

**SUPPORTING STATEMENT  
AN OBSERVER PROGRAM FOR CATCHER VESSELS IN THE  
PACIFIC COAST GROUND FISH FISHERY  
OMB CONTROL NO.: 0648-0423**

**INTRODUCTION**

National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries) manages the U.S. groundfish fisheries off the Washington-Oregon-California (WOC) coast under the Pacific Coast Groundfish Fishery Management Plan (FMP), which is consistent with the requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations implementing the FMP appear at 50 CFR part, 660 Subpart G. General regulations that also pertain to U.S. fisheries appear at 50 CFR part, 600 Subpart H. The Magnuson-Stevens Act (Public Law 109-479) authorizes the Secretary to station observers aboard commercial fishing vessels to collect scientific data for the purposes of fishery conservation and management.

With the exception of the mid-water trawl fishery for Pacific whiting, most groundfish vessels that deliver to shore-based processors sort their catch at sea and discard species that are: in excess of cumulative trip limits, unmarketable, targeted in non-groundfish fisheries, or in excess of annual allocations. Landed or retained catch is monitored by the individual state-run fish ticket programs; however, because a portion of the catch is discarded at sea there was in the past no opportunity for NOAA Fisheries or the States to monitor total catch (retained plus discarded catch) at the processing facilities. This lack of information on at-sea discards had resulted in very "soft" estimates of total catch and fishing mortality.

Discard information is needed to assess and account for total fishery mortality and to evaluate management measures including rebuilding plans for overfished stocks. Accurate estimates of discards from which total catch can be derived are an important component of any fishery management and analysis program. If the discard estimates are too high, then the industry is foregoing some short-term yield; if discard estimates are too low, then the long-term health of the stock may be jeopardized.

Observers are a uniformly-trained group of scientists who are deployed aboard fishing vessels to gather fishery data that is used in management that is too burdensome for vessel personnel to collect and would otherwise not be available for managing the fisheries. Since the early 1990s the Council has viewed at-sea observers as a viable means to collect much needed discard data. At its April 1999 meeting, the Council proposed development of an on-board observer program, with the goal of having a program ready for implementation in 2000.

Regulations for this fishery went into effect in May 2001. The initial deployment of observers took place that August 2001. The establishment of these regulations give NOAA Fisheries authority to place observers aboard vessels in accordance with a statistically-sound coverage plan; safeguard the observer's well-being; and establish sampling conditions necessary for an observer to follow sampling protocols and thereby maintain the integrity of observer data collections. The information collection under this rule includes:

1) Departure reports (no form) can be submitted to NOAA Fisheries or its designated agent via a toll-free phone number to provide notice of expected departure dates and times. A call must be made at least 24 hours prior to departure for fishing.

2) Cease-fishing reports (no form) can also be submitted to NOAA Fisheries or its designated agent via a toll-free phone number to provide notice, not less than 24 hours after ceasing all groundfish fishing, for the purpose of, leaving the fishery management area or to fish for species not managed under the groundfish management plan. This report would be made when a vessel in the observed portion of the fleet ceases to participate in the groundfish fishery, not when they cease a specific fishing trip.

## A. JUSTIFICATION

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

A departure report is necessary for NOAA Fisheries or its designated agent to 1) identify which vessels need to carry observers and 2) to coordinate the placement of observers aboard vessels. The cease-fishing report is necessary to identify which vessels are in the pool of vessels being sampled. Knowing which vessels is no longer part of the sample pool will allow NOAA Fisheries or its designated agent to adjust selection methods to meet the desired observer coverage levels while allowing observer effort to be used efficiently. It is necessary for a vessel owner, operator or representative to submit these reports because only they can make statements about their future intent.

### 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 from departure reports is used by NOAA Fisheries to determine whether to place observers on selected vessels in order to obtain detailed information on fishing practices and the characteristics of the catch. These data are needed by NOAA Fisheries to estimate total catch by species, collect data necessary to assess the status of stocks, to determine protected species interactions, and to evaluate economic conditions in the fishery. In addition to departure reports, cease-fishing reports are needed to define the population of vessels that are being sampled, and to adjust selection methods to meet the desired observer coverage levels so observer effort can be used efficiently.

The information collected is whether a vessel plans to start or end fishing in 24 hours. This information is used internally to manage the deployment of observers. The biological data collected by observers on the vessels is summarized. The specific vessel departure and cease-fishing information is not part of the summarized biological data released as the data is fleet-wide.

