

Comprehensive Amendment Addressing Electronic Reporting for Commercial Vessels

Amendment 54 to the Snapper Grouper FMP,
Amendment 4 to the Dolphin Wahoo FMP,
and Amendment 35 to the Coastal Migratory
Pelagics FMP, Amendment 57 to the Gulf
Reef Fish FMP

DRAFT

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Fishery Impact Statement | Regulatory Impact Review | Regulatory Flexibility Analysis

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Definitions, Abbreviations and Acronyms Used in the FMP

ABC	acceptable biological catch	FMP	fishery management plan
ACL	annual catch limit	FMU	fishery management unit
AM	accountability measure	M	natural mortality rate
ACT	annual catch target	MARMAP	Marine Resources Monitoring Assessment and Prediction Program
B	a measure of stock biomass in either weight or other appropriate unit	MFMT	maximum fishing mortality threshold
B_{MSY}	the stock biomass expected to exist under equilibrium conditions when fishing at F _{MSY}	MMPA	Marine Mammal Protection Act
B_{OY}	the stock biomass expected to exist under equilibrium conditions when fishing at F _{OY}	MRFSS	Marine Recreational Fisheries Statistics Survey
B_{CURR}	The current stock biomass	MRIP	Marine Recreational Information Program
CPUE	catch per unit effort	MSFCMA	Magnuson-Stevens Fishery Conservation and Management Act
DEIS	draft environmental impact statement	MSST	minimum stock size threshold
EA	environmental assessment	MSY	maximum sustainable yield
EEZ	exclusive economic zone	NEPA	National Environmental Policy Act
EFH	essential fish habitat	NMFS	National Marine Fisheries Service
F	a measure of the instantaneous rate of fishing mortality	NOAA	National Oceanic and Atmospheric Administration
F_{30%SPR}	fishing mortality that will produce a static SPR = 30%	OFL	overfishing limit
F_{CURR}	the current instantaneous rate of fishing mortality	OY	optimum yield
F_{MSY}	the rate of fishing mortality expected to achieve MSY under equilibrium conditions and a corresponding biomass of B _{MSY}	RIR	regulatory impact review
F_{OY}	the rate of fishing mortality expected to achieve OY under equilibrium conditions and a corresponding biomass of B _{OY}	SAFMC	South Atlantic Fishery Management Council
FEIS	final environmental impact statement	SEDAR	Southeast Data, Assessment, and Review
		SEFSC	Southeast Fisheries Science Center
		SERO	Southeast Regional Office
		SIA	social impact assessment
		SPR	spawning potential ratio
		SSC	Scientific and Statistical Committee

Amendment 54 to the Snapper Grouper Fishery Management Plan of the South Atlantic Region, Amendment 4 to the Dolphin Wahoo Fishery Management Plan of the Atlantic, Amendment 35 to the Coastal Migratory Pelagic Resources of the Gulf of Mexico at Atlantic, Amendment 57 to the Gulf Reef Fish FMP

Proposed action:

Lead agencies:

Amendment – South Atlantic and Gulf of Mexico
Fishery Management Councils (Council)
Categorical Exclusion – National Marine Fisheries
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Appendix A. Fishery Impact Statement

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Chapter 1. Introduction

1.1 What Action is Being Proposed?

Require commercial coastal logbooks for the subject amendments to be submitted via electronic reporting forms instead of the currently used paper-based forms.

This action would move the paper-based commercial logbooks under the Coastal Logbook Program (South Atlantic Snapper Grouper, Gulf and Atlantic Coastal Migratory Pelagics (CMP), Atlantic Dolphin-Wahoo (DW), and Gulf Reef Fish to an electronic platform to increase efficiency in reporting with benefits to the fishermen and the agency.

