

**SUPPORTING STATEMENT
SOUTH PACIFIC TUNA ACT
OMB CONTROL NO.: 0648-0218**

A. JUSTIFICATION

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

The Treaty on Fisheries Between the Governments of Certain Pacific Island States and the Government of the United States of America (<http://www.intfish.net/treaties/pacisles.htm>), signed in Port Moresby, Papua New Guinea, in 1987, and its annexes, schedules and implementing agreements, as amended (Treaty), authorizes U.S. purse seine vessels to fish within fishing zones of a large region of the Pacific Ocean. The South Pacific Tuna Act ([16 U.S.C. 973g and 973j](#)¹) and U.S. implementing regulations ([50 CFR Subpart D](#)) authorize the collection of information from participants in the Treaty fishery.

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 Qualification Guidelines.

Vessel operators who wish to participate in the Treaty fishery must submit annual license and regional register registration application, and periodic written reports of catch and unloading of fish from a licensed vessel (both reports are recorded on the logsheet for purse seine transshipment and other unloading). The information collected is submitted to the Forum Fisheries Agency (FFA), located in Honiara in the Solomon Islands through the U.S. government (National Marine Fisheries Service (NMFS)). License and registration application information is used by FFA to determine the operational capability and financial responsibility of a vessel owner / operator interested in participating in the Treaty fishery. Information obtained from vessel catch and effort logbooks and unloading reports are used by FFA to assess the operation of the fishery and relevant tuna resources in the region and to track the amount of fish caught within each Pacific Island State's exclusive economic zone (EEZ) for fair disbursement of Treaty monies.

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 information collected and the forms for submitting the information are a requirement under the Treaty, its amendments and annexes. At the current time, the simplest and least burdensome method to obtain the information is directly from the vessel operator or management firm. At the present, there is no existing system that would be as efficient and as simple as the required forms. NMFS has engaged the FFA in discussions to move the fishery to fully automated (electronic reporting). NMFS staff in Pago Pago American Samoa provides those vessel

¹see: http://www.law.cornell.edu/uscode/html/uscodhttp://www.intfish.net/treaties/pacisles.htm#16usc_sup_01_16_10_16C.html

operators, who are interested and capable, an electronic version of the Regional Purse Seine Logbook. NMFS accepts electronic version of the catch and effort data provided by vessel operators upon completion of a fishing trip. To reduce the burden on respondents, NMFS supplies the necessary information collection forms and instructions and collects completed forms, either in person, by mail or by fax.

4. Describe efforts to identify duplication.

Duplication is avoided through consultations and cooperation between the U.S. government, FFA and the Pacific island states. There are no other data collection programs in place; therefore, there is no duplication with other programs. There are no programs currently in place that contain the information requested on the forms. FFA has been informed that any modifications to existing information collection or forms must be vetted with the U.S. Government and industry at the annual consultations for the appropriate Paperwork Reduction Act (PRA) review.

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

The collection of information is a requirement, under the Treaty, for vessels to participate in the Treaty fishery. All of the data collected have been deemed essential by the parties to the Treaty. Every effort is made that when additional information is requested by either of the parties that there is a review to ensure that it is 1) essential, 2) not collected elsewhere, and 3) is not overly burdensome or intrusive.

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

If the information is not collected, the U.S. government will not meet its obligations under the Treaty, and the lack of fishing information will result in poor management of the fishery resource.

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

The frequency and format of information collection is mandated by the terms and conditions of the Treaty. A vessel owner / operator is required to supply information once per year related to initially obtaining a license or renewing one, and then other information – related to fishing activities upon completion of each fishing trip and each unloading, which may occur sooner than each quarter. It is estimated that the average number of fishing trips is 5-6 per vessel per year and the average number of unloadings is 6-7 per vessel per year. If the information is not collected as required, the vessel operator would be in violation of the Treaty and subject to fines and prosecution, the U.S. government would not meet its obligations under the Treaty, and management of the fishery stocks would be impaired. The type and substance of information collected from vessel operators generally conform to 5 CFR 1320.6. Respondents are required to supply information at the completion of each fishing trip and unloading, which may occur sooner than each quarter, and are requested to provide vessel operational statistics in metric equivalents (e.g., metric tons for species caught and / or unloaded).

