

**Modifications to Charter Vessel and Headboat Reporting Requirements
Summary of Written Comments**

Written comments received between October 11, 2016 and January 17, 2017

Action 1

- Mississippi charter boats support no action because a majority of trips occur inshore and those boats shouldn't have to report.
- Support for Alternative 4 because trip level reporting offers the most accurate and timely application of electronic logbooks, it reduces recall bias, and provides for data validation.

Action 2

- Support for Alternative 4 because trip level reporting offers the most accurate and timely application of electronic logbooks, it reduces recall bias, and provides for data validation.

Action 3

- Support for Alternative 3. Hailing in would maximize dockside sampling efficiency and enhance validation.
- Reporting the disposition of all released fish should be included in reporting.

Action 4

- The use of VMS is not supported.
- Electronic reporting is okay as long as VMS is not required.
- Electronic log books should be used immediately.
- Any expense that comes from a vessel monitoring or reporting system should be incurred by the agency rather than the fishermen.
- Support for Alternative 2.

Written comments received between January 22, 2016 and October 11, 2016

Action 1

- Support for no action.
 - The MRIP program is sufficient for charter vessels.
 - It is illegal to text and drive. Asking charter vessels to report before returning to the dock is a safety risk.
 - The industry is already over regulated.
- Support for Alternative 2.
 - Reporting is important but daily reporting or reporting before returning to the dock is too burdensome.
- Support for Preferred Alternative 4.
 - There is no reason why a charter vessel can't report.

- It will be difficult to report prior to arriving at the dock while customers are still on the boat especially if boats don't have a deckhand. Reporting after landing would be much easier.
- Daily reporting is too much to ask especially when charters have back to back fishing days.
- Reporting isn't the problem, the frequency, mechanism, and cost are the main concerns.
- Operators shouldn't be required to report on days they don't operate.

Action 2

- Support for no action.
 - Headboats are already reporting all the data necessary.
- Support for Preferred Alternative 4.
 - In the headboat pilot program reporting worked out great as an enforcement tool and a data collection tool

Action 3

- Support for no action.
- Support for Preferred Alternatives 2a and 2b.
- Support for Preferred Alternatives 3a and 3 b
- There is concern that landings locations would be limited and operators would have to land to be checked at an official location rather than their own private dock.

Action 4

- If the Council requires VMS on for-hire vessels it should also be required on private vessels because they make up a huge portion of the fishing effort.
- Support for Preferred Alternative 4:
 - For-hire boats will be prevented from fishing commercially while operating as a charter
- Adding an electronic device to a small charter is a financial burden.
- VMS systems will drain or weaken batteries.
- There is no room on a small charter boat for the required equipment.
- Preferred Alternative 4 is the most invasive of all the alternatives.
- There is no scientific reason to collect location data.
- VMS units would need to be as small and unobtrusive as possible.

Other Amendment Specific Comments

- There should not be more restrictions placed on for-hire vessels. The cost of permits and other restrictions are too much already.
- Private anglers do more damage and should have more restrictions than for-hire anglers.
- Fisheries managers should take on the burden of collecting data. It is burdensome and costly for small business operators.
- Data reporting programs should be voluntary.

- Charter boats are not the problem, private anglers are.
- This will only work if all vessels are in the program.
- This should have been done a long time ago to ensure better data is collected so better management decisions can be made.
- This amendment needs to be approved quickly and implemented by 2017.
- A near to real time estimate of effort, catch and discards and timely evaluation are critical to our management process.
- These data reporting changes should be implemented along with Amendments 41 and 42.
- Even with these requirements there will still be boats that operate as illegally.
- Resources should be directed toward fisheries independent sampling rather than catch data.
- The phone survey and, more importantly, the at-the-dock survey and fish measuring and counting, are going to be as good as it gets. Fishermen do not feel that they should have to deal with any additional burden to our overburdened business. The only thing that will be accomplished by this monitoring system will be bad feelings and false data.

Other Comments

- American families deserve red snapper. The season is too short and it's very expensive.
- Commercial fishermen have too much influence on the Council.
- Federal permit holders are not fishermen and for-hire anglers did not suffer a loss of fishing opportunities because they have access to state water charters.
- Grouper should be closed to everyone during spawning in February and March.
- Over regulation has caused red snapper to be out of natural order with too many large fish.
- Louisiana should have more red snapper days.
- Enforcement on non-federally permitted charter vessels fishing in federal waters needs to improve.

Webinar Public Hearing Summary
September 28, 2016

Council/Staff

Dr. Greg Stunz

Myron Fischer

Dr. John Froeschke

Dr. Carrie Simmons

Emily Muehlstein

Bernadine Roy

Sam Young – Charter Captain

For Action 1, he supports the no action alternative. There is no template for what he will have to report and he doesn't support moving forward without that information. He would like the opportunity to weigh-in on what needs to be reported. He does not support reporting before he arrives at the dock and equates it to texting and driving. He operates without a deckhand and believes it would be a safety risk to report while operating his vessels with customers onboard. He also wants to ensure that he only has to report the days he fishes; as a part-time charter operator it would be burdensome for him to have to indicate whether or not he is fishing every day.