Status Quo. The owner or operator of a vessel for which a commercial permit for South Atlantic snapper grouper, Atlantic DW, CMP species (king or Spanish mackerel and Gulf Cobia), or Gulf reef fish has been issued, or whose vessel fishes for or lands such species (Atlantic snapper grouper species, Atlantic DW species, Gulf reef fish, or CMP species for sale) in or from state waters adjoining the applicable South Atlantic, Atlantic, or Gulf of Mexico exclusive economic zone (EEZ), and who is selected to report by the Science and Research Director (SRD) must maintain a fishing record for each trip, or a portion of such trips as specified by the SRD, on forms provided by the SRD. Completed fishing records must be submitted to the SRD postmarked no later than 7 days after the end of each fishing trip. If no fishing occurred during a calendar month, a report so stating must be submitted on one of the forms postmarked no later than 7 days after the end of that month. Information to be reported is indicated on the form and its accompanying instructions.

Option 1: Maintain the reporting requirements described above, but require the fishers to transmit their reports electronically using available hardware and software. Information to be reported is indicated on the electronic form and its accompanying instructions.

1.2 Why are the Councils Considering Action?

History of the Commercial Coastal Logbook Program

In April 1990, the commercial coastal fishery logbook was implemented for federally permitted vessels in the Gulf of Mexico (Gulf) reef fish fishery. Initially, a single page (8.5 x 11 inch) logbook was mailed in duplicate (with one form for fishermen's records) to permit holders by the Permits and Regulations Branch of the Southeast Regional Office (SERO). Participants were instructed to mail completed logbook forms to the Southeast Science Center (SEFSC) Miami Laboratory. For permit holders residing within the state of Florida, only 20% were selected to submit logbook records, while all other Gulf residents were mandated to report. This determination was made since data were available from the Florida trip ticket program and those data for the sampled vessels could be used in conjunction with the trip ticket data to expand the total universe.

Originally, the logbook contained trip information (i.e. vessel id number, landing location and dealer, date of landing, type/quantity of gear). Additionally, information on fishing area and depth was collected. Fishermen could report up to three areas and three average depths. Fishing area was obtained using the Gulf of Mexico shrimp statistical grid system, included on the logbook form. Fishermen also reported landed weight (gutted or whole weight) of catch for each species along with the condition. Four gear types could be selected (trap, bottom longline, bouy gear, and hook-and-line) for each trip. This survey methodology was used from 1990 through 1991.

Beginning in 1992, the program was modified in several ways and expanded to include federal permit holders in the South Atlantic snapper-grouper fishery. First, the 20% selection of permit holders within the state of Florida was changed to 100% selection. Additionally, the paper form was expanded to a legal size to accommodate additional data collection fields. For trip information, the number of days away from port was included in the survey and the data field stipulating the fishing area spaces was removed. Gear type was slightly modified to better distinguish between hybrid fishing approaches where only a portion of the gear is anchored. For catch information, species-specific fields for fishing area and gear type were added. However, the survey was limited to one entry for these fields per species resulting in lack of resolution with only one area fished or gear type being attributable to any individual species.

The program was also expanded to include a selection of 20% of the permit holders operating in the South Atlantic snapper-grouper fishery. This expansion resulted in the creation of two logbook forms between the Gulf and South Atlantic. The logbook header was different for each to indicate the appropriate regional characterization and some of the pre-coded species listed on the two forms were different to reflect the predominate catches in the two areas. Program participants in the South Atlantic were instructed to send completed logbooks to the SEFSC Beaufort Laboratory.

Beginning of 1993, the 20% program selection criteria was changed to 100% selection for South Atlantic snapper-grouper permit holders, vessels that targeted shark species under the fishery management plan for Highly Migratory Species were included in the program, and the survey form was again modified. Changes to the logbook form included: replacing the "fishing areas"

data field to instead report the number of discards, the options of “spearfishing” and “other” were added as gear types, vessel id number was used in lieu of permit number, and set time was modified to report total time fished rather than an average. In 1994 a designation was included for gear type to differentiate between spearguns and power heads. In 1995, an additional data field to indicate “target” species was included.

