

Exempted Fishing Permit (EFP) Application

Real Time Data North America, LLC

1. Application Date

October 20, 2023

RTDNA made initial contact regarding its intent to apply for this EFP with the NMFS Alaska Regional Office on September 12, 2023 via video conference.

2. Applicant

Real Time Data North America, LLC (RTDNA)

Attention: Lange Solberg

Primary Contact Person(s): Lange Solberg, Doug Adamson, Sydney Bichsel

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3. Purpose and Goals

3.1 Background

Current regulations in the Alaska Region mandate daily printing on board for users of NMFS-approved electronic logbooks (ELBs) in Alaska federal fisheries. These regulations significantly limit the ability and potential for ELB technology to comprehensively benefit fishers and NMFS and are in need of reconsideration and updating to account for innovation of modern ELB technologies. This requested EFP would exempt fishers from the regulations found in Section 50 CFR 679.5(f)(3) and 50 CFR 679.5(f)(4) which require vessels to produce printed copies of ELB logsheets, ELB discard reports, and signatures on printed copies.

These existing regulations have impacted RTDNA's NFWF project 76705 (*Real Time Electronic Logbook Data Collection and Reporting in Halibut and Groundfish Fisheries (AK)*) and will impact RTDNA's recently-submitted NFWF project 82099 (*Improving Real Time Electronic Logbook Data Collection and Reporting in Halibut and Groundfish Fisheries (AK)*) by creating burdens and barriers to uptake of electronic logbooks for catcher vessels. Furthermore, these regulations create additional burdens and barriers as RTDNA works to deploy electronic logbooks on a trial basis to vessels in the Bering Sea/Aleutian Islands trawl fishery. The main objective of all these projects is to test and eventually scale a fully electronic reporting system in partnership with the Alaska Regional Office. Alaska's 2021-2025 Regional Electronic Technology and Implementation Plan, Strategic Goals and Objectives (Section 3.2 - Goal III: Objective 1) clearly state, "Implement EM/ER technology where appropriate and cost-effective to improve catch estimation and better inform stock assessments." RTDNA is invested in continuing to collaborate with the region and industry to help achieve these objectives.

RTDNA administered a NFWF-funded electronic logbook trial during the 2023 fixed gear halibut and sablefish season on 29 catcher vessels. In the trial, vessel operators used Deckhand to record all catch, effort, and trip information normally required in handwritten form on the paper NMFS Daily Fishing Logbook (see Attachment B). However, despite the project's main objective of testing electronic logbooks, skippers were required to use printers on board to print paper ELB logsheets for retention, enforcement boardings, observers, the IPHC, and NMFS quarterly submission. Printing on board, especially on smaller vessels with limited space and small wheelhouses, created pain points such as space constraints, printer errors, and a general lack of efficiency, as evidenced by fisher feedback. Some fishers elected to opt out of using the electronic logbook and/or a printer altogether which created challenges for recruiting and retaining participants. A stated goal in the NFWF project (as supported by the Alaska Regional Office) was to test a

transition to fully digital logbook report submission, pending NMFS API integration. However, even with electronic submission as an available option, the burden of also having to carry printer equipment on board to facilitate concurrent paper processes creates barriers and burdens for fishers and the agency alike.

This EFP would exempt participating vessels from 50 CFR 679.5(f)(3) and 50 CFR 679.5(f)(4). Under these exemptions, catcher vessels in fixed gear and trawl fisheries would be able to exclusively test 100% electronic submission of logbook and discard reports to the NMFS Alaska Region API and other endpoints using RTDNA's Deckhand electronic logbook platform. The Deckhand software will otherwise continue to satisfy all federal logbook reporting requirements. Furthermore, Deckhand will incorporate a digital signature component for validation and verification associated historically with physical signatures (see: 50 CFR 679.5(f)(4)). The digital signature will be a personal identification number (PIN) known only by the operator on each participating catcher vessel. When a user verifies their PIN upon submission of the electronic record(s), Deckhand will automatically provide a timestamp and confirmation for the fisher and the agency noting that the logsheet has been verified as complete by the fisher.

