effort towards
13 fishing, we would like to see that be logged as a separate
14 event.
15

16 You're right that there is a little bit of discretion there, but
17 we just don't feel like we can stick to the rigid definition of
18 every time their gear comes into or out of the water, because,
19 for instance, during the pilot project, we had one volunteer
20 who, bless his heart, did stick to those rigid definitions, and
21 he was logging sixty or seventy fishing events in a single
22 fishing day. We certainly don't want people doing that, and so,
23 yes, your concerns are noted.
24

25 **DR. FRAZER:** Thank you.
26

27 **DR. DAVID GLOECKNER:** One of the things that you might want to
28 point out is there is going to be a GPS integrated into the
29 hardware, and so that can be used to identify distance changes
30 that we would want new reports on, and so that's something that
31 would limit what the captain actually has to do.
32

33 I mean, if a captain starts fishing, he should go ahead and
34 maintain a new record, if he starts fishing again, but, if he
35 moves a certain distance, and we'll have to define what that
36 distance is, then we can have the report automatically notify
37 him that he needs to do a new effort record.
38

39 **DR. BROWN:** I want to reiterate what he said, that we're going
40 to be very, very strongly encouraging people to use the GPS
41 aspect of whatever device they choose to be using. That's one
42 of the major benefits of this program, and it's going to also
43 reduce their reporting burden, and so we strongly recommend and
44 encourage people to use that GPS.
45

46 **CHAIRMAN ANSON:** I have Mr. Swindell up, but, while we're on
47 this topic, there was a question that I had. In your
48 presentation, and, again, you were reviewing the data that had

1 been collected thus far, and the participants had the ability to
2 turn on and off or provide or not provide the GPS location for
3 the reporting purposes, but it sounds like that will be a
4 requirement for them to report a GPS location for each of their
5 significant fishing events, and is that correct?
6

7 **DR. BROWN:** They will be required to report a latitude and
8 longitude for every location. However, they will have the,
9 again strongly discouraged, option of going back to the dock and
10 going back home and waiting a few days and then entering it in
11 by hand, and so they will still have that option, but, again,
12 it's strongly discouraged.
13

14 **CHAIRMAN ANSON:** All right. Thank you for that clarification.
15 Mr. Swindell.
16

17 **MR. ED SWINDELL:** How many people are you getting reports from?
18 How many vessels are being reported?
19

20 **DR. BROWN:** Right now, the regular paper logbooks I believe are
21 getting reports from 1,700 vessels. I can't speak to how many
22 of those vessels are reporting positive fishing reports versus
23 no-fishing reports, but we have approximately 1,700 vessels that
24 do have a requirement to submit something monthly to us.
25

26 **MR. SWINDELL:** Is this just from the Gulf of Mexico, or is this
27 also with the South Atlantic?
28

29 **DR. BROWN:** This also includes the South Atlantic.
30

31 **MR. SWINDELL:** Okay, and so how many people in the Gulf of
32 Mexico? Do you have any general idea?
33

34 **DR. BROWN:** I'm sorry. I couldn't tell you that off the top of
35 my head. My apologies.
36

37 **MR. SWINDELL:** Okay. I was just curious how many Gulf vessels
38 we have operating under this system. Thank you.
39

40 **CHAIRMAN ANSON:** Next, I have Dr. Greg Stunz.
41

42 **DR. GREG STUNZ:** Julie, thanks for the presentation. This
43 council has been concerned about discards in the fishery for
44 some time. As we're making decisions around the table, that
45 always comes up, and I was wondering if you could expand a
46 little bit on the discard data that you had collected, in terms
47 of like the resolution or the species composition or what type
48 of questions or what type of data do you expect to get from

1 that?

2
3 **DR. BROWN:** We are going to encourage everyone to report their
4 discards, and so, as of right now, I think approximately 30
5 percent of the fleet is randomly selected to participate in that
6 survey every year. However, the electronic logbook is going to
7 ask for everything that is caught in a set, including what is
8 discarded, and we also have questions for the reason it was
9 discarded and the condition that it was discarded, either alive
10 or dead.

11
12 We, obviously, won't have much of a way of forcing people to
13 report those, but that's not really any different from the paper
14 discard survey that they are currently taking, and they can
15 always just mark the bubble that says I didn't discard anything,
16 and so, yes, we're hoping for people to be honest and report
17 what they catch and make it very easy for them to do so.

