

**Draft Options for Meeting the 24-hour E-Ticket Reporting Requirement
From Remote locations and/or After Business Hours on Weekends or Holidays**

In response to directions by the Council for the Enforcement Consultants (EC) and Groundfish Advisory Subpanel (GAP) to work together on a solution to the reporting requirement issue, a member of the EC worked with a member of the GAP and met with Pacific States Marine Fisheries Commission (PSFMC) and Council staff to develop this document for review by the EC and GAP. The options proposed here will be reviewed by the full EC and GAP at a joint meeting on June 8 and may be subject to revision.

Three options are presented here, none of which require Council action. The first two options are currently available to first receivers and require no additional actions by National Marine Fisheries Service (NMFS). The last option, expands the timely reporting criteria to include certain timing terms and conditions. This option would require additional action by NMFS and PSMFC to develop a new reporting mechanism (initial submission via email attachment followed by completion of the e-ticket on the next business day). This regulatory change would likely avoid the current need for waivers when a boat offloads after business hours prior to a holiday or weekend.

While no Council action is required, if the Council recommends that changes to regulations be pursued (e.g. Option 3), the Council may want to consider an additional change to the regulations requiring completion of the E-Tickets “by midnight of the next calendar day.” This is in reference to previous EC reports that, absent a time stamp posted on the initial E-Ticket submittal, the 24-hour rule is not enforceable.

Option 1: Email picture of state fish ticket or dock ticket to First Receiver internal company employee.

Employee then completes e-ticket from anywhere employee has web access. Can use computer, tablet, or smart phone. No cost to company other than employee compensation. Already available to first receivers. No action required.

Option 2: Company sets up unique account and password for remote location through PSMFC.

At the remote location with web access, either WI Fi or phone plan, the First Receiver’s agent completes the e-ticket using a computer, tablet, or smart phone. The agent at the remote site can only see those tickets completed at the remote site. Cannot delete previously completed e- tickets, but can edit existing e-tickets for that site and complete new tickets for that site. May require purchase of additional computer, tablet, or smart phone. One advantage for the Frist Receiver and their agent, is that the agent purchasing fish will be able to track previous purchases / landings made by that vessel to that company at that location. Provides some safeguard against First Receivers and their agents accepting landing in excess of the weekly or two-month cumulative trips limits.

The first of the following slides shows how a First Receiver can provide an employee with access to the records for a particular off-loading site without necessarily providing that employee access to information about offloads from other sites. The second slide shows multiple employees (users) and their access to different sites.

Location	Read Only	Read and Write
Hallmark Fisheries - Port Orford	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hallmark Fisheries - Newport	<input type="checkbox"/>	<input type="checkbox"/>
Hallmark Fisheries - Charleston (Coos Bay)	<input type="checkbox"/>	<input type="checkbox"/>
Hallmark Fisheries - Brookings	<input type="checkbox"/>	<input type="checkbox"/>

A green arrow points to the 'Read and Write' checkbox for 'Hallmark Fisheries - Port Orford'.

Name	Dealer Number	Primary Port
Hallmark Fisheries - Newport	1505	NEWPORT
Hallmark Fisheries - Charleston (Coos Bay)	1505	CHARLESTON (COOS BAY)
Hallmark Fisheries - Port Orford	1505	PORT ORFORD
Hallmark Fisheries - Brookings	1505	BROOKINGS

Name	Type	Location	Phone	Email
Adams, Crystal	Organization Admin	Hallmark Fisheries - Brookings	(503) 440-5626	✉
Celoni, Adam	User	Hallmark Fisheries - Brookings	(503) 440-5626	✉
Libby, Tom	User	Hallmark Fisheries - Brookings	(503) 440-5626	✉
Colpo, Dave	User	Hallmark Fisheries - Port Orford	(503) 595-3100	✉

Option 3: Modify the timely submittal regulatory language to include certain timing and condition criteria.

Rulemaking action required. Implemented through Secretarial Authority Section 305(d) of the Magnuson-Stevens Fishery Conservation and Management Act. No further action required of PFMC. Notice and Comment rule making by NMFS. Workload implications.

For Fixed Gear LEP and Open Access Sablefish deliveries made where the landing is completed after:

- (1) 5pm on a Thursday when the following Friday is a Federal or State holiday,
- (2) 5pm on a Friday,
- (3) at any time on a Saturday, or
- (4) at any time on Sunday when the following Monday is a Federal or State Holiday,

The First Receiver or their agent shall complete the required state fish ticket or dock ticket and immediately send a picture as an email attachment to the Pacific States Marine Fish Commission at email _____ .org. The corresponding federally required electronic fish ticket shall be completed and submitted by midnight on the first business day following the delivery.

Additional Regulatory Revision:

The EC has noted that lacking a time stamp recording the “time” of the landing date on the e-ticket, the 24-hours rule is not fully enforceable. As such, enforcement uses a 48-hour (two day) reporting period to determine compliance with the 24-hour rule. If the Council deems Option 3 to be a necessary step in moving forward, it might be useful to modify the reporting rule from a 24-hour reporting requirement to “*by midnight of the next calendar day.*”

Existing waiver language: Electronic Ticket 24-hour Submittal Waiver

660.213(e)(4) and 660.313(f)(4) *Waivers for submission.* On a case-by-case, temporary written waiver of the requirement to submit electronic fish tickets may be granted by the Assistant Regional Administrator or designee if he/she determines that circumstances beyond the control of a first receiver would result in inadequate data submissions using the electronic fish ticket system. The duration of the waiver will be determined on a case-by-case basis.

PFMC
06/08/17