

SUPPORTING STATEMENT
Atlantic Hagfish Collection of Information Program
OMB CONTROL NO. 0648-0018

INTRODUCTION

This submission requests Office of Management and Budget (OMB) clearance of a collection of information associated with the Atlantic hagfish fishery. Specifically, this clearance is for hagfish processor reporting requirements. Observer coverage and dealer permit requirements are being cleared under a new PRA clearance and will eventually be merged (with appropriate changes) with OMB Control No. 0648-0202. Dealer reporting requirements will also be revised as a result of the hagfish information collection program and submitted for clearance under OMB Control No. 0648-0229. This collection of information for the hagfish fishery is being proposed under the provisions of section 402(a) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), which allows for the collection of information on a fishery prior to its regulation under a Fishery Management Plan (FMP). A request for an information collection on Atlantic hagfish was received by the New England Fishery Management Council (Council) on October 3, 2006. This collection of information may become permanent through the development and implementation of the Atlantic hagfish FMP.

This information collection fulfills the requirements under section 402(a) of the Magnuson-Stevens Act. This data collection program would continue only until an FMP is implemented (presumably sometime in 2008), and would involve a limited number of processors that are new to this reporting requirement (i.e., there are 2 hagfish dealers known to participate in shoreside processing activities).

A. JUSTIFICATION

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

Under the Magnuson-Stevens Act, the Secretary of Commerce has responsibility for the conservation and management of marine fishery resources off the coast of the U.S. The majority of this responsibility has been delegated to the Regional Fishery Management Councils and NOAA Fisheries Service. The New England Council develops management plans for northeast fishery resources. In order to develop appropriate management measures and to better understand the various aspect of a fishery that has been unregulated, section 402(a) of the Magnuson-Stevens Act allows NOAA Fisheries Service to collect information prior to development and implementation of an FMP.

The Atlantic Hagfish fishery is an unregulated fishery that relies on revenues from the export of whole frozen hagfish product overseas, primarily in South Korea. In recent years, this fishery, which is prosecuted primarily off the coast of Gloucester, MA, has changed from an inshore fishery comprised of small vessels to an offshore fishery that consists of large vessels. According to reports from a two-day workshop that was held to

elucidate the challenges in collecting information on this fishery, the reason for this change in the way the fishery is being conducted is that the fishery has been fished-down in nearshore waters necessitating movement to areas not historically harvested for hagfish.

A control date* of August 28, 2002, has been reaffirmed to forewarn participants that the Council and NOAA Fisheries Service will be considering the management of hagfish in the future. The Council has decided to prioritize the management of hagfish and to begin development of an FMP in 2007. The Northeast Regional Offices' Fisheries Statistics Office (FSO) determined through their research of this fishery that five vessels on the U.S. eastern seaboard participate in the hagfish fishery, and all these vessels are currently required to provide catch information on their Fishing Vessel Trip Reports (FVTRs) (i.e., they have other Federal fisheries permits that require catch reporting). Thus, their landings information is captured in existing databases. In addition, due to a relative equilibrium between supply and demand—the driving force being a South Korean market for hagfish meat, there is a stability in terms of participation in the NE hagfish fisheries that will likely remain unchanged. However, while the market forces are understood, there remains an inability to verify the vessel information that is recorded by way of FVTRs—while one dealer/processor is reporting its processing activities on the annual reports there is another dealer/processor that is not currently required to participate in the annual survey of seafood processors. Therefore, the information collection will begin to capture dealer/processor information to gain a better understanding of this fishery and its operations at the vessel and dealer level. Dealer permits, dealer reporting requirements, and observer coverage will also be required for dealers and vessel owners/operators who participate in the hagfish fishery (these are being cleared under separate PRA clearances). This information collection should enable the Council to proceed with development of a management plan for hagfish.

Section 303(a)(5) of the Magnuson-Stevens Act specifically identifies the kinds of data to be collected for FMPs. Data from the annual seafood processors survey are used in economic analyzes to estimate the capacity and extent of which U.S. fish processors, on an annual basis, will process that portion of the optimum yield harvested by domestic fishing vessels. Employment data are used in socioeconomic analyzes for determining potential impacts on processing employment due in part to management measures.

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.

NMFS and Regional Council economists use the data on volume and value to estimate processing capacity and to forecast and subsequently measure the economic impact of fishery management regulations on fish and shellfish supplies. The employment data are

* Reference date for qualifying landings for future limited entry permit applications.

used to analyze the seasonality of a specific fishery. The data are also used for establishing negotiating positions on international trade by determining which seafood industries might be adversely affected by reducing or eliminating established tariffs.

