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Tab F, No. 4(b)

Proposed Rule on Atlantic Highly Migratory Species (HMS) Electronic Reporting Requirements

HMS Advisory Panel Meeting
September 5, 2024

Outline

- Background
- Alternatives on reporting for:
 - HMS commercial limited access permits (LAPs):
 - Atlantic Tunas Longline category
 - Shark and Swordfish directed and incidental
 - Swordfish Handgear
 - HMS commercial and for-hire open access permits:
 - Atlantic Tunas General and Harpoon category
 - Swordfish General Commercial
 - HMS Charter/Headboat
 - HMS Angling permit
 - Dealer permits
- Request for public comments

Background



Advance Notice of Proposed Rulemaking (ANPRM) published May 12, 2023 (88 FR 30699).

Presented at May 2023 Advisory Panel meeting.

Presented to councils and Atlantic States Marine Fisheries Commission. Held five in-person hearings and two webinars.

Comment period closed August 18, 2023. Received 11 written comments.

<https://www.fisheries.noaa.gov/action/advance-notice-proposed-rulemaking-electronic-reporting-requirements-atlantic-highly>

Rulemaking Purpose

- Streamline and modernize reporting through electronic reporting and consolidation of reporting deadlines.
- Expand electronic logbook reporting to additional commercial and charter/headboat vessel owners.
- Collect additional information from dealers through existing electronic reporting mechanisms.
- Reporting requirements would create consistency with NOAA Fisheries' efforts in other fisheries and augment data necessary for fishery science and management.
- A step towards “One Stop Reporting.”



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Vessel Reporting:

A Alternatives: HMS Commercial LAPs

Vessel Reporting:

A. HMS Commercial LAPs

- **Alternative A1.** Format for submission of logbooks and associated weighout slips.

Sub-alternative	Logbook Format
A1a Status quo	Vessel owners continue to report via submission of paper forms in either the Atlantic HMS logbook or the Coastal Fisheries logbook. The Atlantic HMS logbook includes trip and set report forms, weighout slips, no-fishing report form, and, for selected vessel owners, cost-earnings portion and annual expenditures form.
A1b Preferred	Vessel owners complete and submit logbook reports electronically; submit an uploaded file of the weighout slip with logbook submission. NOAA Fisheries offers a voluntary standardized weighout slip form.

Vessel Reporting for HMS Commercial LAPs:

A1. Logbook Format/Weighout Slips; Preferred Sub-alternative A1b

- Electronic logbook submission could allow for “One Stop Reporting” that could satisfy overlapping requirements.
 - Greater Atlantic Regional Fisheries Office (GARFO) permit holders required to report via electronic vessel trip report (eVTR).
 - South Atlantic and Gulf of Mexico Fishery Management Councils released a joint amendment on electronic commercial logbooks.
- If preferred Alt. D2 were finalized (dealer reporting of individual fish weights for additional species), NOAA Fisheries may consider no longer collecting individual weights via vessel weighout slips, in a future action.

Vessel Reporting:

A. HMS Commercial LAPs

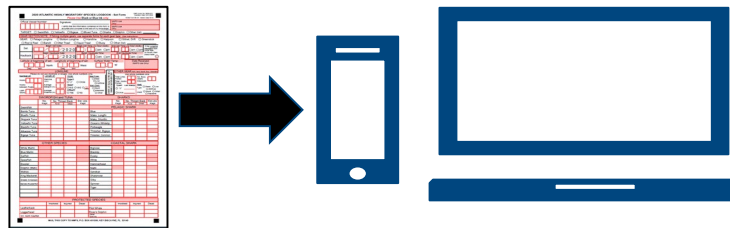
- **Alternative A2.** Timing requirement for logbook submission.

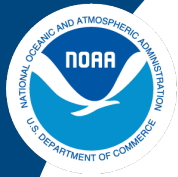
Sub-alternative	Timing Requirements
A2a Status quo	Enter day's activities in logbook within <u>48 hours</u> . Submit logbook within <u>7 days</u> of offloading. If selected, submit cost-earnings portion within <u>30 days</u> of offloading.
A2b Preferred	Submit logbook reports within <u>7 days</u> of offloading, including the cost-earnings portion for selected vessel owners.
A2c	Submit logbook reports within <u>48 hours</u> of offloading, including the cost-earnings portion for selected vessel owners.
A2d	Submit logbook reports within <u>24 hours</u> of offloading, including the cost-earnings portion for selected vessel owners.

Vessel Reporting for HMS Commercial LAPs:

A2. Timing Requirements; Preferred Sub-alternative A2b

- 7-day reporting requirement would:
 - Be consistent with status quo for logbook submission in HMS regulations and Southeast Regional Office (SERO) regulations.
 - Allow more flexibility to complete reports, receive information from dealers, and seek assistance.
- Removing 48-hour logbook entry requirement, although still encouraged, would simplify reporting with a single deadline to complete and submit electronic logbook reports.