For Action 2, he supports the no action alternative because captains shouldn't be asked to report prior to arriving at the dock.

For Action 3, he supports the no action alternative. There is no benefit to hail in or hail out. Further, it's difficult to predict when he'll finish a trip. If the bite is on, he'll stay out much longer than anticipated.

For Action 4, he supports the no action alternative. He doesn't see the scientific benefits of location reporting and doesn't believe that NMFS has the bandwidth to handle that information.

Sam cautions the Council against making comparisons between charter and commercial fishermen. The two industries are very different and shouldn't be compared.

Scott Hickman – Charter Captain

For years, the charter industry has been begging the Council for better data. This document is an opportunity to collect real landings data in a sector that has overfished 18 of the last 20 seasons. He is glad that the Council is working towards better science. iSnapper, a data reporting phone app that was piloted, worked really well and the spatial data in that program was used in the most recent red snapper stock assessment. Currently, GCFI is running a project with small VMS units. He has one affixed to his 30 foot center console boat. There are 40 charter vessels in Texas that have these units and are already data reporting. Better science will lead to more access and it's time for the charter industry to give back.

Tommy Williams – Dual Permitted Charter and Commercial Captain

He already has VMS, and it is not a problem. It takes less than a minute to enter complete catch data for his commercial trips. His fees for the unit are only \$50 a month. He supports the use of VMS on charter boats (Action 4, Preferred Alternative 4) because he wants the charter industry to have better data.

Written Comments received up to January 22, 2016

- The cost of electronic reporting equipment will be too much for vessel owners to bear and could put some out of business.
- Opposed to submitting reports prior to returning to the dock. Reporting while underway creates a safety issue as the distraction of the crew away from watch keeping and tending to customers is compromised. Sometimes a charter will go out and have to head back in due to bad weather or customer illness.
- Don't mind reporting data, but the added cost is a burden.
- Support the use of ELB and VMS to report landings inasmuch as it is the best way to streamline data collection for the CFH industry.
- Supports weekly reporting online but does not support requiring vessel or catch location reporting. Frequent reporting via electronic reporting devices is cost prohibitive.
- Opposed to electronic reporting. Has no knowledge on how to use any kind of technology, including email, but would be happy to submit a logbook.
- Professional for-hire fishermen are responsible and the Coast Guard already knows where they fish so they shouldn't have to hail out and hail in.
- Already participate in the phone surveys and anything more would be a burden – it's hard enough to make money as it is, adding the expense of electronic equipment would make it harder.
- Support if there is no cost to for-hire owners/operators.
- Need more information. Is there a cost? How much? Is there a monthly subscription fee? Etc. Many cannot afford these costs, particularly part-time CFH.
- Support Action 1, Alternative 2 as long as reporting requirements are only for days fishing occurred and the format is user-friendly. No to VMS.
- Support Act 1, Alternative 4; Action 2, Alternative 4; and Action 3, Alternative 2. The headboat pilot worked very well.
- VMS would drain the batteries on the smaller boats. The Federal Reef Fish Permit is a double-edged sword since they cannot fish in state waters when Federal waters are closed.
- Support Action 1, Alternative 2; Action 2, Alternative 2; and Action 3, Alternative 1. Consider adding an Action that requires the weighing of fish via fish kiosk weigh system.
- Implement trip limits on the Commercial sector. Also, red snapper should be closed to all anglers in June and July for spawning, and it should be opened weekends only April, May, September, and October.

- Six pack operators usually operate single handedly, making it a burden to submit reports while in transit to the dock, inasmuch as they are undertaking other responsibilities, like safety and tending to customers.
- Support No Action on all three actions. All three are too broad and only establishes a “blanket rule” that will be sent to a committee to be designed with no stakeholder or Council input.
- VMS/Electronic Reporting OR fish tags are the only way to collect real-time data for the for-hire fleet. Fish tags would be the easiest to implement.
- VMS will not work for Venice, LA captains, but electronic logbooks would.
- This is a huge opportunity to provide timely and accurate data while increasing accountability.
- Any modifications to reporting should be paired with Amendments 41 and 42.
- VMS is too much, too fast.
- Support Alternative 4 in actions 1 and 2, but No Action in Alternative 3 – No VMS.
- Support for weekly reporting via smartphone.
- There are enough regulations – leave the regulations alone.
- Support electronic reporting.