It is anticipated that the information collected would be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries would 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. Prior to dissemination, the information would 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.

In the current survey, NMFS provides each processor a unique pre-printed form that includes the products produced by the processor in the previous year. Processors have the option to use a web-based application that allows them to submit the data electronically. The processor only needs to fill in the quantities and value, and add any new products, before returning the form.

4. Describe efforts to identify duplication.

NOAA Fisheries Service is aware of all related fishery management activities and since the hagfish fishery is currently an unregulated fishery, these requirements do not duplicate any in existence.

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

The proposed collection of information requirements will not have a significant impact on small entities. Only the minimum data to meet the requirements of the above identified data needs are requested from all participants. Since all of the respondents are considered small businesses, separate requirements based on size of business have not been developed.

Processor reports will also be available to download on-line to aid in convenience of submission.

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

The reporting requirements to be implemented through the hagfish information collection pilot project are intended to improve upon the quality and quantity of information currently available on hagfish fishing operations. Specifically, the information provided by hagfish information collection pilot program participants (shoreside processors in this case) would help NOAA Fisheries and the Council tailor future hagfish management measures to reflect the unique aspects of this fishery and its interaction with other Federally-managed fisheries. Without this information, management measures may not capture accurately the geographic and seasonal aspects of this fishery, which help to characterize its demand in overseas markets and ensure that it may be sustained in future years. Increased knowledge of this fishery may also help managers and scientists understand the factors that may have contributed to this species' localized depletion. Localized depletion if left to continue may lead to negative economic impacts, as well overall depletion of the species.

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

There are no special circumstances associated with this proposed rule that would require the collection of information to be conducted in a manner inconsistent 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.

At the September 2006 Council meeting, the Council voted to recommend that NOAA Fisheries Service conduct a pilot information collection program on hagfish. In addition, NOAA Fisheries Service received feedback from industry representatives on the fishery's current operations and in doing so they helped contribute to the development of the proposed information collection requirements. The information collections contained in this submission are part of a proposed rule, RIN 0648-AU80, scheduled to publish in October 2006. Once public comments have been considered, a final rule outlining the measures that would be implemented, as modified by public comment, would be published in the Federal Register.

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

Neither payments, nor gifts are given to the respondents of this information collection.

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

All data would be handled in accordance with NOAA Administrative Order 216-100, Confidentiality of Fisheries Statistics, and would not be released for public use except in aggregate statistical form (and without identifying the source of data, i.e., vessel name, owner, etc.). In addition, any information submitted in support of the hagfish information collection pilot program implemented by NOAA Fisheries Service, would be considered confidential and would not be disclosed except as provided in section 402(b) of the Magnuson-Stevens Act.

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.

There are no questions of a sensitive nature.

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

A summary of this burden estimate can be found in Table 1.

There are approximately 2 active participants in the hagfish fishery that would be subject to the information collection's shoreside processor reporting requirements. The annual time associated with the processor reporting requirement is 1.00 hr (2 respondents x 0.50 hrs/response).

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 are no start-up, capital, or maintenance costs associated with this collection. No new or specialized equipment is needed to respond to this collection. The forms are provided with postage-fee envelopes.

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

A summary of the annualized cost to the Federal Government associated with this collection of information can be found in Table 1.

The estimated Cost to Government is \$10.14
Estimated Cost of Printing: 2 forms at 4 cents per copy = \$0.08
Estimated Cost of Mailing: 2 forms at \$0.78 cents total = \$1.56
Estimated Staff Support: 0.5 hours at GS 7/1 salary (\$17.00/hour) = \$8.50

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

Two additional processors are to be included in this information collection, adding two responses and one burden hour annually. There are no additional costs.

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

Results from this collection may be used in scientific, management, technical or general informational publications such as Fisheries of the United States which follows prescribed statistical tabulations and summary table formats and the annual Stock Assessment and Fishery Evaluation (SAFE) Report prepared by the Council for the hagfish fishery. Data are available to the general public on request in summary form only; data are available to NOAA Fisheries Service employees in detailed form on a need-to-know basis only.

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.

All forms will display the OMB control number and expiration date along with information relevant to the Paperwork Reduction Act of 1995.

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

All instances of this submission comply with 5 CFR 1320.9.