

Commercial Electronic Fish Receiving Ticket Rules Proposals

Public Hearing and Commission Briefing
June 24, 2022

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PRESENTATION OUTLINE

Introduction

Timeline and public involvement

Background

Proposals

Questions/Public testimony

Introduction

Proposed updates to WAC 220-352-010 and 220-352-040.

Proposals affect required additional information when submitting an electronic fish receiving ticket while using department-approved mobile electronic catch reporting software or applications.



Timeline and Public Involvement

April 5, 2022	CR 101 filed
May 17	CR 102 (Proposal Rulemaking) filed Public Input web page launched
June 24	Commission Briefing and Public Hearing
June 25	Public Comment Period Closes
August 4-6	Commission Decision Meeting
September 5	Rule implementation, if adopted



Background

- Coastal Rulemaking – commission adopted rules in Fall 2021 implementing mandatory electronic catch reporting (WAC 220-352-035) for commercial crab and shrimp fisheries.
- E-tix is already in place and used voluntarily for many coastal shellfish landings
- WA-Tix Development – mobile electronic catch reporting application, to support small buyers who don't have access to E-tix in development by WDFW.
- Implementation of mandatory electronic reporting delayed via emergency regulation to allow for continued development of the WA-Tix application and to address two new issues.



Background – Fish Receiving Ticket (FRT)

- FRT – official WDFW document, available in paper or electronic form, for recording the delivery of commercial fish and shellfish
 - E.G Required information – fisher ID, vessel name, date of landing, original receiver, catch area, lbs/units, etc.
- Receipt from a fish/shellfish delivery between harvester and “original receiver”
 - Original receiver *often* wholesale fish buyer
- Submitting complete and accurate FRTs on-time, are fundamental for effective fisheries management
 - Paper FRTs mailed to WDFW within 6 days after landing
 - E-tix are available as soon as submitted
 - Some fisheries have additional reporting requirements – “quick reporting”

STATE OF WASHINGTON DEPARTMENT OF FISH AND WILDLIFE SHELLFISH RECEIVING TICKET

CIRCLE PHYSICAL GEAR ACTUALLY USED

DEALER USE	SPECIES CODE	# OF FISH	SPECIES DESCRIPTION	POUNDS	PRICE/LB.	AMOUNT
	561		CRAB	562	9.75	5,479.50
	565		GEODUCK	227	9.75	2,213.25
	504		HORSE CLAM			
	508		RAZOR CLAM			
	595		RED SEA URCHIN			
	596		GREEN SEA URCHIN			
	575		PINK SHRIMP			
	572		SPOT SHRIMP			
	572		COONSTRIPE SHRIMP			
	574		SEASTRIPE SHRIMP			
	591		SEA CUCUMBER			
	581		CRAWFISH			
	551		SQUID			
	541		OCTOPUS			
	533		SCALLOPS - PINK OR SPINY			

TAKE HOME FISH

DEALER USE	SPECIES CODE	SPECIES AND DESCRIPTION	# OF FISH	POUNDS	NAME

TOTAL AMOUNT: 7,692.75
LESS DEDUCTIONS: 86.54
AMOUNT PAID: 7,606.21



Electronic catch reporting - enforcement issues

- Paper fish tickets require that the original receiver is present at the location and time of the purchase or delivery.
- When submitting electronic fish receiving tickets using a mobile catch reporting application/software (e.g. WA-Tix), there is a potential loophole for users to not be physically present at the location of purchase or delivery.
- For example, if there is a biotoxin event where crab landings are only allowed in a certain port to protect public health, knowing the location of the delivery would be an important enforcement tool.
- Requiring geolocation be provided when submitting an electronic fish receiving ticket when using a mobile application would address this enforcement challenge.



1. Add terms to FRT definitions

This proposal adds “location services” and “terms of use” to the commercial fish receiving ticket (FRT) definitions.

The added definitions are included in the proposed amendments to 220-352-040.

- a) “Terms of use” are the rules, specifications, and requirements for the use of department-approved electronic catch reporting software or applications.
- b) “Location Services” is a feature of an electronic computing device which enables applications and websites to automatically generate a geographic location of a person or device.



2. Require geolocation when submitting an electronic FRT

The proposed rule change would require that location services on a user's mobile computing device be enabled when required by the terms of use of a Department-approved mobile catch reporting software or application.

- a) Location services allows for the geolocation of a user's mobile device to be automatically determined when submitted an electronic fish receiving ticket
- b) Addresses a key enforcement challenge when submitting electronic fish receiving tickets



Public Comment

Comments in Support (1):

- “I am strongly in favor of this regulation... It is too easy to skirt the rules, and as a result all of the legitimate players and people with integrity are forced to either accept a competitive disadvantage by following the rules, or not join in on the cheating.”

Comments Opposed (4):

- “Big brother is watching and monitoring you! That’s what this rule is.”
- “I am against this propose rule making since it is just another legal way for government officials to track and spy on fisherman.”



Public Comment Response

- Area-based management is key feature of many fisheries, location data is necessary to effectively enforce those restrictions
- As we evolve our catch monitoring tools, we need to ensure those tools are also enforceable and the data verifiable.
- Electronic reporting and monitoring is not new
 - EM is being tested for the WA coastal Dungeness crab fishery and for federally-managed groundfish fisheries on the West Coast





Questions



Public Comment