18
19 **CHAIRMAN ANSON:** Next, I have Ms. Levy.

20
21 **MS. MARA LEVY:** Thank you. I heard a couple of things about
22 hardware with GPS and then the logbook software, and I guess I'm
23 just wondering if the intent is to ask folks to buy this
24 hardware and use specific software and pay for potential cell
25 signal, and the reason I'm asking is, to the extent that the
26 council needs to develop some sort of amendment or framework,
27 and we need to do regulatory changes to implement this, the more
28 complicated, or the more things that we're requiring folks to
29 do, the longer it could potentially take, and I'm thinking of
30 the for-hire stuff that we've been working on for a number of
31 years. If you want to line up the timeline, I think it would be
32 helpful to know that, and then the council to know sort of what
33 they have to write, I guess.

34
35 **DR. BROWN:** Thank you. We plan on having a range of different
36 options available to fishers, and so a lot of the options are
37 going to just involve software that they can download onto a
38 cellphone, a cellphone with a fairly updated version of iOS, for
39 instance, and they can actually get a free version of this
40 software, and that's going to be what we offer that's been
41 developed from ACCSP.

42
43 We also anticipate that other third-party vendors will be
44 developing software that may look different and have different
45 user interfaces. In terms of the data transmission though, we
46 really expect that this is going to be a very minimal cost, if
47 people are submitting it using their cellphone, for instance.

48

1 From the pilot, we estimate an average of ten kilobytes a month
2 for day-trip vessels, and that would be on a per month, and so
3 we really expect the data transmission aspect to be a very
4 minimal cost to fishers.

5

6 **CHAIRMAN ANSON:** Thank you. Next, I have Dr. Porch.

7

8 **DR. CLAY PORCH:** Thank you, Chair. Obviously, being from the
9 Center, we really like the system, especially for getting a
10 better handle on effort, and, personally, I think all our
11 commercial fisheries should use something like this, but, to Dr.
12 Stunz's point regarding discards, as Julie implied, the logbook
13 estimates of discards tend to be a lot lower than our observer-
14 based discards, and you do have a fair number of captains that
15 just put zero discards, whereas we rarely see anything like that
16 from the observer data.

17

18 I have my doubts whether it will ever be useful for estimating
19 discards, per se. We still may be able to use the data at some
20 level, but we certainly won't be able to get around moving
21 towards camera-based monitoring or physically having observers
22 on vessels.

23

24 **CHAIRMAN ANSON:** That's a good comment, Dr. Porch, and a comment
25 that I was going to make, and I'll get to Dave here in a second,
26 and it also includes Mara's comment relative to what the agency
27 would bring forward to the council, as far as their wish list.
28 As I'm hearing it, it sounds like we'll go through a similar
29 process to come up with a document that will require the
30 reporting requirements from the hardware/software perspective as
31 well as -- Or at least the elements, the data elements, it
32 sounds like, is what we'll also be reviewing.

33

34 I am just curious, and I've got some questions about the
35 validation and what's currently the validation process for the
36 paper logbooks, relative to the reports that are submitted, and,
37 if there is a validation process, what is the error or the
38 correction that's involved with it, and then, as you talk about
39 some of these data elements that are very personal in the eyes
40 of the fishermen, you've got some very enthusiastic volunteers,
41 but, when you apply these questions, or this data request, to
42 the whole fishery, our experience is that, at least on the
43 recreational side, is that GPS finite, very fine-scale GPS
44 information, is often not very accurate, or at least at the
45 accuracy that the technology will provide. If it's requested to
46 be, or is allowed to be, inputted manually, there could be some
47 questions with the data.

48

1 **DR. BROWN:** Right, and so, to your point, the validation process
2 currently, and in the future, once electronic logbooks are being
3 accepted, could be an entire presentation in and of itself. We
4 have a team of people that do extensive checks on every single
5 field that comes in on the paper logbook, and so we're checking
6 it anywhere from if does that value make sense, is that value
7 within a range that makes sense for that particular vessel, are
8 things spelled right, are they catching fish in places where
9 they shouldn't be catching fish, and that could be a whole
10 presentation in and of itself.