As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries will retain control over the information and safeguard it from improper access, modification, and

destruction, consistent with NOAA standards 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. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA Fisheries decide to disseminate the information, it will be subject to the quality control measures and 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.**

Departure and cease-fishing notifications are made by telephone to NOAA Fisheries or its designated agent.

**4. Describe efforts to identify duplication.**

The departure and cease-fishing reports are information submissions that are unique to the observer program and direct duplication with other collections does not exist.

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

All of the vessels affected by this collection are considered small businesses. To minimize the burden on small entities, only the minimum data necessary to effectively place observers within the fleet in a manner that is consistent with a statistically-sound coverage plan are being collected. In addition a toll-free number is available for use in order to reduce the burden on small entities.

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

All information is required to effectively place observers within the fleet in a manner that is consistent with a statistically-sound coverage plan. Collecting this information less frequently is likely to impair the ability to place observers according to the coverage plan and this would significantly reduce the usefulness of data collected for conservation and management purposes.

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

No special circumstances exist that require the information collection to be conducted in a manner inconsistent with Office of Management and Budget (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.**

A Federal Register notice (copy attached) was published to solicit public comment for renewing this information collection. No comments were received.

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

No payment or gifts to respondents are provided under this collection.

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

Because the information collected is from commercial operations, the Privacy Act does not apply. The information collected is confidential under Title II, Section 203(b) of the reauthorized Magnuson Stevens Act (P.L. 109-479). All data submitted are treated in accordance with NOAA Fisheries Administrative Order 216-100, Protection of Confidential Fisheries Statistics.

**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.**

This collection of information does not include any sensitive information.

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

The information collection under this rule includes departure and cease-fishing reports which would be a toll-free phone call placed to NOAA Fisheries, or its designated agent. The cost to the industry to provide this information increases as the number of vessels in the pool of potentially observed vessels increases. The maximum cost to the fleet to provide departure and cease-fishing reports would occur if the coverage strategy were to increase randomly-sampled trips in the entire open access and other ancillary fleets. The toll-free number has been maintained from the beginning of the program and will continue as a service for the fleet. The cost of the toll-free calls is absorbed by NOAA Fisheries. However, the time of the phone call is absorbed by the vessel operator (respondent). The estimated burden hours and labor costs are outlined in Table 1.

<b>Table 1. Respondent Burden And Cost Estimates<sup>1</sup></b>							
Record Type	No. of responses per vessel per year (A)	Average number of minutes per record (B)	Time per vessel per yr (C) (A*B)	No. of Vessels (D)	Total No. of responses for fleet (E) (A*D)	Total hrs for fleet (F) (B*E/60)	Total labor costs for fleet (F*\$29.96)
Fishing Departure Reports	3	10 min.	30 minutes	2,116	6,348	1,058 hrs	\$31,698
Cease Fishing Reports	2	10 min.	20 minutes	2,116	4,232	705 hrs	\$21,122
<b>TOTAL</b>	---		---	---	<b>10,580</b>	<b>1,763 hrs</b>	<b>\$52,820</b>

1. Assumes vessel operator will submit the report – An estimated hourly salary of a vessel operator is \$29.96/hr based on the Department of Labor’s 2005 National Occupational Employment and Wage Estimates (<http://www.bls.gov/oes/current/oes451011.htm>)

**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. Because departure and cease-fishing reports are available as toll free phone calls, no submission costs are expected.

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

Enforcement costs: certain costs are incurred by NOAA Fisheries to enforce the proposed reporting requirements. This burden is expected to remain within the current enforcement costs necessary to support the conservation and management role of NOAA Fisheries.

Administrative costs: costs are incurred directly by NOAA Fisheries and through a federal contract to administer the reporting requirements.

Additional personnel time to process the collection is approximately 2,000 hours per year and cost NOAA Fisheries approximately \$60,000 (a GS-9 level position for 2,000 hours/ yr).

The cost to NOAA Fisheries to support a toll free phone line is approximately \$11,000 annually.

The sum of the approximate annual costs to NOAA Fisheries is \$71,000.

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

There are no changes to respondent burden or costs.

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

No plans exist for publishing the information collected.

**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.**

No such approval is sought.

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

There are no exceptions to the certification statement in this proposed collection of information.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.