



South Atlantic Fishery Bulletin

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NOAA Fisheries Announces New For-Hire Electronic Reporting Requirements in the Atlantic

KEY MESSAGE:

NOAA Fisheries is implementing the final rule for the South Atlantic For-Hire Reporting Amendment. The final rule establishes electronic reporting requirements for vessels with a federal charter/headboat permit for Atlantic coastal migratory pelagics, Atlantic dolphin and wahoo, or South Atlantic snapper-grouper and modifies the reporting deadline for headboats.

WHEN RULE WILL TAKE EFFECT:

- The rule will be effective on September 1, 2020.

WHAT THIS MEANS:

- The final rule requires weekly electronic reporting for charter fishermen and modifies the reporting deadline for headboats starting September 1, 2020.
- The requirements for weekly electronic reporting apply to charter vessels with a federal charter vessel/headboat permit for Atlantic Coastal Migratory Pelagics, or Atlantic dolphin and wahoo, or South Atlantic snapper-grouper species.
- Charter fishermen must report information such as trip start and end dates and times, species kept and discarded, fishing location, depth fished, hours fished, and charter fee.
- Electronic reports from charter fishermen are due by Tuesday following the end of each reporting week, which runs from Monday through Sunday.
- Charter fishermen can report using their computer, smartphone, and tablets with access to the internet. Reporting must be through software approved by NOAA Fisheries. NOAA Fisheries will send information on how to download the software in a future Fishery Bulletin.
- *No action is required by charter fishermen at this time. NOAA Fisheries will send more information in the spring/summer of 2020. If you have questions, please call 1-833-707-1632.*

- Headboat vessels with a federal charter vessel/headboat permit for Atlantic Coastal Migratory Pelagics, or Atlantic dolphin and wahoo, or South Atlantic snapper-grouper species will continue to submit reports to the Southeast Headboat Survey but will be required to submit electronic fishing reports by Tuesday following a reporting week, rather than by Sunday.

FORMAL FEDERAL REGISTER NAME/NUMBER: 85 FR 10331, published February 24, 2020.

This bulletin serves as a Small Entity Compliance Guide, complying with section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996.

FREQUENTLY ASKED QUESTIONS (FAQs)

What is changing?

This final rule implements new electronic reporting requirements for charter fishermen. Starting September 1, 2020, **owners or operators of a charter vessel** with a federal charter/headboat permit for Atlantic coastal migratory pelagics, or Atlantic dolphin and wahoo, or South Atlantic snapper-grouper, are required **to submit electronic fishing reports weekly** by 11:59 p.m., local time, the Tuesday following a reporting week. These regulations are a condition of the permit and are required regardless of target species or location of fishing.

The final rule also changes the day that **headboats** are required to submit an electronic fishing report from Sunday to Tuesday, **reducing the time when reports are due from seven to two days following a fishing week**. Headboat reports are due by 11:59 p.m., local time, the Tuesday following a reporting week. This change will make the reporting day for the headboat component consistent with the reporting day for charter component.

Why is NOAA Fisheries requiring weekly electronic reporting in the Atlantic?

The South Atlantic Fishery Management Council and NOAA Fisheries are taking the first steps to improve data collection procedures in order to obtain more timely, accurate, and useful data for management.

When are the requirements effective?

The reporting change for headboats is effective on September 1, 2020. Charter fishermen must begin reporting electronically on September 1, 2020. However, South Atlantic federal for-hire owners or operators who also have a Gulf of Mexico (Gulf) federal charter/headboat permit will not be required to report under this final rule until the Gulf reporting requirements are effective. More information on the Gulf reporting requirements, including effective date, will be distributed soon.

What type of information is required to be submitted?

Charter vessels will be required to submit information such as the following:

- trip start and end dates,
- trip start and end times,
- end port,
- vessel and captain identification,
- number of anglers,
- number of crew,
- method of fishing,
- hours fished,
- primary depth fished,
- species kept,
- species discarded,
- charter fee,
- fuel used, and
- fuel price per gallon

These core data elements may be modified in the future through coordination with the South Atlantic Fishery Management Council. This information is required to be reported regardless of where the vessel is fishing and what is being harvested. If a vessel does not go fishing in a particular week, a no-fishing report must be filed through the system. All reports must be filed electronically through approved software.

Why do I need to report economic information?

Information on charter fee, amount of fuel used, and fuel price per gallon will be used to obtain better economic information on the federal for-hire sector. This information can be used for evaluating the value of federal for-hire fisheries, measuring the economic impacts of management actions on federal for-hire fishermen and businesses, and determining the impacts of fishery disasters on fishermen and fishing communities due to catastrophic events, such as hurricanes.

How will charter fishermen submit the weekly electronic reports?

Charter fishermen will report through the use of a computer, tablet, or smartphone with access to the internet. These devices will need to have software approved by the Southeast For-Hire Electronic Reporting program.

How will charter fishermen obtain the software and learn how to use it?

Software that has been approved by the Southeast For-Hire Electronic Reporting Program will be posted on the NOAA Fisheries Southeast Regional Office's website at a future date. Outreach sessions will be held to explain the reporting program software and requirements.

Will there be new requirements for charter fishermen in the Gulf?

