



Regulatory Omnibus Framework to Modify Reporting Requirements for Electronic Vessel Trip Reports (eVTRs) by Federally Permitted Commercial Vessel Operators in the Mid-Atlantic Region

Action Plan

(Updated 5/28/2019)

Management Measures Considered

The proposed action would modify vessel trip report (VTR) reporting requirements to require commercial fishing vessels with federal permits for species managed by the Council to submit their currently-required VTRs electronically. No changes are proposed for the data types being collected; this would only change the means of submission. Taking no action would result in the continuation of paper reporting with optional eVTR submission.

Background and Action Need

Federally-permitted commercial fishing vessels in the Mid-Atlantic are required to submit Vessel Trip Reports (VTRs) documenting all fishing activity and catches. Electronic Vessel Trip Reports (eVTRs), which allow direct entry of data by the vessel operator using a computer-based system, have been available as an option for all Northeast Region federally permitted fisheries since 2013. According to GARFO, "A well-designed eVTR program or application has the ability to significantly reduce the amount of time required for a vessel operator to comply with their VTR reporting requirements by eliminating the need to fill out redundant information (e.g., vessel permit, registration, gear type)." Requiring electronic submission would be intended to increase the timeliness and accuracy of fisheries data submitted to NMFS while also reducing the burden on the commercial fishing fleet.

Fishery Management Action Team

A technical Fishery Management Action Team (FMAT) will develop and analyze management alternatives for this Framework. The FMAT is led by Council staff and includes management partners from the National Marine Fisheries Service (NMFS) Greater Atlantic Regional Fisheries Office (GARFO), the Northeast Fisheries Science Center (NEFSC), and the New England Fishery Management Council (NEFMC).

FMAT Membership

| Name | Contact | Expertise | Agency |
|--------------------------|----------------------------|---------------------------------------|------------|
| Karson Coutre (chair) | kcoutre@mafmc.org | Fisheries management | MAFMC |
| Sam Ascii | sasci@nefmc.org | Fisheries management | NEFMC |
| Moira Kelly | moira.kelly@noaa.gov | Fisheries management | NMFS GARFO |
| Jay Hermsen | jerome.hermsen@noaa.gov | Analysis and Program Support | NMFS GARFO |
| Joshua Moser | joshua.moser@noaa.gov | Electronic reporting, Data Systems | NMFS NEFSC |
| Jen Anderson | jennifer.anderson@noaa.gov | NEPA | NMFS GARFO |

Affected Fisheries

This framework will affect all vessels with Federal commercial permits for species managed by the Mid-Atlantic Fishery Management Council including Atlantic Bluefish, Black Sea Bass, Scup, Summer Flounder, Tilefish, Squid, Atlantic Mackerel, Butterfish, Surf Clam, and Ocean Quahog. The Spiny Dogfish and Monkfish plans will only be affected if joint action is taken with the NEFMC due to their joint management.

Applicable Laws

| Name of law | Applicable to this action? |
|---|--|
| Magnuson-Stevens Act | Yes |
| National Environmental Policy Act | Yes – will require an Environmental Assessment or Environmental Impact Statement |
| Administrative Procedure Act | Yes |
| Regulatory Flexibility Act | Yes |
| Paperwork Reduction Act | Possibly; depends on data collection needs |
| Coastal Zone Management Act | Possibly; depends on effects of the action on the resources of the coastal states in the management unit |
| Endangered Species Act | Possibly; level of consultation will depend on the actions taken |
| E.O. 12866 (Regulatory Planning and Review) | Yes |
| E.O. 12630 (Takings) | Possibly; legal review will confirm |
| E.O. 13123 (Federalism) | Possibly; legal review will confirm |
| Information Quality Act | Yes |

Draft Timeline for Framework Development and Implementation

| Task Description | Date (subject to change) |
|---|---------------------------------|
| Initiation | December 2018 |
| Formation of FMAT | January/February 2019 |
| FMAT meeting to develop initial draft alternatives/discuss analyses | March 19, 2019 |
| Joint AP meeting | March 25, 2019 |
| Council meeting—Framework meeting 1 | April 10, 2019 |
| Follow up FMAT meeting and other outreach | May 10, 2019 |
| Council meeting—Framework meeting 2 (potentially final action) | August 2019 |
| Finalization of Framework document; submission to NMFS | October 2019 |
| Workshops/outreach | Fall 2019-Spring 2020 |
| Proposed rule | January 2020 |
| Final rule* | Spring 2020 |

* NMFS indicated that they would have an extended implementation deadline of up to a year after the final rule for adequate preparation and training for software developers, managers, and affected users.