Fishery Conservation and Management § 600.1416

(f) Fees. Effective January 1, 2011, persons registering with NMFS must pay an annual fee. The annual schedule for such fees will be published in the Federal Register. Indigenous people engaging in angling or spear fishing must register, but are not required to pay a fee.

§ 600.1415 Procedures for designating exempted states-general provisions.

(a) States with an exempted state designation must:
(1) Submit state angler and for-hire vessel license holder data to NMFS for inclusion in a national or regional registry database; or
(2) Participate in regional surveys of recreational catch and effort and make the data from those surveys available to NMFS.

(b) Process for getting an exempted state designation:
(1) To apply for exempted state designation, a state must submit:
   (i) A complete description of the data it intends to submit to NMFS;
   (ii) An assessment of how the data conforms to the requirements of §§ 600.1416 or 600.1417;
   (iii) A description of the database in which the data exists and will be transmitted; and
   (iv) The proposed process, schedule and frequency of submission of the data.

(2) If NMFS determines the submitted material meets the requirements of §§ 600.1416 or 600.1417, NMFS will initiate negotiations with the state on a Memorandum of Agreement. The Memorandum of Agreement must include the terms and conditions of the data-sharing program. The Memorandum of Agreement must specify the timetable for a state to compile and submit complete information on the telephone numbers and dates of birth for its license holders/registrants. The waters of the state for which such license-holder data must be submitted will be specified in the Memorandum of Agreement.

(b) A state is eligible to be designated as an exempted state even if its licensing program excludes anglers who are:
(1) Under 16 years of age;
(2) Over age 59 (see § 600.1416(d)(1));
(3) Customers on licensed for-hire vessels;
(4) Customers on state-licensed fishing piers, provided that the pier license holder provides to the state complete angler contact information or angler effort information for users of the pier;
(5) On active military duty while on furlough; or
(6) Disabled or a disabled Veteran as defined by the state.

(c) Unless the state can demonstrate that a given category of anglers is so small it has no significant probability of biasing estimates of fishing effort if these anglers are not included in a representative sample, a state may not be designated as an exempted state if its licensing program excludes anglers that meet any of the following conditions:
(1) Fishing on a state-licensed private vessel;
(2) Fishing from privately-owned land;
(3) Fishing on a public pier;
(4) Fishing from shore;
(5) Fishing in tidal waters of the state; or
(6) Fishing as an occupant of a beach buggy, the operator of which is licensed or permitted to operate the vehicle on public beaches.

(d) Required enhancements to exempted state license-holder data. An exempted state must submit the following angler identification data by