11
12 When we start accepting the electronic logbooks initially, they
13 will go through the same process, where they are run through an
14 algorithm, and then one of our staff members makes a
15 determination for each one of the flagged errors that comes up,
16 but, in the long term, and this is still kind of in the proposal
17 stage, and so I cannot give you an estimate of how quickly this
18 would be able to go live, but, ideally, a lot of those checks
19 would be able to happen as the fisher is entering that data,
20 instead of waiting for a let's say two-week process to be
21 alerted of, hey, you wrote down something that doesn't make
22 sense.

23
24 That is still in the very, very nascent development proposal
25 stage at this point, and so I don't really want to speak to when
26 that would be available.

27
28 **CHAIRMAN ANSON:** All right. Thank you. Mr. Donaldson.

29
30 **MR. DONALDSON:** Thank you, Mr. Chair. Regarding, Dr. Brown, you
31 mentioned that currently you're doing, with the paper tickets,
32 or paper logbooks, you're doing a survey -- You are surveying
33 about 30 percent of the fishermen, and what kind of compliance
34 or positive reporting are you getting from that right now, and I
35 think Clay kind of alluded to that a lot of them are just
36 putting zero, but I was just wondering, and it doesn't sound
37 like you're getting a whole lot of compliance, and is that a
38 fair statement?

39
40 **DR. BROWN:** It's hard to say, because these people are signing
41 their signatures and swearing that what they are reporting is
42 true, and so, without observers, it's very difficult to say how
43 many of them are being lazy or fudging or truly reporting that
44 they don't have any discards, and so I really can't speak to how
45 accurate that data is. Your guess is as good as mine.

46
47 **DR. GLOECKNER:** Dave, I may be able to shed a little more light
48 on that. Our experience, when we've worked up these reports

1 during SEDARs, is that at least the Gulf is better at it than
2 the South Atlantic. In the South Atlantic, we have a real
3 problem with getting zeros on the reports, and that is not as
4 prevalent in the Gulf, and so, relatively speaking, the Gulf is
5 a bit better at it, but I don't have those numbers right in
6 front of me, and we can compile those and send those to the
7 council.

8

9 **MR. DONALDSON:** Thanks, Dave.

10

11 **CHAIRMAN ANSON:** Thank you. I don't see any other committee
12 members raising their hands, and I will just add a few more
13 comments then relative to the timeline that you provided, Dr.
14 Brown, and relative to it sounds like the request of the lift
15 that the council will be required to do -- The timeline is
16 ambitious, due to COVID-19 and all those related issues with
17 communication and such, and then, if there is the process, or
18 included in the process, some scrutiny relative to the data
19 elements, that certainly -- Our fishermen are keen on the scope
20 and breadth and reporting requirements related to that. I do
21 see Mr. Swindell has raised his hand.

22

23 **MR. SWINDELL:** I just want to see if you can provide us with
24 information of how many vessels are being reported utilized in
25 the Gulf of Mexico, and so, if we could get that information,
26 that would be helpful.

27

28 **DR. BROWN:** Absolutely.

29

30 **MR. SWINDELL:** Thank you.

31

32 **CHAIRMAN ANSON:** Thank you, sir. I have Leann Bosarge, and,
33 unless someone else has a burning question of Dr. Brown and her
34 presentation, I would like to move on to the SEFHIER
35 presentation after Leann. Go ahead, Leann.

36

37 **MS. LEANN BOSARGE:** Thank you, Mr. Chairman. I just wanted to
38 circle back to that report that is being, I guess, developed
39 right now, the Freedom of Information Security Act, and just
40 reemphasize how important it is to fishermen.

41

42 This is their information, and they make their living based on
43 their knowledge and their abilities, and they are willing to
44 give a lot of that very private information to National Marine
45 Fisheries, for the betterment of the science in their fishery,
46 but we need to be cognizant that that has to be protected
47 appropriately, that whoever is going to look at that data has to
48 have certain training on how it's to be used and how it's to be

1 protected, to make sure that their information doesn't get
2 exposed in a way that it shouldn't be exposed, and in a variety
3 of different ways.

