

**SUPPORTING STATEMENT
ALASKA REGION GEAR IDENTIFICATION REQUIREMENTS
OMB CONTROL NO.: 0648-0353**

INTRODUCTION

National Marine Fisheries Service (NMFS), Alaska Region manages the groundfish fisheries in the exclusive economic zone off the coast of Alaska under the Fishery Management Plan for Groundfish of the Gulf of Alaska and the Fishery Management Plan (FMP) for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area. The North Pacific Fishery Management Council prepared, and NMFS approved, the FMPs under the authority of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1801 *et seq.* as amended by [Public Law 109-479](#). These FMPs are implemented by regulations at [50 CFR part 679](#).

This collection describes identification requirements on marker buoys for hook-and-line, longline pot, and pot-and-line gear used in groundfish fisheries.

A. JUSTIFICATION

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

Requirements that fishing gear be marked with identification information are essential to facilitate fisheries enforcement and actions concerning damage, loss, and civil proceedings. The ability to link fishing gear to the vessel owner or operator is crucial to enforcement of regulations. The regulations at 50 CFR § 679.24 specify that longline marker buoys must be marked with the Federal fisheries permit number or State of Alaska Department of Fish and Game (ADF&G) vessel registration number. The regulations further specify how the gear is to be marked, e.g., location and color. Law enforcement personnel rely on this information to assure compliance with fisheries management regulations. Gear that is not properly identified is confiscated.

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.

The National Oceanic and Atmospheric Administration (NOAA), NMFS, Office for Enforcement (NMFS Enforcement) and the U.S. Coast Guard (USCG) use the identification of fishing gear in issuing violations, prosecutions, and other enforcement actions. Gear violations are more readily prosecuted, and this allows for more cost effective enforcement. Cooperating fishermen also use the gear identification to report placement or occurrence of gear in unauthorized areas. Fishermen marking their gear correctly ultimately benefit, as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

This request renews a collection of information that describes requirements to mark identification information on marker buoys for hook-and-line, longline pot, and pot-and-line gear. Most fishermen properly identify marker buoys and are not adversely affected by this

requirement. In addition to Federal gear-marking requirements at 50 CFR § 679.24, ADF&G regulations (5 AAC 28.050) require fishermen to mark crab and groundfish pots with the ADF&G vessel registration number of the vessel operating the gear. Since many Pacific cod fishermen already participate in State groundfish and crab fisheries, they are currently complying with this requirement. Fishermen incur the costs of marking their own marker buoys. Marking of buoys reduces the costs to NOAA Enforcement and USCG enforcement efforts and allows for more effective enforcement of gear rules.

Marker buoys are required to be marked with:

Marker buoys identification

Vessel Federal fisheries permit number, or
Vessel's ADF&G vessel registration number

Markings must be in characters at least 4 inches (10.16 cm) in height and 0.5 inch (1.27 cm) in width in a contrasting color visible above the water line and must be maintained so the markings are clearly visible.

The cost to fishermen is minimal. Materials needed are paint and paintbrush, or permanent ink applicator, and possibly a stencil. Assuming the buoy needs to be repainted every year, the operator of each vessel would need approximately 15 minutes to paint each buoy with either the Federal fisheries permit number or the ADF&G vessel registration number. Most fishermen have their marker buoys identified by the ADF&G vessel registration number.

Marker buoys identification, Respondent	
Number of respondents (1,196 hook and line + 496 pot) Frequency of response (1 per year x 12,552 buoys)	1,692
Total annual responses Time per response (15 minutes = 0.25 hr)	12,552
Total burden hours 1,292 vessels use 6 buoys (7,752 buoys @ .25 = 1,938 hrs) 400 vessels use 12 buoys (4,800 buoys @ .25 = 1,200 hrs)	3,138 hr.
Total personnel cost (2,134 x \$15)	\$47,070
Total miscellaneous costs (\$10 x 1,692) Miscellaneous supplies (paint and paintbrush)	\$16,920

Marker buoys identification, Federal Government	
Total burden hours	0
Total personnel cost	0
Total miscellaneous costs	0

The information collected will not be disseminated to the public because the information is identification on a marker buoy and is not submitted to NMFS.

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.

The requirement that fishing gear be marked with an identifying number does not lend itself to technology.

4. Describe efforts to identify duplication.

No other existing collection is duplicated.

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

The collection does not have a significant impact on small businesses, and no special modifications of the requirements were considered necessary to accommodate the needs of small businesses.

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

The NOAA Enforcement and USCG could not enforce the fisheries management measures if the gear marking were not required.

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

No special circumstances require the collection to be conducted in a manner inconsistent with the 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.

NMFS published a notice in the Federal Register (72 FR 7858, February 21, 2007) soliciting public comments on the information collection. No comments were received.

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

The NMFS will not provide any payment or gift to respondents.

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

There is no assurance of confidentiality provided, as marking of gear occurs on an individual basis. No information is submitted to NMFS.

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 information collection does not involve information of a sensitive nature.

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

Total estimated responses are 12,552. Total estimated time burden is 3,138 hours. Total estimated personnel cost is \$47,070. Personnel labor costs are estimated at \$15 per hour.

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).

Total estimated miscellaneous costs are \$16,920.

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

There would be no Federal costs associated with this collection, because it is a marking requirement from which no information is received to process.

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

No program changes or adjustments occurred during this period.

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

The information collected will not be published, and no statistical sampling of the information is planned.

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.

This collection describes a requirement for each fisherman to mark the marker buoys of his/her vessel with an identification number. No form or other documentation exists that would contain an expiration date.

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

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection will not employ statistical methods.