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Title 50 —Wildlife and Fisheries

Chapter VI —Fishery Conservation and Management, National Oceanic and Atmospheric Administration, Department of Commerce

Part 660 —Fisheries off West Coast States

Subpart C —West Coast Groundfish Fisheries

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§ 660.13 Recordkeeping and reporting.

- (a) This subpart recognizes that catch and effort data necessary for implementing the PCGFMP are collected by the States of Washington, Oregon, and California under existing state data collection requirements.
- (1) **Trawl logbook.** In the absence of a state trawl logbook requirement based on the port of landing, the authorized representative of the commercial trawl fishing vessel registered to a limited entry permit with a trawl gear endorsement participating in the Shorebased IFQ Program groundfish trawl fisheries must keep and submit a complete and accurate record of fishing activities in the trawl logbook form. The following requirements apply:
 - (i) The authorized representative of the vessel must keep the trawl logbook form on board the vessel while engaged in, or returning from, all Shorebased IFQ Program trips using groundfish trawl gear, and must immediately surrender the logbook form upon demand to NMFS or other authorized officers.
 - (ii) The authorized representative of the vessel must complete the trawl logbook form on all Shorebased IFQ Program trips using groundfish trawl gear, with all available information, except for information not yet ascertainable, prior to entering port. The logbook form must be completed as soon as the information becomes available. The information on the logbook form will include at a minimum: Vessel name, vessel trip start and end dates, crew size, tow start, tow completion, location of tow, average depth of catch, net type, target strategy, and estimated retained pounds by species.
 - (iii) The authorized representative of the vessel must deliver the NMFS copy of the trawl logbook form by mail or in person to NMFS or its agent. The authorized representative of the vessel must transmit the logbook form on or before the 10th day of each month following the month to which the records pertain.
 - (iv) The authorized representative of the vessel responsible for submitting the trawl logbook forms must maintain a copy of all submitted logbooks for up to three years after the fishing activity ended.

- (2) **Non-Trawl Logbook.** The authorized representative of a commercial vessel participating in the below list of groundfish fishery sectors must keep and submit a complete and accurate record of fishing activities in the non-trawl electronic logbook application:
 - (i) The directed open access fishery, as defined at § 660.11;
 - (ii) The limited entry fixed gear trip limit fisheries subject to the trip limits in tables 2b (North) and 2b (South) to subpart E of this part, and primary sablefish fisheries, as defined at § 660.211; and
 - (iii) Gear switching in the Shorebased IFQ Program, as defined at § 660.140(k).
- (3) **Non-Trawl Electronic Logbook Application.** The non-trawl electronic logbook application is a web-based portal used to send data from non-trawl fishing trips to the Pacific States Marine Fisheries Commission. The following requirements apply:
 - (i) The authorized representative of the vessel must complete an entry in the non-trawl electronic logbook application for all groundfish fishing trips, as defined under § 660.11. Required information for each fishing trip includes, but is not limited to, information on set-level data on catch, discards, fishing location, fishing depth, gear configuration, and sale.
 - (ii) The authorized representative of the vessel must complete an entry for each groundfish fishing trip in the non-trawl electronic logbook application with valid responses for all data fields in the application, except for information not yet ascertainable, prior to entering port, subject to the following requirements:
 - (A) **Setting gear.** Logbook entries for setting gear, including vessel information, gear specifications, set date/time/location, must be completed within 2 hours of setting each piece of string or gear. The authorized representative of each vessel may record or document this information in a format outside of the electronic logbook application (e.g., waterproof paper). All logbook information whether recorded inside or outside of the electronic application must be available for immediate review by at-sea authorized law enforcement personnel.
 - (B) **Retrieving gear.** Logbook entries for retrieving gear, including date/time recovered and catch/discard information, must be completed within 4 hours of retrieving each piece of string or gear. The authorized representative of each vessel may record or document this information in a format outside of the electronic logbook application (e.g., waterproof paper). All logbook information whether recorded inside or outside of the electronic application must be available for immediate review by at-sea authorized law enforcement personnel.
 - (C) **Non-Trawl Electronic Logbook Submission.** The authorized representative of the vessel must complete and submit entries in the non-trawl electronic logbook application within 24 hours of the completion of offload, including information under subparagraphs A and B that was captured but not recorded in the electronic logbook application while fishing.
 - (iii) If no fish are retained or discarded on a fishing trip, then a non-trawl logbook submission is not required for that fishing trip.
- (b) Any person who is required to do so by the applicable state law must make and/or file, retain, or make available any and all reports (i.e., logbooks, state landing receipts, etc.) of groundfish harvests and landings containing all data, and in the exact manner, required by the applicable state law.