4
5 I understand that there's lots of people that would love to use
6 it to maybe use it in their research or this or that, or even
7 going to the states for different reasons, but we need to make
8 sure that it's highly protected, and it's on a need-to-know
9 basis, and that there are -- There is a protocol for requesting
10 it, and you have to have a real good reason to see it. Thank
11 you.

12
13 **CHAIRMAN ANSON:** Thank you, Leann. With that, I don't see
14 anyone else raising their hand. Dr. Brown, thank you very much
15 for the presentation, and you've heard some of the discussion
16 here, and certainly we look forward to, as soon as it can be
17 incorporated into the next council agenda, a summary of the
18 comments here and incorporated into kind of a document,
19 procedures document, that we could utilize to go ahead and do
20 some formal action on it, and so thank you very much.

21
22 **DR. BROWN:** Thanks. It was my pleasure.

23
24 **CHAIRMAN ANSON:** Next, we'll move on to the Update on the
25 Southeast For-Hire Electronic Reporting (SEFHIER) Program, Tab
26 F, Number 5, and that will be presented by Mr. Peter Hood. Mr.
27 Hood.

28
29 **UPDATE ON THE SOUTHEAST FOR-HIRE ELECTRONIC REPORTING (SEFHIER)**
30 **PROGRAM**

31
32 **MR. PETER HOOD:** Before I start, I want to make just a couple of
33 comments. One is I'm sort of new to the whole SEFHIER team, and
34 I just want to let you know that I've been sitting in on a lot
35 of meetings and everything, and I've just really been impressed
36 with the gung-ho attitude of everyone who is involved, council
37 staff and SERO staff, Center staff, Office of Law Enforcement,
38 or OLE, staff, and the vendors that we're working with and
39 everything.

40
41 I mean, people are really committed to making this program a
42 success, and I just -- As somebody who is sort of on the outside
43 and looking in and not being somebody on the inside, I'm just
44 hugely impressed, and it's just really a joy to work with
45 everyone who is involved with the project.

46
47 The second thing I would like to mention is that, last week, at
48 the South Atlantic Council meeting, they decided that, rather

1 than having an effective date of September 1 of this year, that
2 they would like to see it postponed to sometime in early 2021,
3 and the rationale they provided was that they really didn't want
4 to burden their charter fishermen too much during the pandemic,
5 when fishing effort and revenue has decreased, but they also
6 indicated that they wanted to have the same effective date as
7 the Gulf. I will have a tentative timeline, but it's subject to
8 change based on your discussions and recommendations.

9
10 The topics that I will be going over are the rule and the
11 timeline, and I will talk a little bit about reporting systems
12 and the approvals of those, and I will talk about the VMS
13 reimbursement program.

14
15 There were some questions that the council staff asked us that I
16 guess they've been hearing from captains, and I will address
17 those, and I will talk a little bit about the SEFHIER support
18 that we have, and then, finally, I will talk a little bit about
19 what we can expect, moving forward.

20
21 The South Atlantic final rule published in February of this
22 year, and, again, they have an effective date of September 1,
23 but they would like to see that date pushed back. There is a
24 cellular-based VMS final rule, and that basically allows the GPS
25 cellular systems to be approved by the VMS program, which would
26 allow them to be reimbursed, and the Gulf final rule is
27 anticipated to publish by July 1, with a target effective date
28 of -- Right now, we have September 1, but, again, that's up for
29 discussion, and that is for the logbook and trip declaration,
30 which is Phase 1. Then Phase 2, which is the VMS requirement,
31 that has an effective date of, or a target date, of January 1,
32 2021.

33
34 This is just a graphic of the projected implementation timeline.
35 Again, the final rule hopefully will publish soon. During the
36 summer, we'll get fishermen to kind of sort of learn about the
37 program and everything for a September 1 effective date, and
38 there will be outreach videos, and then there will be toolkits
39 that will be mailed to the different participants. Again, you
40 have this proposed September 1 effective date for Phase 1 and a
41 January 1 effective date for the VMS portion, or Phase 2.

42
43 Now, if you do decide to push things back to 2021, there is no
44 reason why Phase 1 and Phase 2 can't occur at the same time, and
45 I have a little note on the left just to remind me that the
46 Phase 2 timing is based on hardware and software development
47 approval, and these are things that are going on.