In addition to electronic submission and digital signatures, an important element of the EFP will be to test new and more efficient methods for transferring required logbook data to observers and IPHC port samplers directly from the electronic logbook device. At a minimum, under this EFP, observers and IPHC port samplers will be able to access required logbook data for transposition directly from the screen of the Deckhand electronic logbook device.

3.2 Purpose and Goals

3.2.1 EFP Purpose

Current regulatory constraints limit the ability for NMFS and RTDNA to effectively test, approve, and scale an electronic logbook solution in Alaska fixed gear and trawl fisheries. Furthermore, these constraints place undue burden on fishers who wish to transition to an electronic logbook option. The purpose of this EFP is to eliminate the requirement of fishers to print ELB logsheets on board. This will facilitate true end-to-end testing of a fully-electronic logbook data collection and submission framework and will help inform assessments of scalability, timeliness, accuracy, and efficiency of electronic logbooks in Alaska federal fisheries.

3.2.2 EFP Goals

1. Exempt vessels participating in Alaska federal fixed gear and trawl fisheries under this EFP from requirements under 50 CFR 679.5(f)(3) and 50 CFR 679.5(f)(4).
2. Explore and test ways in which electronic logbooks integrate with and incorporate into observer and EM programs and processes on board.
3. Contribute to discussions around building fully electronic reporting pathways and systems in partnership with coordinating parties through established and proposed regulatory guidelines, using experiences and feedback gained through this EFP.
4. Improve existing electronic reporting systems by deploying and testing Deckhand logbook's easy-to-use interface and data transmission capabilities with less burden on fishers.
5. Contribute to the NOAA Fisheries and North Pacific Fishery Management Council vision of a "comprehensive, integrated, and adaptable monitoring program for the groundfish and Pacific halibut fisheries off Alaska".

3.3 Proposed Exemption(s)

Under this EFP, exemptions from the following regulations would apply: 50 CFR 679.5(f)(3) and 50 CFR 679.5(f)(4).

1. 50 CFR 69.5(f)(3)

- a. Exemption from 50 CFR 69.5(f)(3) is needed to waive the requirement for printed copies of ELB logsheet and discard reports on board participating vessels. By waiving this requirement, RTDNA and the Alaska Regional Office will be able to test a 100% electronic logbook data collection and submission framework. Exemption from this regulation will also include allowing observers to transpose or transmit data directly from the Deckhand logbook tablet.
2. 50 CFR 679.5(f)(4)
 - a. Exemption from 50 CFR 69.(f)(4) is needed to waive the need for physical signatures on printed ELB logsheets and discard reports on board participating vessels. By waiving this requirement, RTDNA and the Alaska Regional Office will be able to test a 100% electronic logbook data collection and submission framework. Physical signatures will be replaced by electronic signatures using PINs.

4. Technical Details

4.1 Amounts of Each Species, Including Prohibited Species

This EFP will not impact the amount of species to be harvested, disposition of catch, annual catch limits, nor prohibited species catch limits.

4.2 Marine Mammals and Endangered Species

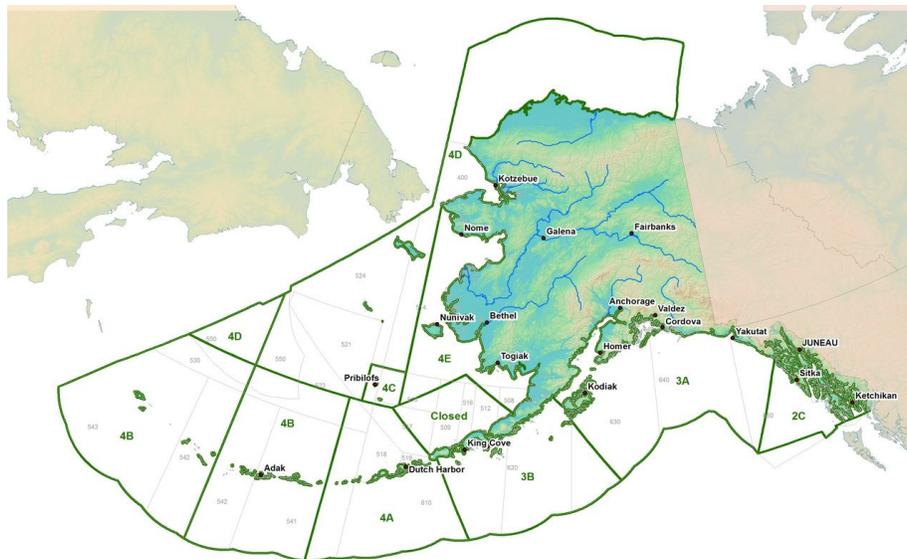
There will be no impacts to marine mammals nor endangered species through the implementation of this EFP.