- (c) Any person landing groundfish must retain on board the vessel from which groundfish is landed, and provide to an authorized officer upon request, copies of any and all reports of groundfish landings containing all data, and in the exact manner, required by the applicable state law throughout the cumulative limit period during which a landing occurred and for 15 days thereafter.
- (d) **Declaration reporting requirements.** When the operator of a vessel registers a VMS unit with NMFS OLE, the vessel operator must provide NMFS with a declaration report as specified at paragraph (d)(4)(iv) of this section. The operator of any vessel that has already registered a VMS unit with NMFS OLE but has not yet made a declaration, as specified at paragraph (d)(4)(iv) of this section, must provide NMFS with a declaration report upon request from NMFS OLE.
 - (1) **Declaration reports for vessels registered to limited entry permits.** The operator of any vessel registered to a limited entry permit must provide NMFS OLE with a declaration report, as specified at paragraph (d)(4)(iv) of this section, before the vessel leaves port on a trip in which the vessel is used to fish in U.S. ocean waters between 0 and 200 nm offshore of Washington, Oregon, or California.
 - (i) Limited entry trawl vessels fishing in the Shorebased IFQ Program must provide NMFS OLE with a new declaration report each time a different groundfish trawl gear (bottom or midwater only) is fished. The declaration may be made from sea and must be made to NMFS before a different type (bottom or midwater only) of groundfish trawl gear is fished.
 - (ii) Limited entry midwater trawl vessels targeting Pacific whiting may change their declarations while at sea between the Pacific whiting shorebased IFQ sector and the mothership sector as specified at paragraph (d)(4)(iv)(A) of this section. The declaration must be made to NMFS before a different sector is fished.
 - (2) **Declaration reports for all vessels using non-groundfish trawl gear.** The operator of any vessel that is not registered to a limited entry permit and which uses non-groundfish trawl gear to fish in the EEZ (3-200 nm offshore), must provide NMFS OLE with a declaration report, as specified at paragraph (d)(4)(iv) of this section, before the vessel leaves port to fish in the EEZ.
 - (3) **Declaration reports for open access vessels using non-trawl gear** (all types of open access gear other than non-groundfish trawl gear). The operator of any vessel that is not registered to a limited entry permit or is registered to a directed open access permit, must provide NMFS with a declaration report, as specified at paragraph (d)(4)(iv) of this section, before the vessel leaves port on a trip in which the vessel is used to take and retain or possess groundfish in the EEZ or land groundfish taken in the EEZ.
 - (4) **Declaration reports.**
 - (i) The operator of a vessel specified in paragraphs (d)(1), (d)(2), and (d)(3) of this section must provide a declaration report to NMFS OLE prior to leaving port on the first trip in which the vessel meets the requirement specified at § 660.14(b) to have a VMS.
 - (ii) A declaration report will be valid until another declaration report revising the existing gear, monitoring, or fishery, declaration is received by NMFS OLE. The vessel operator must send a new declaration report before leaving port on a trip that meets one of the following criteria:
 - (A) A gear type that is different from the gear type most recently declared for the vessel will be used, or
 - (B) A monitoring type that is different from the monitoring type most recently declared for the vessel will be used, or

(C) A vessel will fish in a fishery other than the fishery most recently declared.

(iii) During the period of time that a vessel has a valid declaration report on file with NMFS OLE, it cannot fish with a gear and monitoring type other than a gear type and monitoring type declared by the vessel or fish in a fishery other than the fishery most recently declared.

(iv) Declaration reports will include: The vessel name and/or identification number, gear type, and monitoring type where applicable, (as defined in paragraph (d)(4)(iv)(A) of this section). Upon receipt of a declaration report, NMFS will provide a confirmation code or receipt to confirm that a valid declaration report was received for the vessel. Retention of the confirmation code or receipt to verify that a valid declaration report was filed and the declaration requirement was met is the responsibility of the vessel owner or operator. Vessels using non-trawl gear may declare more than one gear type, with the exception of vessels participating in the Shorebased IFQ Program (*i.e.*, gear switching) and those vessels declaring to fish inside the Non-Trawl RCA with non-bottom contact stationary vertical jig gear or groundfish troll gear (*i.e.*, if one of these declarations is used, no other declaration may be made on that fishing trip). For the purpose of the directed open access permit defined at § 660.11, declaration codes for the directed open access fishery include codes 33 through 37. Vessels using trawl gear may only declare one of the trawl gear types listed in paragraph (d)(4)(iv)(A) on any trip and may not declare non-trawl gear on the same trip in which trawl gear is declared.

