



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Pacific Islands Regional Office
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January 20, 2021

Mr. Edwin Reyes
Administrator
Guam Coastal Management Program
Bureau of Statistics and Plans
Government of Guam
P.O. Box 2950
Hagåtña, GU 96932

Attn: Mr. Julian Janssen, Federal Consistency Coordinator

Dear Mr. Reyes:

The National Marine Fisheries Service (NMFS) proposes to require that certain federally permitted longline fishing vessels record their logbooks electronically, rather than on paper as is the current practice (although the voluntary use of electronic logbooks is now allowed). NMFS would provide the electronic logbooks and training, and would establish requirements to account for a system failure. This action would reduce fishermen's reporting burden, and increase the timeliness, accuracy, and quality of reported data.

Pursuant to section 307 of the Coastal Zone Management Act (CZMA, 16 U.S.C. 1456(c)(1)(C)), I have determined that the proposed action is consistent to the maximum extent practicable with the enforceable policies of the approved Coastal Zone Management Program of Guam. I request your review of, and concurrence with, this determination, enclosed. Under regulations at 15 CFR 930.41(a), we may presume your concurrence if we do not receive your response within 60 days from receipt of this consistency determination.

If you have any questions or comments or you would like to review draft documents that provide information and analysis supporting this determination, please contact Lynn Russel at 808-725-5184 or lynn.rassel@noaa.gov.

Sincerely,

Michael D. Tosatto
Regional Administrator

Encl. CZMA Determination



Coastal Zone Management Act Federal Consistency Determination

Agency: National Marine Fisheries Service (NMFS)

Relevant Authorities: CZMA (16 U.S.C. 1451 et seq.); CZMA Federal Consistency Regulations (15 CFR 930).

Determination: Consistent to the maximum extent practicable with the enforceable policies of Guam's Coastal Zone Management Program.

Description of proposed activity: NMFS proposes to require the use of electronic logbooks for vessels fishing under the Hawaii and American Samoa (vessel classes C and D) permits. The proposed action would continue to meet existing reporting and recordkeeping requirements set forth in 50 CFR 665.14. Current regulations require these permit holders to record and submit catch information in paper logbooks, but also offer the option to use electronic logbooks. As of January 2021, 73 of 146 active vessels under Hawaii permits are using electronic logbooks. No vessels operating out of American Samoa are currently using electronic logbooks. At its 183rd Meeting in September 2020, the Council recommended the proposed action, and recommended alternative requirements should the electronic system fail. NMFS would supply the electronic logbooks device and application, pay data transmission costs, and provide any necessary training to fishermen.

Maintaining and interpreting paper logbooks is subject to high levels of potential error due to illegible handwriting and inaccurate recording. Implementing electronic logbooks would take advantage of emerging technology that could reduce human error, improve data accuracy, save time for fishermen and NMFS, and provide more rigorous monitoring and forecasting of catch limits. It also supports the NMFS Policy Directive on Electronic Technologies and Fishery Dependent Data Collection (ET Policy Directive; *04-115*; updated May 7, 2019) to complement and/or improve existing fishery-dependent data collection programs to achieve the most cost-effective and sustainable approach that ensures alignment of management goals, data needs, funding sources, and regulations.

Expected coastal effects: This proposed action constitutes an administrative change and is not expected to cause any new or different coastal effects. NMFS would still require vessel operators to maintain on board the vessel an accurate and complete record of catch, effort, and other data required for fisheries monitoring. The proposed action would not alter fishing activities: including fishing location, timing, effort, authorized gear types, harvest levels, target catch, and bycatch, including protected species interactions.

Consistency evaluation: Guam's Coastal Management Program is a network program involving existing government agencies established to guide the use, protection, and development of land and ocean resources. The common interests of the Coastal Management Program and its networking agencies are linked through policies for development and resource protection established in Executive Order 78-37. Development policies include 1) shore area, urban, and rural development; 2) major facility siting; 3) hazardous areas; 4) housing; 5) transportation; and

6) erosion. Resource protection policies include 1) air, water and visual quality; 2) fragile areas; 3) living marine resources; 4) recreation areas; 6) public access; and 7) agricultural lands.

Based on the above, the proposed action would not cause direct effects to Guam's coastal zone management area, and the specifications are consistent with the policies and objectives of the Coastal Management Program. Thus, NMFS has determined that the activity would be consistent to the maximum extent practicable with the enforceable policies and objectives of Guam's Coastal Management Program.