

## **eVTR Omnibus Framework- Request for Non-Substantive Change**

This request is for a non-substantive change to the information collection to support the regulatory requirements of the Fishery Management Plans (FMPs) managed by the Mid-Atlantic Fishery Management Council (MAFMC) including the Bluefish FMP, the Summer Flounder, Scup, and Black Seabass FMP, the Atlantic Mackerel, Squid, and Butterfish FMP, and the Tilefish FMP. FMPs for Federal Fisheries managed under the National Ocean and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) are developed under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act).

The items outlined in that will result in a non-substantive change to this information collection include:

- A requirement for vessel owners/operators with a charter or party permit for species managed by a MAFMC FMP, when on a trip carrying passengers for hire, to submit required vessel trip reports (VTRs) by electronic means. Electronic submission is currently optional for these vessels.
- A requirement to submit the eVTRs within 48 hours after entering port following the end of a fishing trip.

### Justification for Non-Substantive change

This action would involve a non-substantive change to the information collection. The change was determined to be non-significant because:

- Federally permitted charter and party vessels have been required to submit VTRs since 1996
- Charter and party vessels have had the option of submitting eVTRs in lieu of paper VTRs since 2013
- This action will involve no changes to any forms, only to the manner in which they are submitted
- This action will result in reduced burden to the charter and party fishing fleet. Fields on eVTR forms can be pre-filled and multiple reports can be created and submitted through a single data entry screen, reducing time burden associated with filling out the forms. In addition, because the forms are submitted electronically, burden associated with mailing paper forms will be eliminated.

### Comments and responses:

*We received six comments on the proposed rule (May 24, 2017, 82 FR 23770):* Five from fishing industry members and one from a company that specializes in marine electronic reporting technology. All comments supported adopting this framework. We consolidated responses to similar comments and our responses are below.

*Comment 1:* All six commenters suggested that this action would improve the timeliness and accuracy of data used for management of the affected fisheries, and supported the implementation of this framework.

*Response:* We agree. This Framework was designed to result in more accurate and more timely data for use in better management of the fisheries affected by this action.

*Comment 2:* Four commenters suggested that eVTRs are more accurate and timely than the Marine Recreational Information Program (MRIP), which is the primary recreational data collection program.

*Response:* NMFS is mandated to use the best available science in making management decisions. Since 2005, Northeast VTR data has been incorporated into the effort estimate for the for-hire fleet at the end of the year. Recently, MRIP began incorporating VTR effort data into the preliminary inseason estimates. This framework will further increase the timeliness and accuracy of data used in future management decisions.

*Comment 3:* Two commenters suggested that some members of the charter/party fleet may have difficulty with electronic reporting due to lack of technological knowledge. They suggested that these industry members may need training in the use of this technology, and also suggested a delayed implementation of this rule to allow these industry members time to acclimate to the new requirements before the rule went into effect.

*Response:* We have incorporated a delay in implementation into this action, such that it will not take effect until six months after this rule is published. This is to allow the industry adequate time to update software and/or receive the training necessary to fulfill the requirements of this action. In addition, we will work with MAFMC and approved contractors to provide training sessions for vessel operators on creating and submitting eVTRs, which will provide the industry with the knowledge and ability to meet the reporting requirements of this Framework.

*Comment 4:* One commenter suggested that similar actions making eVTRs mandatory should be adopted in Southern Atlantic and Gulf of Mexico fisheries.

*Response:* Although we cannot modify another region's regulations, we are aware that the Gulf of Mexico Fishery Management Council is currently working with NMFS on a similar regulation for charter vessels and headboats in the Gulf of Mexico and Atlantic Region. We encourage providing such comments to the South Atlantic Fishery Management Council (1-(866)-SAFMC-10, [cameron.rhodes@safmc.net](mailto:cameron.rhodes@safmc.net)), the Gulf of Mexico Fishery Management Council (1-(888)-833-1844, [gulfcouncil@gulfcouncil.org](mailto:gulfcouncil@gulfcouncil.org)), and/or the NOAA Southeast Regional Office (1-(727)-824-5301).