4.3(a) Timing

The expected timeframe for beginning fishing under this EFP will be as soon as practicable to allow for the highest degree of use possible in trawl and fixed gear seasons, beginning in 2024. EFP fishing will end at midnight, January 1, 2026.

4.3(b) Area

This EFP will be active in the Bering Sea/Aleutian Island and the Gulf of Alaska federal reporting areas.



4.4 Vessel and Gear

The vessels will be selected from fixed gear longline and pot catcher vessels who are eligible to fish in Alaska halibut and groundfish fisheries. Vessels will also be selected from trawl gear catcher vessels who are eligible to fish in Alaska groundfish trawl fisheries.

Beginning in 2024, RTDNA is likely to be working with upwards of 90 vessels in the fixed gear halibut and sablefish fishery. Furthermore, RTDNA will be working with a to-be-determined number of vessels in the Bering Sea/Aleutian Island catcher vessel trawl fishery beginning in the 2024 A season. The specific vessels and number of participants is not known at the time of EFP application submission.

4.5 Funding

This EFP would run concurrently and exclusive to NFWF project 76705 (*Real Time Electronic Logbook Data Collection and Reporting in Halibut and Groundfish Fisheries (AK)*) already in progress and NFWF project 82099 (*Improving Real Time Electronic Logbook Data Collection and Reporting in Halibut and Groundfish Fisheries (AK)*), which has recently been submitted to NFWF for review. Both projects provide funding for participating fishers to acquire the necessary electronic logbook equipment at no cost. NFWF funding is therefore separate and exclusive of the outcome of this requested EFP. Assuming an award is granted under recently-submitted NFWF project 82099, RTDNA would anticipate funding to arrive in July of 2024. Both NFWF projects concern fixed gear fisheries only.

In the trawl fleet, RTDNA has existing distribution networks through which trawl vessels and owners self-fund the use of the electronic logbook platform on a trial basis with approval from the Alaska Regional Office. Therefore, funding in the trawl fishery is also separate and exclusive of any potential EFP outcome.

According to the Alaska Regional Office, Deckhand will become a NMFS-approved logbook by the end of 2023 or in early 2024. When approved, fishers will be able to purchase the electronic logbook freely through available and authorized marine electronics distributors at any time.

4.6 Tribal Consultation

Tribal consultation is not needed at this time.

4.7 Additional Permits

No additional permits are needed to carry out this EFP.

4.8(a) Experimental Design and Analysis

At the time of this application, experimental design and analysis through collaboration with the AFSC was determined to be not needed to carry out the EFP.

4.8(b) Reporting Requirements and Associated Timing

The Applicant will prepare an interim report midway through the EFP that includes a summary of project objectives, statistical areas fished, vessels used, a detailed description of activities, any problems and successes, and how well EFP objectives were accomplished. Within 6 months of the end of EFP fishing, the Applicant will prepare and submit to NMFS a final report that updates the interim report and summarizes the results of how well EFP objectives were accomplished. The reports will be disclosable to the public and the Applicant may be asked to present EFP results to the Council.

4.8(c) Public Release of Information

Reports defined in 4.8(b), as well as materials which are required for public comment during the EFP

application process, will be made available to the public. Harvester logbook data is confidential. Data which is transmitted to the agency, processors, and any other parties under this EFP will be managed and protected per existing federal regulations.

5. Observers

During the development of the EFP application, SF staff will help the Applicant(s) establish a contact at the Observer Program to collaborate on this section. The Observers Program will be included in the distribution of this EFP through Alaska Regional Fisheries Office, Fishery Management Specialist Amy Hadfield.