48

1 In terms of the systems and approvals, eTRIPS and VESL are
2 software that are currently being tested for use in the program.
3 Several VMS systems are currently being tested by OLE for use in
4 the program. All the approved systems will be listed on the
5 Southeast Electronic Reporting and Technologies website, and all
6 VMS systems, as soon as they are approved, will also be listed
7 on the OLE website.

8
9 For the VMS reimbursement program, right now, there is at least
10 \$800,000 that would made available for the Gulf for-hire
11 vessels, and this would be available after the final rule
12 publishes.

13
14 A VMS system, be it satellite or cellular, must be approved by
15 NMFS for use in the program to be eligible for this
16 reimbursement, and permit holders will be able to submit an
17 application for reimbursement after the Gulf final rule is
18 published and a VMS system has been listed as an approved
19 device. There are some out there right now that are approved,
20 and then there are some that are pending approval, and then we
21 expect that there will be some that are submitted after the OLE
22 final rule publishes. Then they will be tested, and then, at
23 some point, they will be listed as an approved device.

24
25 All dually-permitted vessels, and so, when I say "dually-
26 permitted" here, I mean one that has a commercial reef fish
27 permit and then has a for-hire permit on it, and they will
28 either need a system that works for both programs or they would
29 need to have two different systems onboard, one to allow them to
30 operate under each permit. Then the instructions to apply for
31 the reimbursement can be found at this website, which is
32 administered by the Pacific States Marine Fisheries Commission.

33
34 I will get into some of the questions that council staff asked
35 us, and so one is will cellular GPS archiving units be available
36 as VMS reporting devices, and the answer is yes. Cellular-based
37 units may be approved for use in the fishery, and these would
38 archive the vessel location data once an hour, and it would
39 transmit information once it's within cellular range.

40
41 The advantage of the cell units is that they have lower upfront
42 and operating costs. However, if you're someone who, once you
43 get outside of cellular range, would either like to communicate
44 with shore or do some sort of real-time data transmission, these
45 cellular units won't work.

46
47 Then another thing about the cellular-based unit is that they
48 need to be able to submit a logbook or allow a connection to a

1 device that can submit a logbook, and this connection to a
2 device could be something like have Bluetooth capabilities, or
3 it could be a USB port, and so you could plug in a wire. Units
4 just have to have the ability to use it. If you're a captain,
5 and you want to have your GPS unit basically just record
6 location data and get into shore and send that data out, and
7 then fill out your logbook on say your smartphone, that's
8 perfectly okay, and there's no worries there. It's just a
9 capability issue, and it's nothing that they have to be using --
10 They have to be submitting their logbook through the system.

11
12 Another question is what steps have been taken to resolve
13 potential issues around modifying a trip declaration, and the
14 example here is a captain has a VMS unit, and they decide that
15 they're either going to extend a trip or they're going to come
16 in early, and maybe it's bad weather or whatever, but how would
17 they modify their hail-in?

18
19 The answer is they don't have to. The trip declaration just
20 requires an estimated time of arrival back to port, and so, if a
21 vessel changes when they're going to make it back in, they don't
22 have to do anything. The person can just do what they need to
23 do.

24
25 However, if we do notice that a vessel is habitually not
26 adhering to their estimated return time, and this can become an
27 issue if we're trying to coordinate getting folks to come in and
28 validate catches, or look at catches, and things like that, then
29 the permit holder --

30
31 We might talk to them and say, hey, what's going on, and it
32 could be something as simple as typically they sell a four-hour
33 trip, and so they leave at 8:00, and they're going to come back
34 at noon, but a captain might be really good at upselling a trip,
35 and so maybe four times out of five, or something like that,
36 they're able to get people to say, yes, sure, we want to hang
37 out here for another two hours or four hours or whatever, and so
38 they consistently come in at a time different from when they
39 declared they're going to come in, but we would just sort of
40 communicate with that person and try to figure out what's going
41 on and work from there.

42
43 The next question is what species are included in the reporting
44 species list, and this is on the logbook, and it will be a
45 comprehensive list of both Gulf and Atlantic state and
46 federally-managed species, and the logbook will have a drop-down
47 list of species to select from, and the logbook will provide the
48 opportunity for captains to select like a list of favorites, and

1 so, on particular trips, they probably know what they're going
2 to be catching, and so they can pre-populate that list and work
3 from that, and then, actually, some reporting programs will be
4 able to remember what you're selecting most often, and so that
5 would allow you the opportunity to maybe not have to think about
6 things quite so much.