(A) One of the following gear types or sectors, and monitoring type where applicable, must be declared:

- (1) Limited entry fixed gear, not including shorebased IFQ (declaration code 10);
- (2) Limited entry groundfish non-trawl, shorebased IFQ, observer (declaration code 11);
- (3) Limited entry groundfish non-trawl, shorebased IFQ, electronic monitoring (declaration code 11);
- (4) Limited entry midwater trawl, non-whiting shorebased IFQ, observer (declaration code 20);
- (5) Limited entry midwater trawl, non-whiting shorebased IFQ, electronic monitoring (declaration code 20),
- (6) Limited entry midwater trawl, Pacific whiting shorebased IFQ, observer (declaration code 21);
- (7) Limited entry midwater trawl, Pacific whiting shorebased IFQ, electronic monitoring (declaration code 21);
- (8) Limited entry midwater trawl, Pacific whiting catcher/processor sector (declaration code 22);
- (9) Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel or mothership), observer (declaration code 23);
- (10) Limited entry midwater trawl, Pacific whiting mothership sector (catcher vessel), electronic monitoring (declaration code 23);
- (11) Limited entry bottom trawl, shorebased IFQ, not including demersal trawl or selective flatfish trawl, observer (declaration code 30);

- (12) Limited entry bottom trawl, shorebased IFQ, not including demersal trawl or selective flatfish trawl, electronic monitoring (declaration code 30);
- (13) Limited entry demersal trawl, shorebased IFQ, observer (declaration code 31);
- (14) Limited entry demersal trawl, shorebased IFQ, electronic monitoring (declaration code 31);
- (15) Limited entry selective flatfish trawl, shorebased IFQ, observer (declaration code 32);
- (16) Limited entry selective flatfish trawl, shorebased IFQ, electronic monitoring (declaration code 32);
- (17) Non-groundfish trawl gear for pink shrimp (declaration code 41);
- (18) Non-groundfish trawl gear for ridgeback prawn (declaration code 40);
- (19) Non-groundfish trawl gear for California halibut (declaration code 42);
- (20) Non-groundfish trawl gear for sea cucumber (declaration code 43);
- (21) Directed open access bottom contact hook-and-line gear for groundfish (e.g., bottom longline, commercial vertical hook-and-line, rod and reel, dinglebar) (declaration code 33);
- (22) Open access Pacific halibut longline gear (declaration code 62);
- (23) Directed open access groundfish trap or pot gear (declaration code 34);
- (24) Open access Dungeness crab trap or pot gear (declaration code 61);
- (25) Open access prawn trap or pot gear (declaration code 60);
- (26) Open access sheephead trap or pot gear (declaration code 65);
- (27) Directed open access non-bottom contact hook and line gear for groundfish (e.g., troll, jig gear, rod & reel gear) (outside the Non-Trawl RCA only) (declaration code 35);
- (28) Directed open access non-bottom contact stationary vertical jig gear (allowed inside or outside the Non-Trawl RCA) (declaration code 36);
- (29) Directed open access non-bottom contact troll gear (allowed inside or outside the Non-Trawl RCA) (declaration code 37);
- (30) Limited entry fixed gear non-bottom contact stationary vertical jig gear (allowed inside or outside the Non-Trawl RCA) (declaration code 12);
- (31) Limited entry fixed gear non-bottom contact groundfish troll gear (allowed inside or outside the Non-Trawl RCA) (declaration code 13);
- (32) Limited entry groundfish non-trawl, shorebased IFQ, non-bottom contact stationary vertical jig gear (allowed inside or outside the Non-Trawl RCA) (declaration code 14);
- (33) Limited entry groundfish non-trawl, shorebased IFQ, non-bottom contact groundfish troll gear (allowed inside or outside the Non-Trawl RCA) (declaration code 15);
- (34) Open access HMS line gear (declaration code 66);
- (35) Open access salmon troll gear (declaration code 63);

- (36) Open access California Halibut line gear (declaration code 64);
- (37) Open access Coastal Pelagic Species net gear (declaration code 67);
- (38) Other, a gear that is not listed above (declaration code 69);
- (39) Tribal trawl gear (declaration code 50);
- (40) Open access set net or gillnet gear—California (declaration 68); or
- (41) Gear testing, Trawl Rationalization fishery (declaration code 70).

(B) [Reserved]

- (v) Upon receipt of a declaration report, NMFS will provide a confirmation code or receipt to confirm that a valid declaration report was received for the vessel. Vessel owners or operators are responsible for retaining the confirmation code or receipt to verify that a valid declaration report was filed.

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