

## NATIONAL MARINE FISHERIES SERVICE REPORT ON GROUND FISH FIXED GEAR LOGBOOKS

### *Background on Fixed Gear Logbook*

During the June 2008 Council meeting, for the 2009-2010 Groundfish Harvest Specifications and Management Measures action, the Council recommended<sup>1</sup> that the National Marine Fisheries Service (NMFS) initiate rulemaking for a mandatory logbook requirement for the limited entry and open access fixed gear fishing fleets. In the proposed rule for the 2009-2010 harvest specifications ([73 FR 80516; December 31, 2008](#)), NMFS determined that “development and implementation of a federal logbook system would take more time than is available for this rulemaking. Therefore, it is under consideration for implementation in the future” (pp 80538). However, implementation has yet to occur due to limited resources and competing workload priorities.

A fixed gear logbook has broad applicability and utility for the management of the groundfish fixed gear fisheries. Data collected in a fixed gear logbook will contribute to stock assessments, inform managers about catch and discards on non-observed trips and vessels, support economic analysis, and provide effort information to evaluate groundfish fishery interactions with Endangered Species Act (ESA) listed species, such as seabirds and humpback whales. In addition, implementation of a fixed gear logbook is a term and condition implementing Reasonable and Prudent Measure 4 of the 2017 Biological Opinion for Seabirds (FWS O1EOFWOO-2017-F-03 16). The ESA Workgroup has recommended a fixed gear logbook numerous times ([June 2019](#); [April 2017](#); [June 2015](#)). Finally, a fixed gear logbook would provide vital area-specific catch information to support potential future actions such as opening up areas of the non-trawl Rockfish Conservation Area.

### *Logbook Data Structure*

The Environmental Impact Statement for the 2009-2010 harvest specifications action outlines data elements proposed for inclusion on a fixed gear logbook by the Groundfish Management Team ([PFMC and NMFS 2009](#), included as Attachment 1). Since mid-2020, NMFS has been using an adapted version of Oregon’s fixed gear logbook, which covers the majority of the data elements proposed by the GMT on open access vessels that participated in the San Francisco Community Fishing Association (*i.e.*, Emley-Platt) and Real Good Fish Exempted Fishing Permit (EFP) projects for individual EFP trips that were granted a waiver of observer coverage under the March 2020 Emergency Rule ([85 FR 17285, March 27, 2020](#)). The West Coast Groundfish Observer Program reported that the logbooks generally worked well, but recommended some small revisions for better utility on open access vessels (*e.g.*, add “hook and line” as a gear option to circle on the logbook form). NMFS intends to use the information gained from the fields used in this logbook in conjunction with the data elements outlined originally by the GMT to inform the development of the final logbook. NMFS also intends to make some minor revisions in order to better capture information on use of floated longline gear as it pertains to seabird bycatch mitigation.

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<sup>1</sup> Decision document for the June 2008 Council meeting available upon request.

### *Who Would Be Subject to the Fixed Gear Logbook?*

NMFS has received many inquiries from state and industry stakeholders regarding which fixed gear fishery sectors would be required to fill out and submit a fixed gear logbook to NMFS. The Council's motion on the 2009-2010 Groundfish Harvest Specifications and Management Measures action recommended that NMFS mandate logbooks for the "limited entry and open access fixed gear fleets." The fixed gear limited entry fleets include gear switchers under the Shorebased Individual Fishing Quota program, the sablefish primary fishery, and the limited entry daily trip limit fishery.

The regulations at [§ 660.11](#) define open access fisheries as, "the fishery composed of commercial vessels using open access gear fished pursuant to the harvest guidelines, quotas, and other management measures governing the harvest of open access allocations (detailed in §660.55) or governing the fishing activities of open access vessels (detailed in subpart F of this part). Any commercial vessel that is not registered to a limited entry permit and **which takes and retains, possesses or lands groundfish** is a participant in the open access groundfish fishery" (emphasis added). Within the open access fishery, the regulations define the "non-groundfish fishery" as "any fishing using non-groundfish trawl gear or nontrawl gear when targeting salmon, HMS, CPS, crab, prawn, or any other species not managed under the PCGFMP. Non-groundfish fishery is sometimes referred to as the incidental open access fishery in which groundfish could be encountered with the gear used, **regardless of whether groundfish is retained**" (emphasis added).

Based on the scope of the Council's recommendation, NMFS therefore intends to implement a fixed gear logbook requirement for both targeted **and** incidental open access fisheries that use fixed gear in Federal waters (*i.e.*, 3-200 nautical miles from the coast), including the directed halibut fishery that retains groundfish under open access trip limits. The logbook would not be required for vessels that catch groundfish but do not retain it. The logbook would also not be required for salmon troll vessels that catch and retain groundfish under incidental open access trip limits, as the Council's motion specifies "fixed gear fisheries" as opposed to "non-trawl" fisheries.

Since it has been several years since the Council's recommendation on this action and aspects of the open access fishery have changed since then, NMFS seeks confirmation and/or additional guidance on the Council's intended scope for this action in terms of the open access fisheries that would be required to submit a logbook to NMFS.