7
8 Just to give you an update on SEFHIER support, we'll be hiring
9 folks to help out with customer service, and there will be two
10 ACCSP staff and contractors working on the information, and
11 there will be VMS staff folks available to support issues that
12 might come up, should a fisherman have problems with the VMS
13 system, and then, for field validation, we're working with the
14 Gulf States to develop survey guidelines and then certainly
15 provide funding for dockside validation.

16
17 Then what can be expected moving forward, at least in the near
18 term, and so, this summer, or right now, we're working on a lot
19 of outreach tools, and these will be sent out to fishermen, and
20 they will include instructional videos that people can view, and
21 there will a toolkit that will be mailed to every permit holder,
22 and then there will be webinars and whatnot anticipated to begin
23 this summer, and certainly, if anyone can speak about outreach,
24 Emily would be a great person to touch base with, if you have
25 these outreach activities.

26
27 Then, finally, the Gulf fishermen need to submit landing
28 location application forms, so we know where they are coming in
29 at, and that can happen after the final rule publishes and the
30 program is ready to accept those applications, and so that's
31 basically the end of my presentation, and I would be happy to
32 entertain any questions.

33
34 **CHAIRMAN ANSON:** Thank you, Peter. We are, just very shortly,
35 approaching the end of our allotted time, and I want to check
36 with Dr. Frazer. Could have just five more minutes, maybe, to
37 kind of proceed with the rest of the agenda? We may not
38 complete, obviously, questions from committee members, and I
39 suggest that maybe we roll that over into Full Council. Can I
40 have a few more minutes, possibly?

41
42 **DR. FRAZER:** Sure. Again, Kevin, thanks for asking, and I think
43 it's a good idea, perhaps, to check in with Ms. Levy, with
44 regard to the potential changes on the proposed regulations,
45 and, if we hold questions until Full Council, that will be fine,
46 and if you can identify any Other Business items right now, and
47 that would be good. Thanks.

48

1 **CHAIRMAN ANSON:** Great. Thank you. Ms. Levy, you were next on
2 the agenda, if you wouldn't mind going through the potential
3 changes from the proposed regulations, and that would be Tab F,
4 Number 5(a). Ms. Levy.

5
6 **DISCUSSION OF POTENTIAL CHANGES FROM THE PROPOSED REGULATIONS**

7
8 **MS. LEVY:** Thank you. This is just some potential changes from
9 the proposed to final rule. The Magnuson Act says that the
10 Fisheries Service is supposed to consult with the council
11 regarding any changes from the proposed rule, and so this is
12 that consultation. You are welcome to make any comments, and
13 they are not significant changes, but I wanted to make sure that
14 we at least went over them, so you had the chance to see them.

15
16 A couple of them are just terminology changes, and the first one
17 on the list is basically a terminology change. In the proposed
18 rule, we talked about VMS units and GPS units, to try to
19 distinguish them, but, as we've been moving forward through the
20 process, you know that the Office of Law Enforcement has a
21 proposed rule out there, and is working on the final rule, to
22 approve cellular VMS, and so the terminology just changed, to
23 refer it to as cellular or satellite VMS, and so they're both
24 VMS units.

25
26 Also in the proposed rule, we had an estimated burden time to
27 submit separate fishing and location reports, if that was
28 required, but the NMFS OLE proposed rule would require that the
29 position reporting by the cellular VMS be fully automatic, which
30 is the same thing that is currently required for satellite VMS,
31 and so that additional reporting burden is no longer
32 anticipated.

33
34 The third thing on the list is a revision to the name of the
35 pre-trip declaration, and so we are potentially changing that
36 from a trip notification form to a trip declaration form.
37 Again, it's a terminology change.

38
39 We're also making it clear, in the provisions that talk about
40 the trip declaration form, to clarify that a trip is anytime a
41 vessel departs from where it's docked or berthed or whatever,
42 and the proposed rule talked about the departure of any trip,
43 but it didn't have a definition of "trip". The 622 has a
44 general definition of "trip" that refers to a trip as a fishing
45 trip, but, in this case, we meant more than just a fishing trip,
46 and so, anytime the vessel leaves the dock, we want folks to
47 fill out this declaration.

