

**SUPPORTING STATEMENT
PERMIT, VESSEL IDENTIFICATION, AND REPORTING REQUIREMENTS FOR
DEEPWATER SHRIMP FISHERIES IN THE WESTERN PACIFIC REGION
OMB CONTROL NO. 0648-xxxx**

A. JUSTIFICATION

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

The Magnuson-Stevens Fishery Conservation and Management Act (Magnuson Act) established regional fishery management councils, including the Western Pacific Fishery Management Council (Council), to develop fishery management plans for fisheries in the United States (U.S.) exclusive economic zone (EEZ). These plans, if approved by the Secretary of Commerce, are implemented by Federal regulations, which are enforced by the National Oceanic and Atmospheric Administration (NOAA) Fisheries Office for Law Enforcement (OLE) and the United States Coast Guard (USCG), in cooperation with State agencies to the extent possible. The fishery management plans are intended to regulate fishing to ensure sustained productivity and achievement of optimum yield from the resources for the benefit of the United States.

The preferred alternative recommended by the Council creates a new collection-of-information requirement. Fishermen who fish for or deepwater shrimp (*Heterocarpus* spp.) would be required under Federal regulations to obtain a Federal permit and to submit Federal logbooks to the National Marine Fisheries Service (NMFS).

The information collected would be used to document fishing activities and landings, to determine the condition of the stocks, to assess the effectiveness of management measures, to evaluate the benefits and costs of changes in management measures, and to monitor and respond to accidental takes of endangered and threatened species, including seabirds, sea turtles, and marine mammals.

Vessel owners are required to comply with Federal vessel identification requirements that are intended to assist in aerial and at-sea enforcement of fishing regulations.

This is a new request related to Proposed Rule, Regulation Identifier Number (RIN) 0648-AV29, published on August 22, 2008 and Final Rule published on November 21, 2008, possibly to be merged in the future with Office of Management and Budget (OMB) Control No. 0648-0490, Pacific Islands Region Permit Family of Forms, OMB Control No. 0648-0214, Pacific Islands Region Logbook Family of Forms, and OMB Control No. 0648-0360, Pacific Islands Region Vessel and Gear Identification Requirements.

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.

Permits

Information is collected via a NMFS permit application process. Permits are valid for one calendar year and may be renewed annually. Information from the permit application form will allow NMFS to confirm the identity of the permit holder and applicant, and to determine whether the applicant qualifies for the permit. Vessel-related information such as vessel documentation or registration, ownership, managing ownership, etc., are used by NMFS to determine whether the applicant is an owner of a U.S. documented/registered vessel. The information may also be used by OLE, USCG, and the Council.

Logbooks

The completed logbook forms are required to be submitted to NMFS by vessel owners or operators within 72 hours after the end of each fishing trip. The reporting requirements provide the information needed by NMFS and the Council to regulate and monitor the fisheries managed under the Fishery Management Plan (FMP) and to evaluate the effectiveness of management by assessing the status of stocks and the status of the fisheries. The information provides a basis for determining whether changes in management are needed to sustain the productivity of the stocks. The information is also used to provide the basis for evaluating the magnitude and distribution of impacts resulting from changes to the regulations. Information from the logbooks is used by fishery and enforcement officials of NMFS and USCG to monitor compliance with fishing regulations and reporting requirements.

Vessel Identification

In the domestic western Pacific region fisheries regulated under 50 CFR Part 665, the vessel's official number is required to be displayed on the port and starboard sides of the deckhouse or hull, and on an appropriate weather deck. It identifies each vessel and should be visible at distances at sea and in the air. The requirements generally affect vessels registered to permits for pelagic fisheries, crustacean fisheries, bottomfish and seamount groundfish fisheries, and precious coral fisheries in the western Pacific region. Regulations in 50 CFR Part 665.16 specify the requirements for the vessel identification.

The identification number provides law enforcement personnel with a means to monitor fishing, at-sea processing, and other related activities, to ascertain whether the vessel's observed activities are in accordance with those authorized for that vessel. The information is strictly for enforcement purpose or use by NMFS internally in situations involving damage, loss, and civil proceedings.

As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with Federal law and regulations, and NOAA policies for confidentiality, privacy, and electronic information. See response to Question No. 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 will 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.

Permits and Logbooks

At this time, the information will be collected on paper forms and does not require any knowledge of automated, electronic, mechanical or other forms of information technology. There is the possibility of allowing participants to submit their permit applications and logbooks online but this would only be an option. No such logbook option has been developed at this time for this fishery. A web-based national fisheries permit system is currently under development.

Once this information collection request is approved, the permit application forms will be posted at http://www.fpir.noaa.gov/SFD/SFD_permits_11.htm for downloading, filling and printing. Logbook and instructions will be provided by NMFS via U.S. mail with issued Federal squid jig permits.

Vessel Identification

Vessel identification is done manually.

4. Describe efforts to identify duplication.

Permits

There is no similar Crustaceans FMP deepwater shrimp permit requirement for vessels fishing in EEZ waters of the western Pacific region.

Logbooks

There is no similar comprehensive catch and effort reporting program for deepwater shrimp vessels fishing in EEZ waters of the western Pacific region.

NMFS carefully considered whether there were collections by other Federal agencies or state or territorial agencies that might meet the information needs presented above. It was concluded that no other collections, besides the requested information, would meet these reporting requirements.