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Vessel Reporting:

B Alternatives: HMS Commercial and For-hire Open Access Permits

Vessel Reporting:

B. HMS Commercial and For-hire Open Access Permits (Atlantic Tunas General and Harpoon Category, Swordfish General Commercial, and HMS Charter/Headboat Permits)

- **Alternative B1.** Electronic logbook requirements.

Sub-alternative	Reporting Requirements
B1a Status quo	Report only bluefin tuna (BFT) landings + discards; and for HMS Charter/Headboat, landings of swordfish and billfish. Report via electronic reporting system, telephone, or other means like catch cards.
B1b	B1a but remove reporting via telephone.
B1c Preferred	Expand species and trip reporting requirements via electronic logbook: <ul style="list-style-type: none">• All trips, regardless of whether fish are caught• All species caught (including non-HMS)• Fishing location information• Monthly no-fishing reports

Vessel Reporting for HMS Commercial and For-hire Open Access Permits:

B1. Electronic Logbook; Preferred Sub-alternative B1c

- An electronic logbook would streamline reporting requirements across regions (GARFO commercial and for-hire eVTR; South Atlantic for-hire logbook).
- Reporting all trips and all species would provide more detailed effort and catch data.
- Reporting primary fishing location would inform fishery distribution and related analyses such as impact of any changes in spatial management.
- No-fishing reports would facilitate regular compliance checks.

Vessel Reporting:

B. HMS Commercial and For-hire Open Access Permits

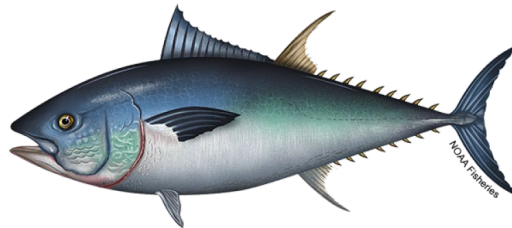
- **Alternative B2.** Timing requirement for electronic logbook submission.
 - Any sub-alternative under B2 would only be relevant if an electronic logbook is finalized (preferred Sub-alternative B1c).

Sub-alternative	Timing Requirements
B2a Preferred	Submit within <u>24 hours</u> of the end of the trip.
B2b	Submit within <u>48 hours</u> of the end of the trip.
B2c	For trips with BFT catch, submit within <u>24 hours</u> of the end of the trip. For trips with no BFT catch, submit within <u>48 hours</u> of the end of the trip.
B2d	For trips with BFT catch, submit within <u>24 hours</u> of the end of the trip. For trips with no BFT catch, submit within <u>7 days</u> of the end of the trip.

Vessel Reporting for HMS Commercial and For-hire Open Access Permits:

B2. Timing Requirements; Preferred Sub-alternative B2a

- Would maintain the current 24-hour catch reporting requirement, but would expand the amount of information submitted after each trip.
- Since real-time data is used for BFT inseason management, would maintain the 24-hour reporting deadline for BFT while providing for a single timing requirement for all logbook submissions.



Vessel Reporting:

B. HMS Commercial and For-hire Open Access Permits

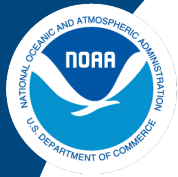
- **Alternative B3.** Cost and earnings information.

Sub-alternative	Cost and Earning Information Requirements
B3a Status quo	Report cost and earnings information for each trip <i>if selected</i> , but selection has not occurred on a regular basis.
B3b	Report cost and earnings information via annual survey, <i>if selected</i> .
B3c Preferred	Report trip-level cost and earnings information for each trip in an electronic logbook. <i>If selected</i> , report additional annual expenditure information via annual survey.

Vessel Reporting for HMS Commercial and For-hire Open Access Permits:

B3. Cost and Earnings Information; Preferred Sub-alternative B3c

- Detailed economic data would be used in cost-benefit and economic impact analyses for proposed regulatory changes impacting these sectors.
- Could better monitor the economic health of the industry over time and facilitate economic recovery from fishery disasters.
- Would provide economic data comparable to that collected for HMS commercial limited access fisheries.
- Requiring submission of some expenditure information via annual survey would be more efficient and ease reporting burden.



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Vessel Reporting:

C Alternatives: HMS Angling Permit Reporting Requirements

Vessel Reporting:

C. HMS Angling Permit Reporting Requirements

Alternative	Reporting Requirements
C1 Status quo	Report BFT landings and dead discards, and non-tournament landings of billfish and swordfish. Report via electronic system, telephone, or State catch card.
C2 Preferred	C1 but remove reporting via telephone.
C3	C1 + Report pelagic sharks.
C4	C1 + Report bigeye, albacore, yellowfin, and skipjack (BAYS) tunas.