In 1996, a notification was made that instructed program participants to mail all logbook forms to the SEFSC Miami Laboratory, and a number of changes were made to the logbook form. The discard column was replaced with a column to report fishing area and a more detailed map was added of the Florida Keys to improve reporting accuracy. A separate no-fishing form was created. The gear type category was modified to differentiate between cast net and gillnet fishing. Lastly, a categorical input was included to specify the fishery (South Atlantic snapper-grouper, Gulf reef fish, or shark).

In 1999, logbook instructions were changed to clarify the distinction between handline and trolling gear. Additionally, a data field to record the date trip start date was included. This change was made to bring the forms into compliance with the Atlantic Coastal Cooperative Statistics Program (ACCSP) standard for data collection. The term for the date when the trip was landed was changed from “landed date” to “unload date”.

In 2001, the logbook was modified to record the trip ticket number. Several states in the southeast (North Carolina, Georgia, Florida, Alabama, and Louisiana) have trip ticket programs that require dealers to report all commercial landings for each trip, and these data correspond closely to logbook data. The inclusion of this data field allowed for direct comparisons between the programs.

In July 2001, the SEFSC initiated two new programs to collect discard and economic information. For discards, a stratified random sample of 20% of the active permit holders is administered and requires permit holders to submit a supplemental discard form for a 12-month period. For the economic data collection, fishermen are surveyed about the cost of various expenditures (i.e. costs of fuel and bait, crew wages, species-specific price per pound for landings etc.). Currently, both the discard and economic survey portion of the program are voluntary, unless selected by the SEFSC, wherein reporting is mandatory for one year.

Table 1: List of current coastal logbook data fields. The economic portion of the survey (highlighted in gray) is voluntary. However, if a permit holder is selected by the SEFSC, economic data fields must be reported for one year.

Current Paper Logbook Fields	
Vessel No	
Trip Start Date	
No. of Crew	
Days at Sea	
Operator Name	
Operator Name	
Signature	
Operator Number	
Phone No.	
Area	
Gear	
Mesh	
# Hooks / # Divers / # Traps / Net Length	
# Hauls / Line Length / # Pots	
# Lines / # Hauls	
Depth	
Net Depth	
Total Hours Fished	
Species Name	
Gutted-lbs / Whole=lbs	
County or Parish, State	
Trip Unload Date	
SE Federal Dealer Number	
State Trip Ticket No.	
Economic Survey (completed if selected by SEFSC)	
Owner Operated?	
Gallons of Fuel	
Price per Gallon	
Bait Expense	
Ice Expense	
Grocery Expense	
Misc. Trip Expenses	
IFQ Allocation Purchased	
Has payment for your catch been determined?	
Trip Sales (Revenue)	
Expense for hired crew & hired captain	

Rationale for Reporting Modification

Owners or operators of federally permitted vessels that fish commercially for snapper grouper species in the South Atlantic, dolphin or wahoo along the Atlantic, Gulf reef fish, or coastal migratory pelagics (king mackerel, Spanish mackerel, and Gulf cobia) in the South Atlantic and in the Gulf of Mexico, are currently required to submit a record of their fishing trips on a paper logbook no later than seven days after the conclusion of each trip. Reporting requirements were initially implemented in 1992 for the Snapper Grouper Fishery (SAFMC Amendment 4, 1991), in 2004 for the Dolphin Wahoo Fishery (SAFMC Dolphin Wahoo FMP 2003), and in 1985 for the Coastal Migratory Pelagics Fishery (SAFMC and GMFMC CMP Amendment 1, 1985).