Vessel Identification

The information is not duplicative; it is a unique requirement for vessels registered to a Federal crustaceans fishing permit in the western Pacific region.

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

Federal crustaceans FMP deepwater shrimp permit applications would be available online at http://www.fpir.noaa.gov/SFD/SFD_permits_index.html or by contacting the Sustainable Fisheries permits program at NMFS Pacific Islands Regional Office, to reduce the burden of time spent applying or ordering by mail. Applications may be downloaded, printed, and then mailed to NMFS. Permits will be issued by NMFS and delivered via U.S. mail.

Logbook and instructions would be provided by NMFS via U.S. mail with issued Pacific Crustacean FMP deepwater shrimp permits to reduce time spent obtaining forms via an office visit. The Fisheries Monitoring and Analysis Program at the Pacific Islands Fisheries Science Center in Honolulu may be contacted in writing by email, fax, or mail to answer questions about filling out the logsheets or sales reports. Contact information will be provided with the logbook.

Vessel identification instructions provided by NMFS are straightforward and the task of applying the identification marks is simple to minimize the burden of meeting the requirements.

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

Permits

Without this collection or if it is collected less frequently, NMFS will be unable to properly evaluate activity, participation, and reporting compliance in the western Pacific commercial deepwater shrimp fishery. It will be difficult to monitor the fisheries and their participants, determine entry and exit patterns, and provide information needed to ensure full impact analysis for fisheries management programs. Without this information enforcement agents will not be able to identify current fishery participants for compliance monitoring purposes and NMFS would be unable to consult with permit holders on regulatory changes.

Logbooks

Logbook reporting is needed in the western Pacific deepwater shrimp fishery to get an accurate count of the effort level, amount of harvest, and volume in this fishery.

Vessel Identification

Vessel identification and verification of activity via air and surface patrol would be difficult for enforcement agencies.

Without the information collected by means of the permit applications, logbook reports and, vessel identification, NMFS and the Council would be unable to determine whether management is achieving the objectives of the FMP and the Magnuson-Stevens Act.

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

None.

8. Provide information on 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 proposed rule, RIN 0648-AV29, published on August 22, 2008 (73 FR 49638), solicited public comments on this submission. No substantive comments on the proposed collection of information were received. A final rule (73 FR 70603) was, published on November 21, 2008.

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

No payments or gifts are provided

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

Under Section 402(b) of the Magnuson-Stevens Act, amended in 2006, and NOAA Administrative Order 216-100, information submitted in accordance with regulatory requirements under the Act is confidential. This includes personal and proprietary information contained in the permits and logbooks. The respondents are advised of this on the forms.

Although the vessel identification number is not confidential it will not be disseminated to the public.

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 are asked of a sensitive nature.

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

Permits

NMFS expects to receive up to 10 permit applications for commercial deepwater permits each year. Applicants are expected to spend 30 minutes completing the application, and renewing a permit would require an additional 30 minutes annually. Thus, the total collection-of-information burden to fishermen for permit applications is estimated at 5 hours per year.

Logbooks

NMFS estimates that the time requirement for completing Federal catch reports to be approximately 10 minutes per vessel per fishing day. Assuming that 10 vessels make 100 trips per year, the program would generate up to 1,000 daily fishing logbooks per year. Thus, the total

collection-of-information burden estimate for fishing data reporting is estimated at 167 hours per year.

Total number of logbooks: 10 vessels x 100 trips = 1,000 logbook per year
Total hours: 1,000 logbooks x 10/60 min per logbook = 167 hours per year.

Vessel Identification

For the vessel identification requirements, the burden is estimated at 45 minutes to paint each vessel. Assuming 10 vessels are active, the total collection-of-information burden estimate is 7.5 (8) hours (45/60 x 10).

Summary of Responses and Burden

Total Responses: 10 applications + 1,000 logbooks + 10 markings = 1,020

Total Burden Hours: 5 + 167 + 8 = 180.

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 Question 12 above).

There is no “start up” capital cost for complying with this requirement. Paper forms provided by NMFS will be used by the respondents for providing information. Electronic forms are an option that will be provided later, but would be voluntary on the respondent’s part and presumably would be used only if the respondent already possessed the requisite equipment. The maximum estimated cost to respondents for postage, faxes, copies, etc., related to this collection is \$560 per year, or about \$.55 per response, for permit and logbook costs.

For the vessel identification requirements, the cost is estimated at about \$10 for paint and supplies to paint each vessel, or a total of \$100 annually.

Total annual costs: \$560 + \$100 = \$660.

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

Permits and Logbooks

The estimated annual cost to the Federal government to administer this collection of information is up to \$5,220. This includes the cost to process permit applications and issue permits at \$100 per year (10 permits x 30 min/permit x \$20/hr), printing daily catch and effort logsheet forms at \$120 per year (1,000 logsheets and sales reports x \$0.12 per sheet), and processing of log forms at \$5,000 per year, which is calculated by the cost of staff time for receiving and entering logsheet form data (1,000 logsheets x 15 min/logsheet x \$20/hr).

There are no costs for the vessel identification requirement.

15. Explain the reasons for any program changes or adjustments.

This is a new program.

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

No formal scientific publications based on these collections are planned at this time. NMFS and the Council will use the data (primarily in an aggregated, non-confidential format) for developing management reports and fishery management plan amendments and evaluations. However, subsequent use of the data collected over a series of years may include scientific papers and publications.

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.

N/A.

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

N/A.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed.