

**SUPPORTING STATEMENT
PACIFIC ISLANDS REGION PERMIT FAMILY OF FORMS
OMB CONTROL NO.: 0648-0490**

INTRODUCTION

This Supporting Statement describes a renewal/revision of the existing information collection under Office of Management and Budget (OMB) Control No.: 0648-0490.

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) established regional fishery management councils, such as the Western Pacific Fishery Management Council (WPFMC), to develop fishery management plans (FMPs) for fisheries in the U.S. exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce (Secretary), are implemented by Federal regulations and enforced by the National Marine Fisheries Service (NMFS) and U.S. Coast Guard (USCG), in cooperation with State agencies to the extent possible. FMPs regulate fishing to ensure the long-term productivity and optimum yield of the resources for the benefit of the U.S.

The WPFMC and NMFS have jurisdiction over fisheries in Federal waters of the Pacific Ocean seaward of American Samoa, Guam, Hawaii, the Commonwealth of the Northern Mariana Islands (NMI), and the Pacific Remote Island Areas (PRIA)¹. WPFMC has prepared, and the Secretary has approved and implemented through regulations, FMPs for crustacean, precious coral, pelagic, bottomfish/seamount groundfish, and coral reef ecosystem fisheries in the western Pacific. Each of these FMPs contains a requirement that commercial fishery participants obtain Federal permits for the fishery. There are three types of permits: open access fishery permits (e.g., western Pacific general longline fishing and receiving permits, pelagic troll & handline permits, lobster permits, precious coral permits), limited access permits for selected fisheries (e.g., Hawaii-based pelagic longline fishery, American Samoa pelagic longline fishery), and experimental fishing permits.

This clearance request is for renewal/revision of the currently approved collection of information under the Pacific Islands Region Permit Family of Forms (OMB Control No.: 0648-0490).

This collection of information is needed for permit issuance, to identify actual or potential participants in the fishery, determine qualifications for permits, and to help measure the impacts of management controls on the participants in the fishery. The permit program is also an effective tool in the enforcement of fishery regulations and serves as a link between NMFS and fishermen.

¹Howland, Baker, Jarvis, Wake and Palmyra Islands, Johnston Atoll, Midway Atoll, and Kingman Reef.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Information is collected via a permit application process. Permits are valid for one calendar year and may be renewed annually, except for the American Samoa longline limited entry permit, which is effective for three years. Information from the permit application form will allow NMFS, Pacific Islands Region, to confirm the identity of the permit holder and applicant, and to determine whether the applicant qualifies for the permit. Vessel-related information such as vessel documentation or registration, ownership, managing ownership, etc., are used by NMFS to determine whether the applicant is an owner of a U.S. documented/registered vessel. The information may also be used by NMFS enforcement, the USCG, and the WPFMC.

Revisions were made to the permit application form:

1. Collection of information on the vessel operator was removed as this information changes frequently, and can be obtained more efficiently through other means. Agents often submit applications on behalf of their clients, and to document the agent's authorization, a signed letter from the permit holder authorizing the agent to act on his/her behalf is required.
2. The Taxpayer Identification Number, also known as Employer Identification Number, is required when a business is listed as the owner of the vessel (the Social Security Number is required when an individual is the owner of the vessel).
3. The Date of Birth or Date of Incorporation is required of an individual or a corporation to verify identity.
4. The email address is requested of the applicant to facilitate communication.
5. The Business Contact, Contact Title, and Applicant's Title are required to verify whether the applicant is representing a corporation or partnership or acting as an agent.

The additional information required is offset by the removal of the operator information and should result in no net change to the information collection burden.

The collection includes annual requests by eligible Hawaii longline limited entry permit holders for shallow-set certificates. The certificates are required to conduct shallow-set (swordfish) longline fishing. A limited number of certificates are issued annually to those who request certificates.

This collection also includes information involving appeals of permit denials. The appellant must provide documentation to show why a permit should have been granted. The information is used by the NMFS Pacific Islands Regional Administrator in making a final determination on permit issuance under the FMP. The frequency of appeals for permit denials is expected to be 4 per year, if any.