During the December 2012 meeting, the South Atlantic Fishery Management Council (South Atlantic Council) approved a motion moving the commercial electronic logbook reporting action out of the Comprehensive Ecosystem-Based Amendment 3 that was being developed and indicated their wish to work with the Gulf of Mexico Fishery Management Council (Gulf Council) on a joint amendment to address commercial logbook issues in the South Atlantic and Gulf of Mexico. The Gulf Council approved a similar motion in January 2013 to work jointly with the South Atlantic Council on modifying the submission procedure for the coastal logbook program. The National Marine Fisheries Service (NMFS) Southeast Fisheries Science Center (SEFSC) conducted a pilot study for commercial electronic logbook reports in 2015. Initially, an amendment incorporating results from year 1 of the pilot study was planned with a target implementation date of January 1, 2016. An amendment has yet to be developed, however. As of 2016, those with dual permits from the Greater Atlantic Region and the South Atlantic were allowed to submit electronic reports through the Atlantic Coastal Cooperative Statistics Program (ACCSP) SAFIS system. As of 2021, voluntary commercial electronic logbook reports could be submitted by Southeast Region commercial permit holders through the ACCSP eTRIPS mobile application. The timeline below summarizes the progression of this amendment to date.

2011-2012	Comprehensive Ecosystem Based Amendment 3 (CE-BA 3) developed, including scoping and public hearings.
December 2012	South Atlantic Council removed commercial logbook reporting action from CE-BA 3
February 2013	Gulf Council approved motion to develop Joint South Atlantic/Gulf of Mexico Generic Commercial Logbook Reporting Amendment.
June 2013	South Atlantic Council approved a motion to request SEFSC presentation on the commercial e-logbook pilot study and directed staff to work with Gulf staff to incorporate results form year 1 of the pilot study and target regulations to be effective in January 1, 2016.
September 2013	SEFSC presented status of pilot project that began in August 2013 and indicated the project would last 12 to 18 months. The Council requested updates at each Council meeting moving forward.
2015	SEFSC conducted pilot study.
2015-2021	Database development and testing of mobile reporting application (eTRIPS in cooperation with ACCSP)

March 2021	Feedback from Gulf Reef Fish and Gulf Coastal Migratory Advisory Panels that set-based reporting should be revised for SERO commercial logbooks.
June 2022	South Atlantic Council recommended working on a joint document with the Gulf Council to develop electronic reporting for the commercial coastal logbook program.

The Councils have received periodic updates from the SEFSC during regularly scheduled Council meetings for several years on the transition of the current paper-based Coastal Logbook Program to an electronic format. The SEFSC has developed (in coordination with ACCSP) a mobile application to accept electronic submissions. However, because the language implementing commercial reporting requirements in the applicable fishery management plans (FMPs) and in the existing regulations does not specify that the submission of commercial logbooks can be accomplished via electronic means (i.e., utilizing the newly developed SEFSC system), each of the applicable FMPs that require paper logbook submissions must be amended to allow for electronic submission. Additionally, the SEFSC will need to develop technical specifications and guidelines to allow other vendors to develop mobile applications for this program.

This amendment would modify the FMPs for South Atlantic Snapper Grouper, Atlantic Dolphin Wahoo, and Atlantic and Gulf of Mexico Coastal Migratory Pelagics, and Gulf reef fish to require commercial logbooks to be submitted via electronic reporting forms instead of the currently used paper-based forms.

Purpose and Need

The purpose is to modify reporting for commercial fishing vessels issued South Atlantic or Gulf of Mexico permits and currently reporting through the Southeast Coastal Logbook program (Gulf Reef Fish, South Atlantic Snapper-Grouper, Atlantic Dolphin and Wahoo, and Coastal Migratory Pelagic Resources of the Gulf and Atlantic), to require that the reports be submitted electronically.

The need is to improve the timeliness and efficiency of the commercial logbook data collection and management program, which will improve monitoring and compliance of federally permitted commercial vessels participating in the Southeast Coastal Logbook program.

1.3 What are the Biological Effects of the Action?

1.4 What are the Economic Effects of the Action?

1.5 What are the Social Effects of the Action?

1.6 Councils Rationale

1.6.1 AP Comments and Recommendations

1.6.2 Public Comments and Recommendations

1.6.3 Councils' Choice for Action

Chapter 2. Regulatory Impact Review

Chapter 3. Regulatory Flexibility Act Analysis

Chapter 4. References

Appendix A. Fishery Impact Statement (FIS)