



Mid-Atlantic Fishery Management Council

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Mr. Randy Blankinship
Chief, HMS Management Division
NOAA Fisheries
1315 East-West Highway
Silver Spring, MD 20910
Via email: randy.blankinship@noaa.gov

Dear Randy,

On behalf of the Mid-Atlantic Fishery Management Council, I am writing to provide comments on the NOAA Fisheries Atlantic HMS Proposed Rule concerning vessel and dealer electronic reporting requirements. While the Council generally supports aspects of the agency's preferred alternatives, the Council has raised several concerns regarding their potential impacts on fishermen and the consistency of reporting requirements across regional jurisdictions.

Alternative A: Vessel Reporting for HMS Commercial Limited Access Permits

The Council is generally supportive of the NOAA HMS preferred sub-alternatives A1b and A2b, which require electronic logbook submissions with weighout slips and reporting within 7 days of offloading. However, the Council strongly recommends aligning the HMS limited access permit reporting requirements with other regional commercial permit reporting systems, such as those administered by GARFO and SERO. Increased consistency would reduce confusion and alleviate administrative burdens on fishermen. Additionally, the Council supports the 7-day reporting timeline, as it provides a less burdensome window for compliance.

Alternative B: Vessel Reporting for HMS Commercial and For-Hire Open Access Permits

The Council has significant concerns, as outlined below, regarding NOAA HMS's preferred sub-alternatives under Alternative B.

B1c: Expanded Species and Trip Reporting Requirements

While the Council acknowledges the importance of reporting discard conditions for species such as bluefin tuna and billfish for ICCAT compliance, it does not support the requirement to report discard condition for all species, including non-HMS species. Given the overlap between HMS, GARFO, and SERO permit holders, such expanded reporting would place an excessive burden on fishermen. **The Council recommends modifying this alternative to require reporting discard conditions only for bluefin tuna and, if necessary, for BAYS (bigeye, albacore, yellowfin, and skipjack) tunas as well.**

B2a: Reporting within 24 Hours

Similar to the above, although the Council supports timely reporting for bluefin tuna, it does not agree with a universal 24-hour reporting requirement for all species. Such a timeline would make HMS open access permits the most restrictive among regional reporting programs and could create unnecessary hardship for fishermen holding multiple permits. **Instead, the Council recommends NOAA HMS adopt sub-alternative B2d, which requires reporting bluefin tuna catch within 24 hours but allows 7 days for trips with no bluefin tuna catch.** This approach also better aligns with Alternative A's 7-day reporting requirement and reduces redundancy.

B3c: Trip-Level Cost and Earnings Reporting

The Council opposes the trip-level cost and earnings reporting requirement under B3c, as it is not currently required for GARFO-permitted fishermen. Expanding this requirement across all HMS trips would create significant reporting burdens and could lead to inaccurate or incomplete data due to compliance fatigue. **The Council recommends NOAA HMS adopt sub-alternative B3a, which maintains the status quo by requiring cost and earnings reporting only from selected permit holders.** Targeted data collection may also result in higher quality, more accurate information.

Overall, the Council emphasizes that the preferred B sub-alternative, notably B1c which would include reporting discard condition for all fish caught (including non-HMS), goes beyond the purview of HMS management and recommends modifying the preferred alternatives as outlined above.

Alternative C: Vessel Reporting for HMS Angling Permit Requirements

The Council supports the NOAA HMS preferred alternative C2, which removes the telephone reporting option for private recreational landings and dead discards of bluefin tuna, and non-tournament landings of billfish and swordfish. This modernization effort streamlines reporting while reducing administrative costs for NOAA Fisheries.

Alternative D: Dealer Reporting for Individual Fish Weights and Bluefin Tuna Reporting

The Council supports the NOAA HMS preferred alternatives D2 and D4. Specifically, the Council notes the potential for Alternative D2 to lead to future rulemaking that could eliminate the vessel requirement to submit weighout slips for commercial limited access permits, as referenced under Alternative A.

Conclusion

The Council appreciates NOAA Fisheries' efforts to enhance electronic reporting requirements and data collection for HMS fisheries, recognizing the importance of accurate, timely, and high-quality data in supporting sustainable management. However, it is critical to balance these improvements with practical, achievable, and minimally burdensome requirements for permit holders to ensure compliance and robust participation. The Council strongly recommends modifying the preferred sub-alternatives under Alternative B to address the concerns outlined above and to ensure consistency across regional reporting programs. Striking this balance is essential to achieving both the goal of improved data and maintaining the engagement of stakeholders, which is critical to the success of these initiatives.

Thank you for considering the Council's recommendations. We look forward to continued collaboration to achieve effective and sustainable management of HMS fisheries.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Moore". The signature is fluid and cursive, with a large initial "C" and a long horizontal stroke at the end.

Dr. Christopher M. Moore
Executive Director, Mid-Atlantic Fishery Management Council

Cc: K. Brewster-Geisz, G. DuBeck, H. Hart, S. Lenox, M. Luisi, C. Soltanoff, P.W. Townsend