SUPPORTING STATEMENT
ATLANTIC HIGHLY MIGRATORY SPECIES OBSERVER NOTIFICATION
REQUIREMENTS
OMB CONTROL NO. 0648-0374

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used. Data on the number of entities (e.g. establishments, State and local governmental units, households, or persons) in the universe and the corresponding sample are to be provided in tabular form. The tabulation must also include expected response rates for the collection as a whole. If the collection has been conducted before, provide the actual response rate achieved.

This collection of information will employ statistical methods to reduce the respondent burden and the data processing cost to the government. The potential respondent universe consists of all currently permitted vessels that are active in the swordfish, shark, and tuna fisheries. Active vessels are considered to be those that have a valid permit and that have reported landings during the previous year. Actual response rates from selected vessels may vary. Thus, in addition to sending out selection letters, NMFS follows up with phone calls to selected vessel owners to determine their schedules and ability to carry an observer. The number of potential vessels for each of the fisheries is provided in response to Question 12 and summarized below.

Table 1. **Number of permitted vessels, percentage selection, and number of corresponding respondents for each of the three HMS observer programs.**

Category	Permits	Percent Coverage	Number of Vessels	Trips per coverage period	Total Responses	Burden (hr)
Tuna	3,873	1%	39	50	1,950	65
Swordfish w/o GOM coverage (3 quarters)	180	10%	18	2	36	1
Swordfish during Gulf coverage (1 quarter)	139*	10%	14	1	14	1
Swordfish GOM	41*	100%	41	3	123	4
Shark	216	15%	32	3	96	3
Shark Research Fishery	10	100%	10	10	100	3
Shark Gillnet Fishery	5	100%	5	2	10	.5
HMS CHB and Angling	28,115	.0177%	50	50	2,500	83
Total	**32,399**	**n/a**	**209**	**n/a**	**4,829**	**160.5 (161)**

* These numbers are two subtotals of the total number of current swordfish permits

2. Describe the procedures for the collection, including: the statistical methodology for stratification and sample selection; the estimation procedure; the degree of accuracy needed for the purpose described in the justification; any unusual problems requiring specialized sampling procedures; and any use of periodic (less frequent than annual) data collection cycles to reduce burden.

A Biological Opinion (BiOp) issued in 2004 mandates 8 percent observer coverage for the pelagic longline fishery (swordfish fishery). Although there is no mandated observer coverage level for the commercial shark bottom longline fishery, NMFS has established a target of 5 percent observer coverage based on a 2001 BiOp for the pelagic longline fishery and a requirement of a 2003 BiOp that the observer coverage remain at the same level or increase. The shark gillnet fishery (5 vessels) observer coverage is 100 percent when the fishery is open due to right whale concerns. Observer coverage is distributed according to a stratified random sampling scheme that is required to adequately sample the fishery to determine levels of protected species takes. In order to ensure adequate observer coverage, NMFS currently selects 10 percent of all permitted swordfish vessels for observer placement, and 15 percent of all active permitted shark vessels. In addition, new management measures have established a shark research fishery of 10 vessels which receive 100 percent coverage. Commercial tuna permit holders are subject to 1 percent observer coverage throughout the year. Recreational permit holders are also subject to observer coverage at a level of < 1 percent. Selected respondents are stratified across all statistical areas based on information reported in logbooks the previous year. The random sample for the shark and swordfish fleet would be stratified according to: (1) location of fishing in the previous year within designated statistical areas and (2) level of activity (landings versus no landings/held a permit or did not hold a permit). The HMS logbook form contains sufficient information to determine where a vessel was fishing and the level of activity in the previous year. Numerous analyses of logbook data have already designated the statistical areas. These same areas would be used in the random sample. Sample size for selection of these vessels would be designed to ensure adequate representation across the fleet and across all areas.

3. Describe the methods used to maximize response rates and to deal with nonresponse. The accuracy and reliability of the information collected must be shown to be adequate for the intended uses. For collections based on sampling, a special justification must be provided if they will not yield "reliable" data that can be generalized to the universe studied.

In order to maximize the response rate, brochures have been developed and circulated to educate fishermen in various sectors about reporting requirements. NMFS has also published compliance guides to remind fishermen of their obligations. Non-responders are typically contacted first by phone and then are notified by the NMFS Office of Law Enforcement of their delinquency. If there continues to be no response, citations could be issued. To account for vessels that may not respond to the information request, or that may no longer have an active permit, NMFS may select an additional percentage of vessels to ensure that observer coverage goals are met. Additionally, to ensure that observer coverage matches regional distribution of fishing effort, NMFS selects vessels from each region based on the proportion of current fishing effort in each region. In combination, these different methods help to ensure that an adequate number of positive responses to the information request are received, and that the target observer coverage levels are met.

4. Describe any tests of procedures or methods to be undertaken. Tests are encouraged as effective means to refine collections, but if ten or more test respondents are involved OMB

must give prior approval.

There are no plans to test any of the current procedures.

5. Provide the name and telephone number of individuals consulted on the statistical aspects of the design, and the name of the agency unit, contractor(s), grantee(s), or other person(s) who will actually collect and/or analyze the information for the agency.

NMFS, Office of Science and Technology (sampling design/analysis):
        Dr. Rita Curtis 301-713-2328
NMFS, Southeast Fisheries Science Center (data collection):
        Dr. John Carlson (Shark Observer Program)
        Dr. Lawrence Beerkircher (Pelagic Longline Observer Program)