It is anticipated that business information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with Federal law and regulations, and National Oceanic and Atmospheric Administration (NOAA) policies for confidentiality, privacy, and electronic information. See response #10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

None of the federal permit application forms for western Pacific fisheries, including this collection, are currently submitted in electronic form; however, permits via facsimile have been submitted. NMFS is developing a web based permits program that would allow applicants to apply for permits online. It is expected that such a program can be implemented in the near future.

4. Describe efforts to identify duplication.

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. It was concluded that no other collections, besides the requested collecting information, would meet these reporting requirements.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

All of the vessels in the Federally-managed fisheries in the western Pacific region are small business entities of similar size and are affected comparably. No special measures are needed to accommodate different sized businesses. The minimum amount of data needed for permit issuance and consistent with this collection is sought in the permit application process.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Without this collection or if it is collected less frequently, NMFS will be unable to properly evaluate permit applications issued under the western Pacific FMPs. Also, it will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information enforcement agents will not be able to identify current fishery participants for compliance monitoring purposes and NMFS would be unable to consult with permit holders on regulatory changes.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

This collection is considered to be consistent with OMB Guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Public comment has been solicited on this collection. No comments were received.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payments or gifts are involved in this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Under Section 402(b) of the Magnuson-Stevens Act, NOAA Administrative Order 216-100, and the Privacy Act, information submitted in accordance with regulatory requirements under the Act is confidential. Personal and propriety information in this collection is not released to the public.

A draft system of records notice covering all NMFS commercial fishing permits is under review by the NOAA Privacy Act Officer.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive nature are asked.

12. Provide an estimate in hours of the burden of the collection of information.

There are currently 232 respondents in this collection. The estimated total annual burden hours increases to 157, with the addition of new permits previously approved in revisions to date, and revised estimates of the response volumes to current permits. The current number of responses per year is estimated at 384 for permit applications (new, renewal, and transfers).

Table 1. Permit Application-Related Burden

Permit	Number of Responses	Estimated Time per Application	Total Burden
WP Federal Fisheries Permit Application:			
Hawaii Longline Limited Entry Permit	174	30 minutes	87 hours
Hawaii Longline Closed Area Exemption	0	2 hours	0
Shallow-set Certificate Request	150	10 minutes	25 hours
WP Longline General Permit	14	30 minutes	7 hours
WP Receiving Vessel Permit	2	30 minutes	1 hour
PRIA Troll & Handline	0	30 minutes	0
Lobster (all WP areas)	2	30 minutes	1 hour
NWHI Bottomfish (Mau & Hoomalu zones)	8	1 hour	8 hours
WP Bottomfish (Guam, NMI, PRIA)	10	30 minutes	5 hours
American Samoa Longline Limited Entry Permit	20	45 minutes	15 hours
Permit Appeals	4	2 hours	8 hours
Experimental Fishing Permits	0	2 hours	0
Totals	384		157 hours

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

There is no “start up” capital cost for complying with this requirement.

A non-refundable fee accompanies these applications:

Hawaii longline limited entry permit = \$48 (x 174 = \$8,352)

American Samoa longline limited entry permit = \$35 (x 20 = \$700)

NWHI Mau Zone bottomfish limited entry permit = \$65 (x 4 = \$260)

The estimated cost to respondents for postage, faxes, copies, etc., related to this collection is estimated at \$450 per year.

Total annual costs = \$9,762.

14. Provide estimates of annualized cost to the Federal government.

The estimated cost to the Federal government to administer this collection, which includes database management, is \$11,520 (384 x 90 min/permit x \$20/hr.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

This is a renewal/revision to a currently approved collection. The adjustment incorporates updated estimates for all permit applications, including existing and new permits.

Permit application fees had not been included in previous submissions, due to error.

16. For collections whose results will be published, outline the plans for tabulation and publication.

No publication based solely on this collection of information is planned at this time. However, the information contained in the permit application will be analyzed by NMFS to determine eligibility for permit issuance and the need for management changes to conserve fish stocks and protect endangered or threatened marine animals and their habitats. These analyses will be included in annual stock assessment and fishery evaluation reports as required under these FMPs. The information from this collection may ultimately be published in scientific journals.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

The expiration date is displayed.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

No exceptions are proposed.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.