### *Logbook Reporting Format*

NMFS is working on developing an electronic logbook to meet this Council recommendation. Electronic reporting provides the most efficient and timely data for fisheries management purposes. However, given the small boat nature of some parts of the fixed gear fishery, the open access fishery in particular, NMFS is exploring ways to achieve the end goal of an electronic logbook without creating significant costs for compliance for vessels that do not already have onboard computers, tablets, or smartphones. It is important for the validity of the data that to the extent practicable, logbooks are being filled out while fishing is occurring, however data transmission does not need to occur at sea. NMFS would welcome specific suggestions from the

Council and its advisory bodies on how to balance the benefits of an electronic logbook with vessel operation limitations.

Additionally, NMFS is investigating creating provisions such that any vessels already under a comparable logbook requirement for the same fishery activities (*e.g.*, the State of Oregon fixed gear logbook requirement) would be able to submit their existing logbook in order to satisfy the requirement rather than be under duplicative reporting requirements.

#### *Rulemaking Timeline*

NMFS intends to initiate rulemaking and associated Paperwork Reduction Act approval in late 2021 to fulfill the Council's 2008 recommendation to create a fixed gear logbook for the fixed gear fishery. The logbook would be administered similar to the trawl logbook, in that it would have monthly reporting requirements. We will partner with Pacific States Marine Fisheries Commission to build the databases and ultimately house the new logbook data for use by the Council for fisheries management purposes. As we finalize the data fields to be collected and other details, we intend to consult appropriately with the States. NMFS would target January 1, 2023, for a preliminary implementation date for this new requirement. If the Council has substantial concerns with the approach outlined in this report, NMFS recommends the Council revisit the logbook requirement at a future meeting.

## Attachment 1

Table 1: Table 4-82. Data elements identified for a logbook proposed by the Groundfish Management Team for west coast fixed gear groundfish fisheries. (PFMC/NMFS 2008 EIS)

Category	Element	Description
Vessel and permit information	Captain's signature	Verification that information provided in the logbook is complete, accurate, and truthful.
	Crew size per trip	Number of crew, including captain, on each trip. Useful for economic data collection.
	Observer name	If observer is onboard, record the observer's name.
	Observer cruise number or unique identifier	If applicable, could be used to link observer data to logbook data.
	State document number	Used to link the logbook record to a state fish ticket.
	Federal limited entry permit number	The limited entry permit number for each permit used for each trip, if applicable.
	State nearshore limited entry permit number	The state limited entry permit number for each permit used for each trip, if applicable.
Sale information	Port of landing	The port name where the vessel landed; this may or may not be the same port where the fish are sold.
	Buyer	Name(s) of the company buying the fish from this trip.
	Delivery date	Date on the fish ticket.
	Fish ticket number	Record the state fish ticket identification number.
	Set numbers associated with fish ticket	The unique set numbers which were hauled during the trip.
Effort, space, time, data	Dimensions of gear	If longline is fished, print the average length in feet of longline gear fished (Example: <u>300</u> ft). If pots, barrels, or buckets are fished, print the size of the pots, barrels, or buckets fished in feet (Example <u>5'</u> x <u>3'</u> x <u>4.5'</u> ).
	Escapement hole size	If pots, barrels, or buckets are fished, print the size in inches of the escapement hole/ring and the average number of holes/rings.

<b>Category</b>	<b>Element</b>	<b>Description</b>
Effort, space, time, data	Hook size and type	For hook and line gear, identify size and type of hook used.
	Pot/barrel/hook spacing	The number of feet that the pots, barrels, buckets, or hooks are placed apart.
	Bait	Identify bait used.
	String or set no.	Consecutive identifying number, used by the fisher to identify each particular string of pots, barrels, buckets, stings of hooks, etc.
	Number of pots or hooks per string	The number of pots, barrels, buckets, or hooks per string used in calculating catch-per-unit effort.
	Date of set and retrieval	Print the month and day the gear was set (Set) and retrieved (Up) in the box next to "Set" and "Up" (set and retrieve may be a different day).
Effort, space, time, data	Time	Print the time of day the gear was set (Set) and retrieved (Up) for each set of gear. Use 24 hour clock.
	Depth (fathoms)	Print the bottom depth (in fathoms) where the gear is set for the start of the string (Start) and for the end of the string (End).
	Latitude & longitude or LORAN	Record both latitude and longitude in Degrees & Decimal Minutes or LORAN Channels & Microseconds where the gear was set for the start of the string (Start) and for the end of the string (End). Other methods (e.g., ODFW's block system) could be used for vessels without electronic navigation systems.
	Target species	Species that the set intended to target.
	Estimated weight of retained	The species name or code and estimated pounds retained.
	Estimated weight of discard	The species name or code and estimated pounds discarded.
	Reason for discard	Reason why fish was discarded. Reasons could include such categories as unmarketable, predation, sublegal size, etc.