- **Preferred Alternative C2** would modernize and streamline the reporting system, while relieving some administrative time and cost for the Agency.



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Dealer Reporting:

D Alternatives: Individual Fish Weights on Dealer Reports and Technical Change in BFT Reporting Requirements

Dealer Reporting:

D. Individual Fish Weights on Dealer Reports and Technical Change in BFT Reporting Requirements

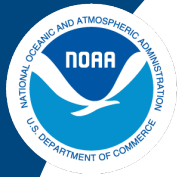
Alternative	Individual Fish Reporting Requirements
D1 Status quo	Require individual fish weights for BFT. Other species can be reported individually or in aggregate. Submit bi-weekly BFT reports.
D2 Preferred	Require swordfish, BAYS tunas, and pelagic shark species to be reported individually on <i>all</i> federal dealer reports.
D3	Require swordfish, BAYS tunas, and pelagic shark species to be reported individually on federal dealer reports <i>only</i> when buying fish from vessels that do not submit weighout slips.
D4 Preferred	Remove required submission of bi-weekly BFT report.*

*This information is collected under other dealer BFT reporting requirements.

Dealer Reporting:

D. Individual Fish Weights on Dealer Reports; Preferred Alternative D2

- Would expand individual fish weight information for gear types and geographic ranges that are not represented in Atlantic HMS logbook weighout slips.
- Would expand data available for International Commission for the Conservation of Atlantic Tunas (ICCAT) stock assessments, and reduce uncertainty in results. Size samples used in assessments for:
 - Size distribution (catch-at-size) in age structure models.
 - Gear size selectivity estimates.
 - Identifying strong recruitment or recruitment failure events.
- Expand data available to estimate revenue for economic analyses.



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Request for Public Comments

Note on Exempted Fishing Permit (EFP) Program Reporting

- ANPRM included an option to offer an electronic platform for submission of EFP Program interim and annual reports.
- This change does not require rulemaking.
- Electronic platform is currently available at <https://exemptedhmspermits.fisheries.noaa.gov/>

A screenshot of a paper form titled "Atlantic Highly Migratory Species (AHMS) and Highly Migratory Species Report". The form contains various fields for reporting, including "Permit Number", "Date", "Vessel Name", "Species", "Quantity", "Retention", "Disposal", "Remarks", and "Remarks". The form is divided into sections for "Permit Information", "Species", "Retention", "Disposal", and "Remarks".



Request for Public Comments

- Proposed rule filed September 5 and publishes September 6, 2024
- Comment period closes on **January 6, 2025**
- Please submit comments at <https://www.regulations.gov> (Search “NOAA-NMFS-2023-0047”)

Public hearing webinars:

- October 16, 2024, 9 a.m.-11 a.m. ET
- October 29, 2024, 4 p.m.-6 p.m. ET
- December 2, 2024, 9 a.m.-11 a.m. ET
- Will consider requests for in-person public hearings.

Specific locations of interest?



For More Information

- Action webpage:
<https://www.fisheries.noaa.gov/action/proposed-rule-electronic-reporting-requirements-atlantic-highly-migratory-species>
- Contact: Carrie.Soltanoff@noaa.gov
- eReporting team: Heather Baertlein, Guy DuBeck, Erianna Hammond, Cliff Hutt, Delisse Ortiz, George Silva, Dianne Stephan, Ann Williamson, Jackie Wilson

Thank you!



Abbreviated Summary of Alternatives

A. HMS Commercial LAPs	B. HMS Tunas and Swordfish Open Access and Charter/Headboat Permits	C. HMS Angling Permit	D. HMS Dealer Reports
A1. Logbook format	B1. Reporting format	C1. Status quo	D1. Status quo
A1a. Status quo *A1b. Electronic submission	B1a. Status quo B1b. Status quo, no phone *B1c. Electronic logbook	*C2. Status quo, no phone C3. Report pelagic sharks	*D2. Report individual weights for BAYS tunas, swordfish, and pelagic sharks
A2. Timing	B2. Timing	C4. Report BAYS tunas	D3. Report individual weight for above species when buying from vessels that do not submit weighout slips
A2a. Status quo *A2b. 7 days A2c. 48 hours A2d. 24 hours	*B2a. 24 hours B2b. 48 hours B2c. Combo 24/48 hours B2d. Combo 24 hours/7 days B3. Cost-earning information		*D4. Remove bi-weekly BFT report
	B3a. Status quo B3b. Annual survey *B3c. Logbook and annual survey	* Preferred alternatives	