Webinar Public Hearing Summary
December 17, 2015

Council/Staff

Greg Stunz
John Froeschke
Emily Muehlstein
Bernie Roy

31 Members of the public attended.

Bob Zales

The Council should not take final action on the use of VMS or electronic reporting until the many questions about the logistics of the program are answered. For example, what types of VMS would be used? What type of device could you report with? If your unit fails can you leave the dock on a scheduled trip? Commercial fishermen who are required to use VMS leave the dock on the way to make money. Charter fishermen already have their customer’s payment when they leave the dock. Unit failure is much worse for charter businesses than commercial businesses because it prevents customers from taking a trip and forces captains to refund money and find a different vessel for their customers. The Government Accountability Office just finished a report on NMFS that shows that the service does not properly communicate about their data program so, fishermen don’t know what the science center is going to do once the Council gives them carte blanche control of implementing a program.

Tom Adams

The for-hire sector in his area (north Florida) would vote that VMS is the least desirable system possible. If someone has a smartphone that works for reporting you'll be able to fish no matter what. He's heard of a voluntary VMS program where fishermen won't put the machines on their boats even when they're free. If you can't get it done for free on a voluntary basis then there obviously isn't much support for VMS. The SPOT tracker does the same thing as VMS for much cheaper. He doesn't even know why it's useful to collect position information. A hail-in and hail-out system is a better idea. If you put these burdens on federal captains you can't assume state charters will follow suit. This is being pushed through too fast and we don't even know what we're trying to accomplish.

Mike Miglini

People should be allowed to choose from several different devices including cellphones and a webpage so that people aren't stuck on the dock if VMS doesn't work. We should improve data reporting because federal for-hire captains have their own allocation of fish and they would like to show that they can manage their allocation well despite the fact that there are other anglers that don't report. This would also set a good precedent and non-reporting anglers might follow suit. Requirement for reporting should be developed along with a new management plan like in Amendment 41. If the for-hire industry has better reporting they should benefit from better management as well. Even if the Council decided not to take action on this then NMFS can still move forward with data collection but reporting and management should be developed together. Reporting should be done before a vessel hits the dock. It would be better to have a system that ensures people can't mess with information and miss report.

Daryl Carpenter

The Council needs to table this or take no action on all these items. This is being pushed through way too fast. This action would give the science center the ability to implement this program in any way without input from the public. This is mostly targeted at effort validation and catch reporting. Many of the states are coming up with their own systems so electronic reporting may not be necessary. NMFS does not have the staff or infrastructure to handle the data from a program like this. The Council hasn't discussed logistics of the program and control should not be given to the Science Center. It seems like the Council is moving towards a system like what the commercial fishermen have. He won't be able to give good notice before ending a trip and law enforcement wouldn't be able to meet him when he lands. Also, he doesn't want to name a homeport because fishermen have to move marinas.

Josh Ellender

Take no action on this amendment. This is being rushed through without a real plan and giving the science center complete control is not okay. There is so much diversity in the charter fishing world ranging from a 60 ft headboats to a small center console boats all operating in different areas of the Gulf making it hard to force everyone to use the same system.

Kevin Bellington

The Council should take no action on all three actions. Additionally, there are lots of recreational anglers and it's not possible to collect data from those people. If you compare those people to the 1300 permitted for-hire vessels, the data you're collecting from this increased reporting is such a small part of the fishing pressure. Making this mandatory for just the charter boats is wasting time and effort for little reward. Even though it will be good data it's just such a small part of the fish that are harvested in the Gulf so, there is little benefit to collecting the information.

Shane Cantrell

This document isn't limited to a VMS. Dually permitted vessels should be allowed to use VMS because they already have one but, not everyone feels that way. Smartphone reporting should be an option. We're not ready for this amendment right now. You should report before landing at the dock for both charter vessels and headboats. There needs to be a variety of technology options for Action 3. The Council and NMFS needs to work together to come up with solutions. The Science Center should not be given free reign over the logistics of the program. The fishermen should contribute to the process so they can develop a program that will work for them. Let's be sure we design a system that works for good and will fit for future management.

Mike Colby

He supports the preferred alternative for both Actions 1 and 2. The Bluefin reporting program had such low compliance because it was web-based and required the angler to go home and log catch on the computer once a trip is over. He knows that reporting after the fact doesn't work because you're not going to go home and report after trip so you may as well get it out of the way as a part of your trip. For vessel location reporting Action 3 he supports the preferred alternative. He would like the Council to discuss all the options for vessel monitoring. He is a part of the VMS electronic monitoring program to see if fishermen will use it and if it makes sense. The information coming out of that program will help to inform the Council to the feasibility of the program. There are way too many assumptions made by the fishermen about the reporting program. The Council doesn't know what the monitoring platform should be. Catch is validated from what you enter and through dockside monitoring. Effort is monitored by location and that information is best collected with a VMS because using GPS on your phone might not be valid. For-hire fishermen are not commercial fisherman and any monitoring program put on the charter industry will look much different than the commercial program because the needs of the program are different.