1 If they're not going on a for-hire trip, they can just indicate
2 that, and they're done, and there are places in 622 that talks
3 about fishing trip, as opposed to trip, and so we just didn't
4 want there to be any confusion, and so we're going to add some
5 text to those provisions, to make it clear when that trip
6 declaration is required.

7
8 We also said in the proposed rule that the VMS power-down
9 exemption would be accepted by mail or fax and that NMFS was
10 expecting to develop an electronic method of submission. At
11 this time, NMFS has decided not to accept fax, and they don't
12 think a lot of people would use it, and the agency is also
13 continuing to work on developing electronic form, and so, likely
14 by the time this rule is effective, NMFS can accept it by mail
15 or email, and potentially via electronic. Depending on when the
16 rule is effective, NMFS may have the electronic mechanism as
17 well to accept that form.

18
19 Number 5 is minor changes in a number of paragraphs to more
20 clearly separate the logbook and VMS requirements, just to make
21 it clear that those are two separate things, and also to make it
22 clear that both things, the NMFS-approved hardware and software
23 for both the logbook and VMS, will be posted on the regional
24 website, and those were a little bit mushed together in the
25 proposed rule.

26
27 Then a final one is in response to public comment about whether
28 headboat owners and operators will continue to report to the
29 Southeast Regional Headboat Survey, and it's adding some
30 language in a couple of paragraphs to make it clear that, if
31 you're selected to report to the Southeast Regional Headboat
32 Survey, that use their software, which is going to be approved
33 for this program, just so that there's no misunderstanding
34 there, and so those were the six things in the briefing book,
35 and it's up on the screen. Again, if, at Full Council, anyone
36 wants to make any comments about it, we would welcome those.
37 Thanks.

38
39 **CHAIRMAN ANSON:** Thank you, and I will use just the last -- I
40 know we're over time here, and I've got two questions. I have
41 one for you, Ms. Levy, and then one for Peter. Relative to
42 notifying in the Federal Register, if the agency were to push
43 back the start date of reporting from September 1 to January 1,
44 for instance, for purposes of my question, does that have to be
45 also noticed in the Federal Register, or is it not required?

46
47 **MS. LEVY:** Well, there's two things, and so the South Atlantic
48 rule has already been published and has an effective date, and

1 so, if the agency wants to change that, they would need to
2 publish something in the Federal Register changing the effective
3 date.

4
5 The Gulf rule has not published yet, and so, to the extent that
6 the agency decides that September 1 is not a good effective date
7 for Phase 1, I would anticipate that we would put whatever
8 effective date the agency thinks is reasonable before the rule
9 publishes, but it will be in there, and there has to be an
10 effective date in the Federal Register.

11
12 **CHAIRMAN ANSON:** Thank you. Mr. Hood, is the agency ready to
13 start on September 1 or not?

14
15 **MR. HOOD:** It's somewhat dependent on both the Office of Law
16 Enforcement rule that they have submitted, and basically what
17 that does is it allows the GPS systems to be used. As soon as
18 that publishes, then our final rule for the Gulf can publish,
19 and so, again, we're just waiting on those, and, assuming that
20 that happens by the end of this month, we should be ready to
21 start by September 1.

22
23 However, I do have to say that some of our staff has been
24 working on SEFHIER, and they have indicated that -- Again,
25 there's no problem if you put off these effective dates, and it
26 might actually be advantageous if we were to have one effective
27 date where both the logbook and the declaration and the VMS all
28 go into place at one time.

29
30 **CHAIRMAN ANSON:** Thank you very much. All right. I appreciate
31 the presentations, and we are past time, and, if time allows, we
32 will bring up further questions, and I saw some raised hands,
33 and we'll bring it up at Full Council. Is there any Other
34 Business that needs to come before the committee at this time,
35 any other topics? I don't see any hands being raised, or
36 anybody frantically waving their arms, and so, with that, I will
37 pass it over to you, Mr. Chair.

38
39 (Whereupon, the meeting adjourned on June 17, 2020.)

40
41 - - -

42