NOAA Fisheries has approved a for-hire electronic reporting program in the Gulf for charter vessels and headboats. If the requirements in the final rule do not change from the proposed rule, the owner or operator of a vessel with a Gulf for-hire permit for reef fish or coastal migratory pelagic species would be required to hail-out for each trip, electronically report before

offloading after each trip, and permanently affix a positioning device onboard the vessel that transmits vessel location.

I have a Gulf charter/headboat permit and a South Atlantic charter/headboat permit. Do I have to submit multiple reports?

No. An owner or operator of a charter vessel or headboat that has been issued federal charter vessel/headboat permits for applicable fisheries in both the South Atlantic and the Gulf would be required to submit a report under the Gulf program's more stringent requirements, when the Gulf program is implemented.

How do I find more information about the Gulf requirements?

If the final rule publishes for the Gulf electronic for-hire program, all Gulf federal for-hire owners and operators will receive a letter and informational packet explaining the requirements. Also, informational sessions will be held around the Gulf, which will provide more information on meeting the requirements. To read about the Gulf amendment and other information, please visit our website at:

<https://www.fisheries.noaa.gov/action/gulf-mexico-modifications-charter-vessel-and-headboat-reporting-requirements>.

I have a NOAA Fisheries Greater Atlantic Regional Fisheries Office (GARFO) charter/headboat permit and a South Atlantic charter/headboat permit. Do I have to submit multiple reports?

Some approved software for the Southeast For-Hire Electronic Reporting Program will allow one report to satisfy requirements of multiple programs. A list of vendors approved for use in multiple reporting programs will be posted to our website by summer 2020. Please note: it is the responsibility of the permit holder to ensure that they meet the timing requirements of the more restrictive permit. For example, NOAA Fisheries GARFO for-hire permits require reporting every 48 hours. If you are reporting to GARFO on a software application that is not approved for use in the Southeast For-Hire Electronic Reporting program, you may need to submit multiple reports.

I often catch highly migratory species (HMS) while on charter/headboat trips. Do I have to submit a separate report?

Some approved software for the Southeast For-Hire Electronic Reporting Program will allow one report to satisfy both programs. A list of vendors approved for use in multiple reporting programs will be posted to our website by summer 2020. Please note: it is the responsibility of the permit holder to ensure that they meet the timing requirements of the more restrictive permit. For example, HMS requires reporting of certain species within 24 hours. If you are reporting to HMS on a software application that is not approved for use in the Southeast For-Hire Electronic Reporting Program, you may need to submit multiple reports.

I have been submitting my state reports for South Carolina, using the VESL system. Can I use that system for these reports?

The Southeast For-Hire Electronic Reporting program is working with VESL to develop a form that can be used for both federal and state requirements. If the form is approved, it can be used

to satisfy federal reporting requirements and will be found on our list of approved software on our website by summer 2020.

Does this rule implement a video monitoring requirement for charter vessels?

No.

How do I get started?

No action is required by charter fishermen at this time. Beginning in summer 2020, NOAA Fisheries will mail a For-Hire Reporting toolkit to each permit holder. The tool-kit will provide information on which software providers are approved for use, how to create user accounts, and resources for how to actually submit a report. Please ensure the Permits Office at the NOAA Fisheries Southeast Regional Office has your correct address on file. Additionally, NOAA Fisheries staff will be holding outreach sessions throughout the region to give hands-on training to interested fishermen. These outreach sessions will be announced in the tool-kit materials and on our website in summer 2020.

Do I need to keep reporting to Marine Recreational Information Program (MRIP)?

Yes. For federally permitted vessels, the MRIP For-Hire Survey will continue. Side by side comparisons between data collection methods are necessary to evaluate the need for calibration of the catch and effort time series. NOAA Fisheries will need to certify the new data collection methods and develop a transition plan to replace current MRIP surveys of federally permitted charter vessels.

Where can I find more information on the reporting requirements implemented by this rule?

- The For-Hire Reporting Amendment, rule, and additional resources about the reporting program can be found online at the NOAA Fisheries Southeast Regional Office Web site at: <https://www.fisheries.noaa.gov/southeast/southeast-electronic-reporting-technologies> or at https://www.fisheries.noaa.gov/action/south-atlantic-modifications-charter-vessel-and-headboat-reporting-requirements?utm_medium=email&utm_source=govdelivery.
- **Any questions regarding reporting requirements should be directed to the Southeast Regional Office, Saint Petersburg, Florida at 1-833-707-1632, or by email at SER.ElectronicReporting@noaa.gov.**

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NOAA's Text Message Alert Program allows you to receive important fishery related alerts via text message (SMS). Standard message & data rates may apply. You may opt-out at any time.

Text alerts you may receive include:

- Immediate fishery openings and closures
- Any significant changes to fishing regulations that happen quickly

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 - Text GULFRECFISH to 888777
- **Gulf of Mexico Commercial Fisheries Related Alerts**
 - Text GULFCOMMFISH to 888777
- **South Atlantic Recreational Fisheries Related Alerts**
 - Text SATLRECFISH to 888777
- **South Atlantic Commercial Fisheries Related Alerts**
 - Text SATLCOMMFISH to 888777
- **Caribbean Fisheries Related Alerts**
 - Text CARIBFISH to 888777



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