6. Principal and coordinating parties:

Principal:

- Lange Solberg, US Manager, RTDNA - EFP administration and coordination
- Sydney Bichsel, Customer Support, RTDNA - EFP coordination and fisher liaison/coordination

Collaborating Parties:

- NMFS Alaska Regional Fisheries Office (NMFS AKRO) - EFP administration, compliance, enforcement
- NMFS Alaska Fisheries Science Center (NMFS AFSC) - EFP administration and Observer Program coordination

7. Vessel Information (50 CFR 600.745(b)(2)(iv))

The following vessel information will be determined once the vessel(s) are selected.

Vessel Name.

Vessel Owner, Address, and Telephone Number.

Vessel Skipper.

Vessel Federal Fisheries Permit Number.

ADF&G Vessel Number

Home Port.

Vessel Length.

8. Applicant Signature

Lange Solberg
US Manager - Real Time Data North America, LLC

9. Additional Information

Attachments A, B, C, and D.

Attachment A: An example of a paper trawl catcher vessel daily fishing logsheet. Captains using an electronic logbook to collect this same logbook data are currently required to print logsheet copies under 50 CFR 679.5(f)(3).

Revised: 5/11/2018 OMB Control No. 0648-0213
Expiration Date: 05/31/2024

COPY DISTRIBUTION: WHITE Vessel Copy; Keep in Logbook • GOLDENROD Observer copy • BLUE Discard copy • YELLOW NMFS Copy; Ramit

CATCHER VESSEL DFL GROUND FISH TRAWL GEAR		VESSEL NAME				Date (M-D-Y)	PAGE
		OPERATOR NAME AND SIGNATURE				ADF&G Vessel No.	Federal Fisheries Permit No.
IDENTIFICATION	MANAGEMENT PROGRAM <small>(Check appropriate box)</small>		<input type="checkbox"/> INACTIVE	START	END	REASON	OBSERVER INFORMATION OBSERVER NAME AND CRUISE # OBSERVER NAME AND CRUISE # OBSERVER NAME AND CRUISE #
	<input type="checkbox"/> CDG <input type="checkbox"/> Exempted	<input type="checkbox"/> Research <input type="checkbox"/> AJP	GEAR TYPE (circle one)		CREW SIZE	FEDERAL REPORTING AREA	
No. _____		Non-pelagic trawl Pelagic trawl				<input type="checkbox"/> CHECK IF MOVED <input type="checkbox"/> PRIMARILY TO AVOID CHINOOK SALMON BYCATCH	

CATCH BY HAUL	HAUL NO.	TIME OF GEAR DEPLOYMENT	BEGIN POSITION OF HAUL		Avg. SEA DEPTH (Circle M or FM)	Avg. GEAR DEPTH (Circle M or FM)	DATE AND TIME OF GEAR RETRIEVAL	END POSITION OF HAUL		TARGET SPECIES CODE	TOTAL HAUL WEIGHT (lbs. or mt.)
			LATITUDE	LONGITUDE				LATITUDE	LONGITUDE		

For groundfish and Pacific herring, circle lbs. or nearest 0.001 mt. For Pacific halibut, Pacific salmon, king crab, and Tanner crab, record in numbers.

DISCARD DISPOSITION	DATE										
	SPECIES CODE										
	PRODUCT CODE										
	BALANCE FORWARD										
	DAILY TOTAL										
CUMULATIVE TOTAL SINCE LAST DELIVERY											

COMMENTS

INSTRUCTION FOR CHECK BOX: IF YOU HAVE MOVED THIS VESSEL PRIOR TO THIS HAUL PRIMARILY TO AVOID ENCOUNTERING CHINOOK SALMON BYCATCH, PLACE A CHECK IN THIS BOX.

DELIVERY	DELIVERY DATE	ADF&G FISH TICKET NO.	RECIPIENT'S NAME	ADF&G PROCESSOR CODE

Attachment B: An example of a full paper fixed gear longline catcher vessel daily fishing logsheet. Captains