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 that solicited public comments on the information collection was published on May 7, 2007; no comments were received on the proposed collection.

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

No payment or gift to respondents has occurred.

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

All data are collected for the specific use by the FFA. NOAA Administrative Order 216-100 governs confidential data collected by NMFS. In addition, the South Pacific Tuna Act (16 U.S.C. 973j) provides for confidentiality of catch and unloading information provided by vessel operators.

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, such as sexual behavior and attitudes, religious beliefs, or other matters that are commonly considered private, are required in the information collection.

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

The estimated total annual burden hours are as follows:

(a) License application form - 1 response per year x 15 minutes/response x 22 respondents = 5.5 (6)hours.

(b) Regional application/VMS registration form - 1 response per year x 45 minutes/response x 22 respondents = 16.5 hours.

(c) Purse seine transshipment logsheet - 5 responses per year x 1 hour/response x 22 respondents = 110 hours.

(e) Unloading logsheet: 6 responses per year x 30 minutes/response x 22 respondents = 66 hours.

(f) Maintenance for Vessel Monitoring System (VMS) Units - cost only; see #13.

Total burden figures are 22 respondents, 286 responses, and 199 hours.

Labor costs:

(a) License application form - 1 response per year x 15 minutes/response x \$7.00/hour (clerical) x 22 respondents = \$39.00.

(b) Regional application/VMS registration form - 1 response per year x 45 minutes/response x \$7.00/ hour (clerical) x 22 respondents = \$116.00.

(c) Purse seine transshipment form - 4 responses per year x 1 hour/response x \$25.00/ hour (vessel master) x 22 respondents = \$2,200.00.

(d) Unloading logsheet - 6 responses per year x 30 minutes/response x \$25.00/ hour (vessel master) x 22 respondents = \$1,650.00.

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).

The total annual cost burden to the respondents is \$67,188.00 or \$3,054.00 per respondent:

(a) Mailing costs - \$1.00 per forms package x 22 respondents = \$22.00.

(b) VMS Registration Fee - \$2,253.00 per year x 22 respondents = \$49,566.

(c) Maintenance of VMS Units including transmission costs - \$800 per year x 22 respondents = \$17,600.

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

The estimated annualized cost to federal government (\$7,958.00) is described below (dollar amounts are rounded off).

(a) License application forms - 1 page of information @ \$0.10/page x 22 respondents = \$2.00.

(b) Regional application/VMS registration forms - 3 pages of information @ \$0.10 each x 22 respondents = \$7.00.

(c) Mailing and handling of applications - \$1.00 per forms package x 22 respondents = \$22.00.

(d) Staff review and processing - 18 minutes/response @ \$26.00/hr.[GS-9] x 22 respondents = \$172.00.

(e) Purse seine transshipment logsheet - 3 pages of information x \$0.14 per page x 4 responses per year x 22 respondents = \$37.00.

(f) Unloading logsheet - 1 page of information x \$0.14 per page x 6 responses per year x 22 respondents = \$18.00.

(g) Mailing and handling of forms - 20 pages of information x \$1.00 per package of forms x 22 respondents = \$440.00.

(h) Staff review and processing - 20 pages of information x 0.30 hr./page x \$55.00/hr. [GS-13] x 22 respondents = \$7,260.00.

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

Due to the consolidation of 2 forms – the regional register and the vessel monitoring system register – there is a savings of 6 responses. Forty-three hours were removed, as VMS maintenance is now counted as cost only. In addition, the FFA fee has increased significantly: from \$845 to \$2,253, resulting in an increase of \$30,976. NOTE: this is NOT a NMFS fee, or NMFS fee increase.

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

The information collected is not for publication.

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 used in the information collection are actually developed by the FFA. They do not display the expiration date for Office of Management and Budget (OMB) approval.

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

All forms used in the information collection are developed and supplied by the FFA. They do not indicate the retention period for record keeping requirements, or inform respondents of the information called for under 5 CFR 1320.8(b)(3). It is not known whether the forms were developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected.

No PRA information will be displayed on or be attached to forms distributed directly by the FAA. NMFS does distribute some of the license application and vessel registration forms, and the attached PRA information will be sent with those forms.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used for this collection.